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An Act to consolidate the Floating Debt of the
Town of Sudbury.

WHEREAS the municipal corporation of the town of Sud- Preamble.
bury have by their petition represented that they have
incurred a floating debt of about \$13,500 in addition to the
ordinary expenses of the corporation, the said floating debt
5 having arisen mainly from unforeseen expenses in connection
with the water, light and sewage systems of the town, and no
funds have been provided for the payment thereof; and
whereas the said corporation have represented that the pay-
ments to be made on account of the debenture debts of the
10 said municipality and the said floating debt would be unduly
oppressive to the ratepayers, and have further represented
that in order to lessen the annual burden on the said rate-
payers it is desirable to extend the payment of the said float-
ing debt over a long term of years; and whereas the said cor-
15 poration have by their said petition prayed, among other things,
that they may be authorized to issue debentures to an amount
not exceeding in the whole, \$13,500, and with the money
loaned thereon to pay off the present floating indebtedness;
and whereas it is expedient to grant the prayer of the said
20 petition;

Therefore Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows;—

1. The corporation of the town of Sudbury may pass a by- Debentures
for \$13,500
authorized.
25 law or by-laws providing for the issue of debentures, and in
pursuance of the provisions of such by-law or by-laws may
issue debentures under their corporate seal, signed by the
mayor and countersigned by the treasurer for the time being,
in such sums not less than \$100 each, and not exceeding
30 \$13,500 in the whole, as the said corporation may direct, and
the principal sum secured by the said debentures and the
interest accruing thereon may be made payable at such place
or places as the said corporation may deem expedient, and

may be expressed in either sterling money of Great Britain or currency of Canada.

Borrowing on] debentures. 2. The said corporation may raise by way of loan on the credit of the said debentures from any person or persons or body corporate in this Province or in Great Britain or elsewhere, a sum or sums sufficient to pay off the said floating indebtedness not exceeding in the whole the sum of \$13,500, or may sell or dispose of the said debentures from time to time as may be deemed expedient, but all moneys realized from such loan, sale or disposition shall be applied by the said corporation in payment of the said floating debt and the expenses in connection with the consolidation thereof and the issue and floating of the said debentures, and in no other manner and for no other purpose whatsoever. 5 10

Payment of debentures and interest. 3. The said debentures shall be payable in not more than thirty years from the date thereof as the said corporation may direct, and such debentures may bear interest at any rate not exceeding five per cent. per annum. Such interest shall be secured by coupons attached to the said debentures, and shall be payable yearly during the currency of the same and at the same time and place as the portion of the principal provided for in the next succeeding section hereof is payable. 15 20

Debt to be repayable in annual instalments. 4. A portion of the said debentures to be issued under this Act shall be made payable in each year during the currency thereof, and so that the aggregate amount payable for principal and interest in any one year shall be equal, as nearly as may be, to what is payable for principal and interest during each of the other years of the period within which the said debenture debt is to be discharged. 25

Special rate. 5. The said corporation shall levy, in addition to all other rates to be levied in each year, a special rate sufficient to pay the amount falling due annually for principal and interest in respect of the debentures authorized to be issued under this Act, and it shall not be necessary to levy for or to provide any sinking fund to retire the said debentures or any of them. 30 35

Assent of electors not required. 6. It shall not be necessary to obtain the assent of the electors of the said town of Sudbury for the passing of any by-law which shall be passed under the provisions of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*; and any provisions in the Acts respecting municipal institutions in the Province of Ontario which are or may be inconsistent with the provisions of this Act, or any of them, shall not apply to the by-law or by-laws to be passed by the said corporation under the provisions of this Act. 40 45

7. The debentures issued under this Act may be in the form contained in Schedule "A" to this Act, and the by-law or by-laws authorizing the same and for the special rate for payment of interest may be in the form of Schedule "B" to this Act or as near thereto as the said corporation may find convenient, but no irregularity in the form of the said debentures or any of them authorized by this Act to be issued, or any by-law or by-laws authorizing the issue thereof, shall render the same invalid or illegal or be allowed as a defence to any action brought against the corporation for the recovery of the said debentures and interest, or any or either of them or any part thereof, and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issue of debentures, or as to the application of the proceeds thereof.

Form of
debentures
and by-laws.

8. No by-law to be passed under the provisions of this Act shall be repealed until the debt created by such by-law and the interest thereon shall be paid and satisfied.

By-law not to
be repealed
until debt
paid.

9. Nothing in this Act contained shall be held or taken to discharge the corporation of the town of Sudbury from any indebtedness or liability which may not be included in the said debts of the said town.

Indebtedness
of town not
discharged.

SCHEDULE A.

(Section 7.)

DEBENTURE.

Province of Ontario, Town of Sudbury.

No. —

§

Under and by virtue of an Act respecting the floating debt of the town of Sudbury passed by the Legislative Assembly of the Province of Ontario in the sixty-third year of the reign of Her Majesty, Queen Victoria, and chaptered _____, and by virtue of by-law No. _____ of the corporation of the town of Sudbury, passed under the provisions contained in the said Act, the corporation of the town of Sudbury promise to pay to the bearer at _____, in the town of Sudbury, the sum of _____ on the _____ day of _____ A.D. _____, and the yearly coupons for interest thereon hereto attached as the same shall severally become due.

Dated at the town of Sudbury, in the District of Nipissing, this _____ day of _____ A.D. _____.

Mayor.

Treasurer.

SCHEDULE B.

(Section 7.)

BY-LAW No. ---, TO AUTHORIZE THE ISSUE OF DEBENTURES UNDER THE
AUTHORITY OF AN ACT TO CONSOLIDATE THE FLOATING DEBT OF THE
TOWN OF SUDBURY.

Whereas the said Act authorizes the issue of debentures for the purposes therein mentioned, not exceeding the sum of \$13,500.00 in the whole, as the corporation of the town of Sudbury may in pursuance of and in conformity with the provisions of the said Act direct; and whereas, for the purposes of the said Act, it is necessary and expedient to issue debentures to the extent of \$ _____, payable as follows:

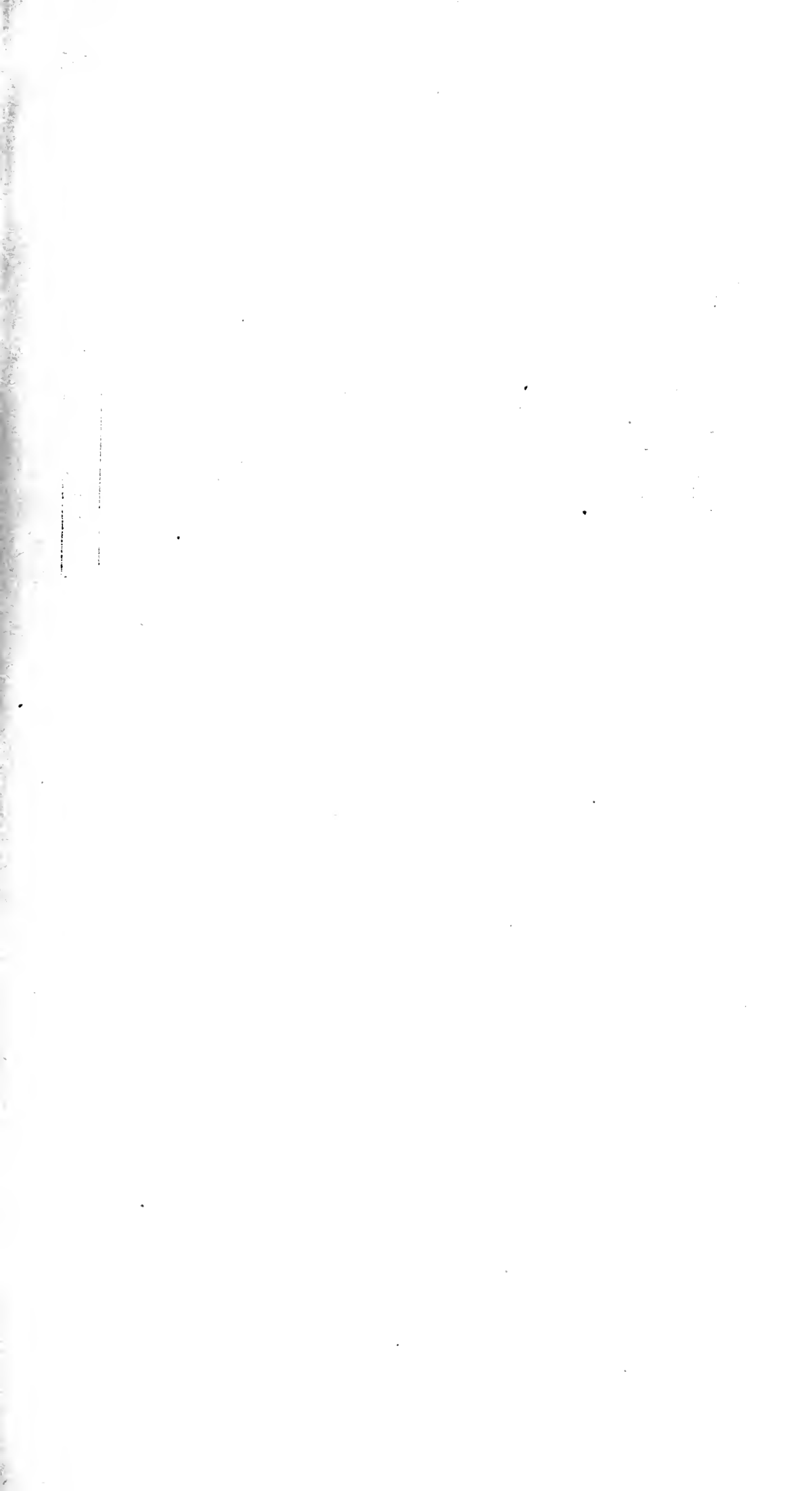
with interest thereon at the rate of _____ per centum per annum, payable yearly, according to the coupons to the said debentures attached; and whereas the amount of the whole rateable property of the said town of Sudbury, according to the last revised assessment roll of the said town being for the year one thousand _____ hundred _____, was \$ _____;

Therefore, the municipal corporation of the town of Sudbury enacts as follows:

1. Debentures under the said Act, and for the purposes mentioned therein to the extent of the sum of \$ _____, are hereby authorized and directed to be issued payable as hereinbefore set forth.

2. The said debentures shall have coupons thereto attached for the payment of interest at the rate of _____ per centum per annum, payable yearly on the _____ day of _____ in each year.

This by-law passed in open council this _____ day of _____ in the year of our Lord, one thousand _____.



No. 1.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to consolidate the Floating Debt of
the Town of Sudbury.

First Reading, 1900.

(Private Bill.)

Mr. LOUGHRIN.

TORONTO :

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act to consolidate the Floating Debt of the
Town of Sudbury.

WHEREAS the Municipal Corporation of the Town of Sudbury *has* by petition represented that ^{Preamble.} the said corporation ^{has} incurred a floating debt of about \$13,500 in addition to the ordinary expenses of the corporation, the said floating debt having arisen mainly from ^{unprovided for} balances of capital expenditure ^{in connection with the water, light and sewerage systems of the town, and no funds have been provided for the payment thereof;} and whereas the said corporation *has* represented that the payments to be made on account of the debenture debts of the said municipality and the said floating debt would be unduly oppressive to the rate-payers, and *has* further represented that in order to lessen the annual burden on the said ratepayers it is desirable to extend the payment of the said floating debt over a long term of years; and whereas the said corporation *has* by *the* said petition prayed, among other things, *to* be authorized to issue debentures to an amount not exceeding in the whole, \$13,500, and with the money loaned thereon to pay off the present floating indebtedness; and whereas it is expedient to grant the prayer of the said petition;

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows;—

1. The *Municipal* Corporation of the Town of Sudbury may pass a by-law or by-laws providing for the issue of debentures, and in pursuance of the provisions of such by-law or by-laws may issue debentures under their corporate seal, signed by the mayor and countersigned by the treasurer for the time being, in such sums not less than \$100 each, and not exceeding \$13,500 in the whole, as the said corporation may direct, and the principal sum secured by the said debentures and the interest accruing thereon may be made payable at such place or places as the said corporation may deem expedient, and may be expressed in either sterling money of Great Britain or currency of Canada. ^{Debentures for \$13,500 authorized.}

2. The said corporation may raise by way of loan on the credit of the said debentures from any person or persons or ^{Borrowing on debentures.}

body corporate in this Province or in Great Britain or elsewhere, a sum or sums sufficient to pay off the said floating indebtedness not exceeding in the whole the sum of \$13,500, or may sell or dispose of the said debentures from time to time as may be deemed expedient, but all moneys realized from such loan, sale or disposition shall be applied by the said corporation in payment of the said floating debt and the expenses in connection with the consolidation thereof and the issue and floating of the said debentures, and in no other manner and for no other purpose whatsoever.

Payment of debentures and interest.

3. The said debentures shall be payable in not more than *twenty* years from the date thereof as the said corporation may direct, and such debentures may bear interest at any rate not exceeding five per cent. per annum. Such interest shall be secured by coupons attached to the said debentures, and shall be payable yearly during the currency of the same and at the same time and place as the portion of the principal provided for in the next succeeding section hereof is payable.

Debt to be repayable in annual instalments.

4. A portion of the said debentures to be issued under this Act shall be made payable in each year during the currency thereof, and so that the aggregate amount payable for principal and interest in any one year shall be equal, as nearly as may be, to what is payable for principal and interest during each of the other years of the period within which the said debenture debt is to be discharged.

Special rate.

5. The said corporation shall levy, in addition to all other rates to be levied in each year, a special rate sufficient to pay the amount falling due annually for principal and interest in respect of the debentures authorized to be issued under this Act, and it shall not be necessary to levy for or to provide any sinking fund to retire the said debentures or any of them.

Assent of electors not required.

6. It shall not be necessary to obtain the assent of the electors of the said town of Sudbury for the passing of any by-law which shall be passed under the provisions of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*; and any provisions in the Acts respecting municipal institutions in the Province of Ontario which are or may be inconsistent with the provisions of this Act, or any of them, shall not apply to the by-law or by-laws to be passed by the said corporation under the provisions of this Act.

Form of debentures and by-laws.

7. The debentures issued under this Act may be in the form contained in Schedule "A" to this Act, and the by-law or by-laws authorizing the same and for the special rate for payment of interest may be in the form of Schedule "B" to this Act or as near thereto as the said corporation may find convenient, but no irregularity in the form of the said deben-

tures or any of them authorized by this Act to be issued, or any by-law or by-laws authorizing the issue thereof, shall render the same invalid or illegal or be allowed as a defence to any action brought against the corporation for the recovery of the said debentures and interest, or any or either of them or any part thereof, and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issue of debentures, or as to the application of the proceeds thereof.

8. No by-law to be passed under the provisions of this Act shall be repealed until the debt created by such by-law and the interest thereon shall be paid and satisfied. By-law not to be repealed until debt paid.

9. Nothing in this Act contained shall be held or taken to discharge the corporation of the town of Sudbury from any indebtedness or liability which may not be included in the said debts of the said town. Indebtedness of town not discharged.

SCHEDULE A.

(Section 7.)

DEBENTURE.

Province of Ontario, Town of Sudbury.

No. —

§

Under and by virtue of an Act respecting the floating debt of the town of Sudbury passed by the Legislative Assembly of the Province of Ontario in the sixty-third year of the reign of Her Majesty, Queen Victoria, and chaptered _____, and by virtue of by-law No. _____ of the corporation of the town of Sudbury, passed under the provisions contained in the said Act, the corporation of the town of Sudbury promise to pay to the bearer at _____, in the town of Sudbury, the sum of _____ on the _____ day of _____ A.D. _____, and the yearly coupons for interest thereon hereto attached as the same shall severally become due.

Dated at the town of Sudbury, in the District of Nipissing, this _____ day of _____ A.D. _____.

Mayor.

Treasurer.

SCHEDULE B.

(Section 7.)

BY-LAW No. — —, TO AUTHORIZE THE ISSUE OF DEBENTURES UNDER THE AUTHORITY OF AN ACT TO CONSOLIDATE THE FLOATING DEBT OF THE TOWN OF SUDBURY.

Whereas the said Act authorizes the issue of debentures for the purposes therein mentioned, not exceeding the sum of \$13,500.00 in the whole, as the corporation of the town of Sudbury may in pursuance of and in conformity with the provisions of the said Act direct; and whereas, for the purposes of the said Act, it is necessary and expedient to issue debentures to the extent of \$ _____, payable as follows:

with interest thereon at the rate of _____ per centum per annum, payable yearly, according to the coupons to the said debentures attached; and whereas the amount of the whole rateable property of the said town of Sudbury, according to the last revised assessment roll of the said town being for the year one thousand _____ hundred _____, was \$ _____;

Therefore, the municipal corporation of the town of Sudbury enacts as follows:

1. Debentures under the said Act, and for the purposes mentioned therein to the extent of the sum of \$ _____, are hereby authorized and directed to be issued payable as hereinbefore set forth.

2. The said debentures shall have coupons thereto attached for the payment of interest at the rate of _____ per centum per annum, payable yearly on the _____ day of _____ in each year.

This by-law passed in open council this _____ day of _____ in the year of our Lord, one thousand _____.



No. 1.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to consolidate the Floating Debt of
the Town of Sudbury.

First Reading, 5th March, 1900.

*(Reprinted as amended by Private Bills
Committee.)*

Mr. LOUGHRIN.

TORONTO :

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act to re-unite the North and South Ridings of the County of Perth for the purpose of Registration of Titles.

WHEREAS the Warden and Municipal Council of the County of Perth have by their petition represented that the division of the County of Perth into North and South Ridings thereof for the purposes of registration of titles is inconvenient to the people of the North and South Ridings of the said county and is unnecessary, and have prayed that the North and South Ridings of the County of Perth should be re-united for the purpose of registration of titles, and it is expedient to grant the prayer of the said petition :

10 Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. Upon, from and after the date upon which the present Registrar of the South Riding of the County of Perth ceases to hold the said office of Registrar by reason of death, resignation or otherwise, the North and South Ridings of the said County of Perth shall be re-united for the purpose of registration of titles, and the whole County of Perth shall upon, from and after the death or resignation of the present Registrar of the South Riding of the County of Perth, or upon his ceasing to hold the said office, form one such registration division or county. The Registry Office for the said County of Perth shall be kept in the City of Stratford in the said county and the then Registrar for the North Riding of the County of Perth shall be the Registrar for the whole County of Perth from and after the said Registrar for the South Riding of the County of Perth ceasing to hold such office of Registrar of the South Riding of the County of Perth.

2. Upon, from and after the Registrar for the South Riding of the County of Perth ceasing to hold such office by reason of death, resignation or otherwise, all memorials, certificates,

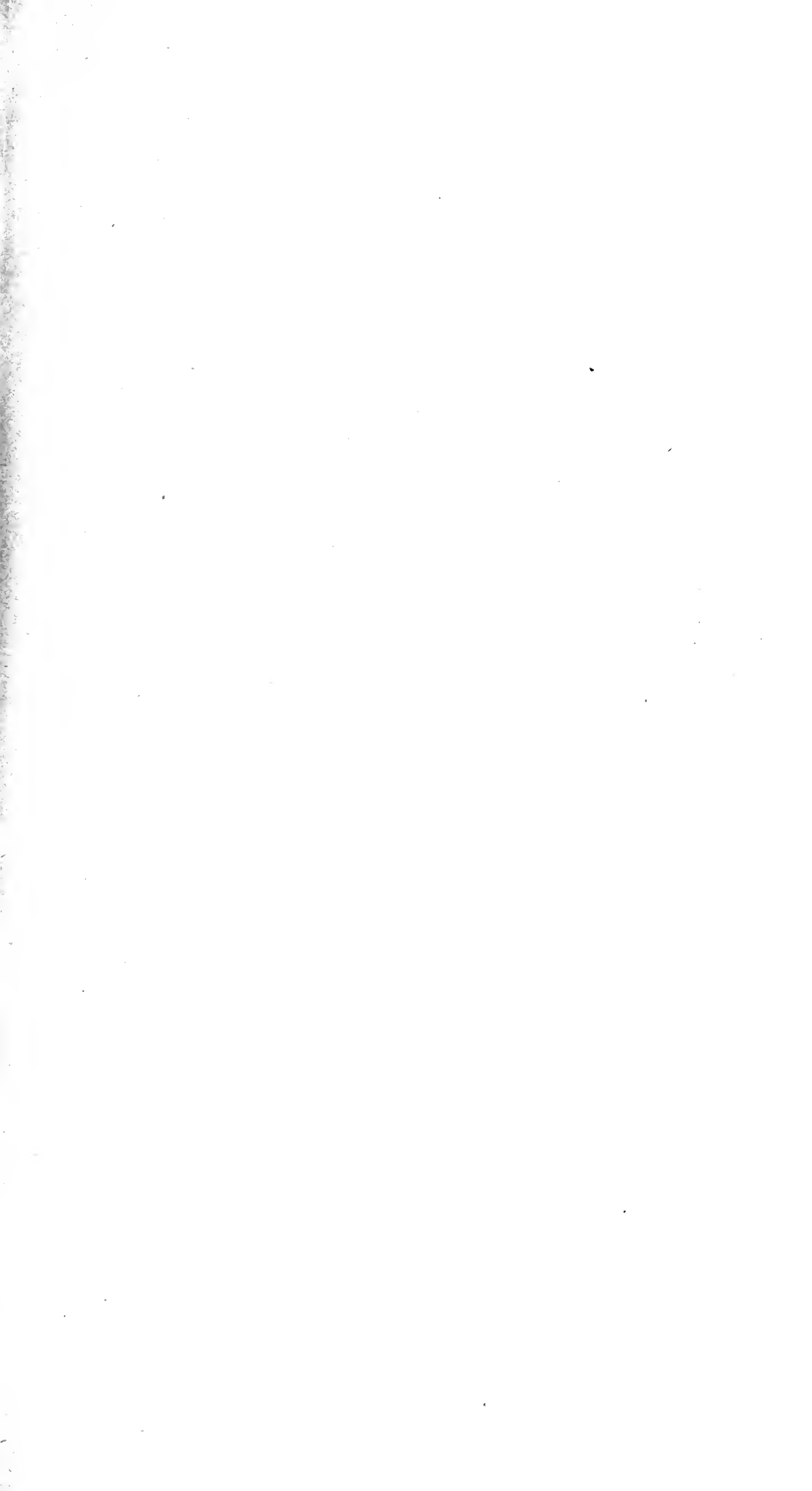
Preamble.

Divisions to cease on death of Registrar of South Perth.

County office to be at Stratford. Registrar of county.

Transfer of books, etc., from St. Mary's office to Stratford.

register books, calendars, instruments, documents and papers relating to the registration, or other instruments or documents or papers relating to the registration of, or other instruments or documents affecting real estate in the South Riding of the County of Perth and registered in the Registry Office at the Town of St. Mary's, or in any way forming part of the records and memorials of the said Registry Office shall be transferred to the Registry Office for the County of Perth to be kept at the City of Stratford, and shall make and form part of the registers, records and muniments of the said office, and the same shall rank in the order and date of their registry in the said South Riding as if they had in such order and date been registered in the Registry Office for the said County of Perth. And the said Registrar of the said county shall have the same powers and duties with respect to them and to all searches, certificates and other matters relating to them as if the registration of the deeds, instruments and documents to which they relate had been effected in the said Registry Office in the City of Stratford.



An Act respecting certain Debentures of the Town
of Bracebridge and the Township of Stephenson.

WHEREAS Richard J. Lance, of the Township of Watt, ^{Preamble.}
in the District of Muskoka, has by his petition
represented that the corporation of the Town of Bracebridge
(in the District of Muskoka) on the 1st day of November,
5 1896, by virtue and under the authority of "*The Consolidated
Municipal Act 1892*" and amending Acts, and pursuant to
By-law No. 77 of said town, passed on the 25th day of
September, 1896, intituled "A By-law to authorize the
10 further extension of the Waterworks in the Town of Brace-
bridge and to issue debentures therefor to the extent of
\$9,000," issued certain debentures known as Town of Brace-
bridge Waterworks Debentures, 3rd issue, numbered 1 to 30
inclusive, with coupons for payment of the interest; and that
15 the corporation of the Township of Stephenson (in the District
of Muskoka) on the 6th day of March, 1897, pursuant to
By-law No. 222 of said township, passed on 6th day of March,
1897, to raise by way of loan the sum of \$550 for the pur-
poses of School Section No. 8 of the said township, issued a
20 certain debenture for the sum of \$550 with coupons for pay-
ment of interest; that the said Richard J. Lance purchased
the said debentures from the said respective corporations and
became the owner thereof in his own right absolutely, and
deposited the same for safe keeping in the Banking Office of
25 Alfred Hunt at the said Town of Bracebridge; that before
any of said debentures or the interest thereon had become due
or been paid, and while they were still in the custody of the
said Alfred Hunt, the said banking office was on the night of
the 26th or the morning of the 27th day of May, 1897, broken
30 into by burglars and the said debentures stolen therefrom;
that due notice was given to the Dominion Bank at Toronto,
being the stated place at which the said debentures issued by
the Town of Bracebridge, were made payable, and to the
Treasurer of the Township of Stephenson, at whose office the
said debenture issued by the Township of Stephenson was
35 made payable, and that although diligent enquiry by private

effort and public advertisement has been made the said debentures have not been recovered and no clue to their whereabouts has been discovered, nor have any of them been presented for payment; and whereas the said corporations respectively are desirous of paying the moneys now due on said debentures and the moneys accruing due thereon as and when the same shall become payable, but the said Richard J. Lance is unable by reason of insufficient means to indemnify them against such payment, and being therefore unable to collect his said money is seriously inconvenienced and damaged in consequence of the withholding of such payments; and whereas the said corporations respectively are willing to pay such moneys as have already matured according to their respective liability, and to issue new debentures in lieu of said stolen debentures, provided the requisite authority is given to them and the said stolen debentures are duly cancelled; and whereas the case of the said Richard J. Lance is exceptional and it is expedient to grant the prayer of the said petition;

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Town and Township authorized to pay amounts due on stolen debentures.

1. It shall be lawful for the said the corporation of the Town of Bracebridge and the corporation of the Township of Stephenson and they are hereby respectively authorized to pay the said Richard J. Lance his heirs or assigns any and all moneys both for principal and interest which shall have matured on the said debentures and coupons issued by them respectively up to the date of the passing of this Act, according to their respective liability therefor and the receipt of the said Richard J. Lance his heirs or assigns for such payment shall be a good and sufficient discharge to the said corporations respectively.

Town of Bracebridge authorized to issue new debentures to replace those not matured.

2. It shall be lawful for the said the corporation of the Town of Bracebridge to make, execute and issue new or duplicate debentures with coupons for the payment of interest in lieu of such of the said stolen debentures and coupons, known as Town of Bracebridge Waterworks Debentures, 3rd issue, as shall not have matured at the time of the passing of this Act, and such new or duplicate debentures and coupons shall be for the like amounts and payable at the like times and places as were the said stolen debentures and coupons.

Township of Stephenson authorized to issue new debentures for those not yet matured.

3. It shall be lawful for the said the corporation of the Township of Stephenson to make, execute and issue a new or duplicate debenture with coupons for the payment of such interest as shall not have matured at the time of the passing of this Act, in lieu of the said stolen debenture and coupons issued by the said township on the 6th day of March, 1897,

and such new debenture and coupons shall be for the like amount and payable at the like times and place as were the said stolen debenture and coupons.

4. Immediately upon the issuing and delivery of said new
 5 or duplicate debentures by the said respective corporations to
 the said Richard J. Lance, the said stolen debentures, known
 as Town of Bracebridge Waterworks Debentures, 3rd issue,
 and the coupons in connection therewith, issued by the said the
 corporation of the Town of Bracebridge on the 1st day of
 10 November, 1896, pursuant to said By-law No. 77 of said town,
 and the said stolen debenture and the coupons in connection
 therewith, issued by the said the corporation of the Township
 of Stephenson on the 6th day of March, 1897 pursuant to said
 15 By-law No. 222 of said township shall thereupon be and become
 cancelled and annulled, and the said respective corporations
 shall no longer be liable therefor or thereupon.

5. It shall be the duty of the said corporations respectively
 to make, execute and deliver the said new or duplicate debentures
 as aforesaid within one month from the passing of this
 20 Act.

Stolen debentures to be cancelled from date of new issue.

New debentures to be delivered within one month.

An Act respecting certain Debentures of the Town
of Bracebridge and the Township of Stephenson.


WHEREAS Richard J. Lance, of the Township of Watt, Preamble.
in the District of Muskoka, has by his petition represented that the corporation of the Town of Bracebridge (in the District of Muskoka) on the 1st day of November, 1896, by virtue and under the authority of "*The Consolidated Municipal Act 1892*" and amending Acts, and pursuant to By-law No. 77 of said town, passed on the 25th day of September, 1896, intituled "A By-law to authorize the further extension of the Waterworks in the Town of Bracebridge and to issue debentures therefor to the extent of \$9,000," issued certain debentures known as Town of Bracebridge Waterworks Debentures, 3rd issue, numbered 1 to 30 inclusive, with coupons for payment of the interest; and that the corporation of the Township of Stephenson (in the District of Muskoka) on the 6th day of March, 1897, pursuant to By-law No. 222 of said township, passed on 6th day of March, 1897, to raise by way of loan the sum of \$550 for the purposes of School Section No. 8 of the said township, issued a certain debenture for the sum of \$550 with coupons for payment of interest; that the said Richard J. Lance purchased the said debentures from the said respective corporations and became the owner thereof in his own right absolutely, and deposited the same for safe keeping in the Banking Office of Alfred Hunt at the said Town of Bracebridge; that before any of said debentures or the interest thereon had become due or been paid, and while they were still in the custody of the said Alfred Hunt, the said banking office was on the night of the 26th or the morning of the 27th day of May, 1897, broken into by burglars and the said debentures *were* stolen therefrom; that due notice was given to the Dominion Bank at Toronto, being the stated place at which the said debentures issued by the Town of Bracebridge, were made payable, and to the Treasurer of the Township of Stephenson, at whose office the said debenture issued by the Township of Stephenson was made payable, and that although diligent enquiry by private effort and public advertisement has been made the said debentures have not been recovered and no clue to their whereabouts has been discovered, nor have any of them been presented for payment; and whereas the said *municipal* corporations respectively are desirous of paying the moneys now due on said

debentures and the moneys accruing due thereon as and when the same shall become payable, but the said Richard J. Lance is unable by reason of insufficient means to indemnify them against such payment, and being therefore unable to collect his said money is seriously inconvenienced and damnified in consequence of the withholding of such payments; and whereas the said *municipal* corporations respectively are willing to pay such moneys as have already matured according to their respective liability, provided the requisite authority is given to them and the said stolen debentures are duly cancelled; and whereas the case of the said Richard J. Lance is exceptional and it is expedient to grant the prayer of the said petition;

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—



Town and
Township
authorized to
pay amounts
due on stolen
debentures.



1. It shall be lawful for the said the corporation of the Town of Bracebridge and the corporation of the Township of Stephenson and ^{the} said municipal corporations ^{to} are hereby respectively authorized ^{and} and required ^{to} to pay the said Richard J. Lance his heirs or assigns any and all moneys both for principal and interest which shall have matured ^{at} at least one year before the date of the passing of this Act ^{on} on the said debentures and coupons issued by them respectively, according to their respective liability therefor and the receipt of the said Richard J. Lance his heirs or assigns for such payment shall be a good and sufficient discharge to the said corporations respectively, ^{and} and immediately after the lapse of one year from the maturing of each of the remaining unpaid debentures or coupons, if each or any of such debentures or coupons have not previously been presented for payment by and payment been made to an innocent holder for value, the corporation issuing such debenture or debentures and coupons shall on demand by the said Richard J. Lance his heirs or assigns pay the amount called for by such debenture or coupon as the case may be and upon such payment such debenture or coupon so paid shall be annulled and cancelled and the said municipal corporation shall not again be called upon to pay such debenture or coupon to any person or corporation but such payment shall be [considered] a full and free discharge to the municipal corporation making such payment from all liability to any person or corporation whosoever or whatsoever: Provided that before any such payment shall be made on account of the said debentures or coupons or any of them to the said Richard J. Lance his heirs or assigns the said Richard J. Lance shall under the direction of the Town Clerk of the Town of Bracebridge spend \$100 in advertizing for the said lost debentures as follows: \$40 shall be spent in printing and posting circulars in the form set out in the Schedule to this Act to all the principal bankers and brokers in Canada and the United States of America whose names can be ascertained

by the said clerk, and \$60 shall be spent equally, or as nearly so as may be under the direction of the said clerk, in advertising in the *Globe* and *Mail and Empire* newspapers respectively, published in the City of Toronto, the said lost debentures in terms similiar to those contained in the Schedule to this Act. 

 SCHEDULE A. 

 Bracebridge, day of 1900. 

 The public are hereby notified that on or about the 26th or 27th day of May, 1897, the Banking office of one Alfred Hunt in the Town of Bracebridge was broken into and certain debentures were stolen therefrom viz : Bracebridge Waterworks Debentures, 3rd issue, 1 to 30 inclusive with coupons for payment of interest for the principal sum of \$9,000; and one debenture of the Township of Stephenson for the principal sum of \$550 ; for the purposes of School Section No. 8 of the said Township ; that one Richard J. Lance was the holder of the said debentures ; that the said Municipal Corporations have refused to pay the said Richard J. Lance the amounts that have already fallen due on the said debentures ; that the said Richard J. Lance has applied to the Legislative Assembly of the Province of Ontario, for relief and to authorize the said Corporations to pay him the said Richard J. Lance, the amounts of the said debentures as they severally fall due ; and that the said the Legislative Assembly has authorized and ordered the said Municipal Corporations to pay to the said Richard J. Lance the amounts of such debentures as have already been due for more than one year and also to pay the amount of each debenture and coupon that shall hereafter fall due immediately after the lapse of one year from its maturity, if before such date the said debenture and coupon has not been paid by the Municipal Corporation issuing such debenture and coupon to an innocent holder for value. Govern yourself accordingly. 

 Clerk of the Town of Bracebridge. 

No. 3.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting certain Debentures of the Town of Bracebridge and the Township of Stephenson.

First Reading, 7th March, 1900.

Second Reading, 25th April, 1900.

*(Reprinted as amended in Committee of
Whole House.)*

Mr. BRIDGLAND.

TORONTO:

PRINTED BY I. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act to confirm By-law Number 354 of the Town of Durham and a certain agreement entered into between the said Town and "The Durham Furniture Company, Limited."

WHEREAS the municipal corporation of the town of Durham have by their petition represented that the Durham Furniture Company, Limited, had applied to them for aid by way of a loan of the sum of \$10,000 (in accordance with the terms of a certain agreement entered into between the said municipal corporation and the said company) to aid and assist the said company in building and operating a furniture factory in the town of Durham (in which town the head office of the said company is situated) and the said municipal corporation of the town of Durham are desirous of granting said aid; and that in pursuance of the said application the said the municipal corporation of the town of Durham had duly, as provided for by *The Municipal Act* and amendments thereto, submitted to the ratepayers of the said municipality a by-law for the said purpose, which by-law had received the assent of the duly qualified ratepayers entitled to vote on money by-laws, in the manner provided by the said *The Municipal Act*; and that the number of voters of the said municipality so entitled to vote was 322, of whom 229 cast their votes in favor of the said by-law, and 19 cast their votes against the said by-law: and that the said by-law of the said municipal corporation of the town of Durham numbered 354 of the by-laws of the said municipal corporation, had been finally passed by the council of the said corporation on the 10th day of June, 1899, and the same had been duly registered in the proper registry office in that behalf, under the provisions of the said *The Municipal Act* and amendments thereto: and that no certificate stating that any action or proceeding had been brought or application made to quash or set aside the said by-law or any part thereof, had been registered in the proper registry office in that behalf, as required by the said *The Municipal Act*; and whereas the said corporation of

the town of Durham by their said petition, pray that an Act may be passed confirming and legalizing their said by-law number 354, and ratifying and confirming the said agreement entered into between them and the said company, copies of which by-law and agreement respectively are set forth in Schedules "A" and "B" to this Act; and whereas it is expedient to grant the prayer of the said petition: 5

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:— 10

By-law No. 354 for lending \$10,000 to Furniture Co. confirmed. 1. By-law number 354, of the municipal corporation of the town of Durham, granting a loan of \$10,000 to the Durham Furniture Company, Limited, to aid and assist them in building and operating a furniture factory in the town of Durham, which said by-law is set out at length in Schedule "A" to this Act, is hereby confirmed and declared legal, valid and binding upon the said the municipal corporation of the town of Durham and the ratepayers thereof, in the same manner and to the same extent as if set out at length and the provisions thereof enacted in this Act: and notwithstanding any want of jurisdiction in the said municipality to pass such by-law, and notwithstanding any defect in substance or in form of the said by-law, or in the manner of passing the same, or in the registration thereof; and it shall be lawful for the mayor or head of the municipality for the purposes of the said by-law number 354, to borrow the sum of \$10,000, and to issue debentures therefor as in the said by-law number 354 is provided; and the said debentures so issued under the said by-law are hereby declared legal and binding upon the said municipality; and the said corporation is hereby authorized and empowered to do all necessary acts for the full and proper carrying out of the said by-law number 354. 15 20 25 30

Agreement between town and company confirmed. 2. The agreement between the said municipal corporation of the town of Durham and the Durham Furniture Company, Limited, referred to in said by-law number 354, and which is set out at length in Schedule "B" to this Act, is hereby ratified and confirmed in the same manner and to the same extent as if set out at length and incorporated in this Act. 35

SCHEDULE A.

BY-LAW No. 354.

A by-law to aid and assist "The Durham Furniture Company, Limited," in building and operating a furniture factory in the town of Durham.

Whereas a joint stock company has been organized in the town of Durham, known as "The Durham Furniture Company, Limited," for the purpose of manufacturing furniture in the town of Durham; and, whereas, the said company is desirous of building a factory and of having the same completed and in running order during the year 1899; and, whereas, the company has applied to the municipal council of the corporation of the town of Durham for aid by way of loan, of the sum of \$10,000 to the company, in accordance with the terms of an agreement hereinafter referred to.

And whereas it is deemed expedient and desirable to loan the said sum of \$10,000 to the said company for the said purpose.

And whereas the amount of the whole rateable property of the said town of Durham, according to the last revised assessment roll thereof, being the assessment roll for the year 1893, is \$300,732.00.

And whereas the existing debenture debt of the said town of Durham amounts to the sum of \$21,128.00, no principal and no interest being in arrears.

Therefore the corporation of the town of Durham, by the council thereof, enact as follows:—

1. It shall and may be lawful for the municipal council of the said corporation of the town of Durham to aid the said "The Durham Furniture Company, Limited," in the erection and completion of a factory, for the manufacture of furniture within the limits of the said corporation, by lending the said company the sum of \$10,000, repayable without interest in eight consecutive annual instalments, the first seven of \$1,000 each at the end of the third, fourth, fifth, sixth, seventh, eighth and ninth years, and a final instalment of \$3,000 at the end of the tenth year, in accordance with the terms of an agreement to be entered into between the said "The Durham Furniture Company, Limited," and the corporation of the town of Durham.

2. For that purpose it shall be lawful for the mayor of the said town of Durham to borrow ten thousand dollars and to issue debentures of the said municipality to the said amount, in sums of not less than one hundred dollars each, payable at the end of ten years from the date on which this by-law takes effect, and to bear interest at a rate not exceeding four per centum per annum, payable yearly on the first day of January during the currency of said debentures.

3. The said debentures shall bear date on the day hereinafter appointed for the coming into force of this by-law, shall be sealed with the corporate seal of the town of Durham, be signed by the mayor thereof and bear interest at the rate of four per centum per annum from the date thereof until respectively due as hereinbefore specified, which interest shall be payable yearly, on the first day of January in each year, at the Standard Bank, in the town of Durham, where also the said debentures shall be payable.

4. The said debentures shall have attached thereto coupons for the payment of the interest thereon.

5. During the currency of the said debt, while any of the said debentures remain unpaid, there shall be raised, assessed and levied yearly upon the whole rateable property in the town of Durham the sum of \$1,232.90,

and the amounts to be raised for principal and interest in each year shall be as follows :

| Year. | Principal. | Interest. | Total. |
|-----------|------------|-----------|------------|
| 1901..... | \$ 832 90 | \$400 00 | \$1,232 90 |
| 1902..... | 866 27 | 366 63 | 1,232 90 |
| 1903..... | 900 92 | 331 98 | 1,232 90 |
| 1904..... | 936 95 | 295 95 | 1,232 90 |
| 1905..... | 974 43 | 258 47 | 1,232 90 |
| 1906..... | 1,013 41 | 219 59 | 1,232 90 |
| 1907..... | 1,053 93 | 178 97 | 1,232 90 |
| 1908..... | 1,095 08 | 137 82 | 1,232 90 |
| 1909..... | 1,140 25 | 92 65 | 1,232 90 |
| 1910..... | 1,185 86 | 47 04 | 1,232 90 |

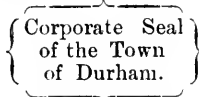
6. This by-law shall come into force on the day of the final passing thereof by the council.

7. The votes of the electors of the municipality of the town of Durham shall be taken on this by-law on Monday, the eighth day of May, 1899, commencing at the hour of nine of the clock in the morning and closing at the hour of five of the clock in the afternoon of the same day as follows:

In North Ward, at the house of Norman Kelsey, by Clefton Elvidge as deputy returning officer ; in East Ward, at the Town Hall, by W. B. Collett as deputy returning officer ; and in West Ward, at Mrs. McCreary's house, by John Smith as deputy returning officer.

8. On Saturday, the sixth day of May, 1899, at the hour of ten o'clock in the forenoon, the mayor of the town of Durham will attend at the office of the town clerk, in the town of Durham, for the purpose of appointing in writing, signed by himself, two persons to attend at the final summing up by the town clerk of the votes polled on this by-law, and also of appointing one person to attend at each polling place on behalf of the persons interested in and desirous of promoting the passing of this by-law, and a like number on behalf of the persons interested in and desirous of opposing the passing of this by-law.

9. On Tuesday, the ninth day of May, 1899, at ten o'clock in the forenoon, at the town hall, in the town of Durham, the clerk of the town will proceed to sum up the number of votes given for and against this by-law.



W. CALDER,
Mayor.
GEORGE RUSSELL,
Clerk.

Council Chambers, June 10th, A. D. 1899.

SCHEDULE B.

This agreement made and entered into this fourteenth day of June in the year of our Lord one thousand eight hundred and ninety-nine.

Between The Durham Furniture Company (Limited) of the town of Durham, in the county of Grey, hereinafter called the company of the first part and the corporation of the town of Durham, hereinafter called the Corporation of the second part.

Whereas, the said company is desirous of building, completing, fitting up with the necessary machinery and plant and operating a factory for the manufacture of furniture in the said town of Durham and of having the same completed and in running order in the season of 1899.

And whereas the said company has applied to the municipal council of the said corporation to aid the company by a loan of \$10,000 without

interest to be repaid within ten years from the final passing of by-law No. 354 ; and for a free gift of land as a site for the said factory and for an exemption from taxes except as to the amount now levied upon said land, and except school taxes, during the term of ten years, on the terms and conditions hereinafter particularly set out.

And whereas there is no other person or persons engaged in manufacturing furniture in the said town of Durham.

And whereas it is deemed expedient by the council of the said corporation to grant the said request of the company upon the terms and conditions hereinafter appearing.

Now therefore this indenture witnesseth and it is agreed by and between the said company, their successors and assigns, and the said corporation, their successors and assigns as follows :—

1. That the said corporation agrees to acquire for and furnish to the said company suitable lands, to wit : Park lots number five, and south part of six, north of Lambton street in the said town of Durham as and for a site for a furniture factory.

2. The said corporation agrees to loan the said company the sum of ten thousand dollars upon delivery to them of a first mortgage upon the lands, and buildings, and plant to be erected thereon ; they also agree to fix by by-Law or other act sufficient in that behalf the assessment of all the said lands, buildings, plant, stock and other improvements now owned or hereafter to be acquired as aforesaid for the purpose of said factory at an aggregate assessed value of \$450 per year during the said term of ten years so that the school or other rates to be paid in respect thereof shall be paid only in respect of such aggregate assessed value of \$450.

3. The said company agrees to erect and build within twelve months upon the said lands, substantial and necessary buildings, for the purpose of a furniture factory together with boiler and engine room and all necessary out-buildings and to place therein all necessary boilers, engines, lathes and other machinery necessary and proper for the full and sufficient equipment of the said furniture factory.

4. And the said company agrees to employ upon the completion of the said factory continuously during the term of ten years hereafter an average of at least forty persons in and about the said factory, and to maintain the said factory with said number of employees in active and efficient operation for the said term of ten years.

5. And the said company agrees to secure to the said corporation by a first mortgage upon the said lands and premises and machinery and upon the unpaid subscribed stock, repayment of the said sum of ten thousand dollars without interest on the following days and times, that is to say : an instalment of one thousand dollars thereof shall be paid at the end of the third, fourth, fifth sixth, seventh, eighth and ninth years and a final instalment of three thousand dollars at the end of the tenth year of the coming into force and effect of by-law No. 354 of the said corporation.

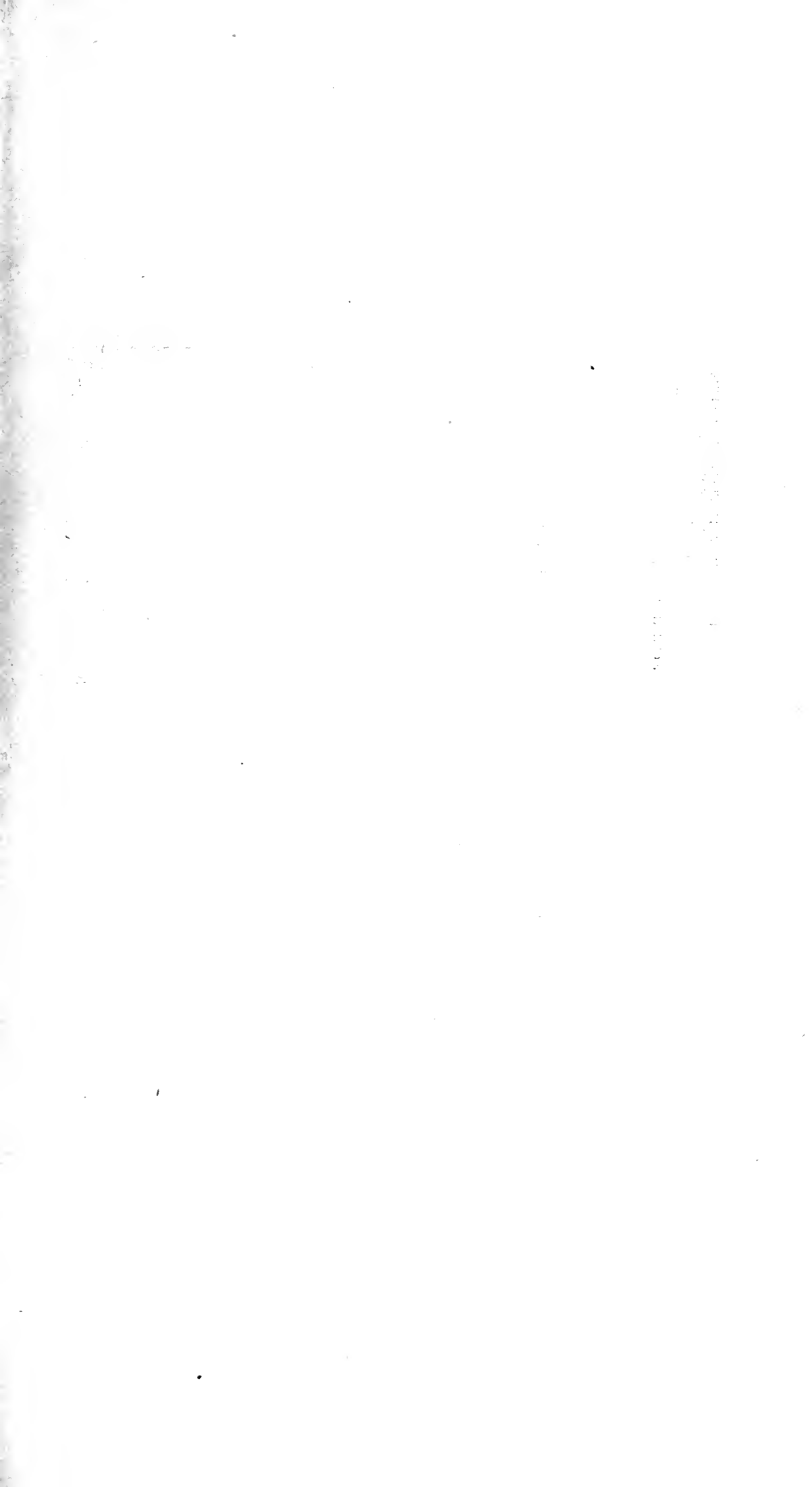
Proviso, that the said company shall have the right and privilege of making calls upon the said subscribed stock, provided that all moneys arising from such calls shall be invested to the satisfaction of the said corporation, in machinery, buildings, material or necessary expenses, connected with the carrying on of the business of the said company.

6. And the said company agrees to insure and keep insured against loss or damage by fire, in insurance companies acceptable to the council of the said corporation, their buildings, plant and machinery to the full insurable value thereof but not less than the amount due from time to time to the said corporation on their mortgage, and in default the said corporation may insure and charge the moneys paid for premiums to the said company, and the company shall make such insurance payable to the said corporation as their interest may appear.

It is understood and agreed that this agreement shall not become operative and binding upon the parties hereto unless and until the assent of the electors shall have been obtained to the passing of such by-law, and the same shall have been made valid and binding upon the said corporation and duly legalized and confirmed by the Legislature of the province of Ontario, and further that when and so soon as such by-law shall have been duly legalized and confirmed as aforesaid the said corporation shall hand over to the said company the sum of ten thousand dollars in cash as in full satisfaction of the loan of ten thousand dollars hereinbefore mentioned.

In witness whereof the corporate seal of the said company and the hands of the President and Secretary thereof, and the said corporation has hereunto attached its corporate seal and caused its Mayor and Clerk to sign these presents.

| | | | |
|--|----------------------|---|---|
| Signed, sealed and delivered in presence of | (Sgd) J. P. TELFORD. | { | THE DURHAM FURNITURE COMPANY (Limited). (Sgd.) D. JAMIESON, Pres. { L. S. } (Sgd) JOHN KELLY, Secy. { L. S. } (Sgd.) W. CALDER, Mayor. { L. S. } (Sgd.) GEORGE RUSSELL, Clerk. { L. S. } |
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BILL.

An Act to confirm By-law No. 354 of the Town of Durham, and a certain agreement entered into between the said town and "The Durham Furniture Company, Limited."

| | |
|----------------|-------|
| First Reading. | 1900. |
|----------------|-------|

(Private Bill.)

Mr. JAMIESON.

An Act to confirm By-law Number 354 of the Town of Durham and a certain agreement entered into between the said Town and "The Durham Furniture Company, Limited."

WHEREAS The Municipal Corporation of the Town of Durham has by petition represented that the Durham Furniture Company, Limited, having applied to the *said the municipal corporation* for aid by way of a loan of the sum of \$10,000 (in accordance with the terms of a certain agreement entered into between the said the municipal corporation and the said company) to aid and assist the said company in building and operating a furniture factory in the Town of Durham (in which town the head office of the said company is situated) and the said the Municipal Corporation of the Town of Durham is desirous of granting said aid; and that in pursuance of the said application the said the Municipal Corporation of the Town of Durham duly, as provided for by *The Municipal Act* and amendments thereto, submitted to the ratepayers of the said municipality a by-law for the said purpose, which by-law received the assent of the duly qualified ratepayers entitled to vote on money by-laws, in the manner provided by the said *The Municipal Act*; and that the number of voters of the said municipality so entitled to vote was 322, of whom 229 cast their votes in favour of the said by-law, and 19 cast their votes against the said by-law: and that the said by-law of the said *the Municipal Corporation of the Town of Durham* numbered 354 *was* finally passed by the council of the said corporation on the 10th day of June, 1899, and the same *was* duly registered in the proper registry office in that behalf, under the provisions of the said *The Municipal Act* and amendments thereto: and that no certificate stating that any action or proceeding has been brought or application made to quash or set aside the said by-law or any part thereof, has been registered in the proper registry office in that behalf, as required by the said *The Municipal Act*; and whereas the said *the Corporation of the Town of Durham* by said petition, prays that an Act may be passed confirming and legalizing the said by-law number 354, and ratifying and confirming the said agreement entered into between them and the said company, copies of which by-law and agreement respectively are set forth in Schedules "A" and "B" to this Act; and whereas it is expedient to grant the prayer of the said petition;

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

By-law No.
354 for lending
\$10,000 to
Furniture Co.
confirmed.

1. By-law number 354, of the Municipal Corporation of the Town of Durham, granting a loan of \$10,000 to the Durham Furniture Company, Limited, to aid and assist them in building and operating a furniture factory in the town of Durham, which said by-law is set out in Schedule "A" to this Act, is confirmed and declared legal, valid and binding upon the said the Municipal Corporation of the Town of Durham and the ratepayers thereof, notwithstanding any want of jurisdiction in the said municipality to pass such by-law, and notwithstanding any defect in substance or in form of the said by-law, or in the manner of passing the same, or in the registration thereof; and it shall be lawful for the *said municipal corporation* to borrow the sum of \$10,000, and to issue debentures therefor as in the said by-law number 354 is provided; and the said debentures so issued under the said by-law are hereby declared legal and binding upon the said municipality; and the said corporation is hereby authorized and empowered to do all necessary acts for the full and proper carrying out of the said by-law number 354.

Agreement
between town
and company
confirmed.

2. Save as provided in section 3 of this Act the agreement between the said *the* Municipal Corporation of the Town of Durham and the Durham Furniture Company, Limited, referred to in said by-law number 354, and which is set out at length in Schedule "B" to this Act, is hereby ratified and confirmed in the same manner and to the same extent as if set out at length and incorporated in this Act.

3. Notwithstanding anything contained in paragraph numbered 2 of the said agreement the lands, buildings, plant, stock and other improvements now owned or hereafter to be acquired for the purposes of the said factory shall for school purposes be and remain liable to assessment, and school taxes shall be levied and collected thereon in accordance with the provisions of the general law in that behalf.

SCHEDULE A.

BY-LAW No. 354.

A by-law to aid and assist "The Durham Furniture Company, Limited, in building and operating a furniture factory in the town of Durham.

Whereas a joint stock company has been organized in the town of Durham, known as "The Durham Furniture Company, Limited," for the purpose of manufacturing furniture in the town of Durham; and, whereas, the said company is desirous of building a factory and of having the same completed and in running order during the year 1899; and, whereas, the company has applied to the municipal council of the corporation of the town of Durham for aid by way of loan, of the sum of \$10,000 to the company, in accordance with the terms of an agreement hereinafter referred to.

And whereas it is deemed expedient and desirable to loan the said sum of \$10,000 to the said company for the said purpose.

And whereas the amount of the whole rateable property of the said town of Durham, according to the last revised assessment roll thereof, being the assessment roll for the year 1898, is \$300,732.00.

And whereas the existing debenture debt of the said town of Durham amounts to the sum of \$21,128.00, no principal and no interest being in arrears.

Therefore the corporation of the town of Durham, by the council thereof, enact as follows :—

1. It shall and may be lawful for the municipal council of the said corporation of the town of Durham to aid the said "The Durham Furniture Company, Limited," in the erection and completion of a factory, for the manufacture of furniture within the limits of the said corporation, by lending the said company the sum of \$10,000, repayable without interest in eight consecutive annual instalments, the first seven of \$1,000 each at the end of the third, fourth, fifth, sixth, seventh, eighth and ninth years, and a final instalment of \$3,000 at the end of the tenth year, in accordance with the terms of an agreement to be entered into between the said "The Durham Furniture Company, Limited," and the corporation of the town of Durham.

2. For that purpose it shall be lawful for the mayor of the said town of Durham to borrow ten thousand dollars and to issue debentures of the said municipality to the said amount, in sums of not less than one hundred dollars each, payable at the end of ten years from the date on which this by-law takes effect, and to bear interest at a rate not exceeding four per centum per annum, payable yearly on the first day of January during the currency of said debentures.

3. The said debentures shall bear date on the day hereinafter appointed for the coming into force of this by-law, shall be sealed with the corporate seal of the town of Durham, be signed by the mayor thereof and bear interest at the rate of four per centum per annum from the date thereof until respectively due as hereinbefore specified, which interest shall be payable yearly, on the first day of January in each year, at the Standard Bank, in the town of Durham, where also the said debentures shall be payable.

4. The said debentures shall have attached thereto coupons for the payment of the interest thereon.

5. During the currency of the said debt, while any of the said debentures remain unpaid, there shall be raised, assessed and levied yearly upon the whole rateable property in the town of Durham the sum of \$1,232.90, and the amounts to be raised for principal and interest in each year shall be as follows :

| Year. | Principal. | Interest. | Total. |
|-----------|------------|-----------|------------|
| 1901..... | \$ 832 90 | \$400 00 | \$1,232 90 |
| 1902..... | 866 27 | 366 63 | 1,232 90 |
| 1903..... | 900 92 | 331 98 | 1,232 90 |
| 1904..... | 936 95 | 295 95 | 1,232 90 |
| 1905..... | 974 43 | 258 47 | 1,232 90 |
| 1906..... | 1,013 41 | 219 59 | 1,232 90 |
| 1907..... | 1,053 93 | 178 97 | 1,232 90 |
| 1908..... | 1,095 08 | 137 82 | 1,232 90 |
| 1909..... | 1,140 25 | 92 65 | 1,232 90 |
| 1910..... | 1,185 86 | 47 04 | 1,232 90 |

6. This by-law shall come into force on the day of the final passing thereof by the council.

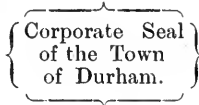
7. The votes of the electors of the municipality of the town of Durham shall be taken on this by-law on Monday, the eighth day of May, 1899, commencing at the hour of nine of the clock in the morning and closing at the hour of five of the clock in the afternoon of the same day as follows:

In North Ward, at the house of Norman Kelsey, by Cleifton Elvidge as

deputy returning officer ; in East Ward, at the Town Hall, by W. B. Vellert as deputy returning officer ; and in West Ward, at Mrs. McCreary's house, by John Smith as deputy returning officer.

8. On Saturday, the sixth day of May, 1899, at the hour of ten o'clock in the forenoon, the mayor of the town of Durham will attend at the office of the town clerk, in the town of Durham, for the purpose of appointing in writing, signed by himself, two persons to attend at the final summing up by the town clerk of the votes polled on this by-law, and also of appointing one person to attend at each polling place on behalf of the persons interested in and desirous of promoting the passing of this by-law, and a like number on behalf of the persons interested in and desirous of opposing the passing of this by-law.

9. On Tuesday, the ninth day of May, 1899, at ten o'clock in the forenoon, at the town hall, in the town of Durham, the clerk of the town will proceed to sum up the number of votes given for and against this by-law.



W. CALDER,
Mayor.
GEORGE RUSSELL,
Clerk.

Council Chambers, June 10th, A. D. 1899.

SCHEDULE B.

This agreement made and entered into this fourteenth day of June in the year of our Lord one thousand eight hundred and ninety-nine.

Between The Durham Furniture Company (Limited) of the town of Durham, in the county of Grey, hereinafter called the company of the first part and the corporation of the town of Durham, hereinafter called the Corporation of the second part.

Whereas, the said company is desirous of building, completing, fitting up with the necessary machinery and plant and operating a factory for the manufacture of furniture in the said town of Durham and of having the same completed and in running order in the season of 1899.

And whereas the said company has applied to the municipal council of the said corporation to aid the company by a loan of \$10,000 without interest to be repaid within ten years from the final passing of by-law No. 354 ; and for a free gift of land as a site for the said factory and for an exemption from taxes except as to the amount now levied upon said land, and except school taxes, during the term of ten years, on the terms and conditions hereinafter particularly set out.

And whereas there is no other person or persons engaged in manufacturing furniture in the said town of Durham.

And whereas it is deemed expedient by the council of the said corporation to grant the said request of the company upon the terms and conditions hereinafter appearing.

Now therefore this indenture witnesseth and it is agreed by and between the said company, their successors and assigns, and the said corporation, their successors and assigns as follows :—

1. That the said corporation agrees to acquire for and furnish to the said company suitable lands, to wit : Park lots number five, and south part of six, north of Lambton street in the said town of Durham as and for a site for a furniture factory.
2. The said corporation agrees to loan the said company the sum of ten thousand dollars upon delivery to them of a first mortgage upon the lands, and buildings, and plant to be erected thereon ; they also agree to fix by by-Law or other act sufficient in that behalf the assessment of all

the said lands, buildings, plant, stock and other improvements now owned or hereafter to be acquired as aforesaid for the purpose of said factory at an aggregate assessed value of \$450 per year during the said term of ten years so that the school or other rates to be paid in respect thereof shall be paid only in respect of such aggregate assessed value of \$450.

3. The said company agrees to erect and build within twelve months upon the said lands, substantial and necessary buildings, for the purpose of a furniture factory together with boiler and engine room and all necessary out-buildings and to place therein all necessary boilers, engines, lathes and other machinery necessary and proper for the full and sufficient equipment of the said furniture factory.

4. And the said company agrees to employ upon the completion of the said factory continuously during the term of ten years hereafter an average of at least forty persons in and about the said factory, and to maintain the said factory with said number of employees in active and efficient operation for the said term of ten years.

5. And the said company agrees to secure to the said corporation by a first mortgage upon the said lands and premises and machinery and upon the unpaid subscribed stock, repayment of the said sum of ten thousand dollars without interest on the following days and times, that is to say: an instalment of one thousand dollars thereof shall be paid at the end of the third, fourth, fifth sixth, seventh, eighth and ninth years and a final instalment of three thousand dollars at the end of the tenth year of the coming into force and effect of by-law No. 354 of the said corporation.

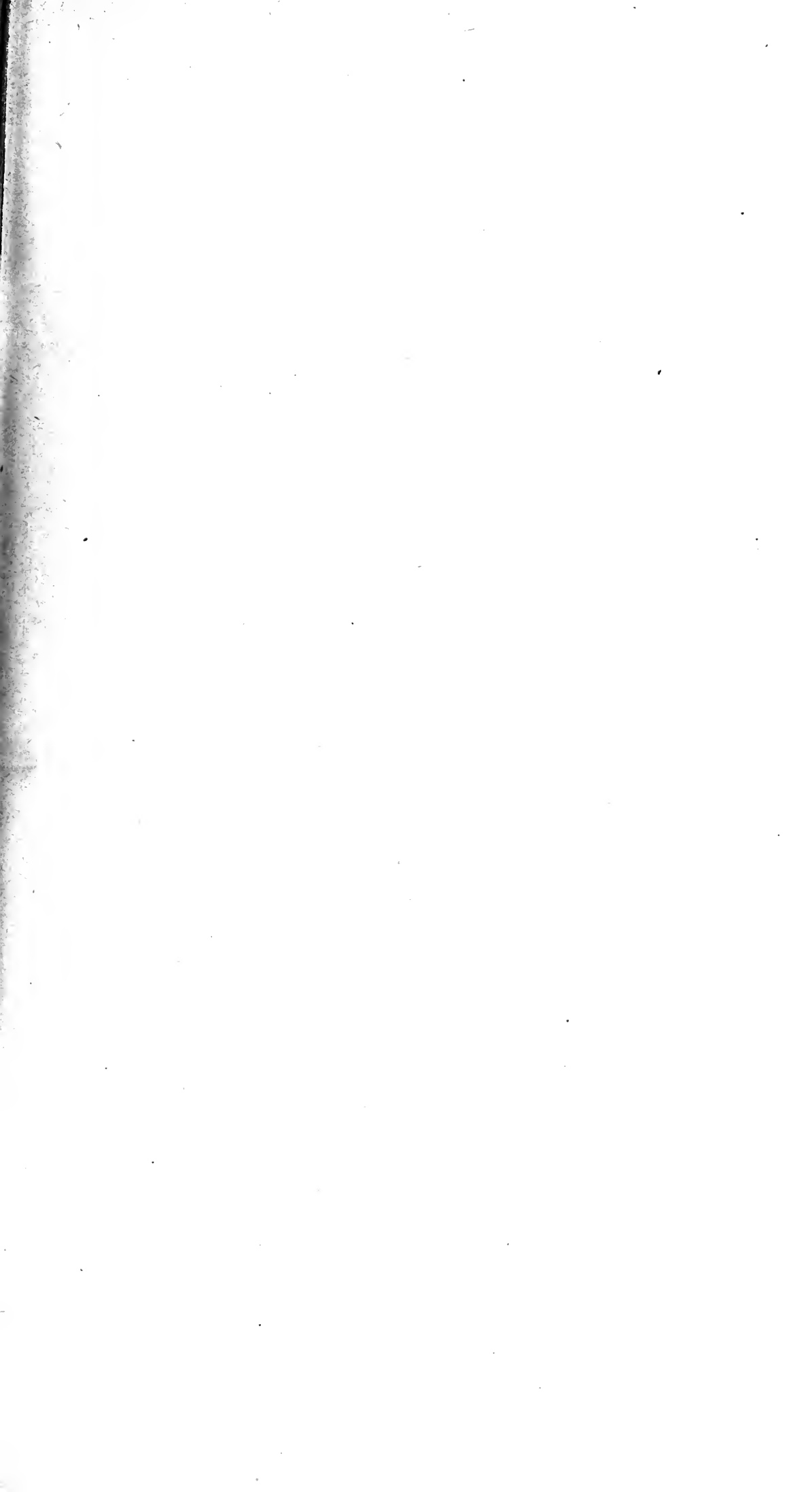
Proviso, that the said company shall have the right and privilege of making calls upon the said subscribed stock, provided that all moneys arising from such calls shall be invested to the satisfaction of the said corporation, in machinery, buildings, material or necessary expenses, connected with the carrying on of the business of the said company.

6. And the said company agrees to insure and keep insured against loss or damage by fire, in insurance companies acceptable to the council of the said corporation, their buildings, plant and machinery to the full insurable value thereof but not less than the amount due from time to time to the said corporation on their mortgage, and in default the said corporation may insure and charge the moneys paid for premiums to the said company, and the company shall make such insurance payable to the said corporation as their interest may appear.

It is understood and agreed that this agreement shall not become operative and binding upon the parties hereto unless and until the assent of the electors shall have been obtained to the passing of such by-law, and the same shall have been made valid and binding upon the said corporation and duly legalized and confirmed by the Legislature of the province of Ontario, and further that when and so soon as such by-law shall have been duly legalized and confirmed as aforesaid the said corporation shall hand over to the said company the sum of ten thousand dollars in cash as in full satisfaction of the loan of ten thousand dollars hereinbefore mentioned.

In witness whereof the corporate seal of the said company and the hands of the President and Secretary thereof, and the said corporation has hereunto attached its corporate seal and caused its Mayor and Clerk to sign these presents.

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| Signed, sealed and delivered in presence of (Sgd) J. P. TELFORD. | { | THE DURHAM FURNITURE COMPANY (Limited). (Sgd.) D. JAMIESON, Pres. { L. S. } (Sgd') JOHN KELLY, Secy. { L. S. } (Sgd.) W. CALDER, Mayor. { L. S. } (Sgd.) GEORGE RUSSELL, Clerk. { L. S. } |
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BILL.

An Act to confirm By-law No. 354 of the Town of Durham, and a certain agreement entered into between the said town and "The Durham Furniture Company, Limited."

First Reading, 15th March, 1900.

*(Reprinted as amended in Private Bills
Committee.)*

MR. JAMIESON.

TORONTO:
PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act to consolidate the Debt of the Township of
Sheffield.

WHEREAS the municipal corporation of the township Preamble.
of Sheffield, has, by petition, represented that the said
corporation has incurred debts to the amount of \$8,500, being
\$7000 on account of railway debentures, and \$1,500 for the
erection of their town hall, destroyed by fire, and for the
payment of which there are no funds available, and that the
payment of the said debts in one year would be unduly
oppressive to the ratepayers of the said township, and that
at a public meeting of the said ratepayers called for that
purpose it was unanimously resolved that a consolidation of
the said debts would be in the best interests of the said
township, and the said corporation has prayed that said
debenture debt and debt for the erection of said town hall may
be consolidated and authority given to issue debentures for
that purpose; and whereas the said petition has not been
opposed; and whereas it is expedient to grant the prayer of
the said petition;

Therefore Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:—

1. The said debts of the said corporation of the township
of Sheffield are hereby consolidated at the sum of \$8,500. Debt
consolidated
at \$8,500.
2. The said corporation of the township of Sheffield may
issue debentures under its corporate seal, signed by the reeve,
and countersigned by the treasurer, for the time being, for
such sums not less than \$100 each and not exceeding \$8,500
in the whole, as the said corporation may by by-law from
time to time direct, and the principal sum of the said debentures
and the interest thereon may be made payable at such
place as the corporation may deem expedient, and may be
expressed in either sterling money of Great Britain or currency
of Canada. Power to issue
debentures
for \$8,500.

- Power to raise money on debentures.** **3.** The said corporation may, for the purposes herein mentioned, raise money by way of loan on said debentures, or sell and dispose of the said debentures from time to time as it may deem expedient.
- Form of debentures. Interest coupon.** **4.** The said debentures shall be made payable in not more than twenty years from the first day of January, 1900, as the said corporation may direct. Coupons shall be attached to the said debentures for the payment of interest thereon, and such interest shall be payable at such rate, not exceeding four per centum per annum, as the said corporation shall direct, and shall be payable yearly.
- Payment of debt in annual instalments.** **5.** A portion of the said debentures to be issued under this Act shall be made payable in each year for a period not exceeding twenty years, from the first day of January, 1900, so that the aggregate amount to be levied and payable for principal and interest in any one year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the period within which the said debenture debt is to be discharged.
- Assent of electors not required.** **6.** It shall not be necessary to obtain the assent of the electors of the said township of Sheffield for the passing of any by-law which shall be passed under the provisions of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*, and any provisions in the Acts respecting municipal institutions in the Province of Ontario which are or may be inconsistent with the provisions of this Act, or any of them, shall not apply to the by-law or by-laws to be passed by the said Corporation under the provisions of this Act.
- Irregularity of form not to invalidate.** **7.** No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issuing thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the amount of the said debentures and interest thereon, or any or either of them, or any part thereof, and a purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issue of debentures, or as to the application of the proceeds thereof.
- By-law not to be repealed until debt paid.** **8.** Any by-law to be passed under the provisions of this Act shall not be repealed until the debt created under such by-law and the interest thereon shall be paid and satisfied.
- Application of proceeds.** **9.** The said corporation may raise money by the sale of the said debentures, and all moneys arising therefrom shall be applied by the said corporation in payment of the said railway debenture debt of \$7,000, and of the said debt of \$1,500 for the erection of the said town hall, and for no other purposes whatsoever.

10. The debentures issued under this Act may be in the form contained in Schedule "A" to this Act, and the by-law or by-laws authorizing the same and for the special rate for payment of interest thereon may be in the form of Schedule "B" to this Act, or to the like effect.

Form of
Debentures.

Form of
By-law.

11. The said corporation may arrange with the holders, or any of them, for the purchase of the outstanding debentures, or any of them, or substitution of the debentures authorized to be issued by this Act for the outstanding debentures or any of them, and the said corporation may issue the whole or a sufficient portion of the said debentures authorized to be issued under this Act, to purchase or substitute for, as the case may be, any such debentures that may be purchased or arranged for.

Calling in
outstanding
debentures.

12. Nothing in this Act contained shall be held or taken to discharge the corporation of the township of Sheffield of any indebtedness or liability which may not be included in the said debt.

Indebtedness
not discharged

SCHEDULE "A."

(Section 10.)

DEBENTURES.

No. Province of Ontario, Township of Sheffield.

Under and by virtue of an Act to consolidate the debt of the township of Sheffield passed by the Legislative Assembly of the Province of Ontario, in the Sixty-third year of the reign of Her Majesty Queen Victoria, and chaptered and by virtue of by-law No. of the corporation of the township of Sheffield, passed under the provisions contained in the said Act, the corporation of the township of Sheffield promises to pay to the bearer, at the agency of the Merchants Bank of Canada, in the town of Napanee, the sum of \$ on the day of A.D, and the yearly coupon for interest thereon hereto attach as the same shall severally become due.

Dated at Tamworth, in the township of Sheffield in the county of Lennox and Addington this day of A.D.

Reeve.

Treasurer.

SCHEDULE "B."

(Section 10.)

By-law No. _____ to authorize the issuing of debentures under the authority of an Act to consolidate the debt of the township of Sheffield.

Whereas the said Act authorizes the issuing of debentures for the purposes therein mentioned, not exceeding the sum of \$8,500 in the whole, as the corporation of the township of Sheffield may, in pursuance of and in conformity with the provisions of the said Act, direct.

And whereas for the purposes of the said Act it is necessary and expedient to issue debentures to the extent of \$8,500, payable _____ with interest thereon at the rate of four per centum per annum, payable yearly, according to the coupons to the said debentures attached.

And whereas the amount of the whole rateable property of the said township of Sheffield, according to the last revised assessment roll of the said township, being for 1899, was \$676,045.00.

Therefore, the municipal corporation of the township of Sheffield enacts as follows :—

(1) Debentures under the said Act and for the purposes mentioned therein to the extent of the sum of \$8,500, are hereby authorized and directed to be issued.

(2) The said debentures shall have coupons attached thereto for the payment of interest at the rate of four per centum per annum, payable yearly on the _____ day of _____ in each year.

This by-law passed in open council this _____ day of _____ in the year of Our Lord, nineteen hundred.



No. 5.

3rd Session, 9th Legislature, 63 Vict, 1900.

BILL.

An Act to consolidate the Debt of the
Township of Sheffield.

First Reading, 1900.

(Private Bill.)

Mr. REID,
(Addington).

TORONTO:

PRINTED BY L. K. CAMERON,
Printers to the Queen's Most Excellent Majesty.

An Act to consolidate the debt of the Township of
Sheffield.

WHEREAS the Municipal Corporation of the Township of Sheffield, has, by petition, represented that the said corporation has incurred debts to the amount of \$8,500, being \$7,000 on account of railway debentures, and \$1,500 for the erection of their town hall, destroyed by fire, and for the payment of which there are no funds available, and that the payment of the said debts in one year would be unduly oppressive to the ratepayers of the said township, and that at a public meeting of the said ratepayers called for that purpose it was unanimously resolved that a consolidation of the said debts would be in the best interests of the said township, and the said corporation has prayed that *the* said debenture debt and *the said* debt for the erection of said town hall may be consolidated and authority given to issue debentures for that purpose; and whereas the said petition has not been opposed; and whereas it is expedient to grant the prayer of the said petition;

Preamble.

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The said debts of the said corporation of the township of Sheffield are hereby consolidated at the sum of \$8,500.

Debt consolidated at \$8,500.

2. The said *The Municipal* Corporation of the Township of Sheffield may issue debentures under its corporate seal, signed by the reeve, and countersigned by the treasurer, for the time being, for such sums not less than \$100 each and not exceeding \$8,500 in the whole, as the said corporation may by by-law from time to time direct, and the principal sum of the said debentures and the interest thereon may be made payable at such place as the corporation may deem expedient, and may be expressed in either sterling money of Great Britain or currency of Canada.

Power to issue debentures for \$8,500.

3. The said corporation may, for the purposes hereinafter mentioned, raise money by way of loan on said debentures, or sell and dispose of the said debentures from time to time as it may deem expedient.

Power to raise money on debentures.

Form of debentures. Interest coupon.

4. The said debentures shall be made payable in not more than twenty years from the first day of January, 1900, as the said corporation may direct. Coupons shall be attached to the said debentures for the payment of *the* interest thereon, and such interest shall be payable at such rate, not exceeding four per centum per annum, as the said corporation shall direct, and shall be payable yearly.

Payment of debt in annual instalments.

5. A portion of the said debentures to be issued under this Act shall be made payable in each year for a period not exceeding twenty years, from the first day of January, 1900, so that the aggregate amount to be levied and payable for principal and interest in any one year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the period within which the said debenture debt is to be discharged.

Assent of electors not required.

Rev. Stat. 233

6. It shall not be necessary to obtain the assent of the electors of the said Township of Sheffield for the passing of any by-law which shall be passed under the provisions of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*, and any provisions in the Acts respecting municipal institutions in the Province of Ontario which are or may be inconsistent with the provisions of this Act, or any of them, shall not apply to the by-law or by-laws to be passed by the said Corporation under the provisions of this Act.

Irregularity of form not to invalidate.

7. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issuing thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the amount of the said debentures and interest thereon, or any or either of them, or any part thereof, and a purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issue of debentures, or as to the application of the proceeds thereof.

Treasurer to keep book showing state of debenture account.

8. It shall be the duty of the treasurer from time to time of the said township to keep, and it shall be the duty of each of the members, from time to time, of the said Municipal Council, to procure such treasurer to keep, and see that he does keep, a proper book of account setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable and the several amounts which shall from time to time be realized from the sale or negotiation of the said debentures, and the application which shall from time to time be made of the said amounts, and the said book of account and statement shall at all times and at all reasonable hours be open to the inspection

of any ratepayer of the said towship, and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or of any such debentures.

9. Any by-law to be passed under the provisions of this Act shall not be repealed until the debt created under such by-law and the interest thereon shall be paid and satisfied. By-law not to be repealed until debt paid.

10. The said corporation may raise money by the sale of the said debentures, and all moneys arising therefrom shall be applied by the said corporation in payment of the said railway debenture debt of \$7,000, and of the said debt of \$1,500 for the erection of the said town hall, and for no other purposes whatsoever. Application of proceeds.

11. The debentures issued under this Act may be in the form contained in Schedule "A" to this Act, and the by-law or by-laws authorizing the same and for the special rate for payment of interest thereon may be in the form of Schedule "B" to this Act, or to the like effect. Form of Debentures. Form of By-law.

12. The said corporation may arrange with the holders, or any of them, for the purchase of the outstanding debentures, or any of them, or substitution of the debentures authorized to be issued by this Act for the outstanding debentures or any of them, and the said corporation may issue the whole or a sufficient portion of the said debentures authorized to be issued under this Act, to purchase or substitute for, as the case may be, any such debentures that may be purchased or arranged for. Calling in outstanding debentures.

13. Nothing in this Act contained shall be held or taken to discharge the corporation of the township of Sheffield of any indebtedness or liability which may not be included in the said debt. Indebtedness not discharged

SCHEDULE "A."

(Section 10.)

DEBENTURES.

No. Province of Ontario, Township of Sheffield.

Under and by virtue of an Act to consolidate the debt of the township of Sheffield passed by the Legislative Assembly of the Province of Ontario, in the Sixty-third year of the reign of Her Majesty Queen Victoria, and chaptered and by virtue of by-law No. of the corporation of the township of Sheffield, passed under the provisions contained in the said Act, the corporation of the township of Sheffield promises to pay to the bearer, at the agency of the Merchants Bank of Canada, in the town of Napanee, the sum of \$ on the day of A.D, and the

yearly coupon for interest thereon hereto attach as the same shall severally become due.

Dated at Tamworth, in the township of Sheffield in the county of Lennox and Addington this day of A.D.

Reeve.

Treasurer.

SCHEDULE "B."

(Section 10.)

By-law No. to authorize the issuing of debentures under the authority of an Act to consolidate the debt of the township of Sheffield.

Whereas the said Act authorizes the issuing of debentures for the purposes therein mentioned, not exceeding the sum of \$8,500 in the whole, as the corporation of the township of Sheffield may, in pursuance of and in conformity with the provisions of the said Act, direct.

And whereas for the purposes of the said Act it is necessary and expedient to issue debentures to the extent of \$8,500, payable with interest thereon at the rate of four per centum per annum, payable yearly, according to the coupons to the said debentures attached.

And whereas the amount of the whole rateable property of the said township of Sheffield, according to the last revised assessment roll of the said township, being for 1899, was \$676,045.00.

Therefore, the municipal corporation of the township of Sheffield enacts as follows:—

(1) Debentures under the said Act and for the purposes mentioned therein to the extent of the sum of \$8,500, are hereby authorized and directed to be issued.

(2) The said debentures shall have coupons attached thereto for the payment of interest at the rate of four per centum per annum, payable yearly on the day of in each year.

This by-law passed in open council this day of In the year of Our Lord, nineteen hundred.



No. 5.

3rd Session, 9th Legislature, 63 Vict, 1900.

BILL.

An Act to consolidate the Debt of the
Township of Sheffield.

First Reading, 5th March, 1900.

*(Reprinted as amended by Private Bill
Committee.)*

Mr. REID,
(Addington.)

TORONTO:
PRINTED BY L. K. CAMERON,
Printers to the Queen's Most Excellent Majesty.

An Act respecting the estate of the late Charlotte
Elmsley.

WHEREAS Charlotte Elmsley, late of the city of Toronto, Preamble.
in the county of York, widow, deceased, did by her
last will and testament, dated the 25th day of September, 1883,
devise and bequeath to her son, Remigius Elmsley of the city
5 of Toronto, in the county of York, Esquire, her real and per-
sonal estate upon the trusts therein set forth; and whereas
letters probate of the will of the said late Charlotte Elmsley
were duly issued on the 19th day of October, 1883, from the
Surrogate Court of the county of York to the said Remigius
10 Elmsley as sole executor and trustee of the said estate; and
whereas the said estate consists largely of real estate in
the said city of Toronto, a large proportion of which was and
still is vacant land; and whereas the trusts of the will of the
said late Charlotte Elmsley have not yet and will not be com-
15 pletely administered for many years to come; and whereas the
will of the said late Charlotte Elmsley confers upon the executor
therein named power to sell the real estate of the deceased,
but does not contain any power to the said executor to lease
or mortgage the lands of the said estate; and whereas the said
20 Remigius Elmsley has found it impossible to sell and dispose
of all the said lands advantageously to the estate and the
maintenance thereof in their present unproductive state, and
the expense imposed upon the estate by the necessity for the
payment of taxes and other rates imposed upon the said
25 vacant lands is disadvantageous and injurious to the best
interests of the beneficiaries entitled eventually to the said
estate; and whereas the personal estate of the said testatrix
come to the hands of the said executor is insufficient for the
purpose of properly improving and making productive all the
30 real estate of the said estate, and it has been deemed advisable
for the purpose of enabling the said Remigius Elmsley so to
do, to confer on him power to borrow such sum or sums of
money as he may deem necessary for the purpose of improv-
ing and making profitable the lands belonging to the said
35 estate, and also with power to make any lease or leases of any
lands belonging to the said estate which he may deem advanta-

geous ; and whereas it is expedient to grant the prayer of the said petition ;

Therefore Her Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts 5 as follows :—

Power to borrow for purpose of making improvements.

1. Power is hereby conferred upon the said Remigius Elmsley, executor of the estate of the said Charlotte Elmsley, deceased, to borrow for the benefit of the said estate any sum or sums of money which the said Remigius Elmsley shall from 10 time to time desire for the purpose of improving the landed property belonging to the said estate, whether the said landed property be at present vacant or, from deterioration or any other cause, become vacant, or for any other reason require the expenditure of money upon any of the said lands for the 15 purpose of making the same most productive to the said estate.

Power to mortgage.

2. For the purpose aforesaid, power is hereby conferred upon the said Remigius Elmsley to pledge or mortgage all or any of the real estate of the said late Charlotte Elmsley for 20 the purpose of securing the repayment of such sum or sums of money as the said Remigius Elmsley shall deem it advisable to borrow for the purposes aforesaid. It being, however, hereby expressly declared that the person or persons so lending to the said Remigius Elmsley such sum or sums of money 25 as the said Remigius Elmsley may from time to time deem it advisable to borrow, and to secure by the giving of a mortgage or mortgages as aforesaid, shall not be responsible to see to the application of any sum or sums of money so advanced by him or them upon the security of the said mortgage or mortgages, 30 nor shall such lenders or mortgagees be bound to enquire whether the powers conferred by this Act have been duly and correctly exercised by the said Remigius Elmsley acting thereunder.

Lender need not see to application of loan.

Power to lease.

3. Power is further conferred on the said Remigius Elmsley 35 to make such lease or leases of the real estate of the said late Charlotte Elmsley for such terms and at such rents and upon such conditions as he may deem advisable. No lease, however, to be for a term longer than twenty-one years, with a right of renewal, with power to the said Remigius Elmsley 40 to do all such matters and things and to institute all such actions as may be necessary for the collection of the rents of the real estate of the said late Charlotte Elmsley, and the enforcement of all the provisoes and conditions contained in any lease or leases thereof which he shall make. 45



No. 6.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting the Estate of the late
Charlotte Elmsley.

| | |
|----------------|-------|
| First Reading, | 1900. |
|----------------|-------|

(Private Bill).

MR. FOY.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting the estate of the late Charlotte
Elmsley.

WHEREAS Charlotte Elmsley, late of the city of Toronto, Preamble.
in the county of York, widow, deceased, did by her
last will and testament, dated the 25th day of September, 1883,
devise and bequeath to her son, Remigius Elmsley of the city
of Toronto, in the county of York, Esquire, her real and per-
sonal estate upon the trusts therein set forth; and whereas
letters probate of the will of the said late Charlotte Elmsley
were duly issued on the 19th day of October, 1883, from the
Surrogate Court of the county of York to the said Remigius
Elmsley as sole executor and trustee of the said estate; and
whereas the said estate consists largely of real estate in
the said city of Toronto, a large proportion of which was and
still is vacant land; and whereas the trusts of the will of the
said late Charlotte Elmsley have not yet and will not be com-
pletely administered for many years to come; and whereas the
will of the said late Charlotte Elmsley confers upon the executor
therein named power to sell the real estate of the deceased,
but does not contain any power to the said executor to lease
or mortgage the lands of the said estate; and whereas the said
Remigius Elmsley has found it impossible to sell and dispose
of all the said lands advantageously to the estate and the
maintenance thereof in their present unproductive state, and
the expense imposed upon the estate by the necessity for the
payment of taxes and other rates imposed upon the said
vacant lands is disadvantageous and injurious to the best
interests of the beneficiaries entitled eventually to the said
estate; and whereas the personal estate of the said testatrix
come to the hands of the said executor is insufficient for the
purpose of properly improving and making productive all the
real estate of the said estate, and it has been deemed advisable
for the purpose of enabling the said Remigius Elmsley so to
do, to confer on him power to borrow such sum or sums of
money as he may deem necessary for the purpose of improv-
ing and making profitable the lands belonging to the said
estate, and also with power to make any lease or leases of any
lands belonging to the said estate which he may deem advanta-

geous; ⁴²⁷ and whereas the estate is still possessed of a number of parcels of vacant land and it is deemed more expedient and less expensive to grant the powers petitioned for by means of an Act of this Legislature thereby avoiding the delay and expense of special applications in respect of each parcel; ⁴²⁸ and whereas it is expedient to grant the prayer of the said petition;

Therefore Her Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

Power to borrow for purpose of making improvements.

1. Power is hereby conferred upon the said Remigius Elmsley, executor of the estate of the said Charlotte Elmsley, deceased, to borrow for the benefit of the said estate any sum or sums of money which the said Remigius Elmsley shall from time to time desire for the purpose of improving the landed property belonging to the said estate, whether the said landed property be at present vacant or, from deterioration or any other cause, become vacant, or for any other reason require the expenditure of money upon any of the said lands for the purpose of making the same most productive to the said estate.

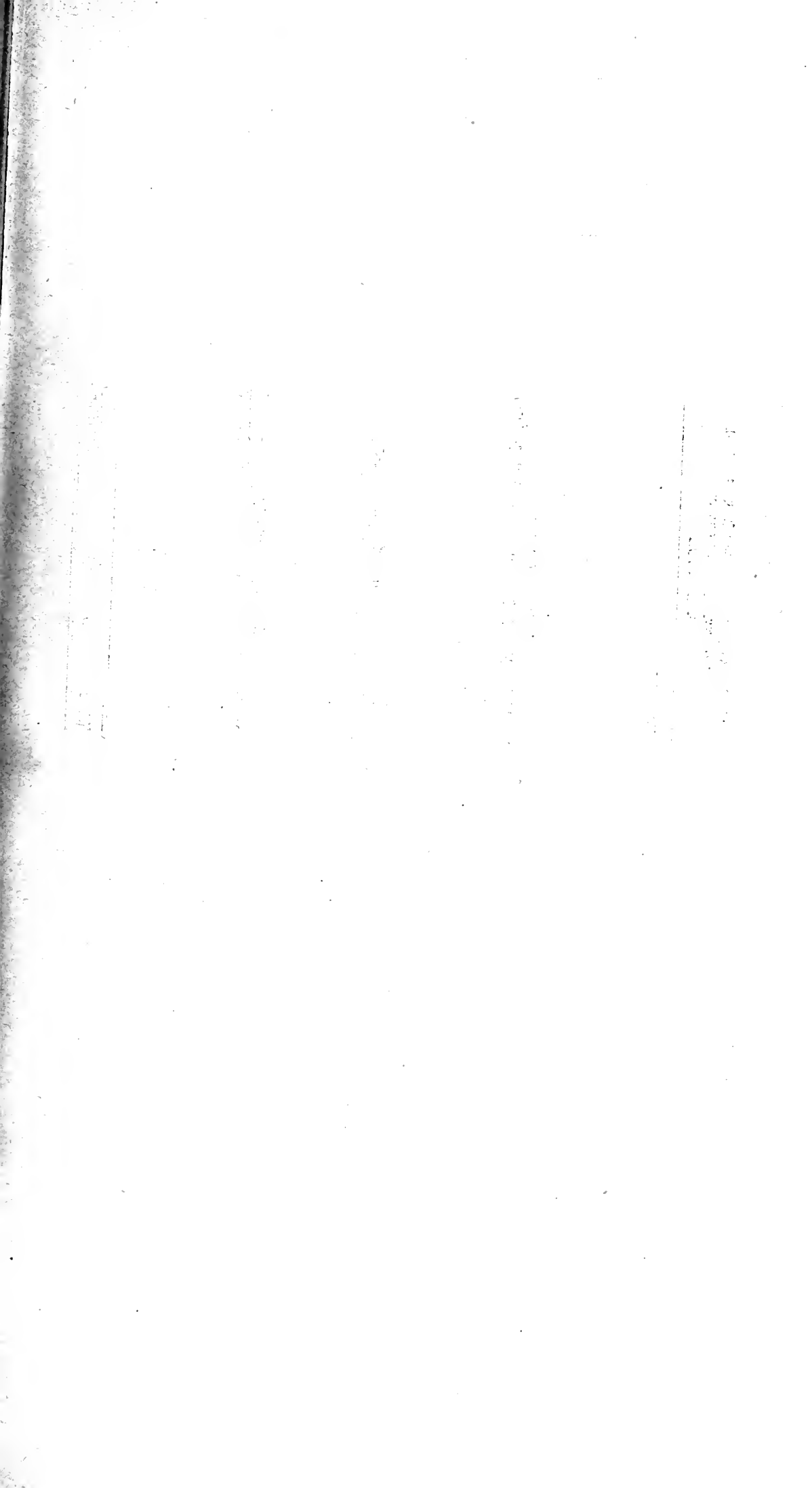
Power to mortgage.

2. For the purpose aforesaid, power is hereby conferred upon the said Remigius Elmsley to pledge or mortgage all or any of the real estate of the said late Charlotte Elmsley for the purpose of securing the repayment of such sum or sums of money as the said Remigius Elmsley shall deem it advisable to borrow for the purposes aforesaid. It being, however, hereby expressly declared that the person or persons so lending to the said Remigius Elmsley such sum or sums of money as the said Remigius Elmsley may from time to time deem it advisable to borrow, and to secure by the giving of a mortgage or mortgages as aforesaid, shall not be responsible to see to the application of any sum or sums of money so advanced by him or them upon the security of the said mortgage or mortgages, nor shall such lenders or mortgagees be bound to enquire whether the powers conferred by this Act have been duly and correctly exercised by the said Remigius Elmsley acting thereunder.

Lender need not see to application of loan.

Power to lease.

3. Power is further conferred on the said Remigius Elmsley to make such lease or leases of the real estate of the said late Charlotte Elmsley for such terms and at such rents and upon such conditions as he may deem advisable. No lease, however, to be for a term longer than twenty-one years, with a right of renewal, with power to the said Remigius Elmsley to do all such matters and things and to institute all such actions as may be necessary for the collection of the rents of the real estate of the said late Charlotte Elmsley, and the enforcement of all the provisos and conditions contained in any lease or leases thereof which he shall make.



No. 6.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting the Estate of the late
Charlotte Elmsley.

First Reading, 5th March, 1900.

*(Reprinted as amended by the Private
Bills Committee.)*

Mr. FOY.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting the Town of Toronto Junction.

WHEREAS the corporation of the town of Toronto Junction has by its petition represented that by-laws numbers 475 and 476 of the municipal council of the said town were duly passed on the 11th day of November, 1899, that said by-laws authorize certain agreements between the corporation and the Toronto Suburban Street Railway Company, Limited, and the Toronto Railway Company; that the said corporation has entered into said agreements, and that each of said by-laws and agreements provides for application being made to the Legislative Assembly of the Province of Ontario for an Act to ratify and confirm the same; and whereas the said corporation has by its said petition prayed for special powers in reference to the separation of school sections numbers 13 and 22 of the corporation of the township of York from the union school section of which the said town forms a part, and to alter the boundaries of said town so as to carry out said separation on an equitable basis, and to repeal the Act respecting the township of York passed in the 60th year of Her Majesty's reign, chapter 84; and whereas the said corporation has by its said petition further prayed that by-law number 444 in reference to the Western Stock Market Company, and by law number 470 extending certain time limits therein, and the agreement entered into with said company under said by-law, be ratified and confirmed, and the corporation be granted power to expropriate lands and convey the same to the said company; and whereas the said corporation has by its said petition prayed that by-law No. 473, providing for the exemption from taxation of the Gasoline Engine Company, Limited, as amended by by-law No. 474, be ratified and confirmed, negotiations in reference thereto having been pending at the time of the passing of *The Municipal Amendment Act, 1899*, but by an oversight the said by-law not having been finally passed until after the 1st day of September, 1899; and whereas the said corporation has by its said petition further set forth that prior to the passing of *The Municipal Amendment Act, 1899*, certain manufacturing establishments were granted ten years terms of exemptions and built factories in the town, relying upon the municipal council having power to extend said terms of exemption for a further period of ten years, under the Acts then in force; and whereas more than one-third of the voters on the voters' list of said town are non-resident, many of them

Preamble.

living in distant parts of Canada and in Great Britain and in foreign countries, and it would therefore be almost impossible to obtain the assent of two-thirds of the voters, as provided in *The Municipal Amendment Act, 1899*, to the extension of the said exemptions, and said corporations have therefore prayed 5 that power may be given to it to renew such exemptions for a further period of ten years with the assent only of a majority of the persons voting upon by-laws submitted under section twenty-five of said Act; and whereas said corporation has further prayed for the confirmation of certain tax sales and 10 for special power in reference to future tax sales, and as to the supply of electricity for light and power and for other purposes; and whereas it is expedient to grant the prayer of the said petition;

By-laws and agreements confirmed.

Therefore Her Majesty, by and with the advice and consent 15 of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The by-laws and agreements hereinafter referred to are hereby ratified and confirmed and declared to be valid and binding upon the said corporation and upon the companies 20 therein named, said by-laws and agreements being as follows:

By-law No. 475 entitled "A by-law in reference to the Toronto Suburban Street Railway Company, Limited, and passed on the 11th day of November, 1899, a copy of which is printed as schedule "A" hereto. 25

Agreement made between the corporation of the town of Toronto Junction and the Toronto Suburban Street Railway Company, Limited, and dated the 11th day of November, 1899, a copy of which is printed as schedule "B" hereto.

By-law No. 476 entitled "A by-law in reference to the Toronto Railway Company," and passed on the 11th day of November, 1899, a copy of which is printed as schedule "C" hereto. 30

Agreement made between the corporation of the town of Toronto Junction, the Toronto Railway Company and the Toronto Suburban Street Railway Company, Limited, and dated the 6th day of October, 1899, a copy of which is printed as schedule "D" hereto. 35

Boundary lines varied.

2. (a) From and after the passing of this Act the boundary between the town of Toronto Junction and the township of York shall be varied so that the western limit of the town shall be a line 120 feet westerly from the western limit of Elizabeth street. 40

(b) All lands at present forming part of the said town but lying west of said limit shall become part of the said township and shall, subject to the agreement or award hereinafter provided for, be freed and discharged from all liability of the said town except arrears of taxes, which said arrears shall be pay- 45

able to the said township, and the said township shall have the same powers of collection as in the case of other township taxes; the taxes for the current year on said lands so added to the township shall be levied upon the basis of the town's
5 assessment roll for the current year, but the rate shall be the same as in other parts of the township, including county rate.

(c) All lands at present forming part of the said township, but lying east of said limit, shall become part of the said town and shall, subject to the agreement or award hereinafter
10 provided for, be freed and discharged from all liabilities of the said township except arrears of taxes, which said arrears shall be payable to the said town, and the said town shall have the same powers of collection as in the case of other town taxes; the taxes for the current year on said lands so added
15 to the town shall be levied upon the basis of the township assessment roll for the current year, but the rate shall be the same as in other parts of the town.

(d) The lots purchased on behalf of the town at the last tax sale, and lying within the limits of the land so added to the
20 township, shall become the property of the township, subject to the owners' right to redeem, and the amount to be paid or allowed to the town on account of such lots shall be settled by agreement or arbitration, as hereinafter provided.

3. (a) The union for public school purposes between the
25 town of Toronto Junction and school sections numbers 13 and 22 of the township of York is hereby dissolved, and from and after the passing of this Act said sections 13 and 22 shall become rural school sections of the said township, and the municipal council of said township may, within one month after the
30 passing of this Act, vary the boundaries of said school sections.

Union for
school
purposes
dissolved.

(b) The said town and township may enter into an agreement for adjusting in an equitable manner all rights and claims consequent upon the dissolution of said union section
35 and the alterations of the boundaries of the municipality as herein provided, and for determining what amount shall be paid by one of the said municipalities to the other.

(c) In case the said two municipalities shall be unable to agree, then all matters in dispute may be referred by either
40 municipality to James A. Proctor, Esq., official arbitrator, who shall hear and determine the whole matter, and his award shall be final and binding upon the municipality and school sections concerned.

(d) For the purpose of paying the amount due under said agreement or award the necessary by-law may be passed and
45 debenture or debentures issued by the proper municipality to be payable out of the property taxable for public school purposes in such municipality or school section as the case may be.

(e) The trustees composing the present Toronto Junction Public School Board shall be and continue to act as the board
50 of trustees for said town after the dissolution of said section

until the expiration of their respective terms and they shall also continue to exercise all their powers as trustees within said sections 13 and 22 until an election of trustees in said sections and said board shall call a meeting of the public school supporters in each of said sections 13 and 22 for the election of trustees in said sections respectively within two weeks after the making of said agreement or award and the fixing of the boundaries of said sections by the municipal council of the township. 5

60 Vic. c 84,
repealed.

4. The Act passed in the 60th year of Her Majesty's reign, chapter 84, entitled an *Act respecting the Township of York* in so far as it refers to said school section number 13 is hereby repealed. 10

By-laws Nos.
444 and 470
confirmed.

5. That by-laws numbers 444 and 470 printed as schedules E and F hereto, respectively, and the said agreement of the 12th day of May, 1898, printed as schedule G hereto, be and the same are hereby ratified, authorized and confirmed and the said corporation and the said company are declared to have and to have had power to make and enter into said agreement. 15

Expropriation
of land.

6. Should it be deemed expedient by the said corporation in the interests thereof it shall be lawful for the said corporation at the request of the said company to enter upon and take any lands not exceeding in all thirty-five acres within the limits of the said municipality as the said corporation may deem necessary and suitable for a site for the purposes mentioned in said agreement and to close up all streets and lanes running through or upon the lands selected for the purposes aforesaid, provided that the owners of the land so entered upon and taken and of any other lands injuriously affected by the taking of the said site or by closing up of any such street or lane shall be entitled to compensation as provided by section 437 and following sections of *The Municipal Act* relating to compensation for lands taken or injured, and in the event of the said corporation and the owners of the said lands not being able to agree upon the amount of the said compensation the same shall be determined by arbitration as provided by *The Municipal Act*. 20 25 30 35

Conveyance
of lands by
corporation
to company.

7. Whenever the said municipal corporation shall have acquired the title to the said lands or any portion thereof as aforesaid they may convey the same to the said company upon payment by the said company to the said corporation of an amount equal to the amount which the said corporation has paid or to payment of which it has become liable for compensation to the owners of the lands so taken or injured together with all costs and charges incurred by said corporation in the exercise of the powers conferred upon them under the preceding sections. 40 45

8. The municipal council of said corporation may if it be deemed advisable enact by by-law that the arbitration provided for in section 5 hereof shall take place before the corporation enters upon or takes possession of said lands and in such case if the said council deems the amount awarded too great then it may refuse to adopt the award or take the said lands, but if the award is not adopted then the corporation shall pay to the owners of said land the costs of such abortive arbitration. Arbitration provisions.
- 10 9. That by-law number 473 entitled "A by-law in reference to the Gasoline Engine Co., Limited," dated the 6th day of November, 1899, as amended by by-law 474, and a copy of which is printed as schedule H hereto, is hereby ratified and confirmed. By-law No. 473 confirmed.
- 15 10. That the municipal council of the said corporation of the town of Toronto Junction may by by-law exempt any manufacturing establishment in whole or in part from taxation and renew such exemption or any exemption heretofore granted for a further period under the provisions of section 25 of *The Municipal Amendment Act, 1899*, and the assent of two-thirds of the electors shall not be required nor shall subsection (c) of section 25 of said Act apply to a by-law under this section. Exemption of manufacturing establishments.
- 20 11. That all sales for taxes heretofore made in the said town are hereby ratified and confirmed subject to the right of the owners to redeem the lands so sold within one year after the last of such sales. Tax sales confirmed.
12. It shall be lawful for said corporation to appoint the same person to be treasurer and collector of said town and all official acts of the person heretofore acting as treasurer and collector are hereby ratified and confirmed. One person may be both treasurer and collector.
- 30 13. The said corporation of the town of Toronto Junction may enter into an agreement or agreements with any person or corporation for the supply by any such person or corporation to the town or for the supply by the town to any such person or corporation of electricity for light or power or for any other purpose and the said town may pass by-laws for any such purposes or for the issue of debentures for the cost of any necessary works authorized, submitting any such by-laws to the vote of the electors. Agreement for light and power.
- 40

SCHEDULE A.

(Section 1.)

NUMBER 475.

A By-Law in reference to the Toronto Suburban Street Railway Company (Limited). Passed 11th November, 1899. Be it enacted by the municipal corporation of the town of Toronto Junction as follows :

1. That the mayor and clerk be, and they are hereby authorized under the seal of the corporation to enter into the agreement with the Toronto Suburban Street Railway Company (Limited), a copy of which is hereto attached.

2. That the corporation in so far as it has power and jurisdiction so to do doth hereby grant unto the Toronto Suburban Street Railway Company (Limited) its successors and assigns for a period of twenty-three years from 1st of September, 1898, the exclusive right to construct, maintain and operate surface street railways with the necessary switches, sidings and turnouts and to erect and maintain such poles and wires as may be necessary for the transmission of electricity as set forth in the said agreement.

3. The property of the said company shall be exempt from general taxation for a period terminating with the franchise granted under sec. 34 of said agreement subject to the terms and conditions contained in said agreement.

4. The company shall be provided with water as provided in sec. 36 of the said agreement.

5. This by-law shall not come into force or operation until ratified by legislation as provided in said agreement.

SCHEDULE B.

(Section 1.)

This indenture made in duplicate the eleventh day of November, A.D. 1899, between The Corporation of the Town of Toronto Junction hereinafter called the corporation, of the first part, and The Toronto Suburban Street Railway Company, Limited, hereinafter called the company, of the second part.

Witnesseth that whereas by a certain indenture bearing date the 8th June, 1891, and made between the corporation and the Davenport Street Railway Company, Limited, the said last named company was granted the right to operate a surface street railway upon portions of Davenport road, Weston road and St. Clair avenue in the said town for a period of twenty years from the said 8th June, 1891, paying a yearly rental after the first ten years of \$200.00 per mile of track (\$200).

And whereas by a certain other indenture bearing date the 5th October, 1891, and made between the corporation and the City and Suburban Electric Railway Company, Limited, the said last named company was granted the right to operate for a period of twenty years from said 5th October, 1891, surface street railways upon all or any streets or roads of the said town, except those on which the Davenport Street Railway Company had been granted the right to operate under said in part recited agreement paying a yearly rental after the first ten years of \$500.00 per mile of track.

And whereas by the Act passed in the 57th year of Her Majesty's reign and chapter 94, the Toronto Suburban Street Railway Company, Limited, party hereto of the second part was incorporated, and was thereby granted power to acquire and did subsequently acquire the rights powers and franchises of the Davenport Street Railway Company, Limited, and of the City and Suburban Electric Railway Company, Limited, under the two hereinbefore in part recited agreements and said agreements were by said Act confirmed and declared to be valid and binding upon the parties hereto.

And whereas the said The Toronto Suburban Street Railway Company, Limited, parties of the second part have now in operation the following lines of railway :—

1. The Lambton line extending along Dundas street.
2. The Weston line extending from Dundas street along Keele street and Weston road south to the northern limits of the town.

3. The Davenport line extending from Keele street along St. Clair avenue, King street and the Davenport road to the eastern limits of the town.

4. The Evelyn crescent line extending southerly from Dundas street along Lansdowne avenue, Louisa street and Fairview avenue to Evelyn crescent.

And whereas it has been agreed between the parties hereto that provided the company becomes a party to an agreement with the Toronto Railway Company under the terms of which the regular Dundas street service of such last named company shall be extended to the corner of Keele and Dundas streets as hereinafter provided. Then subject to the terms and conditions hereinafter contained the corporation will agree that in substitution for the franchises granted under said in part recited agreements for twenty years from said dates respectively franchises shall now be granted for a period of twenty-three years from the first day of September, 1898, and certain other concessions shall be made to the company as to mileage rental, exempt from taxation and the supply of water at cost as hereinafter provided.

Now therefore this indenture further witnesseth as follows :—

1. The sections of this agreement which are similar to sections contained in said two prior agreements are to be construed as constituting a consolidation thereof, and the repetition thereof in this agreement shall not affect the confirmation of said sections by said special Act and the sections of this agreement which are new or which are inconsistent with sections in said two prior agreements are to be construed as constituting a substitution for such last mentioned sections and for such sections as are not mentioned herein.

2. The corporation in so far as it has power and jurisdiction so to do doth by these presents grant unto the company, its successors and assigns for a period of twenty-three years from the 1st September last (1898) the exclusive right to construct, maintain and operate surface street railways with the necessary switches, sidings and turnouts and to erect and maintain such posts and wires as may be necessary for the transmission of electricity for the operation of said railway on all or any of the streets and roads of the said corporation or portions of the same subject as hereinafter contained such posts and wires shall not however be constructed or erected so as to interfere with the posts and wires of the corporation or of other persons or companies and shall be subject to the approval of the town engineer and located as he directs.

Provided that the company shall not have the right to construct a double track upon any street without the express consent of the municipal council.

Except as otherwise provided in this agreement the operations of the company shall be governed by the provisions of *The Street Railway Act*, R. S. O., 1897, chapter 208, except only sections 4 to 10 inclusive, 12 and 14 and 28 to 34 inclusive of said Act.

3. The company covenants and agrees to indemnify and save harmless the said corporation from any loss, costs, charges, damages or expenses of any action or actions at law or otherwise, howsoever arising out of the construction or operation or existance of said railway system, or any part thereof, whether such loss, costs, charges, damages or expenses are occasioned by running at a speed authorized by this agreement or otherwise, or by reason of any alleged damages or interference to or with the property of any other person or company, or the posts or wires of any other person or company having posts or wires on the streets.

4. Steam shall not be used as a motive power except with the approval of the corporation.

5. The corporation will from time to time construct, re-construct and maintain in repair the street railway portion of the roadways on all streets traversed by the railway system; but not the tracks, sub-structure or superstructure required for said railways.

6. The company shall in consideration of the performance of the provisions of section 5 pay to the town treasurer the sum of \$125 per annum per mile of single track payable quarterly on 1st December, March, June

and September in each year, or the first juridical day after each of the said days respectively ; but this provision shall not come into force until the 1st December, 1899. In computing the amount of the above payments "turnouts" shall not be included, provided that the length of such turnouts shall have been approved by the town engineer. This section shall not however apply to any streets in the town over which any other railway company is allowed at any time to operate with the consent of the corporation, but the corporation shall maintain such portion of said streets at its own expense.

7. The payment of the said mileage quarterly as aforesaid shall be a lien and charge on the said railways and the property used in the working thereof.

8. The company may use its railway for the conveyance of freight, goods and merchandize.

9. If freight cars are operated by the company, then the company shall provide such sidings as the corporation may from time to time request upon conditions similar to those contained in the standard form of siding agreement at present in use by the Canadian Pacific Railway Company.

10. The company may at any time hereafter change the gauge upon its railway now constructed, or which may be hereafter constructed by the company, under authority of the corporation except on Dundas street, east of Keele street, from the now or then existing gauge to the standard railway gauge, being four feet eight and one-half inches, or to such gauge as may be hereafter adopted as a standard electrical railway gauge, or to such gauge as may be in use upon the street railways or tramways in the city of Toronto in the discretion of the company, and may, with the consent of the council, change the rail now in use by the company on its railway, or that may be in use upon its railway now or hereafter to be constructed.

11. The speed of the cars shall not exceed twelve miles an hour within the following limits : Elizabeth street on the west, St. Clair avenue on the north, Humber side avenue on the south, and the boundary of the town on the east. Outside of these limits the speed shall not exceed twenty miles an hour ; but the corporation shall have the right to require a less maximum speed than above when the parts of the town through which said railway shall be operated become more thickly peopled.

12. The company shall construct the tracks and substructure according to the best modern practice from time to time in general use, and as most suitable for the comfortable and safe use of the highway by those using vehicles thereon, and all changes in the tracks, rails and roadbed construction of new lines or additions to old ones shall be done under the supervision of the town engineer, and to his reasonable satisfaction.

13. The company, when putting down its tracks, shall be required to lay the same on the present level of the streets, or as near thereto as is compatible with the proper execution of the work, and in case the corporation shall hereafter require it the company shall, at its own expense, lower or raise and relay its tracks so as to conform to the grade the street may be brought to by the corporation cutting or filling in the streets, it being understood that except on Keele street, north of Dundas street, and for 200 yards on Western road south, no changes in grade shall be made until after two years from said 1st September, 1898, and thereafter not oftener than once in five years, subject, however, to the rights of the ratepayers and of the corporation under the local improvements sections of *The Municipal Act*. The rails are to be laid flush as nearly as practicable with the streets so as to cause the least possible impediment to the traffic of the streets.

14. The location of the railway on any street shall not be made by the company until plans thereof showing the proposed position and style of the rails to be used, and other works, on each such street in connection with the construction of said railway have been submitted to and approved in writing by the town engineer and adopted by resolution of the municipal council, and the construction shall be carried out in accordance with such plans (provided also that the corporation shall have the right to prohibit the company from locating its railways upon any particular street

or streets, or portion thereof), but the corporation shall not have such right to prohibit in any case where there is no other practicable route along which the railway can be operated.

15. The corporation shall have the right, subject to the provisions of clause 13, to take up the streets traversed by the railway lines for all purposes within the powers of the corporation, including altering grades thereof, constructing or repairing pavements, sewers, drains, conduits, or for laying down or repairing water or gas pipes without being liable for any compensation or damage that may thereby be occasioned to the working of the railway or the works connected therewith, but all such work shall be proceeded with by the corporation with due diligence, so that there shall be no loss of time to the railway save what cannot reasonably be avoided. The said corporation shall, after the completion of any such works or improvements, leave the said railway line, rails and sub-structure in substantially the same state and condition as before the commencement of any such works or improvements. In the event of the company desiring to make any repairs or alterations in the ties, stringers, rails, turnouts or curves on paved streets the portion of the roadway torn up in so doing shall be repaved by the corporation, but at the expense of the company.

16. The privilege hereby granted is also subject to any existing rights, statutory or otherwise, of any other corporation which has now the power to open or take up the streets of the town.

17. The company shall remove the snow and ice from the track allowance so that cars may be used continuously, and shall, if the town engineer so directs, evenly spread the snow on the adjoining portions of the roadway; but should the fall of snow, or the accumulation of snow and ice, upon the business streets of the town at any time exceed nine inches in depth the whole space occupied as track allowance shall thereafter, if the town engineer directs, be cleared of snow and ice, and the material removed and deposited at such point or points on or off the street at a reasonable distance as may be ordered by the town engineer, and the town engineer shall from time to time define what streets, or parts of streets, shall be considered business streets under this section. But the company shall not sprinkle salt or other material on said track allowances for the purpose of melting snow or ice thereon without the written permission of the town engineer.

18. The rails, poles and wires used in the construction of any part of the railway not heretofore in operation or that may be forfeited to the corporation for non-operation, and the rails, poles and wires of any part of the railway that the company may cease to operate shall be the property of the company, and the company may take up such rails, poles and wires, but the company shall forthwith thereafter place the roadway in good condition for travel, or the corporation may do so at the expense of the company.

19. The rates for tickets and fares shall within the limits of the town be as follows: Single (cash) fares are to be five cents each. A class of tickets must be sold at the rate of six for twenty-five cents. Another class must be sold at the rate of twenty-five for one dollar. Children under nine years of age and not in arms are to be carried at half rates, and infants in arms are to be carried free. School children are to have tickets at the rate of ten for twenty-five cents, only to be used between 8 a.m. and 5 p.m., and not on Saturdays. Limited tickets (good between 5.30 and 8, and between 5 and 6.30 p.m.) eight for twenty-five cents.

20. Police constables and firemen in the employ of the corporation when on duty shall be carried free.

21. Cars are to be of an approved design, as from time to time in general use in the city of Toronto for service and comfort, including lighting and signal appliances, numbers and route boards, and cars must be kept clean inside and out. Thoroughly efficient brakes are to be provided, also fenders satisfactory to the town engineer. The company shall cause all passenger cars to be heated to a comfortable temperature from 1st November to 1st April, and to be properly lighted. Smoking will only be allowed on rear platform of closed cars, and rear three seats and platform of open cars; a class of cars may be used for freight, and also a

class of combination cars with separate compartments for passengers and freight, and the company is hereby authorized to carry freight on such cars, provided that such freight cars shall be run at such hours and in such a manner as not to interfere with the proper operation of passenger cars.

22. Notices shall be posted in the cars that no person shall enter or leave the cars while in motion.

23. Cars are not to be overcrowded and the town engineer shall have the right to fix the proper number of passengers to occupy each style of car without overcrowding.

24. Cars shall have right of way and vehicles or persons shall not obstruct or delay their operation.

25. Nothing herein contained shall be construed as conferring upon the company any right to construct or operate underground or overhead or elevated railways in the town and the right to construct or operate or to authorize the operation or construction of such railways in the said town or in any part thereof is hereby expressly reserved.

26. The company covenants and agrees to extend within five years from this date its lines of railway so that the length of railway in operation shall be increased ten miles.

27. The company shall each lawful day in the year unless prevented by accident to roadbed or works or general strike among employees or other unavoidable cause run cars over their Lambton, Weston and Davenport lines as frequently and at such hours as will best meet the wants of the general public to be decided and certified in writing by the town engineer, subject to the approval of the municipal council, but the company shall not be bound to run their cars more frequently than one car every thirty minutes over their Lambton, Davenport Road and Weston lines, and the company shall not be bound to run any cars between the hours of twelve o'clock midnight and 5.30 a.m.

28. (1) The corporation shall have the right to take over the property of the company at the expiration of the said term of twenty-three years or at the expiration of any subsequent term of five years under the provisions of *The Street-Railway Act*, but the corporation shall only pay for the real property so taken over what it will then bring or its worth without reference to the value for the purpose of operation of a street railway or railways and no allowance shall be made to the company in respect to the franchise hereby granted.

(2) After the corporation shall have given notice of its intention to take over the said railway and property it may at once proceed to arbitrate and both the corporation and the company shall in every reasonable way facilitate such arbitration, and the arbitrators shall proceed so as if possible to make their award not later than the time named by the corporation for taking over the said railway. But if from any cause the award shall not be made by such time or if either party be dissatisfied with the award the corporation may nevertheless take possession of the said railway and all the property and effects thereof, real and personal, necessary to be used in connection with the working thereof on paying into court either the amount of such award if the award be made or if not upon paying into court or to the company as the case may be such sums of money as a judge of the high court of justice may upon notice to the opposite party order and upon and subject and according to such terms, stipulations and conditions as the said court shall by its order direct and prescribe provided always that the rights of the parties except in so far as herein specially provided shall not be affected or prejudiced thereby.

29. In case of any dispute arising or differences of opinion during the term of this contract between the company and the corporation as to the meaning or construction of this contract the same shall be determined on summary application after two days' clear notice to the other party by the person who for the time being fills the office of judge of the county court for the county of York who may as arbitrator determine the same with the powers as to the costs and otherwise of arbitrators under *The Municipal Act* and his decision shall be final.

30. After the year 1901 the company shall upon the request of the cor-

poration construct and operate a line or lines of railway on such street or streets in the town as may be from time to time recommended by the town engineer for the time being and approved by the municipal council. Such line or lines to be complete and in operation within a period (not less than six months) to be fixed by by-law passed by a majority vote of all the members of the municipal council.

31. If the company shall fail to operate in accordance with the terms of this agreement its Lambton, Davenport and Weston lines or either of them such failure shall work a complete and absolute forfeiture of all the privileges or franchise on or over the streets granted by the corporation to the company under this agreement or any previous agreements. Provided however that the said forfeiture shall not be enforceable by the corporation until after the corporation has given to the company notice stating in what respect the company has so failed to operate its lines, and the company has for one month after such notice refused or neglected to remedy such failure to operate and if the company shall fail to run one car every hour over its Evelyn Crescent line such failure shall subject to the above recited provision for notice by the corporation to the company work a complete and absolute forfeiture of all its privileges or franchise on and over all streets in the town lying south of the south side of Dundas street. Such forfeiture however shall not take place until the same shall have been exercised by a by-law of the corporation to be passed by a two-thirds vote of all the members of the municipal council of the corporation.

32. In case the company shall refuse, decline or fail to construct a line or lines of railway on streets of the town as provided in section 30 the franchise of such streets not then used by the company shall revert to the town and the town shall in that case have the right to grant a franchise of such streets to any other street railway company and any other street railway company shall have the right to cross the tracks of the company so failing with its line or lines of railway without the payment of any sum for the privilege of so crossing except the cost of making the crossing and maintaining the same.

33. Provided that the company upon request of the corporation under section 30 must construct the whole line of railway requested and in default shall forfeit the franchise for the whole of the line on such street.

34. All the property of the company necessarily used in connection with the working of the railway and other objects covered by the agreement appertaining thereto and the income derived therefrom by the shareholders of the company shall be exempt from taxation for a period terminating with the franchise hereby granted in accordance with by-law bearing even date herewith and subject to the terms and conditions in said by-law contained this exemption shall include local improvements but shall not extend to school rates.

35. The said railway property shall be assessed for public school purposes and the rates levied in respect thereof shall be payable to the public school funds of the town but this provision shall cease to be in force if a separate school is at any time erected in the town.

36. The company shall be supplied with water from the corporation waterworks for ten years from 1st January next at a price equivalent to the actual cost of production, such cost being hereby fixed at 10 cents per 1,000 gallons up to 100,000 gallons per day, the quantity of water to be consumed shall be estimated and certified by the Superintendent of the municipal waterworks whose decision shall be final and the company shall pay the cost of any necessary water meter.

37. The company may erect posts and wires for the supply of electricity for light and power unless and until the municipal council shall at any time pass a by-law revoking this consent and requiring the company to cease such supply and the company shall thereupon forthwith remove all posts and wires used for such purposes and cease the supply of electricity for light and power except to its own street railway premises and care.

38. The company may construct and operate its lines of railway across and along any private property which it may acquire from time to time, and may connect and operate the same with the lines of railway now con-

structed or which may hereafter be constructed along streets under this agreement.

39. In case of neglect or failure on the part of the company to perform any of the covenants or conditions of this agreement, the company shall in such case of failure forfeit and pay to the corporation as liquidated and ascertained damages and not as a penalty the sums following, that is to say :

| | |
|--|---------|
| For breach of section 4 the sum of..... | \$30 00 |
| “ “ 11 “ | 60 00 |
| “ “ 17 “ | 70 00 |
| “ “ 20 “ | 10 00 |
| For breach of covenant to heat cars in section 21 the sum of | 25 00 |
| For breach of covenant to provide fenders in section 21 the sum of | 75 00 |
| For breach of covenant to provide brakes in section 21 the sum of | 80 00 |
| For breach of section 23 the sum of | 40 00 |
| For breach of any of the other covenants or conditions the sum of | 50 00 |

40. The company and the corporation mutually covenant and agree to pass any necessary by-law or by-laws to carry out this agreement and to promote any legislation necessary to ratify and confirm this agreement and said by-law or by-laws, and until said legislation is obtained said hereinbefore in part recited agreements shall be and continue in force, and in the event of this agreement being voided then the rights of the parties as they existed prior to the execution hereof shall remain unaffected and as if this agreement had not been entered into.

41. If at any time in the future the corporation should desire to grant the exclusive right to any other company to build and operate a street railway on Keele street, from the south side of Dundas street to Humber-side avenue, and along Humber-side avenue and Annette street, or either of them, easterly to Dundas street, then the company shall forthwith, upon notice by the corporation, surrender their rights under this agreement so far as it relates to the said last mentioned streets, but in that case the company shall have the right to remove any rails, posts and wires placed upon the said streets before such notice, and provided further that nothing in this agreement contained shall authorize the construction of a double track upon Dundas street, west of Union street, without the consent of the corporation.

SCHEDULE C.

(Section 1.)

NUMBER 476.

A By-law in reference to the Toronto Railway Company, passed 11th November, 1899.

Be it enacted by the Municipal Council of the Corporation of the Town of Toronto Junction, as follows :

1. That the mayor and clerk be and they are hereby authorized to sign and attach the corporate seal to the agreement between this corporation and the Toronto Suburban Street Railway Company, Limited, and the Toronto Railway Company (a copy of which is hereto attached).

2. The property of the said company shall be exempt from general taxation for a period terminating with the franchise granted under the terms of the said agreement, subject to the terms and conditions contained in the said agreement.

3. This by-law shall not come into force or operation until ratified by legislation as provided for in said agreement.

SCHEDULE D.

(Section 1.)

Agreement made the sixth day of October, 1899, between the Corporation of the Town of Toronto Junction, hereinafter called the corporation, of the first part; the Toronto Railway Company, hereinafter called the city company, of the second part; and the Toronto Suburban Street Railway Company, Limited, hereinafter called the suburban company, of the third part.

The parties hereto mutually covenant and agree as follows:

1. The suburban company and the corporation grant unto the city company, its successors and assigns, subject as hereinafter contained, for a period of twenty-three years from 1st September, 1898, the right to run cars over Dundas street between the easterly limits of the town and the western limits of Keele street, subject to the terms and conditions hereinafter contained, together with the right in common with the suburban company to operate a "Y" on Keele street, north or south of Dundas street, and on Dundas street, west of Keele street, for the purpose of turning the cars of the city company, provided that the city company shall not have the right to construct a double track upon any part of Dundas street, west of Union street, without the express consent of the corporation.

2. The city company covenants and agrees to indemnify and save harmless the said corporation from any loss, costs, charges, damages or expenses of any action or actions at law or otherwise howsoever or by reason of any alleged damage or interference to or with the property of any other person or company, or the posts or wires of any other person or company having posts or wires on the streets arising out of the construction or operation or existence of the said city company's system of railway, or any part thereof, upon the streets of the town.

3. The city company, the Suburban Company and the corporation severally each with the other covenant and agree to abide by and observe the covenants and conditions contained in clauses 4, 5, 8, 12, 13, 14, 15, 22, 24, 25, 34 and 35 of the agreement between the corporation and the suburban company (a copy of which is hereto attached) so far as applicable to that portion of the railway to which this agreement extends, and said parties shall be bound by said clauses as if they had been inserted in this agreement and made binding upon the city company.

4. The rates for tickets and fares charged by the city company shall be the same as those in force in the city of Toronto from time to time and subject to this provision: the payment of a single fare or the presentation of a single ticket shall entitle the passenger to a continuous ride from any point on said city railway within the said corporation to any point on the city railway within the city of Toronto or from any point on said city railway within the city of Toronto to any point on said city railway within the corporation.

5. Police constables and firemen in the employ of the corporation when on duty and in uniform shall be carried free over the city company's system.

6. The city company shall each day operate its regular Dundas street service along Dundas street, between the eastern limit of the town and the western limit of Keele street, and cars operated on said street shall be those operated on the regular Dundas street service of the city company to the westerly limit of Dundas street within the city of Toronto.

7. If the city company shall wilfully fail for a space of one week to

operate in accordance with the terms of this agreement its Dundas street line, such failure shall, at the option of the corporation (to be exercised by by-law), work a complete and absolute forfeiture of all the privileges or franchises granted to said city company under the terms of this agreement, but this clause shall not extend to the case of neglect to run cars by reason of accident to the road bed or works or general strike among the employes or other unavoidable cause.

8. So long as the city company shall continue to operate its cars under the terms of this agreement the suburban company shall be relieved from its obligation to operate its cars on Dundas street east of the west limit of Keele street under the terms of the said agreement with the suburban company.

9. The said companies and the corporation mutually covenant and agree to pass any necessary by-laws and to promote any legislation necessary to ratify and confirm this agreement, and that unless such legislation is obtained within two years this agreement shall cease to be binding or in operation.

10. This agreement shall not be binding upon the suburban company until the agreement bearing date the sixth of October, 1899, made between the corporation and the suburban company shall have been confirmed by Act of the Legislature of the Province of Ontario.

SCHEDULE E.

(Section 5.)

NUMBER 444.

By-law in reference to the Western Stock Market Company, passed 12th May, 1898.

Whereas, it is deemed necessary and desirable in the best interest of the corporation that stock market facilities should be established at some suitable point within the limits of the said corporation, together with such kindred industries as can be induced to locate in connection therewith ;

And whereas the said corporation is not in the position of itself to expend the money necessary to establish and equip the said market ;

And whereas the said corporation consider it advisable that the said market facilities should be procured, equipped and established by private enterprise rather than at the expense of the said corporation, and, in order to secure the same, together with the industries aforesaid, have decided to encourage and assist the establishment thereof, and of such kindred industries as the company may induce to locate in the town in connection with such market by granting exemption from general municipal taxation and other inducements as hereinafter more fully set out as soon as legislation can be obtained enabling the said corporation so to do.

Be it therefore enacted by the municipal council of the corporation of the Town of Toronto Junction as follows :

1. That subject to ratification by special Act as hereinafter provided the said corporation will grant to the said company, its successors and assigns, and to such undertakings exemption from general municipal taxation (not including school rates, local improvement assessments or sewer rental payable to the city of Toronto) for a period of thirty years from and after the going into effect of this by-law, for the lands of the company, not exceeding thirty-five acres, together also with the meat packing or curing and other kindred industries and buildings, erections and improvements, and will as soon as possible consent to legislation confirming this by-law and any agreement made in pursuance hereof, and enabling the corporation to carry the same into effect according to the true intent and meaning thereof.

2. And provided that the location of the said market and industries is such that it is possible to properly and adequately drain the same into the

sewers existing at the time such connections is required, without the construction of more than one thousand feet of sewer, the said corporation will provide proper and adequate sewer facilities to connect with that of the market and industries established thereat as aforesaid, and if the construction of more than one thousand feet of sewer is required for the purpose aforesaid, the excess will be constructed by the town upon such terms as the council may agree upon, but the corporation shall not in any case be bound to construct any sewer beyond the limit of the company's property nearest to the said existing sewer.

3. And the said corporation will assist the said company in obtaining the closing under the provisions of *The Municipal Act* of any streets that may be laid out upon the lands acquired by the said company for the purpose aforesaid; provided always that in no case shall the corporation be required to close any such streets or assist in having same closed, if so doing would subject the corporation to payment of damages, and the corporation will assist in obtaining, and in so far as it has power so to do, will grant to the said company, its successors or assigns the privilege of laying railway switches across or over streets within the corporation from the railway lines to the said market, subject always to all proper restrictions, and the same to be laid subject to the approval of the engineer of said corporation.

4. And the said corporation will during the said period supply the said market and undertakings with the water necessarily required by them for the carrying on of said undertakings from the town water works system, except in case of unavoidable accidents as hereinafter provided, at a price equivalent to the actual cost of production thereof, such cost and the quantity of water consumed to be estimated and certified by the chief mechanical engineer at the pumping station of the corporation, and not in any event to exceed thirteen cents per thousand gallons, and his certificate shall be conclusive, the company to pay the cost of any metre necessary to ascertain the quantity of water consumed, provided that the corporation shall not be held liable by the company for failure to supply water as above, if the failure be owing to unavoidable accident to their water works system and if the consequences of such accident be remedied without delay by the corporation.

5. And the said corporation during the said period will not establish or carry on as a municipal institution, or grant to any person or persons or corporation, the right to establish or carry on any undertaking or industry similar to those hereinbefore mentioned, or to a lesser or greater extent, or grant to such person or persons or corporation any of the privileges and exemptions hereinbefore mentioned, providing always that the said company, its successors or assigns, shall not itself receive, or be at liberty to give to any person or persons the right to receive any of the benefits hereinbefore mentioned in respect to any undertaking or industry, except those hereinbefore mentioned.

6. Provided that the said company shall, within one year after the passage by the Ontario Legislature of an Act ratifying and confirming this by-law, commence the construction of a stock market at a suitable place within the limits of the said corporation, having suitable railway facilities, and shall complete the construction and equipment of the same within two years of the passage of the Act. The market to be equipped with all modern improvements necessary for the requirements of the stock trade from time to time as the same may develop, and in addition to the expenditure necessary in connection therewith, will establish, or cause to be established, one or more meat packing or curing or other kindred industry, together regularly employing, for at least ten months in each year, not less than one hundred men, sixty per cent. of all employees to reside within the limits of the said corporation while so employed, and the said company will use its best endeavors in every way to secure trade for such market, and encourage the establishment in connection therewith of other industries of the nature aforesaid, and the company or its manager will at any time, on demand of the corporation furnish evidence, by statutory declaration or otherwise in manner satisfactory to the municipal council of the number of employees and their place of residence.

7. Provided that should the said company and the said industries cease to carry on business as aforesaid, or employ the said number of men as aforesaid; then the said corporation shall have the right to repeal this by-law, and cancel any agreement in pursuance hereof.

8. If the said company shall form a joint stock company for the purpose of carrying out the terms of said agreement, the said joint stock company shall, upon executing the necessary contract of substitution, be substituted for the said company, and the said company shall thereupon have no further rights or liabilities hereunder.

9. This by-law shall not come into force or take effect unless and until an Act is passed by the Ontario Legislature within one year from this date, confirming the same, nor until the said company have within the said year after the said legislation acquired the said thirty-five acres of land, and have commenced the construction of said market, nor until they have within two years completed the establishment, construction and equipment of said market and industries giving employment to at least one hundred men as aforesaid.

10. The mayor and clerk are hereby authorized to sign and attach the corporate seal to an agreement with said company in accordance with the terms of this by-law and in form satisfactory to the town solicitor.

SCHEDULE F.

(Section 5.)

BY-LAW NUMBER 470.

A By-law to amend By-law Number 444, passed 21st August, 1899.

Be it enacted by the municipal council of the corporation of the town of Toronto Junction as follows:—

1. That the times limited in and by the agreement dated the 12th May, 1898, between the corporation and the Western Stock Market Company, Limited, for performing the terms and conditions in said agreement contained be and the same is hereby extended for a further period of one year respectively, and that said agreement so amended be and the same is hereby ratified and confirmed.

SCHEDULE G.

(Section 5.)

Memorandum of agreement made this 12th day of May, A.D. 1898, between the Corporation of the Town of Toronto Junction, hereinafter called the Corporation, of the first part, and The Western Stock Market Company, hereinafter called the Company, of the second part.

Whereas it is deemed necessary and desirable, in the best interest of the said corporation, that stock market facilities should be established at some suitable point within the limits of the said corporation, together with such kindred industries as can be induced to locate in connection therewith;

And whereas the said corporation is not in a position of itself to expend the moneys necessary to establish and equip the said market;

And whereas the said corporation consider it advisable that the said

market facilities should be procured, equipped and established by private enterprise rather than at the expense of the said corporation, and in order to secure the same, together with the industries aforesaid, have decided to encourage and assist the establishment thereof, and of such kindred industries as the company can induce to locate in the town in connection with such market by granting exemption from general municipal taxation and other inducements as hereinafter more fully set out as soon as legislation can be obtained enabling the said corporation so to do ;

And whereas the said company are willing to establish and equip the said market and undertake to establish or procure the location and establishment of such kindred industries in connection therewith as hereafter mentioned, upon receiving the assistance aforesaid ;

And whereas by by-law number 444 of the municipal council of said corporation it was enacted that an agreement should be entered into between the corporation and the said company in pursuance thereof ;

Now, therefore, it is agreed between the said corporation and the said company, their and each of their successors and assigns, as follows :—

1. Subject to ratification by special Act, as hereinafter provided, the said corporation will grant to the said company, its successors and assigns, and to such undertakings, exemption from general municipal taxation (not including school rates, local improvement assessments or sewer rentals payable to the city of Toronto) for a period of thirty years from and after the going into effect of such by-law for the lands of the company, and of the meat packing or curing and other kindred industries not exceeding thirty-five acres, together also with the buildings erections and improvements of said company and industries from time to time, and upon previous payment by the company of the fees payable to the clerk of the Legislative Assembly and for the necessary advertising, will as soon as possible promote, encourage and prosecute legislation confirming the said by-law and this agreement made in pursuance thereof, and enabling the corporation to carry the same into effect according to the true intent and meaning thereof.

2. And provided that the location of the said market and industries is such that it is possible to properly and adequately drain the same into the sewers existing at the time such connection is required, without the construction of more than one thousand feet of sewer, the said corporation will provide proper and adequate sewer facilities to connect with the sewers of the market and industries established thereat as aforesaid, and if the construction of more than one thousand feet of sewer is required for the purposes aforesaid, the excess will be constructed by the town upon such terms as the corporation may agree upon, but the corporation shall not in any case be bound to construct any sewer beyond the limits of the company's property nearest to the said existing sewers.

3. And the said corporation will assist the said company in obtaining the closing under the provisions of *The Municipal Act*, of any streets that may be laid out upon the lands acquired by the said company for the purposes aforesaid and in cases where the title to said streets when closed is in the corporation, the said corporation will convey same to the company free of cost, provided always that in no case shall the corporation be required to close any such streets or assist in having same closed if so doing would subject the corporation to payment of damages, and the corporation will assist in obtaining and in so far as it has power so to do will grant to the said company its successors and assigns the privilege of laying railway switches across or over streets within the corporation from the railway lines to the said market, subject always to all proper restrictions and the same to be laid subject to the approval of the engineer of said corporation.

4. And the said corporation will during the said period supply the said market and undertakings with the water necessarily required by them for the carrying on of said undertakings from the town waterworks system (except in cases of unavoidable accidents as hereinafter provided at a price equivalent to the actual cost of production thereof, such cost and the quantity of water consumed to be estimated and certified by the chief mechanical engineer at the pumping station of the corporation, and not

in any event to exceed thirteen cents per thousand gallons, the company to pay the cost of metre necessary to ascertain the quantity of water consumed, provided that the corporation shall not be held liable by the company for failure to supply water as above if the failure be owing to unavoidable accident to their waterworks system and if the consequences of such accidents be remedied without delay by the corporation.

5. And the said corporation during the said period will not establish or carry on as a municipal institution, or grant to any person or persons or corporation, the right to establish or carry on any undertaking or industry similar to those hereinbefore mentioned, or to a lesser or greater extent, or grant to such person or persons or corporation any of the privileges and exemptions hereinbefore mentioned, provided always that the said company, its successors or assigns, shall not itself receive, or be at liberty to give to any other person or persons the right to receive any of the benefits hereinbefore mentioned in respect to any undertaking or industry, except those hereinbefore mentioned.

6. And the said company for itself, its successors and assigns covenants and agrees to assist the corporation in an application to the Ontario Legislature for a special Act, ratifying and confirming the said by-law and this agreement so that the said Act shall be passed within one year from this date, and further shall within one year after the passage of said Act commence the construction of a stock market at a suitable place within the limits of the said corporation having suitable railway facilities and shall complete the construction and equipment of the same within two years from the passage of the said Act. The market shall be equipped with all modern improvements necessary for the requirements of the stock trade from time to time as the same may be developed and in addition to the expenditure necessary in connection therewith, shall establish or cause to be established, one or more meat packing or curing or other kindred industry together regularly employing for at least ten months in each year not less than one hundred men, sixty per cent of all employees to reside within the limits of the said corporation while so employed, and the said company will use its best endeavours in every way to secure trade for such market, and to encourage the establishment in connection therewith of other industries of the nature aforesaid, and the said company, or its manager will at any time on demand of the corporation furnish evidence by statutory declaration in manner satisfactory to the municipal council of the number of employees and their places of residence.

7. Provided that should the said company and the said industries cease to carry on business as aforesaid, or employ the said number of men as aforesaid, then the said corporation shall have the right to repeal the said by-law, and cancel this agreement.

8. It is agreed between the parties hereto that the said by-law of which a copy is hereto attached, is incorporated herewith, and the parties hereto each with the other agree to carry into effect, observe and perform all the provisions and stipulations therein contained, and to be carried into effect, observed and performed by the parties hereto respectively.

9. It is further agreed between the parties hereto that if the said company shall form a joint stock company for the purpose of carrying out the terms of this agreement, the said joint stock company shall upon executing the necessary contract of substitution, be substituted for the said company, and the said company shall thereupon have no further right or liabilities hereunder.

10. This agreement shall not be binding upon the corporation unless and until an Act is passed by the Ontario Legislature within one year from this date confirming the same and said by-law, and the said corporation shall have the right to repeal said by-law and cancel this agreement if the company within one year after the passage of said Act shall not have acquired said lands not exceeding thirty-five acres, and have commenced the construction of said market, or if within two years after the passage of said Act they shall not have completed the establishment, construction and equipment of said market and industries giving employment to at least one hundred men as aforesaid.

SCHEDULE H.

(Section 9.)

NUMBER 473.

A By-law in reference to the Gasoline Engine Company (Limited).

Passed November 6th, 1899.

Be it enacted by the municipal council of the corporation of the town of Toronto Junction as follows:

1. That the manufacturing establishment known as the Gasoline Engine Company (Limited), including buildings and lands used in connection therewith, being described as lots 4, 5, 6, 7, 8, 9, 10, 11, plan 1136, Mill road, shall be and they are hereby exempted from general municipal taxation, not including school rates or local improvement assessments.

2. This by-law shall come into force and take effect as from the 1st January, 1899 A.D., and shall be and continue in force so long as said establishment shall be kept in active operation for at least 10 months in each year and shall give constant employment to at least 12 employees, and so long as 75 per cent at least of the total number of employees shall be *bona fide* residents of the town, otherwise this by-law shall cease to be in force, and in any event this exemption shall not extend beyond the 1st January, 1909.

3. And further if the said establishment be transferred to other parties or the nature of the business changed, or if any other material change takes place in connection with said establishment (of the fact as to whether such change is material, this corporation being the sole judge), then the corporation shall have the right to repeal or amend this by-law.

4. Provided that the proprietors or manager of said establishment shall at any time upon demand furnish to the council, or to whom it may direct, evidence by statutory declaration or otherwise satisfactory to the council of the number of employees with names and places of residence and in case of default in furnishing such evidence after the demand, then the corporation shall have the right to repeal this by-law.

5. The corporation shall for the period ending on the 1st day of January 1909, unless prevented by accident to the waterworks plant or other unavoidable cause, supply the said company from the waterworks system of the town with all water necessarily required for the operation of the said manufacturing establishment, at a price equivalent to the cost of production such cost of production and the quantity of water consumed to be estimated and certified by the chief mechanical engineer for the time being of the corporation at the waterworks pumping station, and his certificate shall be conclusive evidence thereof, the company shall however pay the cost of any water meters necessary to ascertain the quantity of water used by the company.

6. This corporation reserves the right to repeal or amend this by-law if at any time after this by-law comes into force a year shall elapse without said establishment having been in operation for at least 10 months during said year or if at any time less than 12 employees are employed or less than 75 per cent of the total number of employees are *bona fide* residents of the town.

SECTION ADDED BY BY-LAW 474.

This by-law shall not come into force or operation until ratified by Act of the Legislative Assembly of the Province of Ontario and the corporation will consent to and at the expense of the company promote any such legislation.

No. 7.

3rd Session, 9th Legislature, 63 Vic., 1900.

BILL.

Act respecting The Town of Toronto
Junction.

| | |
|----------------|-------|
| First Reading, | 1900. |
|----------------|-------|

(Private Bill).

Mr. HILL.

TORONTO:
PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act respecting the Town of Toronto Junction.

WHEREAS the *Municipal* corporation of the town of ^{Preamble.} Toronto Junction has by petition represented that by-laws numbers 475 and 476 of the municipal council of the said town were duly passed on the 11th day of November, 1899, that the said by-laws authorize certain agreements between the corporation and the Toronto Suburban Street Railway Company, Limited, and the Toronto Railway Company; that the said corporation has entered into said agreements, and that each of said by-laws and agreements provides for application being made to the *Legislature* of the Province of Ontario for an Act to ratify and confirm the same; and whereas the said corporation has by said petition prayed for special powers in reference to the separation of school sections numbers 13 and 22 of the corporation of the township of York from the union school section of which the said town forms a part, and to *amend* the Act respecting the township of York passed in the 60th year of Her Majesty's reign, chapter 84; and whereas the said corporation has by said petition further prayed that by-law number 444 in reference to the Western Stock Market Company, and by law number 470 extending certain time limits therein, and the agreement entered into with the said company under the said by-law number 444, be ratified and confirmed, and that the corporation *may* be granted power to expropriate lands and convey the same to the said company; and whereas the said corporation has by its said petition prayed that by-law No. 473, providing for the exemption from taxation of the Gasoline Engine Company, Limited, as amended by by-law No. 474, be ratified and confirmed, negotiations in reference thereto having been pending at the time of the passing of *The Municipal Amendment Act, 1899*, ^{and} although owing to ^{an} oversight the said by-law *was* not finally passed until after the 1st day of September, 1899; and whereas the said corporation has by its said petition further set forth that prior to the passing of *The Municipal Amendment Act, 1899*, certain manufacturing establishments were granted ten years terms of exemptions and built factories in the town, relying upon the municipal council having power to extend said terms of exemption for a further period of ten years, under the Acts then in force; and whereas more than one-third of the voters on the voters' list of said town are non-resident, many of them living in distant parts of Canada and in Great Britain and in

foreign countries, and it is therefore almost impossible to obtain the assent of two thirds of the voters, as provided in *The Municipal Amendment Act, 1899*, to the extension of the said exemptions, and said corporation has therefore prayed that power may be given to it to renew such exemptions for a further period of ten years with the assent only of a majority of the ~~the~~ ratepayers voting thereon ~~and~~ and whereas ~~the~~ said corporation has further prayed for the confirmation of certain tax sales; and whereas it is expedient to grant the prayer of the said petition;

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

By-law and
agreements
confirmed,

1. The by-laws and agreementsⁿ hereinafter referred to are hereby ratified and confirmed and declared to be valid and binding upon the said corporation and upon the companies therein named, ~~and~~ but subject to the variations and declarations in the second section of this Act contained, ~~and~~ said by-laws and agreements being as follows:

(1) By-law No. 475 entitled "A by law in reference to the Toronto Suburban Street Railway Company, Limited, and passed on the 11th day of November, 1899, a copy of which is printed as schedule "A" hereto.

(2) Agreement made between the corporation of the town of Toronto Junction and the Toronto Suburban Street Railway Company, Limited, and dated the 11th day of November, 1899, a copy of which is printed as schedule "B" hereto.

(3) By-law No. 476 entitled "A by-law in reference to the Toronto Railway Company," and passed on the 11th day of November, 1899, a copy of which is printed as schedule "C" hereto.

(4) Agreement made between the corporation of the town of Toronto Junction, the Toronto Railway Company and the Toronto Suburban Street Railway Company, Limited, and dated the 6th day of October, 1899, a copy of which is printed as schedule "D" hereto

~~and~~ 2. It is hereby declared that the said agreement printed in schedule B is varied in the followingⁿ respects: Section 4 thereof shall be read as having the words "except with the approval of the corporation" struck out. ~~and~~

~~and~~ Section 34 shall be read as having the words "include local improvements but shall" struck out. ~~and~~

~~and~~ Section 35 shall be read as having the words "this provision shall cease to be in force" struck out, and the following words added thereto: "then the rates levied shall be applied according to law." ~~and~~

⁴²⁷Section 37 shall be read as having the following words added thereto: "and the company shall not in any case be entitled to compensation from the corporation for or in respect of any posts and wires erected by the company, and the corporation may, notwithstanding the erection of posts and wires by the company, construct electric light works in the said town without making any such compensation."⁶³

3. (a) The union for public school purposes between the town of Toronto Junction and school sections numbers 13 and 22 of the township of York is hereby dissolved, and from and after the passing of this Act said sections 13 and 22 shall become rural school sections of the said township,⁴²⁷ and the municipal council of said township shall within one month after the passing of this Act call a meeting of the public school supporters of each section for the purpose of electing three provisional trustees for each section, who shall hold office until succeeded by trustees elected in manner provided by *The Public Schools Act* for the first election of trustees in a new school section, and notice of the annual meeting⁴²⁷ of public school supporters in each respective section to be held on the last Wednesday in December, 1900, shall⁴²⁷ be given by the said provisional trustees. The trustees composing the present Toronto Junction Public School Board shall be and continue to act as the board of trustees for the union until the election of the provisional trustees as hereinbefore provided, and thereafter for the said town until the expiration of their respective terms."⁶³

Union for
school
purposes
dissolved.

(b) The said town and township may enter into an agreement for adjusting in an equitable manner all rights and claims consequent upon the dissolution of said union section as herein provided, and for determining what amount shall be paid by one of the said municipalities to the other.

(c) In case the said two municipalities shall be unable to agree, then all matters in dispute may be referred by either municipality to the official arbitrator, who shall hear and determine the whole matter, and his award shall be final and binding upon the *municipalities* and school sections concerned.

(d) For the purpose of paying the amount due under *such* agreement or award the necessary by-law may be passed and debentures issued by the proper municipality to be payable out of the property taxable for public school purposes in such municipality or school section as the case may be.

⁴²⁷(e) The council of the Township of York may at any time after the adjustment by agreement or award, as the case may be, of all rights and claims consequent upon the dissolution, alter the boundaries of said sections 13 and 22 or any adjoining sections or section; anything in *The Public Schools Act* to the contrary notwithstanding."⁶³

⁴²⁷(f) Except insofar as otherwise provided herein, the provisions of *The Public Schools Act* shall apply to the separation of the school sections herein provided for."⁶³

53.(g) It shall be lawful for the municipal council of the township of York after such agreement or award is made to sell or convey to a purchaser or purchasers the premises on the southwest corner of Elizabeth and Louisa streets, known as the Elizabeth street school. 53

54.(h) If there be any sum payable by the township to the town, under any agreement or award as aforesaid, the same shall be received by the Molsons Bank in trust to pay the same to the holders of debentures issued under the provisions of the Act respecting the town of Toronto Junction passed in the sixty-first year of Her Majesty's reign, Chapter 55, such holders to be ascertained as provided in section 8 of the said Act. 54

60 Vic. c. 84,
repealed.

4. *Section 1 of the Act passed in the 60th year of Her Majesty's reign, chapter 84, entitled an Act respecting the Township of York is hereby repealed.*

By-laws Nos.
444 and 470
confirmed.

5. By-laws Nos. 444 and 470 printed as Schedules E and F hereto respectively and the agreement dated 12th May, 1898 between the said corporation and the Western Stock Market Company, printed as Schedule G hereto are, except as varied and limited by this Act, ratified, authorized and confirmed, and the said corporation and the said company are declared to have and to have had power to make and to enter into said agreement. It is hereby declared that the term "actual cost of production" used in the fourth clause of said by-law No. 444, and in the fourth clause of the said agreement, shall include *inter alia* interest at the rate of five per cent. per annum on capital expenditure on the water-works system, also the cost of maintenance and repairs thereof, and a fair charge for depreciation of plant and machinery. 55

Expropriation
of land.

6. Should it be deemed expedient by the said corporation in the interests thereof it shall be lawful for the said corporation at the request of the said company 56 upon a sufficient indemnity or payment in money or both to the corporation. 56 to enter upon and take any lands not exceeding in all thirty-five acres within the limits of the said municipality as the said corporation may deem necessary and suitable for a site for the purposes mentioned in said agreement and to close up all streets and lanes running through or upon the lands selected for the purposes aforesaid, provided that the owners of the land so entered upon and taken and of any other lands injuriously affected by the taking of the said site or by closing up of any such street or lane shall be entitled to compensation as provided by section 437 and following sections of *The Municipal Act* relating to compensation for lands taken or injured, and in the event of the said corporation and the owners of the said lands not being able to agree upon the amount of the said compensation the

same shall be determined by arbitration as provided by *The Municipal Act*.

7. Whenever the said municipal corporation shall have acquired the title to the said lands or any portion thereof as aforesaid they may convey the same to the said company upon payment by the said company to the said corporation of an amount equal to the amount which the said corporation has paid or to payment of which it has become liable for compensation to the owners of the lands so taken or injured together with all costs and charges incurred by said corporation in the exercise of the powers conferred upon them under the preceding sections.

Conveyance
of lands by
corporation
to company.

8. The municipal council of said corporation may if it be deemed advisable enact by by-law that the arbitration provided for in section 6 hereof shall take place before the corporation enters upon or takes possession of said lands and in such case if the said council deems the amount awarded too great then it may refuse to adopt the award or take the said lands, but if the award is not adopted then the corporation shall pay to the owners of said land the costs of such abortive arbitration.

Arbitration
provisions.

9. That by-law number 473 entitled "A by-law in reference to the Gasoline Engine Co., Limited," dated the 6th day of November, 1899, as amended by by-law 474, and a copy of which is printed as schedule H hereto, is hereby ratified and confirmed.

By-law No.
473 confirmed.

10. The Municipal Council of the said corporation, in addition to the power of exemption from taxation, conferred by section 7 of the Act 61 Vic., chapter 55, may, by by-law, renew in whole or part any exemption, except as to school rates, granted before the passing of that Act for a further period not exceeding ten years, provided that such by-law shall have been first approved in writing by the Committee named in the 13th section of this Act or by a majority of them, and that it receive the assent of not less than two-thirds of all the members of the Municipal Council and the assent of the electors shall not be necessary.

Exemption of
manufactur-
ing establish-
ments.

11. All sales for taxes held prior to the year 1899 in the said town are hereby ratified and confirmed.

Tax sales
confirmed.

12. It shall be lawful for said corporation to appoint the same person to be treasurer and collector of said town and all official acts of the person heretofore acting as treasurer and collector are hereby ratified and confirmed.

One person
may be both
treasurer and
collector.

13. The mayor of the town of Toronto Junction, Herbert C. Hammond of the city of Toronto, broker, and John K. Mac-

Committee
appointed.

donald of the city of Toronto, insurance manager, shall be a committee, and they or any two of them may and shall determine the questions of exempting any manufacturing establishment in whole or in part from taxation and of renewing any such exemption or any exemption heretofore granted, and also as to the indemnity or money payment or both to be made by the Western Stock Market Company under the provisions of this Act, and as to the amount to be included in the "actual cost of production" of water, in respect of the items of interest, maintenance, repairs and depreciation, and the written decision of such committee or any two of them on any such matter shall be binding without question or appeal. Should either the said Herbert C. Hammond or John Kay Macdonald die or be unable or unwilling to act as a member of such committee, then some person shall be appointed in his place by the other of them. ¹⁰¹

SCHEDULE A.

(Section 1.)

NUMBER 475.

A By-Law in reference to the Toronto Suburban Street Railway Company (Limited). Passed 11th November, 1899. Be it enacted by the municipal corporation of the town of Toronto Junction as follows :

1. That the mayor and clerk be, and they are hereby authorized under his seal of the corporation to enter into the agreement with the Toronto Suburban Street Railway Company (Limited), a copy of which is hereto attached.

2. That the corporation in so far as it has power and jurisdiction so to do doth hereby grant unto the Toronto Suburban Street Railway Company (Limited) its successors and assigns for a period of twenty-three years from 1st of September, 1898, the exclusive right to construct, maintain and operate surface street railways with the necessary switches, sidings and turnouts and to erect and maintain such poles and wires as may be necessary for the transmission of electricity as set forth in the said agreement.

3. The property of the said company shall be exempt from general taxation for a period terminating with the franchise granted under sec. 34 of said agreement subject to the terms and conditions contained in said agreement.

4. The company shall be provided with water as provided in sec. 36 of the said agreement.

5. This by-law shall not come into force or operation until ratified by legislation as provided in said agreement.

SCHEDULE B.

(Section 1.)

This indenture made in duplicate the eleventh day of November, A.D. 1899, between The Corporation of the Town of Toronto Junction hereinafter called the corporation, of the first part, and The Toronto Suburban Street Railway Company, Limited, hereinafter called the company, of the second part.

Witnesseth that whereas by a certain indenture bearing date the 8th June, 1891, and made between the corporation and the Davenport Street Railway Company, Limited, the said last named company was granted the right to operate a surface street railway upon portions of Davenport road, Weston road and St. Clair avenue in the said town for a period of twenty years from the said 8th June, 1891, paying a yearly rental after the first ten years of \$200.00 per mile of track (\$200).

And whereas by a certain other indenture bearing date the 5th October, 1891, and made between the corporation and the City and Suburban Electric Railway Company, Limited, the said last named company was granted the right to operate for a period of twenty years from said 5th October, 1891, surface street railways upon all or any streets or roads of the said town, except those on which the Davenport Street Railway Company had been granted the right to operate under said in part recited agreement paying a yearly rental after the first ten years of \$500.00 per mile of track.

And whereas by the Act passed in the 57th year of Her Majesty's reign and chapter 94, the Toronto Suburban Street Railway Company, Limited, party hereto of the second part was incorporated, and was thereby granted power to acquire and did subsequently acquire the rights powers and franchises of the Davenport Street Railway Company, Limited, and of the City and Suburban Electric Railway Company, Limited, under the two hereinbefore in part recited agreements and said agreements were by said Act confirmed and declared to be valid and binding upon the parties hereto.

And whereas the said The Toronto Suburban Street Railway Company, Limited, parties of the second part have now in operation the following lines of railway:—

1. The Lambton line extending along Dundas street.
2. The Weston line extending from Dundas street along Keele street and Weston road south to the northern limits of the town.
3. The Davenport line extending from Keele street along St. Clair avenue, King street and the Davenport road to the eastern limits of the town.
4. The Evelyn crescent line extending southerly from Dundas street along Lansdowne avenue, Louisa street and Fairview avenue to Evelyn crescent.

And whereas it has been agreed between the parties hereto that provided the company becomes a party to an agreement with the Toronto Railway Company under the terms of which the regular Dundas street service of such last named company shall be extended to the corner of Keele and Dundas streets as hereinafter provided. Then subject to the terms and conditions hereinafter contained the corporation will agree that

in substitution for the franchises granted under said in part recited agreements for twenty years from said dates respectively franchises shall now be granted for a period of twenty-three years from the first day of September, 1898, and certain other concessions shall be made to the company as to mileage rental, exempt from taxation and the supply of water at cost as hereinafter provided.

Now therefore this indenture further witnesseth as follows :—

1. The sections of this agreement which are similar to sections contained in said two prior agreements are to be construed as constituting a consolidation thereof, and the repetition thereof in this agreement shall not affect the confirmation of said sections by said special Act and the sections of this agreement which are new or which are inconsistent with sections in said two prior agreements are to be construed as constituting a substitution for such last mentioned sections and for such sections as are not mentioned herein.

2. The corporation in so far as it has power and jurisdiction so to do doth by these presents grant unto the company, its successors and assigns for a period of twenty-three years from the 1st September last (1898) the exclusive right to construct, maintain and operate surface street railways with the necessary switches, sidings and turnouts and to erect and maintain such posts and wires as may be necessary for the transmission of electricity for the operation of said railway on all or any of the streets and roads of the said corporation or portions of the same subject as hereinafter contained such posts and wires shall not however be constructed or erected so as to interfere with the posts and wires of the corporation or of other persons or companies and shall be subject to the approval of the town engineer and located as he directs.

Provided that the company shall not have the right to construct a double track upon any street without the express consent of the municipal council.

Except as otherwise provided in this agreement the operations of the company shall be governed by the provisions of *The Street Railway Act*, R. S. O., 1897, chapter 208, except only sections 4 to 10 inclusive, 12 and 14 and 28 to 34 inclusive of said Act.

3. The company covenants and agrees to indemnify and save harmless the said corporation from any loss, costs, charges, damages or expenses of any action or actions at law or otherwise, howsoever arising out of the construction or operation or existence of said railway system, or any part thereof, whether such loss, costs, charges, damages or expenses are occasioned by running at a speed authorized by this agreement or otherwise, or by reason of any alleged damages or interference to or with the property of any other person or company, or the posts or wires of any other person or company having posts or wires on the streets.

4. Steam shall not be used as a motive power except with the approval of the corporation.

5. The corporation will from time to time construct, re-construct and maintain in repair the street railway portion of the roadways on all streets traversed by the railway system ; but not the tracks, sub-structure or superstructure required for said railways.

6. The company shall in consideration of the performance of the provisions of section 5 pay to the town treasurer the sum of \$125 per annum per mile of single track payable quarterly on 1st December, March, June and September in each year, or the first juridical day after each of the said days respectively ; but this provision shall not come into force until the 1st December, 1899. In computing the amount of the above payments "turnouts" shall not be included, provided that the length of such turnouts shall have been approved by the town engineer. This section shall not however apply to any streets in the town over which any other railway company is allowed at any time to operate with the consent of the corporation, but the corporation shall maintain such portion of said streets at its own expense.

7. The payment of the said mileage quarterly as aforesaid shall be a lien and charge on the said railways and the property used in the working thereof.

8. The company may use its railway for the conveyance of freight, goods and merchandize.

9. If freight cars are operated by the company, then the company shall provide such sidings as the corporation may from time to time request upon conditions similar to those contained in the standard form of siding agreement at present in use by the Canadian Pacific Railway Company.

10. The company may at any time hereafter change the gauge upon its railway now constructed, or which may be hereafter constructed by the company, under authority of the corporation except on Dundas street, east of Keele street, from the now or then existing gauge to the standard railway gauge, being four feet eight and one-half inches, or to such gauge as may be hereafter adopted as a standard electrical railway gauge, or to such gauge as may be in use upon the street railways or tramways in the city of Toronto in the discretion of the company, and may, with the consent of the council, change the rail now in use by the company on its railway, or that may be in use upon its railway now or hereafter to be constructed.

11. The speed of the cars shall not exceed twelve miles an hour within the following limits: Elizabeth street on the west, St. Clair avenue on the north, Humberstone avenue on the south, and the boundary of the town on the east. Outside of these limits the speed shall not exceed twenty miles an hour; but the corporation shall have the right to require a less maximum speed than above when the parts of the town through which said railway shall be operated become more thickly peopled.

12. The company shall construct the tracks and substructure according to the best modern practice from time to time in general use, and as most suitable for the comfortable and safe use of the highway by those using vehicles thereon, and all changes in the tracks, rails and roadbed construction of new lines or additions to old ones shall be done under the supervision of the town engineer, and to his reasonable satisfaction.

13. The company, when putting down its tracks, shall be required to lay the same on the present level of the streets, or as near thereto as is compatible with the proper execution of the work, and in case the corporation shall hereafter require it the company shall, at its own expense, lower or raise and relay its tracks so as to conform to the grade the street may be brought to by the corporation cutting or filling in the streets, it being understood that except on Keele street, north of Dundas street, and for 200 yards on Western road south, no changes in grade shall be made until after two years from said 1st September, 1898, and thereafter not oftener than once in five years, subject, however, to the rights of the ratepayers and of the corporation under the local improvements sections of *The Municipal Act*. The rails are to be laid flush as nearly as practicable with the streets so as to cause the least possible impediment to the traffic of the streets.

14. The location of the railway on any street shall not be made by the company until plans thereof showing the proposed position and style of the rails to be used, and other works, on each such street in connection with the construction of said railway have been submitted to and approved in writing by the town engineer and adopted by resolution of the municipal council, and the construction shall be carried out in accordance with such plans (provided also that the corporation shall have the right to prohibit the company from locating its railways upon any particular street or streets, or portion thereof), but the corporation shall not have such right to prohibit in any case where there is no other practicable route along which the railway can be operated.

15. The corporation shall have the right, subject to the provisions of clause 13, to take up the streets traversed by the railway lines for all purposes within the powers of the corporation, including altering grades

thereof, constructing or repairing pavements, sewers, drains, conduits, or for laying down or repairing water or gas pipes without being liable for any compensation or damage that may thereby be occasioned to the working of the railway or the works connected therewith, but all such work shall be proceeded with by the corporation with due diligence, so that there shall be no loss of time to the railway save what cannot reasonably be avoided. The said corporation shall, after the completion of any such works or improvements, leave the said railway line, rails and sub-structure in substantially the same state and condition as before the commencement of any such works or improvements. In the event of the company desiring to make any repairs or alterations in the ties, stringers, rails, turnouts or curves on paved streets the portion of the roadway torn up in so doing shall be repaved by the corporation, but at the expense of the company.

16. The privilege hereby granted is also subject to any existing rights, statutory or otherwise, of any other corporation which has now the power to open or take up the streets of the town.

17. The company shall remove the snow and ice from the track allowance so that cars may be used continuously, and shall, if the town engineer so directs, evenly spread the snow on the adjoining portions of the roadway; but should the fall of snow, or the accumulation of snow and ice, upon the business streets of the town at any time exceed nine inches in depth the whole space occupied as track allowance shall thereafter, if the town engineer directs, be cleared of snow and ice, and the material removed and deposited at such point or points on or off the street at a reasonable distance as may be ordered by the town engineer, and the town engineer shall from time to time define what streets, or parts of streets, shall be considered business streets under this section. But the company shall not sprinkle salt or other material on said track allowances for the purpose of melting snow or ice thereon without the written permission of the town engineer.

18. The rails, poles and wires used in the construction of any part of the railway not heretofore in operation or that may be forfeited to the corporation for non-operation, and the rails, poles and wires of any part of the railway that the company may cease to operate shall be the property of the company, and the company may take up such rails, poles and wires, but the company shall forthwith thereafter place the roadway in good condition for travel, or the corporation may do so at the expense of the company.

19. The rates for tickets and fares shall within the limits of the town be as follows: Single (cash) fares are to be five cents each. A class of tickets must be sold at the rate of six for twenty-five cents. Another class must be sold at the rate of twenty-five for one dollar. Children under nine years of age and not in arms are to be carried at half rates, and infants in arms are to be carried free. School children are to have tickets at the rate of ten for twenty-five cents, only to be used between 8 a.m. and 5 p.m., and not on Saturdays. Limited tickets (good between 5.30 and 8, and between 5 and 6.30 p.m.) eight for twenty-five cents.

20. Police constables and firemen in the employ of the corporation when on duty shall be carried free.

21. Cars are to be of an approved design, as from time to time in general use in the city of Toronto for service and comfort, including lighting and signal appliances, numbers and route boards, and cars must be kept clean inside and out. Thoroughly efficient brakes are to be provided, also fenders satisfactory to the town engineer. The company shall cause all passenger cars to be heated to a comfortable temperature from 1st November to 1st April, and to be properly lighted. Smoking will only be allowed on rear platform of closed cars, and rear three seats and platform of open cars; a class of cars may be used for freight, and also a class of combination cars with separate compartments for passengers and freight, and the company is hereby authorized to carry freight on such cars, provided that such freight cars shall be run at such hours and in such a manner as not to interfere with the proper operation of passenger cars.

22. Notices shall be posted in the cars that no person shall enter or leave the cars while in motion.

23. Cars are not to be overcrowded and the town engineer shall have the right to fix the proper number of passengers to occupy each style of car without overcrowding.

24. Cars shall have right of way and vehicles or persons shall not obstruct or delay their operation.

25. Nothing herein contained shall be construed as conferring upon the company any right to construct or operate underground or overhead or elevated railways in the town and the right to construct or operate or to authorize the operation or construction of such railways in the said town or in any part thereof is hereby expressly reserved.

26. The company covenants and agrees to extend within five years from this date its lines of railway so that the length of railway in operation shall be increased ten miles.

27. The company shall each lawful day in the year unless prevented by accident to roadbed or works or general strike among employees or other unavoidable cause run cars over their Lambton, Weston and Davenport lines as frequently and at such hours as will best meet the wants of the general public to be decided and certified in writing by the town engineer, subject to the approval of the municipal council, but the company shall not be bound to run their cars more frequently than one car every thirty minutes over their Lambton, Davenport Road and Weston lines, and the company shall not be bound to run any cars between the hours of twelve o'clock midnight and 5.30 a.m.

28. (1) The corporation shall have the right to take over the property of the company at the expiration of the said term of twenty-three years or at the expiration of any subsequent term of five years under the provisions of *The Street Railway Act*, but the corporation shall only pay for the real property so taken over what it will then bring or its worth without reference to the value for the purpose of operation of a street railway or railways and no allowance shall be made to the company in respect to the franchise hereby granted.

(2) After the corporation shall have given notice of its intention to take over the said railway and property it may at once proceed to arbitrate and both the corporation and the company shall in every reasonable way facilitate such arbitration, and the arbitrators shall proceed so as if possible to make their award not later than the time named by the corporation for taking over the said railway. But if from any cause the award shall not be made by such time or if either party be dissatisfied with the award the corporation may nevertheless take possession of the said railway and all the property and effects thereof, real and personal, necessary to be used in connection with the working thereof on paying into court either the amount of such award if the award be made or if not upon paying into court or to the company as the case may be such sums of money as a judge of the high court of justice may upon notice to the opposite party order and upon and subject and according to such terms, stipulations and conditions as the said court shall by its order direct and prescribe provided always that the rights of the parties except in so far as herein specially provided shall not be affected or prejudiced thereby.

29. In case of any dispute arising or differences of opinion during the term of this contract between the company and the corporation as to the meaning or construction of this contract the same shall be determined on summary application after two days' clear notice to the other party by the person who for the time being fills the office of judge of the county court for the county of York who may as arbitrator determine the same with the powers as to the costs and otherwise of arbitrators under *The Municipal Act* and his decision shall be final.

30. After the year 1901 the company shall upon the request of the corporation construct and operate a line or lines of railway on such street or streets in the town as may be from time to time recommended by the town engineer for the time being and approved by the municipal council.

Such line or lines to be complete and in operation within a period (not less than six months) to be fixed by by-law passed by a majority vote of all the members of the municipal council.

31. If the company shall fail to operate in accordance with the terms of this agreement its Lambton, Davenport and Weston lines or either of them such failure shall work a complete and absolute forfeiture of all the privileges or franchise on or over the streets granted by the corporation to the company under this agreement or any previous agreements. Provided however that the said forfeiture shall not be enforceable by the corporation until after the corporation has given to the company notice stating in what respect the company has so failed to operate its lines, and the company has for one month after such notice refused or neglected to remedy such failure to operate and if the company shall fail to run one car every hour over its Evelyn Crescent line such failure shall subject to the above recited provision for notice by the corporation to the company work a complete and absolute forfeiture of all its privileges or franchise on and over all streets in the town lying south of the south side of Dundas street. Such forfeiture however shall not take place until the same shall have been exercised by a by-law of the corporation to be passed by a two-thirds vote of all the members of the municipal council of the corporation.

32. In case the company shall refuse, decline or fail to construct a line or lines of railway on streets of the town as provided in section 30 the franchise of such streets not then used by the company shall revert to the town and the town shall in that case have the right to grant a franchise of such streets to any other street railway company and any other street railway company shall have the right to cross the tracks of the company so failing with its line or lines of railway without the payment of any sum for the privilege of so crossing except the cost of making the crossing and maintaining the same.

33. Provided that the company upon request of the corporation under section 30 must construct the whole line of railway requested and in default shall forfeit the franchise for the whole of the line on such street.

34. All the property of the company necessarily used in connection with the working of the railway and other objects covered by the agreement appertaining thereto and the income derived therefrom by the shareholders of the company shall be exempt from taxation for a period terminating with the franchise hereby granted in accordance with by-law bearing even date herewith and subject to the terms and conditions in said by-law contained this exemption shall include local improvements but shall not extend to school rates.

35. The said railway property shall be assessed for public school purposes and the rates levied in respect thereof shall be payable to the public school funds of the town but this provision shall cease to be in force if a separate school is at any time erected in the town.

36. The company shall be supplied with water from the corporation waterworks for ten years from 1st January next at a price equivalent to the actual cost of production, such cost being hereby fixed at 10 cents per 1,000 gallons up to 100,000 gallons per day, the quantity of water to be consumed shall be estimated and certified by the Superintendent of the municipal waterworks whose decision shall be final and the company shall pay the cost of any necessary water meter.

37. The company may erect posts and wires for the supply of electricity for light and power unless and until the municipal council shall at any time pass a by-law revoking this consent and requiring the company to cease such supply and the company shall thereupon forthwith remove all posts and wires used for such purposes and cease the supply of electricity for light and power except to its own street railway premises and care.

38. The company may construct and operate its lines of railway across and along any private property which it may acquire from time to time, and may connect and operate the same with the lines of railway now con-

structed or which may hereafter be constructed along streets under this agreement.

39. In case of neglect or failure on the part of the company to perform any of the covenants or conditions of this agreement, the company shall in such case of failure forfeit and pay to the corporation as liquidated and ascertained damages and not as a penalty the sums following, that is to say :

| | |
|--|---------|
| For breach of section 4 the sum of..... | \$30 00 |
| “ “ 11 “ | 60 00 |
| “ “ 17 “ | 70 00 |
| “ “ 20 “ | 10 00 |
| For breach of covenant to heat cars in section 21 the sum of | 25 00 |
| For breach of covenant to provide fenders in section 21 the sum of | 75 00 |
| For breach of covenant to provide brakes in section 21 the sum of | 80 00 |
| For breach of section 23 the sum of | 40 00 |
| For breach of any of the other covenants or conditions the sum of | 50 00 |

40. The company and the corporation mutually covenant and agree to pass any necessary by-law or by-laws to carry out this agreement and to promote any legislation necessary to ratify and confirm this agreement and said by-law or by-laws, and until said legislation is obtained said hereinbefore in part recited agreements shall be and continue in force, and in the event of this agreement being voided then the rights of the parties as they existed prior to the execution hereof shall remain unaffected and as if this agreement had not been entered into.

41. If at any time in the future the corporation should desire to grant the exclusive right to any other company to build and operate a street railway on Keele street, from the south side of Dundas street to Humber-side avenue, and along Humber-side avenue and Annette street, or either of them, easterly to Dundas street, then the company shall forthwith, upon notice by the corporation, surrender their rights under this agreement so far as it relates to the said last mentioned streets, but in that case the company shall have the right to remove any rails, posts and wires placed upon the said streets before such notice, and provided further that nothing in this agreement contained shall authorize the construction of a double track upon Dundas street, west of Union street, without the consent of the corporation.

SCHEDULE C.

(Section 1.)

NUMBER 476.

A By-law in reference to the Toronto Railway Company, passed 11th November, 1899.

Be it enacted by the Municipal Council of the Corporation of the Town of Toronto Junction, as follows :

1. That the mayor and clerk be and they are hereby authorized to sign and attach the corporate seal to the agreement between this corporation and the Toronto Suburban Street Railway Company, Limited, and the Toronto Railway Company (a copy of which is here o attached).

2. The property of the said company shall be exempt from general taxation for a period terminating with the franchise granted under the terms of the said agreement, subject to the terms and conditions contained in the said agreement.

3. This by-law shall not come into force or operation until ratified by legislation as provided for in said agreement.

SCHEDULE D.

(Section 1.)

Agreement made the sixth day of October, 1899, between the Corporation of the Town of Toronto Junction, hereinafter called the corporation, of the first part; the Toronto Railway Company, hereinafter called the city company, of the second part; and the Toronto Suburban Street Railway Company, Limited, hereinafter called the suburban company, of the third part.

The parties hereto mutually covenant and agree as follows:

1. The suburban company and the corporation grant unto the city company, its successors and assigns, subject as hereinafter contained, for a period of twenty-three years from 1st September, 1898, the right to run cars over Dundas street between the easterly limits of the town and the western limits of Keele street, subject to the terms and conditions hereinafter contained, together with the right in common with the suburban company to operate a "Y" on Keele street, north or south of Dundas street, and on Dundas street, west of Keele street, for the purpose of turning the cars of the city company, provided that the city company shall not have the right to construct a double track upon any part of Dundas street, west of Union street, without the express consent of the corporation.

2. The city company covenants and agrees to indemnify and save harmless the said corporation from any loss, costs, charges, damages or expenses of any action or actions at law or otherwise howsoever or by reason of any alleged damage or interference to or with the property of any other person or company, or the posts or wires of any other person or company having posts or wires on the streets arising out of the construction or operation or existence of the said city company's system of railway, or any part thereof, upon the streets of the town.

3. The city company, the Suburban Company and the corporation severally each with the other covenant and agree to abide by and observe the covenants and conditions contained in clauses 4, 5, 8, 12, 13, 14, 15, 22, 24, 25, 34 and 35 of the agreement between the corporation and the suburban company (a copy of which is hereto attached) so far as applicable to that portion of the railway to which this agreement extends, and said parties shall be bound by said clauses as if they had been inserted in this agreement and made binding upon the city company.

4. The rates for tickets and fares charged by the city company shall be the same as those in force in the city of Toronto from time to time and subject to this provision: the payment of a single fare or the presentation of a single ticket shall entitle the passenger to a continuous ride from any point on said city railway within the said corporation to any point on the city railway within the city of Toronto or from any point on said city railway within the city of Toronto to any point on said city railway within the corporation.

5. Police constables and firemen in the employ of the corporation when on duty and in uniform shall be carried free over the city company's system.

6. The city company shall each day operate its regular Dundas street service along Dundas street, between the eastern limit of the town and the western limit of Keele street, and cars operated on said street shall be those operated on the regular Dundas street service of the city company to the westerly limit of Dundas street within the city of Toronto.

7. If the city company shall wilfully fail for a space of one week to

operate in accordance with the terms of this agreement its Dundas street line, such failure shall, at the option of the corporation (to be exercised by by-law), work a complete and absolute forfeiture of all the privileges or franchises granted to said city company under the terms of this agreement, but this clause shall not extend to the case of neglect to run cars by reason of accident to the road bed or works or general strike among the employes or other unavoidable cause.

8. So long as the city company shall continue to operate its cars under the terms of this agreement the suburban company shall be relieved from its obligation to operate its cars on Dundas street east of the west limit of Keele street under the terms of the said agreement with the suburban company.

9. The said companies and the corporation mutually covenant and agree to pass any necessary by-laws and to promote any legislation necessary to ratify and confirm this agreement, and that unless such legislation is obtained within two years this agreement shall cease to be binding or in operation.

10. This agreement shall not be binding upon the suburban company until the agreement bearing date the sixth of October, 1899, made between the corporation and the suburban company shall have been confirmed by Act of the Legislature of the Province of Ontario.

SCHEDULE E.

(Section 5.)

NUMBER 444.

By-law in reference to the Western Stock Market Company, passed 12th May, 1898.

Whereas, it is deemed necessary and desirable in the best interest of the corporation that stock market facilities should be established at some suitable point within the limits of the said corporation, together with such kindred industries as can be induced to locate in connection therewith ;

And whereas the said corporation is not in the position of itself to expend the money necessary to establish and equip the said market ;

And whereas the said corporation consider it advisable that the said market facilities should be procured, equipped and established by private enterprise rather than at the expense of the said corporation, and, in order to secure the same, together with the industries aforesaid, have decided to encourage and assist the establishment thereof, and of such kindred industries as the company may induce to locate in the town in connection with such market by granting exemption from general municipal taxation and other inducements as hereinafter more fully set out as soon as legislation can be obtained enabling the said corporation so to do.

Be it therefore enacted by the municipal council of the corporation of the Town of Toronto Junction as follows :

1. That subject to ratification by special Act as hereinafter provided the said corporation will grant to the said company, its successors and assigns, and to such undertakings exemption from general municipal taxation (not including school rates, local improvement assessments or sewer rental payable to the city of Toronto) for a period of thirty years from and after the going into effect of this by-law, for the lands of the company, not exceeding thirty-five acres, together also with the meat packing or curing and other kindred industries and buildings, erections and improvements, and will as soon as possible consent to legislation confirming this by-law and any agreement made in pursuance hereof, and enabling the corporation to carry the same into effect according to the true intent and meaning thereof.

2. And provided that the location of the said market and industries is such that it is possible to properly and adequately drain the same into the

sewers existing at the time such connections is required, without the construction of more than one thousand feet of sewer, the said corporation will provide proper and adequate sewer facilities to connect with that of the market and industries established thereat as aforesaid, and if the construction of more than one thousand feet of sewer is required for the purpose aforesaid, the excess will be constructed by the town upon such terms as the council may agree upon, but the corporation shall not in any case be bound to construct any sewer beyond the limit of the company's property nearest to the said existing sewer.

3. And the said corporation will assist the said company in obtaining the closing under the provisions of *The Municipal Act* of any streets that may be laid out upon the lands acquired by the said company for the purpose aforesaid; provided always that in no case shall the corporation be required to close any such streets or assist in having same closed, if so doing would subject the corporation to payment of damages, and the corporation will assist in obtaining, and in so far as it has power so to do, will grant to the said company, its successors or assigns the privilege of laying railway switches across or over streets within the corporation from the railway lines to the said market, subject always to all proper restrictions, and the same to be laid subject to the approval of the engineer of said corporation.

4. And the said corporation will during the said period supply the said market and undertakings with the water necessarily required by them for the carrying on of said undertakings from the town water works system, except in case of unavoidable accidents as hereinafter provided, at a price equivalent to the actual cost of production thereof, such cost and the quantity of water consumed to be estimated and certified by the chief mechanical engineer at the pumping station of the corporation, and not in any event to exceed thirteen cents per thousand gallons, and his certificate shall be conclusive, the company to pay the cost of any metre necessary to ascertain the quantity of water consumed, provided that the corporation shall not be held liable by the company for failure to supply water as above, if the failure be owing to unavoidable accident to their water works system and if the consequences of such accident be remedied without delay by the corporation.

5. And the said corporation during the said period will not establish or carry on as a municipal institution, or grant to any person or persons or corporation, the right to establish or carry on any undertaking or industry similar to those hereinbefore mentioned, or to a lesser or greater extent, or grant to such person or persons or corporation any of the privileges and exemptions hereinbefore mentioned, providing always that the said company, its successors or assigns, shall not itself receive, or be at liberty to give to any person or persons the right to receive any of the benefits hereinbefore mentioned in respect to any undertaking or industry, except those hereinbefore mentioned.

6. Provided that the said company shall, within one year after the passage by the Ontario Legislature of an Act ratifying and confirming this by-law, commence the construction of a stock market at a suitable place within the limits of the said corporation, having suitable railway facilities, and shall complete the construction and equipment of the same within two years of the passage of the Act. The market to be equipped with all modern improvements necessary for the requirements of the stock trade from time to time as the same may develop, and in addition to the expenditure necessary in connection therewith, will establish, or cause to be established, one or more meat packing or curing or other kindred industry, together regularly employing, for at least ten months in each year, not less than one hundred men, sixty per cent. of all employees to reside within the limits of the said corporation while so employed, and the said company will use its best endeavors in every way to secure trade for such market, and encourage the establishment in connection therewith of other industries of the nature aforesaid, and the company or its manager will at any time, on demand of the corporation furnish evidence, by statutory declaration or otherwise in manner satisfactory to the municipal council of the number of employees and their place of residence.

7. Provided that should the said company and the said industries cease to carry on business as aforesaid, or employ the said number of men as aforesaid; then the said corporation shall have the right to repeal this by-law, and cancel any agreement in pursuance hereof.

8. If the said company shall form a joint stock company for the purpose of carrying out the terms of said agreement, the said joint stock company shall, upon executing the necessary contract of substitution, be substituted for the said company, and the said company shall thereupon have no further rights or liabilities hereunder.

9. This by-law shall not come into force or take effect unless and until an Act is passed by the Ontario Legislature within one year from this date, confirming the same, nor until the said company have within the said year after the said legislation acquired the said thirty-five acres of land, and have commenced the construction of said market, nor until they have within two years completed the establishment, construction and equipment of said market and industries giving employment to at least one hundred men as aforesaid.

10. The mayor and clerk are hereby authorized to sign and attach the corporate seal to an agreement with said company in accordance with the terms of this by-law and in form satisfactory to the town solicitor.

SCHEDULE F.

(Section 5.)

BY-LAW NUMBER 470.

A By-law to amend By-law Number 444, passed 21st August, 1899.

Be it enacted by the municipal council of the corporation of the town of Toronto Junction as follows:—

1. That the times limited in and by the agreement dated the 12th May, 1898, between the corporation and the Western Stock Market Company, Limited, for performing the terms and conditions in said agreement contained be and the same is hereby extended for a further period of one year respectively, and that said agreement so amended be and the same is hereby ratified and confirmed.

SCHEDULE G.

(Section 5.)

Memorandum of agreement made this 12th day of May, A.D. 1898, between the Corporation of the Town of Toronto Junction, hereinafter called the Corporation, of the first part, and The Western Stock Market Company, hereinafter called the Company, of the second part.

Whereas it is deemed necessary and desirable, in the best interest of the said corporation, that stock market facilities should be established at some suitable point within the limits of the said corporation, together with such kindred industries as can be induced to locate in connection therewith;

And whereas the said corporation is not in a position of itself to expend the moneys necessary to establish and equip the said market;

And whereas the said corporation consider it advisable that the said

market facilities should be procured, equipped and established by private enterprise rather than at the expense of the said corporation, and in order to secure the same, together with the industries aforesaid, have decided to encourage and assist the establishment thereof, and of such kindred industries as the company can induce to locate in the town in connection with such market by granting exemption from general municipal taxation and other inducements as hereinafter more fully set out as soon as legislation can be obtained enabling the said corporation so to do :

And whereas the said company are willing to establish and equip the said market and undertake to establish or procure the location and establishment of such kindred industries in connection therewith as hereafter mentioned, upon receiving the assistance aforesaid ;

And whereas by by-law number 444 of the municipal council of said corporation it was enacted that an agreement should be entered into between the corporation and the said company in pursuance thereof ;

Now, therefore, it is agreed between the said corporation and the said company, their and each of their successors and assigns, as follows :—

1. Subject to ratification by special Act, as hereinafter provided, the said corporation will grant to the said company, its successors and assigns, and to such undertakings, exemption from general municipal taxation (not including school rates, local improvement assessments or sewer rentals payable to the city of Toronto) for a period of thirty years from and after the going into effect of such by-law for the lands of the company, and of the meat packing or curing and other kindred industries not exceeding thirty-five acres, together also with the buildings erections and improvements of said company and industries from time to time, and upon previous payment by the company of the fees payable to the clerk of the Legislative Assembly and for the necessary advertising, will as soon as possible promote, encourage and prosecute legislation confirming the said by-law and this agreement made in pursuance thereof, and enabling the corporation to carry the same into effect according to the true intent and meaning thereof.

2. And provided that the location of the said market and industries is such that it is possible to properly and adequately drain the same into the sewers existing at the time such connection is required, without the construction of more than one thousand feet of sewer, the said corporation will provide proper and adequate sewer facilities to connect with the sewers of the market and industries established thereat as aforesaid, and if the construction of more than one thousand feet of sewer is required for the purposes aforesaid, the excess will be constructed by the town upon such terms as the corporation may agree upon, but the corporation shall not in any case be bound to construct any sewer beyond the limits of the company's property nearest to the said existing sewers.

3. And the said corporation will assist the said company in obtaining the closing under the provisions of *The Municipal Act*, of any streets that may be laid out upon the lands acquired by the said company for the purposes aforesaid and in cases where the title to said streets when closed is in the corporation, the said corporation will convey same to the company free of cost, provided always that in no case shall the corporation be required to close any such streets or assist in having same closed if so doing would subject the corporation to payment of damages, and the corporation will assist in obtaining and in so far as it has power so to do will grant to the said company its successors and assigns the privilege of laying railway switches across or over streets within the corporation from the railway lines to the said market, subject always to all proper restrictions and the same to be laid subject to the approval of the engineer of said corporation.

4. And the said corporation will during the said period supply the said market and undertakings with the water necessarily required by them for the carrying on of said undertakings from the town waterworks system (except in cases of unavoidable accidents as hereinafter provided at a price equivalent to the actual cost of production thereof, such cost and the quantity of water consumed to be estimated and certified by the chief mechanical engineer at the pumping station of the corporation, and no

in any event to exceed thirteen cents per thousand gallons, the company to pay the cost of metre necessary to ascertain the quantity of water consumed, provided that the corporation shall not be held liable by the company for failure to supply water as above if the failure be owing to unavoidable accident to their waterworks system and if the consequences of such accidents be remedied without delay by the corporation.

5. And the said corporation during the said period will not establish or carry on as a municipal institution, or grant to any person or persons or corporation, the right to establish or carry on any undertaking or industry similar to those hereinbefore mentioned, or to a lesser or greater extent, or grant to such person or persons or corporation any of the privileges and exemptions hereinbefore mentioned, provided always that the said company, its successors or assigns, shall not itself receive, or be at liberty to give to any other person or persons the right to receive any of the benefits hereinbefore mentioned in respect to any undertaking or industry, except those hereinbefore mentioned.

6. And the said company for itself, its successors and assigns covenants and agrees to assist the corporation in an application to the Ontario Legislature for a special Act, ratifying and confirming the said by-law and this agreement so that the said Act shall be passed within one year from this date, and further shall within one year after the passage of said Act commence the construction of a stock market at a suitable place within the limits of the said corporation having suitable railway facilities and shall complete the construction and equipment of the same within two years from the passage of the said Act. The market shall be equipped with all modern improvements necessary for the requirements of the stock trade from time to time as the same may be developed and in addition to the expenditure necessary in connection therewith shall establish or cause to be established, one or more meat packing or curing or other kindred industry together regularly employing for at least ten months in each year not less than one hundred men, sixty per cent of all employees to reside within the limits of the said corporation while so employed, and the said company will use its best endeavours in every way to secure trade for such market, and to encourage the establishment in connection therewith of other industries of the nature aforesaid, and the said company, or its manager will at any time on demand of the corporation furnish evidence by statutory declaration in manner satisfactory to the municipal council of the number of employees and their places of residence.

7. Provided that should the said company and the said industries cease to carry on business as aforesaid, or employ the said number of men as aforesaid, then the said corporation shall have the right to repeal the said by-law, and cancel this agreement.

8. It is agreed between the parties hereto that the said by-law of which a copy is hereto attached, is incorporated herewith, and the parties hereto each with the other agree to carry into effect, observe and perform all the provisions and stipulations therein contained, and to be carried into effect, observed and performed by the parties hereto respectively.

9. It is further agreed between the parties hereto that if the said company shall form a joint stock company for the purpose of carrying out the terms of this agreement, the said joint stock company shall upon executing the necessary contract of substitution, be substituted for the said company, and the said company shall thereupon have no further right or liabilities hereunder.

10. This agreement shall not be binding upon the corporation unless and until an Act is passed by the Ontario Legislature within one year from this date confirming the same and said by-law, and the said corporation shall have the right to repeal said by-law and cancel this agreement if the company within one year after the passage of said Act shall not have acquired said lands not exceeding thirty-five acres, and have commenced the construction of said market, or if within two years after the passage of said Act they shall not have completed the establishment, construction and equipment of said market and industries giving employment to at least one hundred men as aforesaid.

SCHEDULE H.

(Section 9.)

NUMBER 473.

A By-law in reference to the Gasoline Engine Company (Limited).

Passed November 6th, 1899.

Be it enacted by the municipal council of the corporation of the town of Toronto Junction as follows:

1. That the manufacturing establishment known as the Gasoline Engine Company (Limited), including buildings and lands used in connection therewith, being described as lots 4, 5, 6, 7, 8, 9, 10, 11, plan 1136, Mill road, shall be and they are hereby exempted from general municipal taxation, not including school rates or local improvement assessments.

2. This by-law shall come into force and take effect as from the 1st January, 1899 A.D., and shall be and continue in force so long as said establishment shall be kept in active operation for at least 10 months in each year and shall give constant employment to at least 12 employees, and so long as 75 per cent at least of the total number of employees shall be *bona fide* residents of the town, otherwise this by-law shall cease to be in force, and in any event this exemption shall not extend beyond the 1st January, 1909.

3. And further if the said establishment be transferred to other parties or the nature of the business changed, or if any other material change takes place in connection with said establishment (of the fact as to whether such change is material, this corporation being the sole judge), then the corporation shall have the right to repeal or amend this by-law.

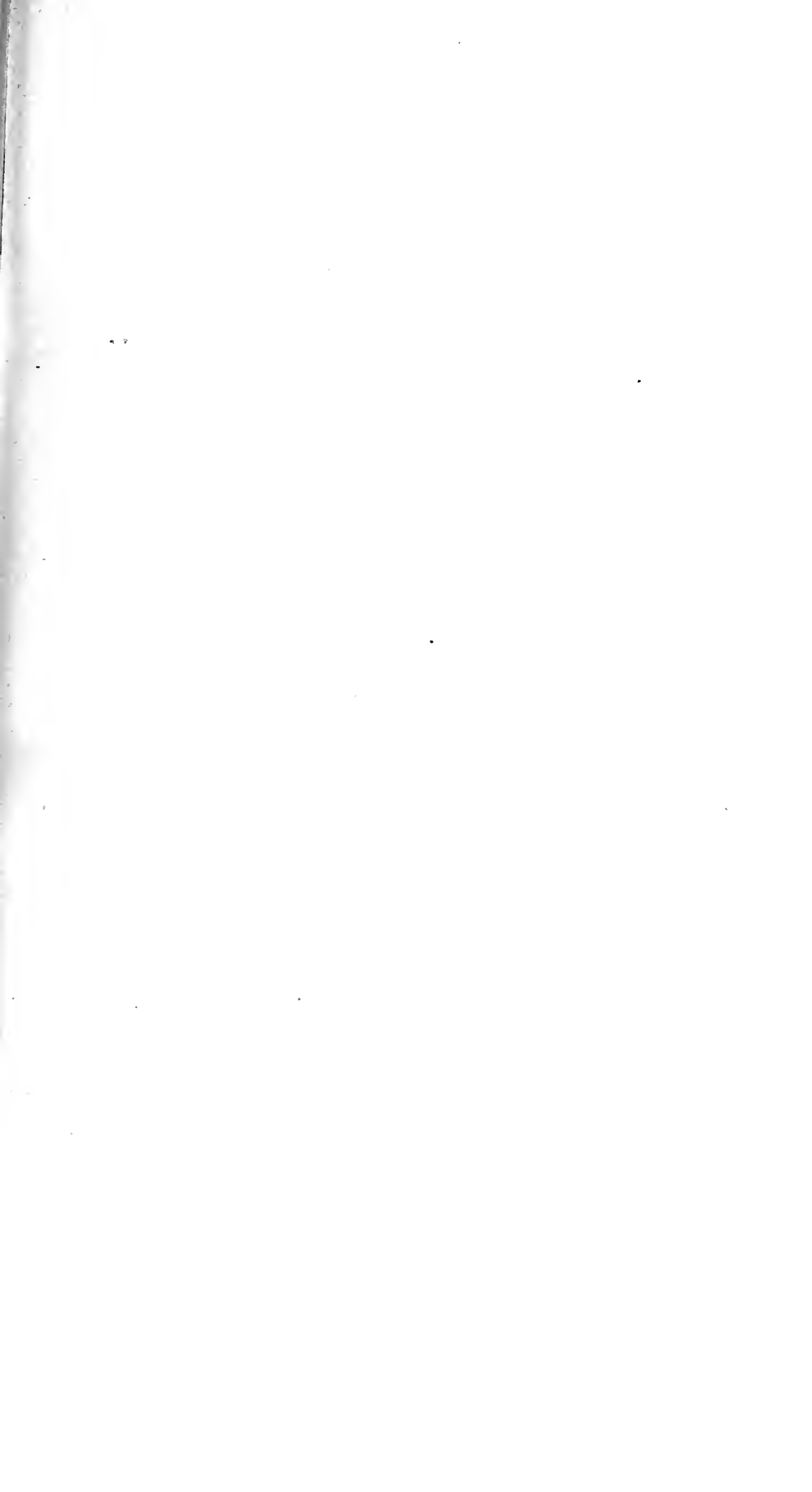
4. Provided that the proprietors or manager of said establishment shall at any time upon demand furnish to the council, or to whom it may direct, evidence by statutory declaration or otherwise satisfactory to the council of the number of employees with names and places of residence and in case of default in furnishing such evidence after the demand, then the corporation shall have the right to repeal this by-law.

5. The corporation shall for the period ending on the 1st day of January 1909, unless prevented by accident to the waterworks plant or other unavoidable cause, supply the said company from the waterworks system of the town with all water necessarily required for the operation of the said manufacturing establishment, at a price equivalent to the cost of production such cost of production and the quantity of water consumed to be estimated and certified by the chief mechanical engineer for the time being of the corporation at the waterworks pumping station, and his certificate shall be conclusive evidence thereof, the company shall however pay the cost of any water meters necessary to ascertain the quantity of water used by the company.

6. This corporation reserves the right to repeal or amend this by-law if at any time after this by-law comes into force a year shall elapse without said establishment having been in operation for at least 10 months during said year or if at any time less than 12 employees are employed or less than 75 per cent of the total number of employees are *bona fide* residents of the town.

SECTION ADDED BY BY-LAW 474.

This by-law shall not come into force or operation until ratified by Act of the Legislative Assembly of the Province of Ontario and the corporation will consent to and at the expense of the company promote any such legislation.



No. 7.

3rd Session, 9th Legislature, 63 Vic., 1900.

BILL.

Act respecting The Town of Toronto
Junction.

First Reading, 14th March, 1900.

*(Reprinted as amended by Private Bills
Committee.)*

Mr. HILL.

TORONTO:
PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act to enable William Herbert Fisher to
practise Dentistry.

WHEREAS William Herbert Fisher of the city of Preamble.
Chatham, in the county of Kent, and Province of
Ontario, has by his petition set forth, that from the year 1883
to the present time, he was engaged almost constantly in an
5 established office practice in the practice of the profession of
dentistry, in the Province of Ontario, and has prayed that an
Act may be passed to authorize him to practise dentistry; and,
whereas, subject to the provisions hereinafter set forth, it is
expedient to grant the prayer of the said petition;

10 Therefore Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:—

1. It shall be lawful for the said William Herbert Fisher to
practise dentistry in the County of Kent in the Province of
15 Ontario, without any certificate of qualifications, until the
first day of April, A.D. 1901; and the Royal College of Dental
Surgeons of Ontario shall admit the said William Herbert
Fisher to practise as a Licentiate of Dental Surgery upon
passing the prescribed final examination, excepting therefrom
20 the subject of Chemistry, to be held in the month of March,
A.D. 1901, without attendance upon lectures, and upon paying
the requisite fees in that behalf, any law, statute, or usage to
the contrary notwithstanding.

William Her-
bert Fisher
authorized to
practise den-
tistry.

No. 8.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to enable William Herbert Fisher
to Practise Dentistry.

First Reading, . 1900.

(Private Bill.)

Mr. PARDO.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

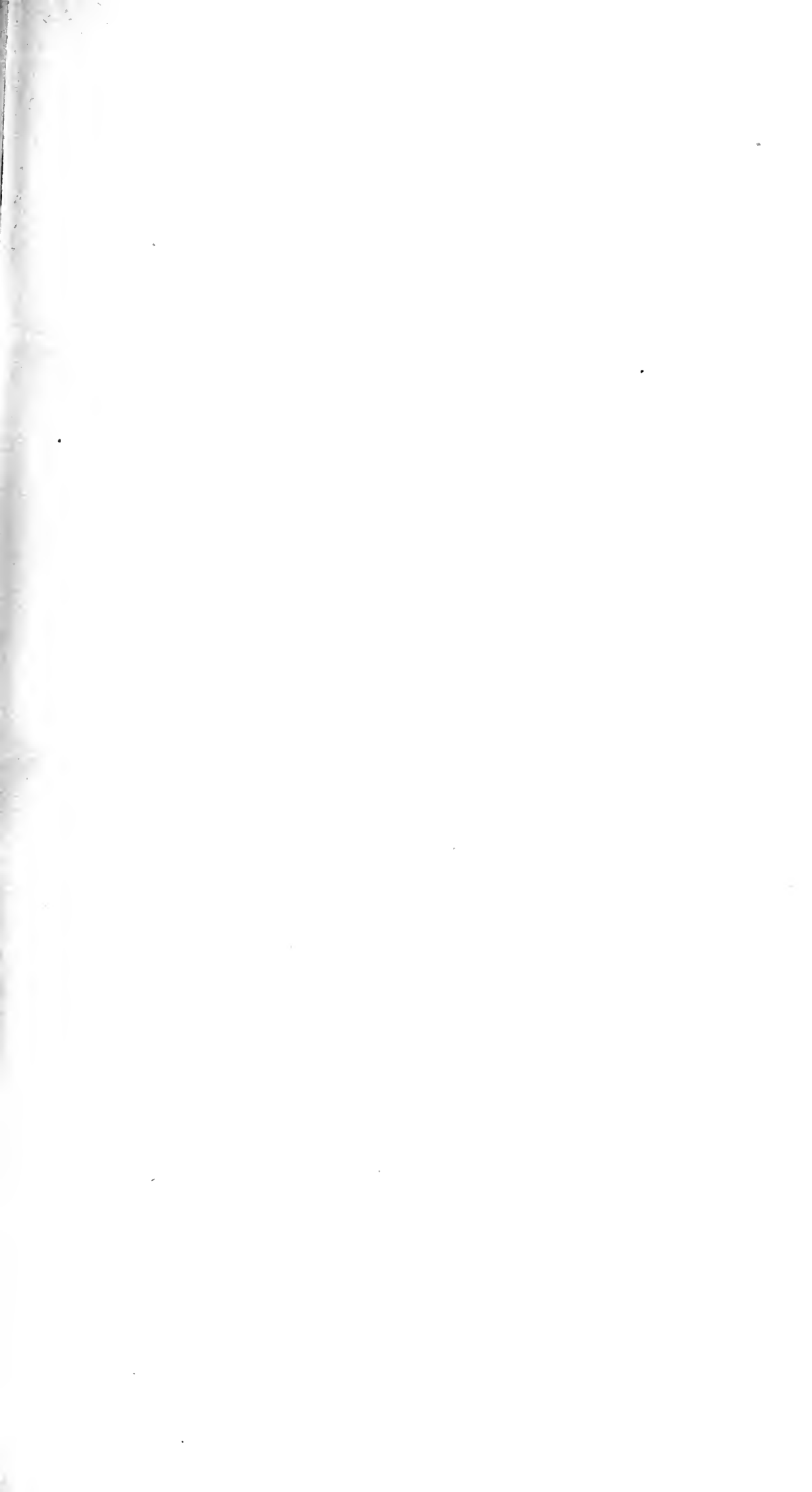
An Act to authorize the Law Society of Upper Canada
to admit Joseph Arthur Tremblay to practise as a
Solicitor.

WHEREAS Joseph Arthur Tremblay of the village of Til-^{Preamble.}
bury in the county of Kent, notary public, has by his
petition represented that he was admitted to the study of law
at a university in the city of Quebec on the 15th day of May,
5 1878, having previously taken a classical course in a college
in Quebec and obtained the degree of Bachelor of Arts from
Laval University; that he was articled on the 22nd day of
June, 1878, for four years to a firm of notaries public and
served under articles for four years during which time he at-
10 tended law lectures at Laval University, passed the various
examinations prescribed and was admitted to the practice of
law as a notary public in and for the Province of Quebec on
the 17th day of May, 1882; that he practised law as a notary
public in the county of Charlevoix, Quebec, until the year
15 1893 when he removed to the village of Tilbury in the county
of Kent and opened an office as a conveyancer and real estate
dealer and was on the first day of May, 1894, duly appointed
a notary public in and for the Province of Ontario and has
ever since continued to exercise the duties of that office, and
20 has had both in Quebec and Ontario large experience in such
legal matters as are usually attended to by conveyancers and
notaries public; and that he has acquired such experience and
knowledge as should entitle him to be admitted as a solicitor
of the Supreme Court of Judicature for Ontario; and whereas
25 the said Joseph Arthur Tremblay has petitioned that an Act
may be passed to authorize the Law Society of Upper Canada
to admit him to practise in the said court as a solicitor; and
whereas it is expedient to grant the prayer of the said
petition.

30 Therefore Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario,
enacts as follows:

Law Society
authorized to
admit J. A.
Tremblay as a
solicitor.

I. It shall and may be lawful for the Law Society of Upper Canada at any time hereafter to admit the said Joseph Arthur Tremblay to practise as a solicitor in the said court on his paying the proper fees in that behalf and on passing such examination as may be prescribed by the said society and without complying with any other requirements of the law, or any other rules or regulations of the said society in that behalf. 5



No. 9.

3rd Session, 9th Legislature, 63 Vict. 1900.

BILL.

An Act to authorize the Law Society of
Upper Canada to admit Joseph Arthur
Trenblay to practise as a Solicitor.

| | |
|----------------|-------|
| First Reading, | 1900. |
|----------------|-------|

(Private Bill).

Mr. AULD.

TORONTO :

PRINTED BY I. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act incorporating the Board of Trustees of the
Presbyterian Church in Canada.

WHEREAS by Section 10 of the Act passed by the Legis-^{Preamble}
lature of Ontario in the 38th year of Her Majesty's
Reign, Chapter 75, intituled "*An Act Respecting the Union of*
certain Presbyterian Churches therein named," it was among
5 other things enacted that as soon as the union of the Presby-
terian churches mentioned in the said Act should take place
the Presbyterian church in Canada and any of the trusts in
connection with the said church, and any of the religious or
charitable schemes of the said church might by the name
10 thereof or by trustees, from time to time take by gift, devise
or bequest any lands or tenements or interest therein subject
to the provisions and conditions therein mentioned; and
whereas the union of the said Presbyterian churches named
15 in the said Act, has since taken place; and whereas the said
Presbyterian church in Canada has by its petition represented
that it is desirable that the manner in which the said lands
or tenements or interests therein, and also all personal estate
which may be given or bequeathed to the said Church should be
20 taken and held for the said church and also that the manner by
which the said lands, tenements or interests therein and also
said personal estate might be conveyed by the said church
should be more clearly defined, and it is expedient that the
prayer of the said petition should be granted.

Therefore, Her Majesty, by and with the advice and con-
25 sent of the Legislative Assembly of the Province of Ontario,
enacts as follows:—

1. The Reverend Robert H. Warden, D. D., Honorable Mr.
Justice MacLennan, Reverend William MacLaren, D.D., William^{Trustees}
Mortimer Clark, Q. C., Adam R. Creelman, Q. C., Hamilton Cas-^{incorporated.}
30 sels, Robert Kilgour, and their successors to be appointed as here-
inafter mentioned shall be and they are hereby constituted a
body politic and corporate by the name of "The Board of
Trustees of the Presbyterian Church in Canada."

Property
vested in
trustees.

2. All gifts, devises or conveyances of any lands or tenements or interests therein and all gifts and bequests of personal estate which have been or shall hereafter be made to the Presbyterian church in Canada, and any of the trusts in connection with the said church and any of the religious or charitable schemes of the said church by the name thereof except any trusts, schemes or institutions connected with the said church, which are now or may hereafter be incorporated, shall vest in the said board of trustees as fully and effectually as if the gift, devise, bequest or conveyance had been made to it, and shall be held by the said board of trustees for the benefit of the said church, or the particular scheme of the said church or of any of the said trusts in connection therewith to which the said real or personal estate has been or may be given, devised or bequeathed.

Trusts.

Payment over
to treasurer of
moneys re-
ceived by
trustees.

3. The said trustees shall at all times on the request of the committee appointed by the general assembly of said church for the management of the said schemes or trusts pay the annual rents, income or produce of any such lands, tenements or interests therein, and of any such personal estate to the treasurer of the said church for the benefit of the scheme or trust, for the use of which said lands, premises or interests therein or personal estate shall be held by the said board of trustees, and shall also at the like request sell and convert into money the said lands, tenements or interests therein or securities for money and pay the proceeds of said sales to the said treasurer for the benefit of the said scheme or trust, it being expressly declared that no purchaser from said trustees shall be bound to see that said request shall have been made, or to inquire as to the application of said purchase money or the regularity of the appointment of said trustees.

Lands given
to church to
vest in
trustees.

4. All gifts or conveyances of lands which may be made to the Presbyterian church in Canada as a site for a church, manse or school for the use of a congregation not then organized, shall vest in the said board of trustees on trust to convey the same to the trustees of such congregation when it shall have been organized under the sanction of the Presbytery within the bounds of which it is situate.

Lands of con-
gregations
which have
ceased to
exist.

5. All lands and premises which have been held by any trustees for any congregation which shall have ceased to exist shall vest in the said board of trustees on trust to sell the same and pay over the proceeds of the said sale to the treasurer of the said church for the benefit of the home mission scheme thereof.

Investments
by trustees.

6. The said board of trustees may invest all moneys which may come into its hands for the benefit of the said church or any of the said schemes or trusts in such securities real or per-

sonal as the said board of trustees may deem expedient, provided always that all lands which may become vested in the said board of trustees, and which shall not be actually required for the purpose of sites for churches, manses or school houses or any other purposes of the church, shall be sold within ten years after the said lands shall have become vested in the said board

7. The members of the said board of trustees shall be elected annually by the general assembly and shall continue in office until their successors be appointed, and that four of the said trustees shall form a quorum of the said board.

Election of trustees.

Quorum.

8. The said board of trustees shall annually present a report to the general assembly in which shall be set forth fully the various moneys, securities and property, real and personal, which shall have come into its hands and also shew the disposition made by it of the interest and income arising from all said moneys, securities and properties.

Annual report.

9. No personal liability shall attach to any of the individual members of the said board of trustees for the failure of any investment or security which may be made by the said board.

No personal liability of trustees for failure of investments.

10. All conveyances, grants, leases or assignments of any of said lands, tenements or securities shall be made by the said trustees under their corporate seal which shall be attested by the signatures of the chairman of the said trustees, the treasurer of the said church and the chairman, convener or other presiding officer of the committee or trust for whose benefit the lands, tenements or interest therein so disposed of shall have been held.

Conveyances etc, how to be made.

No. 10.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act incorporating the Board of Trustees
of the Presbyterian Church in Canada.

| | |
|----------------|-------|
| First Reading, | 1900. |
|----------------|-------|

(Private Bill).

THE ATTORNEY-GENERAL.

TORONTO:

PRINTED BY L. K. CALVERT,

Printer to the Queen's Most Excellent Majes.

An Act incorporating the Board of Trustees of the
Presbyterian Church in Canada.

WHEREAS by Section 10 of the Act passed by the Legis- Preamble.
lature of Ontario in the 38th year of Her Majesty's
Reign, Chapter 75, intituled "*An Act Respecting the Union of
certain Presbyterian Churches therein named,*" it was among
other things enacted that as soon as the union of the Presby-
terian churches mentioned in the said Act should take place
the Presbyterian church in Canada and any of the trusts in
connection with the said church, and any of the religious or
charitable schemes of the said church might by the name
thereof or by trustees, from time to time take by gift, devise
or bequest any lands or tenements or interest therein subject
to the provisions and conditions therein mentioned; and
whereas the union of the said Presbyterian churches named
in the said Act, has since taken place; and whereas the said
Presbyterian church in Canada has by its petition represented
that it is desirable that the manner in which the said lands
or tenements or interests therein, and also all personal estate
which may be given or bequeathed to the said Church should be
taken and held for the said church and also that the manner by
which the said lands, tenements or interests therein and also
said personal estate might be conveyed by the said church
should be more clearly defined, and it is expedient that the
prayer of the said petition should be granted.

Therefore, Her Majesty, by and with the advice and con-
sent of the Legislative Assembly of the Province of Ontario,
enacts as follows:—

1. The Reverend Robert H. Warden, D. D., Honorable Mr. Trustees
Justice MacLennan, Reverend William MacLaren, D.D., William incorporated.
Mortimer Clark, Q. C., Adam R. Creelman, Q. C., Hamilton Cas-
sels, Robert Kilgour, and their successors to be appointed as here-
inafter mentioned shall be and they are hereby constituted a
body politic and corporate by the name of "The Board of
Trustees of the Presbyterian Church in Canada."

2. All gifts, devises, conveyances or transfers of any lands Property
or tenements or interests therein and all gifts and bequests of vested in
personal estate which have been or shall hereafter be made to trustees.
or intended for the Presbyterian church in Canada, and any
of the trusts in connection with the said church and any of

Trusts.

the religious or charitable schemes of the said church by the name thereof except any trusts, schemes or institutions connected with the said church, which are now or may hereafter be incorporated, shall vest in the said board of trustees as fully and effectually as if the gift, devise, bequest, conveyance or *transfer* had been made to it, and shall be held by the said board of trustees for the benefit of the said church, or the particular scheme of the said church or of any of the said trusts in connection therewith to *or for* which the said real or personal estate has been or may be *bought*, given, devised or bequeathed.

Payment over to treasurer of moneys received by trustees

3. The said trustees shall at all times on the request of the committee appointed by the general assembly of said church for the management of the said schemes or trusts pay the annual rents, income or produce of any such lands, tenements or interests therein, and of any such personal estate to the treasurer of the said church for the benefit of the scheme or trust, for the use of which said lands, premises or interests therein or personal estate shall be held by the said board of trustees, and shall also at the like request sell and convert into money the said lands, tenements or interests therein or securities for money and pay the proceeds of said sales to the said treasurer for the benefit of the said scheme or trust, it being expressly declared that no purchaser from said trustees shall be bound to see that said request shall have been made, or to inquire as to the application of said purchase money or the regularity of the appointment of said trustees; ⁴²⁷ but the execution of the grant, conveyance, transfer, lease or other instrument shall be deemed sufficient and conclusive when executed as hereinafter set forth. ⁴²⁸

Lands given to church to vest in trustees.

4. All gifts, conveyances or *transfers* of lands which may be made to the Presbyterian church in Canada as a site for a church, manse or school for the use of a congregation not then organized, shall vest in the said board of trustees on trust to convey the same to the trustees of such congregation when it shall have been organized under the sanction of the Presbytery within the bounds of which it is situate, ⁴²⁷ or in default of such organization to sell the same. ⁴²⁸

Lands of congregations which have ceased to exist.

5. All lands and premises which have been held by any trustees for any congregation which shall have ceased to exist ⁴²⁷ or has become disorganized ⁴²⁸ shall vest in the said board of trustees on trust to sell the same and pay over the proceeds of the said sale to the treasurer of the said church for the benefit of the home mission scheme thereof ⁴²⁷ or as may be otherwise determined by the General Assembly of said church. ⁴²⁸

Investments by trustees.

6. The said board of trustees may invest all moneys which may come into its hands for the benefit of the said church or any of the said schemes or trusts in such securities real or per-

sonal as the said board of trustees may deem expedient, provided always that all lands which may become vested in the said board of trustees, and which shall not be actually required for the purpose of sites for churches, manses or school houses or any other purposes of the church, shall be sold within ten years after the said lands shall have become vested in the said board.

7. The members of the said board of trustees shall be elected annually by the general assembly and shall continue in office until their successors be appointed, and that four of the said trustees shall form a quorum of the said board, ^{Election trustees.} and they shall elect from themselves a chairman. ^{Quorum}

8. The said board of trustees shall annually present a report to the general assembly in which shall be set forth fully the various moneys, securities and property, real and personal, which shall have come into its hands and also shew the disposition made by it of the interest and income arising from all said moneys, securities and properties. ^{Annual report.}

9. No personal liability shall attach to any of the individual members of the said board of trustees for the failure of any investment or security which may be made by the said board. ^{No personal liability of trustees for failure of investments.}

10. All conveyances, grants, *transfers*, leases or assignments of any of said lands, tenements or securities shall be made by the said *board of trustees* under their corporate seal which shall be attested by the signatures of the chairman of the said trustees, the treasurer of the said church and the chairman, convener or other presiding officer of the committee or trust for whose benefit the lands, tenements or interest therein so disposed of shall have been held, ^{Conveyances etc., how to be made.} and when so attested shall be deemed sufficient and conclusive. ^{Conveyances etc., how to be made.}

^{11.} The General Assembly of the said church may from time to time make rules and regulations for the government and guidance of the said board of trustees. ^{Rules and regulations.}

No. 10.

3rd Session 9th Legislature, 63 Vict., 1900.

BILL.

An Act incorporating the Board of Trustees
of the Presbyterian Church in Canada.

First Reading, 5th March, 1900.

*(Reprinted as amended by Private Bills
Committee.)*

THE ATTORNEY-GENERAL.

TORONTO :

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act incorporating the Board of Trustees of the
Presbyterian Church in Canada.

WHEREAS by Section 10 of the Act passed by the Legis- Preamble.
lature of Ontario in the 38th year of Her Majesty's
Reign, Chapter 75, intituled "*An Act Respecting the Union of
certain Presbyterian Churches therein named,*" it was among
other things enacted that as soon as the union of the Presby-
terian churches mentioned in the said Act should take place
the Presbyterian church in Canada and any of the trusts in
connection with the said church, and any of the religious or
charitable schemes of the said church might by the name
thereof or by trustees, from time to time take by gift, devise
or bequest any lands or tenements or interest therein subject
to the provisions and conditions therein mentioned; and
whereas the union of the said Presbyterian churches named
in the said Act, has since taken place; and whereas the said
Presbyterian church in Canada has by its petition represented
that it is desirable that the manner in which the said lands
or tenements or interests therein, and also all personal estate
which may be given or bequeathed to the said Church should be
taken and held for the said church and also that the manner by
which the said lands, tenements or interests therein and also
said personal estate might be conveyed by the said church
should be more clearly defined, and it is expedient that the
prayer of the said petition should be granted.

Therefore, Her Majesty, by and with the advice and con-
sent of the Legislative Assembly of the Province of Ontario,
enact^s as follows:—

1. The Reverend Robert H. Warden, D. D., Honorable Mr. Trustees
Justice MacLennan, Reverend William MacLaren, D.D., William incorporated.
Mortimer Clark, Q. C., Adam R. Creelman, Q. C., Hamilton Cas-
sels, Robert Kilgour, and their successors to be appointed as here-
inafter mentioned shall be and they are hereby constituted a
body politic and corporate by the name of "The Board of
Trustees of the Presbyterian Church in Canada."

2. All gifts, devises, conveyances *or transfers* of any lands or Property
tenements or interests therein and all *assignments*, gifts and be- vested in
quests of personal estate which have been or shall hereafter be trustees.
made to *or intended for* the Presbyterian church in Canada, and
any of the trusts in connection with the said church and any of

Trusts.

the religious or charitable schemes of the said church by the name thereof except any trusts, schemes or institutions connected with the said church, which are now or may hereafter be incorporated, shall vest in the said board of trustees as fully and effectually as if the *assignment*, gift, devise, bequest, conveyance or *transfer* had been made to it, and shall be held by the said board of trustees for the benefit of the said church, or the particular scheme of the said church or of any of the said trusts in connection therewith to or for which the said real or personal estate has been or may be *bought*, given, devised or bequeathed.

Payment over to treasurer of moneys received by trustees

3. The said trustees shall at all times on the request of the committee appointed by the general assembly of said church for the management of the said schemes or trusts pay the annual rents, income or produce of any such lands, tenements or interests therein, and of any such personal estate to the treasurer of the said church for the benefit of the scheme or trust, for the use of which said lands, premises or interests therein or personal estate shall be held by the said board of trustees, and shall also at the like request sell and convert into money the said lands, tenements or interests therein or securities for money and pay the proceeds of said sales to the said treasurer for the benefit of the said scheme or trust, it being expressly declared that no purchaser from said trustees shall be bound to see that said request shall have been made, or to inquire as to the application of said purchase money or the regularity of the appointment of said trustees; ⁴²⁷ but the execution of the grant, conveyance, transfer, lease or other instrument shall be deemed sufficient and conclusive when executed as hereinafter set forth. ⁶³

Lands given to church to vest in trustees.

4. All gifts, conveyances or *transfers* of lands which may be made to the Presbyterian church in Canada as a site for a church, manse, school or *cemetery* for the use of a congregation not then organized, shall vest in the said board of trustees on trust to convey the same to the trustees of such congregation when it shall have been organized under the sanction of the Presbytery within the bounds of which it is situate, ⁴²⁷ or in default of such organization to sell the same. ⁶³

Lands of congregations which have ceased to exist.

5. All lands and premises which have been ⁴²⁷ or shall hereafter at any time be ⁶³ held by any *trustee* or trustees for any congregation which shall have ceased to exist ⁴²⁷ or has become disorganized ⁶³ shall vest in the said board of trustees on trust to sell the same and pay over the proceeds of the said sale to the treasurer of the said church for the benefit of the home mission scheme thereof ⁴²⁷ or as may be otherwise determined by the General Assembly of said church. ⁶³

Investments by trustees.

6. The said board of trustees may invest *from time to time* all moneys which may come into its hands for the benefit of

the said church or any of the said schemes or trusts in such securities real or personal as the said board of trustees may deem expedient, provided always that all lands which may become vested in the said board of trustees, ⁴²⁷otherwise than by way of security, ^{63a}and which shall not be actually required for the purpose of sites for churches, manses or school houses or any other purposes of the church, shall be sold within ten years after the said lands shall have become vested in the said board.

7. The members of the said board of trustees shall be elected annually by the general assembly and shall continue in office until their successors be appointed, and that four of the said trustees shall form a quorum of the said board, ⁴²⁷and they shall elect from themselves a chairman. ^{63a}

Election trustees.

Quorum

8. The said board of trustees shall annually present a report to the general assembly in which shall be set forth fully the various moneys, securities and property, real and personal, which shall have come into its hands and also shew the disposition made by it of the interest and income arising from all said moneys, securities and properties.

Annual report.

9. No personal liability shall attach to any of the individual members of the said board of trustees for the failure of any investment or security which may be made by the said board.

No personal liability of trustees for failure of investments.

10. All conveyances, grants, *transfers*, leases or assignments of any of said lands, tenements or securities shall be made by the said *board of trustees* under their corporate seal which shall be attested by the signatures of the chairman of the said trustees, the treasurer of the said church and the chairman, convener or other presiding officer of the committee or trust for whose benefit the lands, tenements or interest therein so disposed of shall have been held, ⁴²⁷and when so attested shall be deemed sufficient and conclusive. ^{63a}

Conveyances etc, how to be made.

⁴²⁷**11.** The General Assembly of the said church may from time to time make rules and regulations for the government and guidance of the said board of trustees. ^{63a}

Rules and regulations.

3rd Session 9th Legislature, 63 Vict., 1900.

BILL.

An Act incorporating the Board of Trustees
of the Presbyterian Church in Canada.

First Reading, 5th March, 1900.

Second Reading, 19th March, 1900.

*(Reprinted as amended by Committee of
the Whole.)*

THE ATTORNEY-GENERAL.

TORONTO:

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act to confirm By-law No. 350 of the Town
of Harriston.

WHEREAS, the municipal council of the town of Har-^{Preamble.}
riston and the Harriston Pork Packing Company, Lim-
ited, have by their petition shown that the said company
have erected a large and complete pork packing house in the
5 said town, on lands acquired for that purpose, and that the
said council have at the request of the said company sub-
mitted the by-law set forth in Schedule A hereto, to the vote
of the rate-payers of the said town, who are qualified to vote
on by-laws for the creation of debts, and that on such vote
10 being taken 237 of such rate-payers voted in favor of the said
by-law and only 22 against the same, and the said number,
237, was much more than the required two-thirds of such
ratepayers—the total number entitled to vote being 330; and
and that, thereafter, the said by-law was on the 15th day of
15 December, 1899, duly passed by the said municipal council
subject to it being legalized by an Act of the Legislature of
the Province of Ontario; and, whereas, it is further shewn
that the said company have in accordance with the terms of
the said by-law entered into an agreement with the said cor-
20 poration of the town of Harriston which is set forth in Sche-
dule B hereto; and whereas the said council and the said
company have by their petition prayed that the said by-law
may be confirmed and declared legal and valid, and the said
agreement may be confirmed and declared legal and valid
25 with the provision that if in any way there should be a con-
flict between the by-law and agreement the provisions con-
tained in the by-law shall govern, and that the said corpor-
ation of the town of Harriston, and the said, the Harriston
Pork Packing Company, Limited, may be empowered and
30 authorized to do and perform such things as are set forth and
provided for in the said by-law, and, whereas, it is expedient
to grant the prayer of such petition.

Therefore, Her Majesty by and with the advice and con-
sent of the Legislative Assembly of the Province of Ontario,
35 enacts as follows:—

By-law No. 350 of the town of Harriston, respecting Pork Packing Co. confirmed. Agreement between Pork Packing Co. and town confirmed.

1. The said by-law, No. 350, of the town of Harriston, as set forth in Schedule A to this Act is hereby confirmed and declared to be valid and binding from the time of the passing thereof to all intents and purposes.

2. The agreement set out in Schedule B to this Act is hereby confirmed and declared legal and valid for all purposes save wherein the same may conflict with the provisions of the said by-law and in such points of conflict the said by-law in Schedule A shall govern 5

Machinery and plant of Co. to be real estate.

3. It is hereby expressly declared that the machinery and 10 plant of the said, the Harriston Pork Packing Company, Limited, are to be considered real estate and do not come under the provisions of the Acts respecting bills of sale and chattel mortgages, so that no instrument respecting them shall need to be filed in the office of the clerk of the county court of the 15 county of Wellington, in the Province of Ontario.

Bonds,—Powers of Co. and town as to.

4. The corporation of the town of Harriston and the Harriston Pork Packing Company, Limited, are hereby authorized and empowered to do and perform all things necessary to enable them to issue and guarantee the bonds or debentures as 20 in the said by-law, No. 350 mentioned, and to do all Acts, matters, and things mentioned in the said by-law and agreement according to the true intent and meaning of the same.

SCHEDULE "A."

(Section 1.)

BY-LAW NUMBER 350.

A by-law to authorize the Municipal Council of the Corporation of the Town of Harriston, to pay for the site of the packing house and yards of the Harriston Pork Packing Company, Limited, and to guarantee the bonds or debentures of the said Harriston Pork Packing Company, Limited, and also to exempt from taxes (other than school taxes) the lands, buildings, (other than residences) plant and machinery of the said company.

Whereas the said company has been duly incorporated with a capital stock of \$100,000, of which about \$36,000 has already been subscribed, on which about 70 per cent. has been paid in, and arrangements have been made with an English firm for their subscription of \$10,000 of stock as soon as the amount of subscribed stock has reached \$55,000, with the promise of the said firm to subscribe a further amount of stock if desired;

And whereas the said buildings are almost completed, and the necessary machinery is being placed therein, and the said company will soon be in a position to commence business;

And whereas the erection of the said buildings has given employment to a great many residents of the said town, and the establishment of the business of the said company will necessitate the employment of a large number of hands, and is confidently expected to conduce very much to

the prosperity of the town, and it is deemed wise to assist the said company, in the furtherance of their business,

And whereas it has been agreed between the said municipal corporation and the said company to make application to the legislature of the Province of Ontario, for such legislation as may be necessary to empower and authorize the said company to issue bonds or debentures of the said company to the amount of \$20,000 with interest at the rate of 4 per centum per annum, repayable in twenty equal annual instalments of principal and interest, and also in and by the said Act to authorize and empower the said municipal corporation to guarantee the payment of the said bonds or debentures with the proviso that the holders thereof shall lose their remedy against and claim on the said municipal corporation, unless within one year from any of such bonds or debentures becoming due, they take the proper legal steps to compel the said company to pay and satisfy the same, and by said Act to legalize this by-law and to enable the said municipal corporation and the said company to do all that may be necessary in that behalf ;

And whereas the said The Harriston Pork Packing Company, Limited, in order to secure the said municipal corporation against any other creditor of the said company obtaining any preference or priority to or over the said municipal corporation, have agreed that they will not sell, convey, mortgage, pledge, hypothecate or give any lien on the said land, buildings, machinery and plant, or on any of them during the currency of their said bonds or debentures, and until the said bonds or debentures are fully paid and satisfied, and that no sale, conveyance, mortgage, pledge, hypothecation or lien thereof shall be valid or give any title thereto or preference over any claim of the said municipal corporation thereon, and that an agreement embodying these provisions shall be registered in the registry office of the north riding of the county of Wellington, so as to give notice thereof to all concerned. And that during the currency of the said bonds or debentures the said Pork Packing Company will keep the said buildings, machinery and plant insured to the amount of not less than \$25,000 in some reliable insurance company or companies, and will not, during said time, assign the insurance policies thereof, and also that during the currency of the said bonds or debentures the said Pork Packing Company shall satisfy the said municipal council annually that the said buildings, machinery and plant are properly insured for the right amount by the protection of the insurance policies thereof, and that the annual instalments of principal and interest are paid at the proper time by the production of the cancelled bonds or debentures. And that during the currency of the said bonds or debentures that all the skilled and unskilled labor of the said company whose duty does not require their residence outside of the said town of Harriston shall reside within the limits of the said town, so that they and their residences shall not be exempt from the municipal taxation of the said town, and also that the said Harriston Pork Packing Company, Limited, shall satisfy the said municipal council before the said bonds or debentures are guaranteed by the said municipal corporation that they have duly expended on the said buildings, machinery and plant the sum of \$30,000, and that immediately after the said bonds or debentures are cashed the balance owing on the said building, machinery and plant shall be fully paid for and the same freed from all charges, liens and incumbrances of every nature and kind whatsoever, and the said land shall be paid for by the said municipal corporation in two equal annual instalments with interest on the last instalment at the rate agreed on with the vendor. And it is hereby expressly stated and agreed by the said Pork Packing Company, that this guaranteeing of their bonds or debentures by the said municipal corporation shall not make the said municipal corporation stockholders of the said Pork Packing Company, and that the said municipal corporation in case of their being called on to pay any or all of the said bonds or debentures shall be entitled to rank equal with any other creditor of the said Pork Packing Company ;

And whereas the amount of the whole rateable property of the said town of Harriston, according to the last revised assessment roll, is the sum of \$420,235 :

And whereas the amount of the existing debenture debt of the said town is the sum of \$27,670.40 for principal and none of the same or the interest thereon is in arrears ; and whereas the said municipal council of deem it necessary to submit this by-law to the vote of the duly qualified ratepayers of the said town ; now therefore, the municipal council of the corporation of the town of Harriston, enact as follows :

1. That after the said Harrison Pork Packing Company, limited, shall have entered into a binding agreement with the said municipal corporation to carry out and perform on their part the agreements and stipulations to be performed on their part, which said agreement shall be registered in the said registry office, and it shall be declared by the Act of the Legislature of the province of Ontario hereinbefore mentioned, that the said machinery and plant are to be considered real estate and not to come under the operation of the Act respecting Bills of Sale and Chattel Mortgages, so that no instrument respecting them shall need to be registered in the office of the clerk of the county court of the county of Wellington.

2. It shall and may be lawful for the said municipal council to assist the said Harriston Pork Packing Company, Limited, by paying the cost of the land occupied by the said company as the site of their pork packing house and other buildings and premises by two equal annual instalments as aforesaid, the price of said land having been agreed on by the said company and one Benjamin Turr, the former owner thereof, at the rate of \$100 per acre and not exceeding in the whole the sum of \$495.

3. The mayor and clerk of the said municipal council by their signatures and the seal of the said corporation, on behalf of the said corporation, shall guarantee the payment of the bonds or debentures of the said pork packing company, not exceeding in all the sum of \$20,000, with interest at the rate of 4 per centum per annum, which shall be payable in twenty equal annual instalments of principal and interest, and which guarantee shall be placed or put on each bond or debenture and shall state that the holders of the same shall lose their remedy and claim thereon against the said municipal corporation, unless within one year from the same becoming due and payable they take the proper legal steps to compel payment thereof by the said Harriston Pork Packing Company, Limited, but the said guarantee shall not be entered into and given until the said pork packing company have satisfied the said municipal council that they have actually paid for the said buildings, machinery and plant the sum of \$30,000.

4. The said lands and the buildings (not including residences) and the machinery, plant and other personal property of the said pork packing company and their successors shall be exempt from payment of all taxes and rates assessable by the said municipality for any purpose whatsoever (other than school taxes and local improvements) for a period of ten years from the thirty-first day of December, 1899, provided that the said company shall have so long continued to carry on their pork packing business.

5. That a poll shall be held and the votes of the ratepayers entitled to vote on this by-law shall be taken thereon on Tuesday, the seventh day of November, 1899, at the hour of nine o'clock in the forenoon and continue until five o'clock in the afternoon of the same day at the following places, with the parties hereinafter designated as returning officers, namely : For ward No. 1, at Mrs. Yeo's residence, Elora street, by William Lamb as returning officer. For ward No. 2 at Mrs. Irwin's residence, Elora street, by R. Gilhuly as returning officer. For ward No. 3 at council chamber, by Joseph Stanley, returning officer. For ward No. 4 at the office of Messrs. Howes & Leighton, by Alexander Michie, returning officer. For ward No. 5 at the office of John Livingstone, by John Livingstone, returning officer.

6. That the vote of the said electors on this by-law shall be taken by ballot in the ordinary way and with the formalities herein stated.

7. That on Monday, the sixth day of November, 1899, the mayor of the said town shall attend at the council chamber in the town hall in the said town at the hour of 7.30 o'clock in the afternoon to appoint in writing signed by him two persons to attend at the final summing up of the votes, and one person to attend at each polling place on behalf of the persons interested in and desirous of promoting the passing of this by-law, and a like number on behalf of the persons interested in and desirous of opposing the passing of this by-law.

8. The clerk of the municipal council of the said town shall attend at the said council chamber immediately after the closing of the poll and sum up the number of votes given for and against this by-law.

9. This by-law shall not come into force and effect until an Act is passed by the legislature of the province of Ontario sanctioning and legalizing the same, and the expenses of the said Act and the taking of the said vote and all other expenses in connection with the said matter and of this by-law shall be provided and paid by the said Harrison Pork Packing Company, limited.

10. This by-law shall come into force and take effect on the passing of the said Act, sanctioning and legalizing the same.

This by-law was passed at a regular open meeting of the municipal council of the said town this 15th day of December, 1899.

(Sgd.) A. J. STEWART, Clerk.

(Sgd.) S. M. HENRY, Mayor.

SCHEDULE B.

(Section 2).

This indenture made in triplicate this fifth day of January, one thousand nine hundred.

Between the Harriston Pork Packing Company, Limited, hereinafter called the "company," of the first part and

The Corporation of the Town of Harriston, hereinafter called the "corporation," of the second part.

Whereas the municipal council of the said corporation have at the request of the said company submitted to the votes of the duly qualified ratepayers of the said town, a certain by-law, No. 350 of the said corporation, to enable the said corporation among other things to guarantee the bonds or debentures of the said company to the amount of \$20,000 with interest at the rate of 4 per centum per annum, repayable in 20 equal annual instalments of principal and interest, and also to enable the said corporation to exempt the lands and buildings and the machinery, plant and other personal property of the said company from taxes for a period of ten years from the 31st day of December, 1899, the said lands being described as follows, namely:

All and singular that certain parcel or tract of land and premises situate lying and being in the town of Harriston in the county of Wellington and Province of Ontario and being composed of part of lot number eighty-four in concession "D" of the township of Minto, more particularly described as follows, that is to say:—That piece or parcel of land and premises butted and bounded as follows, commencing at a post planted at the south-westerly corner of the high school site; thence south-easterly along the rear boundary line of the said high school site a distance

of four chains more or less to southerly corner thereof ; thence south-westerly along the division line between lot number fifteen and Louise street, one chain fifty links more or less to the southerly corner of said lot ; thence south-easterly parallel with Elora street and passing through the division line between lots numbers nine and ten on the easterly side of Louise street to the point of intersection with the fence on the westerly side of the Canadian Pacific Railway lands, a distance of four chains forty-eight links more or less ; thence south-westerly along the said fence a distance of six chains eighty-three links more or less to its intersection with the easterly boundary of the Stratford and Huron Railway ; thence northerly along said easterly boundary of the said Stratford and Huron Railway a distance of nine chains and fifty links more or less to a stake planted at the point of intersection of the last mentioned boundary with the line of the north-westerly boundary of the said high school site produced south-westerly ; thence along said last mentioned production a distance of four chains six links more or less to the place of beginning, containing by admeasurement four acres and fifty-eight one hundredths more or less, the said bounded parcel of land comprising and including therein lots numbers ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one and twenty-two, and such portions of Louise street and Joseph street as are included within the said described limits (as to which portions of streets, however, the party of the first part only grants his own rights and does not covenant as to the title thereof) all as laid down on a plan prepared for Mary Wright by John Davis, P.L.S., of a sub-division of part of said farm lot number eighty-four and registered and including a strip of land lying between said lots ten to fourteen and the Canadian Pacific Railway lands ;

And also to enable the said corporation to pay the cost of the said land by two equal annual instalments, all as in said by-law and hereinafter set forth ;

And whereas the said by-law was duly advertised in manner required by the statutes in that behalf and all things were done necessary to the proper submission of the same and it was submitted to the votes of the duly qualified ratepayers of the said town and was carried by a majority of 215 out of a total vote of 259, only 22 votes being polled against it, being a sufficient majority of such ratepayers as required by law, and was declared carried ;

And whereas the municipal council of the said corporation duly passed the said by-law on the 15th day of December, 1899, and it has been signed by the Mayor and Clerk of said corporation and sealed with the corporate seal thereof ;

And whereas the said by-law was so submitted and passed on the understanding and agreement of the said parties hereto that the same should be subject to its being legalized by an Act of the Legislature of the Province of Ontario ;

And whereas it was agreed that before the said bonds should be guaranteed by the said corporation the said company should enter into an agreement which should be registered in the Registry Office of the North Riding of the county of Wellington for certain purposes as mentioned and set forth in the said by-law and this agreement is intended to effectuate the same ;

Now therefore this indenture witnesseth that in consideration of the promises and of the sum of one dollar of lawful money of Canada now paid by each to the other of them the receipt whereof is hereby respectively acknowledged by each of the said parties, the said parties hereby covenant and agree each with the other of them, their and each of their successors and assigns, in manner following, that is to say : They, each of them, agree with the other of them to have an application made to the Legislature of the Province of Ontario for an Act to legalize the said by-law and this agreement.

And the said company hereby covenant and agree with the said corpor-

ation in manner following, that is to say : In order to secure the said corporation against any other creditor of the said company obtaining any preference or priority to or over the said corporation, the said company hereby covenant that they will not sell, convey, mortgage, pledge, hypotheca'e or give any lien on the said land, buildings, machinery and plant or on any of them during the currency of the said bonds or debentures and until the said bonds or debentures are fully paid and satisfied, and that no sale, conveyance, mortgage, pledge, hypothecation or lien thereof shall be valid or give any title thereto or preference or priority over any claim of the said corporation thereon or thereto, and that this agreement shall be registered in the Registry Office of the North Riding of the county of Wellington so as to give notice thereof to all concerned ;

And that the said company also covenant that they will during the currency of the said bonds or debentures keep the said buildings, machinery and plant insured to the amount of not less than \$25,000 in some reliable insurance company or companies and will not, during the said time, assign the insurance policies or any of them, and that during the said time the said company shall satisfy the municipal council of the said corporation that the said buildings, machinery and plant are properly insured for the right amount by the production of the insurance policies ;

And the said company also covenant that they will pay the annual instalments of principal and interest of the said bonds or debentures at the proper time and will satisfy the municipal council of the said corporation that the said annual instalments of principal and interest are paid at the proper time by the production of the cancelled bonds or debentures ;

And the said company also covenant that during the currency of the said bonds or debentures all the skilled and unskilled labor of the said company whose duty does not require their residence outside of the said town of Harriston shall reside within the limits of the said town so that they and their residences shall not be exempt from the municipal taxation of the said town ;

And the said company hereby also covenant that they will, before the said bonds or debentures are guaranteed by the said corporation, satisfy the said municipal council that they have duly expended on the said buildings, machinery and plant the sum of \$30,000 00 ;

And the said company also covenant that they will, immediately after the said bonds or debentures are cashed, fully and completely pay the balance owing on the said building, machinery and plant, and free the same from all charges, liens and incumbrances of every nature and kind whatsoever ;

And the said company hereby expressly agree that the guaranteeing of the said bonds or debentures by the said corporation shall not make the said corporation stockholders of the said company, and that the said corporation in case of their being called on to pay any or all of the said bonds or debentures shall be entitled to rank equal with any other creditor of the said company ;

And the said company also agree that the said machinery and plant are to be considered real estate and not to come under the operation of the Act respecting bills of sale and chattel mortgages, so that no instrument respecting the said machinery and plant shall need to be registered in the office of the clerk of the County Court in the county of Wellington ;

And the said company hereby covenant to pay all the expenses of preparing the said by-law and this agreement and the taking of the said vote and the obtaining of the said Act, and all other expenses in connection with the said matters.

And the said corporation hereby covenant and agree with the said company in manner following, that is to say : That they will pay the cost of the said land at the rate of \$100.00 per acre, and not exceeding in the

whole the sum of \$495.00, by two equal annual instalments, and will pay interest on the second instalment at the rate of six per centum per annum ;

And the said corporation also covenant that they will guarantee the said bonds or debentures of the said company, not exceeding in all the sum of \$20,000.00 (twenty thousand dollars), with interest at the rate of four per cent per annum, which shall be repayable in twenty equal annual instalments of principal and interest, and which guarantee shall be placed or put on each bond or debenture, and shall state that the holders of the same shall lose their remedy or claim thereon against the said corporation unless within one year from the same becoming due and payable, they take the proper legal steps to compel payment thereof by the said company, but the said guarantee is not to be entered into and given until the said company have satisfied the municipal council of the said corporation that they have actually paid the said sum of \$30,000.00 for the said buildings, machinery and plant, and have insured the same for the said of \$25,000 ;

And the said corporation hereby covenant that they will exempt the said land, buildings (not including residences), plant and other personal property of the said company from payment of all taxes and rates assessable by the said corporation for any purpose whatsoever (other than school taxes and local improvements) for a period of ten years from the 31st day of December, 1899, provided that the said Company shall have so long carried on their pork packing business.

And it is mutually agreed that unless the Legislature of the Province of Ontario pass the said Act legalizing the said By-law, that this agreement shall become null and void, except as to the payment by the said company of all expenses in connection with the matters aforesaid as hereinbefore provided.

In witness whereof the president and secretary of the said company have signed their names and affixed the corporate seal of the said company hereto, and the Mayor and Clerk of the said corporation have signed their names and affixed the corporate seal of the said town hereto the day and year first above written.

Signed, Sealed and Delivered
in the presence of

(Sgd.) W. D. EBBELS.

| | | |
|--------|-----------------|--------|
| (Sgd.) | S. M. HENRY, | |
| | Mayor. | [L.S.] |
| (Sgd.) | A. J. STEWART, | |
| | Town Clerk. | |
| (Sgd.) | JOSHUA HOWES, | |
| | President. | [L.S.] |
| (Sgd.) | W. D. McLELLAN, | |
| | Secretary. | |



No. 11.

2nd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to confirm By-law No. 350 of the
Town of Harrison.

| | |
|---------------|-------|
| First Reading | 1900. |
|---------------|-------|

(Private Bill)

Mr. BOWMAN.

TORONTO :

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act to confirm By-law No. 350 of the Town
of Harriston.

WHEREAS, the municipal council of the Town of Har- Preamble.
riston and the Harriston Pork Packing Company, Lim-
ited, have by their petition shown that the said company
have erected a large and complete pork packing house in the
said town, on lands acquired for that purpose, and that the
said *municipal* council has at the request of the said company
submitted the by-law set forth in Schedule A hereto, to the vote
of the rate-payers of the said town, who are qualified to vote
on by-laws for the creation of debts, and that on such vote
being taken 237 of such rate-payers voted in favor of the said
by-law and only 22 against the same, and the said number,
237, was much more than the required two-thirds of such
ratepayers—the total number entitled to vote being 330; and
and that, thereafter, the said by-law was on the 15th day of
December, 1899, duly passed by the said municipal council
subject to it being legalized by an Act of the Legislature of
the Province of Ontario; and, whereas, it is further shewn
that the said company have in accordance with the terms of
the said by-law entered into an agreement with the said ^{the} the
municipal ^{the} corporation of the town of Harriston which is set *out*
in Schedule B hereto; and whereas the said council and the said
company have by their petition prayed that the said by-law
may be confirmed and declared legal and valid, and the said
agreement may be confirmed and declared legal and valid
with the provision that if in any way there should be a con-
flict between the by-law and agreement the provisions con-
tained in the by-law shall govern, and that the said *the municipi-*
pal corporation of the town of Harriston, and the said, the Har-
riston Pork Packing Company, Limited, may be empowered and
authorized to do and perform such things as are set forth and
provided for in the said by-law, and whereas ^{no} no opposition
has been offered by or on behalf of any ratepayer or otherwise
to the said petition; and whereas ^{it} it is expedient to grant the
prayer of *the said* petition.

Therefore, Her Majesty by and with the advice and con-
sent of the Legislative Assembly of the Province of Ontario,
enacts as follows:—

1. The said by-law, No. 350, of the town of Harriston, as set By-law No
350 of the
town of Har-
out in Schedule A to this Act is hereby confirmed and de-

Agreement between
Harriston Pork
Packing Co.
and town
confirmed.

2. The agreement set out in Schedule B to this Act is hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof from the time of the passing thereof to all intents and purposes.

Machinery and plant of
Co. to be real
estate.

3. It is hereby expressly declared that the machinery and plant of the said the Harriston Pork Packing Company, Limited are to be considered real estate and shall not come under the provisions of *The Bills of Sale and Chattel Mortgage Act*, so that no instrument respecting them shall need to be filed in the office of the clerk of the county court of the county of Wellington.

Rev. Sta.
c. 148.

4. The corporation of the town of Harriston and the Harriston Pork Packing Company, Limited, are hereby authorized and empowered to do and perform all things necessary to enable them to issue and guarantee the bonds or debentures as in the said by-law, No. 350 mentioned, and to do all Acts, matters, and things mentioned in the said by-law and agreement according to the true intent and meaning of the same.

Bonds,—Pow-
ers of Co. and
town as to.

5. It is hereby expressly declared that the machinery and plant of the said the Harriston Pork Packing Company, Limited are to be considered real estate and shall not come under the provisions of *The Bills of Sale and Chattel Mortgage Act*, so that no instrument respecting them shall need to be filed in the office of the clerk of the county court of the county of Wellington.

SCHEDULE "A."

(Section 1.)

BY-LAW NUMBER 350.

A by-law to authorize the Municipal Council of the Corporation of the Town of Harriston, to pay for the site of the packing house and yards of the Harriston Pork Packing Company, Limited and to guarantee the bonds or debentures of the said Harriston Pork Packing Company, Limited, and also to exempt from taxes (other than school taxes) the lands, buildings, (other than residences) plant and machinery of the said company.

Whereas the said company has been duly incorporated with a capital stock of \$100,000, of which about \$36,000 has already been subscribed, on which about 70 per cent has been paid in, and arrangements have been made with an English firm for their subscription of \$10,000 of stock as soon as the amount of subscribed stock has reached \$55,000, with the promise of the said firm to subscribe a further amount of stock if desired;

And whereas the said buildings are almost completed, and the necessary machinery is being placed therein, and the said company will soon be in a position to commence business;

And whereas the erection of the said buildings has given employment to a great many residents of the said town, and the establishment of the business of the said company will necessitate the employment of a large number of hands, and is confidently expected to conduce very much to

the prosperity of the town, and it is deemed wise to assist the said company, in the furtherance of their business,

And whereas it has been agreed between the said municipal corporation and the said company to make application to the legislature of the Province of Ontario, for such legislation as may be necessary to empower and authorize the said company to issue bonds or debentures of the said company to the amount of \$20,000 with interest at the rate of 4 per centum per annum, repayable in twenty equal annual instalments of principal and interest, and also in and by the said Act to authorize and empower the said municipal corporation to guarantee the payment of the said bonds or debentures with the proviso that the holders thereof shall lose their remedy against and claim on the said municipal corporation, unless within one year from any of such bonds or debentures becoming due, they take the proper legal steps to compel the said company to pay and satisfy the same, and by said Act to legalize this by-law and to enable the said municipal corporation and the said company to do all that may be necessary in that behalf;

And whereas the said The Harriston Pork Packing Company, Limited, in order to secure the said municipal corporation against any other creditor of the said company obtaining any preference or priority to or over the said municipal corporation, have agreed that they will not sell, convey, mortgage, pledge, hypothecate or give any lien on the said land, buildings, machinery and plant, or on any of them during the currency of their said bonds or debentures, and until the said bonds or debentures are fully paid and satisfied, and that no sale, conveyance, mortgage, pledge, hypothecation or lien thereof shall be valid or give any title thereto or preference over any claim of the said municipal corporation thereon, and that an agreement embodying these provisions shall be registered in the registry office of the north riding of the county of Wellington, so as to give notice thereof to all concerned. And that during the currency of the said bonds or debentures the said Pork Packing Company will keep the said buildings, machinery and plant insured to the amount of not less than \$25,000 in some reliable insurance company or companies, and will not, during said time, assign the insurance policies thereof, and also that during the currency of the said bonds or debentures the said Pork Packing Company shall satisfy the said municipal council annually that the said buildings, machinery and plant are properly insured for the right amount by the *production* of the insurance policies thereof, and that the annual instalments of principal and interest are paid at the proper time by the *production* of the cancelled bonds or debentures. And that during the currency of the said bonds or debentures that all the skilled and unskilled labor of the said company whose duty does not require their residence outside of the said town of Harriston shall reside within the limits of the said town, so that they and their residences shall not be exempt from the municipal taxation of the said town, and also that the said Harriston Pork Packing Company, Limited, shall satisfy the said municipal council before the said bonds or debentures are guaranteed by the said municipal corporation that they have duly expended on the said buildings, machinery and plant the sum of \$30,000, and that immediately after the said bonds or debentures are cashed, the balance owing on the said building, machinery and plant shall be fully paid for and the same freed from all charges, liens and incumbrances of every nature and kind whatsoever, and the said land shall be paid for by the said municipal corporation in two equal annual instalments with interest on the last instalment at the rate agreed on with the vendor. And it is hereby expressly stated and agreed by the said Pork Packing Company, that this guaranteeing of their bonds or debentures by the said municipal corporation shall not make the said municipal corporation stockholders of the said Pork Packing Company, and that the said municipal corporation in case of their being called on to pay any or all of the said bonds or debentures shall be entitled to rank equal with any other creditor of the said Pork Packing Company;

And whereas the amount of the whole rateable property of the said town of Harriston, according to the last revised assessment roll, is the sum of \$420,235;

And whereas the amount of the existing debenture debt of the said town is the sum of \$27,670.40 for principal and none of the same or the interest thereon is in arrears; and whereas the said municipal council deem it necessary to submit this by-law to the vote of the duly qualified ratepayers of the said town; now therefore, the municipal council of the corporation of the town of Harriston, enact as follows:

1. That after the said Harrison Pork Packing Company, limited, shall have entered into a binding agreement with the said municipal corporation to carry out and perform on their part the agreements and stipulations to be performed on their part, which said agreement shall be registered in the said registry office, and it shall be declared by the Act of the Legislature of the province of Ontario hereinbefore mentioned, that the said machinery and plant are to be considered real estate and not to come under the operation of the Act respecting Bills of Sale and Chattel Mortgages, so that no instrument respecting them shall need to be registered in the office of the clerk of the county court of the county of Wellington.

2. It shall and may be lawful for the said municipal council to assist the said Harriston Pork Packing Company, Limited, by paying the cost of the land occupied by the said company as the site of their pork packing house and other buildings and premises by two equal annual instalments as aforesaid, the price of said land having been agreed on by the said company and one Benjamin Tarr, the former owner thereof, at the rate of \$100 per acre and not exceeding in the whole the sum of \$495.

3. The mayor and clerk of the said municipal council by their signatures and the seal of the said corporation, on behalf of the said corporation, shall guarantee the payment of the bonds or debentures of the said pork packing company, not exceeding in all the sum of \$20,000, with interest at the rate of 4 per centum per annum, which shall be payable in twenty equal annual instalments of principal and interest, and which guarantee shall be placed or put on each bond or debenture and shall state that the holders of the same shall lose their remedy and claim thereon against the said municipal corporation, unless within one year from the same becoming due and payable they take the proper legal steps to compel payment thereof by the said Harriston Pork Packing Company, Limited, but the said guarantee shall not be entered into and given until the said pork packing company have satisfied the said municipal council that they have actually paid for the said buildings, machinery and plant the sum of \$30,000.

4. The said lands and the buildings (not including residences) and the machinery, plant and other personal property of the said pork packing company and their successors shall be exempt from payment of all taxes and rates assessable by the said municipality for any purpose whatsoever (other than school taxes and local improvements) for a period of ten years from the thirty-first day of December, 1899, provided that the said company shall have so long continued to carry on their pork packing business.

5. That a poll shall be held and the votes of the ratepayers entitled to vote on this by-law shall be taken thereon on Tuesday, the seventh day of November, 1899, at the hour of nine o'clock in the forenoon and continue until five o'clock in the afternoon of the same day at the following places, with the parties hereinafter designated as returning officers, namely: For ward No. 1, at Mrs. Yeo's residence, Elora street, by William Lamb as returning officer. For ward No. 2 at Mrs. Irwin's residence, Elora street, by R. Gilhuly as returning officer. For ward No. 3 at council chamber, by Joseph Staley, returning officer. For ward No. 4 at the office of Messrs. Howes & Leighton, by Alexander Michie, returning officer. For ward No. 5 at the office of John Livingstone, by John Livingstone, returning officer.

6. That the vote of the said electors on this by-law shall be taken by ballot in the ordinary way and with the formalities herein stated

7. That on Monday, the sixth day of November, 1899, the mayor of the said town shall attend at the council chamber in the town hall in the said town at the hour of 7.30 o'clock in the afternoon to appoint in writ-

ing signed by him two persons to attend at the final summing up of the votes, and one person to attend at each polling place on behalf of the persons interested in and desirous of promoting the passing of this by-law, and a like number on behalf of the persons interested in and desirous of opposing the passing of this by-law.

8. The clerk of the municipal council of the said town shall attend at the said council chamber immediately after the closing of the poll and sum up the number of votes given for and against this by-law.

9. This by-law shall not come into force and effect until an Act is passed by the legislature of the province of Ontario sanctioning and legalizing the same, and the expenses of the said Act and the taking of the said vote and all other expenses in connection with the said matter and of this by-law shall be provided and paid by the said Harrison Pork Packing Company, limited.

10. This by-law shall come into force and take effect on the passing of the said Act, sanctioning and legalizing the same.

This by-law was passed at a regular open meeting of the municipal council of the said town this 15th day of December, 1899.

(Sgd.) A. J. STEWART, Clerk.

(Sgd.) S. M. HENRY, Mayor.

SCHEDULE B.

(Section 2).

This indenture made in triplicate this fifth day of January, one thousand nine hundred.

Between the Harriston Pork Packing Company, Limited, hereinafter called the "company," of the first part and

The Corporation of the Town of Harriston, hereinafter called the "corporation," of the second part.

Whereas the municipal council of the said corporation have at the request of the said company submitted to the votes of the duly qualified ratepayers of the said town, a certain by-law, No. 350 of the said corporation, to enable the said corporation among other things to guarantee the bonds or debentures of the said company to the amount of \$20,000 with interest at the rate of 4 per centum per annum, repayable in 20 equal annual instalments of principal and interest, and also to enable the said corporation to exempt the lands and buildings and the machinery, plant and other personal property of the said company from taxes for a period of ten years from the 31st day of December, 1899, the said lands being described as follows, namely :

All and singular that certain parcel or tract of land and premises situate lying and being in the town of Harriston in the county of Wellington and Province of Ontario and being composed of part of lot number eighty-four in concession "D" of the township of Minto, more particularly described as follows, that is to say :—That piece or parcel of land and premises butted and bounded as follows, commencing at a post planted at the south-westerly corner of the high school site ; thence south-easterly along the rear boundary line of the said high school site a distance of four chains more or less to southerly corner thereof ; thence south-westerly along the division line between lot number fifteen and Louise street, one chain fifty links more or less to the southerly corner of said lot ; thence south-easterly parallel with Elora street and passing through the division line between lots numbers nine and ten on the easterly side of Louise street to the point of intersection with the fence on the westerly side of the Canadian Pacific Railway lands, a distance of four chains forty-

eight links more or less ; thence south-westerly along the said fence a distance of six chains eighty-three links more or less to its intersection with the easterly boundary of the Stratford and Huron Railway ; thence northerly along said easterly boundary of the said Stratford and Huron Railway a distance of nine chains and fifty links more or less to a stake planted at the point of intersection of the last mentioned boundary with the line of the north westerly boundary of the said high school site produced south-westerly ; thence along said last mentioned production a distance of four chains six links more or less to the place of beginning, containing by admeasurement four acres and fifty-eight one hundredths more or less, the said bounded parcel of land comprising and including therein lots numbers ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one and twenty-two, and such portions of Louise street and Joseph street as are included within the said described limits (as to which portions of streets, however, the party of the first part only grants his own rights and does not covenant as to the title thereof) all as laid down on a plan prepared for Mary Wright by John Davis, P.L.S., of a sub-division of part of said farm lot number eighty-four and registered and including a strip of land lying between said lots ten to fourteen and the Canadian Pacific Railway lands ;

And also to enable the said corporation to pay the cost of the said land by two equal annual instalments, all as in said by-law and hereinafter set forth ;

And whereas the said by-law was duly advertised in manner required by the statutes in that behalf and all things were done necessary to the proper submission of the same and it was submitted to the votes of the duly qualified ratepayers of the said town and was carried by a majority of 215 out of a total vote of 259, only 22 votes being polled against it, being a sufficient majority of such ratepayers as required by law, and was declared carried ;

And whereas the municipal council of the said corporation duly passed the said by-law on the 15th day of December, 1899, and it has been signed by the Mayor and Clerk of said corporation and sealed with the corporate seal thereof ,

And whereas the said by-law was so submitted and passed on the understanding and agreement of the said parties hereto that the same should be subject to its being legalized by an Act of the Legislature of the Province of Ontario ;

And whereas it was agreed that before the said bonds should be guaranteed by the said corporation the said company should enter into an agreement which should be registered in the Registry Office of the North Riding of the county of Wellington for certain purposes as mentioned and set forth in the said by-law and this agreement is intended to effectuate the same ;

Now therefore this indenture witnesseth that in consideration of the promises and of the sum of one dollar of lawful money of Canada now paid by each to the other of them the receipt whereof is hereby respectively acknowledged by each of the said parties, the said parties hereby covenant and agree each with the other of them, their and each of their successors and assigns, in manner following, that is to say : They, each of them, agree with the other of them to have an application made to the Legislature of the Province of Ontario for an Act to legalize the said by-law and this agreement.

And the said company hereby covenant and agree with the said corporation in manner following, that is to say : In order to secure the said corporation against any other creditor of the said company obtaining any preference or priority to or over the said corporation, the said company hereby covenant that they will not sell, convey, mortgage, pledge, hypothecate or give any lien on the said land, buildings, machinery and plant or on any of them during the currency of the said bonds or debentures and until the said bonds or debentures are fully paid and satisfied, and that no sale, conveyance, mortgage, pledge, hypothecation or lien thereof shall be valid or give any title thereto or preference or priority over any

claim of the said corporation thereon or thereto, and that this agreement shall be registered in the Registry Office of the North Riding of the county of Wellington so as to give notice thereof to all concerned ;

And that the said company also covenant that they will during the currency of the said bonds or debentures keep the said buildings, machinery and plant insured to the amount of not less than \$25,000 in some reliable insurance company or companies and will not, during the said time, assign the insurance policies or any of them, and that during the said time the said company shall satisfy the municipal council of the said corporation that the said buildings, machinery and plant are properly insured for the right amount by the production of the insurance policies ;

And the said company also covenant that they will pay the annual instalments of principal and interest of the said bonds or debentures at the proper time and will satisfy the municipal council of the said corporation that the said annual instalments of principal and interest are paid at the proper time by the production of the cancelled bonds or debentures ;

And the said company also covenant that during the currency of the said bonds or debentures all the skilled and unskilled labor of the said company whose duty does not require their residence outside of the said town of Harriston shall reside within the limits of the said town so that they and their residences shall not be exempt from the municipal taxation of the said town ;

And the said company hereby covenant that they will, before the said bonds or debentures are guaranteed by the said corporation, satisfy the said municipal council that they have duly expended on the said buildings, machinery and plant the sum of \$30,000 00 ;

And the said company also covenant that they will, immediately after the said bonds or debentures are cashed, fully and completely pay the balance owing on the said buildings, machinery and plant, and free the same from all charges, liens and incumbrances of every nature and kind whatsoever ;

And the said company hereby expressly agree that the guaranteeing of the said bonds or debentures by the said corporation shall not make the said corporation stockholders of the said company, and that the said corporation in case of their being called on to pay any or all of the said bonds or debentures shall be entitled to rank equal with any other creditor of the said company ;

And the said company also agree that the said machinery and plant are to be considered real estate and not to come under the operation of the Act respecting bills of sale and chattel mortgages, so that no instrument respecting the said machinery and plant shall need to be registered in the office of the clerk of the County Court in the county of Wellington ;

And the said company hereby covenant to pay all the expenses of preparing the said by-law and this agreement and the taking of the said vote and the obtaining of the said Act, and all other expenses in connection with the said matters.

And the said corporation hereby covenant and agree with the said company in manner following, that is to say : That they will pay the cost of the said land at the rate of \$100.00 per acre, and not exceeding in the whole the sum of \$495.00, by two equal annual instalments, and will pay interest on the second instalment at the rate of six per centum per annum ;

And the said corporation also covenant that they will guarantee the said bonds or debentures of the said company, not exceeding in all the sum of \$20,000.00 (twenty thousand dollars), with interest at the rate of four per cent per annum, which shall be repayable in twenty equal annual instalments of principal and interest, and which guarantee shall be placed or put on each bond or debenture, and shall state that the holders of the same shall lose their remedy or claim thereon against the said corporation unless within one year from the same becoming due and payable, they take the proper legal steps to compel payment thereof by the said

company, but the said guarantee is not to be entered into and given until the said company have satisfied the municipal council of the said corporation that they have actually paid the said sum of \$30,000.00 for the said buildings, machinery and plant, and have insured the same for the said sum of \$25,000 ;

And the said corporation hereby covenant that they will exempt the said land, buildings (not including residences), plant and other personal property of the said company from payment of all taxes and rates assessable by the said corporation for any purpose whatsoever (other than school taxes and local improvements) for a period of ten years from the 31st day of December, 1899. provided that the said Company shall have so long carried on their pork packing business.

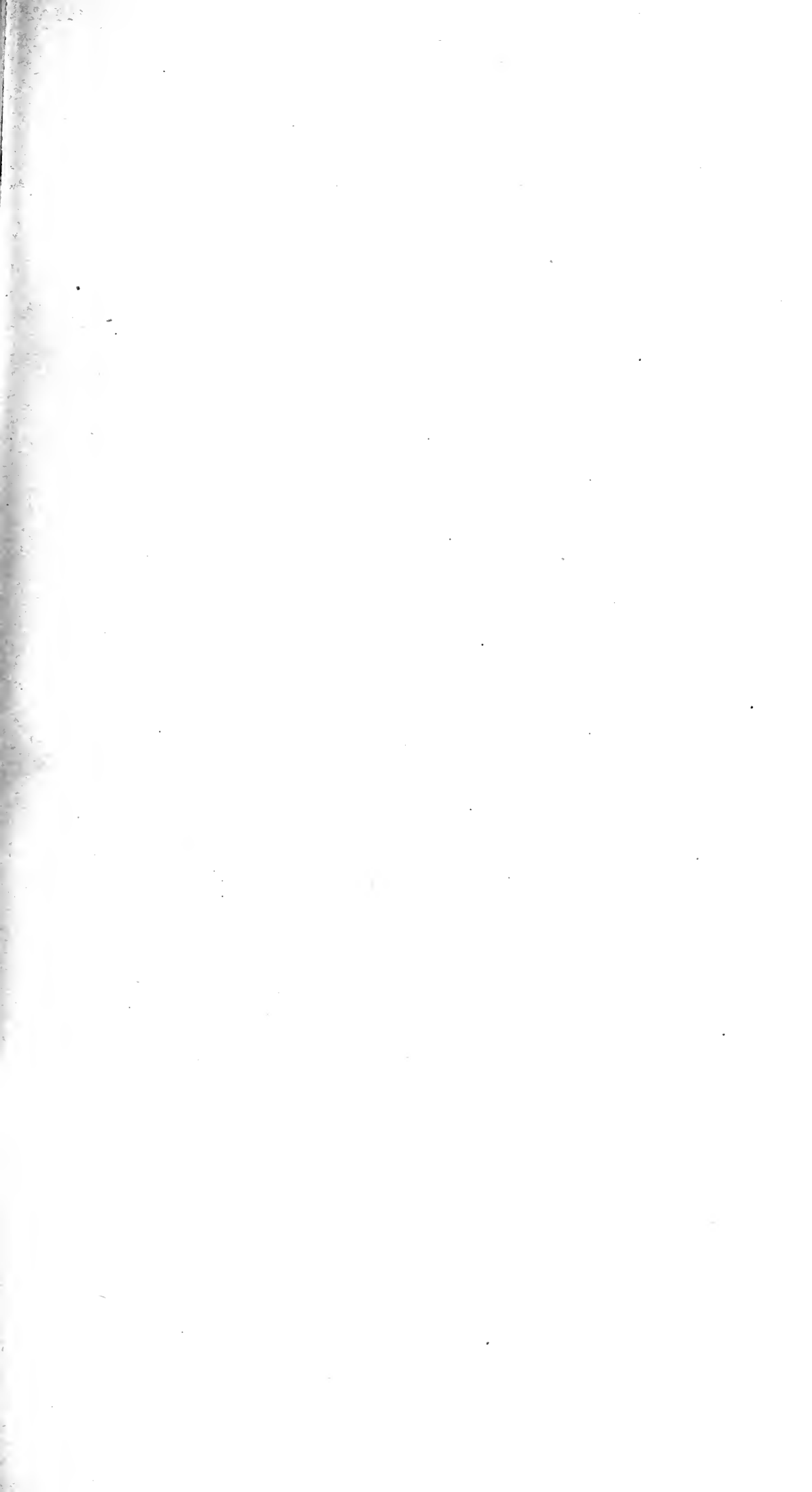
And it is mutually agreed that unless the Legislature of the Province of Ontario pass the said Act legalizing the said By-law, that this agreement shall become null and void, except as to the payment by the said company of all expenses in connection with the matters aforesaid as hereinbefore provided.

In witness whereof the president and secretary of the said company have signed their names and affixed the corporate seal of the said company hereto, and the Mayor and Clerk of the said corporation have signed their names and affixed the corporate seal of the said town hereto the day and year first above written.

Signed, Sealed and Delivered
in the presence of

(Sgd.) W. D. EBBELS.

| | | |
|---|--------------------------------------|--------|
| { | (Sgd.) S. M. HENRY, Mayor. | [L.S.] |
| | (Sgd.) A. J. STEWART, Town Clerk. | |
| | (Sgd.) JOSHUA HOWES, President. | [L.S.] |
| | (Sgd.) W. D. McLELLAN, Secretary. | |



No. 11.

2nd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to confirm By-law No. 350 of the
Town of Harriston.

First Reading, 5th March, 1900.

*(Reprinted as amended in the Private Bills
Committee.)*

(Private Bill.)

Mr. BOWMAN.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting By-Law No. 127 of the Town of
Wiarion.

WHEREAS the municipal council of the corporation of the town of Wiarion has by petition represented that the said corporation duly passed a by-law, entitled "By-law No. 127, a by-law for granting a bonus for the promotion of the establishment of beet sugar manufacturing works within the limits of the corporation of the town of Wiarion", a true copy of which is set forth in Schedule "A" to this Act, which by-law provides for the payment by the said corporation to the Owen Sound Sugar Manufacturing Company, (Limited), now known as "The Wiarion Sugar Manufacturing Company, (Limited), by way of bonus of the sum of \$800.00, during each year, for the term of six years and the granting to them of exemption from taxes, except school taxes, for the term of ten years, upon the subject, among other conditions in the said by-law expressed, to the following conditions, viz.:—That the said company shall erect necessary and substantial buildings of brick or stone, suitable for the manufacture of sugar, of the value, with the plant of at least \$20,000.00, on certain lands within the town of Wiarion, to be purchased and hereafter conveyed to the said Wiarion Sugar Manufacturing Company, (Limited), upon the performance of certain conditions precedent, more particularly set forth in said by-law, and shall also erect or place a plant and machinery in said buildings suitable for said business, and capable of manufacturing one hundred tons of beets into sugar per day, and have the same in full operation, employing therein at least fifty men, besides women and children; and also for the conveyance by the said corporation of the town of Wiarion to the Owen Sound Sugar Manufacturing Company, (Limited), now the Wiarion Sugar Manufacturing Company, (Limited), as aforesaid, of certain lands and premises, more particularly described in the Schedule to the said by-law, upon the performance of certain conditions precedent, more particularly set forth, in said by-law, and for the issuing of debentures of the municipality to the amount of \$400.00, to provide for the purchase of said lands, as in said by-law set forth and expressed; and whereas the said by-law was sub-

mitted to the vote of the ratepayers entitled to vote on money by-laws, as provided by *the Municipal Act*, and two hundred and six of the ratepayers, qualified to vote as aforesaid, voted in favor of the said by-law, and only fifteen of such ratepayers voted against the said by-law; and whereas it is represented that of the remaining two hundred and six ratepayers, qualified to vote as aforesaid, who did not vote on said by-law, nine were dead at the date of the voting thereon, and sixty-five or more were not resident in the municipality at the time, and others were prevented by circumstances from voting, and that there was in reality a large majority of such ratepayers qualified to vote as aforesaid, and who did not vote, in favor of the said by-law, so that although the number of ratepayers voting in the affirmative on the said by-law was less than two-thirds of the qualified ratepayers required by the repealed provisions of "*The Municipal Amendment Act, 1888*," respecting by-laws for granting aid to industrial enterprises, yet there were many more than two-thirds of such qualified ratepayers in favour of said by-law: and whereas in all other respects the said by-law is within the terms of the said repealed provisions; and whereas it is further represented that there is no industry established within the limits of the town of Wiarton for the manufacture of beets into sugar, nor any similar industry within the province of Ontario, and that such an industry would be of material advantage to the town of Wiarton in affording employment to a large number of hands and otherwise, and would also be a benefit to the farming community of the province; and whereas it is also represented that in the event of the said by-law being legalized and confirmed, it would be a saving of expense, after registration thereof, to have the same promulgated by the publication in the "*The Wiarton Echo*" newspaper of the notice thereof, required by section 376 of *The Municipal Act*, without the publication again of a true copy of the said by-law, but with proper reference thereto; and whereas the said corporation of the town of Wiarton has prayed that the said by-law may be legalized and confirmed, and that the said corporation may make an agreement with the Wiarton Sugar Manufacturing Company, (Limited), for the performance of the conditions of said by-law as therein expressed, and the same declared legal and valid, and that the said By-law may be promulgated in the manner aforesaid; and whereas it is expedient to grant the prayer of said petition.

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

By-law No. 127 granting bonus to sugar works confirmed.

1. By-law No. 127 of the Corporation of the Town of Wiarton, intituled as in the preamble to this Act and set out in Schedule "A" to this Act is hereby legalized and confirmed

and declared to be valid and binding upon the said Municipality from the time of the passing thereof to all intents and purposes, notwithstanding any want of power or jurisdiction in the said Municipal Council to pass the said By-law, and notwithstanding any defect in substance or in form of the said By-law or in the manner of passing the same, and the said Corporation is declared to be authorized by the said By-law to enter into an Agreement or bond with the Owen Sound Sugar Manufacturing Company, (Limited), now known as the "Wiaraton Sugar Manufacturing Company, (Limited)," for the purposes and objects and upon the terms and conditions in said By-law set forth, and to grant aid by way of a bonus to the said Company for the promotion of the establishment of beet sugar manufacturing works within the limits of the said Town of Wiaraton to the extent of \$800.00 for each year for the term of six years, upon the terms and conditions in said By-law expressed, and to issue debentures therefor as in said By-law set forth, and to grant the said Company exemption from taxes, except School taxes, for the term of ten years, as in said By-law expressed, and to convey to the said Company upon the terms and in the manner set forth in said By-law the land and premises mentioned and described in the Schedule to the said By-law, and to issue debentures to the extent of \$400.00 for the purchase of said lands as in said By-law set forth, and to do such other matters and things as are specifically set forth in the said By-law.

2. The said By-law shall be registered after the passing of this Act, and the same may be promulgated by the publication in "*The Wiaraton Echo*" newspaper of the notice required by Section 376 of "*The Municipal Act*," without the publication again of a true copy of the said By-law, but containing a reference in suitable terms to the dates of the publication of the By-law before its submission to the ratepayers qualified to vote on money By-laws.

Registration
and promulga-
tion of By-law.

SCHEDULE A.

BY-LAW No. 127.

A by-law for granting a bonus for the promotion of the establishment of beet sugar manufacturing works within the limits of the corporation of the town of Wiaraton.

Whereas, the Owen Sound Sugar Manufacturing Company, (Limited), have proposed to establish a factory for the manufacture of sugar from the sugar beet, within the limits of the corporation of the town of Wiaraton, and to expend upon the necessary buildings the sum of not less than \$20,000, and to place therein a plant and machinery capable of manufacturing at least one hundred tons of beets into sugar, per day, and in consideration of their carrying out such proposal the corporation of the town of Wiaraton have agreed by way of bonus for the promotion of said sugar

manufactory to procure and convey to them the land hereinafter described, within the limits of the corporation of the town of Wiarton, and to pay them the sum of \$800.00 during each year for the term of six years, and to grant them exemption from taxes, except school taxes, for the term of ten years, upon and subject to the following conditions:—

(1) The Owen Sound Sugar Manufacturing Company (Limited), hereinafter called "the company," shall, immediately after this by-law has received the assent of the rate-payers, enter into a bond to the corporation of the town of Wiarton, hereinafter called "the corporation," conditioned that in case the company shall fail to erect said buildings and commence operations in the town of Wiarton before January 1st, 1901, then the company will purchase the said five acres of land from the corporation at the same price as the corporation has paid for the same, such bond to be to the satisfaction of the municipal council of the corporation.

(2) The company shall thereafter be let into possession of the said five acres of land as soon as they procure their charter of incorporation to be amended by changing the name of the company from "The Owen Sound Sugar Manufacturing Company (Limited)" to "The Wiarton Sugar Manufacturing Company (Limited)," or to the like effect, with head offices at Wiarton.

(3) Provided that the hereinafter agreement has been executed by the company, the said lands shall be conveyed to the company immediately after, and the first payment of \$800.00 made to the company within one year after, necessary and substantial buildings of brick or stone, suitable for the business of manufacturing sugar, of the value of at least \$20,000, have been erected on said lands, and also a plant and machinery, suitable for said business and capable of manufacturing one hundred tons of beets into sugar, per day, placed therein; and also the same is in full operation employing therein at least fifty men, besides women and children.

(4) The company shall enter into a written agreement with the corporation:

(a) To employ and keep employed during at least six months in each year at least fifty men, besides women and children, and

(b) Not to lease, or sell, or allow to be occupied, save by the company or their employees, any portion of the lands aforesaid, without the consent of the municipal council of the corporation; during a period of six years from the time the said lands are conveyed to the company;

And that on failure in performance, or breach of any one or more of the said conditions, the company shall forfeit all right to any further payments of said bonus, and the said lands and buildings shall at once cease to be exempt from taxation.

Provided that in case of a total failure of the beet crop in any one year the company shall be relieved from complying with covenant (a) during said year, except that should the factory, for that reason, be in operation for less than two months in any one year, the payment of \$800.00 shall not be made to the company for that year.

And whereas in order to provide for the purchase of the lands to be conveyed as aforesaid to the Owen Sound Sugar Manufacturing Company (Limited), it will be necessary to issue debentures of this municipality for the sum of \$400.00, payable as hereinafter provided.

And whereas, for the first annual payment of \$800.00 bonus hereinafter mentioned, it may be necessary to issue debentures of this municipality for the further sum of \$800.00, payable as hereinafter provided.

And whereas, for the second annual payment of \$800.00 bonus hereinafter mentioned, it may be necessary to issue debentures of this municipality for the further sum of \$800.00, payable as hereinafter provided.

And whereas, for the third annual payment of \$800.00 bonus hereinafter mentioned it may be necessary to issue debentures of this municipality for the further sum of \$800.00, payable as hereinafter provided.

And whereas, for the fourth annual payment of \$800.00 bonus hereinbefore mentioned, it may be necessary to issue debentures of this municipality for the further sum of \$800.00, payable as hereinafter provided.

And whereas, for the fifth annual payment of \$800.00 bonus hereinbefore mentioned, it may be necessary to issue debentures of this municipality for the further sum of \$800.00, payable as hereinafter provided.

And whereas, for the sixth annual payment of \$800.00 bonus hereinbefore mentioned, it may be necessary to issue debentures of this municipality for the further sum of \$800.00, payable as hereinafter provided.

And whereas it will be requisite to raise by special rate for paying the debentures of \$400 hereinbefore first mentioned and interest thereon, the sum of \$31.00 annually during the currency of such debentures.

And whereas it will be requisite to raise by special rate for paying the debentures of \$800.00 hereinbefore secondly mentioned and interest thereon, the sum of \$68.80 annually during the currency of such debentures.

And whereas it will be requisite to raise by special rate for paying the debentures of \$800.00 hereinbefore thirdly mentioned and interest thereon, the sum of \$71.70 annually during the currency of such debentures.

And whereas it will be requisite to raise by special rate for paying the debentures of \$800.00 hereinbefore fourthly mentioned and interest thereon, the sum of \$74.05 annually during the currency of such debentures.

And whereas it will be requisite to raise by special rate for paying the debentures of \$800.00 hereinbefore fifthly mentioned and interest thereon, the sum of \$78.85 annually during the currency of such debentures.

And whereas it will be requisite to raise by special rate for paying the debentures of \$800.00 hereinbefore sixthly mentioned and interest thereon, the sum of \$83.25 annually during the currency of such debentures.

And whereas it will be requisite to raise by special rate for paying the debentures of \$800.00 hereinbefore seventhly mentioned and interest thereon, the sum of \$88.40 annually during the currency of such debentures.

And whereas the amount of the whole rateable property of this municipality is \$401,545.00 according to the last revised assessment roll.

And whereas the amount of the existing debenture debt of this municipality is \$55,124.94, no part of which, either for principal or interest, is in arrears.

Be it therefore enacted, and it is hereby enacted, by the Municipal Council of the Town of Wiarion, as follows:—

(1) It shall be lawful for the corporation of the said Town of Wiarion, for the purpose of purchasing the lands to be conveyed as aforesaid to The Owen Sound Sugar Manufacturing Company, Limited, their successors or assigns, to issue debentures of the said municipality to the amount of four hundred dollars, in sums of not less than one hundred dollars each, payable at the end of twenty years from the date of the passing of this by-law, such debentures to bear interest at four per cent. per annum from the date thereof, the interest on the said debentures to be payable yearly, and coupons therefor to be attached to said debentures.

(2) It shall be lawful for the corporation of the said Town of Wiarion, for the purpose of paying the first annual payment of \$800.00 bonus hereinbefore mentioned, to issue debentures of the said municipality to the amount of eight hundred dollars, in sums of not less than one hundred dollars each, payable in seventeen years from the date thereof and within twenty years from the date of the passing of this by-law, such debentures to bear interest at four per cent. per annum from the date thereof, the interest on said debentures to be payable yearly, and coupons therefor to be attached to said debentures.

(3) It shall be lawful for the corporation of the said town of Wiar-ton, for the purpose of paying the second annual payment of \$800.00 bonus hereinbefore mentioned, to issue debentures of the said municipality to the amount of eight hundred dollars, in sums of not less than one hundred dollars each, payable in sixteen years from the date thereof and within twenty years from the date of the passing of this by-law, such debentures to bear interest at four per cent. per annum from the date thereof, the interest on said debenture to be payable yearly, and coupons therefor to be attached to said debentures.

(4) It shall be lawful for the corporation of the said Town of Wiar-ton, for the purpose of paying the third annual payment of \$800.00 bonus hereinbefore mentioned, to issue debentures of the said municipality to the amount of eight hundred dollars, in sums of not less than one hundred dollars each, payable in fifteen years from the date thereof and within twenty years from the date of the passing of this by-law, such debentures to bear interest at four per cent. per annum from the date thereof, the interest on said debentures to be payable yearly, and coupons therefor to be attached to said debentures.

(5) It shall be lawful for the corporation of the said Town of Wiar-ton, for the purpose of paying the fourth annual payment of \$800.00 bonus hereinbefore mentioned, to issue debentures of the said municipality to the amount of eight hundred dollars, in sums of not less than one hundred dollars each, payable in fourteen years from the date thereof and within twenty years from the date of the passing of this by-law, such debentures to bear interest at four per cent. per annum from the date thereof, the interest on said debentures to be payable yearly, and coupons therefor to be attached to said debentures.

(6) It shall be lawful for the corporation of the said Town of Wiar-ton, for the purpose of paying the fifth annual payment of \$800.00 bonus hereinbefore mentioned, to issue debentures of the said municipality to the amount of eight hundred dollars, in sums of not less than one hundred dollars each, payable in thirteen years from the date thereof and within twenty years from the date of the passing of this by-law, such debentures to bear interest at four per cent. per annum from the date thereof, the interest on said debentures to be payable yearly, and coupons therefor to be attached to said debentures.

(7) It shall be lawful for the corporation of the said Town of Wiar-ton, for the purpose of paying the sixth annual payment of \$800.00 bonus hereinbefore mentioned, to issue debentures of the said municipality to the amount of eight hundred dollars in sums of not less than one hundred dollars each, payable in twelve years from the date thereof and within twenty years from the date of the passing of this by-law, such debentures to bear interest at four per cent. per annum from the date thereof, the interest on said debentures to be payable yearly, and coupons therefor to be attached to said debentures.

(8) The said debentures as to principal and interest shall be payable at the office of the Treasurer of the Town of Wiar-ton.

(9) It shall be lawful for the Mayor of the municipality upon the taking effect of this by-law and upon the Owen Sound Sugar Manufacturing Company, Limited, entering into the bond hereinbefore mentioned, and he is hereby authorized and instructed, upon such taking effect of this by-law, and upon receiving such bond, to sign the debentures for \$400.00 authorized to be issued under the first enacting clause of this by-law, and to cause the same and the interest coupons attached thereto to be signed by the Treasurer of the said municipality, and the clerk of the said municipality is hereby authorized and instructed to attach the seal of the said municipality to the said debentures, and upon receiving a valid conveyance of the lands hereinafter mentioned, to deliver such debentures when so signed and sealed to the person or persons making such conveyance of said lands, and upon receiving such conveyance the Mayor and clerk of said municipality are hereby authorized and instructed to convey the said

lands by deed under the corporate seal of the said municipality to the said The Owen Sound Sugar Manufacturing Company, Limited, their successors and assignes, upon the fulfilment by the said The Owen Sound Sugar Manufacturing Company, Limited, their successors or assigns of the terms and conditions in that behalf hereinbefore recited.

(10) It shall be lawful for the Mayor of the said municipality upon the fulfilment by the said The Owen Sound Sugar Manufacturing Company, Limited, their successors or assigns of the terms and conditions in that behalf hereinbefore recited, and he is hereby authorized and instructed, upon such fulfilment thereof, to sign the debentures for eight hundred dollars hereby secondly authorized to be issued and to cause the same and the interest coupons attached thereto to be signed by the Treasurer of the said municipality, and the clerk of the said municipality is hereby authorized and instructed to attach the seal of the said municipality to the said debentures, upon the fulfilment by the said company, their successors or assigns of the said terms and conditions, and such debentures when so signed and sealed shall be delivered to the said company, their successors or assigns.

(11) It shall be lawful for the mayor of the said municipality upon the fulfilment by the said company their successors or assigns of the terms and conditions in that behalf hereinbefore recited, and he is hereby authorized and instructed, upon such fulfilment thereof, to sign the debentures for eight hundred dollars hereby thirdly authorized to be issued and to cause the same and the interest coupons attached thereto to be signed by the treasurer of the said municipality and the clerk of the said municipality is hereby authorized and instructed to attach the seal of the said municipality to the said debentures, upon the fulfilment by the said company, their successors or assigns of the said terms and conditions, and such debentures when so signed and sealed shall be delivered to the said company, their successors or assigns.

(12) It shall be lawful for the mayor of the said municipality upon the fulfilment by the said company, their successors or assigns of the terms and conditions in that behalf hereinbefore recited, and he is hereby authorized and instructed, upon such fulfilment thereof, to sign the debentures for eight hundred dollars hereby fourthly authorized to be issued and to cause the same and the interest coupons attached thereto to be signed by the treasurer of the said municipality and the clerk of the said municipality is hereby authorized and instructed to attach the seal of the said municipality to the said debentures, upon the fulfilment by the said company, their successors or assigns of the said terms and conditions, and such debentures when so signed and sealed shall be delivered to the said company their successors or assigns.

(13) It shall be lawful for the mayor of the said municipality upon the fulfilment by the said company their successors or assigns of the terms and conditions in that behalf hereinbefore recited, and he is hereby authorized and instructed, upon such fulfilment thereof, to sign the debentures for eight hundred dollars hereby fifthly authorized to be issued and to cause the same and the interest coupons attached thereto to be signed by the treasurer of the said municipality and the clerk of the said municipality is hereby authorized and instructed to attach the seal of the said municipality to the said debentures, upon the fulfilment by the said company their successors or assigns of the said terms and conditions, and such debentures when so signed and sealed shall be delivered to the said company, their successors or assigns.

(14) It shall be lawful for the mayor of the said municipality upon the fulfilment by said company their successors or assigns of the terms and conditions in that behalf hereinbefore recited and he is hereby authorized and instructed, upon such fulfilment thereof, to sign the debentures for eight hundred dollars hereby sixthly authorized to be issued and to cause the same and the interest coupons attached thereto to be signed by the treasurer of the said municipality and the clerk of the said municipality

is hereby authorized and instructed to attach the seal of the said municipality to the said debentures upon the fulfilment by the said company their successors or assigns of the said terms and conditions and such debentures when so signed and sealed shall be delivered to the said company their successors or assigns.

(15) It shall be lawful for the mayor of the said municipality upon the fulfilment by the said company their successors or assigns of the terms and conditions in that behalf hereinbefore recited, and he is hereby authorized and instructed, upon such fulfilment thereof, to sign the debentures for eight hundred dollars hereby severally authorized to be issued and to cause the same and the interest coupons attached thereto to be signed by the Treasurer of the said municipality, and the clerk of the said municipality is hereby authorized and instructed to attach the seal of the said municipality to the said debentures, upon the fulfilment by the said company their successors or assigns of the said terms and conditions, and such debentures when so signed and sealed shall be delivered to the said company their successors or assigns.

(16) There shall be raised and levied by special rate on all the rateable property in the said municipality for payment of the interest on the debentures for \$400.00 mentioned in the first enacting clause of this by-law the sum of \$16.00 and for payment of the principal of said debentures the sum of \$15.00 during the currency of such debentures.

(17) There shall be raised and levied by special rate on all the rateable property in the said municipality for payment of the interest on the debentures for \$800.00 mentioned in the second enacting clause of this by-law the sum of \$32.00 and for payment of the principal of said debentures the sum of \$36.80 during the currency of such debentures.

(18) There shall be raised and levied by special rate on all the rateable property in the said municipality for payment of the interest on the debentures for \$800.00 mentioned in the third enacting clause of this by-law the sum of \$32.00 and for payment of the principal of said debentures the sum of \$39.70 during the currency of such debentures.

(19) There shall be raised and levied by special rate on all rateable property in the said municipality for payment of the interest on the debentures for \$800.00 mentioned in the fourth enacting clause of this by-law the sum of \$32.00 and for payment of the principal of said debentures the sum of \$43.05 during the currency of such debentures.

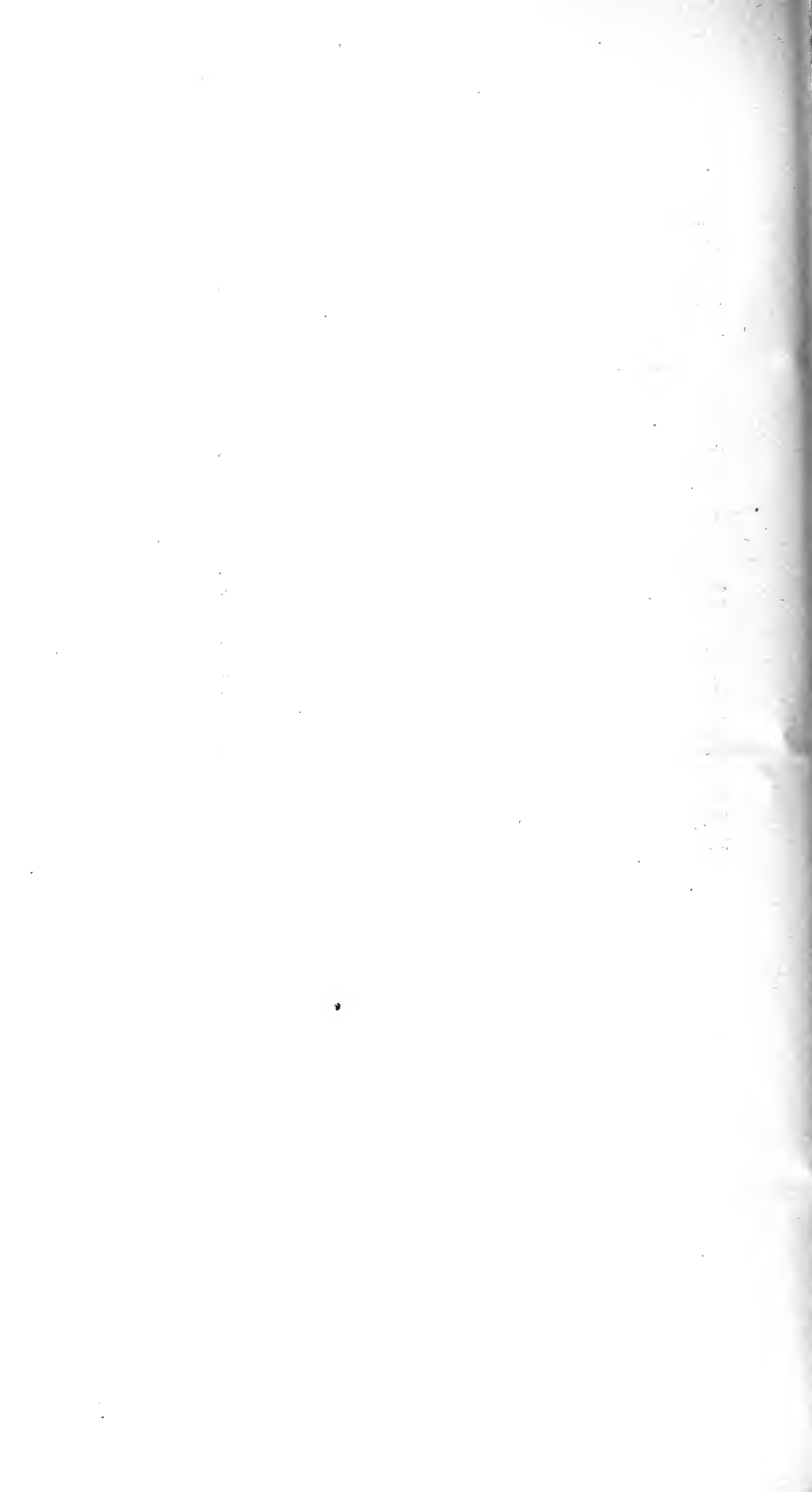
(20) There shall be raised and levied by special rate on all the rateable property in the said municipality for payment of the interest on the debentures for \$800.00 mentioned in the fifth enacting clause of this by-law the sum of \$32.00 and for payment of the principal of said debentures the sum of \$46.85 during the currency of such debentures.

(21) There shall be raised and levied by special rate on all the rateable property in the said municipality for payment of the interest on the debentures for \$800.00 mentioned in the sixth enacting clause of this by-law the sum of \$32.00 and for payment of the principal of said debentures the sum of \$51.25 during the currency of such debentures.

(22) There shall be raised and levied by special rate on all the rateable property in the said municipality for payment of the interest on the debentures for \$800.00 mentioned in the seventh enacting clause of this by-law the sum of \$32.00 and for payment of the principal of said debentures the sum of \$56.40 during the currency of such debentures.

(23) The company shall be during the period of ten years from the completion of the building as hereinbefore recited, exempt from the payment of all taxes (except school taxes).

(24) A poll shall be held and the votes of the ratepayers entitled to vote upon this by-law shall be taken thereon, on Tuesday the 9th day of May next at the hour of nine o'clock in the forenoon and continuing until five o'clock in the afternoon of the same day, by the undermentioned deputy returning officers at the places undermentioned, namely: North ward,



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No. 12.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting By-law 127 of the Town
of Warton.

| | |
|----------------|-------|
| First Reading, | 1900. |
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(Private Bill).

Mr. BOWMAN.

TORONTO,

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act to amend "An Act to confer certain powers
on the Town of Strathroy."

WHEREAS doubts have arisen as to the right of the cor- Preamble.
poration of the town of Strathroy to grant a bonus to
the "Paine Upholstering Company of Strathroy, Limited,"
for the sum of \$6,500 owing to the contention that the Legis-
5 lature may not have intended to exclude a bonus granted by
the corporation to the Strathroy Canning Company prior to
the passing of the Act passed in the 56th year of Her Majesty's
reign, chaptered 82, in estimating the annual payments there-
for under section 3 sub-section 4 of the said Act; and whereas
10 it is desirable to more fully declare the intention of the Legis-
lature under section 3 of the said Act and to set at rest any
doubts that may have arisen and to confirm and approve of
the bonuses granted under the powers conferred by said Act;

Therefore Her Majesty, by and with the advice and consent
15 of the Legislative Assembly of the Province of Ontario, enacts
as follows:—

1. Sub-section 4 of section 3 of the Act passed in the 56th 56 V. c. 82,
year of Her Majesty's reign, chaptered 82, is amended by s. 3 sub.-s. 4
adding at the end thereof the words following: "But the amended.
20 limitation in this section mentioned shall only extend and Limitations
apply to the annual payment for any bonus or bonuses as not to include
aforesaid granted after the passing of this Act and no bonuses grant-
estimate shall be made under this section of any annual pay- ed prior to 56
25 ment required to pay off any such bonus or bonuses granted V. c. 82.
by the corporation of the town of Strathroy prior to the
27th day of May, 1893."

2. Notwithstanding the limitations contained in the said Limit of
sub-section 4 the corporation of the town of Strathroy may bonusing
grant bonuses in the aggregate under the powers conferred by powers.
30 the said Act to the full extent of \$20,000.

No. 13.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to amend "An Act to confer certain powers on the Town of Strathroy."

First Reading, 1900.

(Private Bill.)

Mr. MCKAY.

TORONTO:

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act to amend "An Act to Confer Certain Powers
on the Town of Strathroy."

WHEREAS by an Act passed in the 56th year of Her Majesty's reign, chaptered 82, the Municipal Corporation of the Town of Strathroy was authorized to pass by-laws for granting aid by way of loan or bonus to secure the establishment of industrial enterprises in the said town to an amount not exceeding in the aggregate the sum of \$20,000; And whereas it was amongst other things in and by the said Act enacted that no bonus should be granted in aid of any manufacturing industry where the granting of such bonus would for its payment together with the payment of similar bonuses already granted by the municipality require an annual levy for principal and interest exceeding ten per cent. of the total annual municipal taxation thereof; And whereas the municipal council of the said town on the 4th day of May, 1896, passed a by-law, number 366, of the said town intituled "A by-law to provide for the issue of debentures of the Town of Strathroy to the amount of \$10,000 by way of bonus or loan to a wholesale furniture manufactory;" And whereas the said municipal council of the town of Strathroy on or about the 4th day of December, 1899, passed a by-law intituled "By-law No. 452 of the Municipal Corporation of the Town of Strathroy in the County of Middlesex and the Province of Ontario, for the purpose of granting a bonus to the extent of \$6,500 to The Paine Upholstery Company of Strathroy, Limited;" And whereas prior to the passing of the said Act a bonus had been granted by the Council of the said town in aid of a canning industry; And whereas the said by-laws were in other respects duly passed in accordance with the provisions of the said Act passed in the 56th year of Her Majesty's reign, chaptered 82; And whereas it appears that the loan contracted for the purpose of aiding the said canning industry will be paid off in the month of June, 1902; And whereas it further appears that the amount required to be raised annually for payment of the bonuses granted under the said by-laws Nos. 366 and 452 do not together amount to seven per cent. of the total annual municipal taxation of the said town; And whereas doubts have arisen as to whether it was intended that the said limitation of ten per cent. should apply so as to include bonuses granted prior to the passing of the said Act; And whereas the council of the said town passed

the said by-law number 336 and the said by-law number 452 in good faith believing that the said limit of ten per cent. of the total annual municipal taxation of the town imposed by the said Act applied only as to bonuses granted after the passing of the said Act; And whereas the amount required to be raised annually as aforesaid under the said by-laws 366 and 452 together with the amount required to be raised annually in respect to the said bonus to the said canning industry exceeds ten per cent. of the total annual municipal taxation of the said town; And whereas in view of the said doubt the municipal corporation of the town of Strathroy has by petition prayed that the said by-law numbered 366 and 452 may be confirmed and declared to be legal and valid and that it may be declared *that* the municipal council of the said town has power subject to the provisions of the said Act to grant further bonus within the said limit of \$20,000 and which will not together with the payment of the said bonuses granted under by-law numbers 366 and 452 require an annual levy for principal and interest exceeding ten per cent. of the total annual municipal taxation of the said town; And whereas it is expedient to grant the prayer of the said petition.

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

By-laws numbers 366 and 452 to aid a wholesale furniture manufacturer and "The Paine Upholstering Company" confirmed.

1. The said by-law number 366 intituled as in the preamble to this Act and set out in schedule A hereto, and the agreement thereto appended, and the said by-law number 452 intituled as in the preamble to this Act and set out in schedule B hereto and the agreement thereto appended, are severally declared to be and to have been respectively legal, valid and binding upon the municipal corporation of the Town of Strathroy and the ratepayers thereof, and upon the parties to the said agreement from the dates of the passing thereof.

Power to pass by-laws to aid industrial enterprises.

2. The said municipal council of the town of Strathroy may pass a by-law or by-laws for granting aid by way of loan or bonus to secure the establishment of industrial enterprises within the said town or to take stock in any such industrial enterprises to an amount not exceeding together with the amounts already granted under the said by-laws numbers 366 and 452 in the aggregate \$20,000, and to issue debentures and do all other acts in connection therewith as if the power to grant bonuses was still vested in municipalities, provided that the granting of any such bonus shall not for its payment, together with the payment of the bonuses granted by the said by-laws numbers 366 and 452 and any bonus granted under this section require an annual levy for principal and interest exceeding ten per cent. of the total annual municipal taxation of the municipality: and provided that save as hereinbefore provided any by-law passed under this section shall in all

respects conform and be subject to the provisions of the said Act passed in the 56th year of Her Majesty's reign, chaptered 82.

SCHEDULE A.

BY-LAW NO. 366.

A By-law to provide for the issue of Debentures of the Town of Strathroy to the amount of \$10,000 by way of Bonus or Loan to a Wholesale Furniture Manufacturer.

Whereas by special Act of the Legislature of the Province of Ontario, 56 Victoria, chapter 82, entitled "An Act to confer certain powers on the Town of Strathroy," it is provided that owing to the loss to the town by the destruction of one of the principal industrial establishments it should be lawful for the said corporation to grant by way of bonus or loan a sum in the aggregate not exceeding twenty thousand dollars to secure the establishment of a furniture manufactory within the said town of equal labor giving extent to that destroyed.

And whereas the Municipal Corporation of the Town of Strathroy have determined to grant by way of bonus or loan the sum of ten thousand dollars to William H. Merritt, of the City of Brandon, and Samuel M. Smyth, of the same place, Manufacturers, in behalf of themselves and the "Strathroy Furniture Company," hereinafter to be incorporated for the establishment of a furniture manufactory within the limits of the Town of Strathroy for the purpose of manufacturing all kinds of furniture on the conditions and subject to the terms and restrictions mentioned and contained in the proposed agreement, a copy of which is hereunder written and referred to as schedule "A" and which said schedule is hereby declared to be and is part of this By law.

And whereas it is necessary to raise the said sum of ten thousand dollars by means of debentures of the said Corporation of Strathroy extending over a period of twenty years, and the said sum of ten thousand dollars and the interest thereon is the debt intended to be created by this By-law.

And whereas it will be necessary for the said corporation in order to raise the said sum of ten thousand dollars and interest thereon to pay off the debenture to be issued to raise the said sum of ten thousand dollars in specified annual instalments by a special rate sufficient therefor during the period of twenty years, the currency of the debt to be raised by a special rate annually on the whole rateable property of the said town in the year A.D. 1897 and in each of the next ensuing nineteen years, and the aggregate amount or sum necessary to be raised annually to discharge the several instalments of principal and interest accruing due in each year and to pay the debentures hereinafter authorized to be issued and the interest thereon at five per cent. per annum is the sum of \$802.43.

And whereas the amount of the whole rateable property in the Town of Strathroy, according to the last revised assessment roll of the said town being for the year one thousand eight hundred and ninety-five, is \$938,086, irrespective of any future increase of the same.

And whereas the existing debenture debt of the said Town of Strathroy is the sum of \$35,250, no part of the principal of the said debenture debt and no part of the interest thereof is in arrear.

Therefore the Council of the Municipal Corporation of the Town of Strathroy, by virtue of the powers vested in them by the *Municipal Act of 1892*, and amending Acts, and by virtue of 56 Victoria, chapter 82, *An Act to confer certain powers on the Town of Strathroy*, enacts as follows:—

1. It shall be lawful for the Town of Strathroy to grant by way of a bonus or loan the sum of ten thousand dollars to the said William H^o

Merritt and Samuel M. Smyth in behalf of themselves and the Strathroy Furniture Company, hereafter to be incorporated in respect of the manufacturing establishment and subject to the terms, conditions, restrictions, named in the agreement, a copy of which is set forth in schedule "A" hereunder written.

2. When the assent of the electors of the Corporation of the said Town of Strathroy who are entitled to vote thereon has been obtained thereto and this By-law shall have been finally passed, it shall be lawful for the Mayor of this corporation to execute the said agreement on behalf of this corporation, on the execution thereof by the said William H. Merritt and the said Samuel M. Smyth on behalf of themselves and of the Strathroy Furniture Company.

3. It shall be lawful for the said corporation for the purpose aforesaid to raise the sum of ten thousand dollars by the issue of debentures as hereinafter mentioned.

4. It shall be lawful for the purpose aforesaid for the mayor for the time being of this corporation to make and issue twenty debentures of the said corporation to be made for the specified sums, payable annually as hereinafter set forth with coupons attached as hereinafter described for the payment of interest, which shall be sealed with the seal of the corporation, signed by the mayor and countersigned by the treasurer, which shall bear interest at the rate of five per cent. per annum, such interest to be payable on the 5th day of April, A.D. 1897, and in each of the next succeeding nineteen years to and including the year A.D. 1916, and the last of such payments of interest on the 5th day of April, A.D. 1916.

5. That the instalments of principal and interest on the said debentures shall be payable annually on the 5th day of April in each and every year, and the specified sums required respectively for the payment of principal and interest in each year during the currency of the said debentures is set forth in the following statement thereof, namely: And whereas it will require the sum of \$802.43 to be raised annually for a period of twenty years, the currency of the debentures to be issued under the authority of this By-law, to pay off the debt created by this By-law, according to the provisions of the said recited Acts, and the total payment of principal and interest in each year shall be as follows:—

| Debenture No. | Year. | Am't to be raised for payment of principal. | Am't to be raised for payment of interest. | Total. |
|---------------|-------|---|--|----------|
| 1, 5th April | 1897 | \$302 43 | \$500 00 | \$802 43 |
| 2, " | 1898 | 317 55 | 484 88 | 802 43 |
| 3, " | 1899 | 333 43 | 469 00 | 802 43 |
| 4, " | 1900 | 350 10 | 452 33 | 802 43 |
| 5, " | 1901 | 367 60 | 434 83 | 802 43 |
| 6, " | 1902 | 385 98 | 416 45 | 802 43 |
| 7, " | 1903 | 405 28 | 397 15 | 802 43 |
| 8, " | 1904 | 425 54 | 376 89 | 802 43 |
| 9, " | 1905 | 446 82 | 355 61 | 802 43 |
| 10, " | 1906 | 469 16 | 333 27 | 802 43 |
| 11, " | 1907 | 492 62 | 309 81 | 802 43 |
| 12, " | 1908 | 517 25 | 285 18 | 802 43 |
| 13, " | 1909 | 543 11 | 259 32 | 802 43 |
| 14, " | 1910 | 570 26 | 232 17 | 802 43 |
| 15, " | 1911 | 598 78 | 203 65 | 802 43 |
| 16, " | 1912 | 628 72 | 173 71 | 802 43 |
| 17, " | 1913 | 660 16 | 142 27 | 802 43 |
| 18, " | 1914 | 693 16 | 109 27 | 802 43 |
| 19, " | 1915 | 727 83 | 74 60 | 802 43 |
| 20, " | 1916 | 764 22 | 38 21 | 802 43 |
| Total | | \$10,000 | | |

| | |
|---|----------|
| Debenture No. 1, one coupon for annual interest thereon | \$15 12 |
| Debenture No. 2, two coupons for annual interest thereon each . . . | 15 88 |
| Debenture No. 3, three coupons for annual interest thereon each . | 16 67 |
| Debenture No. 4, four coupons for annual interest thereon each . . | 17 51 |
| Debenture No. 5, five coupons for annual interest thereon each . . . | 18 38 |
| Debenture No. 6, six coupons for annual interest thereon each | 19 30 |
| Debenture No. 7, seven coupons for annual interest thereon each . . | 20 26 |
| Debenture No. 8, eight coupons for annual interest thereon each . . | 21 28 |
| Debenture No. 9, nine coupons for annual interest thereon each . . | 22 34 |
| Debenture No. 10, ten coupons for annual interest thereon each . . . | 23 46 |
| Debenture No. 11, eleven coupons for annual interest thereon each | 24 63 |
| Debenture No. 12, twelve coupons for annual interest thereon each | 25 86 |
| Debenture No. 13, thirteen coupons for annual interest thereon each | 27 16 |
| Debenture No. 14, fourteen coupons for annual interest thereon each | 28 52 |
| Debenture No. 15, fifteen coupons for annual interest thereon each | 29 94 |
| Debenture No. 16, sixteen coupons for annual interest thereon each | 31 42 |
| Debenture No. 17, seventeen coupons for annual interest thereon each | 33 01 |
| Debenture No. 18, eighteen coupons for annual interest thereon each | 34 66 |
| Debenture No. 19, nineteen coupons for annual interest thereon each | 36 39 |
| Debenture No. 20, twenty coupons for annual interest thereon each | 38 21 |
| Total amount of interest payable first year | \$500 00 |

6. Such Debentures shall have coupons attached thereto for the payment of such interest and the said Debenture and the said coupons shall be payable at the office of the Treasurer for the said Corporation and the principal of the said Debentures shall be payable on the 5th day of April in the year A.D. 1897, and each of the next succeeding nineteen years for the amount and in the manner hereinafter mentioned and described. And the said Debentures may contain a proviso in the following words ("This Debenture or any interest therein shall not after a certificate of ownership has been endorsed thereon by the Treasurer of the Municipal Corporation be transferable except by entry by the Treasurer in the 'Debenture Registry Book of the Corporation of the Town of Strathroy' or to the same effect.")

7. During the currency of the said debentures to be issued under the authority of this by-law there shall be levied and collected annually upon all the assessed value of all the rateable property in the Town of Strathroy over and above all other rates and taxes a special rate on the dollar which shall be sufficient to produce in each year as aforesaid during the currency of the said debt and debentures the sum of eight hundred and two dollars and forty-three cents.

8. The Mayor shall cause the said debentures to be sold and the sum of ten thousand dollars of the proceeds thereof applied for the purposes above specified.

9. This by-law shall take effect from and after the passing thereof.

10. And it is further enacted by the said Municipal Council of the Town of Strathroy that the votes of the electors of the said Town of Strathroy will be taken on this by-law by the deputy returning officers hereinafter named on Friday, the 10th day of April, A.D. 1896, commencing at nine o'clock in the morning and continuing till five o'clock in the afternoon at the undermentioned places :

FIRST WARD.

No. 1 Division at Maitland Street School—E. A. Whyte, deputy returning officer.

No. 2 Division at or near R. P. Smith's coach house—A. Goodwin, deputy returning officer.

SECOND WARD.

No. 3 Division at Fireman's Hall—J. E. Lauler, deputy returning officer.

No. 4 Division at Collegiate Institute—John Robinson, deputy returning officer.

THIRD WARD.

No. 5 Division at Colborne Street School—R. Dumbrill, deputy returning officer.

No. 6 Division at Caradoc Street School—James H. Lee, deputy returning officer.

That on Tuesday, the 7th day of April, 1896, between the hours of 10 and 12 o'clock a.m., at the Clerks' office in the Town of Strathroy persons will be appointed to attend as the final summing up of votes by the Clerk and to attend at each polling place on behalf of the persons interested in and desirous of promoting the passing of this by-law and a like number on behalf of persons interested in and desirous of opposing the passing of this by-law.

That the Clerk of the said Municipal Corporation shall attend at his office at the Town Hall at the hour of eleven o'clock in the forenoon on the 11th day of April, 1896, to sum up the number of votes given for and against this by-law.

I certify that I have examined this bill and that it is correct.

By-law read a first time, March 16th, A.D. 1896.

By-law read a second time and provisionally passed in open Council, March 16th, A.D. 1896.

By-law now read a third time and passed, this 4th day of May, A.D. 1896.

F. J. CRAIG, Clerk.

R. P. SMITH, Mayor.

SCHEDULE A.

This indenture, made in duplicate, the 9th day of March, A.D. 1896, between William H. Merritt, of the City of Brandon, in the Province of Manitoba, manufacturer, and Samuel M. Smyth, of the same place, manufacturer, of the first part, and the Municipal Corporation of the Town of Strathroy, in the County of Middlesex and Province of Ontario, herein-after called the Corporation of the second part.

Whereas the said Corporation of the Town of Strathroy are desirous of promoting the establishment of a wholesale manufacturing company within the limits of the Town of Strathroy, in pursuance of the powers vested in the said Corporation by the statutes of the Province of Ontario in that behalf.

And whereas the parties hereto of the first part have agreed, and do each of them both hereby on behalf of themselves, their heirs, executors, administrators and assigns, and on behalf of the Strathroy Furniture Company, agree to and with the Municipal Corporation of the Town of Strathroy to erect, maintain and operate within the limits of the Town of Strathroy, a wholesale furniture manufactory for the term of ten years, to be computed from the 1st day of August, A.D. 1896, to the first day of August, A.D. 1906, to be fully completed and ended in the manner following in consideration of a bonus or loan of the sum of ten thousand dollars to be paid by the said corporation to the said parties of the first part, on the terms and conditions hereinafter specified. This indenture by way of agreement, therefore, witnesseth that the parties hereto covenant and agree with each other as follows:—

1. The said parties of the first part shall within two months after the passage of a by-law confirming this agreement purchase within the limits of the said Town of Strathroy a suitable site for the establishment thereon of a wholesale furniture factory, and on or before the 1st day of August, A.D. 1896, to erect upon the said land as a fixture and have in

operation a building, plant and machinery suitable for the manufacture of furniture; such building, plant and machinery to cost not less than \$15,000, and the site, building, plant and machinery, respectively, to form a due proportion of the sum of \$15,000, and in case of dispute as to value the said value is to be determined by a referee to be appointed by the Judge of the County Court of the County of Middlesex. The said building to be of brick, or frame, covered with metal, and to be of at least 15,000 square feet of floor capacity, and the machinery of sufficient capacity to employ at least 100 men. The roof of the building is to be made to pass in class No. 1 of insurance, or fire proof, the machinery is to be new or practically new and to be the best that can be obtained for the purpose, and the said firm or company shall be called "The Strathroy Furniture Company."

2. The office or place of business of the said firm or company shall be in the Town of Strathroy, and the manager shall reside in Strathroy, and shall do, or have done, all the office business of the said company within the limits of the corporation, and such business shall be carried on in each year of the said term to the extent of an output of at least \$50,000 of manufactured furniture annually and the payment of at least \$15,000 annually in wages, the employment of an average of at least 40 hands daily during the first year and of 50 hands during every succeeding year of the said term; the wages to the manager not to exceed \$1,500 per annum and the wages to average not less than \$1.00 per day to the persons employed in the said manufactory.

3. The amount of output, wages paid and hands employed is to be determined by the corporation auditors or a referee to be appointed by the said corporation and the company's accountant, or if they cannot agree to the appointment of a third arbitrator the matter is to be referred to the Mastery in Chancery, London, or a third referee is to be appointed by the Judge of the County Court of Middlesex aforesaid.

4. In consideration of the successful purchase of site, erection of suitable buildings, and the purchase and operation of plant and machinery and the employment of labor as herein agreed, the Municipal Corporation of Strathroy agrees to pay or loan to the said parties of the first part the sum of ten thousand dollars to be paid to them within thirty days after the works are in active and successful operation as herein agreed and the due execution of a first mortgage as security for the due performance of all covenants and conditions herein and the repayment of all the unearned balance of the bonus to be given by the parties of the first part by way of mortgage for \$10,000 on the said site, buildings, plant and machinery as soon as the same are purchased, erected and in full operation as aforesaid.

5. And it is hereby agreed by the said parties of the first part that they shall have and keep and maintain a capital of at least \$25,000 over and above liabilities during all the said term invested in the said business including the said bonus or loan of \$10,000, but should it appear upon investigation upon the erection of the building and purchase of machinery and plant that the value during the first year is not up to the sum of \$15,000, the Council of Strathroy shall have power to withhold a proportionate part of the bonus till the value reaches the full complement of \$15,000.

6. The corporation agree to exempt from taxation the said manufactory during the said term, except as to the sum of one hundred dollars of taxes per annum.

7. The said parties of the first part, their heirs and assigns shall execute and deliver to the corporation, in a form to be approved of by the solicitor for the corporation, a mortgage in fee upon the said lands, building, plant, and machinery, such building plant, and machinery to be as between the parties hereto to be real estate, and fixtures, and to be incorporated in and covered by said mortgage, the said mortgage to be without interest, except as hereinafter provided, and to contain the usual covenants contained in the ordinary short form of mortgages, the covenants and conditions contained in this

agreement and a covenant to insure for \$10,000, and the loss, if any, payable to the corporation, as their interest may appear, and a proviso that in default, if any, of the covenants of this agreement the corporation may as therein provided enter on and lease or sell the said lands or foreclose as they deem best.

8. The said mortgage, upon the fulfillment of the covenants and conditions herein contained on behalf of the parties of the first part, are to be considered paid to the extent of \$1,000 for every year in which the said covenants and conditions are fulfilled, and in case of a partial performance the credit on the said mortgage is only to be given for the proportion of performance of the said covenants to be determined as provided in clause three of this agreement.

9. Any excess of output, employment of labor, or excess of other covenants herein, shall not be allowed in payment or part payment of the said mortgage, but in case of deficiency in one year and an excess in any succeeding years, the excess may be applied to make up the deficit, but no further, but this clause shall not extend to the covenant as to capital or the eleven months in the year during which the manufactory is to be kept running, nor to the average of wages to each person employed, and the covenants as to output and average number of employees daily are, nevertheless, all to be fully completed within the said term of ten years, and in no year is the minimum output to be less than \$50,000, nor the average number of employees less than 30 per diem.

10. In case of the covenants as to output or average number of employees in any year falling below the maximum amount stated, as output of \$50,000, average number of employees 40 for the first year and 50 for each succeeding year, then the said parties of the first part shall pay to the corporation in cash at the close of the year that proportion of the \$1,000 which is unearned by the want of fulfillment of the covenants herein contained, but the said parties shall be entitled to repayment of such sum if subsequently earned according to the terms of clause nine of this agreement, and the said parties shall be entitled to operate the said manufacturing company for three years beyond the term to pay off the unpaid portion of the mortgage, if any. It is agreed that the time, if any, during which the said works is shut down necessarily owing to strike of workmen, fire or accident not attributable to the neglect or delay of the parties of the first part shall not be deemed a breach of any of the covenants herein.

11. Upon a continued breach of any of the covenants herein on the part of the parties of the first part, or upon failure to keep up the maximum of output and amount of wages to be paid annually the said corporation may upon one month's notice enter in and take possession of the said premises and machinery and plant and proceed to foreclose, sell or rent the same as they may deem best from time to time.

12. The said parties of the first part may cause the said company to be incorporated at any time but this shall in no way release the parties of the first part from this agreement but the said company if so incorporated and the said parties of the first part shall both continue to be bound by the terms of this agreement and the said company will when so incorporated execute any document that may be required by the corporation of the town of Strathroy to effectually bind the said company so to be incorporated to the terms of this agreement equally with the said parties of the first part who will also execute any further such document if required by the said parties of the second part.

13. The said Samuel M. Smyth or his successor as manager agrees to become a resident of Strathroy during said term of ten years and no part of the sum of \$15,000 annually paid for wages shall be paid to any employee who is not a resident of Strathroy and no travellers' wages shall be estimated in the said sum of \$15,000 to be paid annually for wages.

14. In case of any trouble or disagreement in connection with this agreement other than those provided for, the matters in dispute shall be decided by James Shanly, master at London, or his successor in office.

15. It is agreed that during the said terms of ten years the parties of the first part or either of them shall not sell or dispose of his interest in the said bonus or in this agreement or the said lands and premises and machinery without the consent in writing of the parties of the second part to such sale or transfer.

16. It is understood that this agreement is not to be effective or binding till the same shall be ratified and sanctioned according to law by the municipal corporation of the town of Strathroy.

17. And in case the proper approval of electors is not obtained this agreement shall not be binding upon the parties of the second part, nor shall they be bound to do more than bring the matter before the people for their approval, and upon such approval being obtained the parties of the first part shall do all that is required to carry into effect this agreement.

18. The said parties of the first part may at any time during the said term replace any machinery with new and improved machinery so long as the subsequently acquired machinery, becomes as it hereby agreed, bound by the said mortgage and a security for the due performance of the covenants therein.

19. The said parties of the first part further agree to rebuild at any time during the ten years should the buildings herein referred to be destroyed or injured by fire within that term, and that after the expiration of the term of ten years the insurance of \$10,000 shall be continued, and should the building be injured or destroyed by fire within a further term of ten years the insurance moneys shall be paid to the Corporation of Strathroy absolutely, unless the parties of the first part elect to continue the operation of the manufactory and do rebuild and operate the same permanently and in that case the parties of the first part shall be entitled to the insurance again as fast as the rebuilding progresses.

In witness whereof the parties hereto have hereunto set their hands and seals.

| | | | | |
|--|---|----------|---------------------|---------|
| Signed, sealed and delivered in the presence of (Signed) J. FOLINSBEE. | } | (Signed) | WILLIAM H. MERRITT. | [Seal.] |
| | | (Signed) | SAMUEL M. SMYTH. | [Seal.] |

SCHEDULE B.

BY-LAW No. 452.

Of the Municipal Corporation of the Town of Strathroy, in the County of Middlesex, and Province of Ontario.

Whereas the said corporation have determined to grant by way of bonus or loan the sum of \$6,500 to Charles Sherman Paine, of the City of Grand Rapids, in the State of Michigan, Manufacturer, on behalf of himself and "The Paine Upholstering Company of Strathroy, Limited," hereinafter to be incorporated for the establishment of a manufactory within the limits of the Town of Strathroy, for the purpose of manufacturing upholstered furniture and other specialties of a like nature or otherwise on the conditions and subject to the terms and restrictions mentioned and contained in the proposed agreement, a copy of which, duly executed by the said Charles Sherman Paine, is hereunto annexed and referred to as schedule "A," and which said schedule is hereby incorporated with and declared to be and is part of this By-law.

And whereas it will be necessary for the said corporation, in order to raise the said sum of \$6,500 and interest thereon to pay of the debentures to be issued to raise the said sum of \$6,500, in specific annual instalments

by a special rate sufficient therefor during the period of twenty years to raised by a special rate annually on the whole rateable property of the said town in the year A. D. 1900, and in each of the next ensuing nineteen years, and the aggregate amount or sum necessary to be raised annually for principal and interest in each year to pay the debentures hereinafter authorized to be issued and the interest thereon at five per cent. per annum is the sum of \$521.59.

And whereas the amount of the whole rateable property of the said Town of Strathroy, according to the last revised or revised and equalized assessment roll is the sum of \$938,206, irrespective of any future increase of the same, and the amount of the existing debenture debt of the said Town of Strathroy is the sum of \$35,186.24, no part of the principal of the said debenture debt and no part of the interest thereon is in arrears.

Be it therefore enacted by the Municipal Council of the corporation of the said Town of Strathroy, by virtue of the powers vested in them by 56 Victoria, Chapter 82, and by the *Municipal Act*, as follows:—

1. It shall be lawful for the said Town of Strathroy to grant by way of bonus or loan the sum of \$6,500 to the said Charles Sherman Paine, on behalf of himself and "The Paine Upholstering Company of Strathroy, Limited," hereinafter to be incorporated in respect of the manufacturing establishment and subject to the terms, conditions and restrictions named in the agreement which is hereunto annexed as schedule "A."

2. When the assent of the electors of the said corporation of the said Town of Strathroy who are entitled to vote thereon has been obtained thereto and this By law shall have been finally passed, it shall be lawful for the Mayor of this corporation to execute the said agreement on behalf of this corporation on procuring the execution thereof, if required, by the said Charles Sherman Paine on behalf of himself and of "The Paine Upholstering Company of Strathroy, Limited."

3. It shall be lawful for the said corporation for the purpose aforesaid to raise the said sum of six thousand five hundred dollars by the issue of debentures as hereinafter mentioned.

4. It shall be lawful for the purposes aforesaid for the Mayor for the time being of this corporation to make and issue twenty debentures of the said corporation to be made for the specific sums payable annually as hereinafter set forth, with coupons attached as hereinafter described for the payment of interest, which shall be sealed with the seal of the said corporation, signed by the Mayor and countersigned by the Treasurer, which shall bear interest at the rate of five per cent. per annum, such interest to be payable on the 1st day of December, A.D. 1900, and on the 1st day of December in each of the next succeeding nineteen years to and including the year A.D. 1919, and the last of such payments of interest on the 1st day of December, 1919.

Such debentures shall have coupons attached thereto and duly signed by the Mayor and Treasurer for the payment of such interest as hereinafter mentioned, and the said debentures and the said coupons shall be payable at the office of the Treasurer for the said corporation, and the principal of the said debentures shall be payable on the first day of December, in the year A.D. 1900, and each of the next succeeding nineteen years, for the amounts and in the manner hereinafter mentioned and described in the table hereunder written, as follows:—

| Due 1st Dec. in the years mentioned hereunder | Debentures. | Principal amount of each debenture. | No. of coupons to each debenture. | Annual interest payable on each debenture. | Total amount interest at 5 per cent. | Total annual payment including interest at 5 per cent. |
|---|-------------|-------------------------------------|-----------------------------------|--|--------------------------------------|--|
| 1900 | 1st | \$196 58 | 1 | \$ 9 83 | \$325 01 | \$521 59 |
| 1901 | 2nd | 206 41 | 2 | 10 32 | 315 18 | 521 59 |
| 1902 | 3rd | 216 73 | 3 | 10 84 | 304 86 | 521 59 |
| 1903 | 4th | 227 57 | 4 | 11 38 | 294 02 | 521 59 |
| 1904 | 5th | 238 95 | 5 | 11 95 | 282 64 | 521 59 |

| Due 1st Dec. in the years mentioned hereunder | Debentures. | Principal amount of each debenture. | No. of coupons to each debenture. | Annual interest payable on each debenture. | Total amount interest at 5 per cent. | Total annual payment including interest at 5 per cent. |
|---|-------------|-------------------------------------|-----------------------------------|--|--------------------------------------|--|
| 1905 | 6th | \$250 90 | 6 | \$12 55 | \$270 69 | \$521 59 |
| 1906 | 7th | 263 45 | 7 | 13 17 | 258 14 | 521 59 |
| 1907 | 8th | 276 62 | 8 | 13 83 | 244 97 | 521 59 |
| 1908 | 9th | 290 45 | 9 | 14 52 | 231 14 | 521 59 |
| 1909 | 10th | 304 97 | 10 | 15 25 | 216 62 | 521 59 |
| 1910 | 11th | 320 22 | 11 | 16 01 | 201 37 | 521 59 |
| 1911 | 12th | 336 23 | 12 | 16 81 | 185 36 | 521 59 |
| 1912 | 13th | 353 04 | 13 | 17 65 | 168 55 | 521 59 |
| 1913 | 14th | 370 69 | 14 | 18 53 | 150 90 | 521 59 |
| 1914 | 15th | 389 22 | 15 | 19 46 | 132 37 | 521 59 |
| 1915 | 16th | 408 68 | 16 | 20 43 | 112 91 | 521 59 |
| 1916 | 17th | 429 11 | 17 | 21 46 | 92 48 | 521 59 |
| 1917 | 18th | 450 57 | 18 | 22 53 | 71 02 | 521 59 |
| 1918 | 19th | 473 10 | 19 | 23 66 | 48 49 | 521 59 |
| 1919 | 20th | 496 53 | 20 | 24 83 | 24 83 | 521 36 |
| Totals, | | \$6,500 00 | | \$325 01 | \$3,931 55 | \$10,431 57 |

5. It shall be the duty of the said Mayor to cause the said debentures to be sold to such person or persons, corporation or corporations, company or companies, as shall be willing to become purchasers thereof, and the proceeds shall be applied in paying the said Charles Sherman Paine, on behalf of himself and of "The Paine Upholstering Company of Strathroy, Limited," so to be incorporated, the said sum of six thousand five hundred dollars in the manner as stated in the said agreement.

6. For the purpose of paying the principal money and interest of the said debentures in instalments as aforesaid, aggregating \$521 59 in each year, there shall be levied and collected annually upon all the assessed value, of all the rateable property and income in the Town of Strathroy, over and above all other rates and taxes, a special rate sufficient therefor in each year as aforesaid.

7. This by-law shall take effect on, from and after the 1st day of December, A.D. 1899.

Provisionally passed in open council this 24th day of October, 1899. Final passing thereof on the 4th day of December, 1899.

8. Polls shall be held, and the votes of such of the ratepayers as shall be entitled to vote on this by-law shall be taken on this by-law at the following places:—

First Ward.—No. 1 Division at or near Maitland Street School, E. A. Whyte, deputy-returning officer. No. 2 Division at or near R. P. Smith's coach house, A. Goodwin, deputy-returning officer.

Second Ward.—No. 3 Division at Firemen's Hall, A. L. Leitch, deputy-returning officer. No. 4 Division at or near Collegiate Institute, John R. Clarke, deputy-returning officer.

Third Ward.—No. 5 Division at or near Colborne Street School, R. Dumbrell, deputy-returning officer. No. 6 Division at Caradoc Street School, Jas. H. Lee, deputy-returning officer.

Commencing at the hour of nine o'clock in the forenoon of the 28th day of November, A.D. 1899, and closing at the hour of five o'clock of the same day, and that the day fixed for the final passing of this by-law and for taking the same into consideration shall be and is the 4th day of December, A.D. 1899, at the hour of 8 o'clock p.m.

The appointment of persons to attend at the various places and at the final summing up of the votes on behalf of the persons interested in the promoting or opposing the passing of this by-law shall be at the office of the town clerk on the 27th day of November, A.D., 1899, between the hours of 10 o'clock a.m. and 12 o'clock, noon, and the time and place

where the said clerk shall sum up the number of votes given for and against this by-law shall be at his office on the 29th day of November, A.D. 1899, commencing at 10 o'clock a.m., and continuing till such duty is completed.

By-law read a first time, 24th day of October, A.D. 1899.

By-law read a second time, 24th day of October, A.D. 1899.

By-law read a third time, 4th day of December, A.D. 1899, and finally passed.

R. J. AVERY,
Mayor.

F. J. CRAIG,
Clerk.

THIS IS SCHEDULE A REFERRED TO IN THE FOREGOING
BY-LAW.

This indenture by way of agreement, made in duplicate the 17th day of October, A.D. 1899, between

Charles Sherman Paine, of the City of Grand Rapids, in the State of Michigan, one of the United States of America, manufacturer, of the first part, and

The Municipal Corporation of the Town of Strathroy, in the county of Middlesex and Province of Ontario, hereinafter called the Corporation, of the second part.

Whereas the said corporation is desirous of promoting and securing the establishment within the said town of industrial enterprises in pursuance of the powers vested in them under 56 Victoria, Chapter 82, "An Act to confer certain powers on the Town of Strathroy," and in pursuance of the powers vested in them by the Municipal Act.

And whereas the party hereto of the first part has agreed on behalf of himself, his heirs, executors, administrators and assigns, and on behalf of the "Paine Upholstering Company of Strathroy, Limited," hereafter to be incorporated, to erect, maintain and operate within the limits of the town of Strathroy a wholesale manufacturing establishment for the purpose of manufacturing upholstered furniture or other specialties of a like nature or otherwise for a term of ten years, to be computed from the first day of August, A.D. 1900, until the first day of August, 1910, to be fully completed and ended, except as further provided herein.

In consideration of a bonus or loan of the sum of \$6,500 by the said corporation to the said party of the first part on the terms and conditions hereinafter specified.

Now, this indenture, by way of agreement witnesseth that the parties hereto covenant and agree with each other, and on behalf of themselves, their heirs, executors, administrators and assigns, and successors and assigns, respectively, as follows:—

1. The said company shall, on or before the 31st day of March, A.D. 1900, purchase within the limits of the Town of Strathroy a site suitable for the establishment thereon of the buildings and works hereinafter mentioned, for an estate in fee simple, free from all encumbrance and charges and as soon thereafter as can be done, and not later than the 31st day of July, A.D. 1900, to erect upon the said lands as fixtures and have in active operation the building, plant and machinery suitable for the manufacturing of upholstered furniture and other specialties of a like nature, or otherwise such plant and machinery, building and site, to be worth not less than \$6,500, and such site, building and machinery respectively shall form a due proportion of the said value of \$6,500, and in case of dispute as to the said value thereof to be decided by a referee or valuator to be appointed by the Judge of the County Court of the County of Middlesex. The building shall be built in a substantial way for manufacturing purposes of brick 175x40 feet, two stories high, or if the dimensions are changed the floor surface of the said building or the capacity thereof to be fully equivalent to a building 175x40 and two stories high, and shall contain not less than 14,000 feet of floor surface, and shall be two stories high. The roof of said building shall consist of slate, metal or such other

construction as will enable the same to be classed among first-class risks with the insurance companies, and the machinery and plant shall be new or practically new, and suitable for the work of a first-class upholstering company, and of sufficient capacity to employ constantly and during all the said term at least thirty-five employees.

2. The said party of the first part also agrees with the said corporation that the head office of the company shall be located in the Town of Strathroy, and all the office work of the said company shall be carried on therein, and that he shall do or have done all the work and labor in connection with the said business within the limits of the Town of Strathroy. Such business shall be carried on to the extent of the employment of from thirty to thirty-five hands and upwards per day during the said term, to whom wages shall be paid to the extent of at least \$10,000 per annum, including a thousand dollars for a manager's salary, and the average daily wages, not including the manager's salary, shall be as high as that paid by other manufactories of similar goods in Canada for similar services.

3. The number of hands employed and the amount of money paid for wages shall be determined by the corporation auditors and the company's accountant, and in case of dispute by reference to the County Judge of Middlesex.

4. In consideration of such successful purchase of site, erection of building, and purchase and operation of plant and machinery, the Municipal Corporation of the Town of Strathroy agrees with the party of the first part, and the said company to be incorporated, to loan or grant the bonus to them of the sum of \$6,500, to be paid to them within thirty days after the works are in active operation, security to be given by the party of the first part by way of first mortgage on said site, building, plant and machinery (and an insurance thereon for \$6,500, or an amount equal to the corporation's interest, payable to the corporation) as soon as the same are purchased, erected, and in full operation, which is to be not later than the thirty-first day of July, A.D. 1900.

5. It is distinctly understood and agreed by and between the parties hereto that the party of the first part shall keep and maintain throughout the said term of ten years a capital of at least \$6,500 invested in the said business exclusive of the said sum of \$6,500 now advanced by the said corporation, and such capital shall be an available capital over and above all liabilities to be used in the successful operation and prosecution of the said industry, and the amount of capital invested at any time shall be determined as provided in the third paragraph hereof in regard to wages and hands.

6. The corporation shall, in pursuance of the powers vested in them by *The Municipal Act*, provide for the exemption during the aforesaid term of ten years of the properties of the said parties of the first part or the said company covered by such mortgage from all taxation except school taxes and the sum of \$20 per annum for general taxes, and in case the school taxes exceed the sum of \$45 the said yearly amount shall be reduced accordingly.

7. In order to secure the due performance of this agreement the said party of the first part and the said company so to be incorporated agree to execute and deliver or cause to be delivered to the said corporation, in form to be approved by the solicitor of the municipality, and in case of dispute by the Master of the High Court at Toronto or London a first mortgage in fee on the lands, buildings, plant and machinery, and substituted plant and machinery, so to be put in operation, such machinery, building and plant to be deemed between the parties hereto, their heirs, executors, administrators and assigns, and successors and assigns, respectively, as fixtures and to be incorporated in and covered by the said mortgage, such mortgage to be for the sum or consideration of \$6,500 without interest, except in default, and to contain the usual statutory covenants and a clause that in case of default in performance of any of the covenants herein contained for three months the said corporation may enter on and lease or sell the said lands and premises, and the

said mortgage shall contain a covenant to repay the said sum of \$6,500, or the unearned portion thereof to the said corporation with interest in case of default as hereinafter provided.

8. The said mortgage shall be considered paid and discharged in each and every year of the said term to the amount of \$650 provided the said party of the first part has kept constantly employed during such year an average of at least thirty employees per diem and shall have paid to the said employees the sum of at least \$10,000 in wages (including \$1,000 for the manager's salary), which shall average as high as it is herein before provided in paragraph two of the agreement, and such employment of hands and payment of wages shall be considered equivalent to and for a payment to the extent of \$650 annually, but should the amount of wages paid and the number of hands employed by the said party of the first part exceed the amount hereinbefore stated, such excess shall not affect such mortgage or become equivalent to payment, but in case of deficiency in any one year of the said term the excess of such payment or employment, of any subsequent year may be applied in payment of the deficit of prior years to the extent of such deficit and no more, and except as aforesaid such excess shall not in any way be estimated.

9. In case of default of active operation of the said business of manufacturing upholstered furniture, etc., for three months or more in any year of the said term, or in case of bankruptcy of the said party of the first part, leading to the non fulfillment of this agreement, or any cause of default in the minimum amount of wages paid, and hands employed, as especially mentioned, in any year of the said term the corporation, subject to the provisions hereinafter contained may re-enter and take possession of the said premises so mortgaged on two months' notice and sell or lease the said premises under the powers contained in said mortgage and recover the balance of principal unpaid, and upon such default the unpaid principal of the said mortgage shall thereupon become due and payable from the time of such default.

10. It is further agreed that the time, of any, during which such works shall be wholly or partially shut down or prevented from working their full capacity owing to the strike of workmen, fire or accident not attributed to the neglect or default of the said company, shall not be deemed a breach of any of the covenants of the preceding paragraphs.

11. And it is hereby agreed by and between the parties that in case of a partial fulfillment of this agreement as to the continuous operation of the aforesaid works, the number of hands employed and the wages paid, the said party of the first part shall have the privilege of paying in cash to the said corporation an amount equal to the value *pro rata* of the labor and wages in default, with interest for that year at the rate of five per cent. per annum. And the said corporation hereby agrees to allow the said party of the first part of the said company a further term of three years after the ten years in which to complete and fulfil all the terms of the said agreement regarding any deficit with reference to the annual payment of wages or employment of a minimum number of hands.

12. It is further agreed that if the aforesaid building, machinery or any part thereof be destroyed by fire during the said term the said company will rebuild the same, the corporation agreeing to advance out of the insurance money received the money necessary for such rebuilding on progressive estimates periodically as the work advances.

13. It is hereby understood and agreed that this said sum of \$6,500 is advanced upon the express understanding that the party of the first part shall remain bound by this agreement individually and the said company so to be incorporated.

14. It is understood that this agreement is not to be binding till the same shall be regularly and legally approved by the municipal corporation of the town of Strathroy and the electors thereof.

15. And in case the approval of the electors is not obtained, this agreement shall not be binding upon the parties hereto, nor shall the corporation be bound to do more than put the question before the people for their

approval, and upon such approval being obtained the party of the first part agrees to fulfill all the terms of this agreement on behalf of the said company so to be incorporated.

16. It is expressly understood and agreed that the covenants herein contained regarding the amount of wages paid and number of hands employed shall not be strictly binding on the party of the first part during the first two years of this term, provided the said manufacturing is making good progress, but this clause shall in no way effect clause eleven of this agreement or the provisions hereof in regard to value of building, plan and machinery or capital invested.

17. And it is further agreed by and between the parties hereto that the said Paine Upholstering Company of Strathroy, Limited, shall after the expiration of the said term of ten years continue the insurance on the said premises in the same way in favor of the corporation for a further term of five years, subject to the same conditions for repayment to the party of the first part for the purpose of re-building as hereinbefore it is provided.

In witness whereof the parties hereto have hereunto set their hands and seals.

CHARLES SHERMAN PAINE.

[Seal].

F. J. CRAIG,
CLERK.

R. J. AVERY,
Mayor.

Witness

JOHN FOLINSBEE,
On behalf of the Town of Strathroy.

DUNCAN C. ROSS,
As to the signature of Charles Sherman Paine and his behalf.

No. 13.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to amend "An Act to confer certain powers on the Town of Strathroy."

First Reading, 21st March, 1900.

(Reprinted as amended by the Private Bills Committee.)

Mr. MCKAY.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act to confirm By-Law No. 1,254 of the City of
St. Catharines.

- W**HEREAS the Welland Hotel and Sanatorium Company, Preamble.
Limited, being desirous of making certain improve-
ments and extensions to their hotel premises in the City of
St. Catharines, have requested the municipal corporation of
5 the said city to fix the assessment upon said property at the
sum of fifteen thousand dollars for a period of ten years from
the first day of January, 1900; and whereas the municipal
corporation of the said city did on the 11th day of December,
A. D. 1899, enact by By-law No. 1,254 of said corporation, that
10 the said company's assessment should be so fixed at the sum of
fifteen thousand dollars as aforesaid, and the said company
has by its petition prayed that said by-law be legalized and
declared binding upon the said corporation; and whereas it is
expedient to grant the prayer of the said petition;
- 15 Therefore Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:
1. By-law No. 1,254 of the Municipal Council of the City of
St. Catharines, entitled "A By-law to fix the assessment of the
20 property of the Welland Hotel and Sanatorium Company,
Limited, commonly known as the Welland House, at the sum
of fifteen thousand dollars for a period of ten years," passed
by the said Council on the 11th day of December, 1899, is
hereby declared legal, valid and binding upon the said cor-
25 poration.
- By-law 1,254,
fixing assess-
ment of Wel-
land Hotel
and Sanator-
ium Company,
Limited.

No. 14.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL

An Act to confirm By-law No. 1,254 of the
City of St. Catharines.

| | |
|----------------|-------|
| First Reading, | 1900. |
|----------------|-------|

(Private Bill.)

Mr. GERMAN.

TORONTO.

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act to confirm By-Law No. 1,254 of the City of
St. Catharines.

WHEREAS the Welland Hotel and Sanatorium Company, Preamble.
Limited, being desirous of making certain improve-
ments and extensions to their hotel premises in the City of
St. Catharines, have requested the Municipal Corporation of
the said city to fix the assessment upon said property at the
sum of fifteen thousand dollars for a period of ten years from
the first day of January, 1900; and whereas The Municipal
Corporation of the said city did on the 11th day of December,
A.D. 1899, enact by By-law No. 1,254 of said Corporation, that
the said company's assessment should be so fixed at the sum of
fifteen thousand dollars as aforesaid, and the said company
has by its petition prayed that said by-law be legalized and
declared binding upon the said corporation; ~~and~~ and whereas no
opposition has been offered to the said petition; ~~and~~ and whereas
it is expedient to grant the prayer of the said petition;

Therefore Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. By-law No. 1,254 of the Municipal Council of the City of
St. Catharines, entitled "A By-law to fix the assessment of the
property of the Welland Hotel and Sanatorium Company,
Limited, commonly known as the Welland House, at the sum
of fifteen thousand dollars for a period of ten years," passed
by the said Council on the 11th day of December, 1899, is
hereby declared legal, valid and binding upon the said cor-
poration. ~~and~~ Provided, however, that nothing in the said by-
law contained shall affect the assessment of the lands, buildings
and premises above mentioned for school purposes, and the
said lands, buildings and premises shall in all respects be
assessed for and be liable to taxes for school purposes in the
same manner and to the same extent as if the said by-law had
not been passed. ~~and~~

By-law 1,254,
fixing assess-
ment of Wel-
land Hotel
and Sanator-
ium Company,
Limited.

SCHEDULE A.

BY-LAW No. 1,254.

A By-law to fix the assessment of the property of the Welland Hotel and Sanatorium Company, Limited, commonly known as the Welland House, at the sum of fifteen thousand dollars for a period of ten years.

Whereas the Welland Hotel and Sanatorium Company, Limited, the owners of the above property, desire to make extensive improvements thereto, and have requested this Council that in view of their doing the same their assessment be fixed at the sum of fifteen thousand dollars for a period of ten years.

And whereas this Council deems it expedient to accede to the said request so far as it has power so to do ;

Be it therefore enacted by the municipal council of the City of St. Catharines, that the assessment of the property of the Welland Hotel and Sanatorium Company, Limited, situate at the corner of Ontario and King streets, in the City of St. Catharines, known as the Welland House, and _____ premises connected therewith, as the said property and premises are mentioned and described in the assessment roll of the City of St. Catharines for the year 1899, be fixed at the sum of fifteen thousand dollars for each year during a period of ten years from the first day of January, 1900.

Adopted and passed on the 11th day of December, 1899, and amendment thereto of February 5th, 1900.

J. ROLLISON,
City Clerk.

M. Y. KEATING,
Mayor.



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No. 14.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL

An Act to confirm By-law No. 1,254 of the
City of St. Catharines.

First Reading, 21st March, 1900.

*(Reprinted as amended by Private Bills
Committee.)*

MR. GERMAN.

TORONTO,

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act to amend the Acts respecting the Napanee River Improvement Company, and provide for the Drainage of Lands in the Townships of Portland and Camden.

WHEREAS the Napanee River Improvement Company was Preamble. incorporated in the year of Our Lord 1866, by an Act of the Parliament of Canada, (29-30 Victoria, Cap. lxxxiv.), for the purpose of erecting reservoirs and of improving and increasing the supply of water in the Napanee river, for manufacturing purposes, and was by said Act and the amendments thereto, empowered "to take, use, enter upon and occupy any lands, and to construct any dams or reservoirs they may deem expedient upon or along the waters of" said river; and whereas said Act was declared to be a public Act; and whereas said company has erected and is maintaining, amongst others, a dam on said river near the foot of Napanee lake, thereby flooding and rendering unfit for cultivation an area of about 15,000 acres of land in the townships of Portland and Camden, and without having paid or given any compensation therefor to the owners thereof; and whereas the flooding of said lands, caused by said dam, injuriously affects the health of the general public in the vicinity, and does serious damage to many of the roads and highways in said townships; and whereas before the creation of said dam the municipal council of said township of Portland, at a very large expense, caused a survey of said lands so flooded to be made, with a view to the better drainage of the same; and whereas the necessity for maintaining a water supply on said river for the purposes aforesaid which existed at the time of the passing of said Act and amendments thereto does not now appear;

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

30 **1.** This Act may be cited as "*The Township of Portland Drainage Act, 1900.*" Short title.

Company not
authorized to
construct dam
or reservoir.

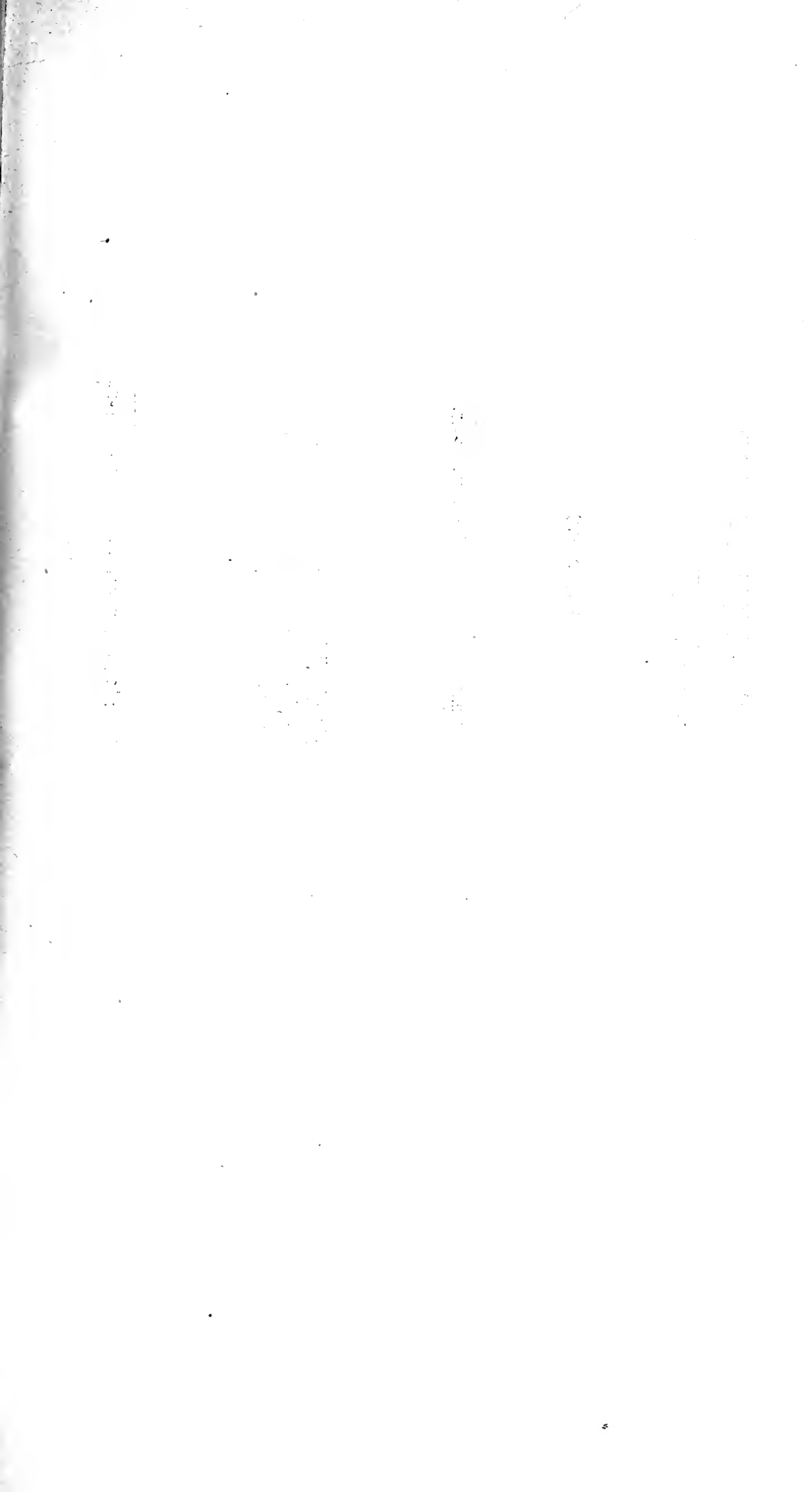
2. Nothing in the Act of the Parliament of Canada passed in the 29th and 30th years of the reign of Her Majesty Queen Victoria, chaptered 84, intituled "*An Act for the Improvement of the Napanee River,*" or in any of the amendments thereto contained, or in any other Acts or Act shall be construed to empower said company to hereafter erect or construct in the said township of Portland or to maintain or continue in said township below the Napanee lake any dam or reservoir. 5

Powers of
municipality
to improve
river.

3. Notwithstanding anything in the said "*Act for the Improvement of the Napanee River, 1866,*" and amendments thereto contained, or the rights acquired thereunder by the said Napanee River Improvement Company, the owner or owners of lands in the said townships of Portland and Camden or either of them, or the municipal council or councils thereof, may take proceedings under "*The Municipal Drainage Act,*" or any other Act which may be in force for the improvement of lands by drainage, for the deepening, widening, clearing of obstructions and general improvement of said river within the said township of Portland and below the said Napanee lake and for the removal of the dam and all other artificial obstructions existing in said river within said township and below said lake without any compensation to be paid to the Napanee River Improvement Company therefor. 10 15 20

Repeal of
inconsistent
provisions.

4. Anything in the said Act incorporating the Napanee River Improvement Company, or in the amendments thereto, inconsistent with the provisions of this Act are hereby repealed. 25



No. 15.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL

An Act to amend the Acts respecting the Napanee River Improvement Company, and provide for the Drainage of Lands in the Townships of Portland and Camden.

First Reading, 1900.

(Private Bill)

Mr. GALLAGHER.

TORONTO.

PRINTED BY L. K. CAMERON.

Printer to the Queen's Most Excellent Majesty.

An Act respecting the Town of Dunnville.

WHEREAS the municipal corporation of the town of ^{Preamble.} Dunnville has, by petition, represented that the said corporation has passed a by-law, number 15, A.D. 1899, of the late village of Dunnville, entitled "A by-law for granting aid
5 by way of loan and otherwise to Francis R. Lalor, to assist in the construction of a canning factory, and to authorize the borrowing upon the debentures of the municipal corporation of the village of Dunnville of the sum of ten thousand dollars for that purpose," which said by-law is set forth in full in
10 schedule "A" hereto, and the said by-law was submitted to a vote of the ratepayers entitled to vote on money by-laws, as provided for by *The Municipal Act*, and the said by-law received the assent of the electors entitled to vote thereupon ;
15 and whereas the said by-law provides for a loan of six thousand dollars, repayable without interest, and a bonus of four thousand dollars to the said Francis R. Lalor, for the purpose of assisting him in the establishment of a canning factory in the said town of Dunnville, and also exemption from taxation (other than school taxes) of such canning factory for the term
20 of ten years and the free use of water for the same period ; and whereas it has been represented that the establishment of a canning factory at the said town of Dunnville would be greatly in the interests of the said town and the surrounding country, and that there is at present no industry of a similar
25 nature in the said town of Dunnville, or within a radius of more than twenty miles thereof ; and whereas before the passing of this by-law, the said Francis R. Lalor agreed to forego the privilege of free water thereby granted him should the said by-law be carried ; and whereas the said by-law comes
30 within the provisions of the repealed clauses of *The Municipal Amendment Act, 1888*, relating to the granting of aid to industrial enterprises ; and whereas it is expedient to grant the prayer of the said petition :

Therefore Her Majesty, by and with the advice and consent
35 of the Legislative Assembly of the Province of Ontario, enacts as follows :—

By-law No. 15,
1899, aiding F.
R. Lalor con-
firmed.

1. By-law number 15, A. D. 1899, of the municipal corpora-
tion of the village (now town) of Dunnville set forth in
schedule "A" to this Act, except in so far as the same grants
the use of water supplied from the Dunnville waterworks
free of rates and charges to the said Francis R. Lalor for the 5
period of ten years, is hereby confirmed and declared legal,
valid and binding upon the said municipal corporation and
the ratepayers thereof notwithstanding any want of jurisdic-
tion on the part of the said municipality to pass the said by-
law, and notwithstanding any defect in substance or in form 10
of the said by-law, or in the manner of passing the same, and
the said municipal corporation of the town of Dunnville is
hereby authorized and empowered to issue debentures as pro-
vided by the said by-law, and the said debentures so to be
issued under the said by-law are hereby declared legal and 15
binding upon the said municipality, and the said corporation
is hereby authorized and empowered to do all necessary acts
for the full and proper carrying out of the said by-law save
as aforesaid.

SCHEDULE A.

BY-LAW NUMBER 15, A.D., 1899.

A by-law for granting aid by way of loan and otherwise to Francis R. Lalor to assist in the construction of a canning factory and to authorize the borrowing upon the debentures of the municipal corporation of the village of Dunnville of the sum of ten thousand dollars for that purpose.

Whereas Francis R. Lalor, of the village of Dunnville, in the county of Halimand, proposes to erect and carry on a canning factory for the canning of fruits, vegetables and fowl in the said village, and has applied to the municipal council of the said village of Dunnville for a loan of six thousand dollars, repayable in ten equal annual instalments of six hundred dollars each without interest, and a grant by way of a bonus of an additional four thousand dollars and exemption from taxation, (other than school taxes), for a term of ten years upon the site, buildings and machinery and plant of the said proposed canning factory to be established as aforesaid, and the use of such water as may required to be used in the said canning factory to be supplied from the waterworks of the said village free from the payment of any water rates or charge for the term of ten years from the completion of the said canning factory; the site, buildings, machinery and plant of the said canning factory when completed to cost not less than \$10,000, the said Francis R. Lalor to bind himself, his heirs and assigns that he or they will during the said term of ten years employ not less than fifty persons on the average daily during a period of six months in each year, subject however as respect the time of running to deduction from inevitable accident to the buildings, plant or machinery, but no such deduction to be allowed for more than a reasonable time for repairing or rebuilding, the said canning factory to be completed and in full running order within six months after the confirmation of this by-law by the Legislature of Ontario, the said money to be advanced to the said Francis R. Lalor from time to time as the erection and equipment of the said canning factory progresses to the satisfaction of the head of the council and council of the said municipality;

And whereas there is no other canning factory in operation in the said village of Dunnville or within more than twenty miles thereof ;

And whereas it is proposed to apply all payments made on account of the mortgages hereinafter mentioned in reduction of the interest upon the said debentures and the sinking fund hereinafter provided for the payment of the principal thereof.

And whereas the said municipal council of the village of Dunnville is willing to grant the aid so desired subject to the following provisos and conditions to which the said Francis R. Lalor has signified his assent.

Provided that before the said money is advanced to the said Francis R. Lalor, the said Francis R. Lalor shall enter into a written agreement to do all things hereinbefore mentioned to be done by the said Francis R. Lalor and that on failure in performance or on breach of any of the conditions aforesaid the said Francis R. Lalor shall at once repay the whole of the said sum less any portion thereof that he shall have paid on account of the said loan.

Provided further that the said Francis R. Lalor shall at or before the time when the said money or any part thereof is advanced and granted to him under the provisions of this by-law give to the said municipal corporation a first mortgage (which shall be free from dower and encumbrances) upon the site of the said canning factory and the buildings, machinery, plant and equipment of and belonging thereto and also on any other machinery, plant or equipment which at any time while the said mortgages remain unsatisfied be purchased by the said Francis R. Lalor, his heirs or assigns and brought into the said business or placed in the said building or on the said premises or which may be substituted for any of the original machinery, plant or equipment, the mortgage upon the real estate and fixtures to be prepared and made in pursuance of *The Act respecting Short Forms of Mortgages*, and shall contain a bar of dower (if necessary) and the usual covenants contained in such mortgages, including a covenant for insurance to the extent of at least two-thirds the cash value of the buildings and fixtures and a power of sale on default for two months on one month's notice, such mortgage to be for the sum of six thousand dollars payable in ten equal consecutive annual instalments of six hundred dollars each without interest, the first of such instalments to become due and be paid at the expiration of one year from the date of the said mortgage. And the mortgage to be given on the said machinery and plant shall contain the usual covenants and conditions contained or generally inserted in a bill of sale by way of mortgage and shall contain a proviso for insuring to the extent of two-thirds the cash value of the said plant and machinery and for renewal and assignments of the policies, and also a condition that until all moneys payable under or secured by the said chattel mortgage be fully paid and satisfied the said machinery and plant shall not be removed out of the limits of the said municipality, such chattel mortgage to be for the sum of \$6,000 payable in the instalments and at the time aforesaid without interest. Such chattel mortgage shall be collateral to the said mortgage upon real estate and fixtures and any payment made thereupon shall be applied in reduction of the said real estate mortgage to the amount of same, and any payment made upon account of the real estate mortgage shall likewise to the amount of same be applied in reduction of said chattel mortgage.

And whereas it is the intention, in the event of this by-law obtaining the assent of two-thirds of all the electors on the voters' list entitled to vote upon money by-laws as well as of a majority of such electors voting on this by-law, to apply to the Legislature of the Province of Ontario for an Act confirming this by-law and authorizing the said loan and bonus and authority to enter into the said agreement.

And whereas for the purpose of carrying into effect the said recited object it will be necessary to create a debt for the said sum of \$10,000 and interest thereon, and to raise the amount thereof by the issue of debentures and to provide for a sinking fund for the payment of the said principal.

And whereas the total amount required to be raised annually by special rate on the whole rateable property of the said municipality for the payment of the proposed debt and interest is the sum of \$746.31, less any payments made on account of said mortgages and applied in reduction thereof, of which the sum of \$375 will be for such interest and \$371.31 for a sinking fund from which to pay the said debentures.

And whereas the amount of the whole rateable property of the said village of Dunnville, according to the last revised assessment roll, is the sum of \$610,460 of which property to the value of \$15,000 is exempt from taxes other than school taxes.

And whereas the amount of the existing debenture debt of the said municipality of Dunnville is the sum of \$36,651.81 of which the sum of \$25,790.84 is for principal and \$10,860.87 is for accruing interest, no part of which, either for principal or interest, is in arrears.

Be it therefore enacted by the municipal corporation of the village of Dunnville :—

First, that there shall be advanced by the said municipal corporation to the said Francis R. Lalor the sum of \$6,000 by way of loan upon the security of the mortgages hereinbefore recited and repayable in the instalments and at the times hereinbefore recited and that there shall be granted to him in addition as a bonus to enable him to erect and carry on the said canning factory the sum of \$4,000 subject to the conditions aforesaid.

Second, that for the purposes aforesaid it shall be lawful for the reeve, or upon the said village being erected into a town, the mayor of the town of Dunnville and he is hereby authorized, empowered and directed to cause any number of debentures of the said corporation of the village or, upon the said village being erected into a town, the corporation of the town of Dunnville, to be made, executed and issued to the amount of \$10,000, in sums of not less than \$100 each, which said debentures shall be signed by the reeve or, upon the said village being erected into a town, the mayor of the said corporation for the time being, and countersigned by the treasurer for the time being of the said corporation and duly sealed with the corporate seal thereof.

Third, that the said debentures shall bear date upon and be made payable in twenty years from the day hereinafter appointed from the coming into force of this by-law at the office of the treasurer of the said municipality of Dunnville.

Fourth, that the said debentures shall bear interest at the rate of three and three-quarters per centum per annum from the date thereof and such interest shall be made payable yearly at the end of each year of the said term in each and every year during the currency of the said debentures at the office of the treasurer of the said municipality in Dunnville and such debentures shall have attached thereto coupons for each year's interest signed by the said reeve or, upon the said village being erected into a town, the mayor of the said municipality countersigned by the treasurer thereof.

Fifth, for the purpose of paying the said debt hereby created and the interest on the debentures to be issued therefor as aforesaid the sum of \$746.31, less any sums paid on account of said mortgages and applied in reduction thereof, shall be raised, levied and collected in each year of and from the whole rateable property of the said village or, upon its being erected into a town, town of Dunnville liable therefor by an equal special rate in addition to all other special rates during the continuance of such debentures of which the sum of \$375 shall be such interest and the sum of \$371.31 for a sinking fund for the ultimate payment of the said debentures.

Sixth, that the said sum of \$10,000, or any lesser amount which the said debentures shall realize shall be paid to the said Francis R. Lalor upon his entering into an agreement and giving the securities provided by this by-law.

Seventh, that the debentures to be issued under the authority of this by-law shall contain a provision in the following words, namely: "This debenture or any interest thereon shall not, after a certificate of ownership has been endorsed thereon by the treasurer of this municipal corporation, be transferable, except by entry by the treasurer or his deputy, in the debenture registry book of the said corporation of the town of Dunnville."

Eighth, that the site of the said canning factory and the buildings, machinery, plant and equipment therein and connected therewith shall for a period of ten years from the first day of January, A. D. 1900, be exempt from the payment of all taxes except school taxes and that the said Francis R. Lalor, his heirs and assigns, shall be entitled to use such water as may be required to be used in the said canning factory for the purpose of carrying on of the same, the same to be supplied from the waterworks of this municipality free from the payment of any water rates or charge for the term of ten years from the completion of the said canning factory.

Ninth, that the foregoing parts of this by-law shall come into force and take effect from and after the same has been duly legalized and confirmed by the Legislature of the Province of Ontario and upon the date upon which the same shall be assented to by His Honor, the Lieutenant-Governor of the Province of Ontario.

Tenth, and it is further enacted by the said council that, for the purpose of ascertaining whether the electors of the municipality of Dunnville duly qualified to vote upon this by-law assent to the same, the votes of the electors of the said municipality duly qualified to vote shall be taken upon this by-law on Monday the 22nd day of January, A. D. 1900, commencing at the hour of nine o'clock in the morning and continuing until five o'clock in the afternoon of the said day, at the different polling places and by the different returning officers hereinafter mentioned, that is to say: In polling sub-division number one at the hose company's rooms, Canal street west, by James R. Robb, deputy-returning officer; in polling sub-division number two at the town hall, Chestnut street, by Charles Bennett deputy-returning officer; in polling sub-division number three at shop number three in the Penny block on Lock street, by Richard N. Killins, deputy-returning officer.

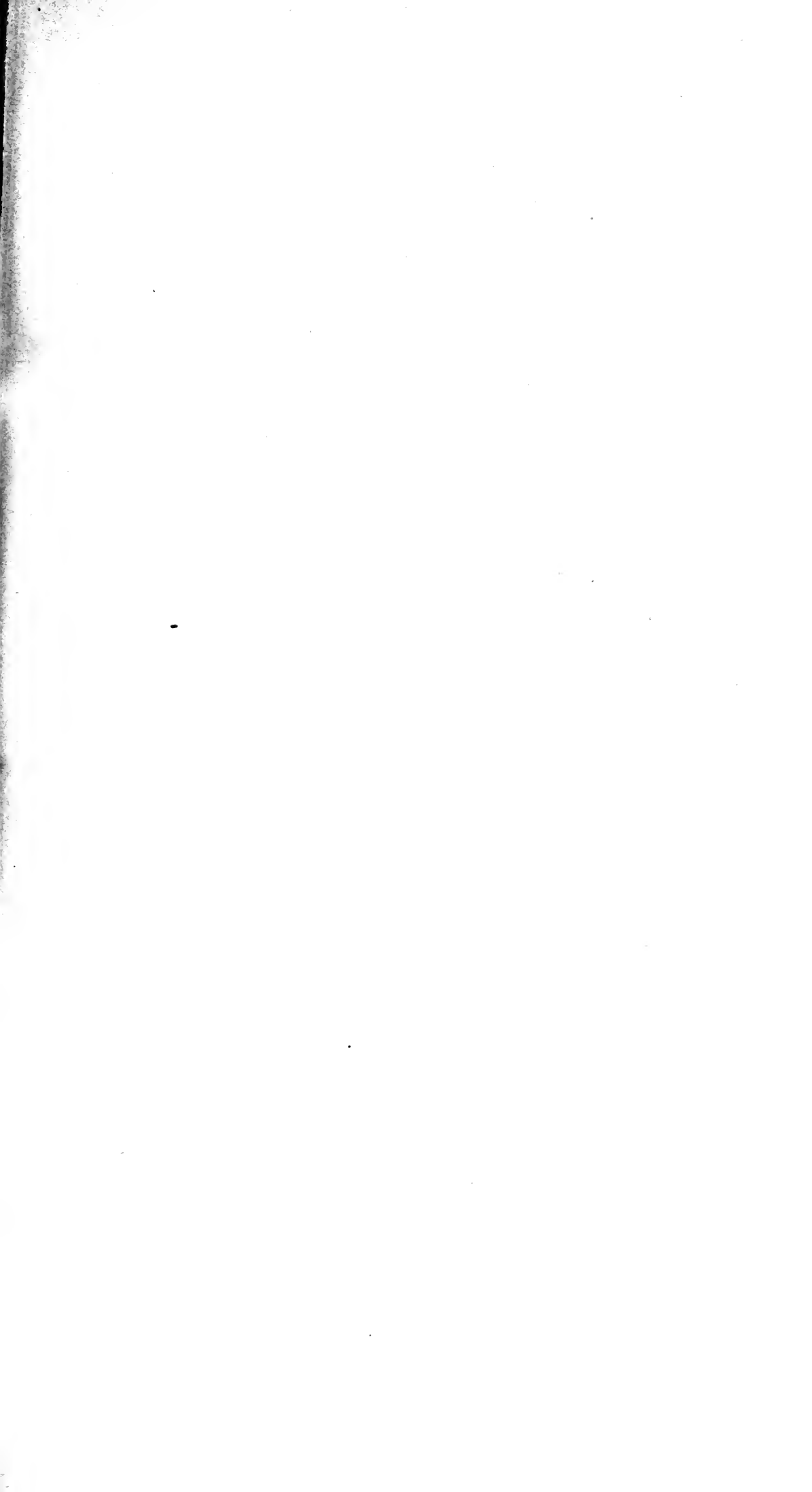
Eleventh, that Wednesday, the 17th day of January, A. D. 1900, at ten o'clock in the forenoon is hereby appointed as the time when, and the town hall in the said village of Dunnville as the place where the head of the said municipality shall attend to appoint in writing persons to attend at the various polling places on behalf of the persons interested therein and desirous of promoting or opposing this by-law as the case may be and at the final summing up of the votes.

Twelfth, that Wednesday, the 24th day of January, A. D. 1900, at ten o'clock in the forenoon is hereby appointed as the time when, and the town hall in the village of Dunnville as the place where the clerk of the said municipality shall attend to sum up the number of votes given for and against this by-law.

Passed in council this day of January, A. D. 1900. .

(Signatures of Mayor and Clerk.)





No. 16.

3rd Session, 9th Legislature, 62 Vict., 1900.

BILL.

An Act respecting the Town of Dunnville.

First Reading, _____, 1900.

(Private Bill.)

Mr. GERMAN.

TORONTO :

PRINTED BY L. K. GAMMON,
Printer to the Queen's Most Excellent Majesty.

An Act respecting the Town of Dunnville.

WHEREAS the Municipal Corporation of the town of Preamble. Dunnville has, by petition, represented that the said corporation has passed a by-law, number 15, A.D. 1899, of the late village of Dunnville, entitled "A by-law for granting aid by way of loan and otherwise to Francis R. Lalor, to assist in the construction of a canning factory, and to authorize the borrowing upon the debentures of the Municipal Corporation of the Village of Dunnville of the sum of ten thousand dollars for that purpose," which said by-law is set forth in full in schedule "A" hereto, and the said by-law was submitted to a vote of the ratepayers entitled to vote on money by-laws, as provided for by *The Municipal Act*, and the said by-law received the assent of the electors entitled to vote thereupon; and whereas the said by-law provides for a loan of six thousand dollars, repayable without interest, and a bonus of four thousand dollars to the said Francis R. Lalor, for the purpose of assisting him in the establishment of a canning factory in the said Town of Dunnville, and also exemption from taxation (other than school taxes) of such canning factory for the term of ten years and the free use of water for the same period; and whereas it has been represented that the establishment of a canning factory at the said Town of Dunnville would be greatly in the interests of the said town and the surrounding country, and that there is at present no industry of a similar nature in the said Town of Dunnville, or within a radius of more than twenty miles thereof; and whereas before the passing of this by-law, the said Francis R. Lalor agreed to forego the privilege of free water thereby granted him should the said by-law be carried; and whereas the said by-law comes within the provisions of the repealed clauses of *The Municipal Amendment Act, 1888*, relating to the granting of aid to industrial enterprises; and whereas no opposition has been offered to the said petition; and whereas it is expedient to grant the prayer of the said petition;

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

By-law No. 15,
1899, aiding F.
R. Lalor con-
firmed.

1. By-law number 15, A. D. 1899, of the municipal corporation of the Village (now Town) of Dunnville set forth in schedule "A" to this Act, except in so far as the same grants the use of water supplied from the Dunnville waterworks free of rates and charges to the said Francis R. Lalor for the period of ten years, is hereby confirmed and declared legal, valid and binding upon the said Municipal Corporation and the ratepayers thereof notwithstanding any want of jurisdiction on the part of the said municipality to pass the said by-law, and notwithstanding any defect in substance or in form of the said by-law, or in the manner of passing the same, and the said *the* Municipal Corporation of the Town of Dunnville is hereby authorized and empowered to issue debentures as provided by the said by-law, and the said debentures so to be issued under the said by-law *shall be* legal and binding upon the said municipality, and the said corporation is hereby authorized and empowered to do all necessary acts for the full and proper carrying out of the said by-law save as aforesaid.

SCHEDULE A.

BY-LAW NUMBER 15, A.D., 1899.

A by-law for granting aid by way of loan and otherwise to Francis R. Lalor to assist in the construction of a canning factory and to authorize the borrowing upon the debentures of the municipal corporation of the village of Dunnville of the sum of ten thousand dollars for that purpose.

Whereas Francis R. Lalor, of the village of Dunnville, in the county of Halimand, proposes to erect and carry on a canning factory for the canning of fruits, vegetables and fowl in the said village, and has applied to the municipal council of the said village of Dunnville for a loan of six thousand dollars, repayable in ten equal annual instalments of six hundred dollars each without interest, and a grant by way of a bonus of an additional four thousand dollars and exemption from taxation, (other than school taxes), for a term of ten years upon the site, buildings and machinery and plant of the said proposed canning factory to be established as aforesaid, and the use of such water as may required to be used in the said canning factory to be supplied from the waterworks of the said village free from the payment of any water rates or charge for the term of ten years from the completion of the said canning factory; the site, buildings, machinery and plant of the said canning factory when completed to cost not less than \$10,000, the said Francis R. Lalor to bind himself, his heirs and assigns that he or they will during the said term of ten years employ not less than fifty persons on the average daily during a period of six months in each year, subject however as respect the time of running to deduction from inevitable accident to the buildings, plant or machinery, but no such deduction to be allowed for more than a reasonable time for repairing or rebuilding, the said canning factory to be completed and in full running order within six months after the confirmation of this by-law by the Legislature of Ontario, the said money to be advanced to the said Francis R. Lalor from time to time as the erection and equipment of the said canning factory progresses to the satisfaction of the head of the council and council of the said municipality;

And whereas there is no other canning factory in operation in the said village of Dunnville or within more than twenty miles thereof ;

And whereas it is proposed to apply all payments made on account of the mortgages hereinafter mentioned in reduction of the interest upon the said debentures and the sinking fund hereinafter provided for the payment of the principal thereof.

And whereas the said municipal council of the village of Dunnville is willing to grant the aid so desired subject to the following provisos and conditions to which the said Francis R. Lalor has signified his assent.

Provided that before the said money is advanced to the said Francis R. Lalor, the said Francis R. Lalor shall enter into a written agreement to do all things hereinbefore mentioned to be done by the said Francis R. Lalor and that on failure in performance or on breach of any of the conditions aforesaid the said Francis R. Lalor shall at once repay the whole of the said sum less any portion thereof that he shall have paid on account of the said loan.

Provided further that the said Francis R. Lalor shall at or before the time when the said money or any part thereof is advanced and granted to him under the provisions of this by-law give to the said municipal corporation a first mortgage (which shall be free from dower and encumbrances) upon the site of the said canning factory and the buildings, machinery, plant and equipment of and belonging thereto and also on any other machinery, plant or equipment which at any time while the said mortgages remain unsatisfied be purchased by the said Francis R. Lalor, his heirs or assigns and brought into the said business or placed in the said building or on the said premises or which may be substituted for any of the original machinery, plant or equipment, the mortgage upon the real estate and fixtures to be prepared and made in pursuance of *The Act respecting Short Forms of Mortgages*, and shall contain a bar of dower (if necessary) and the usual covenants contained in such mortgages, including a covenant for insurance to the extent of at least two-thirds the cash value of the buildings and fixtures and a power of sale on default for two months on one month's notice, such mortgage to be for the sum of six thousand dollars payable in ten equal consecutive annual instalments of six hundred dollars each without interest, the first of such instalments to become due and be paid at the expiration of one year from the date of the said mortgage. And the mortgage to be given on the said machinery and plant shall contain the usual covenants and conditions contained or generally inserted in a bill of sale by way of mortgage and shall contain a proviso for insuring to the extent of two-thirds the cash value of the said plant and machinery and for renewal and assignments of the policies, and also a condition that until all moneys payable under or secured by the said chattel mortgage be fully paid and satisfied the said machinery and plant shall not be removed out of the limits of the said municipality, such chattel mortgage to be for the sum of \$6,000 payable in the instalments and at the time aforesaid without interest. Such chattel mortgage shall be collateral to the said mortgage upon real estate and fixtures and any payment made thereupon shall be applied in reduction of the said real estate mortgage to the amount of same, and any payment made upon account of the real estate mortgage shall likewise to the amount of same be applied in reduction of said chattel mortgage.

And whereas it is the intention, in the event of this by-law obtaining the assent of two-thirds of all the electors on the voters' list entitled to vote upon money by-laws as well as of a majority of such electors voting on this by-law, to apply to the Legislature of the Province of Ontario for an Act confirming this by-law and authorizing the said loan and bonus and authority to enter into the said agreement.

And whereas for the purpose of carrying into effect the said recited object it will be necessary to create a debt for the said sum of \$10,000 and interest thereon, and to raise the amount thereof by the issue of debentures and to provide for a sinking fund for the payment of the said principal.

And whereas the total amount required to be raised annually by special rate on the whole rateable property of the said municipality for the payment of the proposed debt and interest is the sum of \$746.31, less any payments made on account of said mortgages and applied in reduction thereof, of which the sum of \$375 will be for such interest and \$371.31 for a sinking fund from which to pay the said debentures.

And whereas the amount of the whole rateable property of the said village of Dunnville, according to the last revised assessment roll, is the sum of \$610,460 of which property to the value of \$15,000 is exempt from taxes other than school taxes.

And whereas the amount of the existing debenture debt of the said municipality of Dunnville is the sum of \$36,651.81 of which the sum of \$25,790.84 is for principal and \$10,860.87 is for accruing interest, no part of which, either for principal or interest, is in arrears.

Be it therefore enacted by the municipal corporation of the village of Dunnville :—

First, that there shall be advanced by the said municipal corporation to the said Francis R. Lalor the sum of \$6,000 by way of loan upon the security of the mortgages hereinbefore recited and repayable in the instalments and at the times hereinbefore recited and that there shall be granted to him in addition as a bonus to enable him to erect and carry on the said canning factory the sum of \$4,000 subject to the conditions aforesaid.

Second, that for the purposes aforesaid it shall be lawful for the reeve, or upon the said village being erected into a town, the mayor of the town of Dunnville and he is hereby authorized, empowered and directed to cause any number of debentures of the said corporation of the village or, upon the said village being erected into a town, the corporation of the town of Dunnville, to be made, executed and issued to the amount of \$10,000, in sums of not less than \$100 each, which said debentures shall be signed by the reeve or, upon the said village being erected into a town, the mayor of the said corporation for the time being, and countersigned by the treasurer for the time being of the said corporation and duly sealed with the corporate seal thereof.

Third, that the said debentures shall bear date upon and be made payable in twenty years from the day hereinafter appointed from the coming into force of this by-law at the office of the treasurer of the said municipality of Dunnville.

Fourth, that the said debentures shall bear interest at the rate of three and three-quarters per centum per annum from the date thereof and such interest shall be made payable yearly at the end of each year of the said term in each and every year during the currency of the said debentures at the office of the treasurer of the said municipality in Dunnville and such debentures shall have attached thereto coupons for each year's interest signed by the said reeve or, upon the said village being erected into a town, the mayor of the said municipality countersigned by the treasurer thereof.

Fifth, for the purpose of paying the said debt hereby created and the interest on the debentures to be issued therefor as aforesaid the sum of \$746.31, less any sums paid on account of said mortgages and applied in reduction thereof, shall be raised, levied and collected in each year of and from the whole rateable property of the said village or, upon its being erected into a town, town of Dunnville liable therefor by an equal special rate in addition to all other special rates during the continuance of such debentures of which the sum of \$375 shall be such interest and the sum of \$371.31 for a sinking fund for the ultimate payment of the said debentures.

Sixth, that the said sum of \$10,000, or any lesser amount which the said debentures shall realize shall be paid to the said Francis R. Lalor upon his entering into an agreement and giving the securities provided by this by-law.

Seventh, that the debentures to be issued under the authority of this by-law shall contain a provision in the following words, namely: "This debenture or any interest thereon shall not, after a certificate of ownership has been endorsed thereon by the treasurer of this municipal corporation, be transferable, except by entry by the treasurer or his deputy, in the debenture registry book of the said corporation of the town of Dunnville."

Eighth, that the site of the said canning factory and the buildings, machinery, plant and equipment therein and connected therewith shall for a period of ten years from the first day of January, A. D. 1900, be exempt from the payment of all taxes except school taxes and that the said Francis R. Lalor, his heirs and assigns, shall be entitled to use such water as may be required to be used in the said canning factory for the purpose of carrying on of the same, the same to be supplied from the waterworks of this municipality free from the payment of any water rates or charge for the term of ten years from the completion of the said canning factory.

Ninth, that the foregoing parts of this by-law shall come into force and take effect from and after the same has been duly legalized and confirmed by the Legislature of the Province of Ontario and upon the date upon which the same shall be assented to by His Honor, the Lieutenant-Governor of the Province of Ontario.

Tenth, and it is further enacted by the said council that, for the purpose of ascertaining whether the electors of the municipality of Dunnville duly qualified to vote upon this by-law assent to the same, the votes of the electors of the said municipality duly qualified to vote shall be taken upon this by-law on Monday the 22nd day of January, A. D. 1900, commencing at the hour of nine o'clock in the morning and continuing until five o'clock in the afternoon of the said day, at the different polling places and by the different returning officers hereinafter mentioned, that is to say: In polling sub-division number one at the hose company's rooms, Canal street west, by James R. Robb, deputy-returning officer; in polling sub-division number two at the town hall, Chestnut street, by Charles Bennett deputy-returning officer; in polling sub-division number three at shop number three in the Penny block on Lock street, by Richard N. Killins, deputy-returning officer.

Eleventh, that Wednesday, the 17th day of January, A. D. 1900, at ten o'clock in the forenoon is hereby appointed as the time when, and the town hall in the said village of Dunnville as the place where the head of the said municipality shall attend to appoint in writing persons to attend at the various polling places on behalf of the persons interested therein and desirous of promoting or opposing this by-law as the case may be and at the final summing up of the votes.

Twelfth, that Wednesday, the 24th day of January, A. D. 1900, at ten o'clock in the forenoon is hereby appointed as the time when, and the town hall in the village of Dunnville as the place where the clerk of the said municipality shall attend to sum up the number of votes given for and against this by-law.

Passed in council this day of January, A. D. 1900.

(Signatures of Mayor and Clerk.)



No. 16.

3rd Session, 9th Legislature, 62 Vict., 1900.

BILL.

An Act respecting the Town of Dunnville.

First Reading, 21st March, 1900.

*(Reprinted as amended by Private Bills
Committee.)*

MR. GERMAN.

TORONTO:

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act relating to St. George's Church, Ottawa.

WHEREAS the Reverend Johnston M. Snowdon, rector, Preamble.
and Frederick White and Charles McNab, Esquires,
church wardens of St. George's Church, in the city of Ottawa,
in pursuance of a resolution passed at a meeting of the vestry
5 of the said church, duly held on Monday evening, the third
day of April, in the year of our Lord one thousand eight hun-
dred and ninety-nine, have petitioned for an Act authorizing
them to issue debentures to the amount of fourteen thousand
dollars to pay off the debt for that amount secured by mort-
10 gage upon the lands and buildings hereinafter mentioned; and
whereas it is expedient to grant the prayer of the said petition;

Therefore Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:—

- 15 **1.** The rector and churchwardens of St. George's church, in
the city of Ottawa, and their successors in office, are hereby
authorized and empowered to execute and issue debentures, in
currency or sterling, to an amount not exceeding fourteen
thousand dollars, in such sums not less than one hundred
20 dollars each at such rate of interest, and redeemable at such
times and places, as they may determine, and the money to be
raised by the issue of the said debentures shall be applied in
payment of the debt secured by an indenture of mortgage
upon the lands and buildings hereinafter mentioned.
- 25 **2.** The debentures so issued as aforesaid shall, without
registration or formal conveyance, be taken and considered to
be a first charge upon, and each holder of any of the said
debentures shall be deemed to be a mortgagee and encumbrancer
pro rata with the other holders thereof upon all and singular
30 those certain parcels or tracts of land and premises situate,
lying and being in the city of Ottawa, in the county of
Carleton, and Province of Ontario, being composed of lots
numbers forty-eight and forty-nine on the north side of
Gloucester street in the said city of Ottawa, containing the
35 quantity of land as shewn on a plan drawn by W. R. Thistle,

Debentures
for \$14,000
authorized.

Lands charged
with payment
of debentures.

P.L.S., dated Ottawa, July 13th, 1868, and of record in the Department of the Interior (excepting out of the said lot number forty-nine the northerly twenty feet, heretofore agreed to be conveyed to one Catherine Rowe by agreement dated 27th September, 1879, and registered as number 18,051, the said northerly twenty feet of the said lot number forty-nine being butted and bounded as follows:—Commencing at the north-east angle of the said lot number forty-nine, thence southerly along the easterly boundary of said lot twenty feet, thence westerly parallel with the northerly boundary of the said lot sixty-six feet, more or less, to the westerly boundary of the said lot, thence along the westerly boundary of the said lot twenty feet to the northerly boundary of the said lot, thence easterly along the northerly boundary of said lot sixty-six feet, more or less, to the place of beginning, and upon the church building now standing upon the said lands and upon any policy of insurance effected or to be effected upon the said building.

Interest a charge on pew rents.

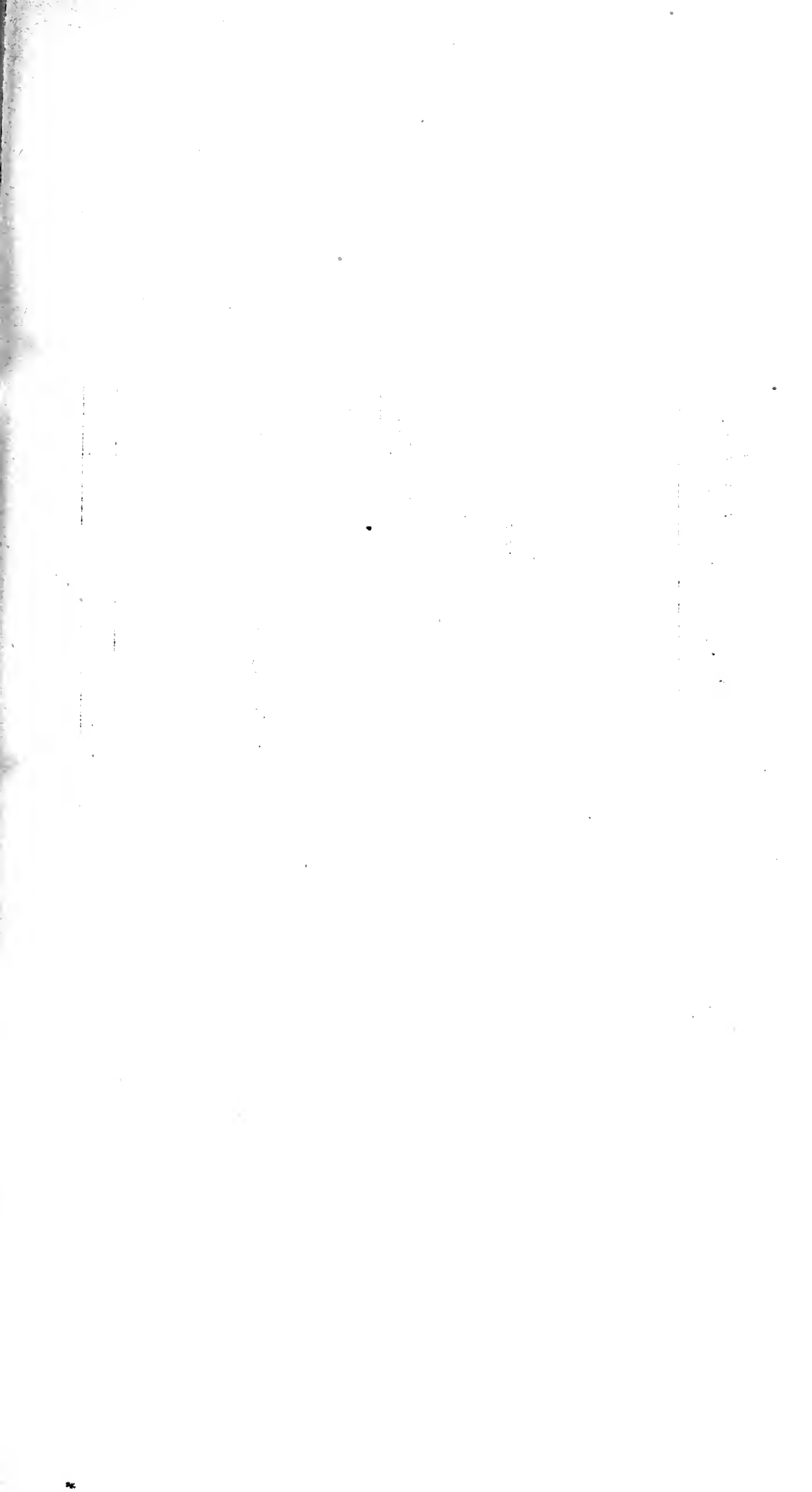
3. The interest of the said debentures shall be a first charge upon the rents of vestry pews, and it shall be the duty of the churchwardens in each year, out of the revenues of the church, to pay the whole interest falling due in any such year, and any premium of insurance necessary to keep and maintain upon the said buildings an insurance against loss or damage by fire, in the sum of at least fourteen thousand dollars.

Payment of debentures.

4. The rector and churchwardens of the said church may, in issuing the said debentures, either make a proportionate part of the principal thereof to fall due in each year after the issue, or they may so issue them that the principal thereof shall become due at the end of the term of years for which they are issued. In the former case it shall be the duty of the churchwardens, out of the revenues of the church, to pay the debentures falling due in each year; and in the latter case, out of such revenues to lay by and invest safely such sum yearly as may be required to form a sinking fund sufficient to pay off the principal of the said debentures when it becomes due.

Lenders not bound to see to application of loan.

5. No person advancing money on the debentures, for the issue of which authority is hereby given, shall be in any way bound to see to the application of the money so advanced.



No. 17.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting St. George's Church,
Ottawa.

First Reading,

(Private Bill)

TORONTO,

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act Respecting the Town of Meaford.

WHEREAS, the corporation of the town of Meaford have Preamble.
by their petition represented that being desirous of
increasing the shipping business of the harbour at the said
town of Meaford, and thereby materially advancing the inter-
ests of the said town, an agreement has been entered into be-
tween the said corporation and the Botsford Jenks Co., Port
Huron, Mich., dated the 25th day of September, 1899, for the
erection at the said harbor of a first-class modern grain ele-
vator of the present storage capacity of 600,000 bushels, in the
manner and upon the terms and conditions in the said agree-
ment contained and mentioned, a copy of which said agree-
ment is set forth in schedule A to this Act; that in order
to utilize the said elevator to the best advantage and to pro-
vide railway connection therewith for the transportation of
grain, the said corporation has also entered into an agreement
with the Grand Trunk Railway Company of Canada, dated
the 16th day of November, 1899, for the extension by the said
railway company of its present line to the said harbor upon
the terms and conditions in the said agreement contained and
mentioned, a copy of which said agreement is set forth in
schedule "B" to this Act; that the said corporation has agreed
to aid the said the Botsford Jenks Co, Port Huron, Mich., in
the erection of the said elevator by granting to the said com-
pany a bonus of \$25,000 towards the cost thereof; that the
said corporation has also agreed to aid the said Grand Trunk
Railway Company of Canada in the extension of its railway
line to the said harbour by granting to the said railway com-
pany a bonus of \$25,000 towards the cost of the said exten-
sion and station and other buildings, and has also agreed to fur-
nish the necessary right of way and station grounds for the
said extension at an estimated cost of \$6,000; that in order
to raise the said sums of money, amounting in the whole to
\$56,000, a by-law of the said Corporation, being No. 30 for
1899, a copy of which is set forth in schedule "C" to this Act,
has been duly submitted to the ratepayers entitled to vote
thereon under the provisions of *The Municipal Act*, and

received the assent of a large majority of the said ratepayers, 291 votes having been cast in favor of and only 52 against the said by-law, out of a total number of 407 of such ratepayers, and the said by-law has been finally passed by the said corporation ; that the lands proposed by the said agreements to be conveyed to the said respective companies are portions of lands vested in the said corporation of the town of Meaford for harbor purposes, and for the erection of a pier and landing place at the said town, and the portions of streets proposed to be closed and conveyed to the said respective companies are adjacent to the said lands and are not used by the public to any great extent, and the interests of the said harbor and town will be best served by the conveyance of the said lands and portions of streets to the said respective companies for the purposes of the said elevator and railway extension ; and whereas the said corporation have by their petition prayed that the said respective agreements and the said by-law may be confirmed and declared legal and valid, and that the said corporation may be authorized and empowered to issue debentures for the said sum of \$56,000 as provided in the said by-law and to grant to the said respective companies the said respective sums of money by way of bonus and the exemptions from payment of taxes (except school taxes) and the lands, including portions of streets, and other rights and privileges particularly mentioned and set forth in the said respective agreements ; and whereas it is expedient to grant the prayer of the said petition ; therefore Her Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

Agreements with Botsford Jenks Co. and G. T. R. Co. confirmed.

1. The agreements referred to in the above preamble and respectively set forth in schedules " A " and " B " to this Act are hereby ratified, confirmed and made valid in the same manner and to the same extent as if set out and incorporated in this Act.

By-law 30 for granting bonuses confirmed.

2. The said by-law No. 30 for 1899 of the said corporation of the town of Meaford set out in schedule " C " to this Act is hereby confirmed and declared to be valid and legal and to be binding upon the corporation of the said town.

Power to borrow \$56,000.

3. The said corporation is hereby authorized and empowered to borrow the said sum of \$56,000 and to issue debentures therefor, repayable in the manner and for the amounts set forth in the said by-law.

Power to convey certain lands to companies.

4. It shall be lawful for the said corporation to convey to the said respective companies the portions of the said lands held by the said corporation, for harbor and other purposes mentioned and referred to in the said respective agreements.

5. The portions of streets mentioned and referred to in the said respective agreements, and agreed to be conveyed by the said corporation to the said respective companies, are hereby declared to be stopped up and closed as highways, and the said corporation is hereby empowered to grant and convey the same to the said respective companies in accordance with the said respective agreements, without previously taking the proceedings required by *The Municipal Act*, for stopping up and closing the said portions of streets, and the said corporation is also authorized and empowered to grant to the said railway company running powers over certain other portions of streets in the said town, as provided in the said agreement between the said corporation and the said railway company.

Closing
certain
streets.

Rev. Stat.
c. 223.

SCHEDULE A.

This agreement made the twenty-fifth day of September in the year one thousand eight hundred and ninety-nine, by and between The Corporation of the Town of Meaford (hereinafter called the Corporation) of the first part and The Botsford Jenks Company, Port Huron, Mich., hereinafter called the Company) of the second part.

Whereas the Company has agreed to erect a grain elevator for the storage and transportation of grain upon a site to be hereafter mutually agreed upon near the mouth of the Harbour in the said Town on the property of the Corporation and the Corporation has under the provisions of *The Municipal Act* in that respect agreed to assist the Company in the erection of such grain elevator by granting to the Company a bonus of twenty-five thousand dollars (\$25,000) towards the cost thereof and has also at the request of the Company agreed to exempt the Company from the payment of taxes (except school taxes) upon the said grain elevator and site for the period of ten years upon the terms and conditions hereinafter set forth:—

Now this agreement witnesseth that the said parties for themselves, their successors and assigns hereby covenant, promise and agree each with the other and their successors and assigns in manner following, that is to say—

1. The Company will cause to be erected, constructed and equipped on the site to be selected as above a first class modern grain elevator to cost at least one hundred thousand (\$100,000) dollars with all necessary and usual equipments, appliances and facilities for the storage and transportation of grain with a storage capacity of not less than (600,000) six hundred thousand bushels of grain and capable of unloading not less than (10,000) ten thousand bushels per hour from vessels, the said elevator to be equipped with motive power, machinery and other appliances sufficient for an elevator with a storage capacity of not less than (1,000,000) one million bushels of grain and to be fully completed on or before the fifteenth day of September (A D. 1900) next in a good workmanlike manner and of good substantial materials to the approval of the corporation or of an engineer to be appointed by them, and will also whenever the increase of business shall warrant and require it from time to time erect and construct an addition or additions to the said grain elevator for the storage of grain to the extent in the whole of (1,000,000) one million bushels.

2. The said company will cause to be maintained and kept in good working order and repair the said elevator, machinery, appliances and equipments and all additions made thereto as above mentioned, and will

well and sufficiently operate, use and employ the same for the storage and transportation of grain as aforesaid for the period of at least twenty-five (25) years from the said fifteenth day of September, A. D. 1900. The company will at all times in the construction, maintenance and operation of the said elevator and works employ artisans, mechanics, labourers and other employees and workmen residing in the town of Meaford aforesaid in preference to non-residents, all other conditions being equal.

3. The company will at their own expense insure and at all times keep insured against loss by fire in a reliable insurance company or companies to be approved by the corporation, the said elevator, building, machinery and equipments to the extent of at least (\$25,000) twenty-five thousand dollars, and will assign the policy or policies for such insurance to the corporation as security for the payment of the amount of their lien on the said building and premises as provided in clause 8 of this agreement. In the event of the destruction or partial destruction of the said elevator building and premises by fire the company shall within three months thereafter determine whether they shall repair or rebuild and restore the same or not and shall immediately notify the corporation in writing of their intention in that behalf and in case the company decide to repair or rebuild and restore the same they shall proceed to do so forthwith with all reasonable despatch and shall have the same completely repaired or rebuilt and restored within seven months after such decision is reached.

4. The corporation shall convey by deed to the company the site required for the erection of the said elevator and works to be mutually agreed upon as aforesaid situate on the east side of the Big Head River and to be three hundred (300) feet square to be held by the company for so long as the company shall continue to carry on operations under the terms of this agreement, and shall also give the company during the period aforesaid the prime use of all frontage in the harbour on the east side of the said river required to load and unload boats and for railroad sidings in connection with the said elevator. And upon the company ceasing to carry on operations under the terms of this agreement the said site and all privileges hereby granted and conferred upon the company shall immediately revert to and become absolutely re-vested in the corporation.

5. The corporation shall also cause to be dredged and maintained during all the period aforesaid a free channel from deep water of sufficient depth to make the said elevator freely accessible by vessels carrying grain in Canadian waters not exceeding eighteen feet and will have the dredging and piling in the said harbour extended so as to provide space of not less than three hundred and fifty feet (350 feet) on each side of the centre of the said elevator site for the landing of vessels carrying grain and will also construct a suitable pier along the whole of the said front.

6. Upon the erection and completion of the said elevator building, machinery and appliances to the satisfaction of the corporation or their engineer as set forth in the first clause hereof, the corporation shall pay to the company the sum of twenty-five thousand dollars as a bonus towards the cost of the said works and upon the terms and conditions herein contained and set forth.

7. The corporation also agrees to exempt the company from payment of all municipal rates and taxes (except school taxes) from the date of completion of the said elevator building and while the company shall continue to carry on the said business for a period not exceeding ten years.

8. The intention of this agreement is that the company shall cause to be kept in good running order and repair and efficiently operated and used and maintained the said elevator and the works and facilities in connection therewith for the storage and transportation of grain at the said town of Meaford for the future and shall by all means in their power endeavor to induce and increase the shipment of grain at the said town of Meaford, but in order to provide against disputes the company may terminate this agreement at any time on giving six months notice in writing to the corporation of their intention to do so, and at the expiration of

six months from the service of such notice the obligation of the company under this agreement shall be at an end, and in such case the company shall refund to the corporation such sum (if any) in full of all damages for the breach of this agreement as may be found due computed on the following basis, that is to say, provided the company has kept and maintained the said grain elevator and its appliances in good running order and repair and has efficiently operated, used and employed the same for the purposes hereinbefore mentioned for the term of twenty-five years from the date of commencement of operations, then in case of the last mentioned notice being given no sum whatever shall be due or payable by the company to the corporation, but in the event of such notice being given before the expiration of the said period of twenty-five years or if the said elevator and premises shall within such period of twenty-five years be destroyed or injured by fire and the said company shall give notice as provided in clause 3 hereof of their intention not to rebuild or repair and restore the said elevator and premises, then in either such case the company shall upon such notice being given forthwith become liable to repay and shall forthwith pay to the corporation a sum computed at the rate of (\$1,000) one thousand dollars per year and a proportionate sum for any fraction of a year for the time to elapse from the date of such notice until the end of the said term of twenty-five years and upon such sum being paid all cause and causes of action by the corporation against the company for any breach of this agreement shall be thereupon extinguished and satisfied. And it is hereby declared and agreed that the corporation shall have a lien and charge upon all the machinery, appliances and equipments of the company, in and upon the said elevator building and premises for the said sum of twenty-five thousand dollars or the proportionate part thereof repayable to the corporation as aforesaid, and that until payment thereof in full none of the said machinery appliances or other property of the company shall be removed from the said buildings or premises.

9. This agreement shall not be binding upon either of the said parties unless and until the corporation shall make arrangements with the Grand Trunk Railway Company for connecting their line of railway with the said harbour and elevator so as to give all necessary and suitable facilities for the transportation of grain from the said elevator.

10. In case it shall be deemed necessary to procure an act of the Legislature of Ontario to legalize this agreement or any part thereof or the by-laws of the corporation for carrying the same into effect, the cost of such legislation shall be borne and paid by the company.

In witness whereof the parties hereto have caused to be affixed their corporate seals and the Mayor and Clerk of the said corporation of the town of Meaford, and the President and Secretary-Treasurer of the said The Botsford Jenks Company, Port Huron, Mich., have set their hands the day and year first above written.

[L.S.] Signed, sealed and delivered in the presence of (as to execution by the Mayor and Clerk at the town of Meaford).

(Sgd) JNO. S. WILSON.

[L.S.] (As to execution by the President of the said company).

(Sgd.) J. W. TAYLOR.

[L.S.] (As to execution by the Secretary-Treasurer of the said company)

(Sgd.) J. W. TAYLOR.

J. D. HAMILL,
Mayor of Meaford.

GEO. G. ALBER,
Clerk of Meaford.

J. E. BOTSFORD,
President.

F. D. JENKS.

SCHEDULE B.

This agreement made the sixteenth day of November, 1899 by and between the corporation of the town of Meaford, hereinafter called "the corporation," of the first part, and the Grand Trunk Railway of Canada, hereinafter called "the company," of the second part.

Whereas the present railway station and terminus of the company, at the town of Meaford, are inconveniently located at a considerable distance from the harbor in the said town, and

Whereas the corporation has lately entered into an agreement for the erection at the said harbour of a first-class modern elevator, and it is expedient in order to increase and develop the business of the said company and of the said town and harbor, that direct communication should be established between the railway line of the said company and the said harbour;

And whereas it has been agreed by the parties hereto that the company shall divert its main line of railway from a point on its present line to the said harbour and shall remove the station buildings, freight sheds, offices, engine houses and other company buildings necessary, now situate at its present terminus, and shall furnish all necessary right of way, yard room and station grounds in connection with the line to the said harbor, as shewn on plan hereto attached, marked "A," and construct and erect thereon all such necessary and suitable tracks, sidings, switches, station buildings, freight sheds, offices, work shops, and other buildings and works for carrying on the business of the company at the said town of Meaford, and of the said harbour and elevator in connection therewith, as shall from time to time be required, and the corporation has agreed to aid the company in the removal of the said buildings from the present terminus, and the construction and erection of the said line to the said harbor and of the said buildings and other works by granting to the company a bonus of twenty-five thousand dollars toward the cost thereof, and by granting to the company such further sum (estimated to amount to six thousand dollars) as shall be required for the purchase or expropriation by the company of the necessary rights of way, yard room and station grounds, and all costs and expenses of the necessary conveyancing and expropriation proceedings, it being expressly understood and agreed that the corporation shall first use all means in its power to acquire the said lands for the company, and that in case the corporation fail in acquiring any portion of the said lands by such means, the corporation shall thereupon notify the company thereof and the company shall then proceed to expropriate the same, and by exempting the said lands of the company from payment of taxes (except school taxes) for a period of fifteen years, upon the terms and conditions hereinafter set forth.

Now this agreement witnesseth that each of the said parties hereto hereby covenants and agrees with the other of them in manner following, that is to say:—

1. As soon as the contract shall be let for the construction of a first-class modern elevator at the harbour, in the said town of Meaford, the company shall commence, and not later than September 15th, 1900, (unforeseen delays arising from strikes or other causes beyond the company's control only excepted) to construct and complete a railway line from a point on the present line in the township of St. Vincent, as shewn on plan "A" attached hereto, to connect with the said harbour and elevator, and shall furnish and construct all necessary and suitable rights of way, station grounds, yards, tracks, sidings, switches and other works, and shall remove the station buildings, freight sheds, offices, engine houses and other company buildings necessary from the present terminus and erect such suitable buildings and structures as shall be necessary for carrying on the business of the said company, and of the said harbour and elevator in connection therewith, upon a site convenient to the said harbour and elevator, as shewn upon said plan, in the said town of Meaford.

2. Upon the completion by the company of the said railway line, buildings and other works in connection with the said harbour and elevator as aforesaid, the company shall at once commence and shall thereafter continue to use and operate the same for the transaction of all freight and passenger business, and all other business whatsoever of the company, at the said town of Meaford, and shall thereafter, so far as it legally may, cease to use and employ the present terminus or any other portion of the company's lands for any of the purposes aforesaid.

The company, in the work of construction of the said extension buildings and works, shall, so far as possible, employ as workmen the residents of the said town in preference to non-residents, all conditions being equal.

3. The company shall use all means in its power to promote and encourage the increase of the shipping and carrying trade and business of the said harbour and elevator in connection with its railway line, and shall from time to time furnish, erect and construct such other and further tracks, sidings, switches, buildings and works as shall be required for effectively carrying on such increased trade and business. The company further agrees that, according to its powers, it will not charge, demand, collect or receive from the residents of the town of Meaford any greater compensation for any service rendered or to be rendered in the transportation of passengers or property than it charges, demands, collects or receives from other persons located in any other town or port on Georgian Bay for doing for them a like and contemporaneous service in the transportation of a like kind of traffic, under substantially similar circumstances and conditions.

4. Upon the completion by the company of the said railway line to the said harbour, and the erection of the aforesaid buildings and works in connection therewith, and upon the company commencing to use and operate the same as aforesaid, the corporation shall pay the company by way of bonus the sum of twenty-five thousand dollars toward the cost of the said railway line, buildings and works, and such further sum as may be necessary to fully reimburse the railway company for all expenditures for the acquisition of said rights of way, yard room and station grounds and all proceedings connected therewith.

5. The corporation also agrees to convey and cause to be conveyed to the company absolutely for right of way, station grounds and yards, the following lands, including portions of street, in the said town of Meaford, that is to say:—All those parcels or tracts of land, including portions of streets and land covered with water, situate in the town of Meaford, in the county of Grey and Province of Ontario, which are shewn colored red on the plan hereunto annexed marked "A," which is a blue print of the plan made by Henry K. Wicksteed, O.L.S., under date of 15th November, 1899, and signed by Joseph Hobson, chief engineer of the company, under the said date of 15th November, 1899, which said plan hereunto annexed is hereby declared to be part and parcel of this agreement, and including the right of way to be acquired as aforesaid for the said deviation to the harbour of the main line of the railway of the company between a point on the present main line of the said railway on lot twelve in the fourth concession of the township of St. Vincent, in the county of Grey aforesaid, and the harbor and also all additional widths of land along either or both sides of said right of way which the said chief engineer may consider it necessary should be acquired for embankments and cuttings, or by reason of slips or subsidence upon and along the said right of way and for the proper draining and fencing of the said right of way, and for the purpose of deviating any roads or streets or diverting any rivers, creeks, streams, or watercourses on or along either or both sides of the said right of way, provided nevertheless that the said right of way from the north side of Edwin street to the Big Head river shall nowhere exceed fifty feet in width, as marked on the said plan, and also all rights which the Corporation may now have or become entitled to in or to the land and land covered with water in the immediate waterfront east of the breakwater in

the said harbor in front of the said lands, together with the right to construct and operate tracks, sidings and switches upon the said breakwater for the traffic of the said company, reserving and excepting thereout and therefrom such portions of the said lands as shall be granted to the Botsford-Jenks Company, Port Huron, Mich., in pursuance of the agreement made between the corporation and the said the Botsford-Jenks Company, dated the 25th day of September, 1899, and reserving and excepting also those portions of Harbor Reserve "B" and Collins street lying north of the lands so to be granted to the said the Botsford-Jenks Company, subject to the right of way over the same for the tracks of the company as shewn on the said plan and all lands and lands covered by water and water lots in front of Harbor Reserves "B" and "C" that may or shall be required for the construction, alteration or maintenance of the said harbour, together with the right to enter upon the lands hereby agreed to be conveyed to the company adjoining the said harbor at all times for all necessary purposes in connection with the construction, alteration or maintenance of the said harbor; but so as not to interfere with the traffic or operations of the said company. The corporation further agrees to take all necessary proceedings to stop up and close the portions of streets colored red on the said plan, or marked thereon to be closed and to grant to the company the right to lay and operate the tracks, sidings and switches of the company along, upon and across the several streets or portions of streets shown thereon, including Huron street, to its intersection with Boucher street, and to divert and open the deviation of Collins street and Bridge street as shown on said plan, and to convey the said lands and portions of streets colored red on the said plan as aforesaid, and all other the rights, privileges and appurtenances hereinbefore mentioned to the company as soon as the company shall commence to operate the said railway line to the said harbor.

6. The corporation also agrees to exempt from the payment of all municipal rates and taxes (except school taxes), all the lands and all improvements thereon conveyed by the corporation to the company as aforesaid, and all other lands, and all improvements thereon required by the company for right of way, station grounds and yards within the limits of the said town of Meaford, in connection with the said line to the said harbor for the term of fifteen years to be computed from the time when the same shall be respectively conveyed to or acquired by the company.

7. In case it shall be deemed necessary to procure an Act of the Legislature of Ontario, to legalize this agreement or any part thereof, or the by-laws of the corporation for carrying the same into effect, the cost of procuring the same shall be borne and paid by the company and the corporation shall co-operate and assist in having such Act passed.

In witness whereof the parties hereto have hereunto set their respective corporate seals.

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| Signed, sealed and delivered in the presence of By the corporation. Signed GEO. G. ALBERY, Town Clerk. (By the Company) Signed CHAS. PERCY, Treasurer. | } | The Corporation of the Town of Meaford. J. D. HAMILL, Mayor. [Corporate Seal] The Grand Trunk Railway Company of Canada. Per CHAS. M. HAYES, General Manager. (Corporate Seal). |
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SCHEDULE C.

THE CORPORATION OF THE TOWN OF MEAFORD.

By-Law No. 30, A.D., 1899.

For authorizing the issue of debentures for the sum of \$56,000 for the purpose of granting a bonus of \$31,000 to the Grand Trunk Railway of Canada, and a bonus of \$25,000 to the Botsford-Jenks Company, Port Huron, Mich.

WHEREAS the Grand Trunk Railway Company of Canada has agreed to divert its railway line from a point on the north-east quarter of lot No. 12, in the 4th concession of the township of St. Vincent, near the point of intersection of the said railway line with the sideroad between lots numbers 12 and 13, in the said 4th concession of said township, so as to connect with the harbor at the said town of Meaford, and to erect suitable station and other buildings for the transaction of all its business at the said town in connection with the said harbor and with a proposed elevator to be erected thereat, as more particularly set forth in a certain agreement entered into between the said railway company and the said corporation, and the said corporation has agreed to aid the said railway company in the construction of the said line and the erection of the said buildings, and in acquiring the lands required for right-of-way, station, grounds and other necessary purposes by granting to the said company a bonus of \$31,000 toward the cost thereof.

And whereas, the Botsford-Jenks Company, Port Huron, Mich., has by an agreement entered into between the said last-mentioned company and the said corporation, bearing date the 25th day of September, 1899, agreed to erect at the said harbor a first-class modern elevator to cost not less than \$100,000, and with a present storage capacity of at least 600,000 bushels in the manner and on the terms and conditions set forth in the said agreement, and the said corporation has agreed to aid the said The Botsford-Jenks Company, Port Huron, Mich., in the erection of the said elevator, by granting to the said last-mentioned company a bonus of \$25,000 toward the cost thereof.

And whereas, the construction of the said line of railway and the erection and operation of the said grain elevator will largely increase the shipping and other business of the said harbor, and materially advance the interests of the said town.

And whereas, it is necessary in order to grant the said bonuses to borrow the sum of \$56,000, and in order thereto it will be necessary to issue debentures of the said municipality for the said sum of \$56,000.

And whereas, it is expedient to make the principal of the said debt repayable by annual instalments during the period of thirty years (computed from the 30th day of December, A.D., 1899) so that each of such instalments shall be of such an amount that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to that which is payable for principal and interest during each of the other years of such period.

And whereas the aggregate amount aforesaid required to be raised annually by special rate for principal and interest (computed at the rate of four and a-half per cent. per annum) is the sum of \$3,437.95.

And whereas the amount of the whole rateable property of the said municipality, according to the last revised assessment roll thereof, is \$535,995.

And whereas the amount of the existing debenture debt of the said municipality is \$30,556.02, no principal and no interest being in arrear.

Be it therefore enacted by the municipal council of the corporation of the town of Meaford, as follows:

1. It shall be lawful for the Mayor of the said municipality for the purposes aforesaid to borrow the said sum of \$56,000, and to issue thirty debentures of the said municipality for the said sum of \$3,437.95 each,

payable on the 30th day of December, A.D., 1900, and on the same day in each of the twenty-nine next succeeding years, respectively, each debenture being the amount of principal and interest computed at the said rate of four and a-half per cent. per annum, repayable in each year respectively during thirty years as aforesaid.

2. The said debentures shall be dated the 30th day of December, A.D., 1899, and shall be payable at the office of the Molsons Bank, at the said town of Meaford.

3. It shall be lawful for the Mayor or head of the said municipality, and he is hereby authorized and instructed to sign and issue the said debentures hereby authorized to be issued and to cause the same to be signed by the Treasurer of the said municipality, and the Clerk of the said municipality is hereby authorized and instructed to attach the seal of the said debentures.

4. During the currency of the said debentures, and while any of the said debentures shall remain unpaid there shall be raised, assessed and levied annually for thirty years by special rate as aforesaid upon the whole rateable property within the said municipality the said sum of \$3,437.95, being a sum sufficient to discharge the several yearly sums of principal and interest accruing due as the said yearly sums become respectively payable.

5. That in pursuance of the Municipal Act, a poll shall be held and the votes of the duly qualified ratepayers entitled to vote on this by-law shall be taken on Tuesday, the 12th day of December, A.D., 1899, from the hour of nine o'clock in the morning, until the hour of five o'clock in the afternoon of the same day, at the following polling places in the respective wards of the said municipality :

In the East Ward, at Mr. C. H. Jay's office, on Sykes street, by Mr. C. H. Jay, as deputy returning officer.

In the West Ward, at Wm. Stewart's store on Trowbridge street, by Mr. William Stewart, as deputy returning officer.

And in the North Ward, at the Council Chamber, in the Town Hall, by Mr. Samuel McClain, as deputy returning officer.

6. On Monday, the 11th day of December, A.D., 1899, at the hour of 10 o'clock in the forenoon, the Mayor of the said town will attend at the Council Chamber, aforesaid, for the purpose of appointing in writing, signed by himself, two persons to attend at the final summing up by the Town Clerk of the votes polled on this by-law, and also of appointing one person to attend at each polling-place on behalf of the persons interested in and desirous of promoting the passing of this by-law, and a like number on behalf of the persons interested and desirous of opposing the passing of this by-law.

7. On Wednesday, the 13th day of December, A.D., 1899, at the hour of 5 o'clock in the afternoon, at the Council Chamber aforesaid, the said Town Clerk will proceed to sum up the number of votes given for and against this by-law.

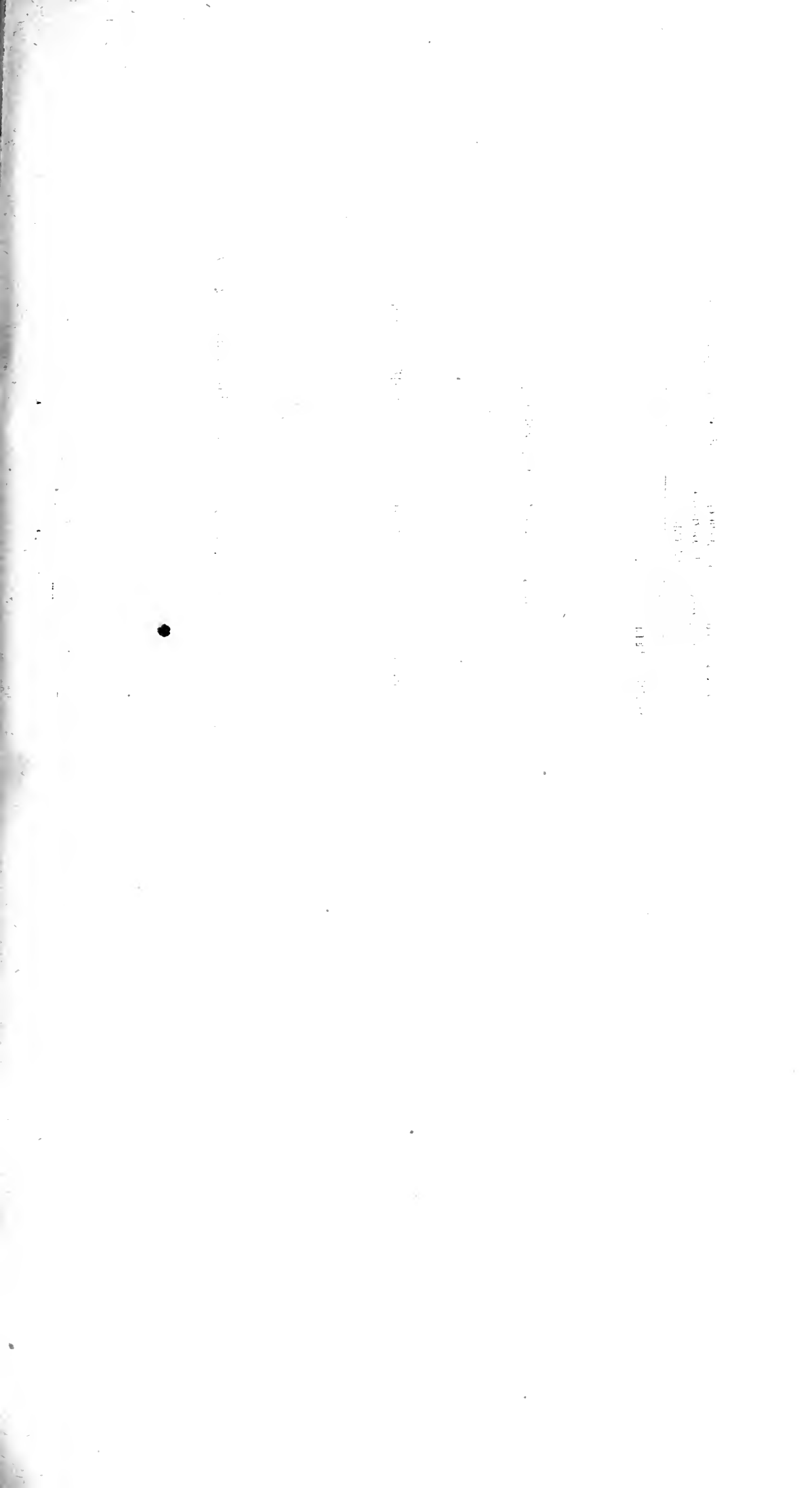
8. This by-law shall come into force and take effect on the day of the passing thereof.

Passed, signed and sealed in Council assembled this 26th day of December, A.D., 1899.

GEO. G. ALBERY,
Town Clerk.

J. D. HAMILL,
Mayor.





No. 18.

3rd Session, 9th Legislature, 63 Vict., 1899.

BILL.

An Act respecting the Town of Meaford.

First Reading, 1900.

(Private Bill.)

Mr. BOYD.

TORONTO:
PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act Respecting the Town of Meaford.

WHEREAS, the *Municipal Corporation* of the Town of Meaford ^{Preamble.} has by petition represented that being desirous of increasing the shipping business of the harbour at the said Town of Meaford, and thereby materially advancing the interests of the said town, an agreement has been entered into between the said Corporation and "The Botsford Jenks Co., Port Huron, Mich.," dated the 25th day of September, 1899, a copy of which said agreement is set forth in schedule A to this Act, for the erection at the said harbor of a first class modern grain elevator of the present storage capacity of 600,000 bushels, in the manner and upon the terms and conditions in the said agreement *set forth*; that in order to utilize the said elevator to the best advantage and to provide railway connection therewith for the transportation of grain, the said corporation has also entered into an agreement with the Grand Trunk Railway Company of Canada, dated the 16th day of November, 1899, for the extension by the said railway company of its present line to the said harbour upon the terms and conditions in the said agreement contained and mentioned, a copy of which said agreement is set forth in schedule "B" to this Act; that the said corporation has agreed to aid the said "The Botsford Jenks Co., Port Huron, Mich.," in the erection of the said elevator by granting to the said company a bonus of \$25,000 towards the cost thereof; that the said corporation has also agreed to aid the said Grand Trunk Railway Company of Canada in the extension of its railway line to the said harbour by granting to the said railway company a bonus of \$25,000 towards the cost of the said extension and station and other buildings, and has also agreed to furnish the necessary right of way and station grounds for the said extension at an estimated cost of \$6,000; that in order to raise the said sums of money, amounting in the whole to \$56,000, a by-law of the said Corporation being No. 30 for 1899, a copy of which is set forth in schedule "C" to this Act, has been duly submitted to the ratepayers entitled to vote thereon under the provisions of *The Municipal Act*, and received the assent of a large majority of the said ratepayers, 291 ^{of} having voted for the said by-law, and only 52 against the *same*, out of a total number of 407 ratepayers qualified to vote thereon, and the said by-law has been finally passed by the said corporation; that the lands proposed by the said agreements to be conveyed to the said respective companies are portions

of lands vested in the said Corporation of the Town of Meaford for harbour purposes, and for the erection of a pier and landing place at the said town, and the portions of streets proposed to be closed and conveyed to the said respective companies are adjacent to the said lands and are not used by the public to any great extent, and the interests of the said harbour and town will be best served by the conveyance of the said lands and portions of streets to the said respective companies for the purposes of the said elevator and railway extension; and whereas the said corporation have by their petition prayed that the said respective agreements and the said by-law may be confirmed and declared legal and valid, and that the said corporation may be authorized and empowered to issue debentures for the said sum of \$56,000 as provided in the said by-law and to grant to the said respective companies the said respective sums of money by way of bonus and the exemptions from payment of taxes (except school taxes) and the lands, including portions of streets, and other rights and privileges particularly mentioned and set forth in the said respective agreements; ^{and} and whereas no opposition by or on behalf of any ratepayer has been given to the said petition; ^{and} and whereas it is expedient to grant the prayer of the said petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Agreements with Botsford Jenks Co. and G. T. R. Co. confirmed.

1. The agreements referred to in the above preamble and respectively set forth in schedules "A" and "B" to this Act are hereby ratified, confirmed and made valid in the same manner and to the same extent as if set out and incorporated in this Act.

By-law 30 for granting bonuses confirmed.

2. The said by-law No. 30 for 1899 of the said corporation of the town of Meaford set out in schedule "C" to this Act is hereby confirmed and declared to be valid and legal and to be binding upon the corporation of the said town.

Power to borrow \$56,000.

3. The said corporation is hereby authorized and empowered to borrow the said sum of \$56,000 and to issue debentures therefor, repayable in the manner and for the amounts set forth in the said by-law.

Power to convey certain lands to companies.

4. It shall be lawful for the said corporation to convey to the said respective companies the portions of the said lands held by the said corporation, for harbor and other purposes mentioned and referred to in the said respective agreements.

Closing certain streets.

5. The portions of streets mentioned and referred to in the said respective agreements, and agreed to be conveyed by the said corporation to the said respective companies, are hereby declared to be stopped up and closed as highways, and the said

corporation is hereby empowered to grant and convey the same to the said respective companies in accordance with the said respective agreements, without previously taking the proceedings required by *The Municipal Act*, for stopping up and closing the said portions of streets. Rev. Stat.
c. 223.

6. It shall and it may be lawful for the said Corporation to hold and use all the lands and water lots now held by them for harbour purposes, as well as the water lot in front of harbour reserve C., extending from water lot E. easterly to the east limit of said harbour reserve C. in the event of the said corporation acquiring the same, and to lease or sell and convey the same or any portion or portions thereof to such persons or corporations for such purposes and upon such terms as the Municipal Council of the said Corporation shall or may, from time to time, see fit in the interests of the said town.

SCHEDULE A.

This agreement made the twenty-fifth day of September in the year one thousand eight hundred and ninety-nine, by and between The Corporation of the Town of Meaford (hereinafter called the Corporation) of the first part and The Botsford Jenks Company, Port Huron, Mich., hereinafter called the Company) of the second part.

Whereas the Company has agreed to erect a grain elevator for the storage and transportation of grain upon a site to be hereafter mutually agreed upon near the mouth of the Harbour in the said Town on the property of the Corporation and the Corporation has under the provisions of *The Municipal Act* in that respect agreed to assist the Company in the erection of such grain elevator by granting to the Company a bonus of twenty-five thousand dollars (\$25,000) towards the cost thereof and has also at the request of the Company agreed to exempt the Company from the payment of taxes (except school taxes) upon the said grain elevator and site for the period of ten years upon the terms and conditions hereinafter set forth:—

Now this agreement witnesseth that the said parties for themselves, their successors and assigns hereby covenant, promise and agree each with the other and their successors and assigns in manner following, that is to say—

1. The Company will cause to be erected, constructed and equipped on the site to be selected as above a first class modern grain elevator to cost at least one hundred thousand (\$100,000) dollars with all necessary and usual equipments, appliances and facilities for the storage and transportation of grain with a storage capacity of not less than (600,000) six hundred thousand bushels of grain and capable of unloading not less than (10,000) ten thousand bushels per hour from vessels, the said elevator to be equipped with motive power, machinery and other appliances sufficient for an elevator with a storage capacity of not less than (1,000,000) one million bushels of grain and to be fully completed on or before the fifteenth day of September (A.D. 1900) next in a good workmanlike manner and of good substantial materials to the approval of the corporation or of an engineer to be appointed by them, and will also whenever the increase of business shall warrant and require it from time to time erect and construct an addition or additions to the said grain elevator for the storage of grain to the extent in the whole of (1,000,000) one million bushels.

2. The said company will cause to be maintained and kept in good working order and repair the said elevator, machinery, appliances and

equipments and all additions made thereto as above mentioned, and will well and sufficiently operate, use and employ the same for the storage and transportation of grain as aforesaid for the period of at least twenty-five (25) years from the said fifteenth day of September, A.D. 1900. The company will at all times in the construction, maintenance and operation of the said elevator and works employ artisans, mechanics, labourers and other employees and workmen residing in the town of Meaford aforesaid in preference to non-residents, all other conditions being equal.

3. The company will at their own expense insure and at all times keep insured against loss by fire in a reliable insurance company or companies to be approved by the corporation; the said elevator, building, machinery and equipments to the extent of at least (\$25,000) twenty-five thousand dollars, and will assign the policy or policies for such insurance to the corporation as security for the payment of the amount of their lien on the said building and premises as provided in clause 8 of this agreement. In the event of the destruction or partial destruction of the said elevator building and premises by fire the company shall within three months thereafter determine whether they shall repair or rebuild and restore the same or not and shall immediately notify the corporation in writing of their intention in that behalf and in case the company decide to repair or rebuild and restore the same they shall proceed to do so forthwith with all reasonable despatch and shall have the same completely repaired or rebuilt and restored within seven months after such decision is reached.

4. The corporation shall convey by deed to the company the site required for the erection of the said elevator and works to be mutually agreed upon as aforesaid situate on the east side of the Big Head River and to be three hundred (300) feet square to be held by the company for so long as the company shall continue to carry on operations under the terms of this agreement, and shall also give the company during the period aforesaid the prime use of all frontage in the harbour on the east side of the said river required to load and unload boats and for railroad sidings in connection with the said elevator. And upon the company ceasing to carry on operations under the terms of this agreement the said site and all privileges hereby granted and conferred upon the company shall immediately revert to and become absolutely re-vested in the corporation.

5. The corporation shall also cause to be dredged and maintained during all the period aforesaid a free channel from deep water of sufficient depth to make the said elevator freely accessible by vessels carrying grain in Canadian waters not exceeding eighteen feet and will have the dredging and piling in the said harbour extended so as to provide space of not less than three hundred and fifty feet (350 feet) on each side of the centre of the said elevator site for the landing of vessels carrying grain and will also construct a suitable pier along the whole of the said front.

6. Upon the erection and completion of the said elevator building, machinery and appliances to the satisfaction of the corporation or their engineer as set forth in the first clause hereof, the corporation shall pay to the company the sum of twenty-five thousand dollars as a bonus towards the cost of the said works and upon the terms and conditions herein contained and set forth.

7. The corporation also agrees to exempt the company from payment of all municipal rates and taxes (except school taxes) from the date of completion of the said elevator building and while the company shall continue to carry on the said business for a period not exceeding ten years.

8. The intention of this agreement is that the company shall cause to be kept in good running order and repair and efficiently operated and used and maintained the said elevator and the works and facilities in connection therewith for the storage and transportation of grain at the said town of Meaford for the future and shall by all means in their power endeavor to induce and increase the shipment of grain at the said town of Meaford, but in order to provide against disputes the company may terminate this agreement at any time on giving six months notice in writing to the corporation of their intention to do so, and at the expiration of

six months from the service of such notice the obligation of the company under this agreement shall be at an end, and in such case the company shall refund to the corporation such sum (if any) in full of all damages for the breach of this agreement as may be found due computed on the following basis, that is to say, provided the company has kept and maintained the said grain elevator and its appliances in good running order and repair and has efficiently operated, used and employed the same for the purposes hereinbefore mentioned for the term of twenty-five years from the date of commencement of operations, then in case of the last mentioned notice being given no sum whatever shall be due or payable by the company to the corporation, but in the event of such notice being given before the expiration of the said period of twenty-five years or if the said elevator and premises shall within such period of twenty-five years be destroyed or injured by fire and the said company shall give notice as provided in clause 3 hereof of their intention not to rebuild or repair and restore the said elevator and premises, then in either such case the company shall upon such notice being given forthwith become liable to repay and shall forthwith pay to the corporation a sum computed at the rate of (\$1,000) one thousand dollars per year and a proportionate sum for any fraction of a year for the time to elapse from the date of such notice until the end of the said term of twenty-five years and upon such sum being paid all cause and causes of action by the corporation against the company for any breach of this agreement shall be thereupon extinguished and satisfied. And it is hereby declared and agreed that the corporation shall have a lien and charge upon all the machinery, appliances and equipments of the company, in and upon the said elevator building and premises for the said sum of twenty-five thousand dollars or the proportionate part thereof repayable to the corporation as aforesaid, and that until payment thereof in full none of the said machinery appliances or other property of the company shall be removed from the said buildings or premises.

9. This agreement shall not be binding upon either of the said parties unless and until the corporation shall make arrangements with the Grand Trunk Railway Company for connecting their line of railway with the said harbour and elevator so as to give all necessary and suitable facilities for the transportation of grain from the said elevator.

10. In case it shall be deemed necessary to procure an act of the Legislature of Ontario to legalize this agreement or any part thereof or the by-laws of the corporation for carrying the same into effect, the cost of such legislation shall be borne and paid by the company.

In witness whereof the parties hereto have caused to be affixed their corporate seals and the Mayor and Clerk of the said corporation of the town of Meaford, and the President and Secretary-Treasurer of the said The Botsford Jenks Company, Port Huron, Mich., have set their hands the day and year first above written.

[L.S.] Signed, sealed and delivered in the presence of (as to execution by the Mayor and Clerk at the town of Meaford).

(Sgd) JNO. S. WILSON.

[L.S.] (As to execution by the President of the said company).

(Sgd.) J. W. TAYLOR.

[L.S.] (As to execution by the Secretary-Treasurer of the said company)

(Sgd.) J. W. TAYLOR.

J. D. HAMILL,
Mayor of Meaford.

GEO. G. ALBER,
Clerk of Meaford.

J. E. BOTSFORD,
President.

F. D. JENKS.

SCHEDULE B.

This agreement made the sixteenth day of November, 1899, by and between the corporation of the town of Meaford, hereinafter called "the corporation," of the first part, and the Grand Trunk Railway of Canada, hereinafter called "the company," of the second part.

Whereas the present railway station and terminus of the company, at the town of Meaford, are inconveniently located at a considerable distance from the harbor in the said town, and

Whereas the corporation has lately entered into an agreement for the erection at the said harbour of a first-class modern elevator, and it is expedient in order to increase and develop the business of the said company and of the said town and harbor, that direct communication should be established between the railway line of the said company and the said harbour;

And whereas it has been agreed by the parties hereto that the company shall divert its main line of railway from a point on its present line to the said harbour and shall remove the station buildings, freight sheds, offices, engine houses and other company buildings necessary, now situate at its present terminus, and shall furnish all necessary right of way, yard room and station grounds in connection with the line to the said harbor, as shewn on plan hereto attached, marked "A," and construct and erect thereon all such necessary and suitable tracks, sidings, switches, station buildings, freight sheds, offices, work shops, and other buildings and works for carrying on the business of the company at the said town of Meaford, and of the said harbour and elevator in connection therewith, as shall from time to time be required, and the corporation has agreed to aid the company in the removal of the said buildings from the present terminus, and the construction and erection of the said line to the said harbor and of the said buildings and other works by granting to the company a bonus of twenty-five thousand dollars toward the cost thereof, and by granting to the company such further sum (estimated to amount to six thousand dollars) as shall be required for the purchase or expropriation by the company of the necessary rights of way, yard room and station grounds, and all costs and expenses of the necessary conveyancing and expropriation proceedings, it being expressly understood and agreed that the corporation shall first use all means in its power to acquire the said lands for the company, and that in case the corporation fail in acquiring any portion of the said lands by such means, the corporation shall thereupon notify the company thereof and the company shall then proceed to expropriate the same, and by exempting the said lands of the company from payment of taxes (except school taxes) for a period of fifteen years, upon the terms and conditions hereinafter set forth.

Now this agreement witnesseth that each of the said parties hereto hereby covenant and agrees with the other of them in manner following, that is to say:—

1. As soon as the contract shall be let for the construction of a first-class modern elevator at the harbour, in the said town of Meaford, the company shall commence, and not later than September 15th, 1900, (unforeseen delays arising from strikes or other causes beyond the company's control only excepted) to construct and complete a railway line from a point on the present line in the township of St. Vincent, as shewn on plan "A" attached hereto, to connect with the said harbour and elevator, and shall furnish and construct all necessary and suitable rights of way, station grounds, yards, tracks, sidings, switches and other works, and shall remove the station buildings, freight sheds, offices, engine houses and other company buildings necessary from the present terminus and erect such suitable buildings and structures as shall be necessary for carrying on the business of the said company, and of the said harbour and elevator in connection therewith, upon a site convenient to the said harbour and elevator, as shewn upon said plan, in the said town of Meaford.

2. Upon the completion by the company of the said railway line, buildings and other works in connection with the said harbour and elevator as aforesaid, the company shall at once commence and shall thereafter continue to use and operate the same for the transaction of all freight and passenger business, and all other business whatsoever of the company, at the said town of Meaford, and shall thereafter, so far as it legally may, cease to use and employ the present terminus or any other portion of the company's lands for any of the purposes aforesaid.

The company, in the work of construction of the said extension buildings and works, shall, so far as possible, employ as workmen the residents of the said town in preference to non-residents, all conditions being equal.

3. The company shall use all means in its power to promote and encourage the increase of the shipping and carrying trade and business of the said harbour and elevator in connection with its railway line, and shall from time to time furnish, erect and construct such other and further tracks, sidings, switches, buildings and works as shall be required for effectively carrying on such increased trade and business. The company further agrees that, according to its powers, it will not charge, demand, collect or receive from the residents of the town of Meaford any greater compensation for any service rendered or to be rendered in the transportation of passengers or property than it charges, demands, collects or receives from other persons located in any other town or port on Georgian Bay for doing for them a like and contemporaneous service in the transportation of a like kind of traffic, under substantially similar circumstances and conditions.

4. Upon the completion by the company of the said railway line to the said harbour, and the erection of the aforesaid buildings and works in connection therewith, and upon the company commencing to use and operate the same as aforesaid, the corporation shall pay the company by way of bonus the sum of twenty-five thousand dollars toward the cost of the said railway line, buildings and works, and such further sum as may be necessary to fully reimburse the railway company for all expenditures for the acquisition of said rights of way, yard room and station grounds and all proceedings connected therewith.

5. The corporation also agrees to convey and cause to be conveyed to the company absolutely for right of way, station grounds and yards, the following lands, including portions of street, in the said town of Meaford, that is to say :—All those parcels or tracts of land, including portions of streets and land covered with water, situate in the town of Meaford, in the county of Grey and Province of Ontario, which are shown colored red on the plan hereunto annexed marked "A," which is a blue print of the plan made by Henry K. Wicksteed, O.L.S., under date of 15th November, 1899, and signed by Joseph Hobson, chief engineer of the company, under the said date of 15th November, 1899, which said plan hereunto annexed is hereby declared to be part and parcel of this agreement, and including the right of way to be acquired as aforesaid for the said deviation to the harbour of the main line of the railway of the company between a point on the present main line of the said railway on lot twelve in the fourth concession of the township of St. Vincent, in the county of Grey aforesaid, and the harbor and also all additional widths of land along either or both sides of said right of way which the said chief engineer may consider it necessary should be acquired for embankments and cuttings, or by reason of slips or subsidence upon and along the said right of way and for the proper draining and fencing of the said right of way, and for the purpose of deviating any roads or streets or diverting any rivers, creeks, streams, or watercourses on or along either or both sides of the said right of way, provided nevertheless that the said right of way from the north side of Edwin street to the Big Head river shall nowhere exceed fifty feet in width, as marked on the said plan, and also all rights which the Corporation may now have or become entitled to in or to the land and land covered with water in the immediate waterfront east of the breakwater in

the said harbor in front of the said lands, together with the right to construct and operate tracks sidings and switches upon the said breakwater for the traffic of the said company, reserving and excepting thereout and therefrom such portions of the said lands as shall be granted to the Botsford-Jenks Company, Port Huron, Mich., in pursuance of the agreement made between the corporation and the said the Botsford-Jenks Company, dated the 25th day of September, 1899, and reserving and excepting also those portions of Harbor Reserve "B" and Collins street lying north of the lands so to be granted to the said the Botsford-Jenks Company, subject to the right of way over the same for the tracks of the company as shewn on the said plan and all lands and lands covered by water and water lots in front of Harbor Reserves "B" and "C" that may or shall be required for the construction, alteration or maintenance of the said harbour, together with the right to enter upon the lands hereby agreed to be conveyed to the company adjoining the said harbor at all times for all necessary purposes in connection with the construction, alteration or maintenance of the said harbor; but so as not to interfere with the traffic or operations of the said company. The corporation further agrees to take all necessary proceedings to stop up and close the portions of streets colored red on the said plan, or marked thereon to be closed and to grant to the company the right to lay and operate the tracks, sidings and switches of the company along, upon and across the several streets or portions of streets shown thereon, including Huron street, to its intersection with Boucher street, and to divert and open the deviation of Collins street and Bridge street as shown on said plan, and to convey the said lands and portions of streets colored red on the said plan as aforesaid, and all other the rights, privileges and appurtenances hereinbefore mentioned to the company as soon as the company shall commence to operate the said railway line to the said harbor.

6. The corporation also agrees to exempt from the payment of all municipal rates and taxes (except school taxes), all the lands and all improvements thereon conveyed by the corporation to the company as aforesaid, and all other lands, and all improvements thereon required by the company for right of way, station grounds and yards within the limits of the said town of Meaford, in connection with the said line to the said harbor for the term of fifteen years to be computed from the time when the same shall be respectively conveyed to or acquired by the company.

7. In case it shall be deemed necessary to procure an Act of the Legislature of Ontario, to legalize this agreement or any part thereof, or the by-laws of the corporation for carrying the same into effect, the cost of procuring the same shall be borne and paid by the company and the corporation shall co-operate and assist in having such Act passed.

In witness whereof the parties hereto have hereunto set their respective corporate seals.

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| Signed, sealed and delivered in the presence of By the corporation. Signed GEO. G. ALBERY, Town Clerk. (By the Company) Signed CHAS. PERCY, Treasurer. | } | The Corporation of the Town of Meaford. J. D. HAMILL, Mayor. [Corporate Seal] The Grand Trunk Railway Company of Canada. Per CHAS. M. HAYES, General Manager. (Corporate Seal). |
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SCHEDULE C.

THE CORPORATION OF THE TOWN OF MEAFORD.

By-Law No. 30, A.D., 1899.

For authorizing the issue of debentures for the sum of \$56,000 for the purpose of granting a bonus of \$31,000 to the Grand Trunk Railway of Canada, and a bonus of \$25,000 to the Botsford-Jenks Company, Port Huron, Mich.

WHEREAS the Grand Trunk Railway Company of Canada has agreed to divert its railway line from a point on the north-east quarter of lot No. 12, in the 4th concession of the township of St. Vincent, near the point of intersection of the said railway line with the sideroad between lots numbers 12 and 13, in the said 4th concession of said township, so as to connect with the harbor at the said town of Meaford, and to erect suitable station and other buildings for the transaction of all its business at the said town in connection with the said harbor and with a proposed elevator to be erected thereat, as more particularly set forth in a certain agreement entered into between the said railway company and the said corporation, and the said corporation has agreed to aid the said railway company in the construction of the said line and the erection of the said buildings, and in acquiring the lands required for right-of-way, station, grounds and other necessary purposes by granting to the said company a bonus of \$31,000 toward the cost thereof.

And whereas, the Botsford-Jenks Company, Port Huron, Mich., has by an agreement entered into between the said last-mentioned company and the said corporation, bearing date the 25th day of September, 1899, agreed to erect at the said harbor a first-class modern elevator to cost not less than \$100,000, and with a present storage capacity of at least 600,000 bushels in the manner and on the terms and conditions set forth in the said agreement, and the said corporation has agreed to aid the said The Botsford-Jenks Company, Port Huron, Mich., in the erection of the said elevator, by granting to the said last-mentioned company a bonus of \$25,000 toward the cost thereof.

And whereas, the construction of the said line of railway and the erection and operation of the said grain elevator will largely increase the shipping and other business of the said harbor, and materially advance the interests of the said town.

And whereas, it is necessary in order to grant the said bonuses to borrow the sum of \$56,000, and in order thereto it will be necessary to issue debentures of the said municipality for the said sum of \$56,000.

And whereas, it is expedient to make the principal of the said debt repayable by annual instalments during the period of thirty years (computed from the 30th day of December, A.D., 1899) so that each of such instalments shall be of such an amount that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to that which is payable for principal and interest during each of the other years of such period.

And whereas the aggregate amount aforesaid required to be raised annually by special rate for principal and interest (computed at the rate of four and a-half per cent. per annum) is the sum of \$3,437.95.

And whereas the amount of the whole rateable property of the said municipality, according to the last revised assessment roll thereof, is \$535,995.

And whereas the amount of the existing debenture debt of the said municipality is \$30,556.02, no principal and no interest being in arrear.

Be it therefore enacted by the municipal council of the corporation of the town of Meaford, as follows :

1. It shall be lawful for the Mayor of the said municipality for the purposes aforesaid to borrow the said sum of \$56,000, and to issue thirty

debentures of the said municipality for the said sum of \$3,437.95 each, payable on the 30th day of December, A.D., 1900, and on the same day in each of the twenty-nine next succeeding years, respectively, each debenture being the amount of principal and interest computed at the said rate of four and a-half per cent. per annum, repayable in each year respectively during thirty years as aforesaid.

2. The said debentures shall be dated the 30th day of December, A.D., 1899, and shall be payable at the office of the Molsons Bank, at the said town of Meaford.

3. It shall be lawful for the Mayor or head of the said municipality, and he is hereby authorized and instructed to sign and issue the said debentures hereby authorized to be issued and to cause the same to be signed by the Treasurer of the said municipality, and the Clerk of the said municipality is hereby authorized and instructed to attach the seal of the said corporation to the said debentures.

4. During the currency of the said debentures, and while any of the said debentures shall remain unpaid there shall be raised, assessed and levied annually for thirty years by special rate as aforesaid upon the whole rateable property within the said municipality the said sum of \$3,437.95, being a sum sufficient to discharge the several yearly sums of principal and interest accruing due as the said yearly sums become respectively payable.

5. That in pursuance of the Municipal Act, a poll shall be held and the votes of the duly qualified ratepayers entitled to vote on this by-law shall be taken on Tuesday, the 12th day of December, A.D., 1899, from the hour of nine o'clock in the morning, until the hour of five o'clock in the afternoon of the same day, at the following polling places in the respective wards of the said municipality:

In the East Ward, at Mr. C. H. Jay's office, on Sykes street, by Mr. C. H. Jay, as deputy returning officer.

In the West Ward, at Wm. Stewart's store on Trowbridge street, by Mr. William Stewart, as deputy returning officer.

And in the North Ward, at the Council Chamber, in the Town Hall, by Mr. Samuel McClain, as deputy returning officer.

6. On Monday, the 11th day of December, A.D., 1899, at the hour of 10 o'clock in the forenoon, the Mayor of the said town will attend at the Council Chamber, aforesaid, for the purpose of appointing in writing, signed by himself, two persons to attend at the final summing up by the Town Clerk of the votes polled on this by-law, and also of appointing one person to attend at each polling-place on behalf of the persons interested in and desirous of promoting the passing of this by-law, and a like number on behalf of the persons interested and desirous of opposing the passing of this by-law.

7. On Wednesday, the 13th day of December, A.D., 1899, at the hour of 5 o'clock in the afternoon, at the Council Chamber aforesaid, the said Town Clerk will proceed to sum up the number of votes given for and against this by-law.

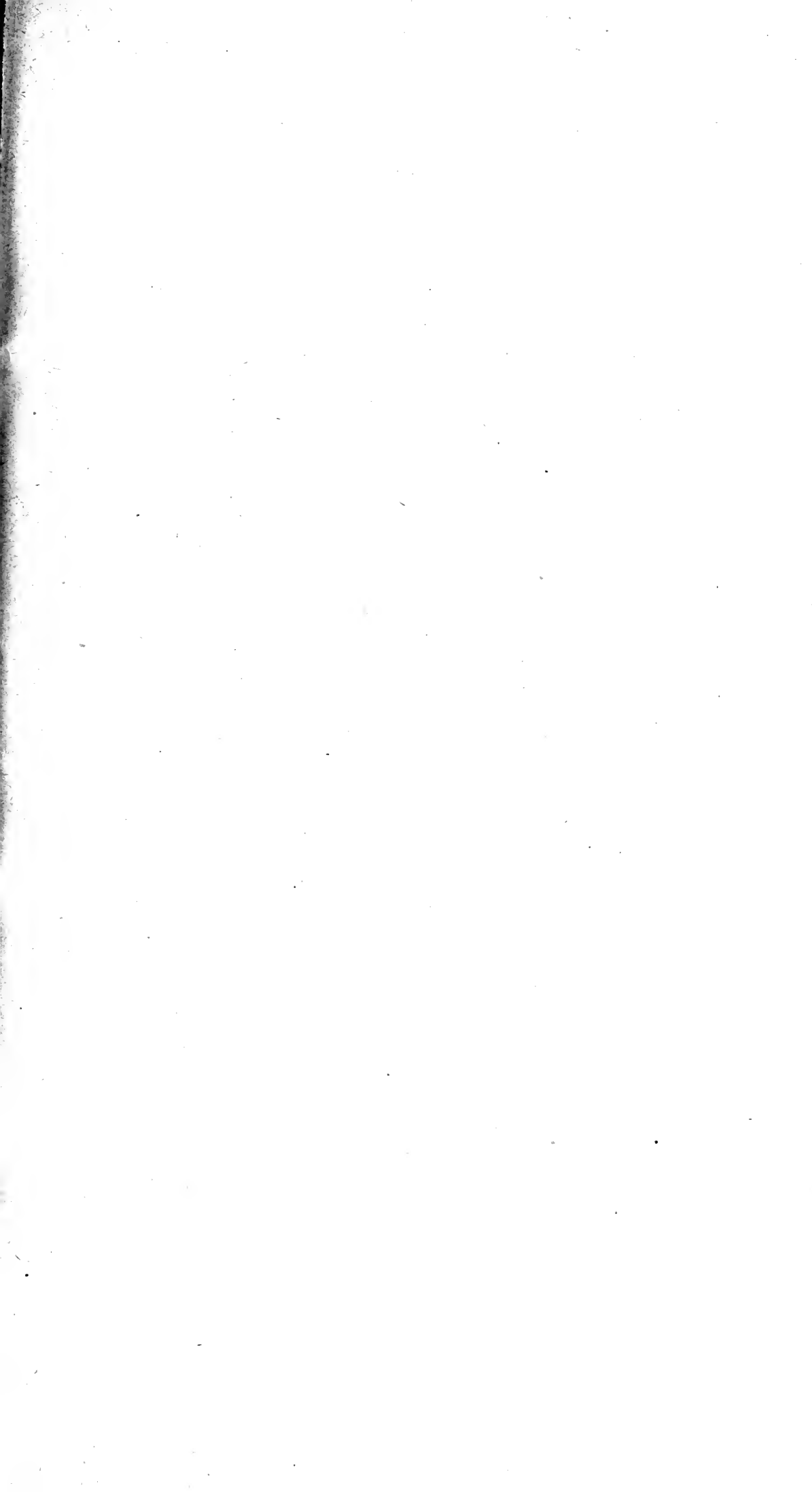
8. This by-law shall come into force and take effect on the day of the passing thereof.

Passed, signed and sealed in Council assembled this 26th day of December, A.D., 1899.

GEO. G. ALBERY,
Town Clerk.

J. D. HAMILL,
Mayor.

{ SEAL }



No. 18.

3rd Session, 9th Legislature, 63 Vict., 1899.

BILL.

An Act respecting the Town of Meaford.

First Reading, 14th March, 1900

*(Reprinted as amended by Private Bills
Committee.)*

Mr. BOYD.

TORONTO :

PRINTED BY L. K. CAMERON, ¹

Printer to the Queen's Most Excellent Majesty.

An Act respecting the City of Toronto.

WHEREAS the Municipal Corporation of the City of Toronto has, by its Petition, prayed for special legislation in respect to the several matters herein set forth; and whereas it is expedient to grant the prayer of the said Petition: Preamble.

5 Therefore Her Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. A certain agreement made between the said corporation and Lever Brothers, Limited, which is printed as Schedule "A" hereto, is hereby validated and confirmed, and the parties thereto are hereby empowered to do all acts necessary to give effect to the same; provided, however, that nothing contained in the said agreement or in this Act shall in any way affect or diminish the right of the corporation to collect the moneys payable in respect of the Don Improvement authorized by any Act of this Legislature heretofore passed, except so far as any part of the land otherwise assessable for the Don Improvement is removed from said assessment by the said agreement, and to the extent of the assessment which would have been made upon such lands, the City of Toronto as a whole shall be liable for such assessment as would, but for the said agreement, have been charged against the land removed by the said agreement from such assessment. Agreement with Lever Bros., Ltd. confirmed.

2. An agreement between the said corporation and the Toronto Hotel Company, which is printed as Schedule "B" hereto, with any modification thereof which the said parties thereto may agree upon, shall, when duly executed by the several parties respectively, be valid and binding on the parties thereto; and the said parties thereto are hereby empowered to do all acts necessary to give effect to the same, and the said corporation shall, pursuant to the report of the city engineer and assessment commissioner respecting the same, have power to open Victoria Street therein referred to as a local improvement, and shall also have power to assess for the cost of the said street opening, including the sum of \$80,000 therein mentioned, as may be determined by the Court of Revision, or in case of appeal therefrom, by the County Judge. Agreement with Toronto Hotel Co. confirmed.

3. The by-laws of the Corporation of the City of Toronto specified in Schedule "C" hereto, and all debentures issued, or By-laws validated.

to be issued thereunder, and all assessments made, or to be made, for the payment thereof, are hereby validated and confirmed, except so much of By-Law Number 3721 therein mentioned as charges, a rate against the University land fronting upon Queen's Park drive, which rates are to be charged to the city's share of the cost of such improvement as though the same had been originally charged thereto. 5

Smallpox
hospital site.

4. Notwithstanding the Provisions of the Public Health Act, the lands described as all and singular that certain parcel or tract of land and premises in the City of Toronto, being composed of part of lot Number 15 in the first concession from the Bay, Township of York, now within the limits of the City of Toronto, and which may be more particularly described as follows, that is to say—commencing on the production westerly of the northerly limit of that part of said lot 15, lying east of Winchester Street, heretofore granted by one Harry Scadding et al to the City of Toronto by deed dated the 30th day of December, A.D. 1856, at a point where the same is intersected by a line drawn parallel with the westerly limit of Winchester Street aforesaid, and distant 100 feet measured westerly there from and at right angles thereto; thence southerly parallel with the westerly limit of Winchester Street 50 feet; thence westerly parallel with the north limit above mentioned 250 feet; thence northerly at right angles thereto 200 feet; thence easterly parallel with said north limit 280 feet more or less to the above mentioned line drawn parallel with Winchester Street; thence southerly along that line to the place of beginning, may be used by the city of Toronto as a site for a smallpox hospital, and for that purpose the said land is hereby removed from the dedication of by By-Law No. 2761 of the said corporation passed on the 8th day of December, 1890, of the lands thereby included in a public park. 10 15 20 25 30

SCHEDULE A.

Agreement made this day of , one thousand eight hundred and ninety nine, between the Corporation of the City of Toronto, hereinafter called the "Corporation," of the first part; and Lever Brothers, Limited, hereinafter called the "Company," of the second part.

Whereas the company was incorporated under the English "Companies Act," and carries on business as a manufacturer of soap, glycerine, dynamite and other articles, its chief place of business being at Port Sunlight, England;

And whereas the company having determined to establish a branch of its business in Canada, the corporation has requested that such branch should be located in the city of Toronto;

And whereas the company has represented to the corporation that it has secured from the trustees of the estate of the late John Smith, an option for the purchase of certain land owned by said estate, comprising about twenty-three acres, and being that parcel of land bounded on the west by the highway known as the Don Improvement road; on the south by Eastern avenue; on the east by Broadview avenue, and on the north by a line drawn nearly parallel with Queen street at a distance

of about one hundred and forty feet southerly from said street, and extending from said Don Improvement road to Broadview avenue; also a triangular parcel of land lying to the south of the above described land, and bounded on the north by Eastern avenue; on the west by said Don Improvement road, and on the south by the property of the Grand Trunk Railway Company, and that said company is prepared to purchase said land and to establish thereon a branch of its said business upon the corporation entering into the agreement hereinafter contained;

And whereas negotiations in respect of the agreements and arrangements embodied in this agreement were being carried on prior to the date of the passing of "The Municipal Amendment Act, 1899," and were pending on said date;

Now this agreement witnesseth that if the company becomes the purchaser of the lands above described, or some substantial part thereof, the corporation covenants and agrees with the company as follows:

1. So soon as the consent of the owners, mortgagees and lessees of the "Byres" property hereinafter mentioned to such closure has been obtained, to close as a public highway that part of the public esplanade or highway on the east side of the river Don, having a width of 125 feet extending from the south limit of Eastern avenue to the property of the Grand Trunk Railway Company, and to convey the land so closed in fee to the company, but such closure and conveyance is to be subject always to the existing rights, if any, of any railways intitled under any existing legislation or agreements with the corporation to use any part of said highway.

2. To replace the present piling, on the east bank of the river Don in front of that portion of said land lying between Eastern avenue and the property of the Grand Trunk Railway Company with substantial crib-work of timber and stone, such crib-work to be raised to the height of the centre of the roadway of Eastern avenue where said roadway is intersected by the present travelled road along the east side of the Don river; and the land lying between said crib-work and the present western limit of the said land of the Smith estate to be filled in and raised to the same level.

3. To construct, grade, level and macadamize, to the width of thirty feet, that part of said public esplanade or highway on the east side of the Don river, reserved for a roadway, as shown on Unwin, Browne & Sankey's plan of the Don improvement, and herein referred to as the Don Improvement road, from Queen street to Eastern avenue, so as to make the same a good substantial road, and to construct a substantial wooden sidewalk six feet wide, along the east side of said road, between the same points.

4. To properly level, grade and macadamize, at the expense of the corporation, and not as a local improvement, to the width of thirty feet the highway known as Eastern avenue, from the said Don Improvement road to the point of intersection of Eastern avenue by the Grand Trunk Railway, so as to make the same a good substantial road, and to construct a substantial wooden sidewalk, six feet wide, along the south side of Eastern avenue between the same points, but this clause and clause three shall not apply to renewals or reconstructions.

5. To extend the city water pipes and water (if not already there) along Eastern avenue to the eastern boundary of the said land on Eastern avenue, and to place on said Eastern avenue the necessary hydrants for fire and other purposes.

6. To provide on Eastern avenue (if not already there) the necessary sewer but not private drains for the proper drainage of the company's said premises.

7. So soon as permission to construct the private road hereinafter mentioned has been secured from the owners of the lands upon which it is to be situate (such permission to be obtained without expense to the corporation), to lay out, construct, grade, level and macadamize at the expense of the corporation, a good substantial road, twenty feet wide, commencing at Eastern avenue where the same intersects the property of the Grand Trunk Railway, and thence extending southerly across the propert

of said railway company, and along or near the easterly boundary of the property leased by the late John Smith to Gooderham & Worts, Limited, known as the "Byres," a distance of eight hundred feet, more or less, to an existing private road; said new road to be a private road for the said "Byres" property only.

8. The corporation shall not be bound to do any of the works herein provided for in paragraphs 1 to 7 inclusive during the present year, nor until the company shall have spent at least the sum of fifty thousand dollars in the erection of its buildings and works mentioned in paragraph 15 hereof, but thereafter the corporation shall forthwith proceed to do the said works provided for in said paragraphs 1 to 7 inclusive, and so continue the said works simultaneously with the erection by the company of its buildings and works as provided in paragraph No. 15 hereof to completion, so that the works by the corporation and by the company shall be completed as near as may be at the same time.

9. To deepen to such depth as the company may from time to time find necessary for the purposes of its business during the season of navigation, not, however, exceeding a depth of fourteen feet, the Don river from Eastern avenue to its entrance into the bay, and thence to the channel in the harbor leading to its eastern entrance from the lake, and to maintain the same at such depth: Provided that in no case shall the corporation be obliged to do any deepening prior to the year 1901, nor in any case to provide a greater depth in said river and bay than that of the said channel: Provided, also, that the corporation shall not be obliged to do such deepening unless and until the company find the same to be necessary for the purposes aforesaid, and then only as and when requested in that behalf: Provided, nothing contained in this agreement shall operate to prevent the city council, the Dominion Parliament or Government, or the harbor commissioners, or any or either of them, from changing the present channel of the Don river south of the Grand Trunk Railway bridge, and its entrance into the bay or lake, in any way they may think advisable, and closing the present channel or part thereof south of the said bridge, but in case of such change being made, the corporation shall provide and maintain a like depth of water in the new channel and entrance, and shall provide and maintain access, with like depth of water, for the company by means of such new channel to and from its said property from and to the said channel in the harbor leading to the eastern entrance of the lake or from and to the lake itself; and such new channel and changed access shall be accepted by the company in lieu of that herein provided for.

10. All of the foregoing shall be done without expense to the company and no assessment shall be made against the company's property in respect thereof, or any part thereof, by way of local improvement or otherwise except as in this clause is hereafter provided, and no assessment shall hereafter be made against the said lands acquired by the company in respect of any former expenditure by the corporation on the works known as the "Don Improvement:" Provided, however, that nothing in this clause contained shall diminish the liability of the company to pay any general taxes payable by the ratepayers of the city as a whole, or any special taxes in respect of property hereafter acquired by the company not referred to in this agreement.

11. To join with the company in any application that may be made to the Railway Committee of the Privy Council, or other proper authority in that behalf, to compel the Grand Trunk Railway Company to replace the present fixed bridge over the Don river by a swing or other movable bridge.

12. No dock or harbour charges under the control of the corporation shall be imposed or levied in respect of the wharf or docks in front of the company's property, or on goods landed at, or shipped from, such wharf.

13. If the property of the company should at any time during the period of ten years from the first day of January, 1900, be assessed for the purposes of taxation at a sum greater than sixty thousand dollars, then, during said period of ten years, the property of the company shall, to the extent of such excess, be exempt from taxation, except as to school taxes, provided always that any building hereafter erected on the said property

and used as residences by the company's employees or others, or rented to tenants, shall be subject to assessment in the usual way in addition to the said \$60,000.

14. Any by-laws necessary to give effect to this agreement, and to carry out the same, shall be passed without delay; and the company and the corporation will join in applying to the proper authorities for legislation to validate and confirm this agreement.

15. In consideration of the foregoing, the company agrees with the corporation that upon securing a proper title free from encumbrances to the said lands, or some substantial portion thereof, it will forthwith proceed with the erection of all buildings and works for the manufacture on said lands of soap, glycerine, dynamite and other by products thereof, such buildings and works to cost not less than \$100,000.

16. This agreement may be assigned by the company to any new company which may be formed for the purpose of carrying on upon the said lands the business of manufacturing soap, glycerine, dynamite, etc., and of the name of such new company the words "Lever Brothers" shall form a part, and upon such assignment being made, and notice thereof given to the corporation, such new company shall, by virtue of such assignment, be and be deemed to be substituted for the company, the party hereto, and shall be and become entitled to all the rights, and interests of the company, and be bound by all the agreements of the company herein contained; and whenever the company is mentioned or referred to in this agreement, such mention or reference shall extend to and include such new company and its successors and assigns. Provided, however, that the partial exemption from taxation provided for in clause 13 hereof shall be limited to the company, the party hereto of the second part, and to the company to be formed as herein provided for.

17. This agreement is subject to the provisions of by-law No. 3741, passed by the council of this corporation upon the twenty-sixth day of June, 1899, and of by-law No. 3743, passed by the said council upon the tenth day of July, 1899, as though the same were repeated herein.

In witness whereof this agreement has been duly executed by the parties hereto.

SCHEDULE B.

This agreement made in duplicate this nineteenth day of July, one thousand eight hundred and ninety-nine between The Toronto Hotel Company, hereinafter called the company of the first part, and The Corporation of the City of Toronto hereinafter called the corporation of the second part.

Whereas the said company propose to become the owners of the lands hereinafter referred to, together with other property adjacent thereto;

And whereas it is desirable that the said lands be acquired by the corporation and opened to the public as a street as authorized by the adoption of Report No. 15 of the committee on works by the council of the said corporation on the tenth day of July, 1899, and the said parties have agreed each with the other for the sale and purchase by the corporation of the said lands upon the terms and conditions hereinafter set out;

Now this agreement witnesseth that the said parties hereto covenant and agree each with the other as follows, that is to say:

1. The said company agrees, upon acquiring the said properties, to sell to the said corporation in fee simple and free of all encumbrances the following lands: All and singular that parcel of land and premises situate in the city of Toronto in the county of York, and being a strip of land having a frontage on the south side of King street east of forty four feet lying immediately to the eastward of the premises known as street number 31 King street east: and extending southerly from King street to Colborne street with a uniform width of forty-four feet to be held by the corporation as a public street, and to so be used only at and for the price or sum of eighty thousand dollars payable in twenty annual instalments of four thousand dollars each, with interest at the rate of three and three-eighths per cent. per annum, payable half-yearly on the first days of October and

April in each year, the first of such instalments to be paid on the certificate of the architect that five hundred thousand dollars has been expended in the actual construction of the hotel hereinafter referred to. The said corporation to have the privilege of making, at any time, a cash payment in settlement of said purchase money. The payments above specified to be secured by debentures of the city of Toronto or city of Toronto local improvement debentures to be handed over by the city to the company upon the legislation hereinafter provided for being obtained, and when five hundred thousand dollars has been spent in the construction of the said hotel ; the said company also agreeing to remove the buildings now on the said property.

2. The said corporation agrees to purchase the said lands on the said terms, and to dedicate the said lands to highway purposes, and thereafter to so hold the same ; Provided always that the acquisition of the said lands and the dedication of the said street as a local improvement as contemplated by the said report of the committee on works be not defeated by sufficiently signed petitions within the provisions of "The Municipal Act," and other statutory provisions relating to such undertakings, and providing further that legislation be obtained, ratifying the said street opening, which legislation the said corporation undertakes to apply for and support, and the company also agree to support.

3. And the said company covenant and agree to build upon the property immediately adjoining the said proposed street, and lying to the east thereof, a modern hotel, containing from three hundred and fifty to four hundred rooms, and costing complete approximately the sum of one million five hundred thousand dollars, of which land purchases shall not exceed the sum of four hundred and fifty thousand dollars.

4. The said corporation agree that they will pass a By-law providing for the yearly assessment of the said company upon the said hotel at a total sum of three hundred and sixty thousand dollars as authorized by the Act 62, Victoria (2), Chapter 85, Section 7.

In witness whereof the parties hereto have duly executed these presents.

SIGNED, SEALED AND DELIVERED }
IN THE PRESENCE OF }

SCHEDULE C.

List of By-laws providing for the issue of Debentures, passed by the Council of the Corporation of the City of Toronto at the respective dates set opposite each, the particulars of which are set out below.

| No. of By-law. | Nature of Work under By-law. | When passed by Council. | Amount of debt created. | Amount to be borne by city. | Amount to be borne by ratepayers. | Periods of payment | Rate of interest. |
|----------------|--|-------------------------|-------------------------|-----------------------------|-----------------------------------|--------------------|-------------------|
| | | | \$ | \$ | \$ | Years. | Per cent. |
| 3,613 | Consolidated loan debentures to redeem and replace certain debentures therein mentioned | Jan. 23, 1899 | 152,506 01 | 152,506 01 | ..... | 30 | 3½ |
| 3,619 | Consolidated loan debentures for the construction and erection of a new iron bridge on Queen street, across the Don river, and of removing the bridge at Queen street to East-ern avenue, over the same river, in the city of Toronto... | " 23, 1899 | 62,500 00 | 62,500 00 | ..... | 30 | 3½ |
| 3,620 | Consolidated loan debentures for cribbing Block "D," referred to in the Esplanade agreement | " 23, 1899 | 40,000 00 | 40,000 00 | ..... | 30 | 3½ |
| 3,621 | Consolidated loan debentures for improving the St. Lawrence Market | Feb. 6, 1899 | 150,000 00 | 150,000 00 | ..... | 30 | 3½ |
| 3,625 | Asphalt roadway on Euclid avenue, between College street and Ulster street | Mar. 27, 1899 | 9,402 00 | 1,877 76 | 7,524 24 | 10 | 3½ |
| 3,626 | Asphalt roadway on Howard street, between Sherbourne street and Parliament street | " 27, 1899 | 10,880 78 | 3,656 61 | 7,224 17 | 10 | 3½ |
| 3,627 | Asphalt roadway on Jameson avenue, between Queen street and King street | " 27, 1899 | 8,219 00 | 2,054 75 | 6,164 25 | 10 | 3½ |
| 3,628 | Asphalt roadway on Jameson avenue, between King street and the Grand Trunk Railway tracks | " 27, 1899 | 8,666 65 | 1,881 99 | 6,784 66 | 10 | 3½ |
| 3,629 | Asphalt pavement on Wilcox street, between St. George street and Robert street | " 27, 1899 | 9,742 90 | 1,987 14 | 7,755 76 | 10 | 3½ |
| 3,630 | Asphalt roadway on Yonge street, between Bloor street and Davenport road | " 27, 1899 | 11,475 73 | 2,688 44 | 8,787 29 | 10 | 3½ |

SCHEDULE C—Continued.

| No. of By-law. | Nature of Work under By-law. | When passed by Council. | Amount of debt created. | | Amount to be borne by city. | | Amount to be borne by ratepayers. | | Period of payment | Rate of interest. |
|----------------|---|-------------------------|-------------------------|----|-----------------------------|----|-----------------------------------|----|-------------------|-------------------|
| | | | \$ | ¢ | \$ | ¢ | \$ | ¢ | | |
| 3,631 | Gravel roadway on Beaconsfield avenue, between Queen street and Afton avenue | Mar. 27, 1899 | 1,916 | 64 | 433 | 53 | 1,483 | 11 | 3 | 3½ |
| 3,632 | Gravel roadway on Brock avenue, between Queen street and Dundas street | " 27, 1899 | 5,652 | 56 | 1,878 | 01 | 3,774 | 55 | 3 | 3½ |
| 3,633 | Gravel roadway on Dovercourt road, between Queen street and Dundas street | " 27, 1899 | 3,199 | 16 | 638 | 91 | 2,560 | 25 | 3 | 3½ |
| 3,634 | Gravel roadway on Dufferin street, between Peel avenue and Dundas street | " 27, 1899 | 4,209 | 09 | 1,608 | 90 | 2,600 | 19 | 3 | 3½ |
| 3,635 | Gravel roadway on Dunn avenue, between Queen street and the lake | " 27, 1899 | 4,318 | 76 | 1,566 | 10 | 3,252 | 66 | 3 | 3½ |
| 3,636 | Gravel roadway on Elm Grove, between King street and Queen street | " 27, 1899 | 1,366 | 77 | 478 | 72 | 888 | 05 | 3 | 3½ |
| 3,637 | Gravel roadway on Foxley street, between Dundas street and Dovercourt road | " 27, 1899 | 1,573 | 33 | 462 | 17 | 1,111 | 16 | 3 | 3 |
| 3,638 | Gravel roadway on Lansdowne avenue, between Queen street and Union street | " 27, 1899 | 4,131 | 57 | 1,008 | 53 | 3,123 | 04 | 3 | 3½ |
| 3,639 | Gravel roadway on Lisgar street, between Queen street and Afton avenue | " 27, 1899 | 2,707 | 77 | 469 | 68 | 1,738 | 09 | 3 | 3½ |
| 3,640 | Gravel roadway on Macdonell avenue, between Queen street and point 2,826 feet north thereof | " 27, 1899 | 4,863 | 84 | 978 | 08 | 3,885 | 76 | 3 | 3½ |
| 3,641 | Gravel roadway on O'Hara avenue, between Queen street and a point 1,455 feet northerly | " 27, 1899 | 2,593 | 52 | 555 | 76 | 2,037 | 76 | 3 | 3½ |
| 3,642 | Gravel roadway on Peel avenue, between Gladstone avenue and Dufferin street | " 27, 1899 | 615 | 62 | 220 | 79 | 394 | 83 | 3 | 3½ |

| | | | | | | | |
|-------|--|---------------|-----------|----------|-----------|--------|----|
| 3,643 | Consolidating the ratepayers' share of the cost of certain cedar block pavements laid down during the year 1898. | Mar. 27, 1899 | 26,502 13 | 8,478 68 | 18,023 45 | 5 or 4 | 3½ |
| 3,644 | Ratepayers' share of the cost of certain wooden sidewalks laid down in 1898. | " 27, 1899 | 24,227 08 | 4,751 70 | 19,475 38 | 3 | 3½ |
| 3,645 | Ratepayers' share of the cost of certain cedar block pavements laid down in year 1898. | Apr. 17, 1899 | 14,229 63 | 4,477 70 | 9,751 93 | 8 or 5 | 3½ |
| 3,646 | Ratepayers' share of the cost of certain wooden sidewalks laid down in the year 1898. | " 17, 1899 | 1,940 66 | 289 00 | 1,651 66 | 3 | 3½ |
| 3,647 | Brick roadway on Bellevue place, between Augusta avenue and Bellevue avenue. | " 17, 1899 | 2,606 82 | 1,698 02 | 908 80 | 10 | 3½ |
| 3,648 | Brick roadway on Clinton street, between College street and a point 2,305 feet north thereof. | " 17, 1899 | 13,449 13 | 1,926 90 | 11,522 23 | 10 | 3½ |
| 3,649 | Brick roadway on Close avenue, between Kings treet and Springhurst avenue. | " 17, 1899 | 7,833 87 | 2,875 24 | 4,958 63 | 10 | 3½ |
| 3,650 | Brick roadway on Dundas street, between Queen street and Arthur street. | " 17, 1899 | 12,327 38 | 3,930 85 | 8,396 53 | 10 | 3½ |
| 3,651 | Brick roadway on Leonard avenue, between Bellevue place and Nassau street. | " 17, 1899 | 3,123 26 | 360 76 | 2,762 50 | 10 | 3½ |
| 3,652 | Brick roadway on Prospect street, between Rose avenue and Parliament street. | " 17, 1899 | 1,906 19 | 749 19 | 1,157 00 | 10 | 3½ |
| 3,653 | Brick roadway on Robert street, between College street and Bloor street. | " 17, 1899 | 19,295 45 | 5,354 96 | 13,940 49 | 10 | 3½ |
| 3,654 | Brick roadway on Spadina avenue, between King street and Adelaide street. | " 17, 1899 | 5 286 53 | 1,841 79 | 3,444 74 | 10 | 3½ |
| 3,655 | Brick roadway on Winchester street, between Ontario street and Parliament street. | " 17, 1899 | 3,478 83 | 1,518 21 | 1,960 62 | 6 | 3½ |
| 3,656 | Brick roadway on Nassau street, between Bellevue avenue and Lippincott street. | " 17, 1899 | 2,384 19 | 1,038 03 | 1,346 16 | 10 | 3½ |
| 3,657 | Macadam roadway on Givens street, between Queen street and Argyle street. | " 17, 1899 | 2,535 57 | 701 57 | 1,834 00 | 5 | 3½ |
| 3,658 | Macadam roadway on Teraulay street, between Queen street and Albert street. | " 17, 1899 | 1,882 63 | 1,227 81 | 654 82 | 5 | 3½ |

SCHEDULE C--Continued.

| No. of By-law. | Nature of Work under By-law. | When passed by Council. | Amount of debt created. | | Amount to be borne by city. | | Amount to be borne by ratepayers. | | Period of payment | Rate of interest |
|----------------|--|-------------------------|-------------------------|----|-----------------------------|-------|-----------------------------------|----|-------------------|------------------|
| | | | \$ | c. | \$ | c. | \$ | c. |  |  | Years | Percent |
| 3,659 | Macadam roadway on Davenport road, between Yonge street and Hazleton avenue..... | Apr. 17, 1899 | 5,263 | 58 | 1,313 | 03 | 3,950 | 55 | 5 | 3½ |
| 3,660 | Macadam roadway on Isabella street, between Jarvis street and Sherbourne street..... | " 17, 1899 | 1,157 | 39 | 247 | 09 | 910 | 30 | 3 | 3½ |
| 3,661 | Macadam roadway on St. Albans street, between Queen's Park Crescent and Surrey place..... | " 17, 1899 | 794 | 07 | 297 | 87 | 496 | 20 | 5 | 3½ |
| 3,662 | Gravel roadway on Tyndall avenue, between King street and Springhurst avenue..... | " 17, 1899 | 3,539 | 33 | 280 | 66 | 3,258 | 67 | 5 | 3½ |
| 3,663 | Brick roadway on Carlton street, between Parliament street and Sackville street..... | " 17, 1899 | 5,666 | 66 | 1,876 | 74 | 3,789 | 92 | 10 | 3½ |
| 3,664 | Brick roadway on Berkeley street, between Wilton avenue and Gerrard street..... | " 17, 1899 | 7,603 | 66 | 2,941 | 42 | 4,662 | 24 | 10 | 3½ |
| 3,666 | Macadam Roadway on Carlton street, between Sackville street and Sumach street..... | " 17, 1899 | 1,837 | 90 | 540 | 75 | 1,297 | 15 | 5 | 3½ |
| 3,667 | Ratepayers' share of certain wooden sidewalks laid down in the year 1898..... | " 17, 1899 | 10,778 | 40 | 1,971 | 36 | 8,807 | 04 | 3 | 4 |
| 3,668 | Ashphalt roadway on Spencer avenue, between King street and Springhurst avenue..... | " 17, 1899 | 11,113 | 53 | 571 | 67 | 10,541 | 86 | 10 | 3½ |
| 3,669 | Cedar Block Roadway on Gwynne avenue, between King street and Queen street..... | " 17, 1899 | 1,911 | 13 | 395 | 25 | 1,515 | 88 | 5 | 3½ |
| 3,670 | Granolithic sidewalk on the south side of Queen street, between a point 44 feet west of Victoria street and a point 110 feet further west..... | " 17, 1899 | 247 | 85 | ..... | ..... | 247 | 85 | 10 | 3½ |
| 3,671 | Brick sidewalk on the north side of Wilton Crescent, between Sherbourne street and a point 184 feet westerly..... | " 17, 1899 | 144 | 94 | 47 | 01 | 97 | 93 | 10 | 3½ |

| | | | | | | | |
|-------|--|---------------|-----------|-----------|-----------|----|----|
| 3,672 | Brick sidewalk on the south side of Front street, between a point 116 feet 7 inches west of Yonge street and Bay sts . | " 17, 1899 | 895 61 | 47 01 | 848 60 | 10 | 3½ |
| 3,673 | Concrete sidewalk on the east side of Simcoe street from the south side of Wellington street to a point 50 feet 6 inches south, and on the south side of Wellington street from the east side of Simcoe street to a point 130 feet 6 inches east . | Apr. 17, 1899 | 524 56 | 190 75 | 333 81 | 10 | 3½ |
| 3,674 | Concrete sidewalk on the south side of Bloor street, between Sherbourne street and Yonge street . | " 17, 1899 | 2,008 30 | 124 54 | 1,883 76 | 10 | 3½ |
| 3,675 | Concrete sidewalk on the north side of Queen street, between Teraulay street and Chestnut street . | " 17, 1899 | 1,454 68 | 161 98 | 1,292 70 | 10 | 3½ |
| 3,676 | Concrete sidewalk on the north side of Wilcox street, between St. George street and Huron street . | " 17, 1899 | 471 53 | 99 91 | 371 62 | 10 | 3½ |
| 3,677 | Concrete sidewalk on the north side of Queen street, between Simcoe street and St. Patrick's market . | " 17, 1899 | 1,716 02 | 335 74 | 1,380 28 | 10 | 3½ |
| 3,678 | Concrete sidewalk on the west side of St. George street, between Bloor street and Harbord street . | " 17, 1899 | 1,437 20 | 101 72 | 1,335 48 | 10 | 3½ |
| 3,679 | Concrete sidewalk on the south side of Lombard street, between Church street and Victoria street . | " 17, 1899 | 1,123 53 | 525 79 | 597 74 | 10 | 3½ |
| 3,680 | Concrete sidewalk on the east side of Huron street, between Wilcox street and Classic place . | " 17, 1899 | 373 02 | 114 72 | 258 30 | 10 | 3½ |
| 3,681 | Concrete sidewalk on the north side of Front street, opposite Nos. 36 to 50, inclusive . | " 17, 1899 | 437 59 | ..... | 437 59 | 10 | 3½ |
| 3,682 | Concrete sidewalk on the south side of Front street, between Lorne street and a point 101 feet easterly . | " 17, 1899 | 219 46 | 36 24 | 183 22 | 10 | 3½ |
| 3,683 | Concrete sidewalk on the east side of Elizabeth street, between College street and the first lane north . | " 17, 1899 | 101 52 | 50 76 | 50 76 | 5 | 3½ |
| 3,684 | Concrete sidewalk on the south side of Carlton street, between Church street and Jarvis street . | " 17, 1899 | 699 42 | 150 69 | 546 73 | 10 | 3½ |
| 3,685 | Asphalt roadway on Queen street, between John street and Bathurst street . | " 17, 1899 | 40,105 70 | 16,178 40 | 23,927 30 | 10 | 3½ |
| 3,686 | Asphalt roadway on York street, between Front street and King street . | " 17, 1899 | 8,782 20 | 3,313 95 | 5,468 25 | 10 | 3½ |

SCHEDULE C.—Continued.

| No. of By-law. | Nature of Work under By-law. | When passed by council. | Amount of debt created. | | Amount to be borne by city. | | Amount to be borne by ratepayers. | | Periods of payment. | Rate of interest. |
|----------------|---|-------------------------|-------------------------|----|-----------------------------|----|-----------------------------------|----|---------------------|-------------------|
| | | | \$ | c. | \$ | c. | \$ | c. |  |  | Years. | Per cent. |
| 3,687 | Asphalt roadway on Sussex avenue, between St. George street and Spadina avenue | Apr. 17, 1899 | 7,663 | 94 | 2,595 | 54 | 5,068 | 40 | 10 | 3½ |
| 3,688 | Brick roadway on Bellevue avenue, between Bellevue place and Oxford street | " 17, 1899 | 5,143 | 58 | 1,769 | 31 | 3,374 | 27 | 10 | 3½ |
| 3,689 | Cedar block roadway on St. Patrick street, between Bathurst street and Denison avenue | " 17, 1899 | 1,527 | 71 | 620 | 14 | 907 | 57 | 5 | 3½ |
| 3,690 | Gravel roadway on Lisgar street, between Afron avenue and Dundas street | " 17, 1899 | 1,641 | 36 | 540 | 28 | 1,101 | 08 | 3 | 3½ |
| 3,691 | Gravel roadway on Afron avenue, between Lisgar street and Northcote avenue | " 17, 1899 | 1,244 | 20 | 417 | 96 | 826 | 24 | 3 | 3½ |
| 3,692 | Concrete sidewalk on the west side of Church street, between Adelaide street and Queen street | " 17, 1899 | 1,479 | 51 | 307 | 81 | 1,171 | 70 | 10 | 3½ |
| 3,693 | Concrete sidewalk on the west side of Lakeview avenue, between Harrison street and Churchill avenue | " 17, 1899 | 345 | 25 | 20 | 38 | 324 | 87 | 10 | 3½ |
| 3,694 | Concrete sidewalk on the north side of Queen street, between University street and Simcoe street | " 17, 1899 | 788 | 28 | 405 | 91 | 382 | 37 | 10 | 3½ |
| 3,695 | Brick sidewalk on the north side of Adelaide street, between York street and Bay street | " 17, 1899 | 1,796 | 43 | 117 | 43 | 1,679 | 00 | 10 | 3½ |
| 3,696 | Brick sidewalk on the west side of Bond street, between Sluter street and Wilton avenue | " 17, 1899 | 897 | 65 | 42 | 80 | 854 | 85 | 10 | 3½ |
| 3,697 | Brick sidewalk on the north side of Gould street, between Mutual street and Church street | " 17, 1899 | 487 | 50 | 127 | 50 | 360 | 00 | 10 | 3½ |
| 3,698 | Brick sidewalk on the south side of Harbord street, between Robert street and Major street | " 17, 1899 | 164 | 72 | 30 | 92 | 133 | 80 | 10 | 3½ |

| | | | | | | | |
|-------|--|-------------|------------|------------|-----------|-------|-------|
| 3,699 | Brick sidewalk on the west side of Peter street, between Front street and a point 209 feet northerly | 17, 1899 | 165 80 | 47 38 | 118 42 | 10 | 3½ |
| 3,700 | Brick sidewalk on the west side of Portland street, between Front street and King street | 17, 1899 | 664 32 | 314 32 | 350 00 | 10 | 3½ |
| 3,701 | Brick sidewalk on the south side of Richmond street, between Church street and a point 473 feet easterly | 17, 1899 | 349 96 | 28 70 | 321 26 | 10 | 3½ |
| 3,702 | Brick sidewalk on the north side of Stewart street, between Portland street and Bathurst street | 17, 1899 | 456 84 | ..... | 456 84 | 10 | 3½ |
| 3,703 | Brick sidewalk on the north side of St. Patrick street, between Huron street and Beverley street | 17, 1899 | 446 53 | 73 23 | 373 30 | 10 | 3½ |
| 3,704 | Brick sidewalk on the east side of Teraulay street, between Edward street and Walton street | 17, 1899 | 394 81 | 148 27 | 246 54 | 10 | 3½ |
| 3,711 | Consolidated loan debentures for the purpose of completing the new Court House and City Hall buildings | May 1, 1899 | 220,000 00 | 220,000 00 | ..... | 30 | 3½ |
| 3,712 | Consolidated loan debentures for erecting an additional hospital for or wing to the present Isolation hospital .. | 1, 1899 | 20,000 00 | 20,000 00 | ..... | 10 | 3½ |
| 3,713 | Consolidated loan debentures for the construction of certain mains for waterworks purposes | May 1, 1899 | 32,992 00 | 32,992 00 | ..... | 30 | 3½ |
| 3,714 | Consolidated loan debentures for the erection of a Smallpox Hospital in the City of Toronto | 1, 1899 | 4,000 00 | 4,000 00 | ..... | 10 | 3½ |
| 3,715 | Consolidated loan debentures for certain lands acquired and works performed in connection with the Rosedale Valley R'd and which were not chargeable as a local improvement To amend By-law No. 3,519, as amended by By-law No. 3,560, respecting the Rosedale Valley Road | 1, 1899 | 30,067 40 | 30,067 40 | ..... | 30 | 3½ |
| 3,717 | Asphalt roadway on Carleton Street, between Yonge Street and Jarvis Street | 1, 1899 | 55,057 82 | 39,335 82 | 15,722 00 | ..... | ..... |
| 3,718 | Asphalt roadway on Colborne Street, between Yonge Street and Church Street | 15, 1899 | 16,239 91 | 4,240 31 | 11,999 60 | 10 | 3½ |
| 3,719 | Macadam roadway on Harbord Street, between St. George Street and Huron Street | 15, 1899 | 9,543 13 | 2,374 02 | 6,969 11 | 10 | 3½ |
| 3,720 | Macadam roadway on Queen's Park Drive, between Queen's Park Crescent and Bloor Street | 15, 1899 | 1,938 71 | 321 83 | 1,616 88 | 5 | 3½ |
| 3,721 | ..... | 15, 1899 | 3,848 71 | 852 21 | 2,996 50 | 5 | 3½ |

SCHEDULE C.—Continued.

| No. of By-law. | Nature of Work under By-law. | When passed by Council. | Amount of debt created. | | Amount to be borne by city. | | Amount to be borne by ratepayers. | | Period of payment. | Rate of interest. |
|----------------|--|-------------------------|-------------------------|----|-----------------------------|----|-----------------------------------|----|--------------------|-------------------|
| | | | \$ | c. | \$ | c. | \$ | c. | | |
| 3,722 | Concrete sidewalk on the east side of Bay Street, between Adelaide Street and the Fire Hall | " 15, 1899 | 263 | 22 | 131 | 61 | 131 | 61 | 10 | 3½ |
| 3,723 | Concrete sidewalk on the east side of York Street, between Front Street and 285 feet northerly | " 15, 1899 | 569 | 74 | 177 | 24 | 392 | 50 | 10 | 3½ |
| 3,724 | Wooden sidewalk on the west side of Saulters Street, from a point 48 feet south of Queen Street to the south end of Saulters Street | " 15, 1899 | 158 | 03 | 7 | 53 | 150 | 50 | 3 | 3½ |
| 3,726 | Macadam roadway on Wellesley Crescent, between Jarvis Street and Sherbourne Street | June 12, 1899 | 2,028 | 81 | 480 | 61 | 1,548 | 20 | 3 | 3½ |
| 3,727 | Gravel roadway on Beaconsfield Avenue, between Afton Avenue and Dundas Street | " 12, 1899 | 1,761 | 64 | 663 | 04 | 1,098 | 60 | 3 | 3½ |
| 3,728 | Granolithic Pavement on the lane running east off Leader Lane, first north of Wellington Street, from the east side of Leader Lane to a point 225 feet 6 inches east-ly, thence northerly to Colborne Street | " 12, 1899 | 1,187 | 34 | 89 | 98 | 1,097 | 36 | 10 | 3½ |
| 3,729 | Concrete sidewalk, on the south side of College Street, opposite the Toronto Athletic Club | " 12, 1899 | 345 | 60 | | | 345 | 60 | 10 | 3½ |
| 3,731 | Issue of debentures for \$400,000 on the credit of taxes in arrear | June 12, 1899 | 400,000 | 00 | 400,000 | 00 | | | 8 | 3½ |
| 3,732 | To authorize the transfer of \$7,000 from the proceeds of certain debentures issued under By-law No. 3,591 to meet certain payments due, or to fall due, for pavements upon the track allowance on King street, from Sherbourne street to River street | " 12, 1899 | 7,000 | 00 | 7,000 | 00 | | | | |

| | | | | | | | |
|-------|--|---------------|------------|------------|------------|---------|-------|
| 3,734 | Brick roadway on Ross street, between Cecil street and College street..... | June 26, 1899 | 3,526 07 | 925 32 | 2,600 75 | 10 | 3½ |
| 3,735 | Debentures consolidating the city's proportion of the amounts named in certain local improvement by-laws..... | " 26, 1899 | 154,988 73 | 154,988 73 | ..... | various | 3½ |
| 3,736 | Consolidating the broken amounts named in certain local improvement by-laws..... | " 26, 1899 | 316,090 21 | ..... | 316,090 21 | various | 3½ |
| 3,737 | Concrete sidewalk on the east side of Queen's park crescent, between College street and Grosvenor street..... | " 26, 1899 | 1,016 86 | 548 86 | 468 00 | 10 | 3½ |
| 3,748 | To authorize the transfer of the sum of \$4,000 from the proceeds of certain debentures issued under by-laws Nos. 3,188 and 3,196 and transferred by by-law No. 3,441 to pay for a pavement upon the track allowance on Dundas street, from Bloor street to the city limits, to meet certain payments due or to fall due for pavements upon the track allowance on Yonge street, from Davenport road to the Canadian Pacific Railway Company's tracks..... | July 10, 1899 | 4,000 00 | 4,000 00 | ..... | ..... | ..... |
| 3,750 | Street railway debentures for the purpose of providing funds for constructing, repairing and renewing pavements upon portions of the streets occupied by the right of way of the Toronto Railway Company..... | " 10, 1899 | 28,700 00 | 28,700 00 | ..... | 10 | 3½ |
| 3,754 | Consolidated loan debentures to rebuild the bridge across the Humber river, on the Lake Shore road..... | " 20, 1899 | 13,000 00 | 13,000 00 | ..... | 20 | 3½ |

No. 19.

3rd Session, 9th Legislature, 63 Vict, 1900.

BILL

An Act respecting the City of Toronto.

First Reading 1900.

(Private Bill.)

Mr. MARTER.

TORONTO :

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act respecting the City of Toronto.

WHEREAS the Municipal Corporation of the City of Toronto Preamble. has, by its Petition, prayed for special legislation in respect to the several matters herein set forth; and whereas it is expedient to grant the prayer of the said Petition:

Therefore Her Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. A certain agreement made between the said corporation and Lever Brothers, Limited, which is printed as Schedule "A" hereto, is hereby validated and confirmed, and the parties thereto are hereby empowered to do all acts necessary to give effect to the same; provided, however, that nothing contained in the said agreement or in this Act shall in any way affect or diminish the right of the corporation to collect the moneys payable in respect of the Don Improvement authorized by any Act of this Legislature heretofore passed, except so far as any part of the land otherwise assessable for the Don Improvement is removed from said assessment by the said agreement, and to the extent of the assessment which would have been made upon such lands, the City of Toronto as a whole shall be liable for such assessment as would, but for the said agreement, have been charged against the land removed by the said agreement from such assessment; ~~and~~ and provided that the confirmation of the said agreement by this Act shall not be taken as in any sense an expression of opinion by this Legislature upon or regarding the merits on either side of the suggested application to the Privy Council and other proper authority for an order that the Grand Trunk Railway Company's present fixed bridge over the River Don shall be replaced by a swing or other moveable bridge, nor shall it prejudice any rights of said Grand Trunk Railway Company of Canada; and further provided that the amount to be expended by the corporation on the several works to be constructed under the clauses of the said Schedule A shall not exceed in the whole the sum of \$60,000, and the annual expenditure contemplated in said Schedule A for the purpose of keeping the channel of the Don dredged, shall not exceed the sum of \$1,500, and the city shall not be liable in damages to any person or persons for neglect to maintain or keep open the said channel, and the

Agreement with Lever Bros., Ltd. confirmed.

said sum of \$60,000 may be raised by the issue of forty-year debentures therefor, and the necessary by-laws may from time to time be passed therefor without submitting the same to a vote of the electors; and provided further that the closure and conveyance of the highway referred to in clause 1 of Schedule A is to be subject always to the use by existing and future railways when and as desired by the corporation of the railway portion of the said way for their lines (but not for yard or shunting purposes) without compensation to the company therefor.

Agreement
with Toronto
Hotel Co.
confirmed.

2. An agreement between the said corporation and the Toronto Hotel Company, which is printed as Schedule "B" hereto, with any modification thereof which the said parties thereto may agree upon, shall, when duly executed by the several parties respectively, be valid and binding on the parties thereto; and the said parties thereto are hereby empowered to do all acts necessary to give effect to the same, and the said corporation shall, pursuant to the report of the city engineer and assessment commissioner respecting the same, have power to open Victoria Street therein referred to as a local improvement, and shall also have power to assess for the cost of the said street opening, including the sum of \$80,000 therein mentioned, as may be determined by the Court of Revision, or in case of appeal therefrom, by the County Judge.

By-laws
validated.

3. The by-laws of the Corporation of the City of Toronto specified in Schedule "C" hereto, and all debentures issued, or to be issued thereunder, and all assessments made, or to be made, for the payment thereof, are hereby validated and confirmed.

Smallpox
hospital site.

4. Notwithstanding the Provisions of the Public Health Act, the lands described as all and singular that certain parcel or tract of land and premises in the City of Toronto, being composed of part of lot Number 15 in the first concession from the Bay, Township of York, now within the limits of the City of Toronto, and which may be more particularly described as follows, that is to say—commencing on the production westerly of the northerly limit of that part of said lot 15, lying east of Winchester Street, heretofore granted by one Harry Scadding et al to the City of Toronto by deed dated the 30th day of December, A.D. 1856, at a point where the same is intersected by a line drawn parallel with the westerly limit of Winchester Street aforesaid, and distant 100 feet measured westerly there from and at right angles thereto; thence southerly parallel with the westerly limit of Winchester Street 50 feet; thence westerly parallel with the north limit above mentioned 250 feet; thence northerly at right angles thereto 200 feet; thence easterly parallel with said north limit 280 feet more or less to the above mentioned line drawn parallel with Winchester Street; thence southerly along that line to the place

of beginning, may be used by the city of Toronto as a site for a smallpox hospital, and for that purpose the said land is hereby removed from the dedication of by By-Law No. 2761 of the said corporation passed on the 8th day of December, 1890, of the lands thereby included in a public park.

SCHEDULE A.

Agreement made this 29th day of June, one thousand eight hundred and ninety nine, between the Corporation of the City of Toronto, hereinafter called the "Corporation," of the first part; and Lever Brothers, Limited, hereinafter called the "Company," of the second part.

Whereas the company was incorporated under the English "Companies Act," and carries on business as a manufacturer of soap, glycerine, dynamite and other articles, its chief place of business being at Port Sunlight, England;

And whereas the company having determined to establish a branch of its business in Canada, the corporation has requested that such branch should be located in the city of Toronto;

And whereas the company has represented to the corporation that it has secured from the trustees of the estate of the late John Smith, an option for the purchase of certain land owned by said estate, comprising about twenty-three acres, and being that parcel of land bounded on the west by the highway known as the Don Improvement road; on the south by Eastern avenue; on the east by Broadview avenue, and on the north by a line drawn nearly parallel with Queen street at a distance of about one hundred and forty feet southerly from said street, and extending from said Don Improvement road to Broadview avenue; also a triangular parcel of land lying to the south of the above described land, and bounded on the north by Eastern avenue; on the west by said Don Improvement road, and on the south by the property of the Grand Trunk Railway Company, and that said company is prepared to purchase said land and to establish thereon a branch of its said business upon the corporation entering into the agreement hereinafter contained;

And whereas negotiations in respect of the agreements and arrangements embodied in this agreement were being carried on prior to the date of the passing of "The Municipal Amendment Act, 1899," and were pending on said date;

Now this agreement witnesseth that if the company becomes the purchaser of the lands above described, or some substantial part thereof, the corporation covenants and agrees with the company as follows:

1. So soon as the consent of the owners, mortgagees and lessees of the "Byres" property hereinafter mentioned to such closure has been obtained, to close as a public highway that part of the public esplanade or highway on the east side of the river Don, having a width of 125 feet extending from the south limit of Eastern avenue to the property of the Grand Trunk Railway Company, and to convey the land so closed in fee to the company, but such closure and conveyance is to be subject always to the existing rights, if any, of any railways intitled under any existing legislation or agreements with the corporation to use any part of said highway.

2. To replace the present piling, on the east bank of the river Don in front of that portion of said land lying between Eastern avenue and the property of the Grand Trunk Railway Company with substantial crib-work of timber and stone, such crib-work to be raised to the height of the centre of the roadway of Eastern avenue where said roadway is intersected by the present travelled road along the east side of the Don river; and the land lying between said crib-work and the present western limit of the said land of the Smith estate to be filled in and raised to the same level.

3. To construct, grade, level and macadamize, to the width of thirty feet, that part of said public esplanade or highway on the east side of the Don river, reserved for a roadway, as shown on Unwin, Browne & Sankey's plan of the Don improvement, and herein referred to as the Don Improvement road, from Queen street to Eastern avenue, so as to make the same a good substantial road, and to construct a substantial wooden sidewalk six feet wide, along the east side of said road, between the same points.

4. To properly level, grade and macadamize, at the expense of the corporation, and not as a local improvement, to the width of thirty feet the highway known as Eastern avenue, from the said Don Improvement road to the point of intersection of Eastern avenue by the Grand Trunk Railway, so as to make the same a good substantial road, and to construct a substantial wooden sidewalk, six feet wide, along the south side of Eastern avenue between the same points, but this clause and clause three shall not apply to renewals or reconstructions.

5. To extend the city water pipes and water (if not already there) along Eastern avenue to the eastern boundary of the said land on Eastern avenue, and to place on said Eastern avenue the necessary hydrants for fire and other purposes.

6. To provide on Eastern avenue (if not already there) the necessary sewer but not private drains for the proper drainage of the company's said premises.

7. So soon as permission to construct the private road hereinafter mentioned has been secured from the owners of the lands upon which it is to be situate (such permission to be obtained without expense to the corporation), to lay out, construct, grade, level and macadamize at the expense of the corporation, a good substantial road, twenty feet wide, commencing at Eastern avenue where the same intersects the property of the Grand Trunk Railway, and thence extending southerly across the property of said railway company, and along or near the easterly boundary of the property leased by the late John Smith to Gooderham & Worts, Limited, known as the "Byres," a distance of eight hundred feet, more or less, to an existing private road; said new road to be a private road for the said "Byres" property only.

8. The corporation shall not be bound to do any of the works herein provided for in paragraphs 1 to 7 inclusive during the present year, nor until the company shall have spent at least the sum of fifty thousand dollars in the erection of its buildings and works mentioned in paragraph 15 hereof, but thereafter the corporation shall forthwith proceed to do the said works provided for in said paragraphs 1 to 7 inclusive, and so continue the said works simultaneously with the erection by the company of its buildings and works as provided in paragraph No. 15 hereof to completion, so that the works by the corporation and by the company shall be completed as near as may be at the same time.

9. To deepen to such depth as the company may from time to time find necessary for the purposes of its business during the season of navigation, not, however, exceeding a depth of fourteen feet, the Don river from Eastern avenue to its entrance into the bay, and thence to the channel in the harbor leading to its eastern entrance from the lake, and to maintain the same at such depth: Provided that in no case shall the corporation be obliged to do any deepening prior to the year 1901, nor in any case to provide a greater depth in said river and bay than that of the said channel: Provided, also, that the corporation shall not be obliged to do such deepening unless and until the company find the same to be necessary for the purposes aforesaid, and then only as and when requested in that behalf: Provided, nothing contained in this agreement shall operate to prevent the city council, the Dominion Parliament or Government, or the harbor commissioners, or any or either of them, from changing the present channel of the Don river south of the Grand Trunk Railway bridge, and its entrance into the bay or lake, in any way they may think advisable, and closing the present channel or part thereof south of the said bridge, but in case of such change being made, the corporation shall provide and maintain a like depth of water in the new channel and entrance,

and shall provide and maintain access, with like depth of water, for the company by means of such new channel to and from its said property from and to the said channel in the harbor leading to the eastern entrance of the lake or from and to the lake itself; and such new channel and changed access shall be accepted by the company in lieu of that herein provided for.

10. All of the foregoing shall be done without expense to the company and no assessment shall be made against the company's property in respect thereof, or any part thereof, by way of local improvement or otherwise except as in this clause is hereafter provided, and no assessment shall hereafter be made against the said lands acquired by the company in respect of any former expenditure by the corporation on the works known as the "Don Improvement:" Provided, however, that nothing in this clause contained shall diminish the liability of the company to pay any general taxes payable by the ratepayers of the city as a whole, or any special taxes in respect of property hereafter acquired by the company not referred to in this agreement.

11. To join with the company in any application that may be made to the Railway Committee of the Privy Council, or other proper authority in that behalf, to compel the Grand Trunk Railway Company to replace the present fixed bridge over the Don river by a swing or other movable bridge.

12. No dock or harbour charges under the control of the corporation shall be imposed or levied in respect of the wharf or docks in front of the company's property, or on goods landed at, or shipped from, such wharf.

13. If the property of the company should at any time during the period of ten years from the first day of January, 1900, be assessed for the purposes of taxation at a sum greater than sixty thousand dollars, then, during said period of ten years, the property of the company shall, to the extent of such excess, be exempt from taxation, except as to school taxes, provided always that any building hereafter erected on the said property and used as residences by the company's employees or others, or rented to tenants, shall be subject to assessment in the usual way in addition to the said \$60,000.

14. Any by-laws necessary to give effect to this agreement, and to carry out the same, shall be passed without delay; and the company and the corporation will join in applying to the proper authorities for legislation to validate and confirm this agreement.

15. In consideration of the foregoing, the company agrees with the corporation that upon securing a proper title free from encumbrances to the said lands, or some substantial portion thereof, it will forthwith proceed with the erection of all buildings and works for the manufacture on said lands of soap, glycerine, dynamite and other by products thereof, such buildings and works to cost not less than \$100,000.

16. This agreement may be assigned by the company to any new company which may be formed for the purpose of carrying on upon the said lands the business of manufacturing soap, glycerine, dynamite, etc., and of the name of such new company the words "Lever Brothers" shall form a part, and upon such assignment being made, and notice thereof given to the corporation, such new company shall, by virtue of such assignment, be and be deemed to be substituted for the company, the party hereto, and shall be and become entitled to all the rights, and interests of the company, and be bound by all the agreements of the company herein contained; and whenever the company is mentioned or referred to in this agreement, such mention or reference shall extend to and include such new company and its successors and assigns. Provided, however, that the partial exemption from taxation provided for in clause 13 hereof shall be limited to the company, the party hereto of the second part, and to the company to be formed as herein provided for.

17. This agreement is subject to the provisions of by-law No. 3741, passed by the council of this corporation upon the twenty-sixth day of June, 1899, and of by-law No. 3743, passed by the said council upon the tenth day of July, 1899, as though the same were repeated herein.

In witness whereof this agreement has been duly executed by the parties hereto.

SCHEDULE B.

This agreement made in duplicate this nineteenth day of July, one thousand eight hundred and ninety-nine, between The Toronto Hotel Company, hereinafter called the company of the first part, and The Corporation of the City of Toronto, hereinafter called the corporation of the second part.

Whereas the said company propose to become the owners of the lands hereinafter referred to, together with other property adjacent thereto ;

And whereas it is desirable that the said lands be acquired by the corporation and opened to the public as a street as authorized by the adoption of Report No. 15 of the committee on works by the council of the said corporation on the tenth day of July, 1899, and the said parties have agreed each with the other for the sale and purchase by the corporation of the said lands upon the terms and conditions hereinafter set out ;

Now this agreement witnesseth that the said parties hereto covenant and agree each with the other as follows, that is to say :

1. The said company agrees, upon acquiring the said properties, to sell to the said corporation in fee simple and free of all encumbrances the following lands : All and singular that parcel of land and premises situate in the city of Toronto in the county of York, and being a strip of land having a frontage on the south side of King street east of forty four feet lying immediately to the eastward of the premises known as street number 31 King street east ; and extending southerly from King street to Colborne street with a uniform width of forty-four feet to be held by the corporation as a public street, and to so be used only at and for the price or sum of eighty thousand dollars payable in twenty annual instalments of four thousand dollars each, with interest at the rate of three and three-eighths per cent. per annum, payable half-yearly on the first days of October and April in each year, the first of such instalments to be paid on the certificate of the architect that five hundred thousand dollars has been expended in the actual construction of the hotel hereinafter referred to. The said corporation to have the privilege of making, at any time, a cash payment in settlement of said purchase money. The payments above specified to be secured by debentures of the city of Toronto or city of Toronto local improvement debentures to be handed over by the city to the company upon the legislation hereinafter provided for being obtained, and when five hundred thousand dollars has been spent in the construction of the said hotel ; the said company also agreeing to remove the buildings now on the said property.

2. The said corporation agrees to purchase the said lands on the said terms, and to dedicate the said lands to highway purposes, and thereafter to so hold the same ; Provided always that the acquisition of the said lands and the dedication of the said street as a local improvement as contemplated by the said report of the committee on works be not defeated by sufficiently signed petitions within the provisions of "The Municipal Act," and other statutory provisions relating to such undertakings, and providing further that legislation be obtained, ratifying the said street opening, which legislation the said corporation undertakes to apply for and support, and the company also agree to support.

3. And the said company covenant and agree to build upon the property immediately adjoining the said proposed street, and lying to the east thereof, a modern hotel, containing from three hundred and fifty to four hundred rooms, and costing complete approximately the sum of one million five hundred thousand dollars, of which land purchases shall not exceed the sum of four hundred and fifty thousand dollars.

4. The said corporation agree that they will pass a By-law providing for the yearly assessment of the said company upon the said hotel at a total sum of three hundred and sixty thousand dollars as authorized by the Act 62, Victoria (2), Chapter 85, Section 7.

In witness whereof the parties hereto have duly executed these presents.

SIGNED, SEALED AND DELIVERED }
IN THE PRESENCE OF }

SCHEDULE C.

List of By-laws providing for the issue of Debentures, passed by the Council of the Corporation of the City of Toronto at the respective dates set opposite each, the particulars of which are set out below.

| No. of By-law. | Nature of Work under By-law. | When passed by Council. | Amount of debt created. | Amount to be borne by city. | Amount to be borne by ratepayers. | Periods of payment | Rate of interest. |
|----------------|---|-------------------------|-------------------------|-----------------------------|-----------------------------------|--------------------|-------------------|
| | | | \$ | \$ | \$ | Years. | Per cent. |
| 3,613 | Consolidated loan debentures to redeem and replace certain debentures therein mentioned..... | Jan. 23, 1899 | 152,506 01 | 152,506 01 | | 30 | 3½ |
| 3,619 | Consolidated loan debentures for the construction and erection of a new iron bridge on Queen street, across the Don river, and of removing the bridge at Queen street to Eastern avenue, over the same river, in the city of Toronto... | " 23, 1899 | 62,500 00 | 62,500 00 | | 30 | 3½ |
| 3,620 | Consolidated loan debentures for cribbing Block "D," referred to in the Esplanade agreement..... | " 23, 1899 | 40,000 00 | 40,000 00 | | 30 | 3½ |
| 3,621 | Consolidated loan debentures for improving the St. Lawrence Market..... | Feb. 6, 1899 | 150,000 00 | 150,000 00 | | 30 | 3½ |
| 3,625 | Asphalt roadway on Euclid avenue, between College street and Ulster street..... | Mar. 27, 1899 | 9,402 00 | 1,877 76 | 7,524 24 | 10 | 3½ |
| 3,626 | Asphalt roadway on Howard street, between Sherbourne street and Parliament street..... | " 27, 1899 | 10,880 78 | 3,656 61 | 7,224 17 | 10 | 3½ |
| 3,627 | Asphalt roadway on Jameson avenue, between Queen street and King street..... | " 27, 1899 | 8,219 00 | 2,054 75 | 6,164 25 | 10 | 3½ |
| 3,628 | Asphalt roadway on Jameson avenue, between King street and the Grand Trunk Railway tracks..... | " 27, 1899 | 8,666 65 | 1,881 99 | 6,784 66 | 10 | 3½ |
| 3,629 | Asphalt pavement on Wilcox street, between St. George street and Robert street..... | " 27, 1899 | 9,742 90 | 1,987 14 | 7,755 76 | 10 | 3½ |
| 3,630 | Asphalt roadway on Yonge street, between Bloor street and Davenport road..... | " 27, 1899 | 11,475 73 | 2,688 44 | 8,787 29 | 10 | 3½ |

SCHEDULE C—Continued.

| No. of By-law. | Nature of Work under By-law. | When passed by Council. | Amount of debt created. | Amount to be borne by city. | Amount to be borne by ratepayers. | Period of payment. | Rate of interest. |
|----------------|---|-------------------------|-------------------------|-----------------------------|-----------------------------------|--------------------|-------------------|
| | | | \$ | \$ | \$ | Years. | Per cent. |
| 3,631 | Gravel roadway on Beaconsfield avenue, between Queen street and Afton avenue | Mar. 27, 1899 | 1,916 64 | 433 53 | 1,483 11 | 3 | 3½ |
| 3,632 | Gravel roadway on Brock avenue, between Queen street and Dundas street | " 27, 1899 | 5,652 56 | 1,878 01 | 3,774 55 | 3 | 3½ |
| 3,633 | Gravel roadway on Dovercourt road, between Queen street and Dundas street | " 27, 1899 | 3,199 16 | 638 91 | 2,560 25 | 3 | 3½ |
| 3,634 | Gravel roadway on Dufferin street, between Peel avenue and Dundas street | " 27, 1899 | 4,209 09 | 1,608 90 | 2,606 19 | 3 | 3½ |
| 3,635 | Gravel roadway on Dunn avenue, between Queen street and the lake | " 27, 1899 | 4,818 76 | 1,566 10 | 3,252 66 | 3 | 3½ |
| 3,636 | Gravel roadway on Elm Grove, between King street and Queen street | " 27, 1899 | 1,366 77 | 478 72 | 888 05 | 3 | 3½ |
| 3,637 | Gravel roadway on Foxley street, between Dundas street and Dovercourt road | " 27, 1899 | 1,573 33 | 462 17 | 1,111 16 | 3 | 3½ |
| 3,638 | Gravel roadway on Lansdowne avenue, between Queen street and Union street | " 27, 1899 | 4,131 57 | 1,008 53 | 3,123 04 | 3 | 3½ |
| 3,639 | Gravel roadway on Lisgar street, between Queen street and Afton avenue | " 27, 1899 | 2,707 77 | 469 68 | 1,738 09 | 3 | 3½ |
| 3,640 | Gravel roadway on Macdonell avenue, between Queen street and point 2,826 feet north thereof | " 27, 1899 | 4,863 84 | 978 08 | 3,885 76 | 3 | 3½ |
| 3,641 | Gravel roadway on O'Hara avenue, between Queen street and a point 1,455 feet northerly | " 27, 1899 | 2,593 52 | 555 76 | 2,037 76 | 3 | 3½ |
| 3,642 | Gravel roadway on Peel avenue, between Gladstone avenue and Dufferin street | " 27, 1899 | 615 62 | 220 79 | 394 83 | 3 | 3½ |

| | | | | | | | |
|-------|--|---------------|-----------|----------|-----------|--------|----|
| 3,643 | Consolidating the ratepayers' share of the cost of certain cedar block pavements laid down during the year 1898..... | Mar. 27, 1899 | 26,502 13 | 8,478 68 | 18,023 45 | 5 or 4 | 3½ |
| 3,644 | Ratepayers' share of the cost of certain wooden sidewalks laid down in 1898..... | " 27, 1899 | 24,227 08 | 4,751 70 | 19,475 38 | 3 | 3½ |
| 3,645 | Ratepayers' share of the cost of certain cedar block pavements laid down in year 1898..... | Apr. 17, 1899 | 14,229 63 | 4,477 70 | 9,751 93 | 8 or 5 | 3½ |
| 3,646 | Ratepayers' share of the cost of certain wooden sidewalks laid down in the year 1898..... | " 17, 1899 | 1,940 66 | 289 00 | 1,651 66 | 3 | 3½ |
| 3,647 | Brick roadway on Bellevue place, between Augusta avenue and Bellevue avenue..... | " 17, 1899 | 2,606 82 | 1,698 02 | 908 80 | 10 | 3½ |
| 3,648 | Brick roadway on Clinton street, between College street and a point 2,305 feet north thereof..... | " 17, 1899 | 13,449 13 | 1,926 90 | 11,522 23 | 10 | 3½ |
| 3,649 | Brick roadway on Close avenue, between Kings treet and Springhurst avenue..... | " 17, 1899 | 7,833 87 | 2,875 24 | 4,958 63 | 10 | 3½ |
| 3,650 | Brick roadway on Dundas street, between Queen street and Arthur street..... | " 17, 1899 | 12,327 38 | 3,930 85 | 8,396 53 | 10 | 3½ |
| 3,651 | Brick roadway on Leonard avenue, between Bellevue place and Nassau street..... | " 17, 1899 | 3,123 26 | 360 76 | 2,762 50 | 10 | 3½ |
| 3,652 | Brick roadway on Prospect street, between Rose avenue and Parliament street..... | " 17, 1899 | 1,906 19 | 749 19 | 1,157 00 | 10 | 3½ |
| 3,653 | Brick roadway on Robert street, between College street and Bloor street..... | " 17, 1899 | 19,295 45 | 5,354 96 | 13,940 49 | 10 | 3½ |
| 3,654 | Brick roadway on Spadina avenue, between King street and Adelaide street..... | " 17, 1899 | 5 286 53 | 1,841 79 | 3,444 74 | 10 | 3½ |
| 3,655 | Brick roadway on Winchester street, between Ontario street and Parliament street..... | " 17, 1899 | 3,478 83 | 1,518 21 | 1,960 62 | 6 | 3½ |
| 3,656 | Brick roadway on Nassau street, between Bellevue avenue and Lippicott street..... | " 17, 1899 | 2,384 19 | 1,038 03 | 1,346 16 | 10 | 3½ |
| 3,657 | Macadam roadway on Givens street, between Queen street and Argyle street..... | " 17, 1899 | 2,535 57 | 701 57 | 1,834 00 | 5 | 3½ |
| 3,658 | Macadam roadway on Teraulay street, between Queen street and Albert street..... | " 17, 1899 | 1,862 63 | 1,227 81 | 654 82 | 5 | 3½ |

SCHEDULE C—Continued.

| No. of By-law. | Nature of Work under By-law. | When passed by Council. | Amount of debt created. | | Amount to be borne by city. | | Amount to be borne by ratepayers. | | Period of payment Years | Rate of interest Percent |
|----------------|--|-------------------------|-------------------------|----|-----------------------------|-------|-----------------------------------|----|----------------------------|-----------------------------|
| | | | \$ | c. | \$ | c. | \$ | c. | | |
| 3,659 | Macadam roadway on Davenport road, between Yonge street and Hazleton avenue..... | Apr. 17, 1899 | 5,263 | 58 | 1,313 | 03 | 3,950 | 55 | 5 | 3½ |
| 3,660 | Macadam roadway on Isabella street, between Jarvis street and Sherbourne street..... | " 17, 1899 | 1,157 | 39 | 247 | 09 | 910 | 30 | 3 | 3½ |
| 3,661 | Macadam roadway on St. Albans street, between Queen's Park Crescent and Surrey place..... | " 17, 1899 | 794 | 07 | 297 | 87 | 496 | 20 | 5 | 3½ |
| 3,662 | Gravel roadway on Tyndall avenue, between King street and Springhurst avenue..... | " 17, 1899 | 3,539 | 33 | 280 | 66 | 3,258 | 67 | 5 | 3½ |
| 3,663 | Brick roadway on Carlton street, between Parliament street and Sackville street..... | " 17, 1899 | 5,666 | 66 | 1,876 | 74 | 3,789 | 92 | 10 | 3½ |
| 3,664 | Brick roadway on Berkeley street, between Wilfor avenue and Gerrard street..... | " 17, 1899 | 7,603 | 66 | 2,941 | 42 | 4,662 | 24 | 10 | 3½ |
| 3,666 | Macadam Roadway on Carlton street, between Sackville street and Sumach street..... | " 17, 1899 | 1,837 | 90 | 540 | 75 | 1,297 | 15 | 5 | 3½ |
| 3,667 | Ratepayers' share of certain wooden sidewalks laid down in the year 1898..... | " 17, 1899 | 10,778 | 40 | 1,971 | 36 | 8,807 | 04 | 3 | 4 |
| 3,668 | Asphalt roadway on Spencer avenue, between King street and Springhurst avenue..... | " 17, 1899 | 11,113 | 53 | 571 | 67 | 10,541 | 86 | 10 | 3½ |
| 3,669 | Cedar Block Roadway on Gwynne avenue, between King street and Queen street..... | " 17, 1899 | 1,911 | 13 | 395 | 25 | 1,515 | 88 | 5 | 3½ |
| 3,670 | Granolithic sidewalk on the south side of Queen street, between a point 44 feet west of Victoria street and a point 110 feet further west..... | " 17, 1899 | 247 | 85 | ..... | ..... | 247 | 85 | 10 | 3½ |
| 3,671 | Brick sidewalk on the north side of Wilton Crescent, between Sherbourne street and a point 184 feet westerly..... | " 17, 1899 | 144 | 94 | 47 | 01 | 97 | 93 | 10 | 3½ |

| | | | | | | | | |
|-------|--|---------------|----------|-----------|-----------|-----------|-----|----|
| 3,672 | Brick sidewalk on the south side of Front street, between a point 116 feet 7 inches west of Yonge street and Bay sts . | " | 17, 1899 | 895 61 | 47 01 | 848 60 | 10' | 3½ |
| 3,673 | Concrete sidewalk on the east side of Simcoe street from the south side of Wellington street to a point 50 feet 6 inches south, and on the south side of Wellington street from the east side of Simcoe street to a point 130 feet 6 inches east . | Apr. 17, 1899 | | 524 56 | 190 75 | 333 81 | 10 | 3½ |
| 3,674 | Concrete sidewalk on the south side of Bloor street, between Sherbourne street and Yonge street . | " | 17, 1899 | 2,008 30 | 124 54 | 1,883 76 | 10 | 3½ |
| 3,675 | Concrete sidewalk on the north side of Queen street, between Teraulay street and Chestnut street . | " | 17, 1899 | 1,454 68 | 161 98 | 1,292 70 | 10 | 3½ |
| 3,676 | Concrete sidewalk on the north side of Wilcox street, between St. George street and Huron street . | " | 17, 1899 | 471 53 | 99 91 | 371 62 | 10 | 3½ |
| 3,677 | Concrete sidewalk on the north side of Queen street, between Simcoe street and St. Patrick's market . | " | 17, 1899 | 1,716 02 | 335 74 | 1,380 28 | 10 | 3½ |
| 3,678 | Concrete sidewalk on the west side of St. George street, between Bloor street and Harbord street . | " | 17, 1899 | 1,437 20 | 101 72 | 1,335 48 | 10 | 3½ |
| 3,679 | Concrete sidewalk on the south side of Lombard street, between Church street and Victoria street . | " | 17, 1899 | 1,123 53 | 525 79 | 597 74 | 10 | 3½ |
| 3,680 | Concrete sidewalk on the east side of Huron street, between Wilcox street and Classic place . | " | 17, 1899 | 373 02 | 114 72 | 258 30 | 10 | 3½ |
| 3,681 | Concrete sidewalk on the north side of Front street, opposite Nos. 36 to 50, inclusive . | " | 17, 1899 | 437 59 | ..... | 437 59 | 10 | 3½ |
| 3,682 | Concrete sidewalk on the south side of Front street, between Lorne street and a point 101 feet easterly . | " | 17, 1899 | 219 46 | 36 24 | 183 22 | 10 | 3½ |
| 3,683 | Concrete sidewalk on the east side of Elizabeth street, between College street and the first lane north . | " | 17, 1899 | 101 52 | 50 76 | 50 76 | 5 | 3½ |
| 3,684 | Concrete sidewalk on the south side of Carlton street, between Church street and Jarvis street . | " | 17, 1899 | 699 42 | 150 69 | 546 73 | 10 | 3½ |
| 3,685 | Asphalt roadway on Queen street, between John street and Bathurst street . | " | 17, 1899 | 40,105 70 | 16,178 40 | 23,927 30 | 10 | 3½ |
| 3,686 | Asphalt roadway on York street, between Front street and King street . | " | 17, 1899 | 8,782 20 | 3,313 95 | 5,468 25 | 10 | 3½ |

SCHEDULE C.—Continued.

| No. of By-law. | Nature of Work under By-law. | When passed by council. | Amount of debt created. | | Amount to be borne by city. | | Amount to be borne by ratepayers. | | Periods of payment. | Rate of interest. |
|----------------|---|-------------------------|-------------------------|----|-----------------------------|----|-----------------------------------|----|---------------------|-------------------|
| | | | \$ | c. | \$ | c. | \$ | c. |  |  | Years. | Per cent. |
| 3,687 | Asphalt roadway on Sussex avenue, between St. George street and Spadina avenue | Apr. 17, 1899 | 7,663 | 94 | 2,595 | 54 | 5,068 | 40 | 10 | 3½ |
| 3,688 | Brick roadway on Bellevue avenue, between Bellevue place and Oxford street | " 17, 1899 | 5,143 | 58 | 1,769 | 31 | 3,374 | 27 | 10 | 3½ |
| 3,689 | Cedar block roadway on St. Patrick street, between Bathurst street and Denison avenue | " 17, 1899 | 1,527 | 71 | 620 | 14 | 907 | 57 | 5 | 3½ |
| 3,690 | Gravel roadway on Lisgar street, between Afron avenue and Dundas street | " 17, 1899 | 1,641 | 36 | 540 | 28 | 1,101 | 08 | 3 | 3½ |
| 3,691 | Gravel roadway on Afron avenue, between Lisgar street and Northcote avenue | " 17, 1899 | 1,244 | 20 | 417 | 96 | 826 | 24 | 3 | 3½ |
| 3,692 | Concrete sidewalk on the west side of Church street, between Adelaide street and Queen street | " 17, 1899 | 1,479 | 51 | 307 | 81 | 1,171 | 70 | 10 | 3½ |
| 3,693 | Concrete sidewalk on the west side of Lakeview avenue, between Harrison street and Churchill avenue | " 17, 1899 | 345 | 25 | 20 | 38 | 324 | 87 | 10 | 3½ |
| 3,694 | Concrete sidewalk on the north side of Queen street, between University street and Simcoe street | " 17, 1899 | 788 | 28 | 405 | 91 | 382 | 37 | 10 | 3½ |
| 3,695 | Brick sidewalk on the north side of Adelaide street, between York street and Bay street | " 17, 1899 | 1,796 | 43 | 117 | 43 | 1,679 | 00 | 10 | 3½ |
| 3,696 | Brick sidewalk on the west side of Bond street, between Shuter street and Wilton avenue | " 17, 1899 | 897 | 65 | 42 | 80 | 854 | 85 | 10 | 3½ |
| 3,697 | Brick sidewalk on the north side of Gould street, between Mutual street and Church street | " 17, 1899 | 487 | 50 | 127 | 50 | 360 | 00 | 10 | 3½ |
| 3,698 | Brick sidewalk on the south side of Harbord street, between Robert street and Major street | " 17, 1899 | 164 | 72 | 30 | 92 | 133 | 80 | 10 | 3½ |

| | | | | | | | | |
|-------|---|-------------|------------|------------|------------|-----------|-------|-------|
| 3,699 | Brick sidewalk on the west side of Peter street, between Front street and a point 209 feet northerly | " | 17, 1899 | 165 80 | 47 38 | 118 42 | 10 | 3½ |
| 3,700 | Brick sidewalk on the west side of Portland street, between Front street and King street | " | 17, 1899 | 664 32 | 314 32 | 350 00 | 10 | 3½ |
| 3,701 | Brick sidewalk on the south side of Richmond street, between Church street and a point 473 feet easterly | " | 17, 1899 | 349 96 | 28 70 | 321 26 | 10 | 3½ |
| 3,702 | Brick sidewalk on the north side of Stewart street, between Portland street and Bathurst street | " | 17, 1899 | 456 84 | ..... | 456 84 | 10 | 3½ |
| 3,703 | Brick sidewalk on the north side of St. Patrick street, between Huron street and Beverley street | " | 17, 1899 | 446 53 | 73 23 | 373 30 | 10 | 3½ |
| 3,704 | Brick sidewalk on the east side of Teraulay street, between Edward street and Walton street | " | 17, 1899 | 394 81 | 148 27 | 246 54 | 10 | 3½ |
| 3,711 | Consolidated loan debentures for the purpose of completing the new Court House and City Hall buildings | May 1, 1899 | 220,000 00 | 220,000 00 | 220,000 00 | ..... | 30 | 3½ |
| 3,712 | Consolidated loan debentures for erecting an additional hospital for or wing to the present Isolation hospital .. | " | 1, 1899 | 20,000 00 | 20,000 00 | ..... | 10 | 3½ |
| 3,713 | Consolidated loan debentures for the construction of certain mains for waterworks purposes | May 1, 1899 | 32,992 00 | 32,992 00 | 32,992 00 | ..... | 30 | 3½ |
| 3,714 | Consolidated loan debentures for the erection of a Smallpox Hospital in the City of Toronto | " | 1, 1899 | 4,000 00 | 4,000 00 | ..... | 10 | 3½ |
| 3,715 | Consolidated loan debentures for certain lands acquired and works performed in connection with the Rosedale Valley R'd. and which were not chargeable as a local improvement .. | " | 1, 1899 | 30,067 40 | 30,067 40 | ..... | 30 | 3½ |
| 3,717 | To amend By-law No. 3,519, as amended by By-law No. 3,560, respecting the Rosedale Valley Road | " | 1, 1899 | 55,057 82 | 39,335 82 | 15,722 00 | ..... | ..... |
| 3,718 | Asphalt roadway on Carlton Street, between Yonge Street and Jarvis Street | " | 15, 1899 | 16,239 91 | 4,240 31 | 11,999 60 | 10 | 3½ |
| 3,719 | Asphalt roadway on Colborne Street, between Yonge Street and Church Street | " | 15, 1899 | 9,543 13 | 2,574 02 | 6,969 11 | 10 | 3½ |
| 3,720 | Macadam roadway on Harbord Street, between St. George Street and Huron Street | " | 15, 1899 | 1,938 71 | 321 83 | 1,616 88 | 5 | 3½ |
| 3,722 | Concrete sidewalk on the east side of Bay Street, between Adelaide Street and the Fire Hall | " | 15, 1899 | 263 22 | 131 61 | 131 61 | 10 | 3½ |

SCHEDULE C.—Continued.

| No. of By-law. | Nature of Work under By-law. | When passed by Council. | Amount of debt created. | | Amount to be borne by city. | | Amount to be borne by ratepayers. | | Period of payment. | Rate of interest. |
|----------------|---|-------------------------|-------------------------|----|-----------------------------|-------|-----------------------------------|-------|--------------------|-------------------|
| | | | \$ | c. | \$ | c. | \$ | c. |  |  | Years. | Percent. |
| 3,723 | Concrete sidewalk on the east side of York Street, between Front Street and 285 feet northerly..... | " 15, 1899 | 569 | 74 | 177 | 24 | 392 | 50 | 10 | 3½ |
| 3,724 | Wooden sidewalk on the west side of Saulter Street, from a point 48 feet south of Queen Street to the south end of Saulter Street..... | " 15, 1899 | 158 | 03 | 7 | 53 | 150 | 50 | 3 | 3½ |
| 3,726 | Macadam roadway on Wellesley Crescent, between Jarvis Street and Sherbourne Street..... | June 12, 1899 | 2,028 | 81 | 480 | 61 | 1,548 | 20 | 3 | 3½ |
| 3,727 | Gravel roadway on Beaconsfield Avenue, between Afton Avenue and Dundas Street..... | " 12, 1899 | 1,761 | 64 | 663 | 04 | 1,098 | 60 | 3 | 3½ |
| 3,728 | Granolithic Pavement on the lane running east off Leader Lane, first north of Wellington Street, from the east side of Leader Lane to a point 225 feet 6 inches easterly, thence northerly to Colborne Street..... | " 12, 1899 | 1,187 | 34 | 89 | 98 | 1,097 | 36 | 10 | 3½ |
| 3,729 | Concrete sidewalk, on the south side of College Street, opposite the Toronto Athletic Club..... | " 12, 1899 | 345 | 60 | ..... | ..... | 345 | 60 | 10 | 8½ |
| 3,731 | Issue of debentures for \$400,000 on the credit of taxes in arrear..... | June 12, 1899 | 400,000 | 00 | 400,000 | 00 | ..... | ..... | 8 | 3½ |
| 3,732 | To authorize the transfer of \$7,000 from the proceeds of certain debentures issued under By-law No. 3,591 to meet certain payments due, or to fall due, for pavements upon the track allowance on King street, from Sherbourne street to River street..... | " 12, 1899 | 7,000 | 00 | 7,000 | 00 | ..... | ..... | ..... | ..... |
| 3,734 | Brick roadway on Ross street, between Cecil street and College street..... | " 26, 1899 | 3,526 | 07 | 925 | 32 | 2,600 | 75 | 10 | 3½ |

| | | | | | | | |
|-------|---|---------------|------------|------------|--------|---------|-------|
| 3,735 | Debtures consolidating the city's proportion of the amounts named in certain local improvement by-laws | June 26, 1899 | 154,988 73 | 154,988 73 | ..... | various | 3½ |
| 3,736 | Consolidating the broken amounts named in certain local improvement by-laws | " 26, 1899 | 316,090 21 | 316,090 21 | ..... | various | 3½ |
| 3,737 | Concrete sidewalk on the east side of Queen's park crescent, between College street and Grosvenor street | " 26, 1899 | 1,016 86 | 548 86 | 468 00 | 10 | 3½ |
| 3,748 | To authorize the transfer of the sum of \$4,000 from the proceeds of certain debentures issued under by-laws Nos. 3,188 and 3,196 and transferred by by-law No. 3,441 to pay for a pavement upon the track allowance on Dundas street, from Bloor street to the city limits, to meet certain payments due or to fall due for pavements upon the track allowance on Yonge street, from Davenport road to the Canadian Pacific Railway Company's tracks | July 10, 1899 | 4,000 00 | 4,000 00 | ..... | ..... | ..... |
| 3,750 | Street railway debentures for the purpose of providing funds for constructing, repairing and renewing pavements upon portions of the streets occupied by the right of way of the Toronto Railway Company | " 10, 1899 | 28,700 00 | 28,700 00 | ..... | 10 | 3½ |
| 3,754 | Consolidated loan debentures to rebuild the bridge across the Humber river, on the Lake Shore road | " 20, 1899 | 13,000 00 | 13,000 00 | ..... | 20 | 3½ |

No. 19.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL

An Act respecting the City of Toronto.

First Reading, 20th March, 1900.

*(Reprinted as amended by Private
Bills Committee.)*

Mr. MARTER.

TORONTO:

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act respecting the Town of Oshawa.

WHEREAS the Municipal Corporation of the town of Oshawa have by their petition represented that the said corporation duly passed a by-law entitled, "By-law No. 477 of the corporation of the town of Oshawa to aid Smith & Co. in the erection of a canning and preserving factory by a money grant," a copy whereof is contained in Schedule "A" to this Act; that said by-law was duly, on the 1st day of January, 1900, submitted to a vote of the ratepayers of said corporation entitled to vote on money by-laws under the provisions of *The Municipal Act*, whereupon a majority of over two-thirds of such ratepayers voted in favour thereof; that the establishment of a canning and preserving industry in Oshawa would be of great advantage to the town, and that there is no competing industry therein or within a considerable distance thereof; and whereas said municipal corporation have by their petition further represented that a certain firm known as "The McLaughlin Carriage Co." have for many years past carried on business as carriage manufacturers at Oshawa, and had there established and were carrying on a large trade and employing a large number of operatives—the pay roll of whom averaged about \$100,000 per annum—that the factory of said McLaughlin Carriage Company was totally destroyed by fire on the night of the 7th day of December, 1899; that by reason of such fire about 300 persons were thrown out of employment; that said carriage company had never received any bonus or aid from said town, though they had been carrying on business therein on a continually increasing scale for over twenty years; that said company had offered to rebuild their factory at Oshawa on a greatly extended scale if assisted by said corporation with a loan of \$50,000; that other municipalities have made large and tempting offers to induce said company to remove their works; that nearly all the employees are ratepayers of Oshawa, and many of them freeholders therein; that the removal of said carriage manufactory from Oshawa would be most disastrous, and that it is most important that said carriage manufactory and business of said company should be retained therein, and

that there is no competing industry in said town; and that said corporation had accordingly duly passed a by-law entitled, "By-law No. 480 of the corporation of the town of Oshawa to grant \$50,000 by way of loan to the McLaughlin Carriage Company," a copy whereof is contained in Schedule "B" to this Act; that said last-mentioned by-law was, on the 13th day of January, 1900, duly submitted to a vote of the rate-payers of said corporation entitled to vote on money by-laws under the provisions of *The Municipal Act*, and the same was approved of by a majority largely in excess of two-thirds of such ratepayers, there having been but ten votes recorded against the same; and whereas the said corporation has prayed that an Act may be passed validating and confirming the said two recited by-laws and the debentures to be issued thereunder respectively; and whereas the said corporation have by their petition further represented that the said corporation, being desirous of constructing a system of water works and sewers in the said town, on or about the 23rd day of January, 1899, duly passed a by-law of said corporation, being by-law No. 460, authorizing the issue of debentures for the sum of \$110,000 for such purposes, which said by-law was duly confirmed and legalized by an Act of the Legislative Assembly of the Province of Ontario in Parliament assembled passed at the second session held in the 62nd year of Her Majesty's reign, chaptered 65; that said sum of \$110,000 was at the time of the passage of said last-mentioned by-law considered sufficient for the purposes of said water works and sewers; that, however, differences of opinion as to the best method of constructing said water works and sewers arose, and before the same could be adjusted the market prices of material necessary for construction thereof were raised beyond what had been estimated; that the calamity of the said fire at said carriage works and the necessity that has arisen in consequence thereof of increasing the debenture debt of said town renders it at present impossible for said corporation to proceed with the construction of said water works and sewers, and that none of the debentures issuable under the said last-mentioned by-law and said Act had been issued, and in order, so far as might be, to save the expense of a new by-law and further legislation it was desirable that the time for the issue of the said debentures should be extended, and whereas said corporation have by their petition prayed that an Act may be passed for such extension or for other suitable relief; and whereas it is expedient to grant the prayer of the said petition,

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

By-laws 447
and 480 grant.

1. By-law Number 477 of the municipal corporation of the town of Oshawa, set out in Schedule "A" to this Act, and by-

law Number 480 of said municipal corporation, set out in Schedule "B" to this Act, are hereby respectively confirmed and declared legal and binding upon the said municipal corporation of the town of Oshawa and the ratepayers thereof, notwithstanding any want of power or jurisdiction on the part of said municipal corporation to pass the said by-laws or either of them, and notwithstanding any defect in substance or in form of said by-laws or either thereof, or in the manner of passing the same or either thereof; and the said municipal corporation of the town of Oshawa is hereby authorized to issue debentures as provided for by said by-laws Numbers 477 and 480 and each of them respectively; and the said debentures so issued in pursuance of said by-laws respectively are hereby declared legal and binding upon the said municipal corporation of the town of Oshawa, and the said corporation is hereby authorized and empowered to do all necessary acts for the full and proper carrying out and giving effect to the said by-laws Numbers 477 and 480 respectively.

ing aid to
Smith & Co.
and McLaugh-
lin Carriage
Co. confirmed.

2. Any provisions contained in *The Municipal Act*, or in any Act, which are or may be inconsistent with the provisions of this Act or any of them shall not apply to the said by-laws No. 477 and No. 480, respectively, or to either of them, or to the debentures issued under them, or either of them, and no irregularity in the form of such debentures issued pursuant to said by-laws No. 477 and No. 480 or either of them shall render the same invalid or be allowed as a defence to any action brought against the said corporation of the Town of Oshawa for the recovery of the amount of the said debentures and interest thereon or any or either of them or any part thereof, and the purchaser or holder thereof or of any thereof shall not be bound to enquire as to the necessity for the issue of such debentures or any thereof or as to the application of the proceeds thereof or any thereof.

Inconsistent
provisions in
Rev. Stat.
c. 223, not to
apply to
by-laws.

3. The council of the corporation of the said town of Oshawa may for the purposes of constructing waterworks and sewers at any time within twenty years from the final passage of this Act pass a By-law providing for the issue of debentures to the amount authorized by said recited By-law Number 460 of said corporation and the said Act passed at the second session held in the 62nd year of Her Majesty's reign, chaptered 65, notwithstanding that the period for the issue of such debentures as authorized by said By-law No. 460 and said Act shall or may have expired, and upon the passage of such By-law as is hereby authorized may for the purposes aforesaid issue debentures of said corporation to the amount authorized by said By-law No. 460 and said Act payable in the manner and for the amounts set out in said By-law No. 460 and said Act—the first of such debentures hereby authorized to mature and be payable on the first anniversary of the date of the pas-

Authority to
issue debentures for
water-works
and sewers
under 62 V.
(2) cap. 65.

sage of such By-law as is hereby authorized and the remainder on each of the then following thirty-nine consecutive anniversaries thereof, and to be for the amounts payable in each of the forty years respectively as set out in the Schedule to said By-law No. 460 and said Act—and all the provisions of said By-law No. 460 and of the said Act chapter 65 shall *mutatis mutandis* apply to the debentures hereby authorized to be issued. 5

Powers to issue debentures for water-works and sewers under new by-laws.

Assure of electors.

Rev. Stat. c. 223.

4. The said council of the corporation of the town of Oshawa instead of passing a By-law as provided for in the last preceding section of this Act may at any time within twenty years from the passing of this Act pass a By-law for the issue of debentures to such an amount as may be requisite for the purposes of constructing waterworks and sewers for said town of Oshawa, the payment of such debentures to extend over the period of forty years—no such By-law however to be passed until the same shall have had the approval of the majority of the ratepayers of said town who are entitled to vote in the case of By-laws for the creation of debts, such approval to be shewn by a vote taken subject to the conditions with respect thereto of *The Municipal Act* and all and any amendments thereto and in the manner therein required with respect to By-laws creating debts, and sections 245 to 258 inclusive and 338 to 365 inclusive and 364 to 374 inclusive, of *The Municipal Act* shall be taken and read as part of this Act, and save as otherwise provided by this Act all the clauses of *The Municipal Act* relating to the creation of debts, the issue of debentures, and the time and manner of repayment of the same shall apply and be read as applying to the debentures authorized to be issued by this section of this Act—and no irregularity in the form of debentures to be issued under the By-law in and by this section authorized shall render the same invalid or illegal or be allowed as a defence for any action brought against the said corporation for the recovery of the amount of such debentures and interest or any or either of them or of any part thereof—and the purchaser or holder thereof or of any thereof shall not be bound to enquire as to the necessity for the issue of such debentures or any thereof or as to the application of the proceeds thereof or any thereof—and the same may be at the option of the council issued in one sum or in the manner *mutatis mutandis* provided for by said Act passed in the 62nd year of Her Majesty's reign, chaptered 65. 10 15 20 25 30 35 40

SCHEDULE A.

BY-LAW NO. 477 OF THE CORPORATION OF THE TOWN OF OSHAWA TO AID SMITH & Co. IN THE ERECTION OF A CANNING AND PRESERVING FACTORY BY A MONEY GRANT.

Whereas Messrs. Mark F. Smith, Charles A. Smith and Wm. Smith, all of Port Hope, in this Province, have represented to the council of this Corporation that they intend to embark in business as canners and preservers of fruits, vegetables and meats; that they intend to employ in such business a cash capital of at least \$20,000, and that the property in Oshawa formerly known as "The Dingle Implement Factory" is, with an additional acre of land to the north thereof, a suitable site for such business;

And whereas the said Smith & Co. also agree with said corporation that if placed in possession of such site by proper conveyance they will forthwith equip the same as a first-class canning and preserving factory, duly fitted with all the latest and most improved machinery for canning and preserving and for making cans, and to put in two new boilers and engines and build three extensions to the present brick building, so that the same when complete will have cost at least \$10,000. And also that they will employ an average of not less than 75 operatives for 10 months in each year for 10 years from the 1st day of July, 1900, and will pay out for product at least \$30,000 in each year, and \$10,000 for wages in each year for said 10 years, and have agreed to secure the due performance of said agreement by a first mortgage of their factory premises to the satisfaction of the council of said corporation, and in order to aid them in the establishment of said business have requested this corporation to make them a grant of \$5,000, out of which sum the purchase money of the site is to be paid;

And whereas options have been secured for the purchase of said site at satisfactory prices;

And whereas there is no similar industry in said town, nor for a large radius of country surrounding the same;

And whereas the establishment of such factory would be of great benefit to the town, and largely signed petitions for the submission of a by-law granting such aid have been submitted to the council;

And whereas in order to granting such aid it will be necessary to raise by the issue of debentures the sum of \$5,000;

And whereas to that end it will be requisite to raise by special rate in each year, for the period of 20 years, for paying said debt and interest at 4 per cent. per annum in instalments according to the terms of this by-law, so that the aggregate amount payable for principal and interest in any one year shall be equal as nearly as may be for what is payable for principal and interest during each of the other years of such period; the several sums of principal and interest set out in the schedule to this by-law;

And whereas the amount of the whole rateable property of the town of Oshawa according to the last revised assessment roll is \$1,126,195;

And whereas the amount of the existing general debenture debt of the town of Oshawa, exclusive of local improvement debt secured by special acts, rates or assessments, \$35,999.82 for principal and \$18,639.61 for interest, and there is no part of principal or interest of said debenture debt in arrear;

Therefore the municipal council of the corporation of the Town of Oshawa enacts as follows:

1. For the purposes aforesaid it shall be lawful for the mayor of the town of Oshawa to borrow the sum of five thousand dollars and to issue debentures of the corporation or municipality of Oshawa therefor in sums of not less than \$100 each, which debentures shall bear date on the day on which this by-law takes effect, and shall be made payable on each anniversary thereof for twenty years therefrom, and shall bear interest at the rate of four per cent. per annum, payable yearly from said date during

the currency of the said debentures, and the same may be issued for the total amount of each yearly payments respectively, or have coupons attached for the payment of such interest as the council may direct, and the said debentures shall be payable in the manner, for the amounts and at the times set out in said schedule, and shall be payable as to principal and interest at the office of the treasurer of the town of Oshawa.

2. It shall be lawful for the mayor of said corporation, and he is hereby authorized and directed to sign and issue the said debentures and to cause the interest coupons, if such are issued, attached thereto, to be signed by the treasurer of said corporation, and the clerk thereof is hereby authorized and instructed to attach the seal of said municipality to said debentures.

3. There shall be raised and levied in each of the years in which any of said debentures shall become payable by a special rate on all the rateable property in the said municipality, a sum sufficient to discharge the several instalments of principal and interest accruing due on the said debt as set out in and according to said schedule.

4. This by-law shall not take effect until the same shall have been approved of, sanctioned and ratified by a special Act of the Legislature of the Province of Ontario, and shall take effect on the date of the passage of such an Act.

5. The said moneys, or any part thereof, shall not be paid over to the said Smith & Co. until they shall have become bona fide owners in fee simple of the said site and the whole thereof, and shall have erected and equipped a canning and preserving factory costing with said site at least \$10,000 as aforesaid, and shall have produced to the said council the vouchers showing such expenditure verified by statutory declaration, nor until they shall have executed and delivered to the said corporation a first mortgage or mortgages of said site and plant, containing all necessary bars of dower and insurance covenant and all other usual statutory provisions and covenants and conditions for the due performance of the said agreement of said Smith & Co. according to the true intent and meaning thereof, such mortgage to be to the satisfaction of the said council and their solicitor.

6. The votes of the qualified electors of said municipality on this by-law shall be taken on Monday, the 1st day of January, 1900, and the polls shall be opened at the hour of 9 o'clock a.m., and closed at the hour of 5 o'clock p.m., and the polling divisions and places for taking such votes and the deputy returning officers shall be as follows, viz:

For the district or part of the said town known as the South West Ward, the Sons Hall School house, and Mr. J. O. Guy shall be deputy returning officer thereat.

For the district or part of the town known as the South East Ward, the Albert street school house, and Mr. J. Beaton shall be deputy returning officer thereat.

For the district or part of the said town known as the North West Ward, the Town Hall, and Mr. R. J. Mackie shall be deputy returning officer thereat.

For the district or part of the town known as the North East Ward, the Mary street school house, and Mr. J. A. Thompson shall be deputy returning officer thereat.

7. The head of the said corporation shall attend at the office of the clerk thereof on Friday, the 29th day of December, 1899, at the hour of 10 o'clock in the forenoon to appoint persons to attend at the various polling places and at the final summing up of the votes respectively on behalf of the persons interested in and promoting or opposing the passing of this by-law.

8. The clerk of said corporation shall attend at the council chamber on Wednesday, the 3rd day of January, 1900, at the hour of 10 o'clock in the forenoon, and sum up and declare the number of votes for and against the by-law, and shall then and there declare the result, and shall forth-

with certify to the Council under his hand the result, according to the Statutes in such case made and provided.

Schedule to the above by-law.

| | Interest. | Principal. | Total. | Ag. Principal. |
|-------|-----------|------------|----------|----------------|
| 1901— | \$200 00 | \$167 91 | \$367 91 | \$167 91 |
| 1902— | 193 28 | 174 63 | 367 91 | 342 54 |
| 1903— | 186 29 | 181 62 | 367 91 | 524 16 |
| 1904— | 179 04 | 188 87 | 367 91 | 713 03 |
| 1905— | 171 48 | 196 43 | 367 91 | 909 46 |
| 1906— | 163 62 | 204 29 | 367 91 | 1,113 75 |
| 1907— | 155 45 | 212 46 | 367 91 | 1,326 21 |
| 1908— | 146 96 | 220 95 | 367 91 | 1,547 16 |
| 1909— | 138 11 | 229 79 | 367 91 | 1,776 95 |
| 1910— | 128 93 | 238 93 | 367 91 | 2,015 93 |
| 1911— | 119 37 | 248 54 | 367 91 | 2,264 47 |
| 1912— | 109 42 | 258 49 | 367 91 | 2,522 96 |
| 1913— | 99 08 | 268 83 | 367 91 | 2,791 79 |
| 1914— | 88 33 | 279 58 | 367 91 | 3,071 37 |
| 1915— | 77 15 | 290 76 | 367 91 | 3,362 13 |
| 1916— | 65 52 | 302 39 | 367 91 | 3 664 52 |
| 1917— | 53 42 | 314 49 | 367 91 | 3,979 01 |
| 1918— | 40 84 | 327 07 | 367 91 | 4 306 08 |
| 1919— | 27 76 | 340 15 | 367 91 | 4,646 23 |
| 1920— | 14 15 | 353 77 | 367 92 | 5,000 00 |

\$5,000 00

Dec. 4th, 1899.—By law read a first time.

(Sd) THOS. MORRIS,
Town Clerk.

Dec. 4th, 1899.—By law read a second time.

(Sd) THOS. MORRIS,
Town Clerk.

Jan. 8th, 1900.—By law read a third time and passed.

(Sd) THOS. MORRIS, (Sd) FRED. L. FOWKE,
Town Clerk. Mayor.

SCHEDULE B.

BY-LAW No. 480 OF THE CORPORATION OF THE TOWN OF OSHAWA TO GRANT \$50,000.00 BY WAY OF LOAN TO THE McLAUGHLIN CARRIAGE COMPANY.

Whereas Robert McLaughlin, Geo. W. McLaughlin, Robert Samuel McLaughlin, Mary McLaughlin and Lizzie Owens (formerly Lizzie McLaughlin) carrying on trade and business in partnership as carriage manufacturers under the style or firm of "The McLaughlin Carriage Co." have for many years carried on such business at their factory in Oshawa, and had there established and were carrying on a very large trade, and were employing a large number of operatives, the pay roll of whom at the date of the fire hereinafter mentioned averaged about \$100,000.00 per annum.

And whereas the factory of said company was totally destroyed by fire on the night of the 7th day of December, 1899.

And whereas by such calamity about 300 persons have been thrown out of employment and their houses rendered of less value, and unless said factory be rebuilt there will necessarily be a large reduction in the value of property in said town.

And whereas the said company has never received any bonus from said town though the founder thereof, said Robert McLaughlin, has been engaged in such business for over twenty years therein.

And whereas said company have intimated their willingness to rebuild their factory at Oshawa and to erect for such purpose a factory equal to about 700 feet long and 50 feet wide and three stories high, and therein carry on their said business on a scale commensurate thereto, provided they be aided by said corporation with a loan of \$50,000.00 without interest, the principal thereof to be repaid in accordance with the terms of payment of the instalments of principal of the debentures hereinafter provided for.

And whereas it is desirable to aid said company by such loan.

And whereas in order to granting such aid it will be necessary to raise such sum by the issue of debentures for \$50,000.00.

And whereas to that end it will be requisite to raise by special rate in each year, for the period of twenty years for paying said debt and interest at 4 per cent. per annum in instalments according to the terms of this by-law, so that the aggregate amount payable for principal and interest in any one year shall be equal as nearly as may be for what is payable for principal and interest during each of the other years of such period, the several sums of principal and interest set out in the schedule of this by-law respectively,

And whereas the amount of the existing general debenture debt of the town of Oshawa, exclusive of local improvement debts secured by special Acts, rates or assessments is \$35,001.33 for principal, and \$18,639.61 for interest, and there is no part of principal or interest of said debenture debt in arrear.

And whereas the amount of the whole rateable property of the town of Oshawa, according to the last revised assessment roll, is \$1,126,195.

Therefore the municipal council of the corporation of the town of Oshawa enacts as follows:—

1. For the purposes aforesaid it shall be lawful for the mayor of the town of Oshawa to borrow the sum of fifty thousand dollars (\$50,000.00) and to issue debentures of the corporation or municipality of Oshawa therefor in sums of not less than \$100.00 each, which debentures shall bear date on the date on which this by-law takes effect, and shall be made payable on each anniversary thereof for twenty years therefrom, and shall bear interest at the rate of four per cent. per annum, payable yearly from said date, during the currency of the said debentures, and the same may be issued for the total amount of each yearly payment respectively, or have coupons attached for the payment of such interest as the council may direct, and the said debentures shall be payable in the manner, for the amounts and at the times set out in said schedule, and shall be payable as to principal and interest at the office of the treasurer of the town of Oshawa.

2. It shall be lawful for the mayor of said corporation and he is hereby authorized and directed to sign and issue the said debentures and to cause the interest coupons, if such are issued, attached thereto, to be signed by the treasurer of said corporation and the clerk thereof is hereby authorized and instructed to attach the seal of said municipality to said debentures.

3. There shall be raised and levied in each of the years in which any of said debentures shall become payable by a special rate on all the rateable property in the said municipality, a sum sufficient to discharge the several instalments of principal and interest accruing due on the said debt as set out in and according to said schedule.

Provided however that the moneys payable by said company or their heirs, representatives or assigns, as hereafter set out, being the several instalments of principal set out in said schedule shall be applied *pro tanto* in payment of said debentures and it shall not be necessary to levy any rate for such amount of principal in any year in which said payments shall have been made, and the said corporation has sufficient money from that source in hand to pay said sums of principal, and if part of said principal only is so paid in any year then it shall only be necessary to raise the balance and the sum payable for interest in such year by special rate.

4. This by-law shall not take effect until the same shall have been approved of, sanctioned and ratified by a special act of the legislature of the province of Ontario, and shall take effect on the date of the passage of such an act.

5. The said sum shall be paid over to the said the McLaughlin Carriage Company when they shall have become bona fide owners in fee simple free from encumbrance of the site upon which they propose to re-build their said factory in Oshawa, and shall have built thereon a brick factory equal to about 700 feet long and 50 feet wide and three stories high, in accordance with their proposition and shall have fitted the same with suitable machinery of all kinds necessary for the manufacture of carriages and other vehicles as heretofore carried on by said company on a scale commensurate with the size of such building, and shall have executed and registered and delivered to said corporation a first mortgage of said site, factory and machinery and plant as a going concern, securing the due payment of the annual sums required to pay the principal of such debentures as set out in said schedule — such mortgage to contain bar of all powers and power of sale and all usual covenants and provisos, including the usual covenant to insure said buildings and machinery and plant to the insurable value thereof or to the extent of the amount of the loan unpaid — the policy or policies to be duly assigned to said corporation. Also a proviso that on default of payment of any instalment the whole unpaid instalments shall become due and the personal covenant for payment of the several members of the said company and such other powers, covenants and agreements as may be reasonably required and to the satisfaction of the council and the town solicitor.

Provided, however, that the mayor may, with the approval of the council, advance the said company a portion or portions of such moneys as the erection of the buildings is or may be proceeded with from time to time, on receiving such mortgage and insurance policy or policies, if any, on the part built to the insurable value thereof, such advances, if any, not to be greater than the value of the building then erected and machinery placed therein.

6. By-law No. 471 of this corporation, passed on the 18th day of July, 1899, providing for the assessment and taxation of the works of said company is hereby ratified and confirmed and declared applicable to the proposed new factory.

7. The votes of the qualified electors of said municipality on this by-law shall be taken on Saturday, the 13th day of January, 1900, and the polls shall be opened at the hour of 9 o'clock, a.m., and closed at the hour of 5 o'clock, p.m., and the polling divisions and places for taking such votes and the deputy returning officers shall be as follows, viz. :—

For the district or part of the town known as the south west ward, the Sons' hall school-house, and Mr. J. O. Guy shall be deputy returning officer thereat.

For the district or part of the town known as the south east ward, the Albert street school-house, and Mr. J. S. Beaton shall be deputy returning officer thereat.

For the district or part of the town known as the north west ward, the town hall, and Mr. J. H. Butler shall be deputy returning officer thereat.

For the district or part of the town known as the north east ward, the Mary street school-house, and Mr. S. T. Hilman shall be deputy returning officer thereat.

8. The head of the said corporation shall attend at the office of the clerk thereof on Wednesday, the 10th day of January, 1900, at the hour of 10 o'clock in the forenoon to appoint persons to attend at the various polling places and at the final summing up of the votes respectively on behalf of the persons interested in and promoting or opposing the passing of this by-law.

9. The clerk of said corporation shall attend at the council chamber on Monday, the 15th day of January, 1900, at the hour of 10 o'clock in the forenoon, and sum up and declare the number of votes for and declare

the result, and shall then and there declare the result and shall forthwith certify to the council under his hand the result, according to the statutes in such case made and provided.

| <i>Year.</i> | <i>Interest.</i> | <i>Principal.</i> | <i>Total.</i> | <i>Principal Paid.</i> |
|--------------|------------------|-------------------|---------------|------------------------|
| 1901 | \$2000.00 | \$1679.09 | \$3679.09 | \$ 1,679.09 |
| 1902 | 1932.85 | 1746 25 | 3679.10 | 3,425.34 |
| 1903 | 1862.99 | 1816.10 | 3679.10 | 5,241.44 |
| 1904 | 1790.35 | 1888 75 | 3679.10 | 7,130.19 |
| 1905 | 1714.80 | 1964.30 | 3679.10 | 9,094.49 |
| 1906 | 1636.23 | 2042.87 | 3679.10 | 11,137.36 |
| 1907 | 1554.52 | 2124.58 | 3679.10 | 13,261.94 |
| 1908 | 1469.53 | 2209.57 | 3679.10 | 15,471.51 |
| 1909 | 1381.15 | 2297.95 | 3679.10 | 17,769.46 |
| 1910 | 1289.24 | 2389.86 | 3679.10 | 20,159.32 |
| 1911 | 1193.64 | 2485.46 | 3679 10 | 22,644.78 |
| 1912 | 1094.22 | 2584.88 | 3679.10 | 25,229.66 |
| 1913 | 990.82 | 2688.28 | 3679.10 | 27,917.94 |
| 1914 | 833.30 | 2795.80 | 3679.10 | 30,713.74 |
| 1915 | 771.47 | 2907.63 | 3679.10 | 33,621.37 |
| 1916 | 655.16 | 3023 94 | 3679.10 | 36,645.31 |
| 1917 | 534.21 | 3144.90 | 3679.11 | 39,790.21 |
| 1918 | 408.42 | 3270.69 | 3679.11 | 43,060.90 |
| 1919 | 277.59 | 3401.52 | 3679.11 | 46,462.42 |
| 1920 | 141.53 | 3537.58 | 3679.11 | 50,000.00 |

\$50,000.00

Oshawa, Dec. 20th, 1899.

By-law read a first and second time this 20th day of December, 1899.

(Sd) THOS. MORRIS,
Town Clerk.

Read a third time and passed this 23rd day of January, 1900.

(Sd) FRED L. FOWKE,
Mayor.

(Sd) THOS. MORRIS, (L.S.)
Town Clerk.



No. 20.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting the Town of Oshawa.

| | |
|----------------|-------|
| First Reading, | 1900. |
|----------------|-------|

(Private Bill)

Mr. DRYDEN.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting the Town of Oshawa.

WHEREAS the Municipal Corporation of the town of Oshawa *has* by petition represented that the said corporation duly passed a by-law entitled, "By-law No. 477 of the corporation of the town of Oshawa to aid Smith & Co. in the erection of a canning and preserving factory by a money grant," a copy whereof is ~~set out~~ set out in Schedule "A" to this Act; that said by-law was duly, on the 1st day of January, 1900, submitted to a vote of the ratepayers of said corporation entitled to vote on money by-laws under the provisions of *The Municipal Act*, whereupon a majority of over two-thirds of such ratepayers voted in favour thereof; that the establishment of a canning and preserving industry in Oshawa would be of great advantage to the town, and that there is no competing industry therein or within a considerable distance thereof; and whereas *the* said municipal corporation ~~has~~ by petition further represented that a certain firm known as "The McLaughlin Carriage Co." have for many years past carried on business as carriage manufacturers at Oshawa, and had there established and were carrying on a large trade and employing a large number of operatives—the pay roll of *which* averaged about \$100,000 per annum—that the factory of *the* said McLaughlin Carriage Company was totally destroyed by fire on the night of the 7th day of December, 1899; that by reason of such fire about 300 persons were thrown out of employment; that said carriage company had never received any bonus or aid from said town, *although* they had been carrying on business therein *upon* a continually increasing scale for over twenty years; that *the* said company *have* offered to rebuild their factory at Oshawa on a greatly extended scale if assisted by said corporation with a loan of \$50,000; that nearly all the employees of *the said firm* are ratepayers of Oshawa, and many of them freeholders therein; that the removal of *the* said carriage manufactory from Oshawa would be most disastrous, and that it is most important that said carriage manufactory and business of said company should be retained therein, and that there is no competing industry in said town; and that *the* said corporation *has* accordingly duly

passed a by-law entitled, "By-law No. 480 of the corporation of the town of Oshawa to grant \$50,000 by way of loan to the McLaughlin Carriage Company," a copy whereof is *set out* in Schedule "B" to this Act; that said last-mentioned by-law was, on the 13th day of January, 1900, duly submitted to a vote of the ratepayers of *the* said corporation entitled to vote on money by-laws under the provisions of *The Municipal Act*, and the same was approved of by a majority largely in excess of two-thirds of such ratepayers, there having been but ten votes recorded against the same; and whereas the said corporation has prayed that an Act may be passed validating and confirming the said two recited by-laws and the debentures to be issued thereunder respectively; and whereas the said corporation *has* by petition further represented that the said corporation, being desirous of constructing a system of water works and sewers in the said town, on or about the 23rd day of January, 1899, duly passed a by-law of said corporation, being by-law No. 460, authorizing the issue of debentures for the sum of \$110,000 for such purposes, which said by-law was duly confirmed and legalized by an Act of the *Legislature* passed at the second session held in the 62nd year of Her Majesty's reign, chaptered 65; that *the* said sum of \$110,000 was at the time of the *passing* of *the* said last-mentioned by-law considered sufficient for the purposes of said water works and sewers; that, however, differences of opinion as to the best method of constructing *the* said water works and sewers *have arisen*, and before the same could be adjusted the market prices of material necessary for *the* construction thereof were raised beyond ~~the~~ the estimate upon which the said by-law was passed, rendering ~~it~~ it at present impossible for *the* said corporation to proceed with the construction of *the* said water works and sewers, and that none of the debentures issuable under the said last-mentioned by-law and *the* said Act *have* been issued, and in order, so far as *may* be, to save the expense of a new by-law and further legislation it *is* desirable that the time for the issue of the said debentures should be extended, and whereas *the* said corporation *has* by petition prayed that an Act may be passed for such extension or for other suitable relief; ~~and~~ and whereas no opposition has been offered to the said petition; ~~and~~ and whereas it is expedient to grant the prayer of the said petition,

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. By-law Number 477 of the municipal corporation of the town of Oshawa, set out in Schedule "A" to this Act, and by-law Number 480 of *the* said municipal corporation, set out in Schedule "B" to this Act, are hereby respectively confirmed and declared *to be* legal, *valid* and binding upon the said *the* municipal corporation of the town of Oshawa and the rate-

By-laws 477
and 480 grant-
ing aid to
Smith & Co.,
and McLaugh-
lin Carriage
Co. confirmed.

payers thereof, notwithstanding any want of power or jurisdiction on the part of *the* said municipal corporation to pass the said by-laws or either of them, and notwithstanding any defect in substance or in form of *the* said by-laws or either thereof, or in the manner of passing the same or either thereof; and the said *the* municipal corporation of the town of Oshawa is hereby authorized to issue debentures as provided for by said by-laws Numbers 477 and 480 and each of them respectively; and the said debentures so issued in pursuance of *the* said by-laws respectively are hereby *confirmed and declared to be legal valid* and binding upon the said *the* municipal corporation of the town of Oshawa, and the said corporation is hereby authorized and empowered to do all necessary acts for the full and proper carrying out and giving effect to the said by-laws Numbers 477 and 480 respectively.

2. Any provisions contained in *The Municipal Act*, or in any Act, which are or may be inconsistent with the provisions of this Act or any of them shall not apply to the said by-laws No. 477 and No. 480, respectively, or to either of them, or to the debentures issued under them, or either of them, and no irregularity in the form of such debentures issued pursuant to *the* said by-laws No. 477 and No. 480 or either of them shall render the same invalid or illegal or be allowed as a defence to any action brought against the said corporation of the Town of Oshawa for the recovery of the amount of the said debentures and interest thereon or any or either of them or any part thereof, and the purchaser or holder ^{of} any of such debentures ^{shall} shall not be bound to enquire as to the necessity for the issue of such debentures or as to the application of the proceeds thereof.

Inconsistent provisions in Rev. Stat. c. 223, not to apply to by-laws.

3. The council of the corporation of the said town of Oshawa may for the purposes of constructing waterworks and sewers at any time within twenty years from the *passing* of this Act pass a By-law providing for the issue of debentures to the amount authorized by said recited By-law Number 460 of *the* said corporation and the said Act passed at the second session held in the 62nd year of Her Majesty's reign, chaptered 65, notwithstanding that the period for the issue of such debentures as authorized by said By-law No. 460 and *the* said Act shall or may have expired, and upon the *passing* of such By-law as is hereby authorized may for the purposes aforesaid issue debentures of *the* said corporation to the amount authorized by said By-law No. 460 and *the* said Act payable in the manner and for the amounts set out in *the* said By-law No. 460 and *the* said Act—the first of such debentures hereby authorized to mature and be payable on the first anniversary of the date of the *passing* of *the* By-law hereby authorized and the remainder on each of the then following thirty-nine consecutive anniversaries thereof, and to be for the amounts payable in

Authority to issue debentures for water-works and sewers under 62 V. (2) cap. 65.

each of the forty years respectively as set out in the Schedule to the said By-law No. 460 and the said Act—and all the provisions of the said By-law No. 460 and of the said Act chapter 65 shall *mutatis mutandis* apply to the debentures hereby authorized to be issued.

Powers to issue debentures for water-works and sewers under new by-laws.

Assent of electors.

Rev. Stat. c. 223.

4. The said council of the corporation of the town of Oshawa instead of passing a By-law as provided for in the last preceding section of this Act may at any time within twenty years from the passing of this Act pass a By-law for the issue of debentures to such an amount as may be requisite for the purposes of constructing waterworks and sewers for said town of Oshawa, the payment of such debentures to extend over the period of forty years—*provided that* no such By-law shall be passed until the same shall have received the assent of the majority of the ratepayers of the said town who are entitled to vote in the case of By-laws for the creation of debts, ^{and} in the manner required by *The Municipal Act* and amendments thereof, ^{and} and save as otherwise provided by this Act all the clauses of *The Municipal Act* relating to the creation of debts, the issue of debentures, and the time and manner of repayment of the same shall apply and be read as applying to the debentures authorized to be issued by this section—and no irregularity in the form of debentures to be issued under the By-law by this section authorized shall render the same invalid or illegal or be allowed as a defence to any action brought against the said corporation for the recovery of the amount of such debentures and interest or any or either of them or of any part thereof—and the purchaser or holder of any of such debentures shall not be bound to enquire as to the necessity for the issue of such debentures or as to the application of the proceeds thereof—and the same may be at the option of the council issued in one sum or in the manner *mutatis mutandis* provided for by said Act passed in the 62nd year of Her Majesty's reign, chaptered 65.

SCHEDULE A.

BY-LAW NO. 477 OF THE CORPORATION OF THE TOWN OF OSHAWA TO AID SMITH & CO. IN THE ERECTION OF A CANNING AND PRESERVING FACTORY BY A MONEY GRANT.

Whereas Messrs. Mark F. Smith, Charles A. Smith and Wm. Smith, all of Port Hope, in this Province, have represented to the council of this Corporation that they intend to embark in business as canners and preservers of fruits, vegetables and meats; that they intend to employ in such business a cash capital of at least \$20,000, and that the property in Oshawa formerly known as "The Dingle Implement Factory" is with an additional acre of land to the north thereof, a suitable site for such business;

And whereas the said Smith & Co. also agree with said corporation that if placed in possession of such site by proper conveyance they will forthwith equip the same as a first-class canning and preserving factory, duly fitted with all the latest and most improved machinery for canning and preserving and for making cans, and to put in two new boilers and engines and build three extensions to the present brick building, so that the same when complete will have cost at least \$10,000. And also that they will employ an average of not less than 75 operatives for 10 months in each year for 10 years from the 1st day of July, 1900, and will pay out for product at least \$30,000 in each year, and \$10,000 for wages in each year for said 10 years, and have agreed to secure the due performance of said agreement by a first mortgage of their factory premises to the satisfaction of the council of said corporation, and in order to aid them in the establishment of said business have requested this corporation to make them a grant of \$5,000, out of which sum the purchase money of the site is to be paid;

And whereas options have been secured for the purchase of said site at satisfactory prices;

And whereas there is no similar industry in said town, nor for a large radius of country surrounding the same;

And whereas the establishment of such factory would be of great benefit to the town, and largely signed petitions for the submission of a by-law granting such aid have been submitted to the council;

And whereas in order to granting such aid it will be necessary to raise by the issue of debentures the sum of \$5,000;

And whereas to that end it will be requisite to raise by special rate in each year, for the period of 20 years, for paying said debt and interest at 4 per cent. per annum in instalments according to the terms of this by-law, so that the aggregate amount payable for principal and interest in any one year shall be equal as nearly as may be for what is payable for principal and interest during each of the other years of such period; the several sums of principal and interest set out in the schedule to this by-law;

And whereas the amount of the whole rateable property of the town of Oshawa according to the last revised assessment roll is \$1,126,195;

And whereas the amount of the existing general debenture debt of the town of Oshawa, exclusive of local improvement debt secured by special acts, rates or assessments, \$35,999.82 for principal and \$18,639.61 for interest, and there is no part of principal or interest of said debenture debt in arrear;

Therefore the municipal council of the corporation of the Town of Oshawa enacts as follows:

1. For the purposes aforesaid it shall be lawful for the mayor of the town of Oshawa to borrow the sum of five thousand dollars and to issue debentures of the corporation or municipality of Oshawa therefor in sums of not less than \$100 each, which debentures shall bear date on the day on which this by-law takes effect, and shall be made payable on each anniversary thereof for twenty years therefrom, and shall bear interest at the rate of four per cent. per annum, payable yearly from said date during

the currency of the said debentures, and the same may be issued for the total amount of each yearly payments respectively, or have coupons attached for the payment of such interest as the council may direct, and the said debentures shall be payable in the manner, for the amounts and at the times set out in said schedule, and shall be payable as to principal and interest at the office of the treasurer of the town of Oshawa.

2. It shall be lawful for the mayor of said corporation, and he is hereby authorized and directed to sign and issue the said debentures and to cause the interest coupons, if such are issued, attached thereto, to be signed by the treasurer of said corporation, and the clerk thereof is hereby authorized and instructed to attach the seal of said municipality to said debentures.

3. There shall be raised and levied in each of the years in which any of said debentures shall become payable by a special rate on all the rateable property in the said municipality, a sum sufficient to discharge the several instalments of principal and interest accruing due on the said debt as set out in and according to said schedule.

4. This by-law shall not take effect until the same shall have been approved of, sanctioned and ratified by a special Act of the Legislature of the Province of Ontario, and shall take effect on the date of the passage of such an Act.

5. The said moneys, or any part thereof, shall not be paid over to the said Smith & Co. until they shall have become bona fide owners in fee simple of the said site and the whole thereof, and shall have erected and equipped a canning and preserving factory costing with said site at least \$10,000 as aforesaid, and shall have produced to the said council the vouchers showing such expenditure verified by statutory declaration, nor until they shall have executed and delivered to the said corporation a first mortgage or mortgages of said site and plant, containing all necessary bars of dower and insurance covenant and all other usual statutory provisions and covenants and conditions for the due performance of the said agreement of said Smith & Co. according to the true intent and meaning thereof, such mortgage to be to the satisfaction of the said council and their solicitor.

6. The votes of the qualified electors of said municipality on this by-law shall be taken on Monday, the 1st day of January, 1900, and the polls shall be opened at the hour of 9 o'clock a.m., and closed at the hour of 5 o'clock p.m., and the polling divisions and places for taking such votes and the deputy returning officers shall be as follows, viz:

For the district or part of the said town known as the South West Ward, the Sons Hall School house, and Mr. J. O. Guy shall be deputy returning officer thereat.

For the district or part of the town known as the South East Ward, the Albert street school house, and Mr. J. Beaton shall be deputy returning officer thereat.

For the district or part of the said town known as the North West Ward, the Town Hall, and Mr. R. J. Mackie shall be deputy returning officer thereat.

For the district or part of the town known as the North East Ward, the Mary street school house, and Mr. J. A. Thompson shall be deputy returning officer thereat.

7. The head of the said corporation shall attend at the office of the clerk thereof on Friday, the 29th day of December, 1899, at the hour of 10 o'clock in the forenoon to appoint persons to attend at the various polling places and at the final summing up of the votes respectively on behalf of the persons interested in and promoting or opposing the passing of this by-law.

8. The clerk of said corporation shall attend at the council chamber on Wednesday, the 3rd day of January, 1900, at the hour of 10 o'clock in the forenoon, and sum up and declare the number of votes for and against the by-law, and shall then and there declare the result, and shall forth-

with certify to the Council under his hand the result, according to the Statutes in such case made and provided.

Schedule to the above by-law.

| | Interest. | Principal. | Total. | Ag. Principal. |
|-------|-----------|------------|----------|----------------|
| 1901— | \$200 00 | \$167 91 | \$367 91 | \$167 91 |
| 1902— | 193 28 | 174 63 | 367 91 | 342 54 |
| 1903— | 186 29 | 181 62 | 367 91 | 524 16 |
| 1904— | 179 04 | 188 87 | 367 91 | 713 03 |
| 1905— | 171 48 | 196 43 | 367 91 | 909 46 |
| 1906— | 163 62 | 204 29 | 367 91 | 1,113 75 |
| 1907— | 155 45 | 212 46 | 367 91 | 1,326 21 |
| 1908— | 146 96 | 220 95 | 367 91 | 1,547 16 |
| 1909— | 138 12 | 229 79 | 367 91 | 1,776 95 |
| 1910— | 128 93 | 238 98 | 367 91 | 2,015 93 |
| 1911— | 119 37 | 248 54 | 367 91 | 2,264 47 |
| 1912— | 109 42 | 258 49 | 367 91 | 2,522 96 |
| 1913— | 99 08 | 268 83 | 367 91 | 2,791 79 |
| 1914— | 88 33 | 279 58 | 367 91 | 3,071 37 |
| 1915— | 77 15 | 290 76 | 367 91 | 3,362 13 |
| 1916— | 65 52 | 302 39 | 367 91 | 3 664 52 |
| 1917— | 53 42 | 314 49 | 367 91 | 3,979 01 |
| 1918— | 40 84 | 327 07 | 367 91 | 4 306 08 |
| 1919— | 27 76 | 340 15 | 367 91 | 4,646 23 |
| 1920— | 14 15 | 353 77 | 367 92 | 5,000 00 |

\$5,000 00

Dec. 4th, 1899.—By law read a first time.

(Sd) THOS. MORRIS,
Town Clerk.

Dec. 4th, 1899.—By law read a second time.

(Sd) THOS. MORRIS,
Town Clerk.

Jan. 8th, 1900.—By law read a third time and passed.

(Sd) THOS. MORRIS, (Sd) FRED. L. FOWKE,
Town Clerk. Mayor.

L.S.

SCHEDULE B.

BY-LAW NO. 480 OF THE CORPORATION OF THE TOWN OF OSHAWA TO GRANT \$50,000.00 BY WAY OF LOAN TO THE McLAUGHLIN CARRIAGE COMPANY.

Whereas Robert McLaughlin, Geo. W. McLaughlin, Robert Samuel McLaughlin, Mary McLaughlin and Lizzie Owens (formerly Lizzie McLaughlin) carrying on trade and business in partnership as carriage manufacturers under the style or firm of "The McLaughlin Carriage Co." have for many years carried on such business at their factory in Oshawa, and had there established and were carrying on a very large trade, and were employing a large number of operatives, the pay roll of whom at the date of the fire hereinafter mentioned averaged about \$100,000.00 per annum.

And whereas the factory of said company was totally destroyed by fire on the night of the 7th day of December, 1899.

And whereas by such calamity about 300 persons have been thrown out of employment and their houses rendered of less value, and unless said factory be rebuilt there will necessarily be a large reduction in the value of property in said town.

And whereas the said company has never received any bonus from said town though the founder thereof, said Robert McLaughlin, has been engaged in such business for over twenty years therein.

And whereas said company have intimated their willingness to rebuild their factory at Oshawa and to erect for such purpose a factory equal to about 700 feet long and 50 feet wide and three stories high, and therein carry on their said business on a scale commensurate thereto, provided they be aided by said corporation with a loan of \$50,000.00 without interest, the principal thereof to be repaid in accordance with the terms of payment of the instalments of principal of the debentures hereinafter provided for.

And whereas it is desirable to aid said company by such loan.

And whereas in order to granting such aid it will be necessary to raise such sum by the issue of debentures for \$50,000.00.

And whereas to that end it will be requisite to raise by special rate in each year, for the period of twenty years for paying said debt and interest at 4 per cent. per annum in instalments according to the terms of this by-law, so that the aggregate amount payable for principal and interest in any one year shall be equal as nearly as may be for what is payable for principal and interest during each of the other years of such period, the several sums of principal and interest set out in the schedule to this by-law respectively,

And whereas the amount of the existing general debenture debt of the town of Oshawa, exclusive of local improvement debts secured by special Acts, rates or assessments is \$35,001.33 for principal, and \$18,639.61 for interest, and there is no part of principal or interest of said debenture debt in arrear.

And whereas the amount of the whole rateable property of the town of Oshawa, according to the last revised assessment roll, is \$1,126,195.

Therefore the municipal council of the corporation of the town of Oshawa enacts as follows:—

1. For the purposes aforesaid it shall be lawful for the mayor of the town of Oshawa to borrow the sum of fifty thousand dollars (\$50,000.00) and to issue debentures of the corporation or municipality of Oshawa therefor in sums of not less than \$100.00 each, which debentures shall bear date on the date on which this by-law takes effect, and shall be made payable on each anniversary thereof for twenty years therefrom, and shall bear interest at the rate of four per cent. per annum, payable yearly from said date, during the currency of the said debentures, and the same may be issued for the total amount of each yearly payment respectively, or have coupons attached for the payment of such interest as the council may direct, and the said debentures shall be payable in the manner, for the amounts and at the times set out in said schedule, and shall be payable as to principal and interest at the office of the treasurer of the town of Oshawa.

2. It shall be lawful for the mayor of said corporation and he is hereby authorized and directed to sign and issue the said debentures and to cause the interest coupons, if such are issued, attached thereto, to be signed by the treasurer of said corporation and the clerk thereof is hereby authorized and instructed to attach the seal of said municipality to said debentures.

3. There shall be raised and levied in each of the years in which any of said debentures shall become payable by a special rate on all the rateable property in the said municipality, a sum sufficient to discharge the several instalments of principal and interest accruing due on the said debt as set out in and according to said schedule.

Provided however that the moneys payable by said company or their heirs, representatives or assigns, as hereafter set out, being the several instalments of principal set out in said schedule shall be applied *pro tanto* in payment of said debentures and it shall not be necessary to levy any rate for such amount of principal in any year in which said payments shall have been made, and the said corporation has sufficient money from that source in hand to pay said sums of principal, and if part of said principal only is so paid in any year then it shall only be necessary to raise the balance and the sum payable for interest in such year by special rate.

4. This by-law shall not take effect until the same shall have been approved of, sanctioned and ratified by a special act of the legislature of the province of Ontario, and shall take effect on the date of the passage of such an act.

5. The said sum shall be paid over to the said the McLaughlin Carriage Company when they shall have become bona fide owners in fee simple free from encumbrance of the site upon which they propose to re-build their said factory in Oshawa, and shall have built thereon a brick factory equal to about 700 feet long and 50 feet wide and three stories high, in accordance with their proposition and shall have fitted the same with suitable machinery of all kinds necessary for the manufacture of carriages and other vehicles as heretofore carried on by said company on a scale commensurate with the size of such building, and shall have executed and registered and delivered to said corporation a first mortgage of said site, factory and machinery and plant as a going concern, securing the due payment of the annual sums required to pay the principal of such debentures as set out in said schedule — such mortgage to contain bar of all dowers and power of sale and all usual covenants and provisos, including the usual covenant to insure said buildings and machinery and plant to the insurable value thereof or to the extent of the amount of the loan unpaid — the policy or policies to be duly assigned to said corporation. Also a proviso that on default of payment of any instalment the whole unpaid instalments shall become due and the personal covenant for payment of the several members of the said company and such other powers, covenants and agreements as may be reasonably required and to the satisfaction of the council and the town solicitor.

Provided, however, that the mayor may, with the approval of the council, advance the said company a portion or portions of such moneys as the erection of the buildings is or may be proceeded with from time to time, on receiving such mortgage and insurance policy or policies, if any, on the part built to the insurable value thereof, such advances, if any, not to be greater than the value of the building then erected and machinery placed therein.

6. By-law No. 471 of this corporation, passed on the 18th day of July, 1899, providing for the assessment and taxation of the works of said company is hereby ratified and confirmed and declared applicable to the proposed new factory.

7. The votes of the qualified electors of said municipality on this by-law shall be taken on Saturday, the 13th day of January, 1900, and the polls shall be opened at the hour of 9 o'clock, a.m., and closed at the hour of 5 o'clock, p.m., and the polling divisions and places for taking such votes and the deputy returning officers shall be as follows, viz. :—

For the district or part of the town known as the south west ward, the Sons' hall school-house, and Mr. J. O. Guy shall be deputy returning officer thereat.

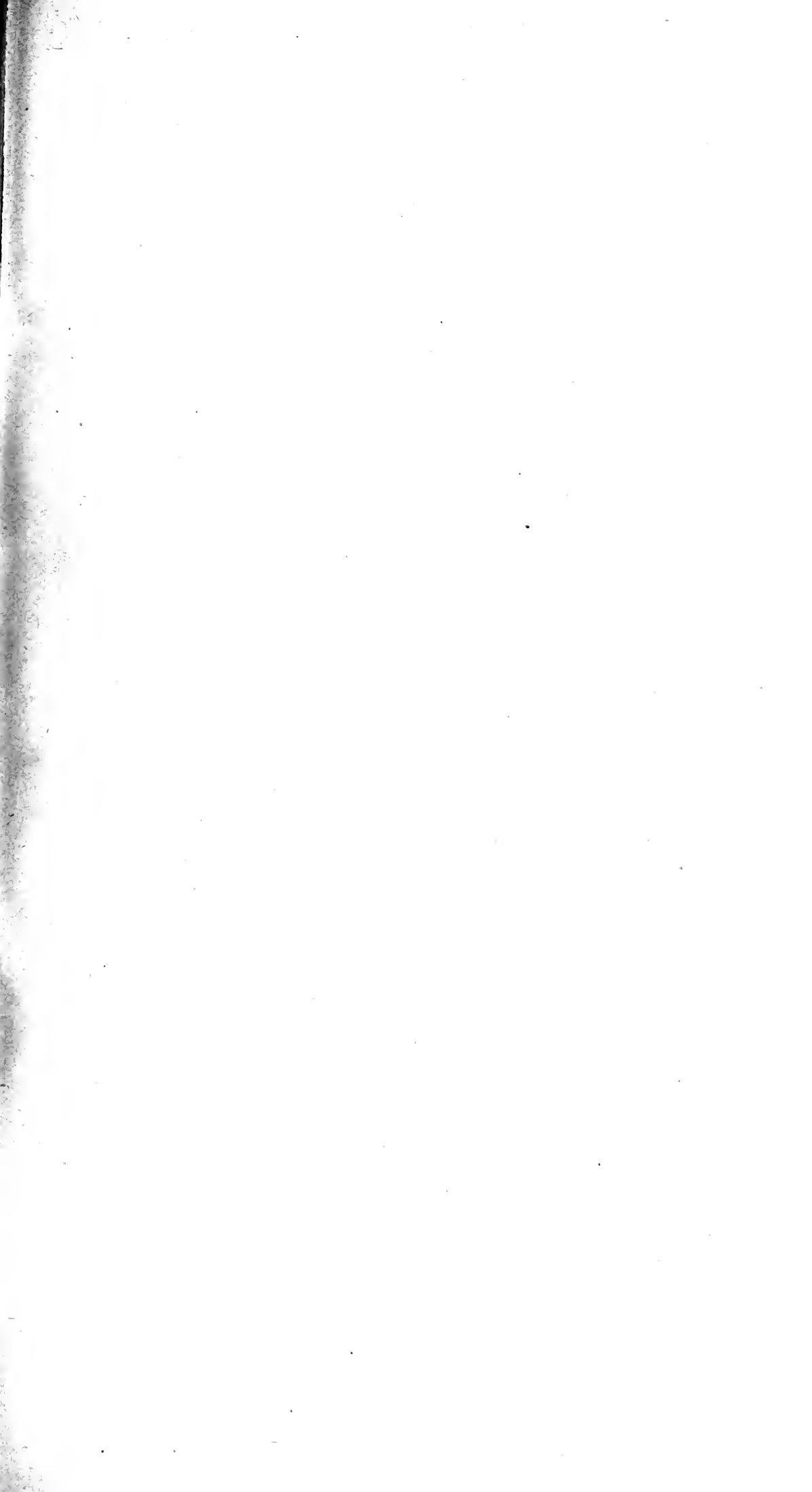
For the district or part of the town known as the south east ward, the Albert street school-house, and Mr. J. S. Beaton shall be deputy returning officer thereat.

For the district or part of the town known as the north west ward, the town hall, and Mr. J. H. Butler shall be deputy returning officer thereat.

For the district or part of the town known as the north east ward, the Mary street school-house, and Mr. S. T. Hilman shall be deputy returning officer thereat.

8. The head of the said corporation shall attend at the office of the clerk thereof on Wednesday, the 10th day of January, 1900, at the hour of 10 o'clock in the forenoon to appoint persons to attend at the various polling places and at the final summing up of the votes respectively on behalf of the persons interested in and promoting or opposing the passing of this by-law.

9. The clerk of said corporation shall attend at the council chamber on Monday, the 15th day of January, 1900, at the hour of 10 o'clock in the forenoon, and sum up and declare the number of votes for and declare



3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting the Town of Oshawa.

First Reading, 5th March, 1900.

*Reprinted as Amended by Private Bills
Committee.*

MR. DRYDEN.

TORONTO :

PRINTED BY I. K. CAMERON.

Printer to the Queen's Most Excellent Majesty.

An Act to authorize the sale of certain lands by the Public School Board of the Township of Pelee, in the County of Essex.

WHEREAS the public school board of the township of Pelee, in the county of Essex, and a large number of the ratepayers of the said township, have by their respective petitions represented that William McCormick of Point au Pelee Island, by his last will and testament, dated the 20th day of July 1839, devised to his executors and trustees therein named, one hundred acres of land in trust to apply the rents and profits thereof for the use and support of a school for the benefit of the island; that the said trustees under the said will, after the death of the testator, duly set apart lot No. 28, on the said island, for school purposes as directed by the will; that afterwards the said trustees, under the said will, obtained from the crown a patent of said lot No. 28, dated the 10th day of May, 1867, to hold unto them the said grantees, the survivor of them and the heirs of such survivor, forever in trust for school purposes on the said island: That by a judgement of the High Court of Justice, bearing date the 27th day of May, 1893, in an action wherein the public school board of the township of Pelee, in the county of Essex, and the Attorney-General of Ontario were plaintiffs, and Arthur McCormick, Peregrine McCormick and Sarah Ann McCormick, who were the surviving trustees under the said will were defendants, it was adjudged and declared that the said lot No. 28, known as the school lot, in the township of Pelee, in the county of Essex, be, and the same was vested in the said defendants subject to the trusts declared in the patent of said lands from the Crown, and it was further ordered that the said defendants should convey the said lands to the plaintiffs, the public school board of the township of Pelee, in the county of Essex to have and to hold subject to the same trusts as said lands had been theretofore held by the said defendants, and liberty was given by the said judgment to any party to the action to apply to the Court to settle a scheme for the management and administration of the trust property; that the said school lot was sub-

sequently conveyed to the said public school board of the township of Pelee as directed by the said judgment; that upon a petition of the school board aforesaid to the judges of the High Court of Justice, an order was made on the 3rd day of November, 1896, referring it to C. R. Horne, Esquire, a local 5 judge of the High Court at Windsor, to devise and report a scheme for the management and administration of the said real estate; that the said local judge made his report on the 6th day of January, 1897, wherein he recommended that the real estate consisting of the said lot No. 28, save and except 10 one acre on the north west corner thereof, occupied as a school site, should be rented and that the net rental should be applied from year to year upon current school expenditure; that the said local judge further especially reported that in his opinion it would be better and more advantageous to all parties inter- 15 ested if the real estate could be sold and the proceeds together with the funds on hand, derived from the sale of timber, invested and the income therefrom be applied from year to year upon current school expenditures; that subsequently upon an application to one of the judges of the High Court of Justice, 20 it was sought to have effect given to the special recommendation of the said local judge and to have an order authorizing the sale of the said school lot, but the opinion of the judge and the counsel engaged in the case was that there was no power without legislation to 25 enable the said real estate to be sold although the judge before whom the matter came, agreed with the opinion of the said local judge; that the township of Pelee, which comprises the Island of Point au Pelee, is about nine miles in length and four miles in width, and contains between ten and eleven 30 thousand acres of land; that there are four schools in the township under the control of one board of eight members, elected by the school wards into which the township is divided for school purposes; that one of the schools is situated upon the said lot number 28 and occupies one acre thereof, the 35 whole lot containing one hundred acres more or less, and that in the opinion of the said petitioners it would be more advantageous to the schools if the lands were sold and the proceeds invested and the income applied from time to time towards general school expenditure; and whereas it is prayed by the 40 said petitioners that the said public school board be authorized to sell and dispose of the said school lot number 28, excepting one acre thereof occupied by the present school, and to invest the proceeds, together with any funds on hand derived from the corpus of the trust estate from time to time and apply the 45 income for school purposes; and whereas it expedient to grant the prayer of the said petition.

Therefore Her Majesty by and with the consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The public school board of the township of Pelee is hereby empowered to sell and absolutely dispose of the said school lot number 28, excepting one acre thereof occupied by the present school, either by public auction or private con-
 5 tract, or partly in one mode and partly in the other, and generally in such a manner and subject to such terms and conditions as the said school board shall deem proper, and convey the said land to the purchaser or purchasers thereof, and the conveyance thereof by the said board pursuant to the powers
 10 hereby conferred shall give a valid title to the purchaser or purchasers respectively.

Public School
 Board of Pelee
 authorized to
 sell school lot
 No. 28.

2. The moneys realized by the sale of the said lands or any part thereof, together with any trust funds on hand derived from the corpus of the trust estate, shall be invested from
 15 time to time by the said school board in authorized securities and the interest applied for school purposes

Application
 of proceed.

No. 21.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to authorize the sale of certain lands by the public school board of the township of Pelee in the county of Essex.

First Reading 1900.

(Private Bill.)

Mr. AVLD.

TORONTO:

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act to authorize the sale of certain lands by the
Public School Board of the Township of Pelee
in the County of Essex.

WHEREAS the Public School Board of the Township of Pelee, in the County of Essex, and a large number of the ratepayers of the said township, have by their respective petitions represented that William McCormick of Point au Pelee Island, by his last will and testament, dated the 20th day of July 1839, devised to his executors and trustees therein named, one hundred acres of land in trust to apply the rents and profits thereof for the use and support of a school for the benefit of the island; that the said trustees under the said will, after the death of the testator, duly set apart lot No. 28, on the said island, for school purposes as directed by the will; that afterwards the said trustees, under the said will, obtained from the crown a patent of said lot No. 28, dated the 10th day of May, 1867, to hold unto them the said grantees, the survivor of them and the heirs of such survivor, forever in trust for school purposes on the said island: that by a judgment of the High Court of Justice, bearing date the 27th day of May, 1893, in an action wherein the public school board of the township of Pelee, in the county of Essex, and the Attorney-General of Ontario were plaintiffs, and Arthur McCormick, Peregrine McCormick and Sarah Ann McCormick, who were the surviving trustees under the said will, were defendants, it was adjudged and declared that the said lot No. 28, known as the school lot, in the township of Pelee, in the county of Essex, be, and the same was vested in the said defendants subject to the trusts declared in the patent of said lands from the Crown, and it was further ordered that the said defendants should convey the said lands to the plaintiffs, the public school board of the township of Pelee, in the county of Essex to have and to hold subject to the same trusts as said lands had been theretofore held by the said defendants, and liberty was given by the said judgment to any party to the action to apply to the Court to settle a scheme for the management and administration of the trust property; that the said school lot was subsequently conveyed to the said public school board of the township of Pelee as directed by the said judgment; that upon a petition of the school board aforesaid to the judges of the High Court of Justice, an order was made on the 3rd day of November, 1896, referring it to C. R. Horne, Esquire, a local

judge of the High Court at Windsor, to devise and report a scheme for the management and administration of the said real estate; that the said local judge made his report on the 6th day of January, 1897, wherein he recommended that the real estate consisting of the said lot No. 28, save and except one acre on the north west corner thereof, occupied as a school site, should be rented and that the net rental should be applied from year to year upon current school expenditure; that the said local judge further especially reported that in his opinion it would be better and more advantageous to all parties interested if the real estate could be sold and the proceeds together with the funds on hand, derived from the sale of timber, invested and the income therefrom be applied from year to year upon current school expenditures; that subsequently upon an application to one of the judges of the High Court of Justice, it was sought to have effect given to the special recommendation of the said local judge and to have an order authorizing the sale of the said school lot, but the opinion of the judge and the counsel engaged in the case was that there was no power without legislation to enable the said real estate to be sold although the judge before whom the matter came, agreed with the opinion of the said local judge; that the township of Pelee, which comprises the Island of Point au Pelee, is about nine miles in length and four miles in width, and contains between ten and eleven thousand acres of land; that there are four schools in the township under the control of one board of eight members, elected by the school wards into which the township is divided for school purposes; that one of the schools is situated upon the said lot number 28 and occupies one acre thereof, the whole lot containing one hundred acres more or less, and that in the opinion of the said petitioners it would be more advantageous to the schools if the lands were sold and the proceeds invested and the income applied from time to time towards general school expenditure; and whereas it is prayed by the said petitioners that the said public school board be authorized to sell and dispose of the said school lot number 28, excepting one acre thereof occupied by the present school, and to invest the proceeds, together with any funds on hand derived from the corpus of the trust estate from time to time and apply the income for school purposes; and whereas it expedient to grant the prayer of the said petition.

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Public School
Board of Pelee
authorized to
sell school lot
No. 28.

1. The public school board of the township of Pelee is hereby empowered to sell and absolutely dispose of the said school lot number 28, excepting one acre thereof occupied by the present school, either by public auction or private contract, or partly in one mode and partly in the other, and gen-

erally in such a manner and subject to such terms and conditions as the said school board shall deem proper, and convey the said land to the purchaser or purchasers thereof, and the conveyance thereof by the said board pursuant to the powers hereby conferred shall give a valid title to the purchaser or purchasers respectively.

2. The moneys realized by the sale of the said lands or any part thereof, together with any trust funds on hand derived from the corpus of the trust estate, shall be invested from time to time by the said school board in ^{Application} such securities as ^{of proceeds.} are authorized by *The Trustee Investment Act* and the interest applied for school purposes.

BILL.

An Act to authorize the sale of certain lands by the public school board of the township of Pelee in the county of Essex.

First Reading, 5th March, 1900.

*(Reprinted as amended by Private Bills
Committee.)*

(Private Bill.)

Mr. AULD.

TORONTO:
PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act to incorporate the Bracebridge and Trading
Lake Railway Company.

WHEREAS the persons hereinafter named and others and Preamble.
the municipal councils of the town of Bracebridge and
the townships of Macauley, McLean and Ridout, and Monek,
all in the territorial district of Muskoka have by their petition
5 prayed for an Act of incorporation under the name of "The
Bracebridge and Trading Lake Railway Company" for the
purpose of constructing and operating a railway from a point
in or near the town of Bracebridge to some point in the town-
ship of McLean at or near the unincorporated village of
10 Baysville, a distance of about fourteen miles, with power to
extend the same from the said town of Bracebridge to some
point on Muskoka Lake at or near Beaumaris in the township
of Monek all in the territorial district of Muskoka, a distance
of about ten miles, and it has been represented that the line of
15 the railway of the company so to be incorporated, will, for the
most part, be constructed in a sparsely settled part of the dis-
trict, and be the means of opening up a large section of land
along the shores of Trading Lake for occupation, for the manu-
facture and conveyance of timber, and as a place of summer
20 resort for tourists, and it is proposed to operate the said rail-
way by steam or electricity, or partly by steam and partly by
electricity, and whereas owing to the location of the line of the
said railway the provisions of *The Electric Railway Act* are
not applicable to the company so to be incorporated, and
25 the said petitioners have prayed that there may be conferred
upon them the powers ordinarily given upon the incorporation
of a railway to be operated by steam. And whereas for the
reasons aforesaid the circumstances of the said proposed line
of railway are exceptional. And whereas it is expedient to
30 grant the prayer of the said petition ;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows :—

1. Samuel Henry Armstong, Samuel Bridgland, Alexander Incorporation.

Peter Cockburn, Charles Mickle, Walter William Hinsey, James L. Fenn, William S. Shaw, Peter Smith, Angus McLeod, Robert P. Perry, Arthur A. Mahaffy, John W. Gilpin, George Tutt, A. W. Hazlehurst, Francis P. Warne, John Ewart Lount, Elijah F. Stephenson, William H. Brown, Newton Langford, Angus McKay, George Howard, George Wilkins, David E. Bastedo, John Thomson, Peter Hutchinson, James D. Shier, James Anderson, George Yearley, Edward Prowse and such other persons and corporations, as shall, in pursuance of this Act become shareholders of the company hereby incorporated, shall be, and are hereby constituted a body corporate and politic under the name of "The Bracebridge and Trading Lake Railway Company" and hereinafter called "the company."

Location of line.

2. The company is hereby authorized and empowered to survey, lay out, construct, complete, equip and maintain a railway to be operated by steam or electricity, or partly by steam and partly by electricity, with single or double iron or steel tracks, from a point in the Town of Bracebridge to some point in the Township of McLean, at or near the unincorporated Village of Baysville, a distance of about fourteen miles, and to construct, extend and operate a continuation or branch of such railway from the said Town of Bracebridge to some point on Muskoka Lake at or near Beaumaris, in the Township of Monek, a distance of about ten miles, and the said railway or any part thereof, so far as the same may be operated by electricity, may be carried along, upon and across such public highways as may be authorized by the by-laws of the respective corporations having jurisdiction over the same, and subject to the restrictions and provisions therein and in this Act contained, and under and subject to any agreements between the company and the councils of any of the said corporations interested in such highways, and the company may make and enter into any agreements with any municipal corporation as to the terms of occupancy of any street or highway, subject to the provisions and conditions contained in this Act and in *The Municipal Act*.

Rev. Stat., c. 223.

Gauge.

3. The gauge of the said railway shall be four feet eight and one-half inches.

Provisional directors.

4. The persons hereinbefore named in section 1 of this Act, with power to add to their number, shall be, and are hereby constituted a board of provisional directors of the company, of whom seven shall be quorum, and shall hold office as such until other directors shall be appointed under the provisions of this Act by the shareholders.

Powers of provisional directors.

5. The said board of provisional directors shall have power forthwith to open stock books and procure subscriptions of stock for the undertaking, and to allot the stock, and to receive payments on account of stock subscribed and to make

calls upon subscribers in respect of their stock, and to sue for and recover the same, and to cause plans and surveys to be made, and to receive for the company any grant, loan, bonus, or gift made to it or in aid of the undertaking, and to enter into any agreement respecting the conditions or disposition of any gift or bonus in aid of the railway, and with all such other powers as under *The Railway Act of Ontario* are vested in ordinary directors. The said directors or a majority of them, or the board of directors to be elected as hereinafter mentioned, may in their discretion exclude anyone from subscribing for stock who, in their judgment, would hinder, delay or prevent the company from proceeding with and completing their undertaking under the provisions of this Act; and if, at any time a portion, or more than the whole stock shall have been subscribed, the said provisional directors or board of directors shall allocate and apportion it among the subscribers as they shall deem most advantageous and conducive to the furtherance of the undertaking, and in such allocation the said directors may, in their discretion, exclude any one or more of the said subscribers if, in their judgment, such exclusion will best secure the building of the said railway, and all meetings of the provisional board of directors shall be held at the Town of Bracebridge, in the said District of Muskoka, or at such other place as may best suit the interests of the company.

Rev. Stat.,
c. 207.

6. Conveyances of land to the company for the purposes of, and powers given by this Act made in the form set forth in Schedule A, hereunder written, or to the like effect, shall be sufficient conveyance to the company, their successors and assigns, of the estate or interest therein mentioned, and sufficient bar of dower respectively, of all persons executing the same, and such conveyances shall be registered in such manner and upon such proof of execution as is required under the registry laws of Ontario; and no registrar shall be entitled to demand more than seventy-five cents for registering the same, including all entries and certificates thereof, and certificates endorsed on the duplicates thereof.

Conveyance
of land to
company.

7. No subscription for stock in the capital of the company shall be binding on the company, unless it shall be approved by resolution of the directors, nor unless ten per centum of the amount subscribed has been actually paid thereon within one month after subscription.

Subscriptions
for stock,
when binding.

8. The company may receive from any government, or from any person or bodies corporate, municipal or politic, who may have power to make or grant the same aid towards the construction, equipment or maintenance of the said railway, by way of gift, bonus or loan of money or debentures or other securities for money, or by way of guarantee upon such terms and conditions as may be agreed upon.

Aid to rail-
way.

Capital stock. **9.** The capital stock of the company hereby incorporated shall be \$100,000 (with power to increase the same in the manner provided by The Railway Act of Ontario) to be divided into 2,000 shares of \$50 each, and shall be raised by the persons and corporations who may become shareholders in the company, and the money so raised shall be applied in the first place to the payment of all fees, expenses and disbursements of and incidental to the passing of this Act, and for making the surveys, plans and estimates connected with the works hereby authorized, and the remainder of such money shall be applied to the purchasing of the right of way, to the making, equipment, completion and working of the said railway, and to the other purposes of this Act, and until such preliminary expenses shall be paid out of the capital stock, the municipal corporation of any municipality, on or near the line of such works, may by resolution, of which seven days previous notice shall have been given, and passed by a majority of the said municipal corporation, authorize the treasurer of such municipality to pay out of the general funds of such municipality its fair proportion of such preliminary expenses, which shall thereafter, if such municipality shall so require, be refunded to such municipality from the capital stock of the company, or be allowed to it in payment of stock.

First election of directors. **10.** When and as soon as shares to the amount of \$10,000 of capital stock in the said company shall have been subscribed and ten per centum paid thereon into some chartered bank of the Dominion having an office in the Province of Ontario, to the credit of the company, and which shall, on no account, be withdrawn therefrom unless for the services of the company, the said provisional directors, or a majority of them, shall call a general meeting of the shareholders for the purpose of electing directors of the company, giving at least four weeks' notice of such meeting by advertisement in *The Ontario Gazette*, and in at least one newspaper published in the said town of Bracebridge, of the time, place and purpose of the said meeting.

Number of directors and quorum. **11.** At such general meeting the shareholders present, either in person or by proxy, who shall at the opening of such meeting have paid up ten per centum on the stock subscribed by them, shall elect not less than seven nor more than nine persons to be directors of the company in manner and qualified as hereinafter mentioned, who shall constitute a board of directors and shall hold office until the next general annual meeting, and a majority of the directors shall form a quorum of the board, and may pass such rules, regulations and by-laws as may be deemed expedient and are not inconsistent with this Act and The Railway Act of Ontario; and the said board may employ and pay one of their number as managing director.

Qualification of directors. **12.** No person shall be qualified to be elected as such direc-

tor by the shareholders unless he be a shareholder holding at least ten shares of stock in the company and unless he has paid up all calls thereon.

13. Thereafter the general annual meeting of the shareholders of the said company shall be held in such place in the town of Bracebridge, on such days and at such hours as may be directed by the by-laws of the said company, and public notice thereof shall be given at least four weeks previously in *The Ontario Gazette*, and once a week in one newspaper published in the said town of Bracebridge during the four weeks preceding the week in which such meeting is to be held.

Annual meetings.

14. Special general meetings of the shareholders of the said company may be held at such places, and at such times, and in such manner and for such purposes as may be provided by the by-laws of the company and upon such notice as is provided in the last preceding section.

Special general meetings.

15. At all meetings of the company the shareholders thereof may vote by proxy, and the proxy may be appointed in such manner and by such means as the by-laws of the company may provide, but no person shall be qualified to be so appointed who is not himself a shareholder of the company and has paid up all calls upon the shares held by him.

Proxies.

16. Aliens and companies incorporated abroad, as well as British subjects and corporations, may be shareholders in the company, and all such shareholders, whether resident in this province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible to office as directors of the company.

Rights of aliens.

17. The directors may from time to time make calls as they think fit, provided that no calls shall be made at one time for more than ten per centum of the amount subscribed by each shareholder, and four weeks' notice thereof shall be given of each call, as provided by section 13 of this Act; said calls not to be made at closer intervals than three months.

Calls on stock.

18. The provisional directors or the elected directors may pay, or agree to pay in paid-up stock, or in the bonds of the company, such sums as they may deem expedient, to engineers or contractors, or for right of way or material, plant or rolling stock, and also, when sanctioned by a vote of the shareholders at any general meeting, for the services of the promoters or other persons who may be employed by the directors in furthering the undertaking, or for the purchase of right-of-way material, plant or rolling stock, whether such promoters or other persons to be provisional or elected directors or not, and any agreement so made shall be binding on the company.

Payments in stock or bonds.

Issue of bonds. **19.** The directors of the company shall have power to issue bonds of the company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all the sum of \$20,000 for each mile of the said railway and branches, and the provisions of sub-sections 19, 20, 21, 22 and 23 of section 9 of The Railway Act of Ontario shall apply to all such bonds and the issue thereof, and such bonds shall be issued subject and according to and in conformity with the provisions of the said sub-sections.

Rev. Stat.
c. 207.

**Bonds, etc.,
how payable.** **20.** All such bonds, debentures and other securities and coupons and interest warrants thereon respectively, may be made payable to bearer and transferable by delivery, and any holder of any such securities so made payable to bearer, may sue at law thereon in his own name.

Transfer of
Bonds.

**Negotiable
Instruments.** **21.** The company shall have power and authority to become parties to promissory notes and bills of exchange for sums not less than \$100, and any such promissory note or bill of exchange made, accepted or endorsed by the president of the company, and countersigned by the secretary of the said company, and under the authority of a quorum of the directors shall be binding on the said company, and every such promissory note or bill of exchange so made shall be presumed to have been made with proper authority until the contrary be shown, and in no case shall it be necessary to have the seal of the said company affixed to such promissory note or bill of exchange, nor shall the president or secretary be individually responsible for the same, unless the said promissory notes or bills of exchange have been issued without the sanction and authority of the directors as herein provided and enacted. Provided, however, that nothing in this section contained shall be construed to authorize the said company to issue any promissory note or bill of exchange payable to bearer, or intended to be circulated as money, or as the notes or bills of a bank.

Proviso.

**Mortgaging
or pledging
bonds.** **22.** The company may from time to time, for advances of money to be made thereon, mortgage or pledge any bonds which they may be enabled, under the powers of this Act to issue for the construction of the said railway.

**Agreements
with other
companies
for leasing or
hiring rolling
stock.** **23.** It shall be lawful for the directors of the company to enter into any agreement or agreements with any other company or companies, if lawfully authorized to enter into such agreements, or with any person or persons for leasing, hiring, or use of any locomotives, carriages, rolling stock and other moveable property from such companies or persons, for such time or times, and on such terms as may be agreed on, and also to enter into agreements with any railway company or companies, if so lawfully authorized, for the use by one or more of such contracting companies, of the locomotives, car-

riages, rolling stock and other movable property of the other or others of them on such terms as to compensation and otherwise as may be agreed on.

24. The company may also construct an electric telegraph ^{Telegraph and telephone lines.} line and a telephone line throughout and along the whole line of their railway or any part thereof, and for the purpose of constructing, working and protecting the said telegraph and telephone lines the powers conferred upon telegraph companies by *The Act Respecting Telegraph Companies* being Chapter 10 192 of the Revised Statutes of Ontario, 1897, are hereby conferred upon the company. Provided, that no poles shall be erected in construction of either of the said lines in or through any city, town or incorporated village without the consent of the council of such city, town or village being first obtained 15 by the company; and the company may undertake the transmission of messages for the public by such line or lines of telegraph or telephone and collect tolls for so doing.

25. It shall be lawful for the corporation of any municipality, through any part of which the railway of the said company passes or is situated by by-law expressly passed for that 20 purpose, to exempt the said company and its property within such municipality, either in whole or in part, from municipal assessment or taxation, except for school purposes, or to agree for a certain sum per annum or otherwise in gross, or by way 25 of commutation or composition for payment, or in lieu of all or any municipal rates or assessments, except for school purposes, to be imposed by such municipal corporation, and for such term of years as such municipal corporation may deem expedient, not exceeding twenty-one years, and no such by-law 30 shall be repealed unless in conformity with a condition contained therein.

26. Any municipality through which the said railway may ^{Gifts of lands.} pass or is situate is empowered to grant by way of gift to the company, any lands belonging to such municipality, or over 35 which it may have control, which may be required for right of way, station grounds, or other purposes connected with the running or traffic of the said railway, and the said railway company shall have power to accept gifts of lands from any government, or from any person or body, corporate or politic, 40 and shall have power to sell or otherwise dispose of the same for the benefit of the company.

27. Whenever any municipality shall grant aid by way of ^{Issue of debentures.} bonus or gift to the railway company, the debentures therefor shall within six months after the passing of the by-law author- 45 izing the same, be delivered to three trustees to be named, one by the Lieutenant-Governor in Council, one by the said company, and one by the majority of the heads of the municipalities which have granted bonuses; all of the trustees to be

residents of the Province of Ontario. Provided that if the said heads of the municipalities shall refuse or neglect to name such trustees within one month after notice in writing of the appointment of the company's trustee, or if the Lieutenant-Governor in Council shall omit to name such trustee within 5 one month after notice in writing to him of the appointment of the other trustees, then in either case the company shall be at liberty to name such other trustee or other trustees; any of the said trustees may be removed and a new trustee appointed in his place at any time by the Lieutenant-Governor in Coun- 10 cil, and in case any trustee dies or resigns his trust, or goes to live out of the Province of Ontario or otherwise becomes incapable of acting, his trusteeship shall become vacant and a new trustee may be appointed by the Lieutenant-Governor in Council. 15

Trusts of pro-
ceeds of
debentures.

28. The said trustees shall receive the said debentures or bonds in trust, firstly, under the directions of the company, and subject to the conditions of the by-laws in relation thereto as to time or manner, to convert the same into money or otherwise dispose of them, secondly, to deposit the debentures or 20 amount realized from sale thereof in some chartered bank having an office in the Province of Ontario in the name of "The Bracebridge and Trading Lake Railway Company, Municipal Trust Account" and to pay the same out to the company from time to time as the company becomes entitled thereto, under 25 the conditions of the by-law granting the said bonus and on the certificate of the chief engineer of the said railway for the time being in the form set out in Schedule B hereto, or to the like effect, which certificate shall set forth that the conditions of the by-law have been complied with, and is to be attached 30 to the cheque or order drawn by the said trustees for such payment or delivery of debentures, and such engineer shall not wrongfully grant any such certificate under a penalty of \$500, recoverable in any court of competent jurisdiction by any person who may sue therefor. 35

Fees to
trustees.

29. The trustees shall be entitled to their reasonable fees and charges from the said trust fund, and the act of any two of such trustees shall be as valid and binding as if the three had agreed.

Power to
construct line
in sections.

30. The company is hereby authorized and empowered to 40 take and make the surveys and levels of the land through which the said railway is to pass, together with the map or plan thereof, and of their course and direction, and of the lands intended to be passed over and taken therefor so far as then ascertained, and also the book of reference for the railway, and 45 to deposit the same as required by the clauses of *The Railway Act of Ontario*, and the amendments thereto with respect to plans and surveys, by sections or portions less than the length of the whole railway authorized, of such length as the com-

Rev. Stat.
c. 207.

pany may from time to time see fit, so that no one of such sections or portions thereof shall be less than eight miles in length, and upon such deposit as aforesaid of the map or plan and book of reference of any and each of such sections or 5 portions of the said railway, all and every of the clauses of the said *Railway Act of Ontario*, and the amendments thereof applied to, included in or incorporated with this Act, shall apply and extend to any and each of such sections or portions of the said railway as fully and effectually as if the surveys 10 and levels had been taken and made of the lands through which the whole of the said railway is to pass, together with the map or plan of the whole thereof, and of their whole course and direction, and of the lands intended to be passed over and taken and the book of reference of the whole of said 15 railway had been taken, made, examined, certified and deposited according to the said clauses of the said *Railway Act* and the amendments thereof with respect to "plans and surveys."

31. The company shall have power and authority

(1) To purchase land for and erect powerhouses, ware- 20 houses, elevators, docks, stations, workshops, machine shops, foundries and offices, and to sell and convey such land as may be found superfluous for any such purpose, and the company shall have power to build, own, operate and hold, as part of the property of the company, as many steam or other vessels to 25 ply on lakes Muskoka, Rosseau and Joseph and on Trading Lake, as the directors of the company may deem requisite from time to time to facilitate the carriage of passengers, freight and other traffic in connection with the railway.

General powers.
Warehouses, docks, etc.

(2) To erect and maintain all necessary and convenient 30 buildings, stations, depots, wharves and fixtures, and from time to time to alter, repair or enlarge the same, and to build, purchase and acquire motors, engines, carriages, waggons and other machinery and contrivances necessary or convenient for the working of the railway and the accommodation and use of 35 the passengers, freight and business of the railway.

Erect necessary buildings etc.

(3) To construct, maintain and operate works for the pro- 40 duction of electricity for the motive power of the said railway, and for the lighting and heating the rolling stock and other property of the company.

Powers as to production and use of electricity.

(4) To lease or sell any such electricity not required for the 45 purposes aforesaid to any person or corporation, and the company in that behalf shall, subject to the provisions and restrictions of this Act, possess the powers, rights and privileges and be subject to all the obligations and restrictions of joint stock companies incorporated under *The Act respecting com- 50 panies for supplying Steam, Heat, Electricity or Natural Gas for Heat, Light or Power*, and to acquire and hold any property necessary for the purposes mentioned in this subsection.

Lease or sell electricity not required for railway.

Rev. Stat. c. 200.

(5) To purchase the right to convey electricity required for the railway and lighting or heating the same over, through or under lands other than the lands of the said railway, and with the consent of the councils of the municipalities affected, to purchase the right to lay conduits under or erect poles and wires on or over such lands as may be determined by the company, and along and upon any of the public highways, or across any of the waters in this Province by the erection of the necessary fixtures, including posts, piers or abutments for sustaining the cords or wires of such lines, or the conduits for such electricity upon and subject to such agreement in respect thereof as shall first be made between the company and any private owners of the land affected, and between the company and any municipality in which such works or any part thereof or of the railway may be situate, and under and subject to any by-law or by-laws of the council of such municipality passed in pursuance thereof.

Construction on streets, etc.

32. (1) The railway of the company shall not be constructed or operated on, upon or along any street, highway or public place in any municipality until first authorized by an agreement in respect thereto made between the company and such municipality and under and subject to the terms of such agreement and of this act and of any by-law or by-laws of the council of said municipality to be passed in pursuance thereof ; and in all cases any and every work, matter or thing in connection with electricity or other motor power, and the application and using thereof in so constructing, operating and working such railway, or the cars, carriages, engines, motors or machines aforesaid shall be so constructed, erected, laid down and arranged as to impede or incommode the public use of such street, highway or public place as little as possible, and so as not to be a nuisance thereto, nor to interfere with the free access to any house or other building erected in the vicinity of the same, and the electric and other appliances shall be of such an improved manufacture and so placed as to avoid as far as possible any danger to buildings or other property, and provided that none of the works or property of the company shall be so constructed or placed as to injuriously interrupt navigation in any navigable water.

Rev. Stat. c. 223.

Power to purchase whole lands.

(2) The by-laws mentioned in section 2 and sub-section 5 of the preceding section and in this section shall be subject to the conditions and provisions of section 632 of *The Municipal Act*.

33. Whenever it shall be necessary for the purpose of procuring sufficient land for stations, or gravel pits, or for constructing, maintaining and using the said railway, and in case, by purchasing the whole or any lot or parcel of land over which the railway is to run, the company can obtain the same at a more reasonable price, or to greater advantage than by

purchasing the railway line only, the company may purchase, hold, use and enjoy such lands, and also the right of way thereto, if the same be separated from their railway, and may sell and convey the same or any part thereof from time to time as they may deem expedient, but the compulsory clauses of *The Railway Act of Ontario* shall not apply to this section. Rev. Stat. c. 207.

34. When stone, gravel, earth or sand is or are required for the construction or maintenance of said railway or and part thereof the said company may in case they cannot agree with the owner of the lands on which the same are situate for the purchase thereof cause a Provincial Land Surveyor to make a map and description of the property so required, and they shall serve a copy thereof, with their notice of arbitration, as in case of acquiring the roadway, and the notice of arbitration, the award and tender of compensation, shall have the same effect as in case of arbitration for the roadway; and all the provisions of *The Railway Act of Ontario*, and of this Act, as to the service of the said notice, arbitration, compensation, deeds, payment of money into court, the right to sell, the right to convey, and the parties from whom land may be taken or who may sell, shall apply to the subject matter of this section, as to obtaining materials aforesaid, and such proceedings may be had by the company either for the right to the fee simple in the land from which such materials shall be taken, or for the right to take materials for any time they may think necessary, the notice of arbitration in case arbitration is resorted to, to state the interest required. Acquiring materials for construction.

35. (1) When said gravel, stone, earth or sand shall be taken under the preceding section of this Act, at a distance from the line of the railway, the company may lay down the necessary sidings and tracks over any lands which may intervene between the railway and the lands on which said material shall be found, whatsoever the distance may be; and all the provisions of *The Railway Act of Ontario* and of this Act, except such as relate to filing plans and publications of notice, shall apply and may be used and exercised to obtain the right of way from the railway to the land on which such materials are situated; and such right may be so acquired for a term of years or permanently, as the company may think proper; and the powers in this and the preceding section may at all times be exercised and used in all respects after the railway is constructed for the purpose of repairing and maintaining the said railway. Siding to gravel pits.

(2) When estimating the damages for the taking of gravel, stone, earth or sand, sub-section 9 of section 20 of *The Railway Act of Ontario* shall not apply. Rev. Stat., c. 207.

36. The Company shall have the right on and after the first day of November in each year to enter into and upon any Power to erect snow fences.

lands of Her Majesty, or into or upon any lands of any corporation or persons whatsoever, lying along the route or line of said railway, and to erect and maintain snow fences thereon, subject to the payment of such damages, (if any) as may be thereafter established in the manner provided by law in respect of such railway to have been actually suffered, provided always that any such snow fences so erected shall be removed on or before the first day of April next following. 5

Agreements
for lease of
railway etc.

37. It shall be lawful for the company incorporated by this Act to enter into any arrangement with the Northern and Pacific Junction Railway Company, or the Grand Trunk Railway Company of Canada, if lawfully empowered to enter into such arrangement, for leasing to them the said railway, or any part thereof, and it shall further be lawful for the said company to enter into any arrangements with the said Northern and Pacific Junction Railway Company or the said Grand Trunk Railway Company of Canada, if so lawfully authorized, for the working of the said railway, or for running powers over the same on such terms and conditions as the directors of the several contracting parties may agree on, or for the sale thereof, or for leasing and hiring from such other contracting company any portion of their railway or the use thereof, and generally to make any agreement or agreements, with either of said companies, if so lawfully authorized, touching the use by one or the other, or by both companies of the railway, or the rolling stock of either or both, or any part thereof, or touching any service to be rendered by the one company to the other and the compensation therefor, and any such agreement shall be valid and binding according to the terms and tenor thereof, and the company leasing or entering into such agreement for using the said railway may, and is hereby authorized to work the said railway, in the same manner and in all respects as if incorporated with its own line, and to exercise, so far as the same are applicable, all the rights, powers and privileges by this Act conferred. Provided that every such lease or agreement shall first be sanctioned at a special general meeting called for the purpose of considering the same, according to the by-laws of the company and the provisions of this Act, by the vote of two-thirds in value of shareholders present in person or by proxy at such meeting, but this section shall not be construed as purporting or intending to confer rights or powers upon any company which is not within the legislative authority of the Province of Ontario. 10 15 20 25 30 35 40

Pr viso.

Transfer of
shares.

38. Shares in the capital stock of the company may be transferred by any form of instrument in writing, but no transfer shall become effectual unless the stock or scrip certificates issued in respect of shares intended to be transferred are surrendered to the company, or the surrender thereof dispensed with by the company. 45

39. The company shall have power to collect and receive all charges, subject to which goods or commodities may come into their possession, and on payment of such back charges, and without any formal transfer shall have the same lien for the amount thereof upon such goods or commodities as the person to whom such charges were originally due, and shall be subrogated by such payment in all the rights and remedies of such persons for such charges. Payment of back charges on goods.

40. The provisions of The Electric Railway Act shall not apply to the company hereby incorporated, but the several clauses of The Railway Act of Ontario, and of every act in amendment thereof shall be incorporated with, and be deemed to be part of this Act, and shall apply to the said company, and to the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof; and the expression "this act" when used herein, shall be understood to include the clauses of the said Railway Act, and of every act in amendment thereof, so incorporated with this act. Incorporation of provisions of Rev. Stat., c. 207.

41. The railway shall be commenced within three years and finally completed within seven years after the passing of this Act. Commencement and completion of line.

SCHEDULE A.

(Section 6.)

Know all men by these presents, that I (or we) (insert name or names of the vendor or vendors) in consideration of _____ dollars paid to me (or us) by The Bracebridge and Trading Lake Railway Company, the receipt whereof is hereby acknowledged, do grant and convey unto the said company, and I (or we) (insert the name or names of any other party or parties) in consideration of _____ dollars paid to me (or us) by the said company, the receipt whereof is hereby acknowledged do grant and release all that certain parcel (or those certain parcels as the case may be) of land (describe the land) the same having been selected and laid out by the said company for the purposes of their railway, to hold, with the appurtenances unto the said The Bracebridge and Trading Lake Railway Company, their successors and assigns (here insert any other clauses, covenants or conditions required) and I (or we) the wife (or wives) of the said _____ do hereby ~~bar~~ my (or our) dower in the said lands.

As witness my (or our) hand and seal or (hands and seals) this day of _____ A. D. 190 _____

Signed, sealed and delivered }
in the presence }

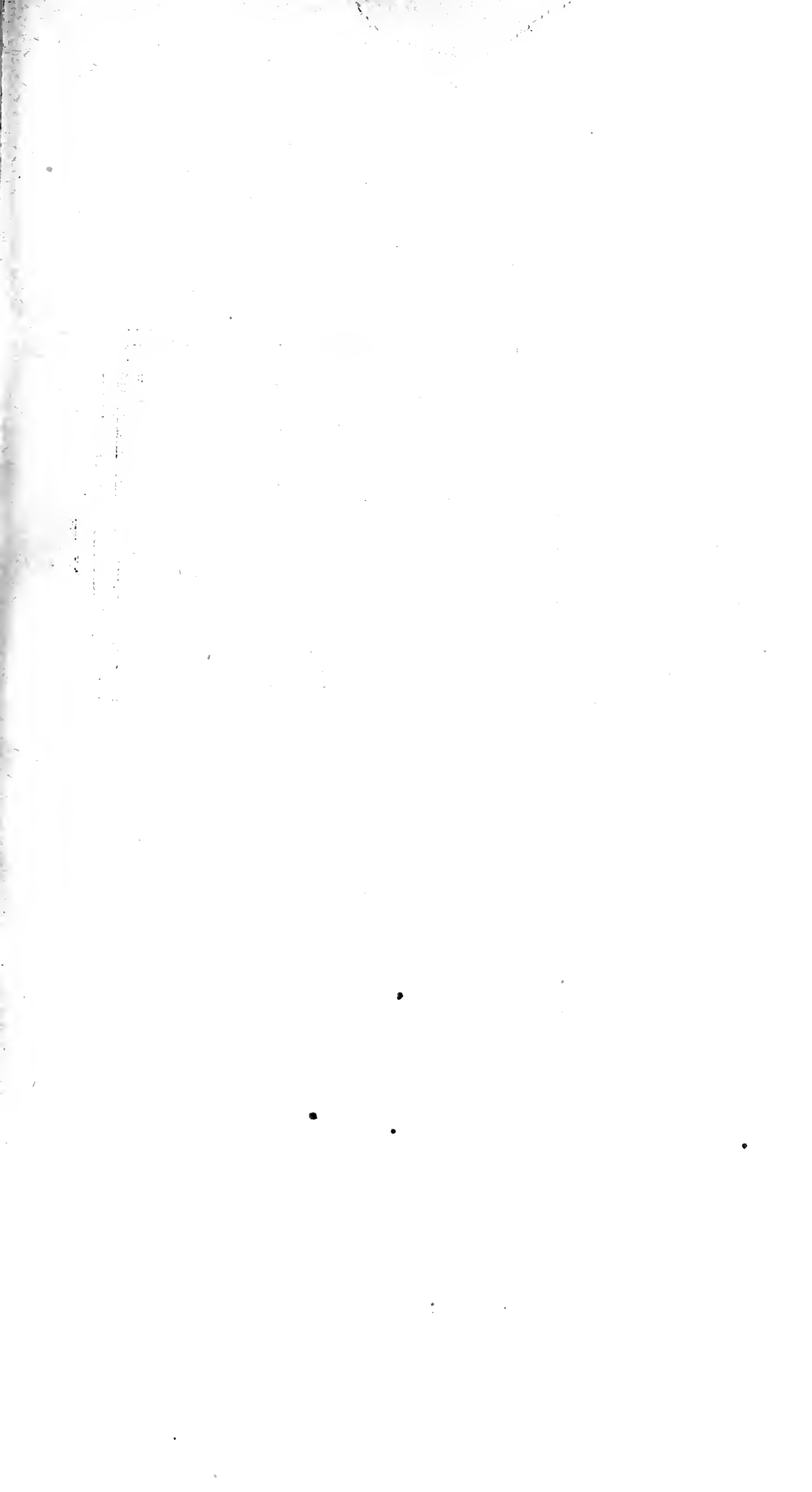
SCHEDULE B.

(Section 28).

Chief Engineer's certificate The Bracebridge and Trading Lake Railway Company's Office, No. A. D. 190 .

Engineer's Department certificates to be attached to cheques drawn on The Bracebridge and Trading Lake Railway company, Municipal Trust account given under section , chapter , of the acts of the Legislature of Ontario, passed in the year of Her Majesty's reign.

I, chief engineer of The Bracebridge and Trading Lake Railway Company, do hereby certify that the said company has fulfilled the terms and conditions necessary to be fulfilled under the by-Law No. of the (or under the agreement dated the day of 190 , between the corporation of the and the said company) to entitle the said company to receive from the said trust fund the sum of (here set out the terms and conditions, if any, which have been fulfilled).



No. 22.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to incorporate "The Bracebridge
and Trading Lake Railway Company."

| | |
|----------------|-------|
| First Reading, | 1900. |
|----------------|-------|

(Private Bill.)

Mr. BRIDGLAND.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act to incorporate the Bracebridge and Trading
Lake Railway Company.

WHEREAS the persons hereinafter named and others and ^{Preamble.} the municipal councils of the town of Bracebridge and the townships of Macauley, McLean and Ridout, and Monck, all in the territorial district of Muskoka have by their petition prayed for an Act of incorporation under the name of "The Bracebridge and Trading Lake Railway Company" for the purpose of constructing and operating a railway from a point in or near the town of Bracebridge to some point in the township of McLean at or near the unincorporated village of Baysville, a distance of about fourteen miles, with power to extend the same from the said town of Bracebridge to some point on Muskoka Lake at or near Beaumaris in the township of Monck all in the territorial district of Muskoka, a distance of about ten miles, and it has been represented that the line of the railway of the company so to be incorporated, will, for the most part, be constructed in a sparsely settled part of the district, and be the means of opening up a large section of land along the shores of Trading Lake for occupation, for the manufacture and conveyance of timber, and as a place of summer resort for tourists, and it is proposed to operate the said railway by steam or electricity, or partly by steam and partly by electricity, and whereas owing to the location of the line of the said railway the provisions of *The Electric Railway Act* are not applicable to the company so to be incorporated, and the said petitioners have prayed that there may be conferred upon them the powers ordinarily given upon the incorporation of a railway to be operated by steam. And whereas for the reasons aforesaid the circumstances of the said proposed line of railway are exceptional. And whereas it is expedient to grant the prayer of the said petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Samuel Henry Armstrong, Samuel Bridgland, Alexander ^{Incorporation.}

Peter Cockburn, Charles Mickle, Walter William Hinsey, James L. Fenn, William S. Shaw, Peter Smith, Angus McLeod, Robert P. Perry, Arthur A. Mahaffy, John W. Gilpin, George Tutt, A. W. Hazlehurst, Francis P. Warne, John Ewart Lount, Elijah F. Stephenson, William H. Brown, Newton Langford, Angus McKay, George Howard, George Wilkins, David E. Bastedo, John Thomson, Peter Hutchinson, James D. Shier, James Anderson, George Yearley, Edward Prowse and such other persons and corporations, as shall, in pursuance of this Act become shareholders of the company hereby incorporated, shall be, and are hereby constituted a body corporate and politic under the name of "The Bracebridge and Trading Lake Railway Company" and hereinafter called "the company."

Location of line.

2. The company is hereby authorized and empowered to survey, lay out, construct, complete, equip and maintain a railway to be operated by steam or electricity, or partly by steam and partly by electricity, with single or double iron or steel tracks, from a point in the Town of Bracebridge to some point in the Township of McLean, at or near the unincorporated Village of Baysville, a distance of about fourteen miles, and to construct, extend and operate a continuation or branch of such railway from the said Town of Bracebridge to some point on Muskoka Lake at or near Beaumaris, in the Township of Monck, a distance of about ten miles, ^{and} all in the District of Muskoka, ^{and} and the said railway or any part thereof, so far as the same may be operated by electricity, may be carried along, upon and across such public highways as may be authorized by the by-laws of the respective corporations having jurisdiction over the same, and subject to the restrictions and provisions therein and in this Act contained, and under and subject to any agreements between the company and the councils of any of the said corporations ^{and} and between the companies and the road companies (if any) ^{and} interested in such highways, and the company may make and enter into any agreements with any municipal corporation ^{or} or road company ^{as to} as to the terms of occupancy of any street or highway, subject to the provisions and conditions contained in this Act and in *The Municipal Act* ^{and} and any Act or Acts amending the same. ^{and}

Rev. Stat.,
c. 223.

Gauge.

3. The gauge of the said railway shall be four feet eight and one-half inches.

Provisional directors.

4. The persons hereinbefore named in section 1 of this Act, with power to add to their number, shall be, and are hereby constituted a board of provisional directors of the company, of whom seven shall be quorum, and shall hold office as such until other directors shall be appointed under the provisions of this Act by the shareholders.

Powers of provisional directors.

5. The said board of provisional directors shall have power

forthwith to open stock books and procure subscriptions of stock for the undertaking, and to allot the stock, and to receive payments on account of stock subscribed and to make calls upon subscribers in respect of their stock, and to sue for and recover the same, and to cause plans and surveys to be made, and to receive for the company any grant, loan, bonus, or gift made to it or in aid of the undertaking, and to enter into any agreement respecting the conditions or disposition of any gift or bonus in aid of the railway, and with all such other powers as under *The Railway Act of Ontario* are vested in ordinary directors. The said directors or a majority of them, or the board of directors to be elected as hereinafter mentioned, may in their discretion exclude anyone from subscribing for stock who, in their judgment, would hinder, delay or prevent the company from proceeding with and completing their undertaking under the provisions of this Act; and if, at any time a portion, or more than the whole stock shall have been subscribed, the said provisional directors or board of directors shall allocate and apportion it among the subscribers as they shall deem most advantageous and conducive to the furtherance of the undertaking, and in such allocation the said directors may, in their discretion, exclude any one or more of the said subscribers if, in their judgment, such exclusion will best secure the building of the said railway, and all meetings of the provisional board of directors shall be held at the Town of Bracebridge, in the District of Muskoka, or at such other place as may best suit the interests of the company.

Rev. Stat.,
c. 207.

6. Conveyances of lands to the company for the purposes of, and powers given by this Act made in the form set forth in Schedule A, hereunder written, or to the like effect, shall be sufficient conveyance to the company, their successors and assigns, of the estate or interest therein mentioned, and sufficient bar of dower respectively, of all persons executing the same, and such conveyances shall be registered in such manner and upon such proof of execution as is required under the registry laws of Ontario; and no registrar shall be entitled to demand more than seventy-five cents for registering the same, including all entries and certificates thereof, and certificates endorsed on the duplicates thereof.

Conveyance
of land to
company.

7. No subscription for stock in the capital of the company shall be binding on the company, unless it shall be approved by resolution of the directors, nor unless ten per centum of the amount subscribed has been actually paid thereon within one month after subscription.

Subscriptions
for stock,
when binding.

8. The company may receive from any government, or from any person or bodies corporate, municipal or politic, who may have power to make or grant the same aid towards the construction, equipment or maintenance of the said railway,

Aid to rail-
way.

by way of gift, bonus or loan of money or debentures or other securities for money, or by way of guarantee upon such terms and conditions as may be agreed upon.

Capital stock. **9.** The capital stock of the company hereby incorporated shall be \$150,000 (with power to increase the same in the manner provided by *The Railway Act of Ontario*) to be divided into 3,000 shares of \$50 each, and shall be raised by the persons and corporations who may become shareholders in the company, and the money so raised shall be applied in the first place to the payment of all fees, expenses and disbursements of and incidental to the passing of this Act, and for making the surveys, plans and estimates connected with the works hereby authorized, and the remainder of such money shall be applied to the purchasing of the right of way, to the making, equipment, completion and working of the said railway, and to the other purposes of this Act, and until such preliminary expenses shall be paid out of the capital stock, the municipal corporation of any municipality, on or near the line of such works, may by resolution, of which seven days previous notice shall have been given, and passed by a majority of the said municipal corporation, authorize the treasurer of such municipality to pay out of the general funds of such municipality its fair proportion of such preliminary expenses, which shall thereafter, if such municipality shall so require, be refunded to such municipality from the capital stock of the company, or be allowed to it in payment of stock.

First election of directors. **10.** When and as soon as shares to the amount of \$15,000 of capital stock in the said company shall have been subscribed and ten per centum paid thereon into some chartered bank of the Dominion having an office in the Province of Ontario, to the credit of the company, and which shall, on no account, be withdrawn therefrom unless for the services of the company, the said provisional directors, or a majority of them, shall call a general meeting of the shareholders for the purpose of electing directors of the company, giving at least four weeks' notice of such meeting by advertisement in *The Ontario Gazette*, and in at least one newspaper published in the said town of Bracebridge, of the time, place and purpose of the said meeting.

Number of directors and quorum. **11.** At such general meeting the shareholders present, either in person or by proxy, who shall at the opening of such meeting have paid up ten per centum on the stock subscribed by them, shall elect not less than seven nor more than nine persons to be directors of the company in manner and qualified as hereinafter mentioned, who shall constitute a board of directors and shall hold office until the next general annual meeting, and a majority of the directors shall form a quorum of the board, and may pass such rules, regulations and by-laws as may be deemed expedient and are not inconsistent with this Act and *The Railway Act of Ontario*; and the said board may employ and pay one of their number as managing director.

Rev. Stat., c. 207.

12. No person shall be qualified to be elected as such director by the shareholders unless he be a shareholder holding at least ten shares of stock in the company and unless he has paid up all calls thereon, and holds such stock absolutely in his own right. ^{Qualification of directors.}

13. The head office of the company shall be at the town of Bracebridge and the general annual meeting of the shareholders of the said company shall be held in such place in the said town of Bracebridge, on such days and at such hours as may be directed by the by-laws of the said company, and public notice thereof shall be given at least four weeks previously in *The Ontario Gazette*, and once a week in one newspaper published in the said town of Bracebridge during the four weeks immediately preceding the week in which such meeting is to be held. ^{Annual meetings.}

14. Special general meetings of the shareholders of the said company may be held at such places, and at such times, and in such manner and for such purposes as may be provided by the by-laws of the company and upon such notice as is provided in the last preceding section. ^{Special general meetings.}

15. At all meetings of the company the shareholders thereof may vote by proxy, and the proxy may be appointed in such manner and by such means as the by-laws of the company may provide, but no person shall be qualified to be so appointed who is not himself a shareholder of the company and has paid up all calls upon the shares held by him. ^{Proxies.}

16. Aliens and companies incorporated abroad, as well as British subjects and corporations, may be shareholders in the company, and all such shareholders, whether resident in this province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible to office as directors of the company. ^{Rights of aliens.}

17. The directors may from time to time make calls as they think fit, provided that no calls shall be made at one time for more than ten per centum of the amount subscribed by each shareholder, and four weeks' notice thereof shall be given of each call, as provided by section 13 of this Act; said calls not to be made at closer intervals than three months. ^{Calls on stock}

18. The provisional directors or the elected directors may pay, or agree to pay in paid-up stock, or in the bonds of the company, such sums as they may deem expedient, to engineers or contractors, or for right of way or material, plant or rolling stock, and also, when sanctioned by a vote of the shareholders at any general meeting, for the services of the promoters or other persons who may be employed by the directors in furthering the undertaking, or for the purchase of right of way ma- ^{Payments in stock or bonds.}

terial, plant or rolling stock, whether such promoters or other persons be provisional or elected directors or not, and any agreement so made shall be binding on the company.

Issue of bonds. **19.** The directors of the company shall have power to issue bonds of the company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all the sum of \$20,000 for each mile of the said railway and branches, and the provisions of sub-sections 19, 20, 21, 22 and 23 of section 9 of *The Railway Act of Ontario* shall apply to all such bonds and the issue thereof, and such bonds shall be issued subject and according to and in conformity with the provisions of the said sub-sections.

Rev. Stat. c. 207.

Bonds, etc., how payable. **20.** All such bonds, debentures and other securities and coupons and interest warrants thereon respectively, may be made payable to bearer and transferable by delivery, and any holder of any such securities so made payable to bearer, may sue at law thereon in his own name.

Transfer of Bonds.

Negotiable Instruments. **21.** The company shall have power and authority to become parties to promissory notes and bills of exchange for sums not less than \$100, and any such promissory note or bill of exchange made, accepted or endorsed by the president of the company, and countersigned by the secretary of the said company, and under the authority of a quorum of the directors shall be binding on the said company, and every such promissory note or bill of exchange so made shall be presumed to have been made with proper authority until the contrary be shown, and in no case shall it be necessary to have the seal of the said company affixed to such promissory note or bill of exchange, nor shall the president or secretary be individually responsible for the same, unless the said promissory notes or bills of exchange have been issued without the sanction and authority of the directors as herein provided and enacted. Provided, however, that nothing in this section shall be construed to authorize the said company to issue any promissory note or bill of exchange payable to bearer, or intended to be circulated as money, or as the notes or bills of a bank.

Proviso.

Mortgaging or pledging bonds. **22.** The company may from time to time, for advances of money to be made thereon, mortgage or pledge any bonds which they may be enabled, under the powers of this Act to issue for the construction of the said railway.

Agreements with other companies for leasing or hiring rolling stock. **23.** It shall be lawful for the directors of the company to enter into any agreement or agreements with any other company or companies, if lawfully authorized to enter into such agreements, or with any person or persons for leasing, hiring, or use of any locomotives, carriages, rolling stock and other moveable property from such companies or persons, for such

time or times, and on such terms as may be agreed on, and also to enter into agreements with any railway company or companies, if so lawfully authorized, for the use by one or more of such contracting companies, of the locomotives, carriages, rolling stock and other movable property of the other or others of them on such terms as to compensation and otherwise as may be agreed on. Aid from municipalities.

24. The company may also construct an electric telegraph line and a telephone line throughout and along the whole line of their railway or any part thereof, and for the purpose of constructing, working and protecting the said telegraph and telephone lines the powers conferred upon telegraph companies by *The Act Respecting Telegraph Companies* being Chapter 192 of the Revised Statutes of Ontario, 1897, are hereby conferred upon the company. Provided, that no poles shall be erected in the construction of either of the said lines in or through any city, town or incorporated village without the consent of the council of such city, town or village being first obtained by the company; and the company may undertake the transmission of messages for the public by such line or lines of telegraph or telephone and collect tolls for so doing. Telegraph and telephone lines.

25. It shall be lawful for the corporation of any municipality, through any part of which the railway of the said company passes or is situated by by-law expressly passed for that purpose, to exempt the said company and its property within such municipality, either in whole or in part, from municipal assessment or taxation, or to agree for a certain sum per annum or otherwise in gross, or by way of commutation or composition for payment, or in lieu of all or any municipal rates or assessments, to be imposed by such municipal corporation, and for such term of years as such municipal corporation may deem expedient, not exceeding twenty-one years, and no such by-law shall be repealed unless in conformity with a condition contained therein. Exemption from taxation.

26. Any municipality through which the said railway may pass or is situate is empowered to grant by way of gift to the company, any lands belonging to such municipality, or over which it may have control, which may be required for right of way, station grounds, or other purposes connected with the running or traffic of the said railway, and the said railway company shall have power to accept gifts of lands from any government, or from any person or body, corporate or politic, and shall have power to sell or otherwise dispose of the same for the benefit of the company. Gifts of lands.

27. Any municipality, or any portion of a township municipality, which may be interested in securing the construction of the said railway, or through any part of which, or near which the railway or works of the said company shall pass or be Aid from municipalities.

situate may aid the said company, by giving money or debentures, by way of bonus, gift or loan, or by the guarantee of the municipal corporation, under and subject to the provisions hereinafter contained; provided always, that such aid shall not be given except after the passing of a by-law for the purpose, and the adoption of such by-law by the qualified ratepayers of the municipality or portion of the municipality (as the case may be) in accordance with and as provided by law in respect to granting aid, by way of bonuses to railways. ⁶³

Submitting
bonus by-laws.

⁶³28. Such by-law shall be submitted by the municipal council, to the vote of the ratepayers, in manner following, namely:

⁶³(1) The proper petition shall first be presented to the council, expressing the desire to aid the railway, and stating in what way and for what amount; and the council shall within six weeks after the receipt of such petition by the clerk of the municipality, introduce a by-law to the effect petitioned for, and submit the same to the approval of the qualified voters. ⁶³

⁶³(2) In the case of a county municipality, the petition shall be that of a majority of the members of the county council or of fifty resident freeholders, in each of the minor municipalities of the county, who are qualified voters under *The Municipal Act* and the amendments thereto. ⁶³

⁶³(3) In the case of other municipalities, the petition shall be that of a majority of the council thereof, or of fifty resident freeholders, being duly qualified voters under *The Municipal Act*, and amendments thereto as aforesaid. ⁶³

⁶³(4) In the case of a section of a township municipality, the petition is to be presented to the council, defining the section by metes and bounds, or lots and concessions, and shall be that of a majority of the council of such township municipality, or of fifty resident freeholders in such section of the municipality, being duly qualified voters as aforesaid. ⁶³

By-law what
to contain.

⁶³29. Such by-law shall in each instance provide:

⁶³(1) For raising the amount petitioned for in the municipality or portion of the township municipality (as the case may be), mentioned in the petition, by the issue of debentures of the county or minor municipality, respectively, and shall also provide for the delivery of the said debentures, or the application of the amount to be raised thereby, as may be expressed in the said by-law. ⁶³

⁶³(2) For assessing and levying upon all rateable property lying within the municipality or portion of the township municipality defined in said by-law (as the case may be), an annual special rate, sufficient to include a sinking fund for the repayment of the said debentures within twenty years with interest thereon, payable yearly or half-yearly, which debentures the respective municipal councils, wardens, mayors, Reeves and other officers thereof, are hereby authorized to execute and issue in such cases respectively. ⁶³

30. In case of aid from a county municipality, fifty resident freeholders of the county may petition the county council against submitting the said by-law, upon the ground that certain minor municipalities or portions thereof, comprised in the said by-law, would be injuriously affected thereby, or upon any other ground ought not to be included therein and upon deposit by the petitioners, with the treasurer of the county, of a sum sufficient to defray the expenses of such reference, the said council shall forthwith refer the said petition to three arbitrators, one being the judge of the county court or *district objecting*, one being the registrar of the county or of the riding in which the county town is situate, and one being an engineer appointed by the commissioner of public works for Ontario, who shall have power to confirm or amend the said by-law, by excluding any minor municipality or any section thereof, therefrom, and the decision of any two of them shall be final, and the by-law so confirmed or amended, shall thereupon, at the option of the railway company, be submitted by the council to the duly qualified voters, and in case the by-law is confirmed by the arbitrators, the expense of the reference shall be borne by the petitioners against the same, but if amended, then by the railway company or the county as the arbitrators may order. ⁶³

Petition
against aid
from county.

31. The term "minor municipality" shall be construed to mean any town not separated from the municipal county, township, or incorporated village, situate in the county or district municipality. ⁶³

"Minor municipality,"
meaning of.

32. Before any such by-law is submitted, the railway company shall, if required, deposit with the treasurer of the municipality, a sum sufficient to pay the expenses to be incurred in submitting said by-law. ⁶³

Deposit to be
made before
by-law is sub-
mitted.

33. In case the by-law submitted be approved of and carried, in accordance with the provisions of the law in that behalf, then within four weeks after the date of such voting, the municipal council which submitted the same shall read the said by-law a third time and pass the same. ⁶³

Council to
pass by-law if
assented to by
ratepayers.

34. Within one month after the passing of such by-law the said council and the mayor, warden, reeve or other head, or other officers thereof, shall issue or dispose of the debentures provided for by the by-law, and deliver the same, duly executed, to the trustees appointed, or to be appointed, under this Act. ⁶³

Issue of
debentures.

35. In case any such loan, guarantee or bonus, be so granted by a portion of a township municipality, the rate to be levied for payment of the debentures issued therefor, and the interest thereon, shall be assessed and levied upon such portion only of such municipality. ⁶³

Levying rate
on portion of
municipality.

Application of provisions of Rev. Stat., c. 223.

36. The provisions of *The Municipal Act* and the amendments thereto, so far as the same are not inconsistent with this Act shall apply to any by-law so passed by or for a portion of a township municipality, to the same extent as if the same had been passed by or for the whole municipality.

Councils may extend the time for commencement.

37. The councils for all corporations that may grant aid by way of bonus to the said company may, by resolution or by-law, extend the time for the commencement of the work beyond that stipulated for in the by-law or by-laws granting such aid, from time to time, provided that no such extension shall be for a longer period than one year.

Councils may extend the time for completion.

38. It shall and may be lawful for the council of any municipality that may grant aid by way of bonus, to the said company, by resolution or by-law, to extend the time for the completion of the works (on the completion of which the said company would be entitled to such bonus), from time to time, provided that no such extension shall be for a longer period than one year at a time.

Extent of aid from municipalities.

39. Any municipality, or portion of a township municipality, interested in the construction of the *railway* of the said company, may grant aid by way of bonus to the said company towards the construction of such *railway*, notwithstanding that such aid may increase the municipal taxation of such municipality, or portion thereof, beyond what is allowed by law; provided that such aid shall not require the levying of a greater aggregate annual rate for all purposes exclusive of school rates, than three cents in the dollar upon the value of the rateable property therein.

Issue of debentures.

40. Whenever any municipality or portion of a township municipality shall grant aid by way of bonus or gift to the railway company, the debentures therefor shall within six months after the passing of the by-law authorizing the same, be delivered to three trustees to be named, one by the Lieutenant-Governor in Council, one by the said company, and one by the majority of the heads of the municipalities which have granted bonuses; all of the trustees to be residents of the Province of Ontario. Provided that if the said heads of the municipalities shall refuse or neglect to name such trustees within one month after notice in writing of the appointment of the company's trustee, or if the Lieutenant-Governor in Council shall omit to name such trustee within one month after notice in writing to him of the appointment of the other trustees, then in either case the company shall be at liberty to name such other trustee or other trustees; any of the said trustees may be removed and a new trustee appointed in his place at any time by the Lieutenant-Governor in Council, and in case any trustee dies or resigns his trust, or goes to live out of the Province of Ontario or otherwise becomes

incapable of acting, his trusteeship shall become vacant and a new trustee may be appointed by the Lieutenant-Governor in Council. Trusts of proceeds of debentures.

41. The said trustees shall receive the said debentures or bonds in trust, firstly, under the directions of the company, *but* subject to the conditions of the by-laws in relation thereto as to time or manner, to convert the same into money or otherwise dispose of them, secondly, to deposit the debentures or amount realized from the sale thereof in some chartered bank having an office in the Province of Ontario in the name of "The Bracebridge and Trading Lake Railway Municipal Trust Account" and to pay the same out to the company from time to time as the company becomes entitled thereto, under the conditions of the by-law granting the said bonus and on the certificate of the chief engineer of the said railway for the time being in the form set out in Schedule B hereto, or to the like effect, which certificate shall set forth that the conditions of the by-law have been complied with, and is to be attached to the cheque or order drawn by the said trustees for such payment or delivery of debentures, and such engineer shall not wrongfully grant any such certificate under a penalty of \$500, recoverable in any court of competent jurisdiction by any person who may sue therefor.

42. The trustees shall be entitled to their reasonable fees and charges from the said trust fund, and the act of any two of such trustees shall be as valid and binding as if the three had agreed. Fees to trustees.

43. The company is hereby authorized and empowered to take and make the surveys and levels of the lands through which the said railway is to pass, together with the map or plan thereof, and of their course and direction, and of the lands intended to be passed over and taken therefor so far as then ascertained, and also the book of reference for the railway, and to deposit the same as required by the clauses of *The Railway Act of Ontario*, and the amendments thereto with respect to plans and surveys, by sections or portions less than the length of the whole railway authorized, of such length as the company may from time to time see fit, so that no one of such sections or portions thereof shall be less than *ten* miles in length, and upon such deposit as aforesaid of the map or plan and book of reference of any and each of such sections or portions of the said railway, all and every of the clauses of the said Railway Act of Ontario, and the amendments thereof applied to, included in or incorporated with this Act, shall apply and extend to any and each of such sections or portions of the said railway as fully and effectually as if the surveys and levels had been taken and made of the lands through which the whole of the said railway is to pass, together with the map or plan of the whole thereof, and of their whole Power to construct line in sections.
Rev. Stat. c. 207.

course and direction, and of the lands intended to be passed over and taken and the book of reference of the whole of said railway had been taken, made, examined, certified and deposited according to the said clauses of the said Railway Act and the amendments thereof with respect to "plans and surveys."

44. The company shall have power and authority

General powers.
Warehouses, docks, etc.

(1) To purchase land for and erect powerhouses, warehouses, elevators, docks, stations, workshops, machine shops, foundries and offices, and to sell and convey such land as may be found superfluous for any such purpose, and the company shall have power to build, own, operate and hold, as part of the property of the company, as many steam or other vessels as the directors of the company may deem requisite from time to time to facilitate the carriage of passengers, freight and other traffic in connection with the railway.

Erect necessary buildings etc.

(2) To erect and maintain all necessary and convenient buildings, stations, depots, wharves and fixtures, and from time to time to alter, repair or enlarge the same, and to build, purchase and acquire motors, engines, carriages, waggons and other machinery and contrivances necessary or convenient for the working of the railway and the accommodation and use of the passengers, freight and business of the railway.

Powers as to production and use of electricity.

(3) To construct, maintain and operate works for the production of electricity for the motive power of the said railway, and for the lighting and heating the rolling stock and other property of the company.

Lease or sell electricity not required for railway.

(4) To lease or sell any such electricity not required for the purposes aforesaid to any person or corporation, and the company in that behalf shall, subject to the provisions and restrictions of this Act, possess the powers, rights and privileges and be subject to all the obligations and restrictions of joint stock companies incorporated under *The Act respecting companies for supplying Steam, Heat, Electricity or Natural Gas for Heat, Light or Power*, and to acquire and hold any property necessary for the purposes mentioned in this subsection.

Rev. Stat. c. 200.

Acquiring rights for conveying electricity.

(5) To purchase the right to convey electricity required for the working of the railway and lighting or heating the same over, through or under lands other than the lands of the said railway, and with the consent of the councils of the municipalities affected, to purchase the right to lay conduits under or erect poles and wires on or over such lands as may be determined by the company, and along and upon any of the public highways, or across any of the waters in this Province by the erection of the necessary fixtures, including posts, piers or abutments for sustaining the cords or wires of such lines, or the conduits for such electricity upon and subject to such agreement in respect thereof as shall first be made between the company and any private owners of the land affected, and between the company

and any municipality in which such works or any part thereof or of the railway may be situate, and under and subject to any by-law or by-laws of the council of such municipality passed in pursuance thereof.

45. (1) The railway of the company shall not be constructed or operated on, upon or along any street, highway or public place in any municipality until first authorized by an agreement in respect thereto made between the company and such municipality and under and subject to the terms of such agreement and of this Act and of any by-law or by-laws of the council of said municipality to be passed in pursuance thereof; and in all *such* cases any and every work, matter or thing in connection with electricity or other motor power, and the application and using thereof in so constructing, operating and working such railway, or the cars, carriages, engines, motors or machines aforesaid shall be so constructed, erected, laid down and arranged as to impede or incommode the public use of such street, highway or public place as little as possible, and so as not to be a nuisance thereto, nor to interfere with the free access to any house or other building erected in the vicinity of the same, and the electric and other appliances shall be of such an improved manufacture and so placed as to avoid so far as possible any danger to buildings or other property, and provided that none of the works or property of the company shall be so constructed or placed as to injuriously interrupt navigation in any navigable water.

Construction
on streets, etc.

(2) The by-laws mentioned in section 2, sub-section 5 of the preceding section and in this section shall be subject to the conditions and provisions of section 632 of *The Municipal Act*.

Rev. Stat. c.
223.

46. Whenever it shall be necessary for the purpose of procuring sufficient land for stations, or gravel pits, or for constructing, maintaining and using the said railway, and in case, by purchasing the whole or any lot or parcel of land over which the railway is to run, the company can obtain the same at a more reasonable price, or to greater advantage than by purchasing the railway line only, the company may purchase, hold, use and enjoy such lands, and also the right of way thereto, if the same be separated from their railway, and may sell and convey the same or any part thereof from time to time as they may deem expedient, but the compulsory clauses of *The Railway Act of Ontario* shall not apply to this section.

Power to purchase whole
lands.

Rev. Stat. c.
207.

47. When stone, gravel, earth or sand is or are required for the construction or maintenance of said railway or and part thereof the said company may in case they cannot agree with the owner of the lands on which the same are situate for the purchase thereof cause an *Ontario* Land Surveyor to make a map and description of the property so required, and they shall serve a copy thereof, with their notice of arbitration, as

Acquiring
materials for
construction.

in case of acquiring the roadway, and the notice of arbitration, the award and tender of compensation, shall have the same effect as in case of arbitration for the roadway; and all the provisions of *The Railway Act of Ontario*, and of this Act, as to the service of the said notice, arbitration, compensation, deeds, payment of money into court, the right to sell, the right to convey, and the parties from whom land may be taken or who may sell, shall apply to the subject matter of this section, as to obtaining materials aforesaid, and such proceedings may be had by the company either for the right to the fee simple in the land from which such materials shall be taken, or for the right to take materials for any time they may think necessary, the notice of arbitration in case arbitration is resorted to, to state the interest required.

Rev. Stat.
c. 207.

Siding to
gravel pits.

48. (1) When said gravel, stone, earth or sand shall be taken under the preceding section of this Act, at a distance from the line of the railway, the company may lay down the necessary sidings and tracks over any lands which may intervene between the railway and the lands on which said material shall be found, whatsoever the distance may be; and all the provisions of *The Railway Act of Ontario* and of this Act, except such as relate to filing plans and publications of notice, shall apply and may be used and exercised to obtain the right of way from the railway to the land on which such materials are situated; and such right may be so acquired for a term of years or permanently, as the company may think proper; and the powers in this and the preceding section may at all times be exercised and used in all respects after the railway is constructed for the purpose of repairing and maintaining the said railway.

Rev. Stat., c.
207.

(2) When estimating the damages for the taking of gravel, stone, earth or sand, sub-section 9 of section 20 of *The Railway Act of Ontario* shall not apply.

Rev. Stat., c.
207.

Power to erect
snow fences.

49. The company shall have the right on and after the first day of November in each year to enter into and upon any lands of Her Majesty, or into or upon any lands of any corporation or persons whatsoever, lying along the route or line of said railway, and to erect and maintain snow fences thereon, subject to the payment of such damages, (if any) as may be thereafter established in the manner provided by law in respect of such railway to have been actually suffered, provided always that any such snow fences so erected shall be removed on or before the first day of April next following.

Agreements
for lease of
railway etc.

50. It shall be lawful for the company incorporated by this Act to enter into any arrangement with the Northern and Pacific Junction Railway Company, or the Grand Trunk Railway Company of Canada, if lawfully empowered to enter into such arrangement, for leasing to them the said railway, or any part thereof, and it shall further be lawful for the said com-

pany to enter into any arrangements with the said Northern and Pacific Junction Railway Company or the said Grand Trunk Railway Company of Canada, if so lawfully authorized, for the working of the said railway, or for running powers over the same on such terms and conditions as the directors of the several contracting *companies* may agree on, or for the sale thereof, or for leasing and hiring from such other contracting company any portion of their railway or the use thereof, and generally to make any agreement or agreements, with either of said companies, if so lawfully authorized, touching the use by one or the other, or by both companies of the railway, or the rolling stock of either or both, or any part thereof, or touching any service to be rendered by the one company to the other and the compensation therefor, and any such agreement shall be valid and binding according to the terms and tenor thereof, and the company leasing or entering into such agreement for using the said railway may, and is hereby authorized to work the said railway, in the same manner and in all respects as if incorporated with its own line, and to exercise, so far as the same are applicable, all the rights, powers and privileges by this Act conferred. Provided that every such lease or agreement shall first be sanctioned at a special general meeting called for the purpose of considering the same, according to the by-laws of the company and the provisions of this Act, by the vote of two-thirds in value of the shareholders present in person or by proxy at such meeting, but this section shall not be construed as purporting or intending to confer rights or powers upon any company which is not within the legislative authority of the Province of Ontario.

Proviso.

Transfer of shares.

51. Shares in the capital stock of the company may be transferred by any form of instrument in writing, but no transfer shall become effectual unless the stock or scrip certificates issued in respect of shares intended to be transferred are surrendered to the company, or the surrender thereof dispensed with by the company.

52. The company shall have power to collect and receive all charges, subject to which goods or commodities may come into their possession, and on payment of such back charges, and without any formal transfer shall have the same lien for the amount thereof upon such goods or commodities as the person to whom such charges were originally due, and shall be subrogated by such payment in all the rights and remedies of such persons for such charges.

Payment of back charges on goods.

53. The provisions of *The Electric Railway Act* shall not apply to the company hereby incorporated, but the several clauses of *The Railway Act of Ontario*, and of every act in amendment thereof shall be incorporated with, and be deemed to be part of this Act, and shall apply to the said company, and to the railway to be constructed by them, except only so

Incorporation of provisions of Rev. Stat., c. 207.

far as they may be inconsistent with the express enactments hereof; and the expression "this Act" when used herein, shall be understood to include the clauses of the said Railway Act, and of every act in amendment thereof, so incorporated with this act.

Commence-
ment and
completion of
line.

54. The railway shall be commenced within three years and finally completed within *seven* years after the passing of this Act.

SCHEDULE A.

(Section 6.)

Know all men by these presents, that I (or we) (insert *the* name or names of the vendor or vendors) in consideration of _____ dollars paid to me (or us) by The Bracebridge and Trading Lake Railway Company, the receipt whereof is hereby acknowledged, do grant and convey unto the said company, and I (or we) (insert the name or names of any other party or parties) in consideration of _____ dollars paid to me (or us) by the said company, the receipt whereof is hereby acknowledged do grant and release all that certain parcel (or those certain parcels as the case may be) of land (describe the land) the same having been selected and laid out by the said company for the purposes of *its* railway, to hold, with the appurtenances unto the said The Bracebridge and Trading Lake Railway Company, their successors and assigns *forever* (here insert any other clauses, covenants or conditions required) and I (or we) the wife (or wives) of the said _____ do hereby bar my (or our) dower in the said lands.

As witness my (or our) hand and seal or (hands and seals) this day of _____ A. D. 19 _____.

Signed, sealed and delivered }
in the presence }

SCHEDULE B.

(Section 41.)

Chief Engineer's certificate The Bracebridge and Trading Lake Railway Company's Office, No. _____ A. D. 19 _____.

Engineer's Department certificates to be attached to cheques drawn on The Bracebridge and Trading Lake Railway Company Municipal Trust account given under section _____, chapter _____, of the acts of the Legislature of Ontario, passed in the _____ year of Her Majesty's reign.

I, _____ chief engineer of The Bracebridge and Trading Lake Railway Company, do hereby certify that the said company has fulfilled the terms and conditions necessary to be fulfilled under the by-Law No. _____ of the _____ (or under the agreement dated the _____ day of _____ 19 _____, between the corporation of the _____ and the said company) to entitle the said company to receive from the said trust the sum of _____ (here set out the terms and conditions, if any, which have been fulfilled).

No. 22.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to incorporate The Bracebridge
and Trading Lake Railway Company.

First Reading, 7th March, 1900.

*(Reprinted as amended by Railway
Committee.)*

Mr. BRIDGLAND.

TORONTO:

PRINTED BY I. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act to confirm By-law No. 452 of the Village of
Port Perry.

WHEREAS the municipal corporation of the village of ^{Preamble.}
Port Perry has by petition prayed that an Act may be
passed to confirm and legalize a By-law of the said village
passed on the sixth day of November, A.D., 1899, entitled "A
5 By-law to provide for the borrowing on the credit of the
municipality of the village of Port Perry the sum of five
thousand dollars to aid the building and establishing of a
House of Refuge and equipping an Industrial farm in connec-
tion therewith by the corporation of the county of Ontario
10 (providing the said village of Port Perry be selected as the site
therefor) and for the raising of the said sum of five thousand
dollars by the issue of debentures and providing for the re-
payment thereof; and whereas the said By-law was submitted
15 day of October, A.D., 1899, and carried by a large majority;
and whereas the said By-law was finally passed by the council
of the said village on the sixth day of November, A.D., 1899;
and whereas the said By-law has been duly promulgated and
registered as required by law; and whereas no opposition has
20 been made to the said petition; and whereas it is expedient
to grant the prayer of the said petition:

Therefore Her Majesty by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:—

25 1. By-law No. 452 of the municipal corporation of the vil-
lage of Port Perry set forth in Schedule "A" to this Act is
hereby confirmed and declared legal, valid and binding upon
the said municipal corporation and the ratepayers thereof,
notwithstanding any want of jurisdiction on the part of the
30 said municipality to pass the said By-law and the said muni-
cipal corporation is hereby authorized and empowered to issue
debentures as provided by the said By-law and the said deben-
tures to be issued under said By-law are declared legal and

By-law No.
452, for House
of Refuge, etc.,
confirmed.

binding upon the said municipality and the said municipal corporation is hereby authorized and empowered to do all necessary acts for the proper carrying into effect of the said By-law.

County of
Ontario auth-
orized to re-
ceive grant.

2. The municipal council of the corporation of the County 5
of Ontario is hereby authorized and empowered to receive the
said bonus from the said municipality of Port Perry to aid
the building and establishing of a House of Refuge and equip-
ping an Industrial Farm in connection therewith by the county
of Ontario and to do and perform all acts necessary for the 10
full and proper carrying out of the said By-law No. 452.

SCHEDULE A.

By-Law No. 452.

“ A By-law to provide for the borrowing on the credit of the municipality of the village of Port Perry the sum of five thousand dollars to aid the building and establishing of a House of Refuge and equipping an Industrial Farm in connection therewith by the corporation of the county of Ontario (providing the village of Port Perry be selected as the site therefor) and for the raising of the said sum of five thousand dollars by the issue of debentures and providing for the repayment thereof.”

Whereas it is expedient to raise by way of loan the sum of five thousand dollars to aid the building and establishing of a House of Refuge and equipping an Industrial Farm in connection therewith by the corporation of the county of Ontario (providing the said village of Port Perry be selected as the site therefor)

And whereas it will be requisite to raise annually during the term of twenty years by special rate for payment of the said debt and interest the sum of three hundred and sixty-seven dollars and ninety-one cents ;

And whereas the amount of the whole rateable property of the said municipality according to the last revised Assessment roll is \$375,370.00;

And whereas the existing debenture debt of the said municipality is \$36,328.24, of which none of the principal or interest is in arrear ;

Therefore the corporation of the village of Port Perry enacts as follows :—

1. It shall be lawful for the Reeve of the said village for the purpose aforesaid to borrow the sum of five thousand dollars, and to issue debentures of the said municipality to the amount of \$5,000, in sums of not less than \$100.00 each to be repayable by annual instalments during the period of twenty years from the date on which this By-law takes effect and to bear interest at a rate not exceeding four per cent per annum payable yearly on the first day of December in each and every year during the currency of the said debentures.

2. The said debentures shall be payable at the Agency of the Canadian Bank of Commerce in the Village of Port Perry.

3. It shall be lawful for the Reeve of the said municipality, and he is hereby authorized and instructed, to sign and issue the said debentures hereby authorized to be issued and to cause the same and interest coupons

thereto to be signed by the Treasurer of the said municipality, and the Clerk of the said municipality is hereby authorized and instructed to attach the seal of the municipality to the said debentures.

4. There shall be raised in each year during the currency of said debentures the sum of \$367.91 to discharge the several instalments of principal and interest accruing due on said debentures as the said instalments and interest become due respectively and such annual sum shall be raised and levied in each year by a special rate sufficient therefor on all the rateable property in the municipality.

This By-law shall take effect on the first day of December, A.D., 1899.

The votes of the electors of the said village of Port Perry shall be taken on this By-law on the thirtieth day of October next ensuing.

At the market building for polling sub-division number one, G. J. Morrish, Deputy Returning Officer.

At town hall for polling sub-division number two, John H. Brown, Deputy Returning Officer.

At the school house for polling sub-division number three, E. D. Rogers, Deputy Returning Officer.

At which said places a poll will be opened at the hour of nine o'clock in the forenoon and continued open until the hour of five o'clock in the afternoon and no longer.

The 28th day of October, A.D., 1899, at the town hall in the said village at the hour of ten o'clock in the forenoon is hereby appointed as the time and place for the appointment by the Reeve of the said village of persons to attend at the polling places and at the final summing up of the votes on behalf of the persons interested in and promoting or opposing this By-law respectively.

The 31st day of October, A.D., 1899, at the said hour and place last named is hereby appointed as the time and place for the summing up by the Clerk of the said village of the number of votes given for and against the said By-law respectively

Passed November 6th, 1899.

S. JEFFREY, Reeve.

F. M. YARNOLD, Clerk.

{ L.S. }

No. 23.

2nd Session, 9th Legislature, 63 Vict., 1899.

BILL.

An act to confirm By-law No. 452 of the
Village of Port Perry.

First Reading, _____, 1899.

(Private Bill.)

MR. RICHARDSON.

TORONTO:

PRINTED BY L. K. CAMERON.

Printer to the Queen's Most Excellent Majesty.

An Act to confirm By-Law No. 115 of the Corporation of the Village of Tottenham.

WHEREAS, the Corporation of the Village of Tottenham Preamble.
has by its Petition represented that the said Corporation passed a by-law numbered 115, wherein it was enacted that the said Corporation might borrow \$16,000.00, and loan
5 \$15,000.00 of said amount to one James Steele to assist him in the erection and equipment of a furniture factory in the said village of Tottenham, and with the additional \$1,000.00 to pay for a site for said factory within the limits of the said village and do the necessary grading for a railway switch or
10 siding to said factory, and to do the levelling of ground necessary and to pay the expense of procuring this Act to confirm the said by-law: and whereas the said by-law also provides for exemption from taxes (other than school taxes) for the period of ten years of the land, buildings (other than resi-
15 dences), plant and machinery in connection with said factory, all of which is set forth in said by-law; and whereas there is no other industry of a similar nature established within the limits of the said Corporation; and whereas the said by-law was submitted to a vote of the ratepayers entitled to vote on
20 money by-laws as provided by *The Municipal Act*, and two-thirds of the ratepayers qualified to vote as aforesaid voted in favor of said by-law: and whereas the said Corporation has by its petition prayed that the said by-law may be confirmed and declared legal and valid as hereinafter amended; and
25 whereas it is expedient to grant the prayer of the said petition;

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

30 1. The said By-law Number 115 of the Corporation of the village of Tottenham, as set out in Schedule "A" to this Act, but as hereinafter altered and amended, is hereby confirmed and declared to be valid and binding from the time of the passing of this Act, and the said Corporation is declared

By-law No. 115, loan to James Steele furniture works confirmed.

authorized by said By-law number 115 to grant aid, by way of loan, to James Steele therein mentioned to the extent of \$15,000, repayable within the period of ten years in pursuance of the terms of said by-law, and to expend the \$1,000 over and above the said \$15,000 in the manner provided by said 5 by-law as hereinafter amended, and all acts done or to be done, and all payments made or to be made by the said Corporation, pursuant to the said by-law as hereinafter amended, are hereby declared to be valid and binding, anything in any other Act passed by this Legislature to the contrary notwith- 10 standing.

Buildings of
Steele Co.

2. And it is further enacted that the buildings referred to in the first clause of the proposition of the said James Steele contained in the said by-law may be of greater number, better material and of larger and higher dimensions than those de- 15 scribed in the said first clause.

Exemption
from school
rates and local
improvement
taxes.

3. And it is further enacted that clause number three of the enacting part of the said by-law be and the same is hereby amended by striking out the words "(other than school taxes and local improvements)" contained in brackets in the said 20 clause.

Exemption to
include school
and local im-
provement
rates.

R.S.O. cc. 223,
224, 292, 293,
294.

4. And it is further enacted that notwithstanding any- thing contained in the following Acts that is to say, "The Public Schools Act" being Chapter 292 of the Revised Statute of Ontario, 1897, "The High Schools Act" being Chapter 293 25 of the said Revised Statutes, "The Separate Schools Act" being Chapter 294 of the said Revised Statutes, "The Municipal Act" being Chapter 223 of the said Revised Statutes, or "The Assessment Act" being Chapter 224 of the said Revised Statutes, or any other Act of this Legislature or any Acts 30 amending any such Acts hereinbefore referred to the said land and the buildings (not including residences) and the machinery and plant and other personal property of the said James Steele and his successors shall be exempt from payments of all taxes and rates assessable for the said municipality for 35 any purpose whatsoever, including school taxes and local improvement rates.

Mortgage to
secure a loan
to be deemed
a mortgage of
real estate.

5. And it is further enacted that the mortgage to be given to the said Corporation by the said James Steele on the build- 40 ings, engine, machinery, furniture, and every other thing in connection with the said buildings and business to secure repayment of the said loan of \$15,000 as provided in said by-law, shall be deemed to be a land mortgage, and shall not require to comply with the provisions of the Act entitled "An Act respecting Mortgages and Sales of personal property" being 45 Chapter 148 of the Revised Statutes of Ontario 1897 and Amending Acts, and the registration of the said mortgage in the Registry Office for the County of Simcoe shall be sufficient

Registration
of mortgages
R.S.O. 148.

notice of such mortgage to all persons whomsoever regarding the chattel property included in and intended to be covered by such mortgage, and that the said Act respecting mortgages and sales of personal property, and all amendments already made thereto, or that may hereafter be made shall in no way apply to or be binding in reference to the said mortgage.

6. And it is further enacted that the agreement in writing entered into between the said Corporation of the village of Tottenham and the said James Steele regarding the matters contained, or referred to, in the said by-law be and the same is hereby legalized and confirmed. Agreement with Steele confirmed.

SCHEDULE A.

BY-LAW No. 115.

(Section 1.)

A By-Law to authorize the Municipal Council of the Corporation of the village of Tottenham to borrow \$16,000.00 and to loan \$15,000.00 of said amount to one James Steele of the City of Montreal, in the Province of Quebec, Furniture Dealer, to assist him in the erection and equipment of a furniture factory and to pay for a site for said factory and do the necessary grading for a railway switch or siding to said factory, also to exempt from taxes, (other than school taxes,) for the period of ten years, the lands, buildings, (other than residences,) plant and machinery in connection with said factory. The extra \$1,000.00, over and above the \$15,000.00 thus to be loaned, to be applied by the Municipal Council of the Corporation of the village of Tottenham in paying for the grading and necessary expenses incurred in placing a convenient siding and switch, and for the expenses necessary in bringing this by-law before the Legislature of the Province of Ontario in order to get the consent and sanction of the said legislature.

Whereas the erection of a furniture factory in the village of Tottenham would give employment to a great many residents of said Village, and the establishment of the business will necessitate the employment of a large number of hands, and is confidently expected to conduce very much to the prosperity of said village, and it is deemed wise to assist in the furtherance of this enterprise ;

And whereas the said James Steele has made in writing the following proposals to the Municipal Council of said village of Tottenham :—

(1). To build and equip a furniture factory for home and export trade, said building to be a two story high, solid brick building, 50x100 feet, with three annex suitable buildings, 25x50 feet each, of a cheaper construction, or 75x125 feet, three story high, with one such annex building.

(2). Fully equip and furnish said factory with a seventy-five horse-power engine and all other best modern machinery necessary to manufacture and to carry on export trade of furniture, and to always leave at said factory at least three thousand dollars' worth of lumber and two thousand dollars worth of hardware and varnish, besides the other necessary materials and tools and machinery to be used in the carrying out of said enterprise.

(3). To give, as security, for the loans hereinafter mentioned my own personal bond, and also a first mortgage on the said buildings, engine lumber, hardware, varnish, machinery and furniture and every other

thing in connection with said buildings and business. To insure buildings, machinery, etc., to the extent of loan in favor of Corporation.

(4). To lose no time in the erection, completion and furnishing of said buildings and put the same into operation as soon as completed, and to always keep employed at work in said buildings during the ten years hereinafter referred to from thirty-five to fifty men.

These proposals are made by Mr. Steele on the following conditions ; namely :—

The Municipal Council of the Corporation of the village of Tottenham to

(1). Grant a free site of about two acres of land in a location in the village where a railway siding can be put in from the main railway line, the said site to be levelled and siding graded.

(2). Give me a loan of \$10,000.00 for ten years without interest, \$1,000.00 of it to be paid back annually until paid, and also a loan of \$5,000.00 to bear interest at four per cent. per annum, payable in ten equal annual payments, with interest as aforesaid.

(3). To exempt from taxation the said buildings, contents and business for the said period of ten years.

(4). To give me the privilege of paying back the said \$10,000.00 and \$5,000.00 and interest any time after the expiration of one year after the said factory will be in operation and reserve my right as to exemption from taxation.

(5). To be granted a deed and conveyance of said land, factory and machinery, etc., whenever all of said loans and interest will be paid.

And whereas the said Municipal Council of the Corporation of the village of Tottenham has been petitioned by a majority of the freeholders in the said village of Tottenham to submit a by-law on the terms proposed by said James Steele :

And whereas it has been decided by the Municipal Council of the Corporation of the village of Tottenham to make application to the Legislature of the Province of Ontario for such legislation as may be necessary to empower and authorize the said Municipal Council of the Corporation of the village of Tottenham to issue debentures or bonds of the said village to the amount of \$16,000 00, with interest at the rate of four per cent. per annum, repayable in ten equal annual instalments of principal and interest, and by said Act to legalize this by-law and to enable the said municipal corporation to do all that may be necessary in that behalf :

And whereas the said James Steele, in order to secure the said municipal corporation, has agreed that he will give his personal bond and also a first mortgage on the buildings, engine, lumber, hardware, varnish, machinery and every other thing in connection with said building and business, and will insure and keep insured during the continuance of this loan the building, machinery, etc., to the extent of the said loan in favor of the corporation, as set forth in his proposal, hereinbefore set forth, and in addition to the above mentioned security will give a mortgage on four acres of land adjoining the site on which the factory is to be erected.

And whereas it has been determined to borrow the said sum of \$16,000.00 upon debentures repayable by annual instalments during the period of ten years, and it will be necessary to raise by special rate in each of said years the sums for principal and interest respectively hereinafter set forth, for the purpose of paying the said debt and interest thereon at the rate of four per cent. per annum ;

And whereas the amount of the whole rateable property of the said municipality, according to the last revised assessment roll, is \$122,695.00 ;

And whereas the amount of the existing debenture debt of the said village of Tottenham is the sum of \$3,300.00, and none of the same nor the interest thereon is in arrear :

And whereas the said Municipal Council deems it necessary to submit this by-law to the vote of the duly qualified ratepayers of the said village ;

Now, therefore, the Municipal Council of the Corporation of the village of Tottenham enact as follows :

(1). That after the said James Steele shall have entered into a binding contract with said Municipal Corporation to carry out and perform on his part the agreements and stipulations to be performed on his part, which said agreement shall be registered in the Registry Office of the county of Simcoe, and it shall be declared by the Act of the Legislature or the Province of Ontario hereinbefore mentioned that the said machinery and plant, engine, lumber, varnish and hardware are to be considered real estate and not to come under the operation of the Act respecting Bills of Sale and Chattel Mortgages so that no instrument respecting them shall need to be registered in the Office of the Clerk of the County Court of the County of Simcoe.

(2). It shall and may be lawful for the said Municipal Council to assist the said James Steele by paying the cost of the land occupied by the said factory as a site for said furniture factory and other buildings and premises, the price to be paid for said site not to exceed \$200.00.

(3). The said lands and the buildings, (not including residences), and the machinery and plant and other personal property of the said James Steel and his successors shall be exempt from payment of all taxes and rates assessable for said municipality for any purpose whatsoever, (other than school taxes and local improvements), for a period of ten years from the 31st December, 1899, provided that said James Steele or his successors shall have so long continued to carry on his or their business on said premises.

(4). That the Reeve of the said village may borrow on the credit of the said Corporation of the said village of Tottenham the sum of \$16,000.00 and may issue debentures bearing the same date as that on which the Act legalizing this by-law shall come into force, for said amount in sums of not less than \$500.00 each, which shall be signed by the Reeve and countersigned by the Treasurer of said village and be made payable by annual instalments during the term of ten years, with interest at the rate of four per cent, payable yearly at the office of George P. Hughes, Banker, Tottenham, the coupons for interest to be signed by said Treasurer.

(5). For the purpose of repaying the said sum of \$16,000.00 and interest, as aforesaid, there shall be raised and levied during each year of said period of ten years by special rate upon all property of said municipality, liable therefor, over and above all other rates, whatsoever, the sum of \$1,972.65, the respective amounts of principal and interest during each of said years being as follows, to wit, the first day of March in each year.

| Year. | Principal. | Interest. | Total. |
|-----------|------------|-----------|------------|
| 1901..... | \$1,332 65 | \$640 00 | \$1,972 65 |
| 1902..... | 1,385 72 | 586 93 | 1,972 65 |
| 1903..... | 1,441 40 | 531 25 | 1,972 65 |
| 1904..... | 1,499 05 | 473 60 | 1,972 65 |
| 1905..... | 1,559 02 | 413 63 | 1,972 65 |
| 1906..... | 1,621 38 | 351 27 | 1,972 65 |
| 1907..... | 1,686 23 | 286 42 | 1,972 65 |
| 1908..... | 1,753 68 | 218 97 | 1,972 65 |
| 1909..... | 1,823 83 | 148 82 | 1,972 65 |
| 1910..... | 1,896 78 | 75 87 | 1,972 65 |

(6). That the vote of the electors of the said village qualified to vote on the present by-law be taken by the Clerk, George P. Hughes, as Returning Officer on Monday, 11th December, 1899, commencing at the hour of nine in the forenoon and continuing until five in the afternoon, at the Town Hall in the village of Tottenham.

(7). That on Friday, the 8th day of December, 1899, at the hour of 7 o'clock in the afternoon, at the office of the Clerk of the said village, on Queen Street, the Reeve shall appoint in writing two persons to attend the final summing up of the votes by the Clerk, and one person to attend the poll on behalf of persons interested in and desirous of promoting the passing of this by-law, and one person on behalf of the persons interested in and desirous of opposing the passing of this by-law.

(8). That the Clerk of the Municipal Council of said village shall attend at his office on Queen Street in said village immediately after the closing of the poll and sum up the number of votes given for and against this by-law.

(9). This by-law shall not come into force and effect until an Act is passed by the Legislature of the Province of Ontario sanctioning and legalizing the same.

(10). This by-law shall come into force and take effect on the passing of the said Act sanctioning and legalizing the same.

This by-law was passed at a regular open meeting of the Municipal Council of the said village of Tottenham, this day of December, A.D., 1899.

WM. HAMWELL, Reeve.

G. P. HUGHES, Clerk.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to confirm By-law No. 115 of the
Village of Tottenham.

| | |
|----------------|-------|
| First Reading, | 1900. |
|----------------|-------|

(Private Bill).

Mr. LITTLE.

TORONTO:

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act to confirm By-Law No. 115 of the Corporation of the Village of Tottenham.

WHEREAS, the *Municipal* Corporation of the Village of Preamble. Tottenham has by Petition represented that the ^{and} council of the ^{the} said Corporation passed a by-law numbered 115, wherein it was enacted that the said Corporation might borrow \$16,000, and loan \$15,000 of the amount ^{and} so borrowed ^{to} to one James Steele to assist him in the erection and equipment of a furniture factory in the said Village of Tottenham, and ^{and} apply the remaining ^{the} \$1,000 to pay for a site for the said factory within the limits of the said Village and for the necessary grading for a railway switch or siding to the said factory, and for the levelling of ground necessary *therefor* and to pay the expense of procuring ^{and} the passing of an ^{the} Act to confirm the said by-law; and whereas the said by-law also provides for exemption from taxes (other than school taxes) for the period of ten years of the land, buildings (other than residences), plant and machinery in connection with the said factory, all of which is set forth in said by-law; and whereas there is no other industry of a similar nature established within the limits of the said Corporation; and whereas the said by-law was submitted to a vote of the ratepayers ^{and} of the said village ^{is} entitled to vote on money by-laws as provided by *The Municipal Act*, and two-thirds of the ratepayers qualified to vote as aforesaid voted in favour of the said by-law; and whereas the said Corporation has by its petition prayed that the said by-law may be confirmed and declared legal and valid; ^{and} and whereas no opposition has been offered by or on behalf of any ratepayer of the said Village or otherwise to the said petition; and whereas it is expedient to grant the prayer of the said petition;

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The said By-law Numbered 115 of the Corporation of the village of Tottenham, as set out in Schedule "A" to this Act, is confirmed and declared to be *legal*, valid and binding ^{and} upon the said Municipal Corporation and the ratepayers thereof; ^{the} and all acts done or to be ^{done} done, and all payments made or to be made by the said Corporation, pursuant to the said by-law By-law No. 115, loan to James Steele furniture works confirmed.

are hereby declared to be valid and binding, anything in any Act passed by this Legislature to the contrary notwithstanding.

Mortgage to secure a loan to be deemed a mortgage of real estate.

2. The mortgage to be given to the said Corporation by the said James Steele on the buildings, engine, machinery, furniture, and every other thing in connection with the said buildings and business to secure repayment of the said loan of \$15,000 as provided in said by-law, shall be deemed to be a land mortgage, and shall not require to comply with the provisions of ~~the~~ *The Bills of Sale and Chattel Mortgage Act* and amending Acts, and the registration of the said mortgage in the Registry Office for the County of Simcoe shall be sufficient notice of such mortgage to all persons whomsoever regarding the chattel property included in and intended to be covered by such mortgage, and ~~the~~ the said *The Bills of Sale and Chattel Mortgage Act* and any Act in amendment thereof shall in no way apply to or be binding in reference to the said mortgage.

Registration of mortgages Rev. Stat. 148.

Agreement with Steele confirmed.

3. And it is further enacted that the agreement in writing entered into between the said Corporation of the village of Tottenham and the said James Steele regarding the matters contained, or referred to, in the said by-law be and the same is hereby legalized and confirmed. ~~and~~ Provided, however, that nothing in the said agreement contained shall affect the assessment of the lands, buildings, machinery, appurtenances and stock in the said agreement described or referred to for school purposes and the said lands, buildings, machinery, appurtenances and stock shall in all respects be assessed for and be liable to taxes for school purposes in the same manner and to the same extent as if the said agreement had not been entered into. ~~and~~

SCHEDULE A.

BY-LAW No. 115.

(Section 1.)

A By-Law to authorize the Municipal Council of the Corporation of the village of Tottenham to borrow \$16,000.00 and to loan \$15,000.00 of said amount to one James Steele of the City of Montreal, in the Province of Quebec, Furniture Dealer, to assist him in the erection and equipment of a furniture factory and to pay for a site for said factory and do the necessary grading for a railway switch or siding to said factory, also to exempt from taxes, (other than school taxes,) for the period of ten years, the lands, buildings, (other than residences,) plant and machinery in connection with said factory. The extra \$1,000.00, over and above the \$15,000.00 thus to be loaned, to be applied by the Municipal Council of the Corporation of the village of Tottenham in paying for the grading and necessary expenses incurred in placing a convenient siding and switch, and for the expenses necessary in bringing this by-law before the Legislature of the Province of Ontario in order to get the consent and sanction of the said legislature.

Whereas the erection of a furniture factory in the village of Tottenham would give employment to a great many residents of said Village, and the establishment of the business will necessitate the employment of a large number of hands, and is confidently expected to conduce very much to the prosperity of said village, and it is deemed wise to assist in the furtherance of this enterprise :

And whereas the said James Steele has made in writing the following proposals to the Municipal Council of said village of Tottenham :—

(1). To build and equip a furniture factory for home and export trade, said building to be a two story high, solid brick building, 50x100 feet, with three annex suitable buildings, 25x50 feet each, of a cheaper construction, or 75x125 feet, three story high, with one such annex building.

(2). Fully equip and furnish said factory with a seventy-five horsepower engine and all other best modern machinery necessary to manufacture and to carry on export trade of furniture, and to always leave at said factory at least three thousand dollars' worth of lumber and two thousand dollars worth of hardware and varnish, besides the other necessary materials and tools and machinery to be used in the carrying out of said enterprise.

(3). To give, as security, for the loans hereinafter mentioned my own personal bond, and also a first mortgage on the said buildings, engine, lumber, hardware, varnish, machinery and furniture and every other thing in connection with said buildings and business. To insure buildings, machinery, etc., to the extent of loan in favor of Corporation.

(4). To lose no time in the erection, completion and furnishing of said buildings and put the same into operation as soon as completed, and to always keep employed at work in said buildings during the ten years hereinafter referred to from thirty-five to fifty men.

These proposals are made by Mr. Steele on the following conditions ; namely :—

The Municipal Council of the Corporation of the village of Tottenham to

(1). Grant a free site of about two acres of land in a location in the village where a railway siding can be put in from the main railway line, the said site to be levelled and siding graded.

(2). Give me a loan of \$10,000.00 for ten years without interest, \$1,000.00 of it to be paid back annually until paid, and also a loan of \$5,000.00 to bear interest at four per cent. per annum, payable in ten equal annual payments, with interest as aforesaid.

(3). To exempt from taxation the said buildings, contents and business for the said period of ten years.

(4). To give me the privilege of paying back the said \$10,000.00 and \$5,000.00 and interest any time after the expiration of one year after the said factory will be in operation and reserve my right as to exemption from taxation.

(5). To be granted a deed and conveyance of said land, factory and machinery, etc., whenever all of said loans and interest will be paid.

And whereas the said Municipal Council of the Corporation of the village of Tottenham has been petitioned by a majority of the freeholders in the said village of Tottenham to submit a by-law on the terms proposed by said James Steele ;

And whereas it has been decided by the Municipal Council of the Corporation of the village of Tottenham to make application to the Legislature of the Province of Ontario for such legislation as may be necessary to empower and authorize the said Municipal Council of the Corporation of the village of Tottenham to issue debentures or bonds of the said village to the amount of \$16,000.00, with interest at the rate of four per cent. per annum, repayable in ten equal annual instalments of principal and interest, and by said Act to legalize this by-law and to enable the said municipal corporation to do all that may be necessary in that behalf :

And whereas the said James Steele, in order to secure the said municipal corporation, has agreed that he will give his personal bond and also a first mortgage on the buildings, engine, lumber, hardware, varnish, machinery and every other thing in connection with said building and business, and will insure and keep insured during the continuance of this loan the building, machinery, etc., to the extent of the said loan in favor of the corporation, as set forth in his proposal, hereinbefore set forth, and in addition to the above mentioned security will give a mortgage on four acres of land adjoining the site on which the factory is to be erected.

And whereas it has been determined to borrow the said sum of \$16,000.00 upon debentures repayable by annual instalments during the period of ten years, and it will be necessary to raise by special rate in each of said years the sums for principal and interest respectively hereinafter set forth, for the purpose of paying the said debt and interest thereon at the rate of four per cent. per annum ;

And whereas the amount of the whole rateable property of the said municipality, according to the last revised assessment roll, is \$122,695.00 ;

And whereas the amount of the existing debenture debt of the said village of Tottenham is the sum of \$3,300.00, and none of the same nor the interest thereon is in arrear ;

And whereas the said Municipal Council deems it necessary to submit this by-law to the vote of the duly qualified ratepayers of the said village ;

Now, therefore, the Municipal Council of the Corporation of the village of Tottenham enact as follows :

1). That after the said James Steele shall have entered into a binding contract with said Municipal Corporation to carry out and perform on his part the agreements and stipulations to be performed on his part, which said agreement shall be registered in the Registry Office of the county of Simcoe, and it shall be declared by the Act of the Legislature or the Province of Ontario hereinbefore mentioned that the said machinery and plant, engine, lumber, varnish and hardware are to be considered real estate and not to come under the operation of the Act respecting Bills of Sale and Chattel Mortgages so that no instrument respecting them shall need to be registered in the Office of the Clerk of the County Court of the County of Simcoe.

(2). It shall and may be lawful for the said Municipal Council to assist the said James Steele by paying the cost of the land occupied by the said factory as a site for said furniture factory and other buildings and premises, the price to be paid for said site not to exceed \$200.00.

(3). The said lands and the buildings, (not including residences), and the machinery and plant and other personal property of the said James Steel and his successors shall be exempt from payment of all taxes and rates assessable for said municipality for any purpose whatsoever, (other than school taxes and local improvements), for a period of ten years from the 31st December, 1899, provided that said James Steele or his successors shall have so long continued to carry on his or their business on said premises.

(4). That the Reeve of the said village may borrow on the credit of the said Corporation of the said village of Tottenham the sum of \$16,000.00 and may issue debentures bearing the same date as that on which the Act legalizing this by-law shall come into force, for said amount in sums of not less than \$500.00 each, which shall be signed by the Reeve and countersigned by the Treasurer of said village and be made payable by annual instalments during the term of ten years, with interest at the rate of four per cent, payable yearly at the office of George P. Hughes, Banker, Tottenham, the coupons for interest to be signed by said Treasurer.

(5). For the purpose of repaying the said sum of \$16,000.00 and interest, as aforesaid, there shall be raised and levied during each year of said period of ten years by special rate upon all property of said municipality, liable therefor, over and above all other rates, whatsoever, the sum of \$1,972.65, the respective amounts of principal and interest during each of said years being as follows, to wit, the first day of March in each year.

| Year. | Principal. | Interest. | Total. |
|-----------|------------|-----------|------------|
| 1901..... | \$1,332 65 | \$640 00 | \$1,972 65 |
| 1902..... | 1,385 72 | 586 93 | 1,972 65 |
| 1903..... | 1,441 40 | 531 25 | 1,972 65 |
| 1904..... | 1,499 05 | 473 60 | 1,972 65 |
| 1905..... | 1,559 02 | 413 63 | 1,972 65 |
| 1906..... | 1,621 38 | 351 27 | 1,972 65 |
| 1907..... | 1,686 23 | 286 42 | 1,972 65 |
| 1908..... | 1,753 68 | 218 97 | 1,972 65 |
| 1909..... | 1,823 83 | 148 82 | 1,972 65 |
| 1910..... | 1,896 78 | 75 87 | 1,972 65 |

(6). That the vote of the electors of the said village qualified to vote on the present by-law be taken by the Clerk, George P. Hughes, as Returning Officer on Monday, 11th December, 1899, commencing at the hour of nine in the forenoon and continuing until five in the afternoon, at the Town Hall in the village of Tottenham.

(7). That on Friday, the 8th day of December, 1899, at the hour of 7 o'clock in the afternoon, at the office of the Clerk of the said village, on Queen Street, the Reeve shall appoint in writing two persons to attend the final summing up of the votes by the Clerk, and one person to attend the poll on behalf of persons interested in and desirous of promoting the passing of this by-law, and one person on behalf of the persons interested in and desirous of opposing the passing of this by-law.

(8). That the Clerk of the Municipal Council of said village shall attend at his office on Queen Street in said village immediately after the closing of the poll and sum up the number of votes given for and against this by-law.

(9). This by-law shall not come into force and effect until an Act is passed by the Legislature of the Province of Ontario sanctioning and legalizing the same.

(10). This by-law shall come into force and take effect on the passing of the said Act sanctioning and legalizing the same.

This by-law was passed at a regular open meeting of the Municipal Council of the said village of Tottenham, this day of December, A.D., 1899.

WM. HAMWELL, Reeve.

G. P. HUGHES, Clerk.

SCHEDULE B.

(Section 3.)

This agreement made in triplicate this day of April, 1900, between James Steel, of the city of Montreal, in the Province of Quebec, wholesale furniture dealer, of the first part, and the Corporation of the Village of Tottenham, in the County of Simcoe, hereinafter called "the corporation," of the second part.

Whereas the said James Steel has proposed to the said Corporation to erect a furniture factory in the Village of Tottenham, subject to certain conditions hereinafter set forth, and

Whereas the said Corporation has obtained the consent of the duly qualified ratepayers of the said Village and subject to the approval of the Legislature of the Province of Ontario, have agreed to advance the sum of \$15,000 for the erection and equipment of the said factory, subject to the conditions hereinafter set forth.

Now this agreement witnesseth,

1. The said James Steel agrees first to build and equip a furniture factory for home and export trade, said building to be a two story high, solid brick building, 50x100 feet, with three annex suitable buildings,

25x50 feet each, of a cheaper construction, or 75x125 feet, three story high, with one such annex building.

2. Fully equip and furnish said factory with a seventy-five horse-power engine and all other best modern machinery necessary to manufacture and to carry on export trade of furniture, and to leave at said factory at least three thousand dollars' worth of lumber and two thousand dollars worth of hardware and varnish, besides the other necessary materials and tools and machinery to be used in the carrying out of said enterprise.

3. To give as security for the loans hereinafter mentioned his own personal bond and upon the completion of the works a first mortgage on the said buildings, engine, lumber, hardware, varnish, machinery and furniture and every other thing in connection with said buildings and business. To insure buildings, machinery, etc., to the extent of loan in favor of Corporation.

4. To lose no time in the erection, completion and furnishing of said buildings and put the same into operation as soon as completed, and to always keep employed at work in said buildings during the ten years hereinafter referred to from thirty-five to fifty men.

In consideration of the foregoing the said Corporation agrees :

1. To grant a free site of about two acres of land in a location in the Village where a railway siding can be put in from the main railway line, the said site to be levelled and siding graded.

2. Give the said James Steel a loan of \$10,000 for ten years without interest, \$1 000 of it to be paid back annually until paid, and also a loan of \$5,000 to bear interest at four per cent. per annum, payable in ten equal annual payments with interest as aforesaid.

3. To exempt from taxation the said buildings, contents and business for the said period of ten years.

4. To give the said James Steel the privilege of paying back the said \$10,000 and \$5,000 and interest any time after the expiration of one year after the said factory will be in operation and reserve any right as to exemption from taxation.

5. To grant the said James Steel a deed of conveyance of said land, factory, machinery, etc., whenever all of the said loans and interest has been fully repaid.

In witness whereof the parties have hereinto set their hands and seals on the day and year first hereinbefore written.

| | | |
|---|---|---------------------|
| <p>Witness to the signature of James Steel, SUMUEL J. SUCK, Clerk, 117 Temple Bldg., Montreal. FRED. H. MARKEY, Advocate, Montreal.</p> | } | <p>JAMES STEEL.</p> |
|---|---|---------------------|

| | | |
|---|---|--|
| <p>Witness as to execution of William Hammel, Reeve, GEOR. P. HUGHES, Clerk.</p> | } | <p>WM. HAMMEL, Reeve.</p> |
|---|---|--|

I, Frederick Henry Markey of the City and District of Montreal do solemnly declare :

1. That I was present and did see the annexed deed signed and executed by James Steel, the party thereto of the first part.

2. That I know the said James Steel and know that the signature attached thereto is his true and genuine signature.

And I make this solemn declaration conscientiously believing the same to be true and well knowing that it is of the same force and effect as if made under oath and by virtue of *The Canada Evidence Act, 1893*.

| | | |
|--|---|-------------------------|
| <p>Declared before me at the City of Montreal, this 4th day of April, 1900. P. W. SMITH, A Commissioner for taking affidavits in the Province of Quebec, for use in the Province of Ontario.</p> | } | <p>FRED. H. MARKEY.</p> |
|--|---|-------------------------|

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to confirm By-law No. 115 of the
Village of Tottenham.

First Reading, 21st March, 1900.
Second Reading, 2nd April, 1900.

*(Reprinted as amended by Private Bills
Committee.)*

MR. LITTLE.

TORONTO:
PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act to confirm By-Law No. 115 of the Corporation of the Village of Tottenham.

WHEREAS, the *Municipal Corporation of the Village of Tottenham* has by Petition represented that the council of the said Corporation passed a by-law numbered 115, wherein it was enacted that the said Corporation might borrow \$16,000, and loan \$15,000 of the amount so borrowed to one James Steele to assist him in the erection and equipment of a furniture factory in the said Village of Tottenham, and apply the remaining \$1,000 to pay for a site for the said factory within the limits of the said Village and for the necessary grading for a railway switch or siding to the said factory, and for the levelling of ground necessary therefor and to pay the expense of procuring the passing of an Act to confirm the said by-law; and whereas the said by-law also provides for exemption from taxes (other than school taxes) for the period of ten years of the land, buildings (other than residences), plant and machinery in connection with the said factory, all of which is set forth in said by-law; and whereas there is no other industry of a similar nature established within the limits of the said Corporation; and whereas the said by-law was submitted to a vote of the ratepayers of the said village entitled to vote on money by-laws as provided by *The Municipal Act*, and two-thirds of the ratepayers qualified to vote as aforesaid voted in favour of the said by-law; and whereas the said Corporation has by its petition prayed that the said by-law may be confirmed and declared legal and valid; and whereas no opposition has been offered by or on behalf of any ratepayer of the said Village or otherwise to the said petition; and whereas it is expedient to grant the prayer of the said petition;

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The said By-law Numbered 115 of the Corporation of the village of Tottenham, as set out in Schedule "A" to this Act, is confirmed and declared to be *legal*, valid and binding upon the said Municipal Corporation and the ratepayers thereof; and all acts done or to be done, and all payments made or to be made by the said Corporation, pursuant to the said by-law

By-law No. 115, loan to James Steele furniture works confirmed.

are hereby declared to be valid and binding, anything in any Act passed by this Legislature to the contrary notwithstanding.

Mortgage to secure a loan to be deemed a mortgage of real estate.

2. The mortgage to be given to the said Corporation by the said James Steele on the buildings, engine, machinery, furniture, and every other thing in connection with the said buildings and business to secure repayment of the said loan of \$15,000 as provided in said by-law, shall be deemed to be a land mortgage, and shall not require to comply with the provisions of ~~the~~ *The Bills of Sale and Chattel Mortgage Act* and amending Acts, and the registration of the said mortgage in the Registry Office for the County of Simcoe shall be sufficient notice of such mortgage to all persons whomsoever regarding the chattel property included in and intended to be covered by such mortgage, and ~~the~~ the said *The Bills of Sale and Chattel Mortgage Act* and any Act in amendment thereof shall in no way apply to or be binding in reference to the said mortgage.

Registration of mortgages Rev.Stat. 148.

Agreement with Steele confirmed.

3. And it is further enacted that the agreement in writing entered into between the said Corporation of the Village of Tottenham and the said James Steele regarding the matters contained, or referred to, in the said by-law be and the same is hereby legalized and confirmed. ~~And~~ Provided, however, that nothing in the said agreement contained shall affect the assessment of the lands, buildings, machinery, appurtenances and stock in the said agreement described or referred to for school purposes and the said lands, buildings, machinery, appurtenances and stock shall in all respects be assessed for and be liable to taxes for school purposes in the same manner and to the same extent as if the said agreement had not been entered into.

~~And~~ 4. After the execution and delivery of the said mortgage the Municipal Corporation of the Village of Tottenham may advance upon the said mortgage the said sum of \$15,000 in such sums from time to time as the municipal council of the said village may deem proper as the building and equipment of the said furniture factory shall progress, having regard to the progress of the work and the value from time to time of the work done and the cost of completing the same, and the municipal corporation shall not be required to advance the whole of the said sum of \$15,000 until the said furniture factory has been built, equipped and furnished as set out in the said agreement.

SCHEDULE A.

BY-LAW No. 115.

(Section 1.)

A By-Law to authorize the Municipal Council of the Corporation of the village of Tottenham to borrow \$16,000.00 and to loan \$15,000.00 of

said amount to one James Steele of the City of Montreal, in the Province of Quebec, Furniture Dealer, to assist him in the erection and equipment of a furniture factory and to pay for a site for said factory and do the necessary grading for a railway switch or siding to said factory, also to exempt from taxes, (other than school taxes,) for the period of ten years, the lands, buildings, (other than residences,) plant and machinery in connection with said factory. The extra \$1,000.00, over and above the \$15,000.00 thus to be loaned, to be applied by the Municipal Council of the Corporation of the village of Tottenham in paying for the grading and necessary expenses incurred in placing a convenient siding and switch, and for the expenses necessary in bringing this by-law before the Legislature of the Province of Ontario in order to get the consent and sanction of the said legislature.

Whereas the erection of a furniture factory in the village of Tottenham would give employment to a great many residents of said Village, and the establishment of the business will necessitate the employment of a large number of hands, and is confidently expected to conduce very much to the prosperity of said village, and it is deemed wise to assist in the furtherance of this enterprise ;

And whereas the said James Steele has made in writing the following proposals to the Municipal Council of said village of Tottenham :—

(1). To build and equip a furniture factory for home and export trade, said building to be a two story high, solid brick building, 50x100 feet, with three annex suitable buildings, 25x50 feet each, of a cheaper construction, or 75x125 feet, three story high, with one such annex building.

(2). Fully equip and furnish said factory with a seventy-five horse-power engine and all other best modern machinery necessary to manufacture and to carry on export trade of furniture, and to always leave at said factory at least three thousand dollars' worth of lumber and two thousand dollars worth of hardware and varnish, besides the other necessary materials and tools and machinery to be used in the carrying out of said enterprise.

(3). To give, as security, for the loans hereinafter mentioned my own personal bond, and also a first mortgage on the said buildings, engine, lumber, hardware, varnish, machinery and furniture and every other thing in connection with said buildings and business. To insure buildings, machinery, etc., to the extent of loan in favor of Corporation.

(4). To lose no time in the erection, completion and furnishing of said buildings and put the same into operation as soon as completed, and to always keep employed at work in said buildings during the ten years hereinafter referred to from thirty-five to fifty men.

These proposals are made by Mr. Steele on the following conditions ; namely :—

The Municipal Council of the Corporation of the village of Tottenham to

(1). Grant a free site of about two acres of land in a location in the village where a railway siding can be put in from the main railway line, the said site to be levelled and siding graded.

(2). Give me a loan of \$10,000.00 for ten years without interest, \$1,000.00 of it to be paid back annually until paid, and also a loan of \$5,000.00 to bear interest at four per cent. per annum, payable in ten equal annual payments, with interest as aforesaid.

(3). To exempt from taxation the said buildings, contents and business for the said period of ten years.

(4). To give me the privilege of paying back the said \$10,000.00 and \$5,000.00 and interest any time after the expiration of one year after the said factory will be in operation and reserve my right as to exemption from taxation.

(5). To be granted a deed and conveyance of said land, factory and machinery, etc., whenever all of said loans and interest will be paid.

And whereas the said Municipal Council of the Corporation of the vil-

lage of Tottenham has been petitioned by a majority of the freeholders in the said village of Tottenham to submit a by-law on the terms proposed by said James Steele ;

And whereas it has been decided by the Municipal Council of the Corporation of the village of Tottenham to make application to the Legislature of the Province of Ontario for such legislation as may be necessary to empower and authorize the said Municipal Council of the Corporation of the village of Tottenham to issue debentures or bonds of the said village to the amount of \$16,000.00, with interest at the rate of four per cent. per annum, repayable in ten equal annual instalments of principal and interest, and by said Act to legalize this by-law and to enable the said municipal corporation to do all that may be necessary in that behalf :

And whereas the said James Steele, in order to secure the said municipal corporation, has agreed that he will give his personal bond and also a first mortgage on the buildings, engine, lumber, hardware, varnish, machinery and every other thing in connection with said building and business, and will insure and keep insured during the continuance of this loan the building, machinery, etc., to the extent of the said loan in favor of the corporation, as set forth in his proposal, hereinbefore set forth, and in addition to the above mentioned security will give a mortgage on four acres of land adjoining the site on which the factory is to be erected.

And whereas it has been determined to borrow the said sum of \$16,000.00 upon debentures repayable by annual instalments during the period of ten years, and it will be necessary to raise by special rate in each of said years the sums for principal and interest respectively hereinafter set forth, for the purpose of paying the said debt and interest thereon at the rate of four per cent. per annum ;

And whereas the amount of the whole rateable property of the said municipality, according to the last revised assessment roll, is \$122,695.00 ;

And whereas the amount of the existing debenture debt of the said village of Tottenham is the sum of \$3,300.00, and none of the same nor the interest thereon is in arrear ;

And whereas the said Municipal Council deems it necessary to submit this by-law to the vote of the duly qualified ratepayers of the said village ;

Now, therefore, the Municipal Council of the Corporation of the village of Tottenham enact as follows :

1). That after the said James Steele shall have entered into a binding contract with said Municipal Corporation to carry out and perform on his part the agreements and stipulations to be performed on his part, which said agreement shall be registered in the Registry Office of the county of Simcoe, and it shall be declared by the Act of the Legislature or the Province of Ontario hereinbefore mentioned that the said machinery and plant, engine, lumber, varnish and hardware are to be considered real estate and not to come under the operation of the Act respecting Bills of Sale and Chattel Mortgages so that no instrument respecting them shall need to be registered in the Office of the Clerk of the County Court of the County of Simcoe.

(2). It shall and may be lawful for the said Municipal Council to assist the said James Steele by paying the cost of the land occupied by the said factory as a site for said furniture factory and other buildings and premises, the price to be paid for said site not to exceed \$200.00.

(3). The said lands and the buildings, (not including residences), and the machinery and plant and other personal property of the said James Steel and his successors shall be exempt from payment of all taxes and rates assessable for said municipality for any purpose whatsoever, (other than school taxes and local improvements), for a period of ten years from the 31st December, 1899, provided that said James Steele or his successors shall have so long continued to carry on his or their business on said premises.

(4). That the Reeve of the said village may borrow on the credit of the said Corporation of the said village of Tottenham the sum of \$16,000.00

and may issue debentures bearing the same date as that on which the Act legalizing this by-law shall come into force, for said amount in sums of not less than \$500.00 each, which shall be signed by the Reeve and countersigned by the Treasurer of said village and be made payable by annual instalments during the term of ten years, with interest at the rate of four per cent, payable yearly at the office of George P. Hughes, Banker, Tottenham, the coupons for interest to be signed by said Treasurer.

(5). For the purpose of repaying the said sum of \$16,000.00 and interest, as aforesaid, there shall be raised and levied during each year of said period of ten years by special rate upon all property of said municipality, liable therefor, over and above all other rates, whatsoever, the sum of \$1,972.65, the respective amounts of principal and interest during each of said years being as follows, to wit, the first day of March in each year.

| Year. | Principal. | Interest. | Total. |
|-----------|------------|-----------|------------|
| 1901..... | \$1,332 65 | \$640 00 | \$1,972 65 |
| 1902..... | 1,385 72 | 586 93 | 1,972 65 |
| 1903..... | 1,441 40 | 531 25 | 1,972 65 |
| 1904..... | 1,499 05 | 473 60 | 1,972 65 |
| 1905..... | 1,559 02 | 413 63 | 1,972 65 |
| 1906..... | 1,621 38 | 351 27 | 1,972 65 |
| 1907..... | 1,686 23 | 286 42 | 1,972 65 |
| 1908..... | 1,753 68 | 218 97 | 1,972 65 |
| 1909..... | 1,823 83 | 148 82 | 1,972 65 |
| 1910..... | 1,896 78 | 75 87 | 1,972 65 |

(6). That the vote of the electors of the said village qualified to vote on the present by-law be taken by the Clerk, George P. Hughes, as Returning Officer on Monday, 11th December, 1899, commencing at the hour of nine in the forenoon and continuing until five in the afternoon, at the Town Hall in the village of Tottenham.

(7). That on Friday, the 8th day of December, 1899, at the hour of 7 o'clock in the afternoon, at the office of the Clerk of the said village, on Queen Street, the Reeve shall appoint in writing two persons to attend the final summing up of the votes by the Clerk, and one person to attend the poll on behalf of persons interested in and desirous of promoting the passing of this by-law, and one person on behalf of the persons interested in and desirous of opposing the passing of this by-law.

(8). That the Clerk of the Municipal Council of said village shall attend at his office on Queen Street in said village immediately after the closing of the poll and sum up the number of votes given for and against this by-law.

(9). This by-law shall not come into force and effect until an Act is passed by the Legislature of the Province of Ontario sanctioning and legalizing the same.

(10). This by-law shall come into force and take effect on the passing of the said Act sanctioning and legalizing the same.

This by-law was passed at a regular open meeting of the Municipal Council of the said village of Tottenham, this day of December, A.D., 1899.

WM. HAMMELL, Reeve.

G. P. HUGHES, Clerk.

SCHEDULE B.

(Section 3.)

This agreement made in triplicate this day of April, 1900, between James Steel, of the city of Montreal, in the Province of Quebec, wholesale furniture dealer, of the first part, and the Corporation of the Village of Tottenham, in the County of Simcoe, hereinafter called "the corporation," of the second part.

Whereas the said James Steel has proposed to the said Corporation to erect a furniture factory in the Village of Tottenham, subject to certain conditions hereinafter set forth, and

Whereas the said Corporation has obtained the consent of the duly qualified ratepayers of the said Village and subject to the approval of the Legislature of the Province of Ontario, have agreed to advance the sum of \$15,000 for the erection and equipment of the said factory, subject to the conditions hereinafter set forth.

Now this agreement witnesseth,

1. The said James Steel agrees first to build and equip a furniture factory for home and export trade, said building to be a two story high, solid brick building, 50x100 feet, with three annex suitable buildings, 25x50 feet each, of a cheaper construction, or 75x125 feet, three story high, with one such annex building.

2. Fully equip and furnish said factory with a seventy-five horse-power engine and all other best modern machinery necessary to manufacture and to carry on export trade of furniture, and to leave at said factory at least three thousand dollars' worth of lumber and two thousand dollars worth of hardware and varnish, besides the other necessary materials and tools and machinery to be used in the carrying out of said enterprise.

3. To give as security for the loans hereinafter mentioned his own personal bond and upon the completion of the works a first mortgage on the said buildings, engine, lumber, hardware, varnish, machinery and furniture and every other thing in connection with said buildings and business. To insure buildings, machinery, etc., to the extent of loan in favor of Corporation.

4. To lose no time in the erection, completion and furnishing of said buildings and put the same into operation as soon as completed, and to always keep employed at work in said buildings during the ten years hereinafter referred to from thirty-five to fifty men.

In consideration of the foregoing the said Corporation agrees :

1. To grant a free site of about two acres of land in a location in the Village where a railway siding can be put in from the main railway line, the said site to be levelled and siding graded.

2. Give the said James Steel a loan of \$10,000 for ten years without interest, \$1,000 of it to be paid back annually until paid, and also a loan of \$5,000 to bear interest at four per cent. per annum, payable in ten equal annual payments with interest as aforesaid.

3. To exempt from taxation the said buildings, contents and business for the said period of ten years.

4. To give the said James Steel the privilege of paying back the said \$10,000 and \$5,000 and interest any time after the expiration of one year after the said factory will be in operation and reserve any right as to exemption from taxation.

5. To grant the said James Steel a deed of conveyance of said land, factory, machinery, etc., whenever all of the said loans and interest has been fully repaid.

In witness whereof the parties have hereinto set their hands and seals on the day and year first hereinbefore written.

Witness to the signature of James Steel,
 SUMUEL J. SUCK,
 Clerk, 117 Temple Bldg., Montreal.
 FRED. H. MARKEY,
 Advocate, Montreal.

JAMES STEEL.

Witness as to execution of William
 Hammel, Reeve,
 GEOR. P. HUGHES,
 Clerk,

WM. HAMMELL,
 Reeve.

I, Frederick Henry Markey of the City and District of Montreal, do solemnly declare :

1. That I was present and did see the annexed deed signed and executed by James Steel, the party thereto of the first part.

2. That I know the said James Steel and know that the signature attached thereto is his true and genuine signature.

And I make this solemn declaration conscientiously believing the same to be true and well knowing that it is of the same force and effect as if made under oath and by virtue of *The Canada Evidence Act, 1893*.

Declared before me at the City of Montreal, this 4th day of April, 1900.

P. W. SMITH,

A Commissioner for taking affidavits in the Province of Quebec, for use in the Province of Ontario.

FRED. H. MARKEY.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to confirm By-law No. 115 of the
Village of Tottenham.

First Reading, 21st March, 1900.

Second Reading, 2nd April, 1900.

*(Reprinted as amended in Committee
of the Whole House.)*

Mr. LITTLE.

TORONTO :

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act Respecting the Corporation of the Town of
Preston.

WHEREAS the Municipal Corporation of the town of ^{Preamble.}
Preston has, by its petition, prayed for leave to aid in
the establishment of a furniture factory in the said town by
purchasing the buildings and premises now occupied by The
5 Mineral Springs Furniture Company, otherwise known as
“The M. S. Furniture Company,” and being all and singular
that certain parcel or tract of land and premises situate, lying
and being in the town of Preston, in the county of Waterloo,
containing by admeasurement three roods and two perches,
10 more or less, being the land and premises known as “The
Preston Carriage Factory property,” and heretofore owned by
John Nafe and conveying the said property to the said com-
pany upon such terms and conditions as to the municipal
council of the said corporation may seem advisable; and
15 whereas, a large number of the electors residing in the said
town of Preston, entitled to vote upon by-laws creating debts
not payable within one year from the creation thereof, have
requested the municipal council of the said corporation to take
the necessary steps to assist the said company by purchasing
20 for them the above described property and for such purpose to
apply for the passing of this Act; and whereas, it has been
made to appear that the proposed bonus or aid to the above-
named furniture company does not interfere with any other
business of the same nature in the said town and that the
25 other furniture factories, persons and companies engaged in the
manufacture of furniture are desirous that such assistance be
granted the said company; and whereas, it is expedient to
grant the prayer of the said petition.

Therefore Her Majesty by and with the advice and consent
30 of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. It shall be lawful for the town of Preston to pass a by- ^{Power to pass}
law for the purpose of raising, by way of loan on the credit of ^{by-law grant-}
the debentures of the said corporation, a sum not exceeding in ^{ing \$4,500 to}
Furniture Co.

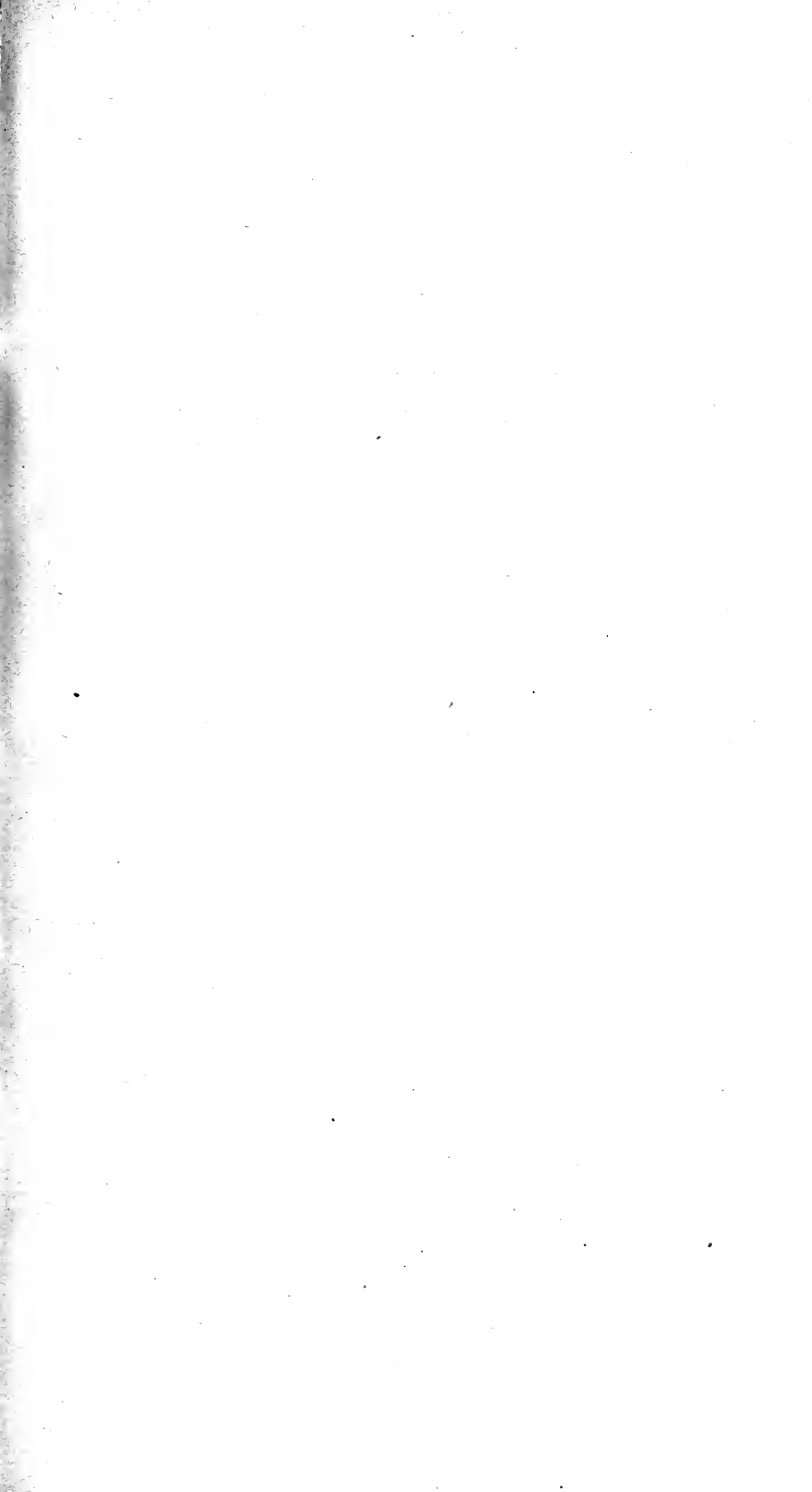
the whole forty-five hundred dollars, at a rate of interest not exceeding five per centum per annum from any person or persons, body or bodies corporate, who may be willing to advance the same for the purpose of aiding in the assistance of The Mineral Springs Furniture Company, otherwise known as "The M. S. Furniture Company," by the purchase of the above described buildings and premises now occupied by them. The said industry to be established upon the said lands and premises so to be purchased for it, which said aid may be granted by way of bonus to the said company for the purpose of carrying on the said furniture factory upon such terms and conditions as may be deemed advisable by the municipal council of the said corporation. 5 10

Proviso.

Provided, however, that such by-law shall, before being finally passed, be submitted to the votes of the electors entitled to vote upon by-laws creating debts not payable within one year from the creation thereof, and shall be approved by not less than two-thirds of the ratepayers qualified to vote on money by-laws under the provisions of "The Municipal Act" and the provisions as to procedure and otherwise contained in "The Municipal Act" respecting by-laws creating debts, shall apply to such by-law to be passed under the authority of this Act as if expressly incorporated therewith. 15 20

Power to enter into agreement with Furniture Co.

2. The said municipal corporation shall be and is hereby authorized to enter into such agreement with the said furniture company and to take such securities as the said municipal council may deem advisable for the due carrying out of the terms and conditions to be imposed by the said corporation upon the said company, who shall agree to establish and carry on the said furniture factory and to whom such aid shall be granted. 25 30



No. 25.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting the Corporation of the
Town of Preston.

| | |
|----------------|-------|
| First Reading, | 1900. |
|----------------|-------|

(Private Bill.)

Mr. KRIBBS.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting the Corporation of the Town of Preston.

WHEREAS the Municipal Corporation of the town of Preston has, by petition, prayed for *authority* to aid in the establishment of a furniture factory in the said town by purchasing the buildings and premises now occupied by The Mineral Springs Furniture Company, otherwise known as "The M. S. Furniture Company," and being all and singular that certain parcel or tract of land and premises situate, lying and being in the town of Preston, in the county of Waterloo, containing by admeasurement three roods and two perches, more or less, being the land and premises known as "The Preston Carriage Factory property," and heretofore owned by John Nafe, and conveying the said property to the said company upon such terms and conditions as to the municipal council of the said corporation may seem advisable; and whereas, a large number of the *ratepayers* residing in the said town of Preston; entitled to vote upon by-laws creating debts not payable within one year from the creation thereof, have requested the municipal council of the said corporation to take the necessary steps to assist the said company by purchasing and conveying to the said company the above described property and for such purpose to apply for the passing of this Act; and whereas, it has been made to appear that the proposed bonus or aid to the above-named furniture company does not interfere with any other business of the same nature in the said town, nor involve the removal to the said town of any industry already established elsewhere in the Province, and that the owners of the other furniture factories and persons and companies engaged in the manufacture of furniture are desirous that such assistance be granted the said company; and whereas it has been shown that the annual repayments of the loan made by the said corporation under the authority of by-law No. 263 of the said corporation, confirmed by Act of this Legislature 58th Victoria, Chapter 77, have been regularly made and it appears reasonable that the future accruing instalments of the said loan shall be taken into account in estimating the amount of the total annual levy for the principal and interest for grants of bonuses in aid of manufacturing industries; and whereas, it is expedient to grant the prayer of the said petition.

Therefore Her Majesty by and with the advice and consent

of the Legislative Assembly of the Province of Ontario, enacts as follows :

Power to pass
by-law grant-
ing \$4,500 to
Furniture Co.

1. Subject to the provisions of this Act, it shall be lawful for the town of Preston to pass a by-law for the purpose of raising, by way of loan on the credit of the debentures of the said corporation, a sum not exceeding in the whole four thousand five hundred dollars, at a rate of interest not exceeding five per centum per annum from any person or persons, body or bodies corporate, who may be willing to advance the same, for the purpose of aiding The Mineral Springs Furniture Company, otherwise known as "The M. S. Furniture Company," by the purchase and conveyance to the said company of the above described buildings and premises now occupied by the said company, so that the said industry may be established and carried on upon the said land and premises; and the said aid may be granted by way of bonus to the said company for the purpose of carrying on the said furniture factory upon such terms and conditions as may be deemed advisable by the municipal council of the said corporation.

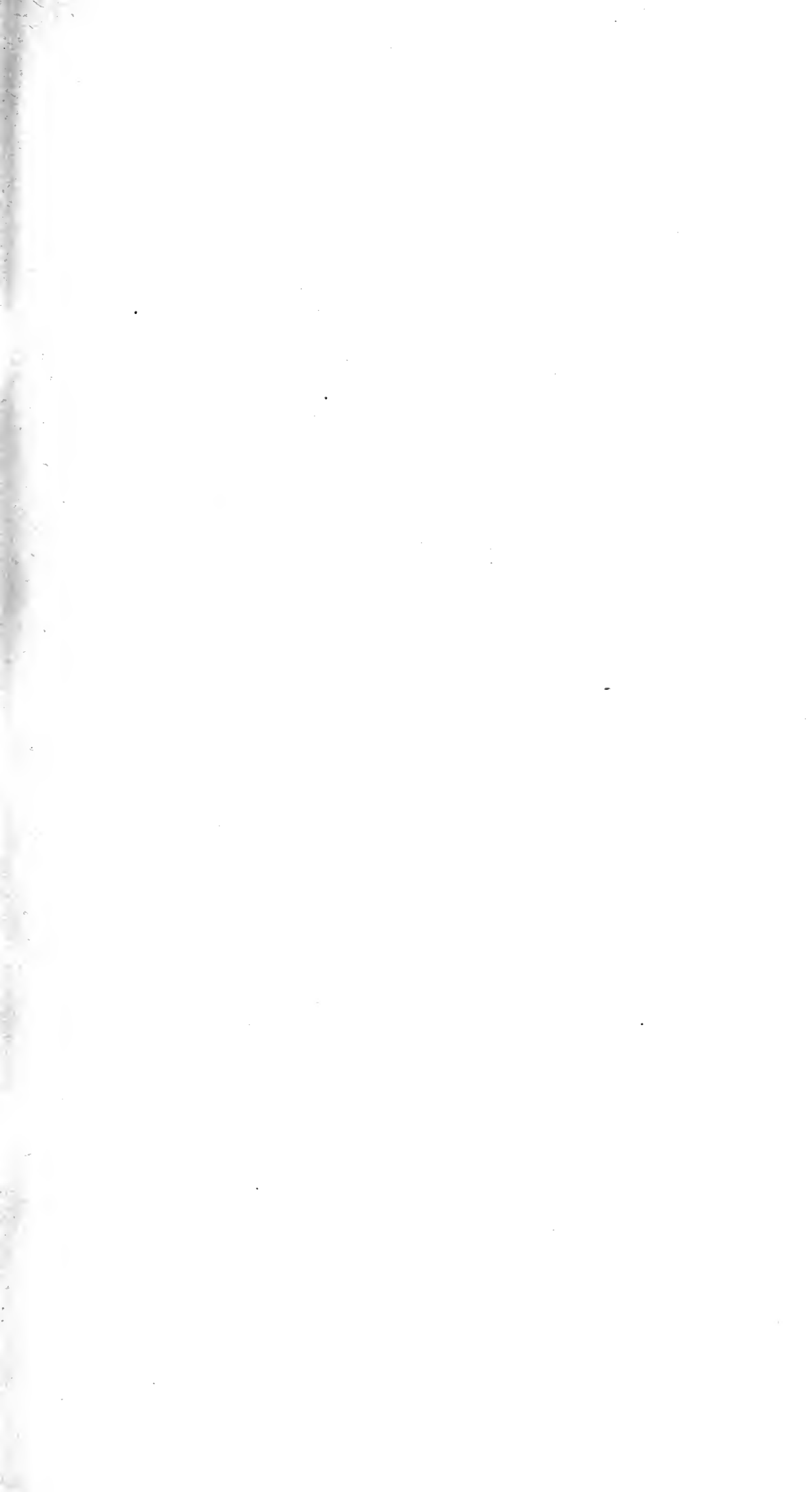
Proviso.

Provided, however, that such by-law shall, before being finally passed, be submitted to the votes of the electors entitled to vote upon by-laws creating debts not payable within one year from the creation thereof, and shall be approved by the vote in the affirmative of not less than two-thirds of the ratepayers qualified to vote on money by-laws under the provisions of "The Municipal Act;" and the provisions as to procedure and otherwise contained in "The Municipal Act;" respecting by-laws creating debts, shall apply to such by-law to be passed under the authority of this Act as if expressly incorporated therewith.

Power to enter
into agreement
with Furni-
ture Co.

2. The said municipal corporation shall be and is hereby authorized to enter into such agreement with the said company and to take such securities as the said municipal council may deem *necessary or* advisable for the due carrying out of the terms and conditions to be imposed by the said corporation upon the said company,

3. Notwithstanding anything in this Act contained it shall not be lawful for the said corporation to pass the said by-law or grant the said aid in manner aforesaid, if the granting of such bonus would for its payment together with the payments of similar bonuses already granted by the said corporation require an annual levy for principal and interest exceeding ten per cent. of the total annual municipal taxation of the said corporation; but for the purposes of this section it is hereby declared that only the difference between the annual amount raised under the said by-law No. 263 of the said corporation and the annual repayments on account of the loan made by the said corporation under the authority of the said by-law shall be taken into account in estimating the annual levy for principal and interest under the said by-law.



No. 25.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting the Corporation of the
Town of Preston.

First Reading, 6th March, 1900.

*(Reprinted as amended by the Private Bills
Committee)*

(Private Bill.)

Mr. KRIBS.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act to incorporate The Queenston, St. Catharines
and Port Dalhousie Electric Railway Company.

WHEREAS Isaac Usher and Isaac Hudson Usher, both of Preamble.

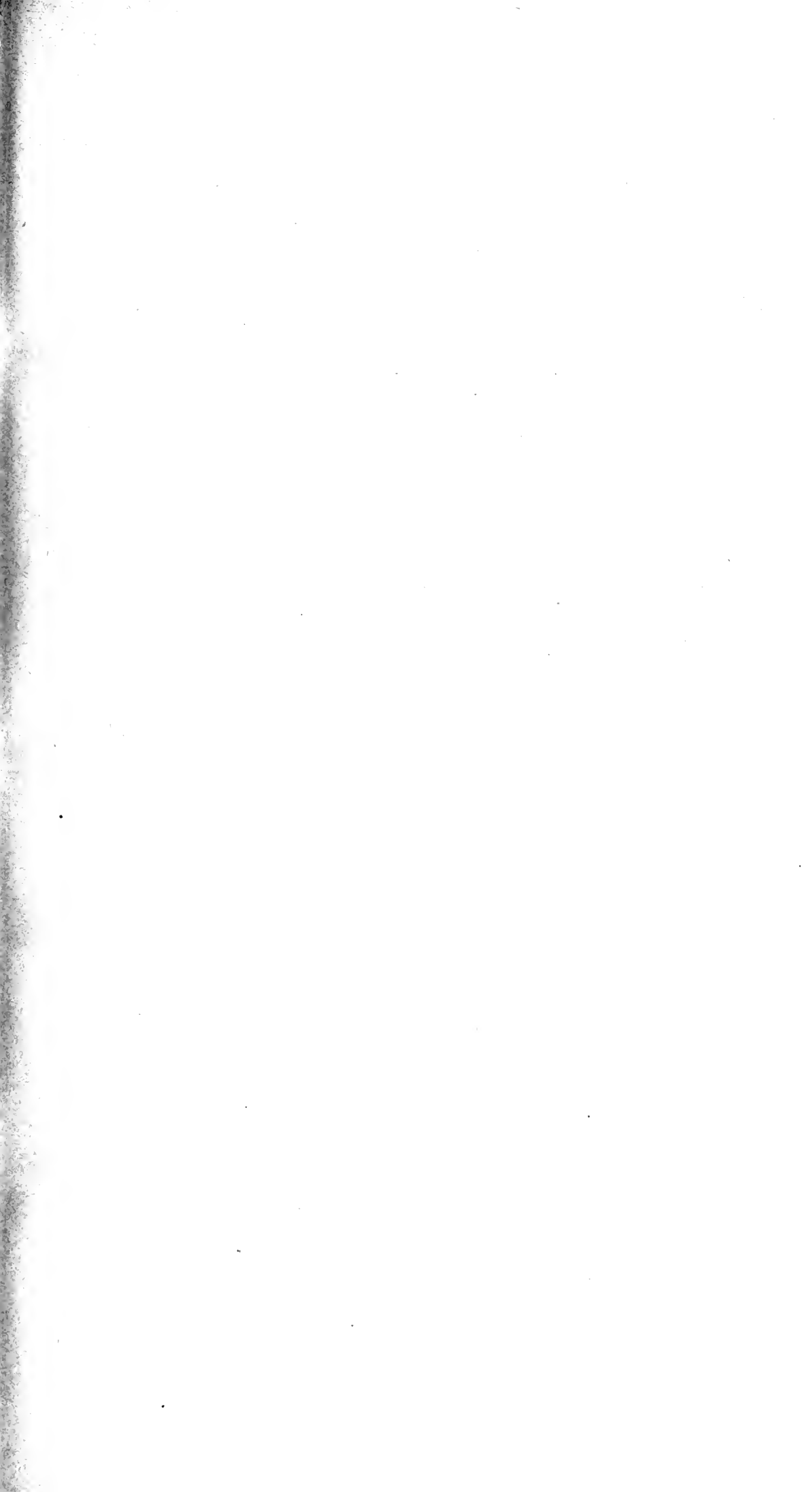
the village of Queenston, in the county of Lincoln, manufacturers; C. M. Lowery, merchant, and James Sheppherd, nurseryman, also of the said village of Queenston, and John
5 Flett, of the city of Toronto, wholesale merchant, have by their petition prayed for an act of incorporation under the name of The Queenston, St. Catharines and Port Dalhousie Electric Railway Company, for the purpose of constructing and operating an electric railway from some point in the village of
10 Queenston, in the county of Lincoln, passing through the townships of Niagara and Grantham to the city of St. Catharines and through the city of St. Catharines to the village of Port Dalhousie, all in the county of Lincoln; and whereas it is expedient to grant the prayer of the said petition;

15 Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Isaac Usher, Isaac Hudson Usher, C. M. Lowery, James Incorporation.
Sheppherd, all of the village of Queenston, in the county of
20 Lincoln; John Flett, of the city of Toronto, and such other persons and corporations as shall hereafter become shareholders in the said company, are hereby constituted a body corporate and politic, under the name of The Queenston, St. Catharines and Port Dalhousie Electric Railway Company.

25 2. The said company is hereby authorized and empowered Location of line.
to survey, lay out, construct, complete, alter and keep in repair a double or single track railway, with iron or steel rails, to be operated by electricity, from some point in the village of Queenston, in the county of Lincoln, through the townships of
30 Niagara and Grantham to the city of St. Catharines and through the city of St. Catharines to the village of Port Dalhousie, and said railway or any part thereof may be carried along and upon such public highways as may be authorized by the by-laws of the respective corporations having jurisdiction
35 over the same and subject to the restrictions therein and in *The Electric Railway Act* contained, and under and subject to any agreements made or hereafter to be made between the

- Rev. Stat. 209. said company and the councils of any of the said corporations
 " " 223. and between the company and the road companies (if any) in-
 terested in such highway; and the said company may make
 and enter into any agreements with any municipal corporation
 or road company as to the terms of occupancy of any street 5
 or highway, subject to the provisions and conditions contained
 in *The Electric Railway Act* and in *The Municipal Act* and
 any Act or Acts amending the same.
- Provisional directors. 3. The said Isaac Usher, Isaac Hudson Usher, C. M. Lowery,
 James Sheppherd and John Flett, with power to add to their 10
 number, shall be and are hereby constituted a board of provi-
 sional directors of the said company, and shall hold office as
 such until other directors shall be appointed under the provi-
 sions of this Act by the shareholders.
- Board meet- ings, where held. 4. All meetings of the provisional board of directors of the 15
 said company shall be held in the city of St Catharines, in the
 county of Lincoln, or at such other place as may best suit the
 interests of the said company.
- Capital stock. 5. The capital stock of the company hereby incorporated
 shall be \$100,000, to be divided into 1,000 shares of \$100 each. 20
- Board of directors. 6. The board of directors of the said company shall consist
 of persons who shall be elected in the manner and possess the
 qualifications prescribed by *The Electric Railway Act*.
- Head office. 7. The head office of the said company shall be at the city
 of St. Catharines. 25
- Rev. Stat. 209 incorporated herewith. 8. The several clauses of *The Electric Railway Act* and of
 every act in amendment thereof shall be incorporated with and
 be deemed to be part of this Act, and shall apply to the company,
 and to the railway to be constructed by them, except only so
 far as they may be inconsistent with the express enactments 30
 thereof, and the expression "this Act," when used herein, shall
 be understood to include the clauses of the said *Electric Rail-
 way Act*, and of every Act in amendment thereof so incorpor-
 ated with this Act.



No. 26.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to incorporate The Queenston, St. Catharines and Port Dalhousie Electric Railway Company.

First Reading, 15th March, 1900.

(Private Bill)

Mr. JESSOP.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act to incorporate The Queenston, St. Catharines and Port Dalhousie Electric Railway Company.

WHEREAS Isaac Usher and Isaac Hudson Usher, both of Preamble
the village of Queenston, in the county of Lincoln, manufacturers; C. M. Lowery, merchant, and James Sheppherd, nurseryman, also of the said village of Queenston, and John Flett, of the city of Toronto, wholesale merchant, have by their petition prayed for an act of incorporation under the name of The Queenston, St. Catharines and Port Dalhousie Electric Railway Company, for the purpose of constructing and operating an electric railway from some point in the village of Queenston, in the county of Lincoln, passing through the townships of Niagara and Grantham to the city of St. Catharines and through the city of St. Catharines to the village of Port Dalhousie, all in the county of Lincoln; and whereas it is expedient to grant the prayer of the said petition;

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Isaac Usher, Isaac Hudson Usher, C. M. Lowery, James Incorporation.
Sheppherd, all of the village of Queenston, in the county of Lincoln; John Flett, of the city of Toronto, and such other persons and corporations as shall hereafter become shareholders in the said company, are hereby constituted a body corporate and politic, under the name of "The Queenston, St. Catharines and Port Dalhousie Electric Railway Company."

2. The said company is hereby authorized and empowered Location of
to survey, lay out, construct, complete, alter and keep in repair line.
a double or single track railway, with iron or steel rails, to be operated by electricity, from some point in the village of Queenston, in the county of Lincoln, through the townships of Niagara and Grantham to the city of St. Catharines and through the city of St. Catharines to the village of Port Dalhousie, and the said railway or any part thereof may be carried along and upon such public highways as may be authorized by the by-laws of the respective corporations having jurisdiction over the same and subject to the restrictions *and provisions* therein and in *The Electric Railway Act* contained, and under and subject to Rev. Stat.
any agreements made or hereafter to be made between the c. 209.

said company and the councils of any of the said corporations and between the company and the road companies (if any) interested in such highway; and the said company may make and enter into any agreements with any municipal corporation or road company as to the terms of occupancy of any street or highway, subject to the provisions and conditions contained in *The Electric Railway Act* and in *The Municipal Act* and any Act or Acts amending the same.

Rev. Stat.
c. 209.
Rev. Stat.
c. 223.

Provisional
directors.

3. The said Isaac Usher, Isaac Hudson Usher, C. M. Lowery, James Sheppherd and John Flett, with power to add to their number, shall be and are hereby constituted a board of provisional directors of the said company, and shall hold office as such until other directors shall be appointed under the provisions of this Act by the shareholders.

Board meet-
ings, where
held.

4. All meetings of the provisional board of directors of the said company shall be held in the city of St Catharines, in the county of Lincoln, or at such other place as may best suit the interests of the said company.

Capital stock.

5. The capital stock of the company hereby incorporated shall be \$100,000, to be divided into 1,000 shares of \$100 each.

Board of
directors.

6. The board of directors of the said company shall consist of ~~at~~ not less than five and not more than nine ~~or~~ persons who shall be elected in the manner and possess the qualifications prescribed by *The Electric Railway Act*.

Rev. Stat.
c. 209.

Head office.

7. The head office of the said company shall be at the city of St. Catharines.

Rev. Stat. 209
incorporated
herewith.

8. The several clauses of *The Electric Railway Act* and of every act in amendment thereof shall be incorporated with and be deemed to be part of this Act, and shall apply to the company, and to the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof, and the expression "this Act," when used herein, shall be understood to include the clauses of the said *Electric Railway Act*, and of every Act in amendment thereof so incorporated with this Act.

No. 26.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to incorporate The Queenston, St. Catharines and Port Dalhousie Electric Railway Company.

First Reading, 15th March, 1900.

*(Reprinted as amended by Railway
Committee.)*

Mr. JESSOP.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting the Port Stanley Electric Street
Railway Company (Limited).

WHEREAS by letters patent under the Great Seal of the Preamble.
Province of Ontario, bearing date the 22nd day of Sep-
tember, in the year of our Lord one thousand eight hundred
and ninety-nine, certain persons therein named were granted
5 a charter constituting them and such other persons as were
then, or might become, shareholders in the proposed company,
a body corporate and politic for the purposes and objects
following, that is to say, subject to the provisions of *The Street*
Railway Act (R.S.O., chapter 208), and to the consent of the
10 municipalities, companies and persons interested, to build,
construct, maintain and operate a street railway, or lines of
street railway in the village of Port Stanley, in the county of
Elgin, and in and through the adjoining local municipalities:
and that the company, in prosecuting the purposes and objects
15 of its incorporation, might exercise the powers contained in
such Act, and all the privileges thereby conferred; and
whereas the said company, in the exercise of the powers
granted to them under the said Act, and by their charter, and
with the design and intention of constructing and operating
20 their said railway northward from the said village of Port
Stanley through the county of Elgin and through the town-
ship of Westminster, in the county of Middlesex, to the limits
of the city of London, in the said county, have entered into
an agreement with the lessees or owners of the London and
25 Port Stanley Gravel Road (who own or control the said road
from the said village of Port Stanley to the northern limits of
the county of Elgin) for the franchise or right to construct,
maintain and operate an electric street railway along, across
and upon the said Gravel Road from the said village of Port
30 Stanley to the northern limits of the county of Elgin upon the
terms and conditions mentioned in the said agreement; and
whereas the municipal council of the village of Port Stanley
and the municipal council of the township of Yarmouth
(through which township the said gravel road passes) have
35 consented to the incorporation of the said street railway, and
to the use of such streets and highways of the said munic-

palities by the said company for the purposes thereof as may be agreed upon; and the municipal council of the township of Southwold (through part of which said gravel road also passes), after being requested to give a similar consent, disclaimed any interest in the matter; and whereas the company 5 are negotiating with the municipal council of the township of Westminster for a similar franchise along, across and upon the continuation of the said gravel road through the said township to the limits of the city of London, and with other persons, companies and corporations who appear to have any 10 interest in the matter for similar franchises or rights of way along and upon such other roads and highways as it may be deemed necessary to use in connection with the said system, and also for the right to cross or traverse any intervening railways; and whereas the said company are desirous of 15 having the agreements made by the said company with the owners or lessees of the London and Port Stanley Gravel Road, and with said municipalities, confirmed, and have represented by their petition that it is desirable to extend the powers of the said company, among other things in the 20 manner hereafter set forth, and to change the name of the company, and to increase its capital stock; and whereas it is expedient to grant the prayer of the said petition,

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts 25 as follows:—

- Name of company changed.** 1. The name of the company is hereby changed from The Port Stanley Electric Street Railway Company (Limited) to The Port Stanley Electric Railway Company.
- Capital stock.** 2. The capital stock of the said company is hereby increased 30 from \$40,000 to \$240,000.
- Location of line.** 3. The said company is hereby authorized and empowered to survey, lay out, construct, make, build, complete, operate, alter, and keep in repair a railway to be operated by electricity or compressed air, or other modern motive power, with single 35 or double iron or steel tracks through and from the village of Port Stanley, through the township of Yarmouth, the city of St. Thomas and the township of Southwold, in the county of Elgin, and through the township of Westminster, in the county of Middlesex, to the city of London, in said county, 40 along the said London and Port Stanley Gravel Road, and along, upon, or across any other highway, street or road in any of said municipalities, with the consent of the council, corporation, company or person who has any jurisdiction over or control of such highway, street or road; and the said rail- 45 way may be carried over, along or upon such of said highways as may be authorized and designated in the by-laws or agree-

ments of the respective municipal, or other corporations, companies or persons having jurisdiction over the same; provided Proviso. always that nothing herein contained shall be construed as giving or granting to any of said municipal corporations or
5 councils any authority or jurisdiction over that part of the London and Port Stanley Gravel Road which is within the county of Elgin; and the company shall only be required to obtain the consent and permission of the owners or lessees of the said gravel road to entitle them to construct, maintain and
10 operate an electric railway thereon through the county of Elgin.

4. Notwithstanding the increased power conferred upon the company and the change of name, all the present rights of the company and of the shareholders in the same, are hereby pre-
15 served under its new name, and all the liabilities incurred by the company under its present name are hereby preserved against it under its new name. Power and liabilities of the company preserved.

5. The company may enter into an agreement with any other company or companies, or with any person or persons for
20 the leasing, hiring or use of any electric motors, carriages, cars, rolling stock, and other moveable property, by, from or to such companies or persons for such time or times, and on such terms as may be agreed upon; and may also enter into an agreement with any railway company or companies for the use by either
35 company, of the locomotives, electric motors, carriages, cars, rolling stock, and other movable property of the other or others of them, and for the running of the cars or carriages of either company over the tracks of the other company, on such terms as to compensation and otherwise as may be agreed upon.
30 And the company may agree with any railway company, express company, or other corporation for the interchange of cars and traffic, and for connections and running arrangements upon terms, to be approved of by the company at any annual or special meeting of the shareholders thereof, and every such
35 agreement shall be valid and binding according to the terms and tenor thereof. Agreements for acquiring use of rolling stock.

6. The company shall have power and authority to erect and construct buildings, plant and machinery at any convenient
point or points along its lines of railway, for the purpose of
40 receiving fruit, milk, cheese, farm produce, and other goods and merchandise, and the company may hold and store the same by a system of cold storage at such rates and upon such terms as shall from time to time be specified by the by-laws of the company, which by-laws the directors are hereby empowered to
45 make. Construction of buildings, plant and machinery.

7. The provisional directors, or the elected directors, may pay or agree to pay in paid up stock or in bonds of the company such sums as they may deem expedient, to engineers or
Certain payments may be made in stock or bonds.

contractors, or for right of way, or material, buildings, erections, machinery, plant or rolling stock, and also, when sanctioned by a vote of the shareholders at any general meeting, for the services of the promoters or other persons who may be employed by the directors in furthering the undertaking, or for purchasing the right of way, material, plant, or rolling stock, and whether such promoters be provisional or elected directors or not, and any agreement so made shall be binding upon the company. 5

Power to pay
for franchisee,
etc., in stock.

8. The directors may allot and issue shares of the capital stock of the company as paid up stock, as the consideration for the acquisition of all or any of the said undertakings, railways, franchises, rights, powers, privileges and real and personal property, and for services rendered to the company, and such allotments and issues of stock shall be binding on the company, and the holders of such stock shall not be liable in any way thereon. 10 15

Bonding
powers.

9. The directors of the company shall have power to issue bonds of the company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all the sum of \$15,000 for each and every mile of the said railway, and the extensions and branches thereof. And the provisions of sub sections 19, 20, 21, 22, and 23 of section 9 of the Railway Act of Ontario (R. S. O. chapter 207) shall apply to all such bonds and the issue thereof, and such bonds shall be issued subject and according to and in conformity with the provisions of said sub-sections. 20 25

Bonds, etc.,
how
transferred

10. All such bonds, debentures or other securities and coupons, and interest warrants thereon respectively, may be made payable to bearer and transferable by delivery; and any holder of any such securities so made payable to bearer may sue at law in his own name, on the same. 30

Negotiable
instruments.

11. The said company shall have power and authority to become parties to promissory notes and bills of exchange for sums of not less than \$100, and any such promissory note or bill of exchange, made, accepted, or endorsed by the president or vice-president of the company, and countersigned by the secretary of the company, shall be binding on the company, and every such promissory note or bill of exchange so made shall be presumed to have been made with proper authority until the contrary be shown, and in no case shall it be necessary to have the seal of the company affixed to such note or bill, nor shall the president, vice-president, or secretary be individually responsible for the same, unless such note or bill was issued without the sanction, and authority of the directors; provided, however, that nothing in this section contained, shall 35 40 45

be construed to authorize the company to issue any note or bill intended to be circulated as money, or as the notes or bills of a bank.

12. The company may also construct an electric telegraph line and a telephone line in connection with their railway and for the purpose of constructing, working and protecting the said telegraph and telephone lines, the powers conferred upon telegraph companies by the Act respecting telegraph companies, being chapter 192 of the R. S. O. (1897), are hereby conferred upon the said company; provided no poles shall be erected in the construction of either of the said lines in or through any city, town or incorporated village without the consent of the council of such city, town or village being first obtained by the said company.

Telegraph and telephone lines.

13. The company may from time to time for advances of money to be made thereon, mortgage or pledge any bonds which they may be enabled under the powers of this Act to issue for the construction of said railway.

Raising money on bonds.

14. Any municipality or any portion of a township municipality, which may be interested in securing the construction of the said railway or through any part of which or near which the railway or works of the company shall pass or be situate, may aid the said company by giving money or debentures by way of bonus, gift or loan, or by guaranteeing the bonds of the company; provided always that such aid shall not be given except after the passing of a by-law for the purpose,— and the adoption of such a by-law by the qualified ratepayers of the municipality, or portion of the municipality (as the case may be), in accordance with and as provided by law in respect to granting aid by way of bonuses to railways. And it shall be lawful for any such municipality to submit such by-law to the electors of such municipality (or to the electors of such part of the municipality as may be affected thereby) in the manner and according to the terms and provisions of any agreement entered into between the council of such municipality and the company.

Aid from municipalities.

15. In addition to the powers given to the directors by this Act and by *The Street Railway Act*, they shall also have and may exercise all the powers conferred upon directors by *The Railway Act of Ontario* and by *The Electric Railway Act*.

Powers of company under Rev. Stat. 207, 208, 209.

16. The company is authorized and empowered to make all necessary arrangements and to contract and agree for amalgamation with any other railway company or corporation, provided that the terms of such amalgamation are approved of by two-thirds in value of the shareholders of the

Amalgamation with other companies.

company voting, either in person or by proxy at a special general meeting to be called for that purpose.

Application of
Rev. Stat.,
c. 209.

17. The company shall have and may exercise all the powers and authority conferred upon electric railway companies by *The Electric Railway Act*.

5

Power to
secure subsi-
dies, etc.

18. The company may receive from any government or from any persons or bodies corporate, municipal, or politic, who may have power to grant the same aid towards the construction, equipment or maintenance of the said railway by way of gift, bonus or loan of money or debentures, or other securities for money, or by way of guarantee, upon such terms and conditions as may be agreed upon.

Agreement
for construc-
tion, validity
of.

19. Any agreement made by the company with any person, firm, company or corporation, with regard to the right of the company to construct, maintain and operate, or with regard to the construction, maintenance or operation of a railway along any road, street, or highway, or over, upon, across or through any lands, lawfully entered into, shall be binding upon the parties thereto.

20

Survey, etc.,
in sections.

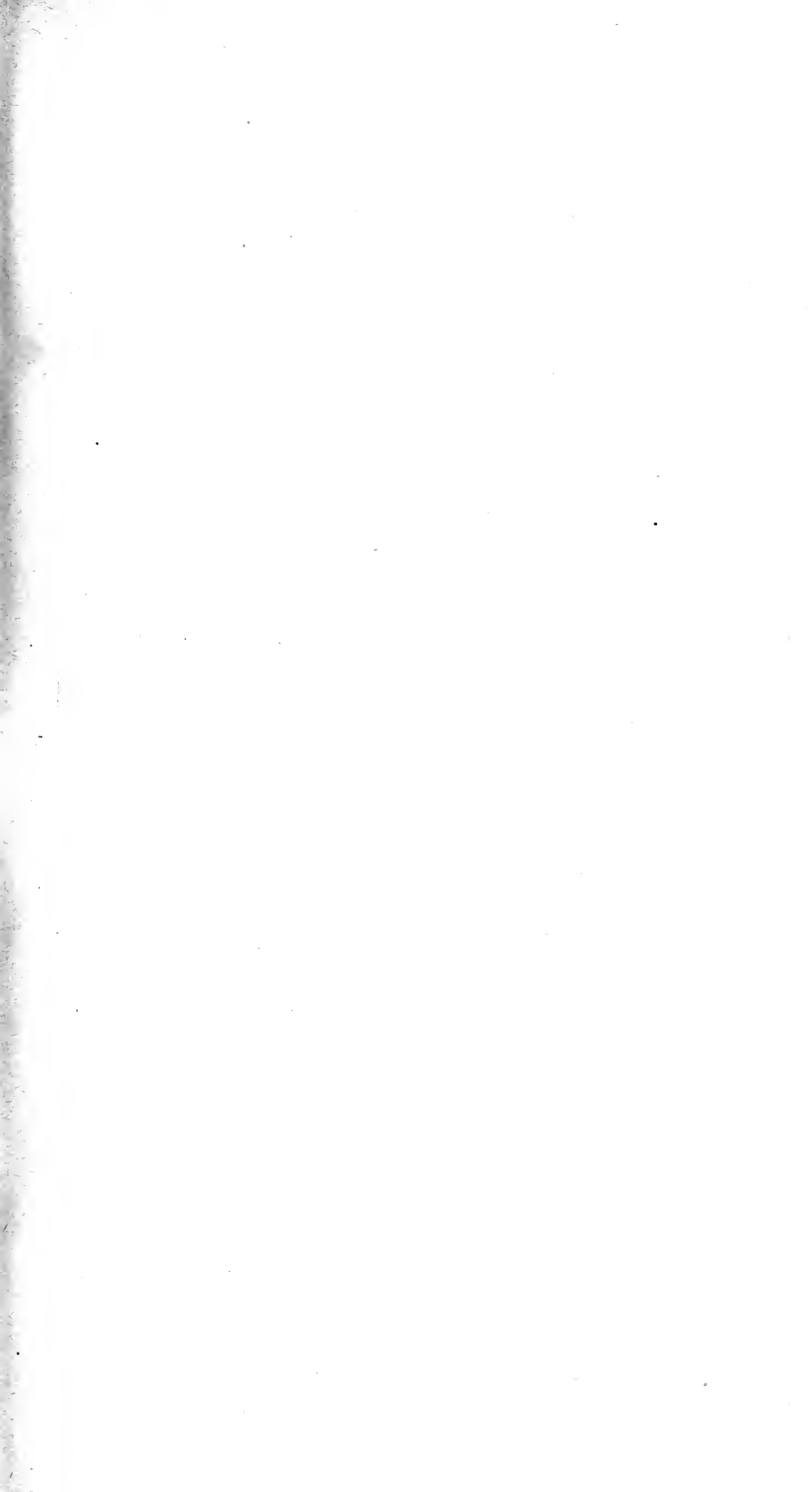
20. The company is hereby authorized and empowered to make the surveys and levels of the lands through which the railway is to pass, together with the map or plan thereof, and also the book or books of reference for the railway and to deposit the same as required by *The Railway Act of Ontario*, in sections or portions less than than the length of the whole railway authorized,—and upon such deposit as aforesaid of the map or plan and book of reference, of any of such sections or portions of the railway; then all those provisions of *The Electric Railway Act* and *The Railway Act of Ontario* which are included in or incorporated with this Act shall apply and extend to any and each of such sections or portions of said railway, and to the construction, maintenance and operation thereof.

Rev. Stat.,
c. 207, 209.

Operating on
Sunday.

21. Notwithstanding anything contained in this Act or in the charter of the company, or in any of the statutory provisions incorporated herewith, the company shall have power to run their cars over the whole or any portion of their line of railway for the conveyance of passengers, on Sundays as well as other days of the week, during such hours as may be fixed or determined by by-law, passed by the directors and confirmed by the shareholders of the company; provided always that the company shall not charge any higher rates or fares for the conveyance of passengers on Sunday than on any other day of the week.

Proviso.



BILL.

An Act respecting the Port Stanley Electric
Street Railway Company (Limited).

First Reading,

(Private Bill)

MR. BROWER.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act to Consolidate the Debenture Debt of the
Village of Arthur.

WHEREAS the municipal corporation of the village of Preamble.
Arthur have by their petition shown that they have
incurred debts for the purpose of improving streets, granting
railway aid for satisfying judgments in the courts recovered
5 by Bevins and Madden in an action for damages against the said
corporation, for paying an indebtedness due the municipal
corporation of the township of Arthur upon the separation of
the village of Arthur from the township of Arthur for municipal
purposes, and for high school purposes, the particulars of
10 which are shown in Schedule "C" to this Act, for which
amount debentures of the village have been issued under the
authority of various by-laws, and that the sinking fund necessary
to meet those debentures as they mature has not been regularly
provided for and that no funds except a sinking fund of
15 \$1,345 have been provided by way of sinking fund or
otherwise, for redeeming the said debentures or any portion
thereof, save and except the annual interest; and that the
council of the said municipal corporation passed a resolution
in open meeting held December 4th, 1899, authorizing the
20 reeve and treasurer thereof to apply the sum of \$3,000 from
the sinking fund moneys in payment of the debentures issued
for the said street improvements amounting to \$3,000, which
matured on the 30th day of December, 1899, which resolution
has been complied with, and whereas the said corporation have
25 represented that the payments to be made on account of the
said debenture debts would be unduly oppressive to the rate-
payers; and whereas the said corporation have by their petition
prayed that the members and officers of the said
corporation may be relieved from liability for so applying the
30 said sum of \$3,000 from the said sinking fund moneys and for
not levying the annual amount required to provide the said
sinking fund; that the remaining debenture debt of \$15,500
may be consolidated and that the said corporation may be
authorized to issue debentures for that purpose, less the sum
of \$1,345, being the balance at the credit of the said sinking

fund, and that the said corporation may be authorized to apply in reduction of the said consolidated debenture debt, before issuing debentures therefor, in such manner as may be most advantageous; and whereas it is expedient to grant the prayer of the said petition ;

5

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

Debts consoli-
dated at
\$15,500.

1. The said several debenture debts of the said village of Arthur, particulars of which are set out in Schedule "C" to this Act, are hereby consolidated at the sum of \$15,500, and it shall be lawful for the corporation of the said village of Arthur to raise by way of loan on the credit of the debentures herein-after mentioned, and by this Act authorized to be issued from any person or persons or body corporate a sum or sums sufficient to retire the said debentures amounting to \$15,500 as they respectively become due, first, however, having reduced the said debenture debt by the sum of \$1,345, the amount of the said sinking fund belonging to the said corporation; the amount for which debentures are to be issued not exceeding in the whole the sum of \$14,155 exclusive of interest thereon.

Issue of
debentures
authorized.

2. It shall be lawful for the said corporation of the village of Arthur from time to time to pass a by-law or by-laws providing for the issue of debentures under their corporate seal, signed by the reeve and countersigned by the treasurer for the time being in such sums not less than \$100, and not exceeding \$14,155 in the whole, as the said corporation may from time to time direct, and the principal sum secured by the said debentures, and the interest accruing thereon may be made payable at such place or places as the said corporation may deem expedient and may be expressed in either sterling money of Great Britain or currency of Canada.

Power to raise
money on
debentures.

3. The corporation of the said village may, for the purposes in section 8 hereof mentioned raise money by way of loan on the said debentures in this Province or in Great Britain or elsewhere or sell and dispose of the said debentures from time to time as they may deem expedient.

Term of
debentures.

4. The said debentures shall be payable in not more than thirty years from the issue thereof, as the said corporation may direct. Coupons shall be attached to the said debentures for the payment of the interest thereon, and such interest shall be payable yearly on the thirtieth day of the month of December in each and every year at the places mentioned therein, and in the coupons attached thereto, and such debentures may bear interest at any rate not exceeding four and one-half per cent. per annum.

Payment of

5. The said debentures to be issued under this Act shall be

made payable in each year for a period not exceeding thirty debentures
years from the date thereof, and so that the aggregate amount and interest.
payable for principle and interest in any one year shall be
equal, as nearly as may be, to what is payable for principal
5 and interest during each of the other years of the period within
which the debt is to be discharged.

6. The said corporation shall levy in addition to all other Special rate.
rates to be levied in each year, a special rate sufficient to pay
the amount falling due annually for principal and interest in
10 respect of the debentures authorized to be issued under this
Act to be called the "Arthur Village Consolidated Debenture
Rate," and it shall not be necessary to levy for or to provide
any sinking fund to retire the said debentures or any of them.

7. The debentures to be issued under this Act and all Application of
15 moneys arising therefrom, and the said sinking fund of \$1,345. debentures.
shall be applied by the said corporation in the redemption of
the said debentures of the village of Arthur now outstanding,
amounting to \$15,500, all of which are set out in Schedule
"C" hereto, and in no other manner and for no other purpose
20 whatsoever, and such debentures may be known as the
"Arthur Village Consolidated Debt Debentures."

8. The treasurer of the said village shall, on receiving in- Calling in
structions from the council so to do, from time to time, outstanding
but only with the consent of the holders thereof, call in any debentures.
25 of the outstanding debentures, and shall discharge the same,
first with said sinking fund as far as possible, and then with
funds raised under the preceding sections of this Act, or may
with the like consent substitute therefor the said debentures,
or any of them, hereinbefore authorized to be issued, upon
30 such terms as may be agreed upon between the said council
and the said holders of the said outstanding debentures.

9. It shall not be necessary to obtain the assent of the Assent of
electors of the said village of Arthur for the passing of any by-law not
by-law which shall be passed under the provisions of this Act, required
35 or to observe the formalities in relation thereto prescribed by Rev. Stat.
The Municipal Act. c. 223.

10. Any by-law to be passed under the provisions of this By-law not to
Act shall not be repealed until the debt created under such be repealed
by-law and the interest thereon shall be paid and satisfied. until debt
paid.

40 11. It shall be the duty of the treasurer, from time to time, Treasurer to
of the said village to keep, and it shall be the duty of each of keep book
of the members, from time to time, of the said municipal council showing state
to procure such treasurer to keep and see that he does keep a of debenture
proper book of account setting forth a full and particular account.
45 statement so that the same shall at all times show the number
of debentures which from time to time shall be issued under

the powers conferred by this Act, and the respective amounts payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall from time to time be realized from the sale or negotiation of the said debentures, 5 and the application which shall from time to time be made of the said amounts, and the said book of account and statement shall at all times and at all reasonable hours be open to the inspection of any ratepayer of the said village, and of any of the holders from time to time of the debentures which shall 10 be issued under the powers hereby conferred or of any such debentures.

Liability of corporation not affected.

12. Nothing in this Act contained shall be held or taken to discharge the corporation of the village of Arthur from any indebtedness or liability which may not be included in the 15 said debts of the said village.

Form of debenture and by-law.

13. The debentures to be issued under this Act may be in the form contained in Schedule "A" to this Act, and the by-law or by-laws authorizing the same may be in the form contained in Schedule "B" to this Act. 20

Inconsistent enactments not to apply.

14. Any provisions in the Acts respecting municipal institutions in the Province of Ontario which are or may be inconsistent with the provisions of this Act, or any of them, shall not apply to the by-law or by-laws to be passed by the said corporation under the provisions of this Act, and no irregularity 25 in the form of the said debentures, or any of them, authorized to be issued by this Act, or in any by-law or by-laws authorizing the issuing thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the corporation for the recovery of the amount of the said 30 debentures and interest or any or either of them, or any part thereof, and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or by-laws or issue of debentures, or as to the application of the proceeds thereof. 35

Irregularity in form not to invalidate debentures.

Members of council and officers relieved from liability as to sinking fund.

15. Section 418 of *The Municipal Act* shall not apply nor shall any other section of the said Act apply so as to render any member of the council or any officer of the corporation of the said village liable under the said section or other sections by reason of the passing of the said resolution of 40 the 4th December, 1899, nor by reason of neglect to levy for or provide the annual amounts required to be raised for sinking funds for the several debenture debts hereby consolidated.

16. This Act may be cited as "*The Village of Arthur Debenture Act, 1900.*" 45

SCHEDULE A.

(Section 13.)

No. —

CONSOLIDATED DEBT DEBENTURE, PROVINCE OF ONTARIO, VILLAGE OF ARTHUR.

Under and by virtue of The Village of Arthur Debenture Act, 1900, and By-law No. of the Corporation of the Village of Arthur, passed under the provisions contained in the said Act, the Corporation of the Village of Arthur promise to pay bearer at in

the sum of on the day of
A. D. and the yearly coupons hereto attached, as the same shall severally become due.

Dated at Arthur, in the County of Wellington, this day of
A. D.

A. B., Reeve.
C. D., Treasurer.

SCHEDULE B.

(Section 13.)

By-LAW No.—To AUTHORIZE THE ISSUE OF DEBENTURES UNDER THE AUTHORITY OF THE VILLAGE OF ARTHUR DEBENTURE ACT, 1900.

Whereas the said Act authorizes the issue of debentures for the purposes therein mentioned, not exceeding \$ in the whole, as the Corporation of the Village of Arthur may, in pursuance of and in conformity with the provisions of the said Act direct ;

And whereas, for the purposes mentioned in the said Act, it is necessary and expedient to issue debentures to the extent of \$ payable on the day of and on the day of (or as the case

may be) with interest thereon at the rate of per centum per annum, payable yearly according to the coupons, to the said debentures attached.

And whereas the amount of the whole rateable property of the said Village of Arthur according to the last revised assessment roll of the said village being for the year one thousand nine hundred, was \$

Therefore the Corporation of the Village of Arthur enacts as follows :—

(1) Debentures under the said Act and for the purposes mentioned therein to be known as Consolidated Debt Debentures, to the extent of the sum of \$ are hereby authorized and directed to be issued.

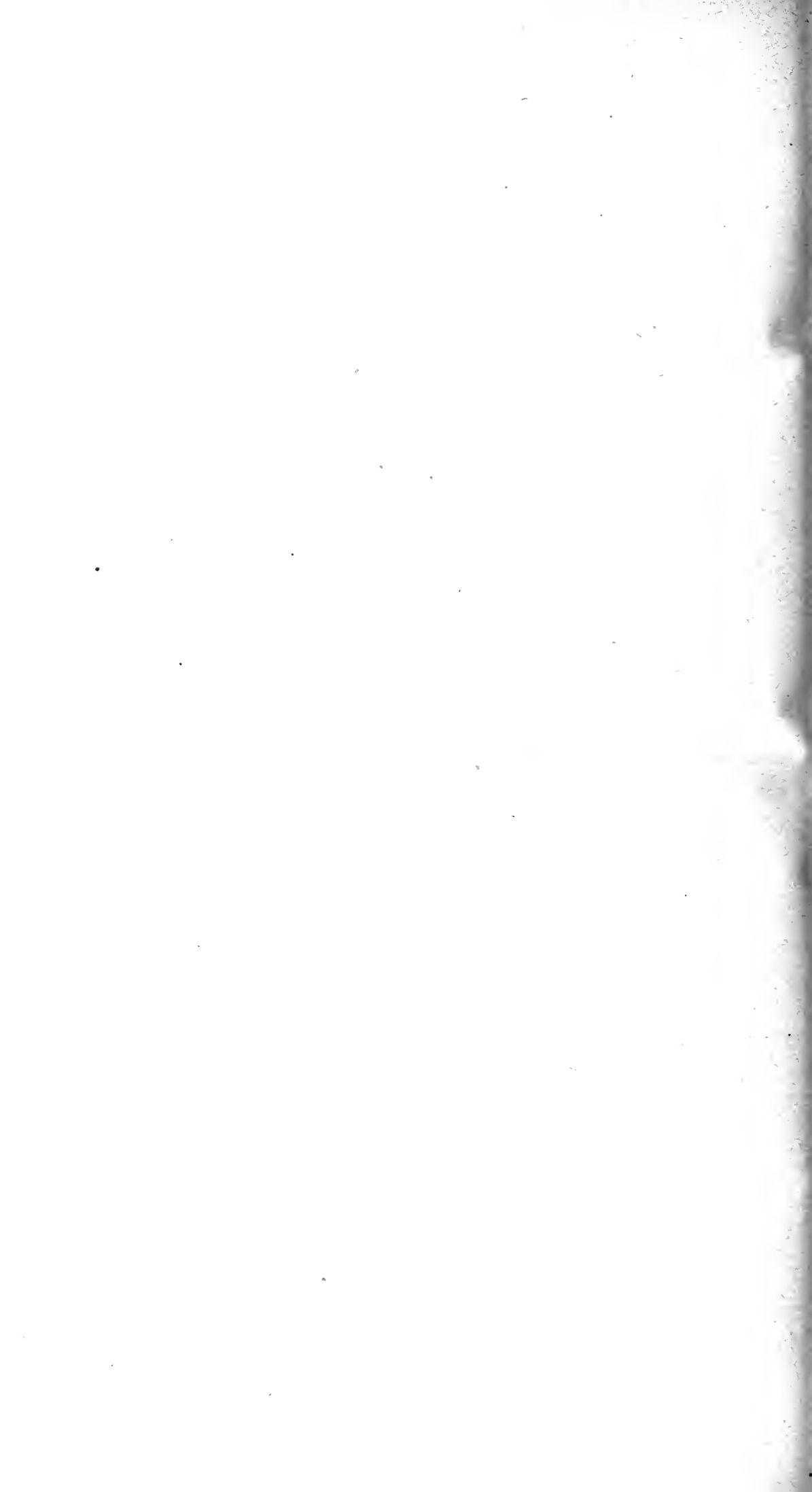
(2) The said debentures shall have coupons attached thereto, for the payment of interest at the rate of per centum per annum, payable yearly, on the day of in each year.

This By-law passed in open council this day of
in the year of our Lord one thousand nine hundred and

SCHEDULE C.

(Section 7.)

| | |
|--|----------|
| Street Improvement Debentures..... | \$ 3,000 |
| Toronto Grey and Bruce Railway Debentures..... | 5,000 |
| Bevins and Madden and Arthur Township Debentures..... | 5,500 |
| High School Debentures..... | 5,000 |
| Total Debenture Debt..... | \$18,500 |
| Less Street Improvement Debentures paid out of Sinking Fund..... | 3,000 |
| Net Debenture Debt..... | \$15,500 |



An Act respecting the City of Windsor

- W**HEREAS the municipal corporation of the city of Pr. amble.
Windsor have petitioned praying that an Act may be
passed to remove all doubt as to the legality of and to con-
firm a by-law passed on the 21st day of August, 1899, by the
5 council of said city, the qualified electors of said city having
previously in the usual manner approved of said by-law, pro-
viding for the raising by way of loan the sum of \$200,000
in ten annual instalments of \$20,000 each with which to pave
with macadam pavement, by a graduated and fixed plan ex-
10 tending over a period of ten years, the principal thoroughfares
and other most commonly used streets of said city, the same
being severally mentioned and defined in the Schedules A
and B of said by-law, but, for the reasons set out in said
petition, to change the year for the beginning and completion
15 respectively of the several allotted annual portions of said
paving and for the issue and sale of the debentures annually
to be issued and sold under the provisions of said by-law, by
advancing such year in each case twelve months farther for-
ward, and also to authorize the issuing of said debentures in
20 such amounts respectively as with the interest thereon will
aggregate a sum payable in any year equal to the amount
payable in any other year during the currency of said debentures ;
and whereas it is expedient to grant the prayer of said
petition ;
- 25 Therefore Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows :—

1. Subject to the provisions of section two hereof, by-law
number 982 of the municipal corporation of the city of Wind- By law 982,
street im-
30 sor, entitled "A By-law to provide for the permanent im-
provement of the principal thoroughfares and other streets in
the city of Windsor, and for other purposes therein men-
tioned," set forth as Schedule A to this Act, is hereby con-
firmed and declared legal and binding upon the said municipal
35 council and the ratepayers thereof; and the said corporation
of the city of Windsor are hereby authorized and empowered
to issue debentures to the amount of \$200,000 in ten annual
instalments of \$20,000 each, for the purpose, and the proceeds
thereof to be expended in the manner particularly settled in
40 said by-law, and the debentures so issued are hereby declared
legal and binding upon the said municipality; and the said cor-

poration are hereby empowered and required to begin, prosecute and complete all necessary acts for the full and proper carrying out of the several provisions of said by-law.

When work to be begun and completed.

2. The year for the beginning and completing of each of the several portions of the pavement to be constructed under the provisions of said by-law, as well as the year for the issuing, selling and maturing of the debentures to be issued thereunder, shall in every case be one year later than the year in said by-law fixed therefor, and the levying and collecting of the annual special rate to meet the said debentures and the interest thereon, shall in every case be concurrent with the currency of said debentures; and the debentures of each of the ten instalments of the total issue of \$200,000 shall be of the denomination set out in Schedule B to this Act.

SCHEDULE A.

(Section 1.)

Shewing the parts of the principal thoroughfares and other most commonly travelled streets of the City of Windsor to be improved by constructing thereon a macadam pavement under the authority of By-law No. 982 provisionally adopted by the council of the said city on the 19th day of June, 1899, and submitted to the qualified electors for their assent:—

| Names of thoroughfares and other streets. | Part to be paved with macadam. | |
|---|---|--------------------------------------|
| | Beginning at. | Ending at. |
| Sandwich street. | Glengarry avenue. | The easterly limit of the city. |
| Sandwich street. | Canadian Pacific Railway bridge | The Michigan Central Railway bridge. |
| Pitt street | Windsor avenue | Ferry street. |
| Sandwich street. | Glengarry avenue | Church street. |
| Ouellette street. | Sandwich street. | London street. |
| Howard avenue. | Cataraqui street | Cemetery gate. |
| London street | Victoria avenue. | Bruce avenue. |
| Ouellette street. | London street | Wyandotte street. |
| London street | Bruce avenue. | The westerly limit of the city. |
| Arthur street. | Windsor avenue | Glengarry avenue. |
| Ferry street | Sandwich street | Chatham street. |
| Assumption street. | Windsor avenue | Glengarry avenue. |
| Dougall avenue | Sandwich street. | Wyandotte street. |
| Glengarry avenue. | Sandwich street. | Cataraqui street. |
| Janet avenue | Sandwich street. | Wyandotte street. |
| Victoria avenue. | Chatham street. | Wyandotte street. |
| Ouellette street. | Wyandotte street | Eric street. |
| Goyeau street | Sandwich street. | Wyandotte street. |
| Goyeau street | Wyandotte street | The end of the present pavement. |
| Windsor avenue | Sandwich street. | Wyandotte street. |
| Pitt street | Ferry street | Caron avenue. |

| Names of thoroughfares and other streets. | Part to be paved with macadam, | |
|---|--------------------------------|--------------------|
| | Beginning at | Ending at |
| London street | Ouellette street | Windsor avenue. |
| Wyandotte street | Ouellette street | Janet avenue. |
| Wyandotte street | Glengarry avenue | Ouellette street. |
| Aylmer avenue | Sandwich street | Wyandotte street. |
| Mercer street | Sandwich street | Wyandotte street. |
| Bruce avenue | Sandwich street | Wyandotte street. |
| Church street | Sandwich street | Wyandotte street. |
| Park street | Windsor avenue | Caron avenue. |
| Albert street | Central School | Glengarry avenue. |
| Chatham street | Windsor avenue | Caron avenue. |
| Wyandotte street | Parent avenue | Glengarry avenue. |
| Crawford avenue | Sandwich street | Wyandotte street. |
| Parent avenue | Sandwich street | Wyandotte street. |
| Louis avenue | Sandwich street | Wyandotte street. |
| Marentette avenue | Sandwich street | Wyandotte street. |
| Brant street | McDougall street | Glengarry avenue. |
| McDougall street | Sandwich street | Wyandotte street. |
| Wellington avenue | London street | Wyandotte street. |
| Wyandotte street | Janet avenue | Wellington avenue. |
| Caron avenue | Sandwich street | Wyandotte street. |

Estimated aggregate length of aforesaid parts of streets, 15.70 miles.

(Signed)

JNO. DAVIS,

Mayor.

SCHEDULE B.

Shewing the denomination of the respective debentures of each of the ten annual issues of \$20,000 each authorized by by-law number 982 of the City of Windsor, and also the interest thereon payable each year during the currency of said debentures, together making the aggregate amount payable for principal and interest in each year of the period of 20 years :

| | Amount of each consecutive Debenture. | Amount of interest on loan payable each year. | Aggregate of principal and interest payable each year. |
|--------------------------------|---------------------------------------|---|--|
| Payable the 1st year | \$ 671 64 | \$ 800 00 | \$ 1,471 64 |
| “ 2nd “ | 698 51 | 773 13 | 1,471 64 |
| “ 3rd “ | 726 45 | 745 19 | 1,471 64 |
| “ 4th “ | 755 51 | 716 13 | 1,471 64 |
| “ 5th “ | 785 73 | 685 91 | 1,471 64 |
| “ 6th “ | 817 16 | 654 48 | 1,471 64 |
| “ 7th “ | 849 85 | 621 79 | 1,471 64 |
| “ 8th “ | 883 83 | 587 80 | 1,471 64 |
| “ 9th “ | 919 18 | 552 46 | 1,471 64 |
| “ 10th “ | 955 95 | 515 69 | 1,471 64 |

| | Amount of each consecutive Debenture. | Amount of interest on loan payable each year. | Aggregate of principal and interest payable each year. |
|----------------------------|---------------------------------------|---|--|
| Payable the 11th year..... | \$ 994 19 | \$477 45 | \$1,471 64 |
| “ 12th “ | 1,333 95 | 437 69 | 1,471 64 |
| “ 13th “ | 1,075 31 | 396 33 | 1,471 64 |
| “ 14th “ | 1,118 31 | 353 33 | 1,471 64 |
| “ 15th “ | 1,163 04 | 308 60 | 1,471 64 |
| “ 16th “ | 1,209 56 | 262 08 | 1,471 64 |
| “ 17th “ | 1,257 94 | 213 70 | 1,471 64 |
| “ 18th “ | 1,308 26 | 163 38 | 1,471 64 |
| “ 19th “ | 1,360 59 | 111 05 | 1,471 64 |
| “ 20th “ | 1,415 04 | 56 60 | 1,471 64 |
| | 20,000 00 | 9,432 80 | 29,432 80 |

BY-LAW No. 992.

A BY-LAW TO PROVIDE FOR THE PERMANENT IMPROVEMENT OF THE PRINCIPAL THOROUGHFARES AND OTHER STREETS IN THE CITY OF WINDSOR, AND FOR OTHER PURPOSES THEREIN MENTIONED. PROVISIONALLY ADOPTED 19TH JUNE, 1899. FINALLY PASSED AUGUST 21ST, 1899.

Whereas it is deemed expedient and necessary in the interest of the municipality of Windsor as a whole, to adopt and establish an equitable and general plan or scheme for the permanent improvement of the principal thoroughfares and other most commonly travelled streets of said city under and according to which the said thoroughfares and other streets may, by a gradual and regular and settled method, be paved with what is known and understood as macadam pavement, the life of which pavement shall exceed twenty years.

And whereas it has been ascertained, after due and careful enquiry, that the sum of \$200,000 will be necessary and required to meet the cost of paving with macadam those parts of said thoroughfares and other streets most urgently needing improvement and which are severally particularly mentioned and defined in Schedule A hereto attached.

And whereas it is deemed to be for the best interests of said city that said sum of \$200,000 be raised by way of loan for said purpose; that the same be raised in ten annual instalments of \$20,000 each for and during a period of ten years beginning with and including the year 1899, as particularly set out in Schedule B hereto attached; and that the several and respective parts of said thoroughfares and other streets therein mentioned and defined under each year of said period of ten years be paved as aforesaid in the particular year of said period indicated and fixed therefore in said Schedule B.

And whereas it is necessary to authorize the borrowing of the said sum of \$200,000 for the aforesaid purpose, and the issuing of debentures in said amount for the payment thereof, and to regulate and settle the time and manner of borrowing said sum and of issuing of said debentures by annual instalments in such manner that only the one-tenth of said sum of \$200,000 shall be borrowed or raised, and debentures for only the said one-tenth of said sum shall be issued or negotiated, in any one year of said period of ten years for such purpose; and also to fix the rate of interest said debentures shall bear and the coupons to be attached to the said debentures:

And whereas it is deemed expedient to make the debentures issued under the authority of this by-law payable in annual instalments covering a period of not more than twenty years from and after the date of issue thereof respectively, that is to say : the \$20,000 of debentures to be issued in the year 1999 to be payable by equal annual instalments each year up to and including the year 1919 ; the \$20,000 of debentures to be issued in 1900 to be payable by equal annual instalments each year up to and including the year 1920, and so on in respect to each and every of the other said annual issues of said debentures :

And whereas it is necessary to make provision for the application of any portion of the said instalment of said \$20,000 in any year of the said period of ten years that may remain after the construction and completion of the amount of said paving allotted to and fixed for said year in said Schedule B, and also for any deficiency that may occur in the construction and completion of said allotted and fixed amount of paving in any year of said period :

And whereas it is necessary to determine generally the method of constructing said macadam pavement on said parts of said thoroughfares and other streets, and to settle the character of the several materials to be employed in the construction thereof :

And whereas it is deemed just and equitable to make provision for the construction of a pavement or pavements of materials other than such as are used in constructing the macadam pavement hereinafter provided for, upon any street or part of street mentioned and defined in Schedule A in the event of the owners of the assessable real property fronting or abutting upon any such street or part of street by a majority in number and representing more than one-half in assessed value of such property so fronting or abutting thereon petitioning the council of said city to pave the same with asphalt, brick or other desirable material rather than with macadam, and in such petition agreeing to be, for a period of ten years, specially assessed and to pay for so much of the cost of such other description of pavement as may be in excess of the cost of paving such street or part of street with macadam, such special assessment to be an equal sum per foot frontage or flankage of such real property in and during each of said ten years :

And whereas it will require to be raised annually for and during a period of twenty-nine years from and after the year 1899, over and above and in addition to all other rates upon all the rateable property of said municipality for the payment of the said debt and the interest thereon semi-annually at the rate of four per centum per annum as the same respectively become due and payable, the sums following, that is to say :—

| | For Principal. | For Interest. | Total. |
|----------------|----------------|---------------|-------------|
| 1st year | \$ 671 64 | \$ 800 00 | \$ 1,471 64 |
| 2nd " | 1,370 15 | 1,573 13 | 2,943 28 |
| 3rd " | 2,096 60 | 2,318 32 | 4,414 92 |
| 4th " | 2,852 11 | 3,034 45 | 5,886 56 |
| 5th " | 3,637 84 | 3,720 36 | 7,358 20 |
| 6th " | 4,455 00 | 4,374 84 | 8,829 84 |
| 7th " | 5,304 85 | 4,996 63 | 10,301 48 |
| 8th " | 6,188 69 | 5,534 43 | 11,723 12 |
| 9th " | 7,107 88 | 6,136 88 | 13,244 76 |
| 10th " | 8,063 84 | 6,652 56 | 14,716 40 |
| 11th " | 8,386 39 | 6,330 01 | 14,716 40 |
| 12th " | 8,721 84 | 5,994 56 | 14,716 40 |
| 13th " | 9,070 70 | 5,645 70 | 14,716 40 |
| 14th " | 9,433 50 | 5,282 90 | 14,716 40 |
| 15th " | 9,810 81 | 4,905 59 | 14,716 40 |
| 16th " | 10,203 21 | 4,513 19 | 14,716 40 |
| 17th " | 10,611 30 | 4,105 10 | 14,716 40 |
| 18th " | 11,035 72 | 3,680 68 | 14,716 40 |
| 19th " | 11,477 12 | 3,239 28 | 14,716 40 |
| 20th " | 11,936 16 | 2,780 20 | 14,716 36 |
| 21st " | 10,941 97 | 2,302 75 | 13,244 72 |

| | For Principal. | For Interest. | Total. |
|-----------------|---------------------|--------------------|---------------------|
| 22nd year | \$9,908 01 | \$1,865 07 | \$11,773 08 |
| 23rd " | 8,832 70 | 1,468 74 | 10,301 44 |
| 24th " | 7,714 39 | 1,115 41 | 8,829 80 |
| 25th " | 6,551 35 | 806 81 | 7,358 16 |
| 26th " | 5,341 79 | 544 73 | 5,886 52 |
| 27th " | 4,083 85 | 331 03 | 4,414 88 |
| 28th " | 2,775 59 | 167 65 | 2,943 24 |
| 29th " | 1,415 00 | 56 60 | 1,471 60 |
| | <u>\$200,000 00</u> | <u>\$94,327 60</u> | <u>\$294,327 60</u> |

And whereas, the amount of the whole ratable property of the municipality, according to the last revised assessment roll thereof, is \$5,312,825 ;

And whereas, the amount of the existing debenture debt of the municipality, exclusive of local improvement debts secured by special rates or assessments, is \$612,381.32 ;

And whereas, this by-law will require to receive the assent of the qualified electors of the municipality ;

Therefore the corporation of the city of Windsor, by the council thereof, enacts as follows :

1. That it shall be lawful for the mayor and treasurer of the city of Windsor, for the time being, to raise by way of loan at the times and for the respective sums hereinafter mentioned, an aggregate sum of two hundred thousand dollars that is to say, the sum of twenty thousand dollars each year for and during a period of ten years, beginning with and extending from the year 1899, for the purpose of improving by macadamizing the parts of the principal thoroughfares and other most commonly travelled streets of said city most urgently needing improvement, which said parts of said thoroughfares and other streets are particularly specified and shewn in the schedule marked A hereto attached and made part of this by-law : and to issue debentures therefor in sums of one thousand dollars each, according to and at the time and for the respective instalments of the said sum of two hundred thousand dollars that are herein authorized to be borrowed, namely, to issue debentures for said purpose to the amount of twenty thousand dollars, and no more, each year of the aforesaid period of ten years, beginning with and including the year 1899, which said debentures shall be so issued and made payable at the times following, that is to say :

| Consecutive Issue. | No. of debentures of each consecutive issue. | Date of each issue. | Amount of each issue. | Date when the last debenture of each succeeding issue shall mature. |
|--------------------|--|-----------------------|-----------------------|---|
| 1 | 20 | September 1st, 1899.. | \$20,000 | August 20th, 1919 |
| 2 | 20 | do 1900.. | 20,000 | do 1920 |
| 3 | 20 | do 1901.. | 20,000 | do 1921 |
| 4 | 20 | do 1902.. | 20,000 | do 1922 |
| 5 | 20 | do 1903.. | 20,000 | do 1923 |
| 6 | 20 | do 1904.. | 20,000 | do 1924 |
| 7 | 20 | do 1905.. | 20,000 | do 1925 |
| 8 | 20 | do 1906.. | 20,000 | do 1926 |
| 9 | 20 | do 1907.. | 20,000 | do 1927 |
| 10 | 20 | do 1908.. | 20,000 | do 1928 |
| | <u>200</u> | | <u>\$200,000</u> | |

II. That the whole number of said debentures shall be prepared at the same time and deposited for safe keeping in some chartered bank until

required from time to time, and shall be issued and sold each year of said period of ten years beginning with and including the year 1899 on or about the date of issue and for the amount each of said years settled in section one hereof; and when and only as sold, the said debentures shall be signed by the mayor and treasurer of the said municipality for the time being, and be sealed with the seal of the said corporation.

III. That the said debentures shall have printed across the face thereof the words "street improvement debentures," and have attached thereto coupons for the payment of the interest thereon semi-annually, which interest shall be at and after the rate of four per centum per annum.

IV. That the said debentures and coupons shall respectively be payable at the office in Windsor of the said treasurer.

V. That for the purpose of redeeming the said debentures and paying the interest thereon as the same respectively become due, an annual special rate over and above and in addition to all other rates sufficient to produce each year during the currency of the said debentures the sums following, that is to say:—

| | |
|-----------------------------------|------------|
| In the year 1900 the sum of | \$1,471 64 |
| In the year 1901 the sum of | 2,943 28 |
| In the year 1902 the sum of | 4,414 92 |
| In the year 1903 the sum of | 5,886 56 |
| In the year 1904 the sum of | 7,358 20 |
| In the year 1905 the sum of | 8,829 84 |
| In the year 1906 the sum of | 10,301 48 |
| In the year 1907 the sum of | 11,773 12 |
| In the year 1908 the sum of | 13,244 76 |
| In the year 1909 the sum of | 14,716 40 |
| In the year 1910 the sum of | 14,716 40 |
| In the year 1911 the sum of | 14,716 40 |
| In the year 1912 the sum of | 14,716 40 |
| In the year 1913 the sum of | 14,716 40 |
| In the year 1914 the sum of | 14,716 40 |
| In the year 1915 the sum of | 14,716 40 |
| In the year 1916 the sum of | 14,716 40 |
| In the year 1917 the sum of | 14,716 40 |
| In the year 1918 the sum of | 14,716 40 |
| In the year 1919 the sum of | 14,716 36 |
| In the year 1920 the sum of | 13,244 72 |
| In the year 1921 the sum of | 11,773 08 |
| In the year 1922 the sum of | 10,301 44 |
| In the year 1923 the sum of | 8,829 80 |
| In the year 1924 the sum of | 7,358 16 |
| In the year 1925 the sum of | 5,886 52 |
| In the year 1926 the sum of | 4,414 88 |
| In the year 1927 the sum of | 2,943 24 |
| In the year 1928 the sum of | 1,471 60 |

shall be raised, levied and collected in each of said years respectively, each year the sum hereinbefore set opposite such year beginning with the year 1900 and continuing down to and including the year 1928, upon all the rateable property of the municipality, which said rate shall be called "street improvement rate" and shall be levied and collected at the same time, in the same manner, and subject to the same conditions as to date of payment and penalty, as the other rates and taxes of the municipality are levied and collected.

VI. That subject to the provisions of section nine hereof the whole of the money borrowed as aforesaid shall be devoted to and expended in constructing macadam pavement upon the parts of the principal thoroughfares and other most commonly travelled streets particularly mentioned and defined in said schedule A, and shall be so expended in the particular years, in the exact sums, and only upon the precise parts of said thoroughfares and other streets particularly and specifically settled therefor in each case in schedule B hereto attached and made part of this by-law as much as if the the same were actually embodied herein. Provided, neverthe-

less, that if in any year of the said period of ten years the instalment of said loan apportioned to and allotted for such year in said schedule B proves insufficient to complete the work according to said schedule to be done and completed in that particular year, the council of that year may, out of any other available fund, provide the additional sum necessary to complete said work, or, having no fund available for said purpose, shall do, prosecute and complete, in fair proportion in respect to each part thereof, so much of the said work as the sum fixed therefor as aforesaid will permit, and no farther. Provided further, that in the event of the instalment of said loan apportioned to and allotted for any year in said schedule B proving greater than the sum found to be necessary to complete the work according to said schedule to be completed in that year, the council of that year may in its discretion apply the excess of such instalment to the improvement of any street not mentioned in said schedule or add it to the instalment to be expended in any subsequent year of said period of ten years.

VII. That nothing herein contained shall be construed as curtailing nor shall it curtail the power of the council in any year during said period of ten years to pass a by-law or by-laws and to borrow money for the improvement of the roadway or streets or parts of streets other than such as are defined and mentioned in said schedules A and B.

VIII. That the pavement in this by-law called macadam is what is commonly understood by that term, namely, a roadway constructed upon a well compacted dirt foundation with broken stone of a suitable nature to be approved from time to time by said council, such stone to be broken into three sizes, respectively, three inches, two inches, and one inch, as nearly as may be, each size laid separately and thoroughly compacted, the larger size to be placed at the bottom, and the smaller size at the top of the work, the curbing on streets now paved to be retained, the life of which macadam pavement has been certified by the city engineer to be at least twenty years; and proper and sufficient machinery for expeditiously and efficiently making and completing said pavement shall be provided by said council without charge to or upon the money borrowed as aforesaid.

IX. That in the event of a majority of the owners of real property fronting or abutting upon that part of any thoroughfare or other street particularly mentioned and defined in the aforesaid schedules representing more than one-half in value thereof, desiring to have the same paved with asphalt, brick or other durable material rather than macadam, and not later than six months prior to the date when, according to said Schedule B, such part of such thoroughfare or other street is to be paved with macadam, shall, over their respective signatures, petition the said council to substitute upon such part of such thoroughfare or other street for macadam either of the aforesaid kinds of pavement, and in said petition shall agree in legal form to pay all the cost of such other kind of pavement over and above the cost of constructing macadam thereon, such payment to be made to the municipality by a special equal annual rate to be imposed upon said real property for and during a period of ten years from and after the completion thereof, it shall be the duty of said council for the time being to comply with the prayer of such petition by constructing the kind of pavement therein asked for and out of the then current year's instalment of the aforesaid loan contribute towards the cost thereof a sum equal to the sum a macadam pavement upon such portion of thoroughfare or other street would cost the last named cost to be determined by the then ascertained cost of macadam per square yard upon other streets of a similar character, and to pass any by-law or by-laws that may be necessary to provide temporarily the amount of the said excess of cost and to levy and collect the same by annual instalments as aforesaid.

X. That it shall be the duty of, and it is hereby made obligatory upon, the council each year of the said period of ten years from and including the year 1899, to borrow the amount of money and issue debentures for the sums respectively provided for in and strictly according to the provisions of section one of this by-law, and to apply and expend all the money so borrowed in the manner hereinbefore directed, and also to levy

and collect the aforesaid special rates; and the members of the council in each of the said years respectively shall individually be personally liable for any neglect or violation of any of the duties or obligations of this by-law imposed upon the council of such year alike in respect to the borrowing and expenditure of said money, the issuing of said debentures, the passing of by-laws and the levying and collecting of said special rates.

XI. That the votes of the electors of said city will be taken on this by-law at the places and by the returning officers hereinafter mentioned on Monday the 17th day of July, 1899, commencing at the hour of nine of the clock in the forenoon and continuing until and closing at five of the clock in the afternoon of the said day, that is to say: For ward No. 1 at David Hook's house on the west side of Caron avenue, David Mitchell, Returning Officer; for ward No. 2, at J. G. Stewart's house, corner of London street and Dougall avenue, William Riddell, Returning Officer; for ward No. 3, at the City Hall, Richard Bailey, Returning Officer; for ward No. 4, at the house lately occupied by Charles White on the south side of Assumption Street, Jas. J. Reid, Returning Officer.

XII. That on the 10th day of July, 1899, at the city hall in said city at the hour of 10 of the clock in the forenoon, the said Mayor shall appoint in writing signed by himself two persons to attend at the final summing up of the votes as aforesaid by the clerk of the council, and one person to attend at each polling place on behalf of the persons interested in and desirous of promoting the passing of this by-law, and a like number on behalf of the persons interested in and desirous of opposing the passing of this by-law.

XIII. That on the 20th day of July, 1899, the clerk of the council shall, at the city hall in said city, at the hour of eleven of the clock in the forenoon, sum up the number of votes given for and against this by-law in presence of the persons appointed to attend thereat, or in presence of such of them as may then be present.

Seal.

(Signed)

JOHN DAVIS,
Mayor.

(Signed)

STEPHEN LUSTED,
Clerk.

SCHEDULE B.

Attached to and forming part of by-law No. 982, provisionally adopted by the council of the city of Windsor on the 19th day of June, 1899, and submitted for the approval of the electors of said city, shewing:—

1. The names and parts of the principal thoroughfares and other most commonly travelled streets of said city that are to be improved by constructing thereon a macadam pavement under the provisions of the said by-law;
2. The length and width of said pavement to be constructed upon each of said parts of said thoroughfares and streets respectively;
3. The estimated cost of each of the respective parts of said thoroughfares and other streets;
4. The respective parts of said thoroughfares and other streets as grouped together and allotted for each year's work for a period of ten years, beginning with and including the year 1899, and the estimated cost of each of said groups and allotments, including all expenses for engineering, printing and advertising and contingent charges; and
5. The particular year within which, in said groups and allotments, the said several parts of said thoroughfares and other streets respectively shall be paved.

| Name of thoroughfare or other street to be paved. | Precise part of each thoroughfare or other street to be paved. | | Length of Pavement in each part. | Width of Pavement in each part. | Estimated cost of paving each part. | Parts of thoroughfares and other streets as grouped together for the annual allotment of paving, and the estimated actual cost of each of such groups, including expenses. | | The precise year in which each group shall be paved. |
|---|--|--------------------------------|----------------------------------|---------------------------------|-------------------------------------|--|-------------------------------|--|
| | Beginning at | Ending at | | | | Composition of each group. | Estimated cost of each group. | |
| Sandwich street..... | Glengarry avenue | The easterly limit of the city | Feet. 4,056 | Feet. 24 | \$ 9,396 00 | Group No. 1 | \$ 20,000 | 1899 |
| Sandwich street..... | Canadian Pac. R. bridge | The Michigan Central R. B'dge | 1,640 | 24 | 3,799 00 | | | |
| Pitt street | Windsor avenue | Ferry street | 1,425 | 36 | 4,845 00 | Group No. 2 | 20,000 | 1900 |
| Sandwich street..... | Glengarry avenue..... | Church street..... | 3,300 | 38 | 9,460 00 | | | |
| Ouellette street..... | Sandwich street..... | London street | 840 | 50 | 3,304 00 | | | |
| Howard avenue | Cataraqui street..... | Cemetery gate | 3,300 | 24 | 7,810 00 | | | |
| London street | Victoria avenue..... | Bruce avenue..... | 1,105 | 32 | 2,579 00 | | | |
| Ouellette street..... | London street | Wyandotte street | 1,400 | 32 | 3 266 00 | | | |

BILL.
An Act respecting the City of Windsor.

First Reading. 1900.

(Private Bill).

Mr. MCKEE.

TORONTO:
PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act respecting the City of Windsor

WHEREAS the Municipal Corporation of the City of Windsor has petitioned praying that an Act may be passed to remove all doubt as to the legality of and to confirm a by-law passed on the 21st day of August, 1899, by the *Municipal Council* of said city, the qualified electors of said city having previously in the usual manner approved of said by-law, providing for the raising by way of loan the sum of \$200,000 in ten annual instalments of \$20,000 each with which to pave with macadam pavement, by a graduated and fixed plan extending over a period of ten years, the principal thoroughfares and other most commonly used streets of said city, the same being severally mentioned and defined in the Schedules A and B to said by-law, but, for the reasons set out in said petition, to change the year for the beginning and completion respectively of the several allotted annual portions of said paving and for the issue and sale of the debentures annually to be issued and sold under the provisions of said by-law, by advancing such year in each case twelve months farther forward, and also to authorize the issuing of said debentures in such amounts respectively as with the interest thereon will aggregate a sum payable in any year equal to the amount payable in any other year during the currency of said debentures; and whereas no opposition has been offered by or on behalf of any ratepayer of said city, or otherwise, to the said petition; and whereas it is expedient to grant the prayer of said petition;

Preamble.

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subject to the provisions of section two hereof, by-law number 982 of the Municipal Corporation of the City of Windsor, entitled "A By-law to provide for the permanent improvement of the principal thoroughfares and other streets in the city of Windsor, and for other purposes therein mentioned," set out as Schedule A to this Act, is hereby confirmed and declared to be legal, valid and binding upon the said municipal Corporation and the ratepayers thereof; and the said corporation of the city of Windsor is hereby authorized and empowered to issue debentures to the amount of \$200,000 in ten annual instalments of \$20,000 each for the purpose, and the proceeds thereof are to be expended in the manner, par-

By-law 982,
street im-
provements,
confirmed.

ticularly settled in said by-law, and the debentures so issued are hereby declared *to be legal, valid* and binding upon the said corporation and the ratepayers thereof; and the said corporation is hereby empowered and required to begin, prosecute and complete all necessary acts for the full and proper carrying out of the several provisions of said by-law.

When work to
be begun and
completed.

2. The year for the beginning and *completion* of each of the several portions of the pavement to be constructed under the provisions of said by-law, as well as the year for the issuing, selling and maturing of the debentures to be issued thereunder, shall in every case be one year later than the year in said by-law fixed therefor, and the levying and collecting of the annual special rate to meet the said debentures and the interest thereon, shall in every case be concurrent with the currency of said debentures; and the debentures of each of the ten instalments of the total issue of \$200,000 shall be of the denomination set out in Schedule B to this Act.

SCHEDULE A.

BY-LAW No. 982.

A BY-LAW TO PROVIDE FOR THE PERMANENT IMPROVEMENT OF THE PRINCIPAL THOROUGHFARES AND OTHER STREETS IN THE CITY OF WINDSOR, AND FOR OTHER PURPOSES THEREIN MENTIONED. PROVISIONALLY ADOPTED 19TH JUNE, 1899. FINALLY PASSED AUGUST 21ST, 1899.

Whereas it is deemed expedient and necessary in the interest of the municipality of Windsor as a whole, to adopt and establish an equitable and general plan or scheme for the permanent improvement of the principal thoroughfares and other most commonly travelled streets of said city under and according to which the said thoroughfares and other streets may, by a gradual and regular and settled method, be paved with what is known and understood as macadam pavement, the life of which pavement shall exceed twenty years.

And whereas it has been ascertained, after due and careful enquiry, that the sum of \$200,000 will be necessary and required to meet the cost of paving with macadam those parts of said thoroughfares and other streets most urgently needing improvement and which are severally particularly mentioned and defined in Schedule A hereto attached.

And whereas it is deemed to be for the best interests of said city that said sum of \$200,000 be raised by way of loan for said purpose; that the same be raised in ten annual instalments of \$20 000 each for and during a period of ten years beginning with and including the year 1899, as particularly set out in Schedule B hereto attached; and that the several and respective parts of said thoroughfares and other streets therein mentioned and defined under each year of said period of ten years be paved as aforesaid in the particular year of said period indicated and fixed therefore in said Schedule B.

And whereas it is necessary to authorize the borrowing of the said sum of \$200,000 for the aforesaid purpose, and the issuing of debentures in said amount for the payment thereof, and to regulate and settle the time and manner of borrowing said sum and of issuing of said debentures by annual instalments in such manner that only the one-tenth of said sum of \$200,000 shall be borrowed or raised, and debentures for only the said one-tenth of said sum shall be issued or negotiated, in any one year of said period of ten years for such purpose; and also to fix the rate of inter-

est said debentures shall bear and the coupons to be attached to the said debentures :

And whereas it is deemed expedient to make the debentures issued under the authority of this by-law payable in annual instalments covering a period of not more than twenty years from and after the date of issue thereof respectively, that is to say : the \$20,000 of debentures to be issued in the year 1909 to be payable by equal annual instalments each year up to and including the year 1919 ; the \$20,000 of debentures to be issued in 1900 to be payable by equal annual instalments each year up to and including the year 1920, and so on in respect to each and every of the other said annual issues of said debentures :

And whereas it is necessary to make provision for the application of any portion of the said instalment of said \$20,000 in any year of the said period of ten years that may remain after the construction and completion of the amount of said paving allotted to and fixed for said year in said Schedule B, and also for any deficiency that may occur in the construction and completion of said allotted and fixed amount of paving in any year of said period :

And whereas it is necessary to determine generally the method of constructing said macadam pavement on said parts of said thoroughfares and other streets, and to settle the character of the several materials to be employed in the construction thereof :

And whereas it is deemed just and equitable to make provision for the construction of a pavement or pavements of materials other than such as are used in constructing the macadam pavement hereinafter provided for, upon any street or part of street mentioned and defined in Schedule A in the event of the owners of the assessable real property fronting or abutting upon any such street or part of street by a majority in number and representing more than one-half in assessed value of such property so fronting or abutting thereon petitioning the council of said city to pave the same with asphalt, brick or other desirable material rather than with macadam, and in such petition agreeing to be, for a period of ten years, specially assessed and to pay for so much of the cost of such other description of pavement as may be in excess of the cost of paving such street or part of street with macadam, such special assessment to be an equal sum per foot frontage or flankage of such real property in and during each of said ten years :

And whereas it will require to be raised annually for and during a period of twenty-nine years from and after the year 1899, over and above and in addition to all other rates upon all the rateable property of said municipality for the payment of the said debt and the interest thereon semi-annually at the rate of four per centum per annum as the same respectively become due and payable, the sums following, that is to say :—

| | For Principal. | For Interest. | Total. |
|----------|----------------|---------------|-------------|
| 1st year | \$ 671 64 | \$ 800 00 | \$ 1,471 64 |
| 2nd " | 1,370 15 | 1,573 13 | 2,943 28 |
| 3rd " | 2,096 60 | 2,318 32 | 4,414 92 |
| 4th " | 2,852 11 | 3,034 45 | 5,886 56 |
| 5th " | 3,637 84 | 3,720 36 | 7,358 20 |
| 6th " | 4,455 00 | 4,374 84 | 8,829 84 |
| 7th " | 5,304 85 | 4,996 63 | 10,301 48 |
| 8th " | 6,188 69 | 5,534 43 | 11,723 12 |
| 9th " | 7,107 88 | 6,136 83 | 13,244 76 |
| 10th " | 8,063 84 | 6,652 56 | 14,716 40 |
| 11th " | 8,386 39 | 6,330 01 | 14,716 40 |
| 12th " | 8,721 84 | 5,994 56 | 14,716 40 |
| 13th " | 9,070 70 | 5,645 70 | 14,716 40 |
| 14th " | 9,433 50 | 5,282 90 | 14,716 40 |
| 15th " | 9,810 81 | 4,905 59 | 14,716 40 |
| 16th " | 10,203 21 | 4,513 19 | 14,716 40 |
| 17th " | 10,611 30 | 4,105 10 | 14,716 40 |
| 18th " | 11,035 72 | 3,680 68 | 14,716 40 |
| 19th " | 11,477 12 | 3,239 28 | 17,716 40 |

| | For Principal. | For Interest. | Total. |
|-----------------|---------------------|--------------------|---------------------|
| 20th year | \$11,936 16 | \$2,780 20 | \$14,716 36 |
| 21st " | 10,941 97 | 2,302 75 | 13,244 72 |
| 22nd " | 9,908 01 | 1,865 07 | 11,773 08 |
| 23rd " | 8,832 70 | 1,468 74 | 10,301 44 |
| 24th " | 7,714 39 | 1,115 41 | 8,829 80 |
| 25th " | 6,551 35 | 806 81 | 7,358 16 |
| 26th " | 5,341 79 | 544 73 | 5,886 52 |
| 27th " | 4,083 85 | 331 03 | 4,414 88 |
| 28th " | 2,775 59 | 167 65 | 2,943 24 |
| 29th " | 1,415 00 | 56 60 | 1,471 60 |
| | <u>\$200,000 00</u> | <u>\$94,327 60</u> | <u>\$294,327 60</u> |

And whereas, the amount of the whole ratable property of the municipality, according to the last revised assessment roll thereof, is \$5,312,825;

And whereas, the amount of the existing debenture debt of the municipality, exclusive of local improvement debts secured by special rates or assessments, is \$612,381.32;

And whereas, this by-law will require to receive the assent of the qualified electors of the municipality;

Therefore the corporation of the city of Windsor, by the council thereof, enacts as follows:

I. That it shall be lawful for the mayor and treasurer of the city of Windsor, for the time being, to raise by way of loan at the times and for the respective sums hereinafter mentioned, an aggregate sum of two hundred thousand dollars, that is to say, the sum of twenty thousand dollars each year for and during a period of ten years, beginning with and extending from the year 1899, for the purpose of improving by macadamizing the parts of the principal thoroughfares and other most commonly travelled streets of said city most urgently needing improvement, which said parts of said thoroughfares and other streets are particularly specified and shewn in the schedule marked A hereto attached and made part of this by-law: and to issue debentures therefor in sums of one thousand dollars each, according to and at the time and for the respective instalments of the said sum of two hundred thousand dollars that are herein authorized to be borrowed, namely, to issue debentures for said purpose to the amount of twenty thousand dollars, and no more, each year of the aforesaid period of ten years, beginning with and including the year 1899, which said debentures shall be so issued and made payable at the times following, that is to say:

| Consecutive Issue. | No. of debentures of each consecutive issue. | Date of each issue. | Amount of each issue. | Date when the last debenture of each succeeding issue shall mature. |
|--------------------|--|-----------------------|-----------------------|---|
| 1 | 20 | September 1st, 1899.. | \$20,000 | August 20th, 1919 |
| 2 | 20 | do 1900.. | 20,000 | do 1920 |
| 3 | 20 | do 1901.. | 20,000 | do 1921 |
| 4 | 20 | do 1902.. | 20,000 | do 1922 |
| 5 | 20 | do 1903.. | 20,000 | do 1923 |
| 6 | 20 | do 1904.. | 20,000 | do 1924 |
| 7 | 20 | do 1905.. | 20,000 | do 1925 |
| 8 | 20 | do 1906.. | 20,000 | do 1926 |
| 9 | 20 | do 1907.. | 20,000 | do 1927 |
| 10 | 20 | do 1908.. | 20,000 | do 1928 |
| | <u>200</u> | | <u>\$200,000</u> | |

II. That the whole number of said debentures shall be prepared at the some time and deposited for safe keeping in some chartered bank until

required from time to time, and shall be issued and sold each year of said period of ten years beginning with and including the year 1899 on or about the date of issue and for the amount each of said years settled in section one hereof; and when and only as sold, the said debentures shall be signed by the mayor and treasurer of the said municipality for the time being, and be sealed with the seal of the said corporation.

III. That the said debentures shall have printed across the face thereof the words "street improvement debentures," and have attached thereto coupons for the payment of the interest thereon semi-annually, which interest shall be at and after the rate of four per centum per annum.

IV. That the said debentures and coupons shall respectively be payable at the office in Windsor of the said treasurer.

V. That for the purpose of redeeming the said debentures and paying the interest thereon as the same respectively become due, an annual special rate over and above and in addition to all other rates sufficient to produce each year during the currency of the said debentures the sums following, that is to say:—

| | |
|-----------------------------------|------------|
| In the year 1900 the sum of | \$1,471 64 |
| In the year 1901 the sum of | 2,943 28 |
| In the year 1902 the sum of | 4,414 92 |
| In the year 1903 the sum of | 5,886 56 |
| In the year 1904 the sum of | 7,358 20 |
| In the year 1905 the sum of | 8,829 84 |
| In the year 1906 the sum of | 10,301 48 |
| In the year 1907 the sum of | 11,773 12 |
| In the year 1908 the sum of | 13,244 76 |
| In the year 1909 the sum of | 14,716 40 |
| In the year 1910 the sum of | 14,716 40 |
| In the year 1911 the sum of | 14,716 40 |
| In the year 1912 the sum of | 14,716 40 |
| In the year 1913 the sum of | 14,716 40 |
| In the year 1914 the sum of | 14,716 40 |
| In the year 1915 the sum of | 14,716 40 |
| In the year 1916 the sum of | 14,716 40 |
| In the year 1917 the sum of | 14,716 40 |
| In the year 1918 the sum of | 14,716 40 |
| In the year 1919 the sum of | 14,716 36 |
| In the year 1920 the sum of | 13,244 72 |
| In the year 1921 the sum of | 11,773 08 |
| In the year 1922 the sum of | 10,301 44 |
| In the year 1923 the sum of | 8,829 80 |
| In the year 1924 the sum of | 7,358 16 |
| In the year 1925 the sum of | 5,886 52 |
| In the year 1926 the sum of | 4,414 88 |
| In the year 1927 the sum of | 2,943 24 |
| In the year 1928 the sum of | 1,471 60 |

shall be raised, levied and collected in each of said years respectively, each year the sum hereinbefore set opposite such year beginning with the year 1900 and continuing down to and including the year 1928, upon all the rateable property of the municipality, which said rate shall be called "street improvement rate" and shall be levied and collected at the same time, in the same manner, and subject to the same conditions as to date of payment and penalty, as the other rates and taxes of the municipality are levied and collected.

VI. That subject to the provisions of section nine hereof the whole of the money borrowed as aforesaid shall be devoted to and expended in constructing macadam pavement upon the parts of the principal thoroughfares and other most commonly travelled streets particularly mentioned and defined in said schedule A, and shall be so expended in the particular years, in the exact sums, and only upon the precise parts of said thoroughfares and other streets particularly and specifically settled therefor in each case in schedule B hereto attached and made part of this by-law as such as if the the same were actually embodied herein. Provided, neverthe-

less, that if in any year of the said period of ten years the instalment of said loan apportioned to and allotted for such year in said schedule B proves insufficient to complete the work according to said schedule to be done and completed in that particular year, the council of that year may, out of any other available fund, provide the additional sum necessary to complete said work, or, having no fund available for said purpose, shall do, prosecute and complete, in fair proportion in respect to each part thereof, so much of the said work as the sum fixed therefor as aforesaid will permit, and no farther. Provided further, that in the event of the instalment of said loan apportioned to and allotted for any year in said schedule B proving greater than the sum found to be necessary to complete the work according to said schedule to be completed in that year, the council of that year may in its discretion apply the excess of such instalment to the improvement of any street not mentioned in said schedule or add it to the instalment to be expended in any subsequent year of said period of ten years.

VII. That nothing herein contained shall be construed as curtailing nor shall it curtail the power of the council in any year during said period of ten years to pass a by-law or by-laws and to borrow money for the improvement of the roadway or streets or parts of streets other than such as are defined and mentioned in said schedules A and B.

VIII. That the pavement in this by-law called macadam is what is commonly understood by that term, namely, a roadway constructed upon a well compacted dirt foundation with broken stone of a suitable nature to be approved from time to time by said council, such stone to be broken into three sizes, respectively, three inches, two inches, and one inch, as nearly as may be, each size laid separately and thoroughly compacted, the larger size to be placed at the bottom, and the smaller size at the top of the work, the curbing on streets now paved to be retained, the life of which macadam pavement has been certified by the city engineer to be at least twenty years; and proper and sufficient machinery for expeditiously and efficiently making and completing said pavement shall be provided by said council without charge to or upon the money borrowed as aforesaid.

IX. That in the event of a majority of the owners of real property fronting or abutting upon that part of any thoroughfare or other street particularly mentioned and defined in the aforesaid schedules representing more than one-half in value thereof, desiring to have the same paved with asphalt, brick or other durable material rather than macadam, and not later than six months prior to the date when, according to said Schedule B, such part of such thoroughfare or other street is to be paved with macadam, shall, over their respective signatures, petition the said council to substitute upon such part of such thoroughfare or other street for macadam either of the aforesaid kinds of pavement, and in said petition shall agree in legal form to pay all the cost of such other kind of pavement over and above the cost of constructing macadam thereon, such payment to be made to the municipality by a special equal annual rate to be imposed upon said real property for and during a period of ten years from and after the completion thereof, it shall be the duty of said council for the time being to comply with the prayer of such petition by constructing the kind of pavement therein asked for and out of the then current year's instalment of the aforesaid loan contribute towards the cost thereof a sum equal to the sum a macadam pavement upon such portion of thoroughfare or other street would cost the last named cost to be determined by the then ascertained cost of macadam per square yard upon other streets of a similar character, and to pass any by-law or by-laws that may be necessary to provide temporarily the amount of the said excess of cost and to levy and collect the same by annual instalments as aforesaid.

X. That it shall be the duty of, and it is hereby made obligatory upon, the council each year of the said period of ten years from and including the year 1899, to borrow the amount of money and issue debentures for the sums respectively provided for in and strictly according to the provisions of section one of this by-law, and to apply and expend all the money so borrowed in the manner hereinbefore directed, and also to levy

and collect the aforesaid special rates; and the members of the council in each of the said years respectively shall individually be personally liable for any neglect or violation of any of the duties or obligations of this by-law imposed upon the council of such year alike in respect to the borrowing and expenditure of said money, the issuing of said debentures, the passing of by-laws and the levying and collecting of said special rates.

XI. That the votes of the electors of said city will be taken on this by-law at the places and by the returning officers hereinafter mentioned on Monday the 17th day of July, 1899, commencing at the hour of nine of the clock in the forenoon and continuing until and closing at five of the clock in the afternoon of the said day, that is to say: For ward No. 1 at David Hook's house on the west side of Caron avenue, David Mitchell, Returning Officer; for ward No. 2, at J. G. Stewart's house, corner of London street and Dougall avenue, William Riddell, Returning Officer; for ward No. 3, at the City Hall, Richard Bailey, Returning Officer; for ward No. 4, at the house lately occupied by Charles White on the south side of Assumption Street, Jas. J. Reid, Returning Officer.

XII. That on the 10th day of July, 1899, at the city hall in said city at the hour of 10 of the clock in the forenoon, the said Mayor shall appoint in writing signed by himself two persons to attend at the final summing up of the votes as aforesaid by the clerk of the council, and one person to attend at each polling place on behalf of the persons interested in and desirous of promoting the passing of this by-law, and a like number on behalf of the persons interested in and desirous of opposing the passing of this by-law.

XIII. That on the 20th day of July, 1899, the clerk of the council shall, at the city hall in said city, at the hour of eleven of the clock in the forenoon, sum up the number of votes given for and against this by-law in presence of the persons appointed to attend thereat, or in presence of such of them as may then be present.

{ Seal. }

(Signed)

JOHN DAVIS,
Mayor.

(Signed)

STEPHEN LUSTED,
Clerk.

SCHEDULE A TO BY-LAW 982.

(Sections 1, 6, 7 and 9 of By-law.)

Shewing the parts of the principal thoroughfares and other most commonly travelled streets of the City of Windsor to be improved by constructing thereon a macadam pavement under the authority of By-law No. 982 provisionally adopted by the council of the said city on the 19th day of June, 1899, and submitted to the qualified electors for their assent:—

| Names of thoroughfares and other streets. | Part to be paved with macadam. | |
|---|--------------------------------------|--------------------------------------|
| | Beginning at. | Ending at. |
| Sandwich street..... | Glengarry avenue..... | The easterly limit of the city. |
| Sandwich street..... | Canadian Pacific Railway bridge..... | The Michigan Central Railway bridge. |
| Pitt street..... | Windsor avenue..... | Ferry street. |
| Sandwich street..... | Glengarry avenue..... | Church street. |
| Ouellette street..... | Sandwich street..... | London street. |
| Howard avenue..... | Cataraqui street..... | Cemetery gate. |

| Names of thoroughfares and other streets. | Part to be paved with macadam, | |
|---|--------------------------------|----------------------------------|
| | Beginning at | Ending at |
| London street | Victoria avenue | Bruce avenue. |
| Ouellette street | London street | Wyandotte street. |
| London street | Bruce avenue | The westerly limit of the city. |
| Arthur street | Windsor avenue | Glengarry avenue. |
| Ferry street | Sandwich street | Chatham street. |
| Assumption street | Windsor avenue | Glengarry avenue. |
| Dugall avenue | Sandwich street | Wyandotte street. |
| Glengarry avenue | Sandwich street | Cataraqui street. |
| Janet avenue | Sandwich street | Wyandotte street. |
| Victoria avenue | Chatham street | Wyandotte street. |
| Ouellette street | Wyandotte street | Erie street. |
| Goyeau street | Sandwich street | Wyandotte street. |
| Goyeau street | Wyandotte street | The end of the present pavement. |
| Windsor avenue | Sandwich street | Wyandotte street. |
| Pitt street | Ferry street | Caron avenue. |
| London street | Ouellette street | Windsor avenue. |
| Wyandotte street | Ouellette street | Janet avenue. |
| Wyandotte street | Glengarry avenue | Ouellette street. |
| Aylmer avenue | Sandwich street | Wyandotte street. |
| Mercer street | Sandwich street | Wyandotte street. |
| Bruce avenue | Sandwich street | Wyandotte street. |
| Church street | Sandwich street | Wyandotte street. |
| Park street | Windsor avenue | Caron avenue. |
| Albert street | Central School | Glengarry avenue. |
| Chatham street | Windsor avenue | Caron avenue. |
| Wyandotte street | Parent avenue | Glengarry avenue. |
| Crawford avenue | Sandwich street | Wyandotte street. |
| Parent avenue | Sandwich street | Wyandotte street. |
| Louis avenue | Sandwich street | Wyandotte street. |
| Marentette avenue | Sandwich street | Wyandotte street. |
| Brant street | McDougall street | Glengarry avenue. |
| McDougall street | Sandwich street | Wyandotte street. |
| Wellington avenue | London street | Wyandotte street. |
| Wyandotte street | Janet avenue | Wellington avenue. |
| Caron avenue | Sandwich street | Wyandotte street. |

Estimated aggregate length of aforesaid parts of streets, 15.70 miles.

(Signed)

JNO. DAVIS,
Mayor.

SCHEDULE B BY-LAW 982.

(Sections 6, 7 and 9 of By-law.)

- Attached to and forming part of by-law No. 982, provisionally adopted by the council of the city of Windsor on the 19th day of June, 1899, and submitted for the approval of the electors of said city, shewing:—
1. The names and parts of the principal thoroughfares and other most commonly travelled streets of said city that are to be improved by constructing whereon a macadam pavement under the provisions of the said by-law;
 2. The length and width of said pavement to be constructed upon each of said parts of said thoroughfares and streets respectively;
 3. The estimated cost of each of the respective parts of said thoroughfares and other streets;
 4. The respective parts of said thoroughfares and other streets as grouped together and allotted for each year's work for a period of ten years, beginning with and including the year 1899, and the estimated cost of each of said groups and allotments, including all expenses for engineering, printing and advertising and contingent charges; and
 5. The particular year within which, in said groups and allotments, the said several parts of said thoroughfares and other streets respectively shall be paved.

| Name of thoroughfare or other street to be paved. | Precise part of each thoroughfare or other street to be paved. | | Length of Pavement in each part. | Width of Pavement in each part. | Estimated cost of paving each part. | Parts of thoroughfares and other streets as grouped together for the annual allotment of paving, and the estimated actual cost of each of such groups, including expenses. | | The precise year in which each group shall be paved. |
|---|--|--------------------------------|----------------------------------|---------------------------------|-------------------------------------|--|-------------------------------|--|
| | Beginning at | Ending at | | | | Composition of each group. | Estimated cost of each group. | |
| Sandwich street | Glengarry avenue | The easterly limit of the city | Feet. 4,056 | Feet. 24 | \$ 9,396 00 | } Group No. 1 | \$ 20,000 | 1899 |
| Sandwich street | Canadian Pac. R. bridge | The Michigan Central R. Bridge | 1,640 | 24 | 3,799 00 | | | |
| Pitt street | Windsor avenue | Ferry street | 1,425 | 36 | 45 00 | } Group No. 2 | 20,000 | 1900 |
| Sandwich street | Glengarry avenue | Church street | 3,300 | 38 | 9,460 00 | | | |
| Ouellette street | Sandwich street | London street | 840 | 50 | 3,304 00 | } Group No. 2 | 20,000 | 1900 |
| Howard avenue | Cataraqui street | Cemetery gate | 3,300 | 24 | 7,810 00 | | | |
| London street | Victoria avenue | Bruce avenue | 1,105 | 32 | 2,579 00 | } Group No. 2 | 20,000 | 1900 |
| Ouellette street | London street | Wyandotte street | 1,400 | 32 | 3 266 00 | | | |

SCHEDULE B TO BY-LAW 982. ~~1911~~—Con.

| Name of thoroughfare or other street to be paved. | Precise part of each thoroughfare or other street to be paved. | | Length of Pavement in each part. | Width of Pavement in each part. | Estimated cost of paving each part. | Parts of thoroughfares and other streets as grouped together for the annual allotment of paving, and the estimated actual cost of each of said groups, including expenses. | | The precise year in which each group shall be paved. |
|---|--|---------------------------------|----------------------------------|---------------------------------|-------------------------------------|--|-------------------------------|--|
| | Beginning at | Ending at | | | | Composition of each group. | Estimated cost of each group. | |
| London street | Bruce avenue | The westerly limit of the city | 4,200 | 32 | 9,940 00 | Group No. 3 | 20,000 | 1901 |
| Arthur street | Windsor avenue | Glengarry avenue | 1,180 | 24 | 2,793 00 | | | |
| Ferry street | Sandwich street | Chatham street | 519 | 24 | 1,211 00 | Group No. 4 | 20,000 | 1902 |
| Assumption street | Windsor avenue | Glengarry avenue | 1,013 | 24 | 2,397 00 | | | |
| Dougall avenue | Sandwich street | Wyandotte street | 2,330 | 24 | 5,495 00 | Group No. 5 | 20,000 | 1903 |
| Glengarry avenue | Sandwich street | Cataraqui street | 2,584 | 24 | 6,029 00 | | | |
| Janet avenue | Sandwich street | Wyandotte street | 2,500 | 24 | 5,916 00 | Group No. 6 | 20,000 | 1904 |
| Victoria avenue | Chatham street | Wyandotte street | 1,704 | 24 | 4,008 00 | | | |
| Ouellette street | Wyandotte street | Erie street | 2,000 | 32 | 4,666 00 | Group No. 7 | 20,000 | 1905 |
| Goyeau street | Sandwich street | Wyandotte street | 2,090 | 24 | 4,877 00 | | | |
| Goyeau street | Wyandotte street | The end of the present pavement | 2,767 | 24 | 6,457 00 | Group No. 7 | 20,000 | 1905 |
| Windsor avenue | Sandwich street | Wyandotte street | 2,100 | 24 | 4,923 00 | | | |
| Pitt street | Ferry street | Caron avenue | 1,850 | 24 | 4,355 00 | Group No. 6 | 20,000 | 1904 |
| London street | Ouellette street | Windsor avenue | 900 | 24 | 2,100 00 | | | |
| Wyandotte street | Ouellette street | Janet avenue | 1,970 | 24 | 3,700 00 | Group No. 7 | 20,000 | 1905 |
| Wyandotte street | Glengarry avenue | Ouellette street | 2,068 | 32 | 4,895 00 | | | |
| Aylmer avenue | Sandwich street | Wyandotte street | 1,870 | 24 | 4,426 00 | Group No. 7 | 20,000 | 1905 |
| Mercer street | Sandwich street | Wyandotte street | 1,900 | 24 | 4,496 00 | | | |
| Bruce avenue | Sandwich street | Wyandotte street | 2,450 | 24 | 5,731 00 | Group No. 7 | 20,000 | 1905 |
| Church street | Sandwich street | Wyandotte street | 2,380 | 24 | 5,575 00 | | | |

| | | | | | | | | |
|-------------------------|------------------------|-------------------------|-------|----|----------|-----------------------|------------|------|
| Park street..... | Windsor avenue | Caron avenue..... | 3,006 | 24 | 7,090 00 | } Group No. 8 | 20,000 | 1906 |
| Albert street | Central school | Glengarry avenue..... | 933 | 24 | 2,350 00 | | | |
| Chatham street | Windsor avenue | Caron avenue..... | 3,250 | 24 | 7,605 00 | } Group No. 9 | 20,000 | 1907 |
| Wyandotte street | Parent avenue | Glengarry avenue..... | 1,800 | 32 | 4,260 00 | | | |
| Crawford avenue..... | Sandwich street..... | Wyandotte street | 2,700 | 24 | 6,390 00 | } Group No. 10 | 20,000 | 1908 |
| Parent avenue | Sandwich street..... | Wyandotte street | 1,600 | 24 | 3,786 00 | | | |
| Louis avenue..... | Sandwich street..... | Wyandotte street | 1,687 | 24 | 3,993 00 | } Group No. 10 | 20,000 | 1908 |
| Marentelle avenue | Sandwich street..... | Wyandotte street | 1,650 | 24 | 3,905 00 | | | |
| Brant street | McDougall street | Glengarry avenue..... | 776 | 24 | 1,836 00 | } Group No. 10 | 20,000 | 1908 |
| McDougall street | Sandwich street..... | Wyandotte street | 1,970 | 24 | 4,662 00 | | | |
| Wellington avenue | London street | Wyandotte street | 1,703 | 24 | 4,030 00 | } Group No. 10 | 20,000 | 1908 |
| Wyandotte street | Janet avenue | Wellington avenue | 1,801 | 24 | 4,512 00 | | | |
| Carson avenue | Sandwich street..... | Wyandotte street | 1,518 | 24 | 5,960 00 | Total estimated cost, | | |
| | | | | | | | \$200,000. | |

(Signed)

JOHN DAVIS, Mayor.

SCHEDULE B.

(Section B.)

Shewing the denomination of the respective debentures of each of the ten annual issues of \$20,000 each authorized by by-law number 982 of the City of Windsor, and also the interest thereon payable each year during the currency of said debentures, together making the aggregate amount payable for principal and interest in each year of the period of 20 years :

| | Amount of each consecutive Debenture. | Amount of interest on loan payable each year. | Aggregate of principal and interest payable each year. |
|---------------------------------|---------------------------------------|---|--|
| Payable the 1st year | \$ 671 64 | \$ 800 00 | \$ 1,471 64 |
| “ 2nd “ | 698 51 | 773 13 | 1,471 64 |
| “ 3rd “ | 726 45 | 745 19 | 1,471 64 |
| “ 4th “ | 755 51 | 716 13 | 1,471 64 |
| “ 5th “ | 785 73 | 685 91 | 1,471 64 |
| “ 6th “ | 817 16 | 654 48 | 1,471 64 |
| “ 7th “ | 849 85 | 621 79 | 1,471 64 |
| “ 8th “ | 883 83 | 587 80 | 1,471 64 |
| “ 9th “ | 919 18 | 552 46 | 1,471 64 |
| “ 10th “ | 955 95 | 515 69 | 1,471 64 |
| Payable the 11th year | \$ 994 19 | \$ 477 45 | \$ 1,471 64 |
| “ 12th “ | 1,033 95 | 437 69 | 1,471 64 |
| “ 13th “ | 1,075 31 | 396 33 | 1,471 64 |
| “ 14th “ | 1,118 31 | 353 33 | 1,471 64 |
| “ 15th “ | 1,163 04 | 308 60 | 1,471 64 |
| “ 16th “ | 1,209 56 | 262 08 | 1,471 64 |
| “ 17th “ | 1,257 94 | 213 70 | 1,471 64 |
| “ 18th “ | 1,308 26 | 163 38 | 1,471 64 |
| “ 19th “ | 1,360 59 | 111 05 | 1,471 64 |
| “ 20th “ | 1,415 04 | 56 60 | 1,471 64 |
| | 20,000 00 | 9,432 80 | 29,432 80 |



No. 29.

3rd Session, 9th Legislature, 63 Vic., 1900.

BILL.

An Act respecting the City of Windsor.

First Reading, 21st March, 1900.

*(Reprinted as amended by the Private
Bills Committee.)*

(Private Bill.)

Mr. MCKEE.

TORONTO:
PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

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

WHEREAS The Huron and Erie Loan and Savings Com- Preamble.
pany (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;

5 Therefore Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:—

1. Notwithstanding anything contained in any Legislative Inconsistent
enactments
not to apply.
10 status of the company in relation to the matters herein con-
tained shall henceforth be as provided by this Act.

2. The various powers, rights, privileges, liabilities and 62-63 V. c. 41
(Dom.) appli-
cation of.
15 panies therein referred to, shall apply to and be enjoyed and
borne by the company.

3. The company may act as an agency association for the Agency
power.
20 of such others, lend and advance money to any person or corpo-
ration, or municipal or other authority, or any board, or body
or trustees or commissioners, upon such securities as the com-
pany are authorized to lend upon, and may purchase and
25 money and again re-sell the same.

(*x*) The conditions and terms of such loans and advances,
and of such purchases and re-sales, may be enforced by the
company for its benefit, and for the benefit of the person or
30 or such purchase and re-sale made, and the company shall
have the same power in respect of such loans, advances, pur-

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

Guaranteeing
principal and
interest on
loans.

(b) The company may also guarantee the repayment of the principal or the payment of the interest, or both, of any moneys entrusted to the company for investment. 5

(c) 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, 10 and may do, assent to and exercise all, acts whatsoever which, in the opinion of the directors of the company for the time being, are requisite or expedient to be done in regard thereto.

(d) All moneys of which the repayment of the principal or payment of interest is guaranteed by the company shall, for 15 the purposes of this Act, be deemed to be money borrowed by the Company.

Acting as
liquidator.

4. The company may liquidate, and carry on for the purposes of such liquidation, the business of any other company or companies carrying on any business which the company is 20 authorized to carry on upon such terms as may be agreed upon.

Reserve fund.

5. 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, 25 improving and maintaining any of the property of the company, and for such other purposes as the directors shall, in their absolute discretion, think conducive to the interests of the company, and may invest the several sums so set aside upon such investments (other than shares of the company) as 30 they may think fit, and may from time to time deal with and vary such investments and dispose of all or any part thereof for the benefit of the company, and may divide the reserve fund into such special funds as they think fit, with full power to employ the assets constituting the reserve fund in the 35 business of the company, and that without being bound to keep the same separate from the other assets.

Buying out
other
companies.

6. The company may purchase the entire assets and acquire and undertake the whole or any part of the business, property and liabilities and the name and good-will of any other com- 40 pany or companies carrying on any business which the company is authorized to carry on, or possessed of property suitable for the purposes of the company, and 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 45 any other manner; and any such company as is hereinbefore referred to, 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 company may enter into all agreements of purchase and sale and do all other acts necessary or convenient for the purpose of such purchase and sale. Provided always that specified assets may
 5 be excepted from any such purchase and sale. Any such agreement may be in the form contained in the schedule hereto, or to the like effect, and the execution of the agreement shall *ipso facto* vest in the company the interest and title in and to the property the subject matter of the agree-
 10 ment, and all and singular the business, property real and personal, and all rights and incidents appurtenant thereto, also all stock, mortgages or other securities, subscriptions and other debts due on whatever account, and all other things belonging to such other company as may be party to the agreement shall
 15 be taken and deemed to be transferred to and vested in the company without further act or deed.

7. 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 the acquisition aforesaid, the
 20 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
 25 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.

8. In the case of any partly paid up stock issued by the company as the consideration in whole or in part of the pur-
 30 chase by the company of the assets of any other company, the liability of the holders of such partly paid up stock in respect of the unpaid portion thereof, shall be reduced by five equal annual amounts at the end of one, two, three, four and five years respectively from the date of the issuing of such partly
 35 paid up stock. Provided always that no such annual reduction shall be made unless and until the liabilities of the company which shall have matured up to the time when the reduction is sought to be made shall have been met by the company. The stock referred to in this section shall, as
 40 against creditors subsequent to the reduction hereby authorized, be considered as paid up stock.

SCHEDULE A.

(Section 6.)

An Agreement made the _____ day of _____
 Between _____
 (hereinafter called the Vendor) of the one part, and The Huron and Erie

Loan and Savings Company, hereinafter referred to as "the company," of the other part.

Whereas the vendor has for some time past carried on the general business of a building society and loan and savings company

Now it is hereby agreed as follows :—

1. The vendor shall sell and the company shall purchase :

First, the good-will of the said business with the exclusive right to use the name of the company in connection with the said business so purchased and to hold out and represent the said company as carrying on such business in continuation of the vendor's business and in succession thereto, and the right to use the words "late company," or any other words indicating that the business is carried on in continuation of or in succession to the said company.

Secondly, all the freehold and leasehold properties belonging to the vendor at the date of these presents or hereafter to be acquired by it.

Thirdly, all mortgages and securities for money either now owned or hereafter to be acquired by the vendor.

Fourthly, all the books and other debts due or to become due to the vendor in connection with the said business and the full benefit of all securities for such debts.

Fifthly, the full benefit of all contracts and engagements to which the Vendor is or may be entitled in connection with the said business.

Sixthly, all cash in hand and at any bank, and all bills and notes of the vendor in connection with the said business.

Seventhly, all other property to which the vendor is or may become entitled in connection with the said business.

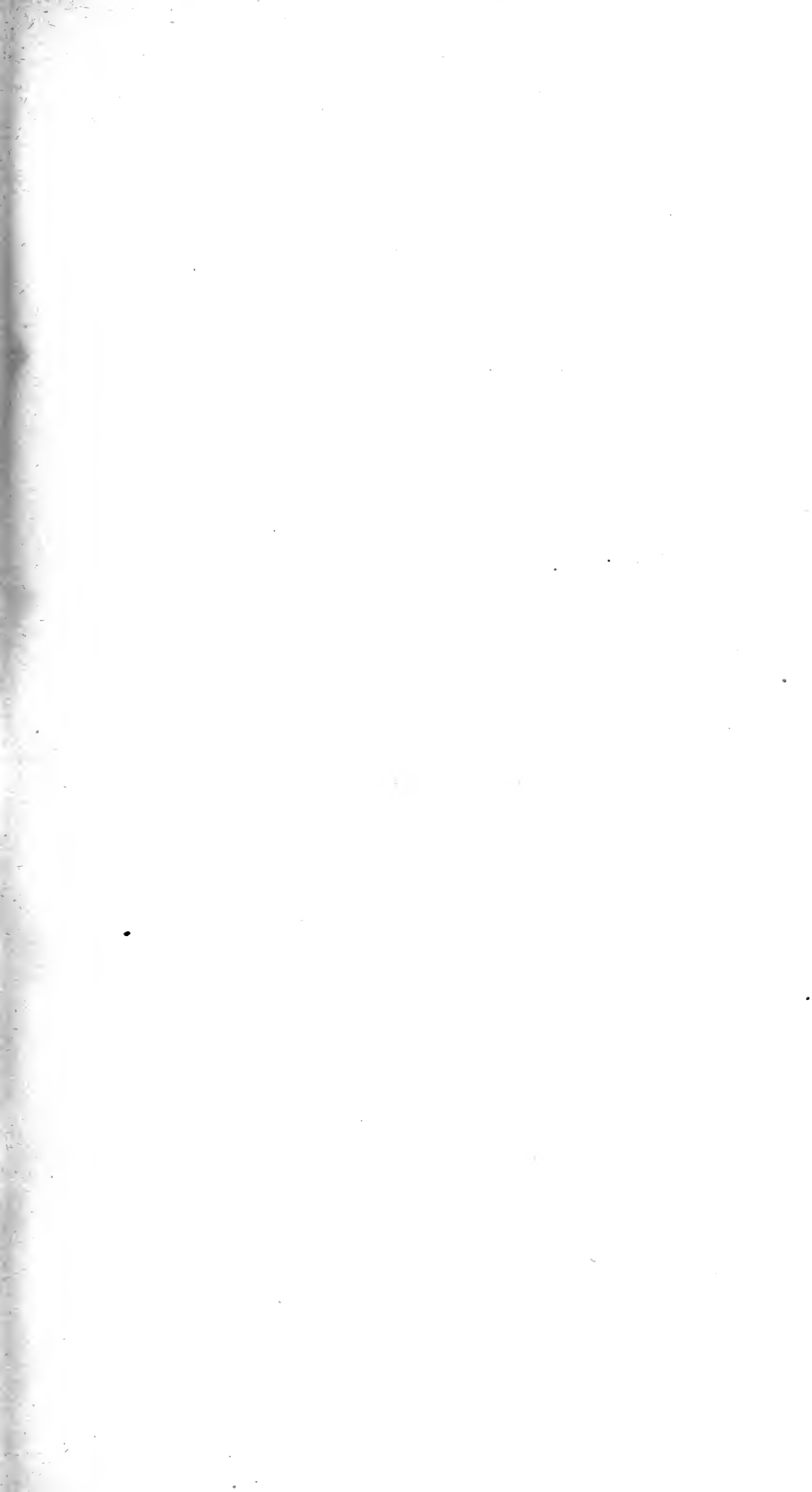
2. As part of the consideration for the said sale, the company shall undertake to pay, satisfy and perform all the debts, liabilities, contracts and engagements of the vendor in relation to the said business and shall indemnify the vendor and its shareholders and each and every one of them against all proceedings, claims and demands in respect thereof.

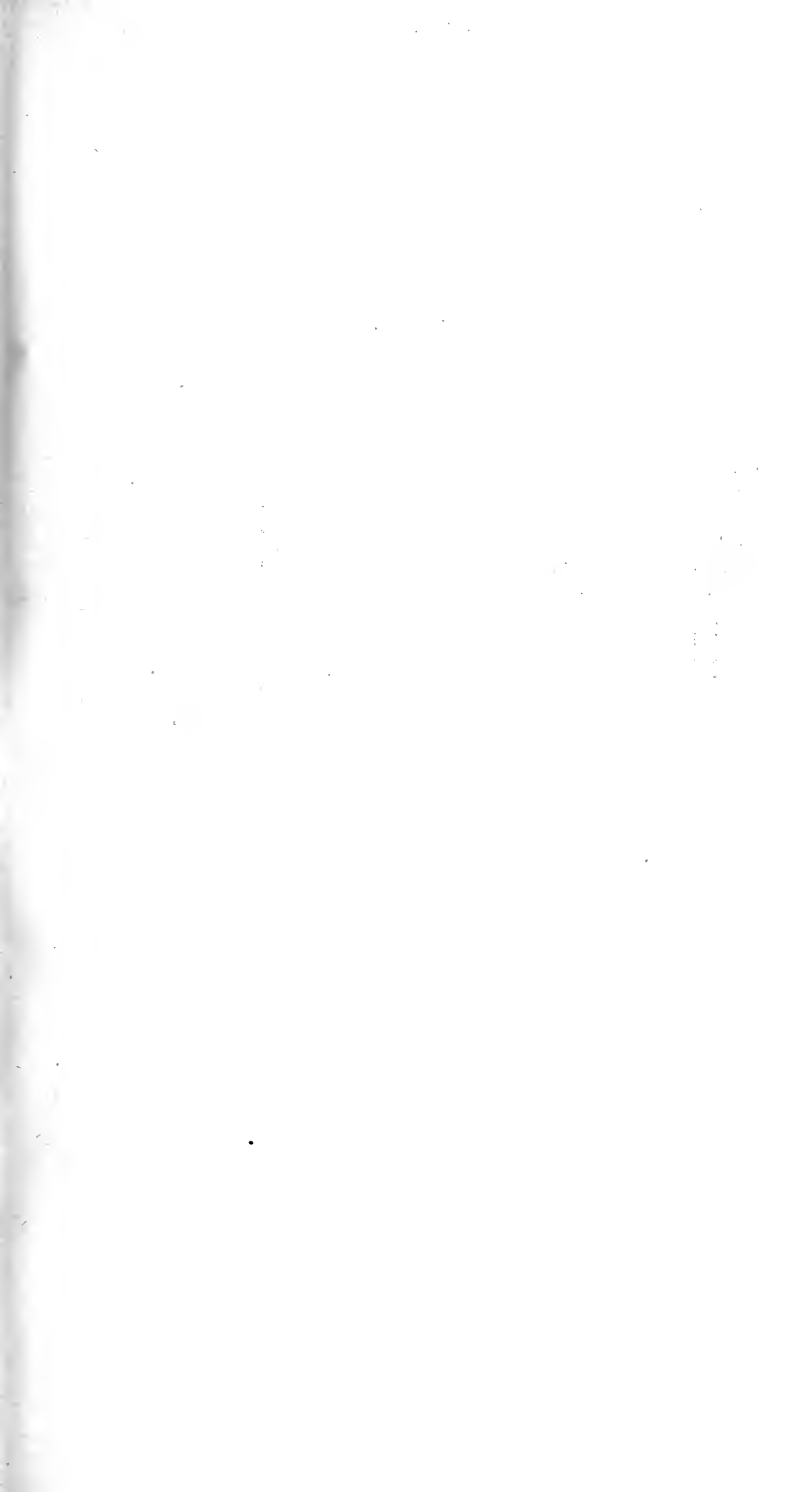
3. Upon completion of the purchase, possession of all the property hereinbefore agreed to be sold shall as far as practicable be given, sold and transferred to the company and the consideration be paid and satisfied, subject to the provisions of this agreement, and thereupon the vendor and all other necessary parties (if any) shall, at the expense of the company, execute and do all such assurances and things for vesting the said premises in the company and giving to it the full benefit of this agreement, as shall be reasonably required.

4. The company agrees with the vendor (the vendor acting herein for itself as a corporation, and also acting for each and every shareholder of the vendor), that the company will indemnify and save harmless each and every of the shareholders of the vendor, who shall upon receiving the consideration agreed upon, assign to the company the shares now held by him in the capital of the vendor, of and from all liability in respect of any such shares.

5. The vendor shall procure this agreement to be submitted for ratification and confirmation by a meeting of the shareholders of the vendor company duly called for that purpose forthwith after the execution of these presents.

In witness whereof, etc.*





No. 30.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

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

| | |
|----------------|-------|
| First Reading, | 1900. |
|----------------|-------|

(Private Bill)

Mr. LEYS.

TORONTO:

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act to authorize the Town of Port Hope to raise
money for Waterworks Purposes.

WHEREAS the municipal council of the town of Port Preamble.
Hope have by their petition shewn that by an Act
passed in the 57th year of Her Majesty's reign, chapter 74, a
certain by-law of the said town of Port Hope, number 695,
5 was ratified and confirmed and declared to be legal and bind-
ing and the debentures to be issued pursuant to the said by-
law were also declared to be valid and binding; that the sum
of \$30,000 raised by way of debentures under the said by-law
number 695 has been expended in establishing a system of
10 waterworks for the supply of water for domestic purposes as
well as for the extinguishment of fires and laying down water
pipes in the streets of the said town and of extending and
enlarging and altering such waterworks and water pipes and
for acquiring lands necessary for such purposes; and that they
15 are desirous notwithstanding the provisions of the Act passed
in the 49th year of Her Majesty's reign, chapter 64, of being
of such an amount as that the amount of principal and interest
authorized to issue further debentures to the amount of \$20,-
000 and that the said debentures may be made payable
20 one in each of thirty years, and that the said debentures may be
payable in any one year shall be the same as the amount of
principal and interest payable in each of the other years of
the said period of thirty years, the money to be raised upon the
security of the said debentures to be applied by the said council
25 in altering, extending and enlarging the waterworks now ex-
isting in the town of Port Hope, and laying down further water
pipes in the streets of the said town and in improving, maintain-
ing, managing and conducting the said waterworks and water
pipes, and constructing, building, purchasing, improving,
30 extending, holding, maintaining and managing, land, buildings,
materials, machinery and appurtenances thereto belonging in-
cluding the duplication of the pumping engine and machinery
and the renewal or improvement thereof; and whereas it is
expedient to grant the prayer of the said petition.

35 Therefore Her Majesty by and with the advice and consent
of the Legislative Assembly of the Province of Ontario enacts
as follows:

1. That the corporation of the town of Port Hope may Authority to
issue
debentures.

upon the passing of a by-law to that effect issue debentures under the corporate seal signed by the mayor and countersigned by the treasurer for the time being in such sums not exceeding in face value the sum of \$20,000 in the whole as the said corporation may from time to time direct and the principal sum secured by the said debentures and the interest accruing thereon may be made payable at such place as the corporation may direct. 5

How payable. 2. The said debentures shall bear interest at a rate not greater than four per centum per annum and no part of the principal sum shall be payable at a time more than thirty years from the date of the said debentures. The said corporation may make one debenture payable during each year of the period not exceeding thirty years and such debentures may be for such sums as that the amount payable during any one year for principal, and interest shall be equal to the amount payable in any other year of the said period. 15

Power to borrow. 3. The said corporation may raise by way of loan, on the credit of the said debentures such sum or sums from time to time as they may deem advisable. 20

Application of proceeds. 4. The said moneys so to be raised shall be applied by the said corporation in altering, extending and enlarging the water works now existing in the town of Port Hope and laying down further water pipes in the streets of the said town, and in improving, maintaining, managing and conducting the said water-works and water pipes and constructing, building, purchasing, improving, extending, holding, maintaining and managing land, buildings, materials, machinery and appurtenances thereto belonging, including the duplication of the pumping engine and machinery and the renewal or improvement thereof, such money to be expended from time to time in such a manner to such an amount and for such of the purposes aforesaid as the council of the said town may from time to time determine. 25 30

R.S.O., c. 223, to apply. 5. The provisions of *The Municipal Act*, sections 338-383 inclusive, shall apply to the said by-law. 35

49 V. c. 64, s. 9 not to apply. 6. In case the said town shall at any time hereafter desire to avail itself of the provisions of the *Municipal Waterworks Act* it shall be at liberty to do so, it being hereby enacted that the said town shall have all the powers mentioned in the said Act and that the provisions of the Act passed in the forty-ninth year of Her Majesty's reign, chapter 64, section 9, shall not apply to any debt or liability incurred, or to be incurred, or debentures issued or to be issued for any of the purposes mentioned in the said *Municipal Waterworks Act*. 40

No. 31.

3rd Session, 9th Legislature, 63 Vict., 1900

An Act to authorize the Town of Port
Hope to raise money for Waterworks
Purposes.

First Reading, _____, 1900.

(Private Bill)

Mr. FALLIS.

TORONTO :

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act to authorize the Town of Port Hope to raise money for Waterworks Purposes.

WHEREAS the Municipal Council of the Town of Port Hope has by petition shewn that by an Act passed in the 57th year of Her Majesty's reign, chaptered 74, a certain by-law of the said town of Port Hope, numbered 695, was ratified and confirmed and declared to be legal and binding and the debentures to be issued pursuant to the said by-law were also declared to be valid and binding; that the sum of \$30,000 raised by way of debentures under the said by-law numbered 695 has been expended in establishing a system of waterworks for the supply of water for domestic purposes as well as for the extinguishment of fires and laying down water pipes in the streets of the said town and for extending and enlarging and altering such waterworks and water pipes and for acquiring lands necessary for such purposes; and that the *said corporation* is desirous notwithstanding the provisions of the Act passed in the 49th year of Her Majesty's reign, chaptered 64, of being authorized to issue further debentures to the amount of \$20,000, and that the said debentures may be made payable one in each of thirty years, and that the said debentures may be of such an amount as that the amount of principal and interest payable in any one year shall be the same as the amount of principal and interest payable in each of the other years of the said period of thirty years, the money to be raised upon the security of the said debentures to be applied by the said council in altering, extending and enlarging the waterworks now existing in the town of Port Hope, and laying down further water pipes in the streets of the said town and in improving, maintaining, managing and conducting the said waterworks and water pipes, and constructing, building, purchasing, improving, extending, holding, maintaining and managing, land, buildings, materials, machinery and appurtenances thereto belonging including the duplication of the pumping engine and machinery and the renewal or improvement thereof; and whereas it is expedient to grant the prayer of the said petition. Preamble.

Therefore Her Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

Authority to
issue
debentures.

1. The *Municipal Corporation* of the Town of Port Hope may upon the passing of a by-law to that effect issue debentures under the corporate seal signed by the mayor and countersigned by the treasurer for the time being in such sums not exceeding in face value the sum of \$20,000 in the whole as the said corporation may from time to time direct and the principal sum secured by the said debentures and the interest accruing thereon may be made payable at such place as the corporation may direct.

How payable.

2. The said debentures shall bear interest at a rate not exceeding four per centum per annum and no part of the principal sum shall be payable at a time more than thirty years from the date of the said debentures. The said corporation shall make one debenture payable during each year of the period not exceeding thirty years and such debentures may be for such sums as that the amount payable during any one year for principal, and interest shall be equal to the amount payable in any other year of the said period.

Power to
borrow.

3. The said corporation may raise by way of loan, on the credit of the said debentures such sum or sums from time to time as the *said corporation* may deem advisable.

Application
of proceeds.

4. The said moneys so to be raised shall be applied by the said corporation in altering, extending and enlarging the water works now existing in the town of Port Hope and laying down further water pipes in the streets of the said town, and in improving, maintaining, managing and conducting the said waterworks and water pipes and constructing, building, purchasing, improving, extending, holding, maintaining and managing land, buildings, materials, machinery and appurtenances thereto belonging, including the duplication of the pumping engine and machinery and the renewal or improvement thereof; such money to be expended from time to time in such a manner to such an amount and for such of the purposes aforesaid as the council of the said town may from time to time determine.

R.S.O., c. 223,
to apply.

5. ~~427~~ The said by-law so to be submitted to the ratepayers of the said Town of Port Hope shall be submitted subject to the provisions contained in sections 338 to 383 inclusive of *The Municipal Act*. ~~63~~

49 V. c. 64, s.9
not to apply.

6. In case the said town shall at any time hereafter desire to avail itself of the provisions of the *Municipal Waterworks Act* it shall be at liberty to do so, it being hereby enacted that the said town shall have all the powers mentioned in the said Act and that the provisions of the Act passed in the forty-ninth year of Her Majesty's reign, chapter 64, section 9, shall not apply to any debt or liability incurred, or to be incurred, or debentures issued or to be issued for any of the purposes mentioned in the said *Municipal Waterworks Act*.

An Act to authorize the Town of Port
Hope to raise money for Waterworks
Purposes.

First Reading, 20th March, 1900.

*(Reprinted as amended by the Private Bills
Committee.)*

(Private Bill.)

Mr. FALLIS.

TORONTO:
PRINTED BY I. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act to authorize the Town of Port Hope to raise
money for Waterworks Purposes

WHEREAS the Municipal Council of the Town of Port Hope has by petition shewn that by an Act passed in the 57th year of Her Majesty's reign, chaptered 74, a certain by-law of the said town of Port Hope, numbered 695, was ratified and confirmed and declared to be legal and binding and the debentures to be issued pursuant to the said by-law were also declared to be valid and binding; that the sum of \$30,000 raised by way of debentures under the said by-law numbered 695 has been expended in establishing a system of waterworks for the supply of water for domestic purposes as well as for the extinguishment of fires and laying down water pipes in the streets of the said town and for extending and enlarging and altering such waterworks and water pipes and for acquiring lands necessary for such purposes; and that the said corporation is desirous notwithstanding the provisions of the Act passed in the 49th year of Her Majesty's reign, chaptered 64, of being authorized to issue further debentures to the amount of \$20,000 and that the said debentures may be made payable one in each of thirty years, and that the said debentures may be of such an amount as that the amount of principal and interest payable in any one year shall be the same as the amount of principal and interest payable in each of the other years of the said period of thirty years, the money to be raised upon the security of the said debentures to be applied by the said council in altering, extending and enlarging the waterworks now existing in the town of Port Hope, and laying down further water pipes in the streets of the said town and in improving, maintaining, managing and conducting the said waterworks and water pipes, and constructing, building, purchasing, improving, extending, holding, maintaining and managing, land, buildings, materials, machinery and appurtenances thereto belonging including the duplication of the pumping engine and machinery and the renewal or improvement thereof; and whereas it is expedient to grant the prayer of the said petition.

Therefore Her Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

1. The *Municipal* Corporation of the Town of Port Hope may upon the passing of a by-law to that effect issue debentures under the corporate seal signed by the mayor and counter- Authority to issue debentures.

signed by the treasurer for the time being in such sums not exceeding in face value the sum of \$20,000 in the whole as the said corporation may from time to time direct and the principal sum secured by the said debentures and the interest accruing thereon may be made payable at such place as the corporation may direct.

How payable. 2. The said debentures shall bear interest at a rate not exceeding four per centum per annum and no part of the principal sum shall be payable at a time more than thirty years from the date of the said debentures. The said corporation shall make one debenture payable during each year of the period not exceeding thirty years and such debentures may be for such sums as that the amount payable during any one year for principal, and interest shall be equal to the amount payable in any other year of the said period.

Power to borrow. 3. The said corporation may raise by way of loan, on the credit of the said debentures such sum or sums from time to time as the said corporation may deem advisable.

Application of proceeds. 4. The said moneys so to be raised shall be applied by the said corporation in altering, extending and enlarging the water works now existing in the town of Port Hope and laying down further water pipes in the streets of the said town, and in improving, maintaining, managing and conducting the said waterworks and water pipes and constructing, building, purchasing, improving, extending, holding, maintaining and managing land, buildings, materials, machinery and appurtenances thereto belonging, including the duplication of the pumping engine and machinery and the renewal or improvement thereof; such money to be expended from time to time in such a manner to such an amount and for such of the purposes aforesaid as the council of the said town may from time to time determine.

R.S.O., c. 223, to apply. 5. ~~The~~ The said by-law so to be submitted to the ratepayers of the said Town of Port Hope shall be submitted subject to the provisions contained in sections 338 to 383 inclusive of *The Municipal Act*, ~~and~~ and the submission of the said by-law to the said ratepayers shall be valid and effectual notwithstanding that any of the proceedings for such submission shall have been made before the passing of this Act. ~~and~~

49 V. c. 64, s. 9 not to apply. 6. In case the said town shall at any time hereafter desire to avail itself of the provisions of the *Municipal Waterworks Act* it shall be at liberty to do so, it being hereby enacted that the said town shall have all the powers mentioned in the said Act and that the provisions of the Act passed in the forty-ninth year of Her Majesty's reign, chapter 64, section 9, shall not apply to any debt or liability incurred, or to be incurred, or debentures issued or to be issued for any of the purposes mentioned in the said *Municipal Waterworks Act*.



No. 31.

3rd Session, 9th Legislature, 63 Vict., 1900

An Act to authorize the Town of Port
Hope to raise money for Waterworks
Purposes.

First Reading, 20th March, 1900.
Second Reading, 2nd April, 1900.

*(Reprinted as amended in Committee
of the Whole House.)*

Mr. FALLIS.

TORONTO :

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act to revive, extend and amend An Act to incorporate The Ingersoll Radial Electric Railway Company.

WHEREAS Justus Miller and others were by an Act Preamble.
 passed in the 60th year of Her Majesty's reign, chapter 88, incorporated as a Company, under the name of "The Ingersoll Radial Electric Railway Company," hereinafter
 5 called "The Company," for the purpose of constructing and operating certain electric railways, from the town of Ingersoll along the routes set forth in the said Act of 1897; and
 whereas, by section 13 of the said Act of 1897, it was provided that the said railways, or such sections of them as were
 10 authorized by the said Act, should be commenced within two years from the passing of the said Act of 1897; and whereas the said company have been unable to commence the said railways within the said two years, and have by their petition
 prayed that the time for the commencement of the same be
 15 extended for two years from the passing of this Act; and whereas it is expedient to grant the prayer of the said petition;

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario,
 20 enacts as follows:—

1. The said Act, passed in the 60th year of Her Majesty's 60 v., c 88, revived.
 reign, chapter 88, is hereby revived and the time for the commencement of the said railways, or such sections or branches thereof, as are authorized by the said Act, chapter 88, is
 25 hereby extended to two years from the passing of this Act, and shall be completed within five years from the passing
 hereof. Time for commencement and completion.

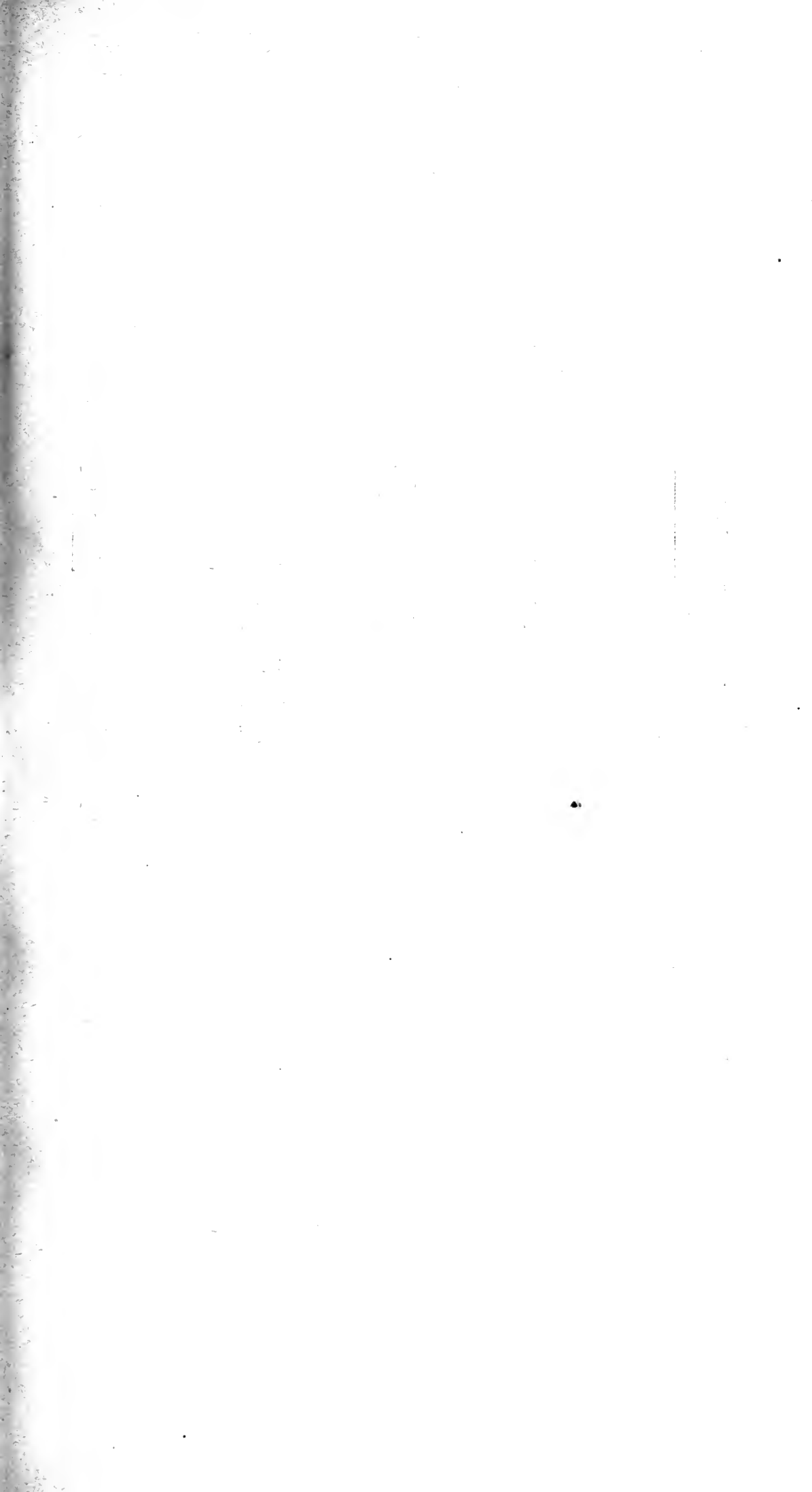
2. Section 2 of the said Act, chapter 88, is hereby amended 60 v., c 88, s. 2, amended.
 by adding immediately after the word "Oxford," in the
 30 twenty-first line thereof, the words following: "And from the
 "Town of Ingersoll to, in and through the Town of Wood-

Location of lines. "stock, in the County of Oxford, passing through the township of West Oxford, and the gore thereof, or through the eastern end of the township of North Oxford, and from Mount Elgin westward to the village of Verschoyle, both in the township of Dereham." 5

Power to deal with other companies. 3. The said company and its successors or assigns is hereby authorized and empowered to lease or sell the lines mentioned in the said Act, and in this Act, or any section or sections of the said railways to any other electric railway company and to arrange the compensation therefor, or to amalgamate with any such company, or to make agreements or arrangements with any other such company for connections with the lines of any other such Company, or any of them, 10

60 V., c. 88, s. 6, amended. Capital stock. 4. Section 6 of the said Act is hereby amended by substituting \$700,000 as the capital stock of the said company, in lieu of \$500,000. 15

60 V., c. 88, s. 7, amended. Bonding powers. 5. Section 7 of said chapter 88, is also amended by adding after the word "Brownsville," in the tenth line thereof, the words following: "\$100,000 to the section or branch from Ingersoll to Woodstock, \$50,000 to the section or branch from Mount Elgin to Verschoyle." 20



No. 32.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to revive, extend and amend an Act to incorporate The Ingersoll Radial Electric Railway Company.

First Reading, _____, 1899.

(Private Bill.)

MR. MCKAY.

TORONTO:

PRINTED BY L. K. CAMERON.

Printer to the Queen's Most Excellent Majesty

An Act to revive, extend and amend An Act to incorporate The Ingersoll Radial Electric Railway Company.

WHEREAS Justus Miller and others were by an Act ^{Preamble.} passed in the 60th year of Her Majesty's reign, chaptered 88, incorporated as a Company, under the name of "The Ingersoll Radial Electric Railway Company," for the purpose of constructing and operating certain electric railways, from the town of Ingersoll along the routes set forth in the said Act; and whereas, by section 13 of the said Act it was provided that the said railways, or such sections of them as were authorized by the said Act, should be commenced within two years from the passing of the said Act; and whereas the said company have been unable to commence the said railways within the said two years, and have by their petition prayed that the time for the commencement of the same be extended for two years from the passing of this Act, ^{and} that the powers of the company be otherwise extended in the manner hereinafter set forth; ^{and} and whereas it is expedient to grant the prayer of the said petition;

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The Act, passed in the 60th year of Her Majesty's reign, chaptered 88, ^{and} and intituled *An Act to incorporate The Ingersoll Electric Railway Company*, ^{is} hereby revived and the time for the commencement of the said railways, or such sections or branches thereof, as are authorized by the said Act, ^{is} hereby extended to two years and the completion thereof to five years after the passing of this Act. ^{60 V., c 88, revived. Time for commencement and completion.}

^{and} 2. Section 2 of the said Act is hereby amended by adding ^{60 V., c 88, s. 2, amended.} immediately after the word "Oxford," in the twenty-first line thereof, the words following, "And from Mount Elgin westward to the village of Verschoyle, both in the township of Dereham."

3. Section 3 of the said Act is hereby repealed and the following substituted therefor: ^{60 V., c 88, s. 3, repealed.}

3. The said company shall have power to amalgamate with ^{Amalgamation and con-} or to agree for connections and running arrangements with

nections with
existing lines.

the Grand Trunk Railway Company of Canada, the Michigan Central Railway Company, the Canadian Pacific Railway Company and the Port Burwell and Ingersoll Railway Company or any or either of them (if lawfully empowered to enter into such agreement) upon terms to be approved by two-thirds in value of the shareholders at a special general meeting to be held for that purpose, and it shall also be lawful for the said company to enter into an agreement with the said railway companies or either of them (if lawfully authorized to enter into such an agreement) for the sale or leasing of the said railways herein authorized or any section or branch thereof, and the compensation therefor, if the arrangements and agreements shall be approved of by two-thirds in value of the shareholders voting in person or by proxy at a special general meeting to be called for that purpose; and every such agreement shall be valid and binding according to the terms and tenor thereof, and the company purchasing, leasing or entering into such an agreement for using the said railways, may and are hereby authorized to work the said railways and in the same manner as if incorporated with their own line, subject to the provisions of any by-law or by-laws of any municipalities which may from time to time be in force, so far as the same may affect the said company or the railway to be constructed by them, provided that electric power only shall be used in operating any portion of the said railways or any section or branch thereof; and provided also that nothing in this section shall be construed as purporting or intending to confer rights or powers upon any company which is not within the legislative authority of the Province of Ontario.

60 V., c. 88,
s. 6, repealed.

4. Section 6 of the said Act is hereby repealed and the following substituted therefor:

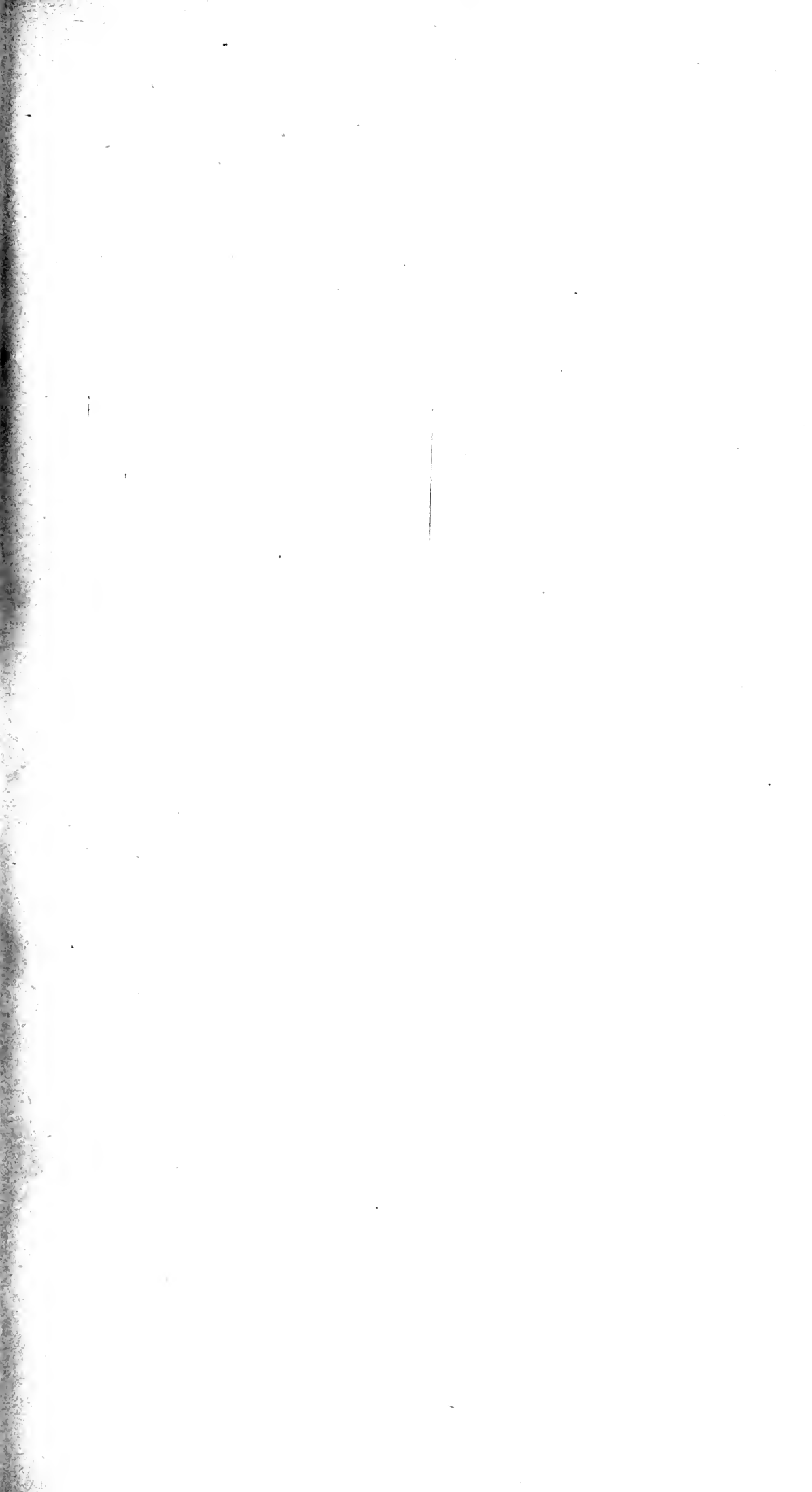
Capital stock.

6. The capital stock of the said company shall be \$550,000, to be divided into 22,000 shares of \$25 each.

60 V., c. 88,
s. 7, amended.

5. Section 7 of the said Act is hereby amended by striking out the figures "\$500,000" in the first line thereof and substituting therefor the figures "\$550,000," and by adding after the word "Brownsville" in the tenth line thereof the words and figures following: "\$50,000 to the section or branch from Mount Elgin to Verschoyle."

Bonding
powers.



No. 32.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to revive, extend and amend an Act to incorporate The Ingersoll Radial Electric Railway Company.

First Reading, 14th March, 1900.

(Reprinted as amended by Railway Committee.)

MR. MCKAY.

TORONTO:

PRINTED BY L. K. CAMERON.

Printer to the Queen's Most Excellent Majesty

An Act respecting the City of London.

WHEREAS the Municipal Corporation of the city of London has by its petition prayed for special legislation in respect of the several matters therein set forth ; and where- as it is expedient to grant the prayer of the said petition ;

Preamble.

5 Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. The by-laws of the corporation of the city of London, specified in schedule "A" hereto, and all debentures issued or 10 to be issued thereunder, and all assessments made or to be made for payment thereof, are hereby validated and confirmed.

Confirmation of debenture by-laws.

2. The agreement bearing date the nineteenth day of February, A.D. 1900, made between the corporation of the city of 15 London of the first part, and The Canadian Packing Company of the second part, a true copy of which appears in schedule "B" to this Act, is hereby confirmed and declared to be legal, valid and binding.

Agreement with Packing Co. confirmed.

3. The council of the corporation of the city of London 20 may, from time to time, pass by-laws to provide for the construction, as local improvements, of sewers within the said city of London, at a uniform charge per foot frontage of the property to be benefited, to be from time to time fixed by by-law of the said council, and to provide that the cost of such sewers 25 shall in the first place be paid by the corporation of the city of London, and after the completion of the said sewers respectively debentures may be issued by the corporation of the city of London to raise moneys to pay for the cost of such sewers. and the property owners's share thereof, at the uniform charge 30 aforesaid, shall be charged against the lands benefited, and the remainder of the said cost shall be raised and levied, in each year during the currency of the said debentures, by a special rate sufficient therefor on all the rateable property in the municipality, and in all other respects the procedure in respect of 35 the construction of the said sewers shall be the same as if the said sewers were constructed under the local improvement sections of *The Municipal Act*.

Sewers—construction of as local improvements.

Rev. Stat., c. 223.

Election of aldermen by general vote. **4** (1.) At the next municipal election of the city of London twelve aldermen of the said city shall be elected by a general vote, and the wards of the said city shall be abolished, and the the six of the said aldermen having the largest number of votes shall hold office for two years and until their successors are elected, as hereinafter provided, and the other six aldermen so elected as aforesaid shall hold office for one year and until their successors are elected as hereinafter provided, and that portion of section 70 of *The Municipal Act*, which provides for the election of three aldermen for every ward in a city shall no longer apply to the said city of London. **5**

Rev. Stat., c. 223.

Term of office. (2.) Six aldermen shall, at each municipal election of the city of London, after the next municipal election, be elected by a general vote, each of whom shall continue in office for two years, and until his successor has been elected. **15**

Schooltrustees all to retire at next election. **5.** (1.) Notwithstanding the provisions of *The Public Schools Act* all the members of the Board of Education of the city of London, except the member appointed by the trustees of the separate school under the provisions of section 68 of *The Separate Schools Act*, shall retire from office at the time appointed for the next annual election, when a new board shall be elected, the old board retaining office until their successors shall have been duly elected and the new board organized. **20**

Number and term of offices of trustees (2.) There shall be twelve school trustees elected to the Board of Education for the city of London by a general vote of the duly qualified ratepayers of the city of London at the next annual school election, six of whom, being those who receive the highest number of votes, shall continue in office for two years, and until their successors have been elected and the new board organized, and the remaining six shall continue in office for one year, and until their successors have been elected and the new board organized. **25**

Half to retire annually. (3.) Six trustees shall at each annual school election, after the next annual school election, be elected by a general vote as aforesaid to the Board of Education for the said city of London, each of whom shall continue in office for two years, and until his successor has been elected and the new board organized. **35**

High School trustees. (4) So soon as the new board is organized, after the next annual school election to be held in the said city of London, the high school trustees shall cease to hold office, and from and after the holding of the next annual school election for the said city of London, sub-section 4 of section 12 of *The High Schools Act* shall cease to apply to the said city of London. **40**

Qualification of trustees. **6.** At the next annual school election for the city of London, and thereafter at each annual school election of the said city, no person shall be qualified to be elected a trustee unless such person resides within the municipality, and is a natural born or naturalized subject of Her Majesty, and of the full age of twenty-one years, and is not disqualified under *The Public* **45**

Schools Act, and unless such person has, or his wife has, at the time of the election, as owner or tenant, a legal or equitable freehold or leasehold, or an estate partly freehold and partly leasehold, or partly legal and partly equitable, which is rated 5 in his own name, or in the name of his wife, on the last revised assessment roll of the municipality, to the value following, over and above all charges, liens and incumbrances affecting the same;—Freehold to one thousand dollars, or leasehold to two thousand dollars.

10 7. The Board of Commissioners of Police of the said city Commissioners of police.
of London shall, from and after the first day of January, A.D. 1901, consist of the mayor of the said city, the judge of the county court of the county of Middlesex, the police magistrate of the city of London, and two other members who shall be
15 elected by the municipal electors of the City of London.

8. The members of the Board of Commissioners of Police of Election of police commissioners.
the said city of London, elected by the municipal electors of the city of London, shall be elected at the annual municipal elections, and all the provisions of *The Municipal Act* respecting the nomination, election, unseating, grounds of disqualification, and otherwise of mayors shall apply to the election of the
20 said members, and the members so elected shall hold office for two years, except in the case of the members first elected, one of whom, being the one at the election having the lower number
25 of votes, shall retire at the end of the first year.

9. Section 44 of *The London Waterworks Act, 1873*, passed 36 Vic., c. 102, s. 44 repealed.
in the thirty-sixth year of Her Majesty's reign, chapter 102, and intituled *An Act for the construction of waterworks for the City of London*, be and the same is repealed, and the following section substituted therefor:
30

“44. The two members of The Water Commissioners for Water commissioners.
the City of London, elected by the ratepayers of the said city, as provided by the next preceding section hereof, shall hold office for two years, except in the case of the members first
35 elected after the passing of this Act, one of whom, being the one at the election having the lower number of votes, shall retire at the end of the first year, and the commissioners to be elected as aforesaid shall be elected to the said office at the same time and in the same manner as aldermen of the said
40 city are elected, and all the provisions and remedies of *The Municipal Act* at any time in force with respect to aldermen shall apply in all particulars, not inconsistent with this Act, to the said commissioners as to election, unseating, filling vacancies, grounds of disqualification, and otherwise.”

SCHEDULE A.

List of By-laws providing for the issue of debentures passed by the council of the corporation of the city of London at the respective dates set opposite each, the particulars of which are set out below.

| No. of By-Law. | Nature of Work Under By-Law. | When passed by Council. | Amount of debt created. | | Amount to be borne by City. | | Amount to be borne by Ratepayers. | | Period of Payments. | Rate of Interest. |
|----------------|--|-------------------------|-------------------------|----|-----------------------------|-------|-----------------------------------|----|---------------------|-------------------|
| | | | \$ | c. | \$ | c. | \$ | c. |  |  | Years. | P. C. |
| 1322 | Tile sewer in Talbot street, between Simcoe street and a point distant 143 feet northerly therefrom..... | December 18, 1899 | 172 | 99 | 79 | 04 | 93 | 95 | 10 | 4 |
| 1323 | Tile sewer in Central avenue, between Richmond and Talbot streets.. | " | 1,316 | 78 | 296 | 73 | 1,020 | 05 | 10 | 4 |
| 1324 | Tile sewer in Talbot street, between Central avenue and John street.. | " | 639 | 50 | ..... | ..... | 639 | 50 | 10 | 4 |
| 1325 | Tile sewer in Talbot street, between Mill street and a point distant 198 feet northerly therefrom..... | " | 319 | 87 | 39 | 98 | 279 | 89 | 10 | 4 |
| 1326 | Tile sewer in Maple street, between Ridout and Talbot streets..... | " | 593 | 45 | 249 | 00 | 334 | 45 | 10 | 4 |
| 1327 | Tile sewer in Waterloo street, between Simcoe and Grey streets..... | " | 497 | 52 | 286 | 45 | 211 | 07 | 10 | 4 |
| 1328 | Tile sewer in William street between Dufferin avenue and a point 100 feet north of Queen's avenue..... | " | 543 | 79 | 106 | 87 | 436 | 92 | 10 | 4 |
| 1329 | Tile sewer in Central avenue, between Maitland and Colborne streets | " | 1,087 | 05 | ..... | ..... | 1,087 | 05 | 10 | 4 |
| 1330 | Tile sewer in parts of Queen's avenue and William street..... | " | 997 | 17 | 197 | 87 | 799 | 30 | 10 | 4 |
| 1331 | Tile sewer in Waterloo st., between Pall Mall st. and Princess ave.... | " | 1,282 | 44 | 78 | 53 | 1,203 | 91 | 10 | 4 |
| 1332 | Tile Sewer in Oxford street, between Wellington and College streets. | " | 530 | 43 | 166 | 64 | 363 | 79 | 10 | 4 |
| 1333 | Tile sewer in Prospect ave., between Dufferin and Princess avenues.. | " | 430 | 88 | 253 | 95 | 196 | 93 | 10 | 4 |
| 1334 | Tile sewer in Princess avenue, between William and Maitland sts.... | " | 801 | 45 | 54 | 00 | 807 | 45 | 10 | 4 |
| 1335 | Tile sewer in William street, between Princess and Dufferin avenues, and in Dufferin avenue between William and Peter streets..... | " | 929 | 08 | 193 | 16 | 735 | 92 | 10 | 4 |
| 1336 | Tile sewer in Queen's avenue, between William and Colborne streets | " | 779 | 36 | 288 | 05 | 491 | 31 | 10 | 4 |
| 1337 | Tile sewer in Lorne avenue, between Ontario street and a point 528 feet easterly therefrom..... | " | 791 | 91 | ..... | ..... | 791 | 91 | 10 | 4 |
| 1338 | Tile sewer in The Ridgeway, between Becher street and the westerly limit of lot No. 11, north side Ridgeway..... | " | 583 | 24 | 221 | 86 | 361 | 48 | 10 | 4 |
| 1339 | Cement sidewalk on the east side of Talbot street, between Dundas | " | | | | | | | | |

| | | | | | | |
|------|--|----------|----------|--------|----|---|
| 1340 | and King streets, and on north side King street between Talbot street and a point distant 89-12 feet west of the east limit of Temple street | 1,398 34 | 1,331 07 | 67 27 | 10 | 4 |
| 1341 | Cement sidewalk on the south side of Simcoe street, between Richmond and Talbot streets | 387 48 | 183 80 | 173 68 | 10 | 4 |
| 1342 | Cement sidewalk on the west side of Richmond street, between Sharton and Simcoe streets | 258 61 | 136 70 | 121 91 | 10 | 4 |
| 1343 | Cement sidewalk on the north side of York street, between Clarence and Wellington streets | 524 55 | 295 44 | 229 11 | 10 | 4 |
| 1344 | Cement sidewalk on the east side of Clarence street, between King and York streets | 370 64 | 201 31 | 169 33 | 10 | 4 |
| 1345 | Cement sidewalk on the east side of Richmond street, between Simcoe and Grey streets | 261 87 | 140 17 | 121 70 | 10 | 4 |
| 1346 | Cement sidewalk on the north side of Central avenue, between Talbot street and a point 290 feet westerly therefrom | 212 31 | 121 49 | 90 82 | 10 | 4 |
| 1347 | Cement sidewalk on the north side of Carling street, between Ridout street and a point 48 feet easterly therefrom | 52 41 | 36 98 | 15 43 | 10 | 4 |
| 1348 | Cement sidewalk on the north side of Mill street, between Talbot and St. George streets | 371 18 | 211 76 | 159 42 | 10 | 4 |
| 1349 | Cement sidewalk on the north side of Mill street, between Richmond and St. George streets | 350 01 | 207 54 | 142 47 | 10 | 4 |
| 1350 | Cement sidewalk on the south side of Kent street, between Talbot and Richmond streets | 578 75 | 322 34 | 256 41 | 10 | 4 |
| 1351 | Cement sidewalk on the south side of Mill street, between Richmond and St. George streets | 341 73 | 185 79 | 155 94 | 10 | 4 |
| 1352 | Cement sidewalk on the south side of Albert street, between Talbot and Richmond streets | 734 24 | 408 79 | 325 45 | 10 | 4 |
| 1353 | Cement sidewalk on the south side of Mount Pleasant avenue, between the Wharnciffe Road and Douglas avenue | 720 25 | 383 09 | 337 16 | 10 | 4 |
| 1354 | Cement sidewalk on the east side of Talbot street, between Albert street and Central avenue | 334 89 | 262 26 | 72 63 | 10 | 4 |
| 1355 | Cement sidewalk on the north side of St. James street, between Richmond and St. George streets | 428 15 | 283 40 | 144 75 | 10 | 4 |
| 1356 | Cement sidewalk on the west side of Talbot street, between Dundas and Carling streets | 200 61 | 138 51 | 62 10 | 10 | 4 |
| 1357 | Cement sidewalk on the north side of Sydenham street, between St. George and Richmond streets | 351 56 | 222 05 | 129 51 | 10 | 4 |
| | Cement sidewalk on the east side of St. George street, between Central avenue and John street | 210 50 | 141 25 | 69 25 | 10 | 4 |

SCHEDULE A.—Continued.

| No. of By-law. | Nature of work under By-law. | When passed by council. | Amount of debt created. | | Amount to be borne by city. | | Amount to be borne by ratepayers. | | Period of time. | Rate of Interest. |
|----------------|---|-------------------------|-------------------------|----|-----------------------------|----|-----------------------------------|----|-----------------|-------------------|
| | | | \$ | c. | \$ | c. | \$ | c. |  |  | Year. | p. c. |
| 1358 | Cement sidewalk on the south side of Queen's avenue, between Park avenue and Wellington street..... | December 18, 1899 | 451 | 76 | 286 | 61 | 165 | 15 | 10 | 4 |
| 1359 | Cement sidewalk on the north side of Kent street, between Richmond and Talbot streets..... | " | 631 | 01 | 333 | 70 | 297 | 31 | 10 | 4 |
| 1360 | Cement sidewalk on the west side of Richmond street, between Picadilly and Oxford streets..... | " | 372 | 90 | 208 | 98 | 163 | 92 | 10 | 4 |
| 1361 | Cement sidewalk on the west side of Talbot street, between Albert street and Central avenue..... | " | 328 | 62 | 174 | 56 | 154 | 06 | 10 | 4 |
| 1362 | Cement sidewalk on the west side of Talbot street, between Kent and Albert streets..... | " | 277 | 03 | 150 | 76 | 126 | 27 | 10 | 4 |
| 1363 | Cement sidewalk on the east side of Talbot street, between John street and Central avenue..... | " | 323 | 36 | 174 | 81 | 148 | 55 | 10 | 4 |
| 1364 | Cement sidewalk on the west side of Talbot street, between Maple and Kent streets..... | " | 310 | 68 | 168 | 18 | 142 | 50 | 10 | 4 |
| 1365 | Cement sidewalk on the west side of Talbot street, between Fullerton and Maple streets..... | " | 314 | 59 | 175 | 13 | 139 | 46 | 10 | 4 |
| 1366 | Cement sidewalk on the east side of Talbot street, between Kent and Albert streets..... | " | 279 | 17 | 152 | 27 | 126 | 90 | 10 | 4 |
| 1367 | Cement sidewalk on the east side of Talbot street, between Maple and Kent streets..... | " | 212 | 92 | 170 | 31 | 142 | 61 | 10 | 4 |
| 1368 | Cement sidewalk on the north side of St. James street, between Richmond and Alma streets..... | " | 204 | 51 | 120 | 76 | 83 | 75 | 10 | 4 |
| 1369 | Cement sidewalk on the west side of Richmond street, between Central avenue and John streets..... | " | 379 | 67 | 212 | 97 | 166 | 70 | 10 | 4 |
| 1370 | Cement sidewalk on the east side of Richmond street, between Pall Mall and Hyman streets..... | " | 257 | 94 | 151 | 95 | 105 | 99 | 10 | 4 |
| 1371 | Cement sidewalk on the north side of Mount Pleasant avenue. | " | | | | | | | | |

| | | | | | | |
|------|--|--------|--------|--------|----|---|
| 1372 | between the Wharnclyffe road and Edith street | 258 06 | 139 53 | 118 53 | 10 | 4 |
| | Cement sidewalk on the east side of Ridout street, between Carling and Fullerton streets | 309 73 | 168 22 | 141 51 | 10 | 4 |
| 1373 | Cement sidewalk on the east side of St. Andrew street, between Empress avenue and St. Patrick street | 200 69 | 100 35 | 100 34 | 10 | 4 |
| 1374 | Cement sidewalk on the east side of Ridout street, between Dundas and Carling streets | 183 97 | 115 66 | 68 31 | 10 | 4 |
| 1375 | Cement sidewalk on the east side of Talbot street, between Fullerton and Maple streets | 302 98 | 162 49 | 140 49 | 10 | 4 |
| 1376 | Cement sidewalk on the west side of Richmond street, between Ann and and Picadilly streets | 177 29 | 100 33 | 76 96 | 10 | 4 |
| 1377 | Cement sidewalk on the east side of Richmond street, between Hyman street and Central avenue | 252 69 | 162 93 | 89 76 | 10 | 4 |
| 1378 | Cement sidewalk on the north side of Dufferin avenue, between Richmond street and Park avenue | 547 43 | 303 83 | 243 60 | 10 | 4 |
| 1379 | Cement sidewalk on the west side of Ridout street, between Carling and Maple streets | 528 50 | 270 44 | 258 06 | 10 | 4 |
| 1380 | Cement sidewalk on the west side of Richmond street, between John and Mill streets | 202 91 | 108 61 | 94 30 | 10 | 4 |
| 1381 | Cement sidewalk on the north side of Sydenham, between Talbot and St. George streets | 353 09 | 201 46 | 151 63 | 10 | 4 |
| 1382 | Cement sidewalk on the south side of Dundas street, between Maitland and Burwell streets | 289 20 | 171 04 | 118 16 | 10 | 4 |
| 1383 | Cement sidewalk on the west side of William street, between Dundas and King streets | 321 24 | 198 93 | 122 31 | 10 | 4 |
| 1384 | Cement sidewalk on the west side of Coiborne street, between King and Dundas streets | 307 91 | 209 35 | 98 56 | 10 | 4 |
| 1385 | Cement sidewalk on the east side of Maitland street, between Dundas and King streets | 311 80 | 191 51 | 120 29 | 10 | 4 |
| 1386 | Cement sidewalk on the south side of King street, between Waterloo and Colborne streets | 536 58 | 391 67 | 144 91 | 10 | 4 |
| 1387 | Cement sidewalk on the west side of Maitland street, between Dundas and King streets | 315 25 | 192 47 | 122 78 | 10 | 4 |
| 1388 | Cement sidewalk on the west side of Burwell street, between King and York streets | 237 26 | 162 48 | 74 78 | 10 | 4 |
| 1389 | Cement sidewalk on the east side of Maitland street, between King and York streets | 301 97 | 183 69 | 118 28 | 10 | 4 |
| 1390 | Cement sidewalk on the west side of Adelaide street, between King and Dundas streets | 255 16 | 180 68 | 104 48 | 10 | 4 |

SCHEDULE A.—Continued.

| No. of By-law. | Nature of work under By-law. | When passed by council. | Amount of debt created. | | Amount to be borne by city. | | Amount to be borne by ratepayers. | | Period of time. | Rate of Interest. |
|----------------|---|-------------------------|-------------------------|----|-----------------------------|----|-----------------------------------|-------|-----------------|-------------------|
| | | | \$ | c. | \$ | c. | \$ | c. |  |  | Years. | P. C. |
| 1391 | Cement sidewalk on the north side of Horton street, between Wellington and Waterloo streets | December 18, 1899 | 514 | 83 | 294 | 58 | 220 | 25 | 10 | 4 |
| 1392 | Cement sidewalk on the north side of King street, between Waterloo and Colborne streets | " | 537 | 13 | 304 | 27 | 232 | 86 | 10 | 4 |
| 1393 | Cement sidewalk on the south side of Dundas street, between Wellington and Waterloo streets | " | 552 | 18 | 318 | 78 | 233 | 40 | 10 | 4 |
| 1394 | Cement sidewalk on the south side of Dundas street, between Waterloo and Colborne streets | " | 563 | 48 | 326 | 80 | 236 | 68 | 10 | 4 |
| 1395 | Cement sidewalk on the south side of Dundas street, between William and Adelaide streets | " | 509 | 05 | 296 | 19 | 239 | 86 | 10 | 4 |
| 1396 | Cement sidewalk on the south side of Dundas street, between Maitland and William streets | " | 535 | 95 | 280 | 12 | 255 | 83 | 10 | 4 |
| 1397 | Cement sidewalk on the south side of Dundas street, between Burwell and Colborne streets | " | 252 | 81 | 156 | 26 | 96 | 55 | 10 | 4 |
| 1398 | Cement sidewalk on the east side of Maitland street, between Horton and Simcoe streets | " | 253 | 63 | 135 | 52 | 118 | 11 | 10 | 4 |
| 1399 | Cement sidewalk on the west side of Waterloo street, between Simcoe and Grey streets | " | 315 | 98 | 200 | 24 | 115 | 74 | 10 | 4 |
| 1400 | Cement sidewalk on the east side of Wellington street, between Dundas and King streets | " | 333 | 35 | 232 | 23 | 101 | 12 | 10 | 4 |
| 1401 | Cement sidewalk on the west side of Maitland street, between Simcoe and Horton streets | " | 252 | 24 | 135 | 36 | 116 | 88 | 10 | 4 |
| 1402 | Cement sidewalk on the west side of Colborne street, between King and York streets | " | 322 | 61 | 322 | 61 | ..... | ..... | 10 | 4 |
| 1403 | Cement sidewalk on the north side of Dundas street, between Waterloo street and a point 494 feet westerly therefrom | " | 688 | 96 | 385 | 46 | 303 | 50 | 10 | 4 |
| 1404 | Mosaic Tile sidewalk on the south side of Central avenue, between | | | | | | | | | |

| | | | | | | |
|------|--|--------|--------|--------|----|---|
| 1405 | Colborne and Cartwright streets Cement sidewalk on the west side of Colborne street, between Princess and Central avenues. | 231 93 | 138 70 | 93 23 | 10 | 4 |
| 1406 | Cement sidewalk on the south side of Queen's avenue, between Water- loo and Colborne streets. | 537 05 | 341 41 | 195 64 | 10 | 4 |
| 1407 | Cement sidewalk on the east side of Picton street, between Queen's and Dufferin avenues. | 569 61 | 357 14 | 212 47 | 10 | 4 |
| 1408 | Cement sidewalk on the south side of Queen's avenue, between Water- loo and Wellington streets. | 246 16 | 156 62 | 89 54 | 10 | 4 |
| 1409 | Cement sidewalk on the south side of Dufferin avenue, between Water- loo and Colborne streets. | 552 67 | 321 54 | 231 13 | 10 | 4 |
| 1410 | Cement sidewalk on the south side of Wolfe street, between Well- ington and Waterloo streets. | 634 13 | 400 31 | 233 82 | 10 | 4 |
| 1411 | Cement sidewalk on the north side of Wolfe street, between Well- ington and Waterloo streets. | 465 20 | 295 43 | 169 77 | 10 | 4 |
| 1412 | Cement sidewalk on the east side of Cartwright street, between Prin- cess and Central avenues. | 464 25 | 300 84 | 163 41 | 10 | 4 |
| 1413 | Cement sidewalk on the west side of Cartwright street, between Prin- cess and Central avenues. | 374 68 | 223 44 | 151 24 | 10 | 4 |
| 1414 | Cement sidewalk on the east side of Maitland street, between Queen's and Dufferin avenues. | 365 18 | 216 31 | 148 87 | 10 | 4 |
| 1415 | Cement sidewalk on the east side of William street, between Queen's and Dufferin avenues. | 313 43 | 175 09 | 138 34 | 10 | 4 |
| 1416 | Cement sidewalk on the west side of Colborne street, between Dun- das street and Queen's avenue. | 319 63 | 190 87 | 128 76 | 10 | 4 |
| 1417 | Cement sidewalk on the west side of Peter street, between Queen's and Dufferin avenues. | 314 61 | 196 71 | 117 50 | 10 | 4 |
| 1418 | Cement sidewalk on the west side of Colborne street, between Pall Mall and Picadilly streets. | 233 71 | 183 55 | 100 16 | 10 | 4 |
| 1419 | Cement sidewalk on north side of Central avenue, between Colborne and Maitland streets. | 571 21 | 327 81 | 243 40 | 10 | 4 |
| 1420 | Cement sidewalk on the north side of Dundas street, between Col- borne and Maitland streets. | 559 28 | 318 25 | 241 03 | 10 | 4 |
| 1421 | Cement sidewalk on the north side of Queen's avenue, between Mait- land and William streets. | 774 27 | 421 37 | 352 90 | 10 | 4 |
| 1422 | Cement sidewalk on the east side of Wellington street, between Wolfe street and Princess avenue. | 548 15 | 314 58 | 233 57 | 10 | 4 |
| 1423 | Cement sidewalk on the south side of Queen's avenue, between Wil- liam and Adelaide streets. | 311 86 | 188 44 | 123 42 | 10 | 4 |
| | | 526 88 | 294 04 | 232 84 | 10 | 4 |

SCHEDULE A.—Continued.

| No. of By-Law. | Nature of work under By-Law. | When passed by Council. | Amount of debt created. | | Amount to be borne by City. | | Amount to be borne by Ratepayers. | | Period of time. | Rate of Interest. |
|----------------|---|-------------------------|-------------------------|----|-----------------------------|----|-----------------------------------|----|-----------------|-------------------|
| | | | \$ | c. | \$ | c. | \$ | c. |  |  | Year. | p. | c. |
| 1424 | Cement sidewalk on the north side of Queen's avenue, between Adelaide and William streets | December 18, 1899 | 547 | 26 | 308 | 07 | 239 | 19 | 10 | 4 |
| 1425 | Cement sidewalk on the north side of Queen's avenue, between Waterloo and Colborne streets | " | 588 | 74 | 345 | 56 | 243 | 18 | 10 | 4 |
| 1426 | Cement sidewalk on the north side of Dundas street, between William and Adelaide streets | " | 616 | 93 | 339 | 14 | 277 | 79 | 10 | 4 |
| 1427 | Cement sidewalk on the north side of Dundas street, between Maitland and William streets | " | 745 | 44 | 406 | 27 | 339 | 17 | 10 | 4 |
| 1428 | Cement sidewalk on the west side of Picton street, between Queen's and Dufferin avenues | " | 238 | 55 | 135 | 86 | 102 | 69 | 10 | 4 |
| 1429 | Cement sidewalk on the south side of Central avenue, between Cartwright and Maitland streets | " | 280 | 76 | 170 | 23 | 710 | 53 | 10 | 4 |
| 1430 | Cement sidewalk on the east side of Wellington street, between Central avenue and Wolfe street | " | 272 | 85 | 214 | 54 | 58 | 31 | 10 | 4 |
| 1431 | Cement sidewalk on the west side of Waterloo street, between Hyman and Pall Mall streets | " | 265 | 01 | 158 | 88 | 106 | 13 | 10 | 4 |
| 1432 | Cement sidewalk on the north side of Dufferin avenue, between Prospect avenue and William street | " | 387 | 81 | 225 | 23 | 162 | 58 | 10 | 4 |
| 1433 | Cement sidewalk on the south side of Princess avenue, between Colborne and Cartwright streets | " | 309 | 60 | 223 | 60 | 86 | 00 | 10 | 4 |
| 1434 | Cement sidewalk on the east side of Adelaide street, between Dundas street and Queen's avenue | " | 300 | 85 | 174 | 14 | 126 | 71 | 10 | 4 |
| 1435 | Cement sidewalk on the north side of Dundas street, between the west side of Elizabeth street and 1 1/2 feet westerly therefrom | " | 170 | 78 | 95 | 63 | 75 | 15 | 10 | 4 |
| 1436 | Cement sidewalk on the west side of Elizabeth street, between Dundas street and Queen's avenue | " | 253 | 82 | 171 | 72 | 82 | 10 | 10 | 4 |
| 1437 | Cement sidewalk on the west side of Rectory street, between King | " | | | | | | | | |

| | | | | | | |
|------|---|-----------|-----------|-----------|---------------|-------|
| 1438 | and York streets Cement sidewalk on the south side of Queen's avenue, between Adelaide and Elizabeth streets | 268 34 | 237 03 | 31 31 | 10 | 4 |
| 1439 | Cement sidewalk on the north side of Dundas street, between English and Ontario streets | 495 65 | 277 27 | 218 38 | 10 | 4 |
| 1440 | Cement sidewalk on the south side of Dundas street, between Lyle and Glebe streets | 887 64 | 457 35 | 430 29 | 10 | 4 |
| 1441 | Cement sidewalk on east side of Rectory street, between King and Campbell streets | 378 15 | 193 63 | 184 52 | 10 | 4 |
| 1442 | Cement sidewalk on south side of Dundas street, between Rectory and Ontario streets | 421 92 | 226 88 | 195 04 | 10 | 4 |
| 1443 | Cement sidewalk on north side Dundas street between a point 60 feet 3 inches east of the east side of Adelaide street and a point 157 feet easterly therefrom | 485 43 | 251 82 | 233 61 | 10 | 4 |
| 1444 | Cement sidewalk on north side of Dundas street, between Ontario and Quebec streets | 226 82 | 113 41 | 113 41 | 10 | 4 |
| 1445 | Cement sidewalk on south side King st., between Lyle and Glebe sts. | 642 00 | 330 97 | 311 03 | 10 | 4 |
| 1446 | Cement sidewalk on north side Craig street, between Ridout street and Wortley road | 411 17 | 227 87 | 213 30 | 10 | 4 |
| 1447 | Cement sidewalk on south side of Craig street, between Ridout street and Wortley road | 794 61 | 429 21 | 365 40 | 10 | 4 |
| 1448 | Cement sidewalk on north side of Evergreen avenue, between west limit of lot No. 13 and the Wharncliffe road | 741 41 | 401 27 | 340 14 | ..... | ..... |
| 1449 | Cement sidewalk on south side Elmwood avenue, between Wortley road and Cathcart street | 497 10 | 267 42 | 229 08 | 10 | 4 |
| 1450 | Cement sidewalk on north side Elmwood avenue, between Wortley road and Cathcart street | 435 47 | 248 78 | 186 69 | 10 | 4 |
| 1451 | Cement sidewalk on north side of the Ridgeway, between Becher street and the Wharncliffe road | 422 40 | 246 92 | 175 48 | 10 | 4 |
| 1452 | Cement sidewalk on west side Wortley road, between Elmwood and Duchess avenues | 491 12 | 248 : 6 | 242 56 | 10 | 4 |
| 1453 | Cement sidewalk on west side Wortley road, between Bruce and Askin streets | 328 : 2 | 171 26 | 157 26 | 10 | 4 |
| 1454 | Consolidating the broken amounts in the above by-laws numbered 13:2 to 14:3 inclusive | 286 80 | 150 40 | 136 40 | 10 | 4 |
| | December 22, 1899 | 58,922 00 | 30,095 32 | 28,826 68 | various times | 4 |

No. 33.

3rd Session, 9th Legislature, 63 Vict., 1900

BILL.

An Act respecting the City of
London.

First Reading, , 1900.

(Private Bill.)

Mr. LEYS.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting the City of London.

WHEREAS the Municipal Corporation of the city of London has by petition prayed for special legislation in respect of the several matters therein set forth ; and where- as it is expedient to grant the prayer of the said petition ;

Preamble.

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. The by-laws of the *Municipal* Corporation of the City of London, specified in schedule "A" hereto, and all debentures issued or to be issued thereunder, and all assessments made or to be made for payment thereof, are hereby confirmed and declared to be legal, valid and binding.

Confirmation
of debenture
by-laws.

2. The agreement bearing date the nineteenth day of February, A.D. 1900, made between the corporation of the City of London of the first part, and The Canadian Packing Company of the second part, a true copy of which appears in schedule "B" to this Act, is hereby confirmed and declared to be legal, valid and binding.

Agreement
with Packing
Co. confirmed.

SCHEDULE A.

List of By-laws providing for the issue of debentures passed by the council of the corporation of the city of London at the respective dates set opposite each, the particulars of which are set out below.

| No. of By-Law. | Nature of Work Under By-Law. | When passed by Council. | Amount of debt created. | | Amount to be borne by City. | | Amount to be borne by Ratepayers. | | Period of Payments. | Rate of Interest. |
|----------------|--|-------------------------|-------------------------|----|-----------------------------|-------|-----------------------------------|----|---------------------|-------------------|
| | | | \$ | c. | \$ | c. | \$ | c. |  |  | Years. | p. c. |
| 1322 | Tile sewer in Talbot street, between Simcoe street and a point distant 143 feet northerly therefrom..... | December 18, 1899 | 172 | 99 | 79 | 04 | 93 | 95 | 10 | 4 |
| 1323 | Tile sewer in Central avenue, between Richmond and Talbot streets.. | " | 1,316 | 78 | 296 | 73 | 1,020 | 05 | 10 | 4 |
| 1324 | Tile sewer in Talbot street, between Central avenue and John street.. | " | 639 | 50 | ..... | ..... | 639 | 50 | 10 | 4 |
| 1325 | Tile sewer in Talbot street, between Mill street and a point distant 198 feet northerly therefrom..... | " | 319 | 87 | 39 | 98 | 279 | 89 | 10 | 4 |
| 1326 | Tile sewer in Maple street, between Ridout and Talbot streets..... | " | 593 | 45 | 249 | 00 | 334 | 45 | 10 | 4 |
| 1327 | Tile sewer in Waterloo street, between Simcoe and Grey streets..... | " | 497 | 52 | 286 | 45 | 211 | 07 | 10 | 4 |
| 1328 | Tile sewer in William street between Dufferin avenue and a point 100 feet north of Queen's avenue..... | " | 543 | 79 | 106 | 87 | 436 | 92 | 10 | 4 |
| 1329 | Tile sewer in Central avenue, between Maitland and Colborne streets | " | 1,087 | 05 | ..... | ..... | 1,087 | 05 | 10 | 4 |
| 1330 | Tile sewer in parts of Queen's avenue and William street..... | " | 997 | 17 | 197 | 87 | 799 | 30 | 10 | 4 |
| 1331 | Tile sewer in Waterloo st., between Pall Mall st. and Princess ave.... | " | 1,282 | 44 | 78 | 53 | 1,203 | 91 | 10 | 4 |
| 1332 | Tile Sewer in Oxford street, between Wellington and College streets.. | " | 530 | 43 | 166 | 64 | 363 | 79 | 10 | 4 |
| 1333 | Tile sewer in Prospect ave., between Dufferin and Princess avenues.. | " | 450 | 88 | 253 | 95 | 196 | 93 | 10 | 4 |
| 1334 | Tile sewer in Princess avenue, between William and Maitland sts.... | " | 861 | 45 | 54 | 00 | 807 | 45 | 10 | 4 |
| 1335 | Tile sewer in William street, between Princess and Dufferin avenues, and in Dufferin avenue between William and Peter streets..... | " | 929 | 08 | 193 | 16 | 735 | 92 | 10 | 4 |
| 1336 | Tile sewer in Queen's avenue, between Maitland and Colborne streets | " | 779 | 36 | 288 | 05 | 491 | 31 | 10 | 4 |
| 1337 | Tile sewer in Lorne avenue, between Ontario street and a point 528 feet easterly therefrom..... | " | 791 | 91 | ..... | ..... | 791 | 91 | 10 | 4 |
| 1338 | Tile sewer in The Ridgeway, between Becher street and the westerly limit of lot No. 11, north side Ridgeway..... | " | 583 | 24 | 221 | 86 | 361 | 48 | 10 | 4 |
| 1339 | Cement sidewalk on the east side of Talbot street, between Dundas | " | | | | | | | | |

| | | | | | | |
|------|---|----------|----------|--------|----|---|
| 1340 | and King streets, and on north side King street between Talbot street and a point distant 89-12 feet west of the east limit of Temple street..... | 1,398 34 | 1,331 07 | 67 27 | 10 | 4 |
| 1341 | Cement sidewalk on the south side of Simcoe street, between Richmond and Talbot streets..... | 357 48 | 183 80 | 173 68 | 10 | 4 |
| 1342 | Cement sidewalk on the west side of Richmond street, between Sharton and Simcoe streets..... | 258 61 | 136 70 | 121 91 | 10 | 4 |
| 1343 | Cement sidewalk on the north side of York street, between Clarence and Wellington streets..... | 524 55 | 295 44 | 229 11 | 10 | 4 |
| 1344 | Cement sidewalk on the east side of Clarence street, between King and York streets..... | 370 64 | 201 31 | 169 83 | 10 | 4 |
| 1345 | Cement sidewalk on the east side of Richmond street, between Simcoe and Grey streets..... | 261 87 | 140 17 | 121 70 | 10 | 4 |
| 1346 | Cement sidewalk on the north side of Central avenue, between Talbot street and a point 290 feet westerly therefrom..... | 212 31 | 121 49 | 90 82 | 10 | 4 |
| 1347 | Cement sidewalk on the north side of Carling street, between Ridout street and a point 48 feet easterly therefrom..... | 52 41 | 36 98 | 15 43 | 10 | 4 |
| 1348 | Cement sidewalk on the north side of Mill street, between Talbot and St. George streets..... | 371 18 | 211 76 | 159 42 | 10 | 4 |
| 1349 | Cement sidewalk on the north side of Mill street, between Richmond and St. George streets..... | 350 01 | 207 54 | 142 47 | 10 | 4 |
| 1350 | Cement sidewalk on the south side of Kent street, between Talbot and Richmond streets..... | 578 75 | 322 34 | 256 41 | 10 | 4 |
| 1351 | Cement sidewalk on the south side of Mill street, between Richmond and St. George streets..... | 341 73 | 185 79 | 165 94 | 10 | 4 |
| 1352 | Cement sidewalk on the south side of Albert street, between Talbot and Richmond streets..... | 734 24 | 408 79 | 325 45 | 10 | 4 |
| 1353 | Cement sidewalk on the south side of Mount Pleasant avenue, between the Wharmcliffe Road and Douglas avenue..... | 720 25 | 383 09 | 337 16 | 10 | 4 |
| 1354 | Cement sidewalk on the east side of Talbot street, between Albert street and Central avenue..... | 334 89 | 262 26 | 72 63 | 10 | 4 |
| 1355 | Cement sidewalk on the north side of St. James street, between Richmond and St. George streets..... | 428 15 | 283 40 | 144 75 | 10 | 4 |
| 1356 | Cement sidewalk on the west side of Talbot street, between Dundas and Carling streets..... | 200 61 | 138 51 | 62 10 | 10 | 4 |
| 1357 | Cement sidewalk on the north side of Sydenham street, between St. George and Richmond streets..... | 351 56 | 222 05 | 129 51 | 10 | 4 |
| | Cement sidewalk on the east side of St. George street, between Central avenue and John street..... | 210 50 | 141 25 | 69 25 | 10 | 4 |

SCHEDULE A.—Continued.

| No. of By-law. | Nature of work under By-law. | When passed by council. | Amount of debt created. | | Amount to be borne by city. | | Amount to be borne by ratepayers. | | Period of time. | Rate of Interest. |
|----------------|---|-------------------------|-------------------------|----|-----------------------------|----|-----------------------------------|----|-----------------|-------------------|
| | | | \$ | c. | \$ | c. | \$ | c. |  |  | Year. | P. C. |
| 1358 | Cement sidewalk on the south side of Queen's avenue, between Park avenue and Wellington street. | December 18, 1899 | 451 | 76 | 286 | 61 | 165 | 15 | 10 | 4 |
| 1359 | Cement sidewalk on the north side of Kent street, between Richmond and Talbot streets. | " | 631 | 01 | 333 | 70 | 297 | 31 | 10 | 4 |
| 1360 | Cement sidewalk on the west side of Richmond street, between Picadilly and Oxford streets. | " | 372 | 90 | 208 | 98 | 163 | 92 | 10 | 4 |
| 1361 | Cement sidewalk on the west side of Talbot street, between Albert street and Central avenue. | " | 328 | 62 | 174 | 66 | 154 | 06 | 10 | 4 |
| 1362 | Cement sidewalk on the west side of Talbot street, between Kent and Albert streets. | " | 277 | 03 | 150 | 76 | 126 | 27 | 10 | 4 |
| 1363 | Cement sidewalk on the east side of Talbot street, between John street and Central avenue. | " | 323 | 36 | 174 | 81 | 148 | 55 | 10 | 4 |
| 1364 | Cement sidewalk on the west side of Talbot street, between Maple and Kent streets. | " | 310 | 68 | 168 | 18 | 142 | 50 | 10 | 4 |
| 1365 | Cement sidewalk on the west side of Talbot street, between Fullerton and Maple streets. | " | 314 | 59 | 175 | 13 | 139 | 46 | 10 | 4 |
| 1366 | Cement sidewalk on the east side of Talbot street, between Kent and Albert streets. | " | 279 | 17 | 152 | 27 | 126 | 90 | 10 | 4 |
| 1367 | Cement sidewalk on the east side of Talbot street, between Maple and Kent streets. | " | 212 | 92 | 170 | 31 | 142 | 61 | 10 | 4 |
| 1368 | Cement sidewalk on the north side of St. James street, between Richmond and Alma streets. | " | 204 | 51 | 120 | 76 | 83 | 75 | 10 | 4 |
| 1369 | Cement sidewalk on the west side of Richmond street, between Central avenue and John streets. | " | 379 | 67 | 212 | 97 | 166 | 70 | 10 | 4 |
| 1370 | Cement sidewalk on the east side of Richmond street, between Pall Mall and Hyman streets. | " | 257 | 94 | 151 | 95 | 105 | 99 | 10 | 4 |
| 1371 | Cement sidewalk on the north side of Mount Pleasant avenue, | " | | | | | | | | |

| | | | | | |
|------|---|--------|--------|----|---|
| 1372 | between the Wharncliffe road and Edith street. | 139 53 | 118 53 | 10 | 4 |
| | Cement sidewalk on the east side of Ridout street, between Carling and Fullerton streets | 168 22 | 141 51 | 10 | 4 |
| 1373 | Cement sidewalk on the east side of St. Andrew street, between Em-press avenue and St. Patrick street | 200 69 | 100 34 | 10 | 4 |
| 1374 | Cement sidewalk on the east side of Ridout street, between Dundas and Carling streets | 183 97 | 68 31 | 10 | 4 |
| 1375 | Cement sidewalk on the east side of Talbot street, between Fullerton and Maple streets | 302 98 | 140 49 | 10 | 4 |
| 1376 | Cement sidewalk on the west side of Richmond street, between Ann and and Picadilly streets | 177 29 | 76 96 | 10 | 4 |
| 1377 | Cement sidewalk on the east side of Richmond street, between Hyman street and Central avenue | 252 69 | 89 76 | 10 | 4 |
| 1378 | Cement sidewalk on the north side of Dufferin avenue, between Rich-mond street and Park avenue | 547 43 | 243 60 | 10 | 4 |
| 1379 | Cement sidewalk on the west side of Ridout street, between Carling and Maple streets | 528 50 | 258 06 | 10 | 4 |
| 1380 | Cement sidewalk on the west side of Richmond street, between John and Mill streets | 202 91 | 94 30 | 10 | 4 |
| 1381 | Cement sidewalk on the north side of Sydenham, between Talbot and St. George streets | 353 09 | 151 63 | 10 | 4 |
| 1382 | Cement sidewalk on the south side of Dundas street, between Mait-land and Burwell streets | 289 20 | 118 16 | 10 | 4 |
| 1383 | Cement sidewalk on the west side of William street, between Dundas and King streets | 321 24 | 122 31 | 10 | 4 |
| 1384 | Cement sidewalk on the west side of Colborne street, between King and Dundas streets | 307 91 | 98 56 | 10 | 4 |
| 1385 | Cement sidewalk on the east side of Maitland street, between Dundas and King streets | 311 80 | 120 29 | 10 | 4 |
| 1386 | Cement sidewalk on the south side of King street, between Waterloo and Colborne streets | 536 58 | 144 91 | 10 | 4 |
| 1387 | Cement sidewalk on the west side of Maitland street, between Dun-das and King streets | 315 25 | 122 78 | 10 | 4 |
| 1388 | Cement sidewalk on the west side of Burwell street, between King and York streets | 237 26 | 74 78 | 10 | 4 |
| 1389 | Cement sidewalk on the east side of Maitland street, between King and York streets | 301 97 | 118 28 | 10 | 4 |
| 1390 | Cement sidewalk on the west side of Adelaide street, between King and Dundas streets | 255 16 | 104 48 | 10 | 4 |

SCHEDULE A.—Continued.

| No. of By-law. | Nature of work under By-law. | When passed by council. | Amount of debt created. | | Amount to be borne by city. | | Amount to be borne by ratepayers. | | Period of time. | | Rate of Interest. | |
|----------------|---|-------------------------|-------------------------|----|-----------------------------|----|-----------------------------------|-------|-----------------|----|-------------------|--|
| | | | \$ | c. | \$ | c. | \$ | c. | Years. | P. | C. | |
| 1391 | Cement sidewalk on the north side of Horton street, between Wellington and Waterloo streets | December 18, 1899 | 514 | 83 | 294 | 58 | 220 | 25 | 10 | 4 | | |
| 1392 | Cement sidewalk on the north side of King street, between Waterloo and Colborne streets | " | 537 | 13 | 304 | 27 | 232 | 86 | 10 | 4 | | |
| 1393 | Cement sidewalk on the south side of Dundas street, between Wellington and Waterloo streets | " | 552 | 18 | 318 | 78 | 233 | 40 | 10 | 4 | | |
| 1394 | Cement sidewalk on the south side of Dundas street, between Waterloo and Colborne streets | " | 563 | 48 | 326 | 80 | 236 | 68 | 10 | 4 | | |
| 1395 | Cement sidewalk on the south side of Dundas street, between William and Adelaide streets | " | 509 | 05 | 296 | 19 | 239 | 86 | 10 | 4 | | |
| 1396 | Cement sidewalk on the south side of Dundas street, between Maitland and William streets | " | 535 | 95 | 280 | 12 | 255 | 83 | 10 | 4 | | |
| 1397 | Cement sidewalk on the south side of Dundas street, between Burwell and Colborne streets | " | 252 | 51 | 156 | 26 | 96 | 55 | 10 | 4 | | |
| 1398 | Cement sidewalk on the east side of Maitland street, between Horton and Simcoe streets | " | 253 | 63 | 135 | 52 | 118 | 11 | 10 | 4 | | |
| 1399 | Cement sidewalk on the west side of Waterloo street, between Simcoe and Grey streets | " | 315 | 98 | 200 | 24 | 115 | 74 | 10 | 4 | | |
| 1400 | Cement sidewalk on the east side of Wellington street, between Dundas and King streets | " | 333 | 35 | 232 | 23 | 101 | 12 | 10 | 4 | | |
| 1401 | Cement sidewalk on the west side of Maitland street, between Simcoe and Horton streets | " | 252 | 24 | 135 | 36 | 116 | 88 | 10 | 4 | | |
| 1402 | Cement sidewalk on the west side of Colborne street, between King and York streets | " | 322 | 61 | 322 | 61 | ..... | ..... | 10 | 4 | | |
| 1403 | Cement sidewalk on the north side of Dundas street, between Waterloo street and a point 494 feet westerly therefrom | " | 688 | 96 | 385 | 46 | 303 | 50 | 10 | 4 | | |
| 1404 | Mosaic Tile sidewalk on the south side of Central avenue, between | " | | | | | | | | | | |

| | | | | | | |
|------|---|--------|--------|--------|----|---|
| 1405 | Colborne and Cartwright streets | 231 93 | 138 70 | 93 23 | 10 | 4 |
| | Cement sidewalk on the west side of Colborne street, between Princess and Central avenues | 537 05 | 341 41 | 195 64 | 10 | 4 |
| 1406 | Cement sidewalk on the south side of Queen's avenue, between Waterloo and Colborne streets | 569 61 | 357 14 | 212 47 | 10 | 4 |
| 1407 | Cement sidewalk on the east side of Picton street, between Queen's and Dufferin avenues | 246 16 | 156 62 | 89 54 | 10 | 4 |
| 1408 | Cement sidewalk on the south side of Queen's avenue, between Waterloo and Wellington streets | 552 67 | 321 54 | 231 13 | 10 | 4 |
| 1409 | Cement sidewalk on the south side of Dufferin avenue, between Waterloo and Colborne streets | 634 13 | 400 31 | 233 82 | 10 | 4 |
| 1410 | Cement sidewalk on the south side of Wolfe street, between Wellington and Waterloo streets | 465 20 | 295 43 | 169 77 | 10 | 4 |
| 1411 | Cement sidewalk on the north side of Wolfe street, between Wellington and Waterloo streets | 464 25 | 300 84 | 163 41 | 10 | 4 |
| 1412 | Cement sidewalk on the east side of Cartwright street, between Princess and Central avenues | 374 68 | 223 44 | 151 24 | 10 | 4 |
| 1413 | Cement sidewalk on the west side of Cartwright street, between Princess and Central avenues | 365 18 | 216 31 | 148 87 | 10 | 4 |
| 1414 | Cement sidewalk on the east side of Maidland street, between Queen's and Dufferin avenues | 313 43 | 175 09 | 138 34 | 10 | 4 |
| 1415 | Cement sidewalk on the east side of William street, between Queen's and Dufferin avenues | 319 63 | 190 87 | 128 76 | 10 | 4 |
| 1416 | Cement sidewalk on the west side of Colborne street, between Dundas street and Queen's avenue | 314 61 | 196 71 | 117 50 | 10 | 4 |
| 1417 | Cement sidewalk on the west side of Peter street, between Queen's and Dufferin avenues | 283 71 | 183 55 | 100 16 | 10 | 4 |
| 1418 | Cement sidewalk on the west side of Colborne street, between Pall Mall and Picadilly streets | 571 21 | 327 81 | 243 40 | 10 | 4 |
| 1419 | Cement sidewalk on north side of Central avenue, between Colborne and Maitland streets | 559 28 | 318 25 | 241 03 | 10 | 4 |
| 1420 | Cement sidewalk on the north side of Dundas street, between Colborne and Maitland streets | 774 27 | 421 37 | 352 90 | 10 | 4 |
| 1421 | Cement sidewalk on the north side of Queen's avenue, between Maitland and William streets | 548 15 | 314 58 | 233 57 | 10 | 4 |
| 1422 | Cement sidewalk on the east side of Wellington street, between Wolfe street and Princess avenue | 311 86 | 188 44 | 123 42 | 10 | 4 |
| 1423 | Cement sidewalk on the south side of Queen's avenue, between William and Adelaide streets | 526 88 | 294 04 | 232 84 | 10 | 4 |

SCHEDULE A.—Continued.

| No. of By-Law. | Nature of work under By-Law. | When passed by Council. | Amount of debt created. | | Amount to be borne by City. | | Amount to be borne by Ratepayers. | | Period of time. | Rate of interest. |
|----------------|--|-------------------------|-------------------------|----|-----------------------------|----|-----------------------------------|----|-----------------|-------------------|
| | | | \$ | c. | \$ | c. | \$ | c. | | |
| 1424 | Cement sidewalk on the north side of Queen's avenue, between Adelaide and William streets. | December 18, 1899 | 547 | 26 | 308 | 07 | 239 | 19 | 10 | 4 |
| 1425 | Cement sidewalk on the north side of Queen's avenue, between Waterloo and Colborne streets | " | 588 | 74 | 345 | 56 | 243 | 18 | 10 | 4 |
| 1426 | Cement sidewalk on the north side of Dundas street, between William and Adelaide streets | " | 616 | 93 | 339 | 14 | 277 | 79 | 10 | 4 |
| 1427 | Cement sidewalk on the north side of Dundas street, between Maitland and William streets | " | 745 | 44 | 406 | 27 | 339 | 17 | 10 | 4 |
| 1428 | Cement sidewalk on the west side of Picton street, between Queen's and Dufferin avenues | " | 238 | 55 | 135 | 86 | 102 | 69 | 10 | 4 |
| 1429 | Cement sidewalk on the south side of Central avenue, between Cartwright and Maitland streets | " | 280 | 76 | 170 | 23 | 710 | 53 | 10 | 4 |
| 1430 | Cement sidewalk on the east side of Wellington street, between Central avenue and Wolfe street | " | 272 | 85 | 214 | 54 | 58 | 31 | 10 | 4 |
| 1431 | Cement sidewalk on the west side of Waterloo street, between Hyman and Pall Mall streets | " | 265 | 01 | 158 | 88 | 106 | 13 | 10 | 4 |
| 1432 | Cement sidewalk on the north side of Dufferin avenue, between Prospect avenue and William street | " | 387 | 81 | 225 | 23 | 162 | 58 | 10 | 4 |
| 1433 | Cement sidewalk on the south side of Princess avenue, between Colborne and Cartwright streets | " | 309 | 60 | 223 | 60 | 86 | 00 | 10 | 4 |
| 1434 | Cement sidewalk on the east side of Adelaide street, between Dundas street and Queen's avenue | " | 300 | 85 | 174 | 14 | 126 | 71 | 10 | 4 |
| 1435 | Cement sidewalk on the north side of Dundas street, between the west side of Elizabeth street and 119½ feet westerly therefrom | " | 170 | 78 | 95 | 63 | 75 | 15 | 10 | 4 |
| 1436 | Cement sidewalk on the west side of Elizabeth street, between Dundas street and Queen's avenue | " | 253 | 82 | 171 | 72 | 82 | 10 | 10 | 4 |
| 1437 | Cement sidewalk on the west side of Rectory street, between King | " | | | | | | | | |

| | | | | | | |
|------|---|-------------------|-----------|-----------|---------|-------|
| 1438 | and York streets | 268 34 | 237 03 | 31 31 | 10 | 4 |
| | Cement sidewalk on the south side of Queen's avenue, between Adelaide and Elizabeth streets | 495 65 | 277 27 | 218 38 | 10 | 4 |
| 1439 | Cement sidewalk on the north side of Dundas street, between English and Ontario streets | 887 64 | 457 35 | 430 29 | 10 | 4 |
| 1440 | Cement sidewalk on the south side of Dundas street, between Lyle and Glebe streets | 378 15 | 193 63 | 184 52 | 10 | 4 |
| 1441 | Cement sidewalk on east side of Rectory street, between King and Campbell streets | 421 92 | 226 88 | 195 04 | 10 | 4 |
| 1442 | Cement sidewalk on south side of Dundas street, between Rectory and Ontario streets | 485 43 | 251 82 | 233 61 | 10 | 4 |
| 1443 | Cement sidewalk on north side Dundas street between a point 60 feet 3 inches east of the east side of Adelaide street and a point 157 feet easterly therefrom | 226 82 | 113 41 | 113 41 | 10 | 4 |
| 1444 | Cement sidewalk on north side of Dundas street, between Ontario and Quebec streets | 642 00 | 330 97 | 311 03 | 10 | 4 |
| 1445 | Cement sidewalk on south side King st., between Lyle and Glebe sts. | 441 17 | 227 87 | 213 30 | 10 | 4 |
| 1446 | Cement sidewalk on north side Craig street, between Ridout street and Wortley road | 794 61 | 429 21 | 365 40 | 10 | 4 |
| 1447 | Cement sidewalk on south side of Craig street, between Ridout street and Wortley road | 741 41 | 401 27 | 340 14 | ..... | ..... |
| 1448 | Cement sidewalk on north side of Evergreen avenue, between west limit of lot No. 13 and the Wharnclyffe road | 497 10 | 267 42 | 229 68 | 10 | 4 |
| 1449 | Cement sidewalk on south side Elmwood avenue, between Wortley road and Cathcart street | 435 47 | 248 78 | 186 69 | 10 | 4 |
| 1450 | Cement sidewalk on north side Elmwood avenue, between Wortley road and Cathcart street | 422 40 | 246 92 | 175 48 | 10 | 4 |
| 1451 | Cement sidewalk on north side of the Ridgeway, between Becher street and the Wharnclyffe road | 491 12 | 248 56 | 242 56 | 10 | 4 |
| 1452 | Cement sidewalk on west side Wortley road, between Elmwood and Duchess avenues | 328 52 | 171 26 | 157 26 | 10 | 4 |
| 1453 | Cement sidewalk on west side Wortley road, between Bruce and Askin streets | 286 80 | 150 40 | 136 40 | 10 | 4 |
| 1454 | Consolidating the broken amounts in the above by-laws numbered 1322 to 1453 inclusive | December 22, 1899 | 30,095 32 | 28,826 68 | various | 4 |
| | | 58,922 00 | | | mes | |

SCHEDULE B.

(Section 2.)

Articles of agreement made this nineteenth day of February, A.D. 1900.


Between the corporation of the City of London (hereinafter called the corporation), of the first part, and Francis E. Barnes, of the City of London, in England, Merchant and John H. Ginge, of the City of London, in Canada, Merchant, trading under the name and firm of "The Canadian Packing Company," of the second part.



Whereas the said company are the owners of certain real estate in the Township of London, in the County of Middlesex, upon which they have erected their pork packing establishment, which they have been for some time and are now operating.



And whereas the said company have requested the corporation to permit them to lay, in Dundas street, from the eastern city limit to Egerton street a fifteen inch tile sewer so as to connect their said premises in the Township of London with the sewer of the corporation in the said city, by means of the said fifteen inch tile sewer, and a six inch tile sewer in continuation thereof, to be constructed by them in the Township of London, from the city limit aforesaid to their said establishment and premises, the said fifteen inch sewer to be laid by and at the expense of the said company, under the direction of the engineer of the Corporation, at such depth and grade, and in other respects in such manner as the said engineer may from time to time direct, the said tile to be furnished by the corporation, and the cost thereof, in excess of the cost of six inch tile to be paid by the corporation, and the rest of the cost to be paid to the corporation by the said parties of the second part, on demand, the said fifteen inch sewer when laid to become and be the property of the corporation, free from all claims of the said company, except as provided by this agreement, and the said sewer may be used by the corporation in all respects as if the same had been laid by the corporation and paid for by the corporation.



And whereas the said company have requested the corporation, after the said sewers have been constructed, to permit the sewage from their said factory to enter into the sewerage system of the said City of London, through the said fifteen inch sewer, provided that the said company do construct and maintain at their said factory, from time to time, to the satisfaction of the corporation, such grease traps and other means as shall be most effectual to prevent any sewage detrimental to the sewerage system of the said City of London, from entering the said sewer, said traps and other means to be such as shall be approved of by the engineer of the corporation and the secretary of the Provincial Board of Health, and do and shall from time to time and at all times treat the sewage from the said factory and premises in such manner as will prevent the same from being in any way detrimental to any of the sewers in the said City of London.


And whereas the Corporation have agreed to permit the connection of the said factory and premises with the sewerage system in the said City of London in manner aforesaid, and upon the terms and conditions hereinafter contained, and to license the said parties of the Second Part to use the sewerage system through the said tile sewers, provided the sewage from the said factory and premises be treated as hereinbefore provided, and that such traps and other means as shall be most effectual to prevent any sewage which shall be detrimental to the sewerage system of the said City of London from entering the said sewer, or any of the sewers of the said City of London be constructed and maintained by the said parties of the Second Part, their heirs and assigns in manner aforesaid, and that the connecting sewer in the said Township of London shall be a Six inch tile sewer, and shall not at any time be increased in size, and that the said parties of the Second Part, their heirs, executors, administrators or assigns, will not at any time during the continuance of this Agreement suffer or permit any person, firm or Corporation to tap the said sewer in the said Township of London, or in any way suffer or permit any sewage or drainage to enter into the said Six inch tile sewer,

or into the sewers of the said City, other than the sewage and drainage from the said factory and premises of the said parties of the Second Part. 

 1 Now this Agreement witnesseth that the Corporation hereby licenses and permits the said parties of the Second Part to construct, in Dundas Street, from the Eastern limit of the said City of London to Main Trunk Sewer in Dundas Street aforesaid, a Fifteen inch tile sewer, and to connect the same with the said Main Trunk Sewer at Egerton Street, under the direction and to the satisfaction of the Engineer for the time being of the Corporation, provided that the said parties of the Second Part construct and connect the same in manner hereinafter provided, on or before the Thirtieth day of June, A. D. 1900, such sewer when constructed to be the property of the Corporation free from all claims of the said parties of the Second Part, save as by this Agreement provided, and the said sewer may be used by the Corporation in all respects as if the same had been laid by the Corporation and paid for by the Corporation. 

 2. And the Corporation further agrees with the said parties of the Second Part to supply the Fifteen inch tile to them for the purposes aforesaid, within Ten days from demand in writing for the same made by the said parties of the Second Part. 

 3. And the Corporation grants unto the said parties of the Second Part permission, from the time of the completion of the construction of the said sewer, to the satisfaction of the said Engineer and the Corporation, as certified to by the said Engineer, to allow the sewage from the said factory and premises of the said parties of the Second Part to enter the said Fifteen inch sewer, and into the sewerage system of the Corporation, from time to time, until the said parties of the Second Part shall, by notice in writing, be directed by the Corporation to cease from so permitting the said sewage to enter into the said sewers, or any of them, provided always that the said sewage be treated from time to time by the said parties of the Second Part in the manner hereinbefore on page 2 hereof specified before the same, or any part thereof, is permitted to enter into the said sewers, or any of them, and provided that, before permitting any such sewage to enter into the said sewers, or any of them, the said parties of the Second Part shall construct such traps and other means as shall be approved of by the said Engineer and the Secretary of the Provincial Board of Health, and which the Corporation or the said Engineer shall deem to be necessary or expedient to prevent, and will prevent grease and other sewage, which may be detrimental in any way to the sewerage system of the said City of London, from entering the said sewers, or any of them. 

 4. And the said parties of the Second Part for themselves, their heirs, executors, administrators and assigns, covenant and agree with the Corporation, and its successors, that they will prosecute the work of the construction of the said sewer, and the said traps and other means, with diligence and despatch, until the same shall be finally completed, and that from and after the completion of the said traps and other means for preventing grease and other sewage detrimental to the sewerage system of the said City of London from entering into the said sewers, or any of them, the said parties of the Second Part will, from time to time, and at all times, maintain the same at their own expense, to the satisfaction of the Corporation, and to the satisfaction of the said Engineer of the Corporation, and that the said parties of the Second Part will obey the directions of the said Engineer, or the Corporation, as to the time when, and the manner in which the said work shall be done; and that the construction of the said sewer will be completed under the direction of the said engineer in all respects, and to the entire satisfaction of the said engineer of the corporation, on or before the thirtieth day of June, A. D. 1900, and that the said Engineer may reject any material or work that he may deem not to be in accordance with this Agreement, and the said parties of the second part shall be bound to remove, when so directed by the said

engineer, any improper material or workmanship, and replace the same with material and workmanship satisfactory in every respect to the said engineer. 🖊️

🖊️ 5 And that the said parties of the second part will, during the progress of the said work take all such precautions as the said engineer may deem necessary, or shall in fact be necessary, to prevent accidents to persons and property, and shall indemnify and save harmless the corporation and its successors, from and against all loss, damage, costs, charges and expenses which the corporation may sustain or be put to for or by reason of any accident or injury which may happen or be done to any person or property by reason of the neglect or improper conduct of the said parties of the second part, their contractors, servants or agents, in the doing of the said work, or their omissions to take due and proper precautions for the prevention of accidents to persons and property during or in consequence of the work; and that the said parties of the second part will, from and after the time when the construction of the said sewer shall be completed, as certified to by the said engineer, as hereinbefore provided, pay to the corporation and its successors, the sum of fifty dollars per year, in advance, for the license to use the said sewers, on the second day of July in each and every year so long as they are permitted under this agreement to use the same, the first payment to be made on the second day of July, A.D. 1900. 🖊️


🖊️ 6. Provided always, and it is hereby expressly agreed by and between the parties hereto that the corporation, or its successors, may at any time put an end to the license and privileges hereby granted to the said parties of the second part, by giving them six months' notice in writing of their intention so to do, by depositing such notice in the general post office at the said city of London in a registered letter, addressed to the said company at the said city of London, and upon the deposit as aforesaid of the said notice in the said post office the said notice shall be deemed to have been duly served and delivered, and the said parties of the second part, their heirs, executors, administrators and assigns, shall be bound, at the expiration of the said six months, to immediately disconnect their said premises from the said sewer leading to the sewerage system of the said city of London, and thereafter prevent all sewage from their said factory and premises from entering, through the said sewer or otherwise, into the sewerage system of, or into any of the sewers in the said city of London; and that, in the event of the said parties of the second part, their heirs, executors, administrators or assigns neglecting or refusing to disconnect their said premises as aforesaid, the corporation, its servants and workmen, or any of them, shall be at liberty to disconnect the said fifteen inch tile sewer, so laid as aforesaid, at or near the place where it connects with the six inch tile sewer in the township of London, and to prevent thereby, and by such other means as the corporation may deem expedient, all sewage from the said company's factory and premises, or any part thereof, from entering into the sewers of the said city of London or any of them; and that, from and after the expiration of the said six months' notice, as aforesaid, all rights and privileges hereby granted to the said parties of the second part shall cease and be at an end. 🖊️



🖊️ 7. Provided, however, that, in the event of such notice being given, by the corporation to the said parties of the second part, as by the next preceding section hereof provided, the corporation shall pay the said parties of the second part the sum of six thousand dollars to compensate them for the work done by the said parties of the second part in the construction of the said fifteen inch tile sewer in Dundas street in the said city of London as aforesaid. 🖊️



🖊️ 8. Provided also that, in the event of the said parties of the second part, their heirs, executors, administrators or assigns, at any time during the continuance of this agreement, increasing the size of the tile sewer in the said township of London connecting with the said sewer in the said city of London beyond a six inch tile sewer, or at any time knowingly



suffering or permitting any person, firm or corporation to tap the said sewer in the said township of London, or in any way knowingly suffering or permitting any sewage or drainage to enter into the said six inch tile sewer, or into the sewers of the said city, other than the sewage and drainage from the said factory and premises of the said parties of the second part, the corporation or its successors may put an end to the license and privileges hereby granted by giving six months' notice in manner hereinbefore provided to the said parties of the second part, and the said parties of the second part, their heirs, executors, administrators and assigns, shall be bound, at the expiration of the said six months' notice, to immediately disconnect their said premises from the said sewer leading to the sewerage system of the said city of London, and thereafter prevent all sewage from their said factory and premises from entering, through the said sewer or otherwise, into the sewerage system of, or into any of the sewers in the said city of London; and that, in the event of the said parties of the second part, their heirs, executors, administrators or assigns, neglecting or refusing to disconnect their said premises as aforesaid, the corporation, its servants and workmen, or any of them, shall be at liberty to disconnect the said fifteen-inch tile sewer, so laid as aforesaid, at or near the place where it connects with the six-inch tile sewer in the said Township of London, and to prevent thereby, and by such other means as the corporation may deem expedient, all sewage from the said company's factory or premises, or any part thereof, from entering into the said sewers of the said city of London, or any of them; and that, from and after the expiration of the said six months' notice as aforesaid, all rights and privileges hereby granted to the said parties of the second part shall cease and be at an end, and if the rights and privileges aforesaid be put an end to by the corporation, under the provisions of this proviso, the said parties of the second part shall not be entitled to the said sum of six thousand dollars, or to any compensation whatsoever.

§ 9. Provided also, and it is hereby further expressly agreed that if and whenever the said license fee, or sum of fifty dollars, or any part thereof, shall be unpaid for sixty days after any of the days on which the same ought to have been paid, although no formal or other demand shall have been made thereof, or in case of the breach or non-performance of any of the covenants or agreements herein contained on the part of the said parties of the second part, their executors or assigns, or in case the parties of the second part, their executors, administrators or assigns, shall make an assignment for the benefit of creditors, or becoming bankrupt or insolvent shall take the benefit of any Act that may be in force for bankrupt or insolvent debtors, or in case the said factory or premises shall at any time be used for any purpose other than a pork packing establishment, then, and in any or either of such cases it shall be lawful for the corporation or its successors to put an end to the rights and privileges hereinbefore granted to the said parties of the second part by giving six months' notice, in manner hereinbefore provided, to the said parties of the second part and in that event the parties of the second part, their heirs, executors, administrators and assigns, shall be bound, at the expiration of the said six months' notice, to immediately disconnect their said premises from the said sewer leading to the sewerage system of the said city of London, and thereafter prevent all sewage from their said factory and premises from entering, through the said sewer or otherwise, into the sewerage of, or into any of the sewers in the said city of London; and also that, in the event of the said parties of the second part, their heirs, executors, administrators or assigns neglecting or refusing to disconnect their said premises as aforesaid, the corporation, its servants and workmen, or any of them shall be at liberty to disconnect the said fifteen inch tile sewer, so laid as aforesaid, at or near the place where it connects with the six inch tile sewer in the said Township of London, and to prevent thereby, and by such other means as the corporation may deem expedient, all sewage from the said company's factory or premises, or any part thereof, from entering into the said sewers of the said city of London or any of them; and that, from and after the expiration of the said six months' notice as aforesaid, all rights and privileges hereby granted to the

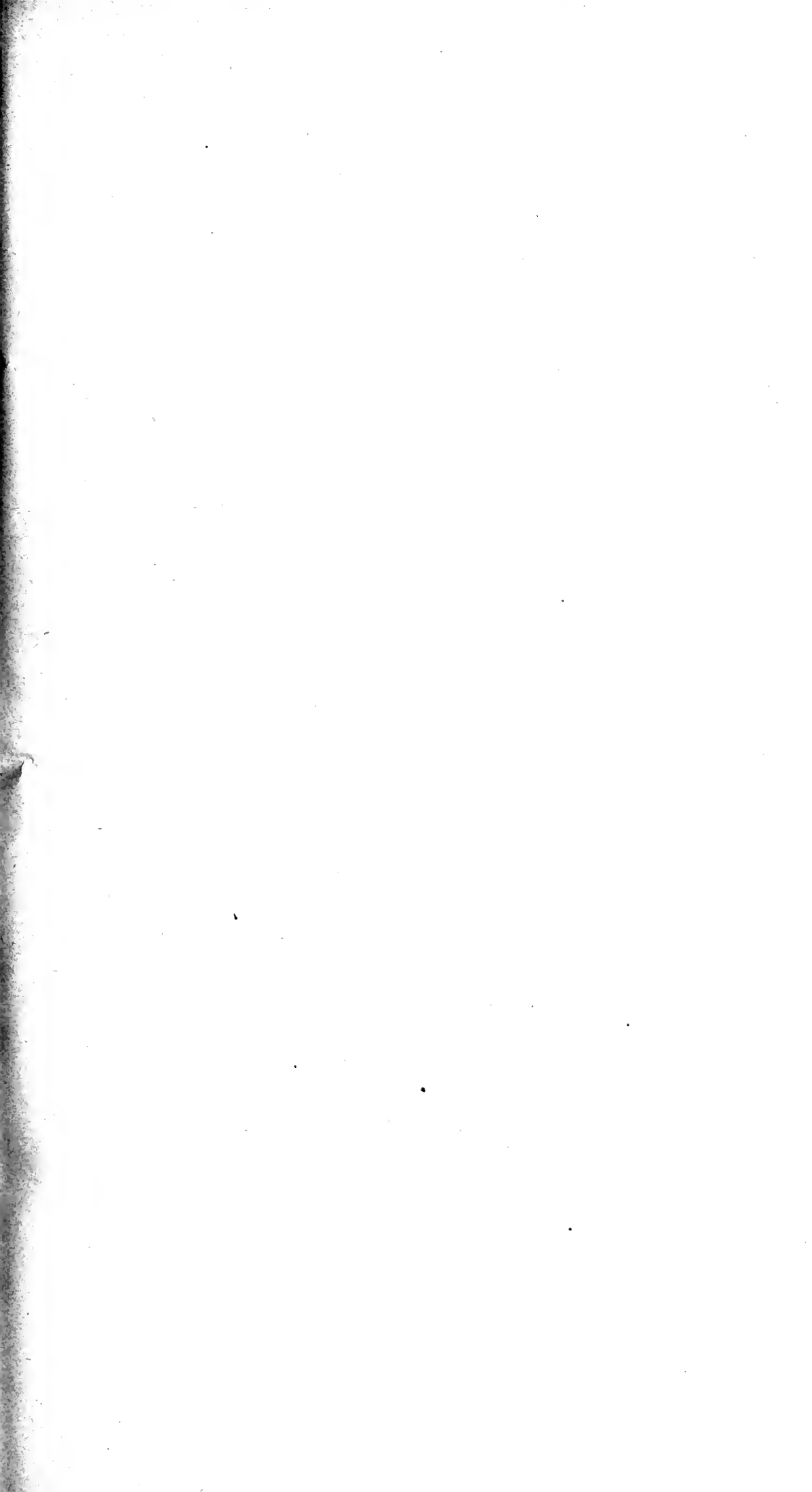
said parties of the second part shall cease and be at an end, and if the rights and privileges afore said be put an end to by the corporation, under the provisions of this proviso, the said parties of the second part shall not be entitled to the said sum of six thousand dollars, or to any compensation whatsoever. 

 10. It is expressly agreed by and between the parties hereto that, in the event of the limits of the city of London being extended during the continuance of this agreement so as to include the whole or any part of the said six inch tile sewer to be laid in the Township of London as afore-said, the whole or such part of the six inch tile sewer as shall come within the limits of the city of London, by reason of any such extension or extensions, shall thereupon become and be vested in the corporation of the city of London, free from all claims of the said parties of the second part except as provided by this agreement. 

 11. It is further expressly agreed by and between the parties hereto that this agreement, and the powers and privileges thereby granted, shall not take effect or be binding on the corporation or the said parties of the second part unless and until this agreement shall be validated, ratified and confirmed by the legislature of the Province of Ontario at its present session. 

 In witness whereof the corporation has caused to be affixed its corporate seal, and the Mayor and Clerk have set their hands and the parties of the second part have set their hands and seals the day and year first above written. 

| | | |
|-------------------------------|---|-----------------------------|
| Signed, sealed and delivered, | } | C. A. KINGSTON, City Clerk. |
| in the presence of | | FRAS. E. BARNES. |
| G. E. TAYLOR. | | JOHN H. GINGE. |



No. 33.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting the City of
London.

First Reading, 21st March, 1900.

*(Reprinted as amended by the Private
Bills Committee.)*

(Private Bill.)

Mr. LEYS.

TORONTO:

PRINTED BY I. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act to incorporate the Woodstock, Thames Valley and Ingersoll Electric Railway Company.

- W**HEREAS James H. Armstrong, of the City of Erie, in ^{Preamble.} the State of Pennsylvania, one of the United States of America, manufacturer; S. Ritter Ickes, of the city of Harrisburg, in the said State of Pennsylvania, physician; Dennis
5 W. Karn, of the town of Woodstock, in the County of Oxford, in the Province of Ontario, manufacturer; Edward Walter Nesbitt, of the said town of Woodstock, agent; Robert Notman Ball, of the said town of Woodstock, Esquire, and James Gamble Wallace, of the said town of Woodstock, Esquire,
10 have by their petition prayed for an Act of incorporation under the name of "The Woodstock, Thames Valley and Ingersoll Electric Railway Company," for the purpose of constructing and operating a railway in and through the town of Woodstock, from thence through the township of West Oxford to,
15 in and through the town of Ingersoll, also a branch extending through the unincorporated village of Beachville through the townships of North Oxford and West Zorra, to, in and through the village of Embro, with the further power to extend the said branch to some point in the said township of
20 West Zorra, northerly from the said village of Embro, and also have by their petition prayed that a by-law of the said town of Woodstock, numbered _____, passed the _____ day of February, 1900, be ratified and confirmed; and, whereas it is expedient to grant the prayer of the said petition;
- 25 Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The said James H. Armstrong, S. Ritter Ickes, Dennis ^{Incorporation.} W. Karn, Edward Walter Nesbitt, Robert Notman Ball and
30 James Gamble Wallace, and such other persons, firms and corporations as shall hereafter become shareholders of the said company, are hereby constituted a body corporate and politic

under the name of "The Woodstock, Thames Valley and Ingersoll Electric Railway Company."

Location of line.

2. The said company is hereby authorized and empowered to survey, lay out, construct, equip, maintain, and operate by electricity, and from time to time remove and change a double or single track, iron or steel railway of the gauge of four feet eight and one-half inches, with one or more branch or branches, and with all necessary side tracks and turn outs for the passage of cars, carriages, and other vehicles adapted to the same, in and through the town of Woodstock, from thence through the township of West Oxford to, in and through the town of Ingersoll, also a branch extending through the unincorporated village of Beachville, through the townships of North Oxford and West Zorra, to, in and through the village of Embro, with the further power to extend the said branch to some point in the said township of West Zorra northerly from the said village of Embro, with power to build any part or branch of said railway in sections. 5 10 15

Provisional directors.

3. James H. Armstrong, S. Ritter Ickes, Dennis W. Karn, Edward Walter Nesbitt, Robert Notman Ball and James Gamble Wallace, shall be and are hereby constituted a board of provisional directors of the said company, of whom a majority shall be a quorum, and shall hold office as such until other directors shall be appointed under the provisions of *The Electric Railway Act*. 25

Number of directors.

4. The number of directors shall be not less than five, nor more than nine.

Head office.

5. The head office of the said company shall be at the said town of Woodstock, and all meetings of the provisional board of directors of the company shall be held at the said town of Woodstock, or at such other place as may best suit the interests of the company. 30

Capital stock.

6. The capital stock of the company shall be \$400,000, to be divided into 4,000 shares of \$100 each.

Annual meeting.

7. The date of the annual meeting of the shareholders shall be fixed by the by-laws of the said company. 35

Making certain payments in paid-up stock or bonds.

8. The provisional directors, or the elected directors, may pay or agree to pay, in paid up stock or in the bonds of the said company, such sums as they may deem expedient to engineers or contractors, or for the right of way or material, plant or rolling stock, and also when sanctioned by a vote of the shareholders at any general meeting, for the services of the promoters, or other persons who may be employed by the directors for the purpose of assisting the directors in further- 40

ing the undertaking, or for the purchase of right of way, material, plant or rolling stock, whether such promoters, or other persons be provisional or elected directors or not, and any agreement so made shall be binding on the company.

5 9. The company may make special rates for the carriage of fruit, milk and other perishable goods. Tolls on fruit milk, etc.

10 10. The company may make and enter into any agreement for the purchase of the rights of the owner or owners of any toll road upon or along which the proposed line of railway may run, and may retain and operate any such toll road under the provisions of *The General Road Companies Act*. Power to purchase and operate toll roads.
Rev. Stat. 193.

15 11. Any municipality through which the said railway passes, may pass a by-law or by-laws empowering the said company to make their road and lay their rails along any of the highways within such municipality, including any road in the possession or under the control of any individual, firm or company, with the consent of and subject to the conditions imposed by such road-owner, and under and subject to any agreement or agreements hereafter to be made between any such municipality and the said company, and it shall and may be lawful for the said company to enter into and perform any such agreements as they may from time to time deem expedient with any municipality, corporation or person, for the construction or for the maintenance and repair of gravel or other public roads leading to or used by the said railway. Laying rails on highways.

20 12. The said company shall have power to agree for connections and making running arrangements with any company or companies now or hereafter lawfully authorized to construct and operate a railway or railways in the municipalities named in section 2 of this Act, if lawfully empowered to enter into any such agreement, upon terms to be approved by two-thirds in value of the shareholders, at a special general meeting to be held for that purpose, and it shall also be lawful for the said company to enter into an agreement or agreements with the said companies or any of them, if lawfully authorized to enter into any such agreement, for the sale or leasing or hiring of any portion of the railway herein authorized or the use thereof, or for the sale or leasing or hiring any motors, carriages or cars, or any of them, or of any part thereof, or touching any service to be rendered by one company to the other, and the compensation therefor, if the arrangements and agreements shall be approved of by two-thirds in value of the shareholders voting in person or by proxy at a special general meeting to be called for that purpose, and every such agreement shall be valid and binding according to the terms and tenor thereof, and the company purchasing, leasing, or entering into such agreement for using the said railway, may Running arrangements and connections with other companies.

and are hereby authorized to work the said railway, in the same manner as if incorporated with their own line, subject to the provisions of any by-law or by-laws of the said municipalities which may from time to time be in force so far as the same may affect the company hereby incorporated, or the railway to be built under the authority of this Act, and provided that no such agreement for connections, running arrangements, sale, leasing or hiring of the said railway or any portion thereof, shall be entered into by the said company unless and until the consent of the corporation of the municipality or municipalities having jurisdiction in that respect has first been obtained thereto, but this section shall not be construed as purporting or intending to confer rights or powers upon any company which is not within the legislative authority of the Province of Ontario.

Application of
Electric Rail-
way Act.

13. The several clauses of *The Electric Railway Act*, and of every act in amendment thereof, shall be incorporated with and be deemed to be part of this Act, and shall apply to the company and to the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof; and the expression, "this Act," when used herein, shall be understood to include the clauses of the said *Electric Railway Act*, and of every act in amendment thereof so incorporated with this Act.

14. By-law No. _____, of the Municipal Corporation of the town of Woodstock set forth in Schedule A to this Act is hereby confirmed and declared legal, valid and binding upon the said municipal corporation, notwithstanding any want of jurisdiction on the part of the municipality to pass the same.

SCHEDULE A.

BY-LAW No. _____

To grant certain privileges to "The Woodstock Thames Valley and Ingersoll Electric Railway Company" and to declare and prescribe the terms and conditions on which its electric railway may be constructed, maintained and worked.

Whereas S. Ritter Ickes, of the city of Harrisburg, in the State of Pennsylvania, one of the United States of America; J. H. Armstrong, of the city of Erie, in the said State of Pennsylvania; Dennis W. Karn, of the town of Woodstock, in the county of Oxford, Province of Ontario; Edward W. Nesbitt of the same place, Robert Notman Ball of the same place, and James Gamble Wallace of the same place, will make application to the Legislative Assembly of the Province of Ontario at the next ensuing session thereof for an Act under the provisions of "*The Electric Railway Act*," to incorporate The Woodstock, Thames Valley and Ingersoll Electric Railway Company with power to construct, equip, maintain and

operate an electric railway in and through the town of Woodstock, from thence through the township of West Oxford to, in and through the town of Ingersoll, also a branch extending from the unincorporated village of Beachville, through the townships of North Oxford and West Zorra into the village of Embro, all in the county of Oxford.

And whereas the municipal council of the corporation of the town of Woodstock, by a resolution bearing date the 10th day of July, A.D. 1899, offered to the said S. Ritter Ickes and J. H. Armstrong in trust for a company to be formed, a franchise for a term of fifty years for the building and operating of an electric railway in and upon certain of the streets of the said town of Woodstock upon the following conditions, that is to say :—The said railway shall be exempt from taxation by the said town and free from rental or other charges for the first ten years of the said term. That for the second ten years of the said term the said railway shall be free from rental or other charges except taxes. That for the third ten years of the said term the said railway shall pay a yearly rental to the said town of \$500.00 and taxes. That for the fourth ten years of the said term the said railway shall pay to the said town a yearly rental of \$750.00 and taxes. That for the fifth ten years of the said term the said railway shall pay to the said town a yearly rental of \$1,000.00 and taxes.

And whereas the said offer was accepted by the said S. Ritter Ickes and J. H. Armstrong.

And whereas the parties first above mentioned have requested the municipal council of the corporation of the town of Woodstock to pass a by-law granting the franchise aforesaid, and authorizing the construction of an electric railway on such streets of the said town as are hereinafter mentioned and granting to the said company the other privileges hereinafter mentioned, but subject to the conditions and restrictions hereinafter contained.

And whereas notice of the application for this by-law has been duly given pursuant to sub-section 4 of section 9 of "*The Electric Railway Act*" and to section 632 of "*The Municipal Act*" and no one has petitioned to be heard by the said municipal council in respect of this by-law.

And whereas it is expedient to grant the request of the said parties.

Be it therefore enacted by the municipal council of the corporation of the town of Woodstock as follows :—

1. The Woodstock, Thames Valley and Ingersoll Electric Railway Company, its successors and assigns are hereby authorized to lay out, construct, make, complete, alter and keep in repair a steel railway to be operated by electricity with single steel tracks with necessary side tracks and turnouts for the passage of cars, carriages and other vehicles adapted to the same, also to convey electricity required for the working of the railway and heating or lighting the same, and to lay conduits under and erect poles and wires on or over and along and upon the streets in the said town of Woodstock hereinafter named, with all the powers conferred upon such companies by "*The Electric Railway Act*," such powers to continue for and during a term of fifty years from the passing of this by-law, but on the terms and subject to the conditions and stipulations hereinafter contained, such streets being the following, that is to say :—Dundas street from Norwich avenue to Mill street, Mill street from Dundas street to Park Row, and Park Row, Finkle street from Dundas street to Main street, Main street from Finkle street to Wellington street, Vansittart avenue from Dundas street to Ingersoll avenue and Ingersoll avenue from Vansittart avenue to Winniett street.

2. The company may carry freight and baggage, as well as passengers, and charge a reasonable compensation for carrying the same; all freight cars to be approved of by the council of this corporation.

3. The company shall have the right to lease its works or any part thereof, and also the rights and privileges hereby granted, to any person or corporation but subject to the provisions of this by-law.

4. The tracks of the said railway shall be laid as nearly as practicable in the centre of the said streets excepting Mill street, Park Row and Main street, on which streets the tracks may be laid on either side of the street, if desired, provided the laying of the said railway on either side of the said streets does not involve this corporation in any liability for damages to any owner of property along said streets, and in case damage is incurred on account of laying said track on either side of the street as aforesaid, and this corporation becomes liable for such damage the company shall become responsible for the same.

5. The tracks of the said railway shall pass under the Grand Trunk Railway on Mill street, either over a bridge, to be constructed by the company, adjoining on the west the present bridge, or over the present bridge, in which latter case the company shall widen the said bridge sufficiently to enable ordinary vehicles to pass the cars of the company thereon, such widening or addition to the said bridge to be under the supervision of the Board of Works, or of the council.

6. The grades of the streets and the location upon the streets of the poles of the said company shall be under the supervision of the board of works. The poles shall be of cedar, straight, of uniform size, and painted.

7. The rail to be used on the streets in the said corporation shall be a standard "T" rail and shall be laid in such a manner as shall least obstruct the free passage of vehicles and carriages over the same.

8. The tracks of the said railway and all works necessary for constructing and laying the same shall be constructed in a substantial manner, according to the best modern practice.

9. The said company shall construct and maintain in good repair, crossings similar to those for the time being in use by the said corporation on the said streets at the various places of intersection of the track of the said electric railway with any street which the same shall cross to the extent of the width of the track, and eighteen inches on each side thereof, the material for the same to be supplied by the said company.

10. During the operation of laying, removing and relaying the rails a free passage for carriages and vehicles over the streets shall be kept open and unobstructed, and immediately after the rails shall have laid or relaid, as the case may be, the street material removed or dug up in laying or relaying as aforesaid, shall be either removed from or spread over the street from which the same shall have been taken as shall be directed by the proper authority of this corporation.

11. The corporation of the town of Woodstock, the said council and the officers and servants thereof, shall have the right to take up the streets traversed by the said railway, either for the purpose of altering the grades thereof, constructing or repairing of drains, sewers or culverts, or of laying down or repairing of gas or water pipes and for any other purpose for the time being within the powers of the corporation, without being liable to the said company for any damages that may be thereby occasioned to the said railway or the works connected therewith or the working thereof, and the said corporation shall not be liable for any damage the said company may sustain from the breakage of any sewer or water pipes, but the said corporation shall in any case use due diligence in making all necessary repairs on such streets, but nothing herein shall be held to interfere with, or limit the rights of any water or gas company incorporated or that may be incorporated in the said town.

12. Whenever it shall be deemed necessary by this corporation to pave any street occupied by the railway track of the company, that portion of the street embraced between the rails of such tracks, switches and turn-outs and eighteen inches on each side of said track shall in the first instance be paved by and at the expense of the said corporation, but thereafter during the continuance of this grant the same shall be kept in repair by the said company at its own cost and charges, and in case any damage to any part of the pavement is occasioned by repairs to the railway the

company shall replace or repair the said pavement, all such repairs to be to the satisfaction of the board of works. In case the corporation shall at any time put down any pavement on Dundas street requiring a concrete bed the company whenever the same shall be necessary shall remove the tracks of the said railway to permit the laying of such concrete bed and to replace the same at its own expense to permit the proper laying of the pavement subject to all the provisions of this by-law.

13. Where the company's tracks cross over any bridges the company shall be responsible for all extra repairs, also for the strengthening of said bridges, if necessary, such work to be done under the supervision of the board of works.

14. In case the said company shall fail to keep in good repair the said parts of the said streets upon and along which its tracks shall be laid, as aforesaid, and shall neglect to make such repairs within a reasonable time after notice in writing from the proper officer of the said corporation for the time being, served upon the president or other managing officer of the said company specifying the particulars of such want of repair, then and in such case the said corporation shall be at liberty to cause such repairs to be made and to recover the cost thereof from the said company.

15. Whenever it shall become necessary to remove any snow or ice from the track or tracks of the said company, the same shall be, by the said company, evenly spread over the street so as not to obstruct the free passage of sleighs or other vehicles along the said streets, or removed by the said company as shall be directed by the proper officer of the said corporation, and in no case shall the company make use of salt for the purpose of removing such snow or ice.

16. Whenever by reason of snow or ice the tracks of the said company shall be obstructed to such an extent as to interfere with the running of the cars of the said company, the said company is authorized to use a sufficient number of sleighs, wagons or other vehicles to answer the requirements of traffic until such time as the said cars can be again used, and the said company may charge fares for carriage on the said sleighs, wagons or other vehicles as if the same were cars of the said company and being run on the tracks of the said company.

17. The number of trips shall not be less than four each way daily unless prevented by unavoidable accident or obstructions caused by storms.

18. The rate of speed shall not exceed ten miles an hour.

19. When the cars of the company are turning the corner from one street to another the same shall not be driven at a rate faster than a horse's walk.

20. No cars shall be allowed to stop on a crossing or in front of an intersecting street except to avoid collision or to prevent injury to persons in the streets or for other good cause, nor shall any car be left on or remain standing on any street at any time unless the same is being used and waiting for passengers.

21. When it is necessary to stop at the intersection of streets to receive or leave passengers the cars shall be stopped so as to leave the rear platform slightly over the crossing, after having crossed the intersecting street.

22. After sunset the cars shall be provided with colored signal lights for the front and rear.

23. Careful, sober and civil agents, conductors and drivers shall at all times be employed to take charge of the cars of the said company.

24. The cars shall be entitled to the track, and every vehicle upon the track of the company shall turn out when any car comes up so as to leave the track unobstructed, and any driver of a vehicle refusing to turn out when warned or requested so to do by the driver of any car shall be liable to a fine not exceeding ten (\$10.00) dollars exclusive of costs, to be imposed by any justice of the peace for the County of Oxford having jurisdiction in the said town, and in case of non-payment to be collected by

distress and sale of the goods of the offender, and in default of sufficient distress, the offender may be imprisoned in the common gaol for the said County of Oxford for a period not exceeding twenty-one days with or without hard labor.

25. Any conductors or other employee who shall collect of any passenger more than the fare prescribed by law or by the by-laws and regulations of the company, shall on conviction thereof before any justice of the peace for the said County of Oxford, pay a fine of not less than five dollars exclusive of costs, such fine and costs to be levied by distress and sale of the goods of the offender, and in default of sufficient distress the offender may be imprisoned in the common gaol for the said County of Oxford for any term not exceeding twenty-one days with or without hard labor.

26. All the real and personal property of the said company shall be and the same are hereby exempted from taxation for a period of ten years from the passing of this by-law.

27. The said company shall be free from rental or other charges for the first ten years of the said term of fifty years. For the second ten years of the said term the said company shall be free from rental or other charges except taxes. For the third ten years of the said term the said company shall pay to the said Town a yearly rental of five hundred (\$500.00) dollars and taxes. For the fourth ten years of the said term the said company shall pay to the said Town a yearly rental of seven hundred and fifty (\$750.00) dollars and taxes. For the fifth ten years of the said term the said company shall pay to the said Town a yearly rental of one thousand (\$1,000.00) dollars and taxes.

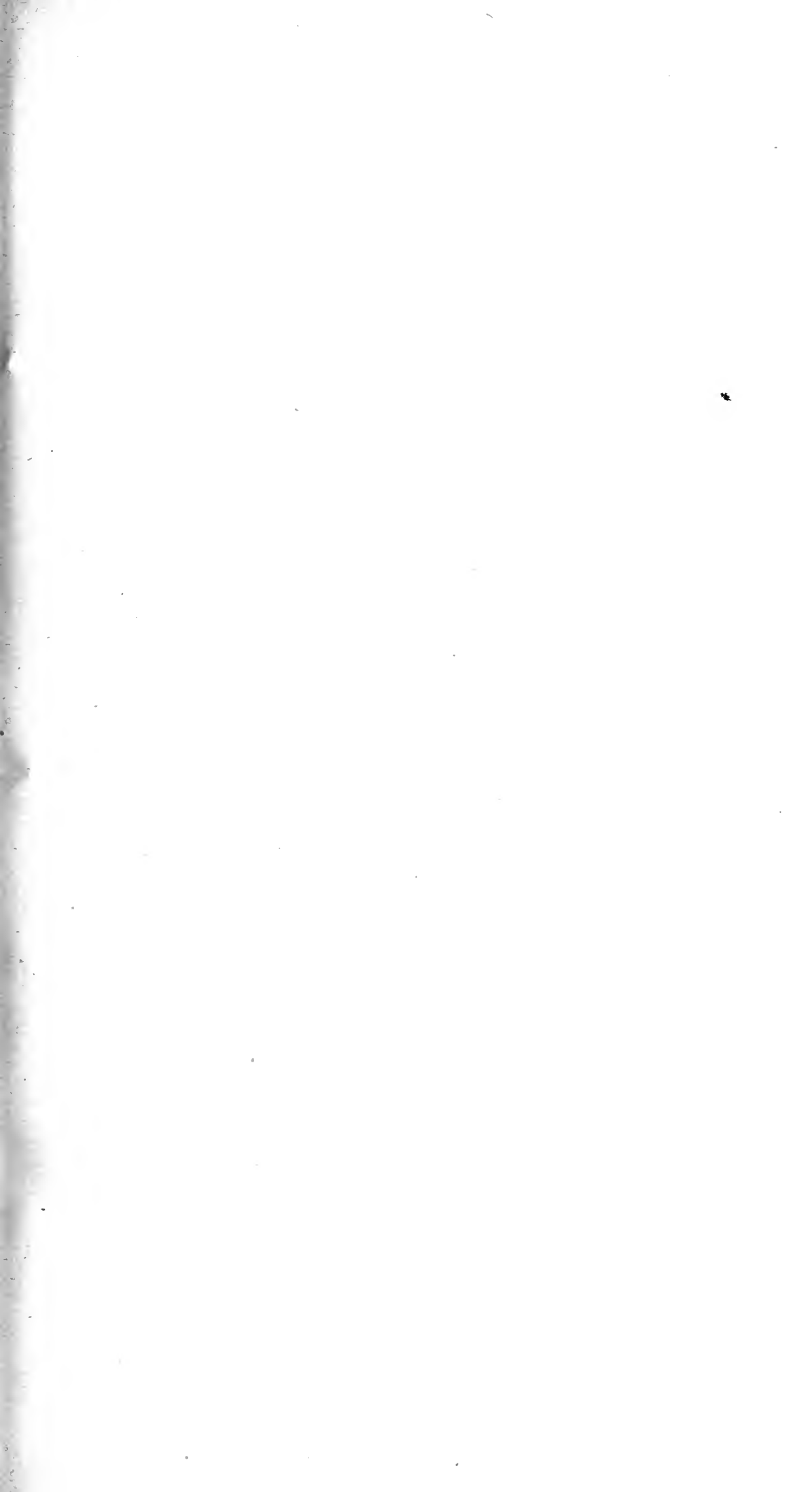
28. The said company shall commence work upon the said railway within six months from the granting of a charter to the said company, and after the work of construction of the said railway shall be commenced the same shall be continued to completion with all reasonable expedition and without delay, and the same shall be completed between Woodstock and Ingersoll within eighteen months from the granting of a charter.

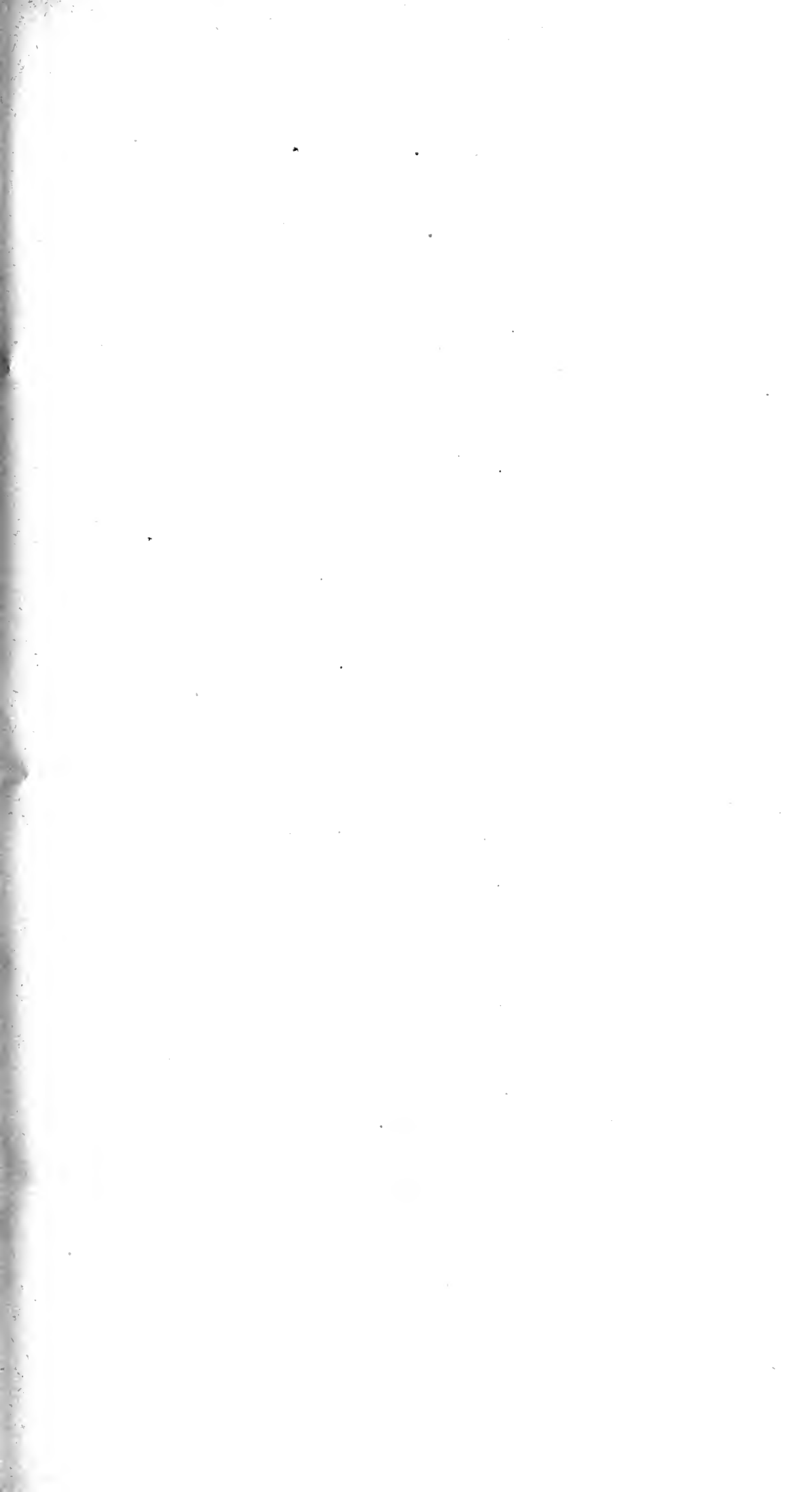
29. The company shall complete the railway connecting Dundas street with the Canadian Pacific Railway station and the Grand Trunk Railway station within eighteen months from the granting of a charter.

30. If the company fail to obtain incorporation within eighteen months from the passing of this by-law or having been incorporated, fail to commence and continue the construction as in section 28 of this by-law is provided, or at any time cease to operate the said railway for one year it shall forfeit all rights under this by-law.

31. This by-law shall not be binding upon this corporation unless and until the said company shall formally accept the same in such manner as to legally bind the said company to perform the same on its part, in which event this by-law shall constitute a complete contract between the said company and this corporation.

32. The said company shall make application to the Legislative Assembly of Ontario for an act to ratify and confirm this by-law.





No 34.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to incorporate "The Woodstock,
Thames Valley and Ingersoll Electric
Railway Company."

| | |
|----------------|-------|
| First Reading, | 1900. |
|----------------|-------|

(Private Bill)

Mr. PATRULO.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act to incorporate the Woodstock, Thames Valley and Ingersoll Electric Railway Company.

WHEREAS James H. Armstrong, of the City of Erie, in ^{Preamble.} the State of Pennsylvania, one of the United States of America, manufacturer; S. Ritter Ickes, of the city of Harrisburg, in the said State of Pennsylvania, physician; Dennis W. Karn, manufacturer, Edward Walter Nesbitt, agent, Robert Notman Ball, Esquire, and James Gamble Wallace, Esquire, ~~of~~ all of the town of Woodstock, in the county of Oxford, ~~of~~ have by their petition prayed for an Act of incorporation under the name of "The Woodstock, Thames Valley and Ingersoll Electric Railway Company," for the purpose of constructing and operating a railway in and through the town of Woodstock, ~~of~~ in the county of Oxford, ~~of~~ from thence through the township of West Oxford to, in and through the town of Ingersoll, ~~of~~ in the said county of Oxford; ~~of~~ also a branch extending through the unincorporated village of Beachville through the townships of North Oxford and West Zorra, to, in and through the village of Embro, with the further power to extend the said branch to some point in the said township of West Zorra, northerly from the said village of Embro, ~~of~~ in the said county of Oxford, ~~of~~ and also have by their petition prayed that a by-law of the said town of Woodstock, numbered 1066, passed the *fourteenth* day of February, 1900, be ratified and confirmed; and, whereas it is expedient to grant the prayer of the said petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The said James H. Armstrong, S. Ritter Ickes, Dennis W. Karn, Edward Walter Nesbitt, Robert Notman Ball and James Gamble Wallace, and such other persons, firms and corporations as shall hereafter become shareholders of the said company, are hereby constituted a body corporate and politic ^{Incorporation.} under the name of "The Woodstock, Thames Valley and Ingersoll Electric Railway Company."

Location of
line.

2. The said company is hereby authorized and empowered to survey, lay out, construct, equip, maintain, and operate by electricity, and from time to time remove and change a double or single track, iron or steel railway of the gauge of four feet eight and one-half inches, with one or more branch or branches, and with all necessary side tracks and turn outs for the passage of cars, carriages, and other vehicles adapted to the same, in and through the town of Woodstock, ~~in~~ in the county of Oxford, ~~to~~ from thence through the township of West Oxford to, in and through the town of Ingersoll, ~~in~~ in the said county of Oxford; ~~and~~ also a branch extending through the unincorporated village of Beachville, through the townships of North Oxford and West Zorra, to, in and through the village of Embro, with the further power to extend the said branch to some point in the said township of West Zorra northerly from the said village of Embro, ~~in~~ in the said county of Oxford, with power to build any part or branch of said railway in sections, ~~and~~ and the said railways, or any part thereof, so far as the same may be operated by electricity, may be carried along and upon such public highways as may be authorized by the by-laws of the respective corporations having jurisdiction over the same and subject to the restrictions and provisions therein and in this Act contained, and under and subject to any agreements between the company and the councils of any of the said corporations and between the company and the road companies (if any) interested in such highways; and the company may make and enter into any agreements with any municipal corporation or road company as to the terms of occupancy of any street or highway subject to the provisions and conditions contained in this Act and in *The Municipal Act*, and any Act or Acts amending the same, but the company shall not have power to construct its road on or over the streets of the town of Ingersoll notwithstanding any rights it may have as purchasers, users or lessees of the Woodstock and Ingersoll gravel road, without first securing permission from the said municipality. ~~and~~

Provisional
directors.

3. James H. Armstrong, S. Ritter Ickes, Dennis W. Karn, Edward Walter Nesbitt, Robert Notman Ball and James Gamble Wallace, shall be and are hereby constituted a board of provisional directors of the said company, of whom a majority shall be a quorum, and shall hold office as such until other directors shall be appointed under the provisions of *The Electric Railway Act*.

Number of
directors.

4. The number of directors shall be not less than five, nor more than nine.

Head office.

5. The head office of the said company shall be at the said town of Woodstock, and all meetings of the provisional board of directors of the company shall be held at the said town of Woodstock, or at such other place as may best suit the interests of the company.

6. The capital stock of the company shall be \$400,000, to be divided into 4,000 shares of \$100 each. Capital stock.

7. The date of the annual meeting of the shareholders shall be fixed by the by-laws of the said company. Annual meeting.

8. The provisional directors, or the elected directors, may pay or agree to pay, in paid up stock or in the bonds of the said company, such sums as they may deem expedient to engineers or contractors, or for the right of way or material, plant or rolling stock, and also when sanctioned by a vote of the shareholders at any general meeting, for the services of the promoters, or other persons who may be employed by the directors for the purpose of assisting the directors in furthering the undertaking, or for the purchase of right of way, material, plant or rolling stock, whether such promoters, or other persons be provisional or elected directors or not, and any agreement so made shall be binding on the company. Making certain payments in paid-up stock or bonds.

9. The company may make special rates for the carriage of fruit, milk and other perishable goods. Tolls on fruit milk, etc.

10. The company may make and enter into any agreement for the purchase of the rights of the owner or owners of any toll road upon or along which the proposed line of railway may run, and may retain and operate any such toll road under the provisions of *The General Road Companies Act*. Power to purchase and operate toll roads.
Rev. Stat. 193.

11. Any municipality through which the said railway passes, ~~and~~ and having jurisdiction in the premises ~~may~~ pass a by-law or by-laws empowering the said company to make their road and lay their rails along any of the highways within such municipality, including any road in the possession or under the control of any individual, firm or company, with the consent of and subject to the conditions imposed by such road-owner, and under and subject to any agreement or agreements hereafter to be made between any such municipality and the said company, and it shall and may be lawful for the said company to enter into and perform any such agreements as they may from time to time deem expedient with any municipality, corporation or person, for the construction or for the maintenance and repair of gravel or other public roads leading to or used by the said railway. Laying rails on highways.

12. The said company shall have power to agree for connections and making running arrangements with any company or companies now or hereafter lawfully authorized to construct and operate a railway or railways in the municipalities named in section 2 of this Act, if lawfully empowered to enter into any such agreement, upon terms to be approved by two-thirds in value of the shareholders, at a special general meeting to be held for that purpose, and it shall also be lawful Running arrangements and connections with other companies.

for the said company to enter into an agreement or agreements with the said companies or any of them, if lawfully authorized to enter into any such agreement, for the sale or leasing or hiring of any portion of the railway herein authorized or the use thereof, or for the sale or leasing or hiring any motors, carriages or cars, or any of them, or of any part thereof, or touching any service to be rendered by one company to the other, and the compensation therefor, if the arrangements and agreements shall be approved of by two-thirds in value of the shareholders voting in person or by proxy at a special general meeting to be called for that purpose, and every such agreement shall be valid and binding according to the terms and tenor thereof, and the company purchasing, leasing, or entering into such agreement for using the said railway, may and are hereby authorized to work the said railway, in the same manner as if incorporated with their own line, subject to the provisions of any by-law or by-laws of the said municipalities which may from time to time be in force so far as the same may affect the company hereby incorporated, or the railway to be built under the authority of this Act, ~~and~~ provided that electric power only shall be used in operating any portion of the said railways or any section or branch thereof, ~~and~~ and provided *also* that no such agreement for connections, running arrangements, sale, leasing or hiring of the said railway or any portion thereof, shall be entered into by the said company unless and until the consent of the corporation of the municipality or municipalities having jurisdiction in that respect has first been obtained thereto, but this section shall not be construed as purporting or intending to confer rights or powers upon any company which is not within the legislative authority of the Province of Ontario.

Application of
Electric Rail-
way Act.

13. The several clauses of *The Electric Railway Act*, and of every act in amendment thereof, shall be incorporated with and be deemed to be part of this Act, and shall apply to the company and to the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof; and the expression, "this Act," when used herein, shall be understood to include the clauses of the said Electric Railway Act, and of every act in amendment thereof so incorporated with this Act.

By-law
No. 1066 of
Town of
Woodstock
confirmed.

14. By-law No. 1066, of the Municipal Corporation of the town of Woodstock set forth in Schedule A to this Act is hereby confirmed and declared legal; valid and binding upon the said municipal corporation, notwithstanding any want of jurisdiction on the part of the municipality to pass the same, ~~and~~ but nothing contained in paragraph 17 of the said by-law shall be construed as purporting or intending to confer any power to operate the railway of the company on the Lord's Day. ~~and~~

Proviso.

15. ^{Time for commencement and completion of line.} The railway shall be commenced within six months and completed to the extent of a through connection with the town of Ingersoll aforesaid, within eighteen months after the passing of this Act, and the Embro branch of the said railway shall be completed within two years and a half after the passing of this Act, and in default thereof the powers hereby conferred shall absolutely cease with respect to so much of the railway as then remains incomplete. ^{EV}

SCHEDULE A.

BY-LAW No. 1066.

To grant certain privileges to "The Woodstock Thames Valley and Ingersoll Electric Railway Company" and to declare and prescribe the terms and conditions on which its electric railway may be constructed, maintained and worked.

Whereas S. Ritter Ickes, of the city of Harrisburg, in the State of Pennsylvania, one of the United States of America; J. H. Armstrong, of the city of Erie, in the said State of Pennsylvania; Dennis W. Karn, of the town of Woodstock, in the county of Oxford, Province of Ontario; Edward W. Nesbitt of the same place, Robert Notman Ball of the same place, and James Gamble Wallace of the same place, will make application to the Legislative Assembly of the Province of Ontario at the next ensuing session thereof for an Act under the provisions of "The Electric Railway Act," to incorporate The Woodstock, Thames Valley and Ingersoll Electric Railway Company with power to construct, equip, maintain and

operate an electric railway in and through the town of Woodstock, from thence through the township of West Oxford to, in and through the town of Ingersoll, also a branch extending from the unincorporated village of Beachville, through the townships of North Oxford and West Zorra into the village of Embro, all in the county of Oxford.

And whereas the municipal council of the corporation of the town of Woodstock, by a resolution bearing date the 10th day of July, A.D. 1899, offered to the said S. Ritter Ickes and J. H. Armstrong in trust for a company to be formed, a franchise for a term of fifty years for the building and operating of an electric railway in and upon certain of the streets of the said town of Woodstock upon the following conditions, that is to say:—The said railway shall be exempt from taxation by the said town and free from rental or other charges for the first ten years of the said term. That for the second ten years of the said term the said railway shall be free from rental or other charges except taxes. That for the third ten years of the said term the said railway shall pay a yearly rental to the said town of \$500.00 and taxes. That for the fourth ten years of the said term the said railway shall pay to the said town a yearly rental of \$750.00 and taxes. That for the fifth ten years of the said term the said railway shall pay to the said town a yearly rental of \$1,000.00 and taxes.

And whereas the said offer was accepted by the said S. Ritter Ickes and J. H. Armstrong.

And whereas the parties first above mentioned have requested the municipal council of the corporation of the town of Woodstock to pass a by-law granting the franchise aforesaid, and authorizing the construction of an electric railway on such streets of the said town as are hereinafter mentioned and granting to the said company the other privileges hereinafter mentioned, but subject to the conditions and restrictions hereinafter contained.

And whereas notice of the application for this by-law has been duly given pursuant to sub-section 4 of section 9 of "*The Electric Railway Act*" and to section 632 of "*The Municipal Act*" and no one has petitioned to be heard by the said municipal council in respect of this by-law.

And whereas it is expedient to grant the request of the said parties.

Be it therefore enacted by the municipal council of the corporation of the town of Woodstock as follows :—

1. The Woodstock, Thames Valley and Ingersoll Electric Railway Company, its successors and assigns are hereby authorized to lay out, construct, make, complete, alter and keep in repair a steel railway to be operated by electricity with single steel tracks with necessary side tracks and turnouts for the passage of cars, carriages and other vehicles adapted to the same, also to convey electricity required for the working of the railway and heating or lighting the same, and to lay conduits under and erect poles and wires on or over and along and upon the streets in the said town of Woodstock hereinafter named, with all the powers conferred upon such companies by "*The Electric Railway Act*," such powers to continue for and during a term of fifty years from the passing of this by-law, but on the terms and subject to the conditions and stipulations hereinafter contained, such streets being the following, that is to say :—Dundas street from Norwich avenue to Mill street, Mill street from Dundas street to Park Row, and Park Row, Finkle street from Dundas street to Main street, Main street from Finkle street to Wellington street, Vansittart avenue from Dundas street to Ingersoll avenue and Ingersoll avenue from Vansittart avenue to Winniett street.

2. The company may carry freight and baggage, as well as passengers, and charge a reasonable compensation for carrying the same ; all freight cars to be approved of by the council of this corporation.

3. The company shall have the right to lease its works or any part thereof, and also the rights and privileges hereby granted, to any person or corporation but subject to the provisions of this by-law.

4. The tracks of the said railway shall be laid as nearly as practicable in the centre of the said streets excepting Mill street, Park Row and Main street, on which streets the tracks may be laid on either side of the street, if desired, provided the laying of the said railway on either side of the said streets does not involve this corporation in any liability for damages to any owner of property along said streets, and in case damage is incurred on account of laying said track on either side of the street as aforesaid, and this corporation becomes liable for such damage the company shall become responsible for the same.

5. The tracks of the said railway shall pass under the Grand Trunk Railway on Mill street, either over a bridge, to be constructed by the company, adjoining on the west the present bridge, or over the present bridge, in which latter case the company shall widen the said bridge sufficiently to enable ordinary vehicles to pass the cars of the company thereon, such widening or addition to the said bridge to be under the supervision of the Board of Works, or of the council.

6. The grades of the streets and the location upon the streets of the poles of the said company shall be under the supervision of the board of works. The poles shall be of cedar, straight, of uniform size, and painted.

7. The rail to be used on the streets in the said corporation shall be a standard "T" rail and shall be laid in such a manner as shall least obstruct the free passage of vehicles and carriages over the same.

8. The tracks of the said railway and all works necessary for constructing and laying the same shall be constructed in a substantial manner, according to the best modern practice.

9. The said company shall construct and maintain in good repair, crossings similar to those for the time being in use by the said corporation on the said streets at the various places of intersection of the track of the said electric railway with any street which the same shall cross to the

extent of the width of the track, and eighteen inches on each side thereof, the material for the same to be supplied by the said company.

10. During the operation of laying, removing and relaying the rails a free passage for carriages and vehicles over the streets shall be kept open and unobstructed, and immediately after the rails shall have been laid or relaid, as the case may be, the street material removed or dug up in laying or relaying as aforesaid, shall be either removed from or spread over the street from which the same shall have been taken as shall be directed by the proper authority of this corporation.

11. The corporation of the town of Woodstock, the said council and the officers and servants thereof, shall have the right to take up the streets traversed by the said railway, either for the purpose of altering the grades thereof, constructing or repairing of drains, sewers or culverts, or of laying down or repairing of gas or water pipes and for any other purpose for the time being within the powers of the corporation, without being liable to the said company for any damages that may be thereby occasioned to the said railway or the works connected therewith or the working thereof, and the said corporation shall not be liable for any damage the said company may sustain from the breakage of any sewer or water pipes, but the said corporation shall in any case use due diligence in making all necessary repairs on such streets, but nothing herein shall be held to interfere with, or limit the rights of any water or gas company incorporated or that may be incorporated in the said town.

12. Whenever it shall be deemed necessary by this corporation to pave any street occupied by the railway track of the company, that portion of the street embraced between the rails of such tracks. switches and turn-outs and eighteen inches on each side of said track shall in the first instance be paved by and at the expense of the said corporation, but thereafter during the continuance of this grant the same shall be kept in repair by the said company at its own cost and charges, and in case any damage to any part of the pavement is occasioned by repairs to the railway the company shall replace or repair the said pavement, all such repairs to be to the satisfaction of the board of works. In case the corporation shall at any time put down any pavement on Dundas street requiring a concrete bed the company whenever the same shall be necessary shall remove the tracks of the said railway to permit the laying of such concrete bed and to replace the same at its own expense to permit the proper laying of the pavement subject to all the provisions of this by-law.

13. Where the company's tracks cross over any bridges the company shall be responsible for all extra repairs, also for the strengthening of said bridges, if necessary, such work to be done under the supervision of the board of works.

14. In case the said company shall fail to keep in good repair the said parts of the said streets upon and along which its tracks shall be laid, as aforesaid, and shall neglect to make such repairs within a reasonable time after notice in writing from the proper officer of the said corporation for the time being, served upon the president or other managing officer of the said company specifying the particulars of such want of repair, then and in such case the said corporation shall be at liberty to cause such repairs to be made and to recover the cost thereof from the said company.

15. Whenever it shall become necessary to remove any snow or ice from the track or tracks of the said company, the same shall be, by the said company, evenly spread over the street so as not to obstruct the free passage of sleighs or other vehicles along the said streets, or removed by the said company as shall be directed by the proper officer of the said corporation, and in no case shall the company make use of salt for the purpose of removing such snow or ice.

16. Whenever by reason of snow or ice the tracks of the said company shall be obstructed to such an extent as to interfere with the running of the cars of the said company, the said company is authorized to use a sufficient number of sleighs, wagons or other vehicles to answer the requirements of traffic until such time as the said cars can be again used, and the

said company may charge fares for carriage on the said sleighs, wagons or other vehicles as if the same were cars of the said company and being run on the track of the said company.

17. The number of trips shall not be less than four each way daily unless prevented by unavoidable accident or obstructions caused by storms.

18. The rate of speed shall not exceed ten miles an hour.

19. When the cars of the company are turning the corner from one street to another the same shall not be driven at a rate faster than a horse's walk.

20. No cars shall be allowed to stop on a crossing or in front of an intersecting street except to avoid collision or to prevent injury to persons in the streets or for other good cause, nor shall any car be left on or remain standing on any street at any time unless the same is being used and waiting for passengers.

21. When it is necessary to stop at the intersection of streets to receive or leave passengers the cars shall be stopped so as to leave the rear platform slightly over the crossing, after having crossed the intersecting street.

22. After sunset the cars shall be provided with colored signal lights for the front and rear.

23. Careful, sober and civil agents, conductors and drivers shall at all times be employed to take charge of the cars of the said company.

24. The cars shall be entitled to the track, and every vehicle upon the track of the company shall turn out when any car comes up so as to leave the track unobstructed, and any driver of a vehicle refusing to turn out when warned or requested so to do by the driver of any car shall be liable to a fine not exceeding ten (\$10.00) dollars exclusive of costs, to be imposed by any justice of the peace for the County of Oxford having jurisdiction in the said town, and in case of non-payment to be collected by distress and sale of the goods of the offender, and in default of sufficient distress, the offender may be imprisoned in the common gaol for the said County of Oxford for a period not exceeding twenty-one days with or without hard labor.

25. Any conductor or other employee who shall collect of any passenger more than the fare prescribed by law or by the by-laws and regulations of the company, shall on conviction thereof before any justice of the peace for the said County of Oxford, pay a fine of not less than five dollars exclusive of costs, such fine and costs to be levied by distress and sale of the goods of the offender, and in default of sufficient distress the offender may be imprisoned in the common gaol for the said County of Oxford for any term not exceeding twenty-one days with or without hard labor.

26. All the real and personal property of the said company shall be and the same are hereby exempted from taxation for a period of ten years from the passing of this by-law,

27. The said company shall be free from rental or other charges for the first ten years of the said term of fifty years. For the second ten years of the said term the said company shall be free from rental or other charges except taxes. For the third ten years of the said term the said company shall pay to the said Town a yearly rental of five hundred (\$500.00) dollars and taxes. For the fourth ten years of the said term the said company shall pay to the said Town a yearly rental of seven hundred and fifty (\$750.00) dollars and taxes. For the fifth ten years of the said term the said company shall pay to the said Town a yearly rental of one thousand (\$1,000.00) dollars and taxes.

28. The said company shall commence work upon the said railway within six months from the granting of a charter to the said company, and after the work of construction of the said railway shall be commenced the same shall be continued to completion with all reasonable expedition and without delay, and the same shall be completed between Woodstock and Ingersoll within eighteen months from the granting of a charter.

29. The company shall complete the railway connecting Dundas street with the Canadian Pacific Railway station and the Grand Trunk Railway station within eighteen months from the granting of a charter.

30. If the company fail to obtain incorporation within eighteen months from the passing of this by-law or having been incorporated, fail to commence and continue the construction as in section 28 of this by-law is provided, or at any time cease to operate the said railway for one year it shall forfeit all rights under this by-law.

31. This by-law shall not be binding upon this corporation unless and until the said company shall formally accept the same in such manner as to legally bind the said company to perform the same on its part, in which event this by-law shall constitute a complete contract between the said company and this corporation.

32. The said company shall make application to the Legislative Assembly of Ontario for an act to ratify and confirm this by-law.

~~427~~ Read a first time, January 12, A.D. 1900,

Read a second time, January 22, A.D. 1900. .

Passed in committee, February 5, A.D. 1900.

Read a third time and passed, February 14, A.D. 1900.

(Sgd.) JOHN MORRISON, [L.S.] (Sgd.) JAS. J. SCARFF,

Town Clerk.

Mayor. ~~61~~



BILL.

An Act to incorporate The Woodstock,
Thames Valley and Ingersoll Electric
Railway Company.

First Reading, 21st March, 1900.

(*Reprinted as amended by Railway
Committee.*)

Mr. PATTULO.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act to confirm and legalize a certain By-law of the Town of Collingwood, and an agreement made between the Town of Collingwood and Alexander McDougall and the Dry Dock and Wrecking Company, of Collingwood (Limited).

WHEREAS the corporation of the town of Collingwood Preamble.
have by their petition represented, that Alexander
McDougall, of the city of Duluth, in the State of Minnesota,
one of the United States of America, ship builder, and the
5 Dry Dock and Wrecking Company of Collingwood, (Limited),
have proposed to establish, operate and maintain a large steel
ship-building yard, within the limits of the town of Colling-
wood, provided the said municipal corporation would grant by
way of aid to the said undertaking, the sum of \$50,000; that
10 by an agreement bearing date the 14th day of November,
A.D., 1899, and made by the municipal corporation of the
town of Collingwood, of the first part, and the said Alexander
McDougall and the said The Dry Dock and Wrecking Company
of Collingwood, (Limited), of the first part, the parties of the
15 second part did agree to establish within the limits of the
town of Collingwood a modern, first class, steel ship-building
yard, fully equipped with all necessary plant and machinery,
capable of constructing, at one time, four of the largest class
of steel vessels required in the navigation of the Upper Lakes,
20 and to continuously and properly maintain and operate the
same, at the said town of Collingwood, for a period of thirty
years; in consideration whereof the said municipal corporation
did agree to pay to the said parties of the second part, when the
said industry should be in complete operation, the sum of \$50,000,
25 a copy of which agreement is set out in schedule "A" to this
Act; that on the 30th day of November, A.D., 1899, a by-law to
issue debentures for the sum of \$50,000 to grant by way of aid to
the said industry, was submitted to the ratepayers of the said
town, and upon such submission there was cast in favor of the
30 said by-law 671 votes, and against the said by-law 14 votes,
the said by-law therefore approved of by a majority of 657 votes;

that the establishment of the proposed industry is of vital importance, not only to the said town, but to the Province at large; that the said municipal corporation have made the said debentures to be issued under the said by-law repayable by annual sums during a period of thirty years, but have doubts if the said proposed debt would be a debt incurred for harbour improvements, and if the said corporation have power to extend the time for payment of the proposed debt for a period of thirty years, and pray an Act may be passed confirming and legalizing a by-law of the said municipal corporation, granting a bonus of \$50,000 to the said Alexander McDougall and the said The Dry Dock and Wrecking Company of Collingwood, (Limited), toward the establishment of the said steel ship-building industry, and authorizing the issue of debentures therefor, repayable during a period of thirty years, a copy of which by-law is set forth in schedule "B" to this Act, and confirming and legalizing an agreement bearing date the 18th day of November A.D., 1899, made between the said town of Collingwood and the said Alexander McDougall, and the said The Dry Dock and Wrecking Company of Collingwood, (Limited); and whereas it is expedient to grant the prayer of the said petition.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

By-law No. 546½ bonusing steel ship-building works confirmed.

1. By-law No. 546½ of the municipal corporation of the town of Collingwood, granting a bonus of \$50,000 towards the establishment of a steel ship-building industry, and authorizing the issue of debentures therefor, repayable during a period of thirty years, which by-law is set out in schedule "A" to this Act, is declared legal, valid and binding upon the said municipal corporation, in the same manner and to the same extent, as if set out at length and the provisions thereof enacted in this Act, notwithstanding any want of jurisdiction in the said municipality to pass such by-law, and notwithstanding any defect in substance or in form of the said by-law or in the manner of passing the same.

Agreement with A. McDougall and Dry Dock, etc. Co., confirmed.

2. The agreement referred to in the said by-law made between the said town of Collingwood and the said Alexander McDougall, and the said The Dry Dock and Wrecking Company of Collingwood, (Limited), and which is fully set out in schedule "B" to this Act, is hereby ratified and confirmed in the same extent as if set out at length in this Act.

SCHEDULE A.

(Section 1.)

COLLINGWOOD STEEL SHIP YARDS. AGREEMENT BETWEEN THE CORPORATION AND THE COMPANY. BY-LAW FOR BONUS OF \$50,000 TO BE VOTED ON NOV. 30TH, 1899.

Agreement. This agreement made in duplicate this fourteenth day of November, in the year of our Lord one thousand eight hundred and ninety-nine, between the municipal corporation of the town of Collingwood, of the first part, and Alexander McDougall, of the city of Duluth, in the State of Minnesota, one of the United States of America, shipbuilder, and the Dry Dock and Wrecking Co., of Collingwood, (Limited), of the second part.

Whereas, the parties of the second part have proposed to establish, operate and maintain a large steel ship building yard within the limits of the town of Collingwood, and the said municipal corporation have agreed to grant by way of aid to the parties of the second part in the said undertaking the sum of fifty thousand dollars, provided a by-law of the said corporation submitted for that purpose shall be approved of by the rate-payers of the said municipality and legalized by the Legislative Assembly of the province of Ontario.

Now, therefore, the parties hereto hereby agree to and with each other in manner following:—

1. The parties of the second part agree to establish, either by themselves or by a joint stock company, to be formed by them, within the limits of the said corporation, a modern, first-class steel ship building yard, fully equipped with all necessary plant and machinery, capable of constructing at one time four of the largest class of steel vessels required in the navigation of the upper lakes, and to continuously and properly maintain and operate the same at the said town of Collingwood for a period of thirty years.

2. In consideration whereof, the said municipal corporation agree to pay to the said parties of the second part, when the said industry shall be in complete operation, the sum of fifty thousand dollars, as follows:—The first half of the money when the machinery is on the ground ready to be operated, and the other half when the keel of the first steel ship is laid, provided the said by-law shall be approved of by the said ratepayers and receive the necessary legislation sanction.

3. The said parties of the second part agree that they will invest at least the sum of one hundred thousand dollars in the establishment of the proposed industry.

4. It is agreed that the plant and machinery used in the operation of the said shipyard shall not until after the expiration of thirty years from the date hereof be sold or removed without the consent of the said municipal corporation.

5. It is further agreed that if the parties of the second part or the said company (if one be formed as aforesaid) shall at any time during the said period of thirty years become bankrupt or insolvent, the amount of unearned bonus for the proportionate part of the time during which the said industry was to be operated shall immediately become due and payable to the said municipal corporation by the said parties of the second part, and the said municipal corporation shall be entitled to a lien or charge on the said plant or machinery for the amount thereof, and shall have the right to immediately enter and hold possession thereof until the said amount is paid, or to sell and dispose of the said plant and machinery in order to realize the same.

6. It is further agreed that if the parties of the second part, or the said company, shall at any time during the said period of thirty years cease to operate the said plant and machinery as aforesaid for eighteen months the said municipal corporation shall be entitled to take possession of the said

plant and machinery either to operate or sell the same, until they shall be reimbursed for the amount of any unearned bonus, but without any personal claims against the parties of the second part.

7. It is further agreed that the said plant and buildings shall be insured by the parties of the second part for the benefit of the said municipal corporation to an amount sufficient to protect their interests as the same shall from time to time appear.

8. It is further agreed that the costs and charges of obtaining the sanction of the Legislative Assembly to the said by-law shall be borne by the parties of the second part.

9. It is further agreed that the parties of the second part in the operation of the said industry shall have free license to use the ship slip at the foot of Hurontario street for the launching of vessels constructed by them and if at any time during the said period it should become necessary to convert the same into a dry dock of large capacity they shall have the right to do so but at their own expense.

In witness whereof the parties hereto have hereunto set their hands and seals.

JOHN CHAMBERLAIN,

Mayor.

JOHN J. LONG,

President, D.D. & W. Co.,

of Collingwood, Limited.

ALEXANDER McDUGALL.

Signed, sealed and delivered in the presence of

[L.S.]

JOHN HOGG,

Town Clerk.

JOHN BIRNIE, JR.

SCHEDULE B.

(Section 2.)

BY-LAW No. TO RAISE BY WAY OF DEBENTURES THE SUM OF FIFTY THOUSAND DOLLARS, TO GRANT BY WAY OF BONUS TO ALEXANDER McDUGALL, OF THE CITY OF LULUTH, IN THE STATE OF MINNESOTA, SHIP BUILDER, AND HIS ASSOCIATES, TOWARDS THE ESTABLISHMENT AND OPERATION OF A STEEL SHIPBUILDING YARD, AT THE TOWN OF COLLINGWOOD.

Whereas, the said Alexander McDougall and his associates have proposed to establish and operate within the town of Collingwood, a steel ship building yard for the building of steel ships, providing they were granted by way of aid to the said industry, a bonus of \$50,000.

And whereas the requirements for a large number of Canadian vessels for lake navigation are now very apparent and the establishment of an industry of this kind will require a large investment of capital and will necessarily employ a good deal of labor, which will be of great advantage to the town and surrounding country.

And whereas, the said Alexander McDougall and his associates have agreed to establish and operate, the said ship yard, as soon as may be after the final passing of this by-law, and upon the terms of agreement to be entered into between the said Alexander McDougall and his associates and the said corporation of Collingwood.

And whereas, it is necessary to raise by way of debentures the sum of fifty thousand dollars, to grant by way of aid to the said industry.

And whereas, the amount of the whole rateable property of the municipality of the town of Collingwood, according to the last revised assessment roll amounts to \$1,290,054.

And whereas, the existing debenture indebtedness of the said municipality amounts to \$233,502.77, and no principal or interest is in arrears.

And whereas, it will require the sum of \$2,891.55, to be raised annually for a period of thirty years, to pay the interest of and discharge the said debt, as the same becomes due and payable.

Therefore, the municipal council of the corporation of the town of Collingwood, enacts as follows:—

1. That the mayor of the said town is hereby authorized and required to issue debentures of the said town to the amount of fifty thousand dollars, and such debentures shall be signed by the mayor and treasurer of the town of Collingwood, and sealed with the corporate seal, and there shall be thirty such debentures, each for the sum of \$2,891.55, payable the first day of December, in the year of our Lord, 1900, and on each of the next succeeding twenty-nine years, it being estimated that such thirty debentures are equal to \$50,000, of principal money, with interest from the first day of December, 1899, at the rate of 4 per centum. per annum, upon the amount of the principal money from time to time unpaid, the amount of principal and interest represented in each of such debentures being as follows:—

| YEAR. | INT. | PRIN. | ANNUAL PAYMENT. |
|------------|-----------|----------|--------------------|
| 1 | \$2000 00 | \$891 55 | \$2891 55 |
| 2 | 1964 34 | 927 21 | 2891 55 |
| 3 | 1927 30 | 964 25 | 2891 55 |
| 4 | 1888 75 | 1002 80 | 2891 55 |
| 5 | 1848 62 | 1042 93 | 2891 55 |
| 6 | 1806 90 | 1084 65 | 2891 55 |
| 7 | 1763 50 | 1128 05 | 2891 55 |
| 8 | 1718 35 | 1173 20 | 2891 55 |
| 9 | 1671 45 | 1220 12 | 2891 55 |
| 10 | 1622 69 | 1268 86 | 2891 55 |
| 11 | 1571 92 | 1319 63 | 2891 55 |
| 12 | 1519 10 | 1372 45 | 2891 55 |
| 13 | 1464 25 | 1427 30 | 2891 55 |
| 14 | 1407 15 | 1484 40 | 2891 55 |
| 15 | 1347 75 | 1543 80 | 2891 55 |
| 16 | 1286 05 | 1605 50 | 2891 55 |
| 17 | 1221 75 | 1669 80 | 2891 55 |
| 18 | 1155 05 | 1736 50 | 2891 55 |
| 19 | 1085 55 | 1806 00 | 2891 55 |
| 20 | 1013 25 | 1878 30 | 2891 55 |
| 21 | 938 15 | 1953 40 | 2891 55 |
| 22 | 860 05 | 2031 50 | 2891 55 |
| 23 | 778 79 | 2112 76 | 2891 55 |
| 24 | 694 25 | 2197 30 | 2891 55 |
| 25 | 606 35 | 2285 20 | 2891 55 |
| 26 | 514 95 | 2376 60 | 2891 55 |
| 27 | 419 84 | 2471 71 | 2891 55 |
| 28 | 320 95 | 2570 60 | 2891 55 |
| 29 | 218 23 | 2673 32 | 2891 55 |
| 30 | 111 24 | 2780 31 | 2891 55 |
| \$50000 00 | | | |

2. The proceeds of the said debentures shall be applied for the purpose, which it is raised in the manner, stipulated in the said agreement.

3. To provide for the payment of the said sum of fifty thousand dollars, and interest thereon, as aforesaid, the sum of \$2,891.55, shall be levied and raised annually for the period of thirty years, commencing with the year 1900, by a special rate, sufficient therefor, on all the rateable property in the town of Collingwood.

4. The said debentures shall be payable at the Bank of Toronto, Collingwood.

5. That this by-law shall come into force, and have effect, from and after the passing thereof.

6. That the votes of the qualified electors, of the said town of Collingwood shall be taken by ballot, upon this by-law, at the following times and places, and by the undermentioned deputy-returning officers, that is to say :—

On Thursday, the thirtieth day of November, A. D., 1899, at the hour of nine o'clock in the forenoon continuing until five o'clock in the afternoon of the same day, at the polling places hereinafter mentioned ; and the following persons shall be deputy-returning officers, take to the votes of the qualified ratepayers at such places, that is to say :—

In polling sub-division No. 1, first ward, the town hall, Hurontario Street, W. R. Anderson, deputy-returning officer.

In polling sub-division No. 2, second ward, Ditson's old store, lot No. 25, east Hurontario Street, James W. Archer, deputy-returning officer.

In polling sub-division No. 3, second ward, Mrs. Hill's residence, lot No. 8, east Ste. Marie Street, Charles Peter, deputy-returning officer.

In polling sub-division No. 4, third ward, James' pump factory, lot 13, east Beach Street, Matthew J. Pophrey, deputy-returning officer.

In polling sub-division No. 5, fourth ward, Patrick Howard's place of business, cor. of Hurontario and Third Streets, Patrick Howard, deputy-returning officer.

In polling sub-division No. 6, fifth ward, Thos. Gillson's House, lot 42, west Pine Street, Thos. Gillson, deputy-returning officer.

6. That at ten o'clock in the forenoon of the 29th day of November, A. D., 1899, at the town hall, Collingwood, the person to attend at the various polling places on behalf of the persons interested in promoting, or opposing the passage of this by-law, shall be appointed and such persons shall also attend at ten o'clock in the forenoon on the 1st day of December, A. D., 1899, at the said town hall, at the final summing up of the votes given for and against this by-law, together with the two persons to be appointed by the head of the municipality as required by the Municipal Act.

7. That the clerk of the said municipality at ten o'clock in the forenoon on the 1st day of December A.D. 1899, at the town hall, shall sum up the votes given for and against this by-law, and shall then and there declare the result.

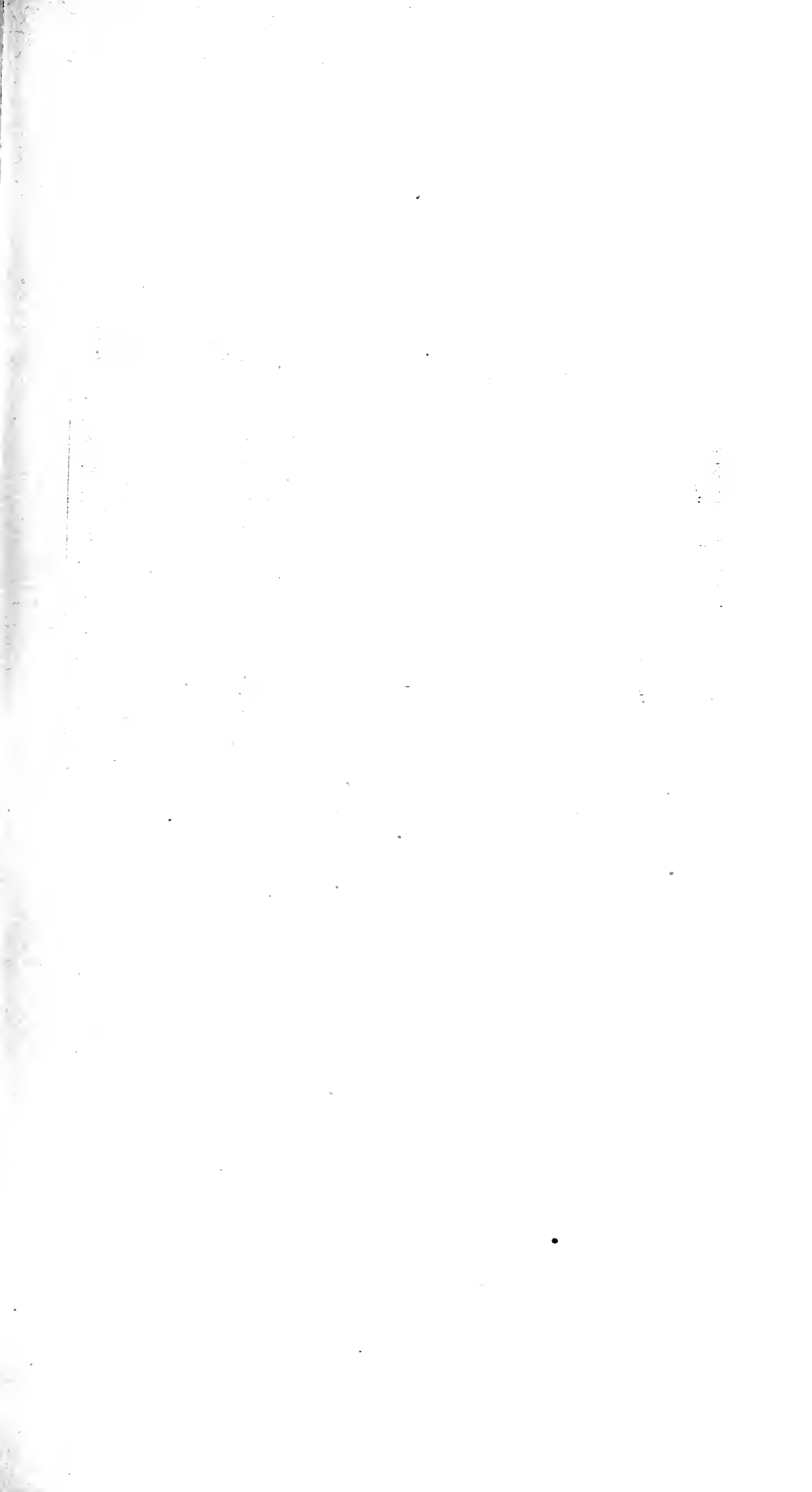
That this by-law shall come into force and have effect from and after the final passing thereof.

Notice that the above is a true copy of the proposed by-law which has been taken into consideration by the council of the corporation of the town of Collingwood, and will be finally passed by the said council in the event of the assent of the electors being obtained thereto, after one month from the first publication thereof in the Collingwood Bulletin, newspaper of Collingwood, the date of which first publication was the 10th day of November, A. D. 1899, to wit on this 11th day of December now next ensuing, at the hour of half past seven of the clock, in the afternoon, and that the votes of the qualified electors of the said corporation shall be taken thereon at the places named in said proposed by-law on this 30th day of November inst., A. D. 1899, commencing at the hour of nine o'clock in the forenoon, and ending at five of the clock in the afternoon of the same day.

Dated at Collingwood this 7th day of November, A. D. 1899.

JOHN HOGG,

Clerk of the corporation of the town of Collingwood.



No. 35.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to confirm and legalize a By-law
and Agreement of the Corporation of
the Town of Collingwood.

First Reading, 1900.

(Private Bill).

MR. DUFF.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act to confirm and legalize a certain By-law of the Town of Collingwood, and an agreement made between the Town of Collingwood and Alexander McDougall and the Dry Dock and Wrecking Company of Collingwood (Limited).

WHEREAS The *Municipal* Corporation of the Town of Collingwood has by petition represented, that Alexander McDougall, of the city of Duluth, in the State of Minnesota, one of the United States of America, ship builder, and the Dry Dock and Wrecking Company of Collingwood, (Limited), have proposed to establish, operate and maintain a large steel ship-building yard, within the limits of the town of Collingwood, provided the said municipal corporation would grant by way of aid to the said undertaking, the sum of \$50,000; that by an agreement bearing date the 14th day of November, A.D., 1899, and made by the municipal corporation of the town of Collingwood, of the first part, and the said Alexander McDougall and the said The Dry Dock and Wrecking Company of Collingwood, (Limited), of the *second* part, the parties of the second part did agree to establish within the limits of the town of Collingwood a modern, first-class, steel ship-building yard, fully equipped with all necessary plant and machinery, capable of constructing, at one time, four of the largest class of steel vessels required in the navigation of the Upper Lakes, and to continuously and properly maintain and operate the same, at the said town of Collingwood, for a period of thirty years; in consideration whereof the said municipal corporation did agree to pay to the said parties of the second part, when the said industry should be in complete operation, the sum of \$50,000, a copy of which agreement is set out in schedule "A" to this Act; that on the 30th day of November, A.D., 1899, a by-law to issue debentures for the sum of \$50,000 to grant by way of aid to the said industry, was submitted to the ratepayers of the said town, and upon such submission there was cast in favor of the said by-law 671 votes, and against the said by-law 14 votes, the said by-law *being* therefore approved of by a majority of 657

votes; that the establishment of the proposed industry is of vital importance, not only to the said town, but to the Province at large; that the said municipal corporation has made the said debentures to be issued under the said by-law repayable by annual sums during a period of thirty years, but has doubts if the said proposed debt would be a debt incurred for harbour improvements, and if the said corporation has power to extend the time for payment of the proposed debt for a period of thirty years, and *therefore prays that* an Act may be passed confirming and legalizing a by-law of the said municipal corporation, granting a bonus of \$50,000 to the said Alexander McDougall and the said The Dry Dock and Wrecking Company of Collingwood, (Limited), toward the establishment of the said steel ship-building industry, and authorizing the issue of debentures therefor, repayable during a period of thirty years, a copy of which by-law is set out in schedule B to this Act and confirming and legalizing an agreement bearing date the 18th day of November, A.D., 1899, made between the said ~~the~~ the municipal Corporation of the ~~the~~ Town of Collingwood and the said Alexander McDougall, and the said The Dry Dock and Wrecking Company of Collingwood, (Limited); ~~and~~ and whereas no opposition has been offered to the said petition; ~~and~~ and whereas it is expedient to grant the prayer of the said petition.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

By-law No. 546½ bonusing steel ship-building works confirmed.

1. By-law No. 546½ of the municipal corporation of the town of Collingwood, granting a bonus of \$50,000 towards the establishment of a steel ship-building industry, and authorizing the issue of debentures therefor, repayable during a period of thirty years, which by-law is set out in schedule "A" to this Act, is *confirmed and declared to be legal, valid and binding* upon the said municipal corporation, ~~and~~ and the rate-payers thereof ~~in~~ in the same manner and to the same extent, as if set out at length and the provisions thereof enacted in this Act, notwithstanding any want of jurisdiction in the said municipality to pass such by-law, and notwithstanding any defect in substance or in form of the said by-law or in the manner of passing the same.

Agreement with A. McDougall and Dry Dock, etc. Co., confirmed.

2. The agreement referred to in the said by-law made between the said town of Collingwood and the said Alexander McDougall, and the said The Dry Dock and Wrecking Company of Collingwood, (Limited), and which is fully set out in schedule "B" to this Act, is hereby ratified and confirmed *to* the same extent as if set out at length in this Act.

SCHEDULE A.

(Section 2.)

By-LAW No. 546½ To RAISE BY WAY OF DEBENTURES THE SUM OF FIFTY THOUSAND DOLLARS, TO GRANT BY WAY OF BONUS TO ALEXANDER McDOUGALL, OF THE CITY OF DULUTH, IN THE STATE OF MINNESOTA, SHIP BUILDER, AND HIS ASSOCIATES, TOWARDS THE ESTABLISHMENT AND OPERATION OF A STEEL SHIPBUILDING YARD, AT THE TOWN OF COLLINGWOOD.

Whereas, the said Alexander McDougall and his associates have proposed to establish and operate within the town of Collingwood, a steel ship building yard for the building of steel ships, providing they were granted by way of aid to the said industry, a bonus of \$50,000.

And whereas the requirements for a large number of Canadian vessels for lake navigation are now very apparent and the establishment of an industry of this kind will require a large investment of capital and will necessarily employ a good deal of labor, which will be of great advantage to the town and surrounding country.

And whereas, the said Alexander McDougall and his associates have agreed to establish and operate, the said ship yard, as soon as may be after the final passing of this by-law, and upon the terms of agreement to be entered into between the said Alexander McDougall and his associates and the said corporation of Collingwood.

And whereas, it is necessary to raise by way of debentures the sum of fifty thousand dollars, to grant by way of aid to the said industry.

And whereas, the amount of the whole rateable property of the municipality of the town of Collingwood, according to the last revised assessment roll amounts to \$1,290,054.

And whereas, the existing debenture indebtedness of the said municipality amounts to \$233,502.77, and no principal or interest is in arrears.

And whereas, it will require the sum of \$2,891.55, to be raised annually for a period of thirty years, to pay the interest of and discharge the said debt, as the same becomes due and payable.

Therefore, the municipal council of the corporation of the town of Collingwood, enacts as follows:—

1. That the mayor of the said town is hereby authorized and required to issue debentures of the said town to the amount of fifty thousand dollars, and such debentures shall be signed by the mayor and treasurer of the town of Collingwood, and sealed with the corporate seal, and there shall be thirty such debentures, each for the sum of \$2,891.55, payable the first day of December, in the year of our Lord, 1900, and on each of the next succeeding twenty-nine years, it being estimated that such thirty debentures are equal to \$50,000, of principal money, with interest from the first day of December, 1899, at the rate of 4 per centum. per annum, upon the amount of the principal money from time to time unpaid, the amount of principal and interest represented in each of such debentures being as follows:—

| YEAR. | INT. | PRIN. | ANNUAL PAYMENT. |
|-------|-----------|----------|-----------------|
| 1 | \$2000 00 | \$891 55 | \$2891 55 |
| 2 | 1964 34 | 927 21 | 2891 55 |
| 3 | 1927 30 | 964 25 | 2891 55 |
| 4 | 1888 75 | 1002 80 | 2891 55 |
| 5 | 1848 62 | 1042 93 | 2891 55 |
| 6 | 1806 90 | 1084 65 | 2891 55 |
| 7 | 1763 50 | 1128 05 | 2891 55 |
| 8 | 1718 35 | 1173 20 | 2891 55 |
| 9 | 1671 45 | 1220 12 | 2891 55 |
| 10 | 1622 69 | 1268 86 | 2891 55 |
| 11 | 1571 92 | 1319 63 | 2891 55 |

| YEAR. | INT. | PRIN. | ANNUAL PAYMENT. |
|-------|---------|---------|--------------------|
| 12 | 1519 10 | 1372 45 | 2891 55 |
| 13 | 1464 25 | 1427 30 | 2891 55 |
| 14 | 1407 15 | 1484 40 | 2891 55 |
| 15 | 1347 75 | 1543 80 | 2891 55 |
| 16 | 1286 05 | 1605 50 | 2891 55 |
| 17 | 1221 75 | 1669 80 | 2891 55 |
| 18 | 1155 05 | 1736 50 | 2891 55 |
| 19 | 1085 55 | 1806 00 | 2891 55 |
| 20 | 1013 25 | 1878 30 | 2891 55 |
| 21 | 938 15 | 1953 40 | 2891 55 |
| 22 | 860 05 | 2031 50 | 2891 55 |
| 23 | 778 79 | 2112 76 | 2891 55 |
| 24 | 694 25 | 2197 30 | 2891 55 |
| 25 | 606 35 | 2285 20 | 2891 55 |
| 26 | 514 95 | 2376 60 | 2891 55 |
| 27 | 419 84 | 2471 71 | 2891 55 |
| 28 | 320 95 | 2570 60 | 2891 55 |
| 29 | 218 23 | 2673 32 | 2891 55 |
| 30 | 111 24 | 2780 31 | 2891 55 |

\$50000 00

2. The proceeds of the said debentures shall be applied for the purpose, which it is raised in the manner, stipulated in the said agreement.

3. To provide for the payment of the said sum of fifty thousand dollars, and interest thereon, as aforesaid, the sum of \$2,891.55, shall be levied and raised annually for the period of thirty years, commencing with the year 1900, by a special rate, sufficient therefor, on all the rateable property in the town of Collingwood.

4. The said debentures shall be payable at the Bank of Toronto, Collingwood.

5. That this by-law shall come into force, and have effect, from and after the passing thereof.

6. That the votes of the qualified electors, of the said town of Collingwood shall be taken by ballot, upon this by-law, at the following times and places, and by the undermentioned deputy-returning officers, that is to say :—

On Thursday, the thirtieth day of November, A. D., 1899, at the hour of nine o'clock in the forenoon continuing until five o'clock in the afternoon of the same day, at the polling places hereinafter mentioned ; and the following persons shall be deputy-returning officers, take to the votes of the qualified ratepayers at such places, that is to say :—

In polling sub-division No. 1, first ward, the town hall, Hurontario Street, W. R. Anderson, deputy-returning officer.

In polling sub-division No. 2, second ward, Ditson's old store, lot No. 25, east Hurontario Street, James W. Archer, deputy-returning officer.

In polling sub-division No. 3, second ward, Mrs. Hill's residence, lot No. 8, east Ste. Marie Street, Charles Peter, deputy-returning officer.

In polling sub-division No. 4, third ward, James' pump factory, lot 13, east Beach Street, Matthew J. Pomphrey, deputy-returning officer.

In polling sub-division No. 5, fourth ward, Patrick Howard's place of business, cor. of Hurontario and Third Streets, Patrick Howard, deputy-returning officer.

In polling sub-division No. 6, fifth ward, Thos. Gillson's House, lot 42, west Pine Street, Thos. Gillson, deputy-returning officer.

6. That at ten o'clock in the forenoon of the 29th day of November, A. D., 1899, at the town hall, Collingwood, the person to attend at the various polling places on behalf of the persons interested in promoting, or opposing the passage of this by-law, shall be appointed and such persons shall also attend at ten o'clock in the forenoon on the 1st day of December, A. D., 1899, at the said town hall, at the final summing up of the votes given for and against this by-law, together with the two persons to

be appointed by the head of the municipality as required by the Municipal Act.

7. That the clerk of the said municipality at ten o'clock in the forenoon on the 1st day of December A.D. 1899, at the town hall, shall sum up the votes given for and against this by-law, and shall then and there declare the result.

That this by-law shall come into force and have effect from and after the final passing thereof.

Notice that the above is a true copy of the proposed by-law which has been taken into consideration by the council of the corporation of the town of Collingwood, and will be finally passed by the said council in the event of the assent of the electors being obtained thereto, after one month from the first publication thereof in the Collingwood Bulletin, newspaper of Collingwood, the date of which first publication was the 10th day of November, A.D. 1899, to wit on this 11th day of December now next ensuing, at the hour of half past seven of the clock, in the afternoon, and that the votes of the qualified electors of the said corporation shall be taken thereon at the places named in said proposed by-law on this 30th day of November inst., A.D. 1899, commencing at the hour of nine o'clock in the forenoon, and ending at five of the clock in the afternoon of the same day.

Dated at Collingwood this 7th day of November, A.D. 1899.

JOHN HOGG,

Clerk of the corporation of the town of Collingwood.

SCHEDULE B.

(Section 1.)

COLLINGWOOD STEEL SHIP YARDS. AGREEMENT BETWEEN THE CORPORATION AND THE COMPANY. BY-LAW FOR BONUS OF \$50,000 TO BE VOTED ON NOV. 30TH, 1899.

Agreement. This agreement made in duplicate this fourteenth day of November, in the year of our Lord one thousand eight hundred and ninety-nine, between the municipal corporation of the town of Collingwood, of the first part, and Alexander McDougall, of the city of Duluth, in the State of Minnesota, one of the United States of America, shipbuilder, and the Dry Dock and Wrecking Co., of Collingwood, (Limited), of the second part.

Whereas, the parties of the second part have proposed to establish, operate and maintain a large steel ship building yard within the limits of the town of Collingwood, and the said municipal corporation have agreed to grant by way of aid to the parties of the second part in the said undertaking the sum of fifty thousand dollars, provided a by-law of the said corporation submitted for that purpose shall be approved of by the rate-payers of the said municipality and legalized by the Legislative Assembly of the province of Ontario.

Now, therefore, the parties hereto hereby agree to and with each other in manner following:—

1. The parties of the second part agree to establish, either by themselves or by a joint stock company, to be formed by them, within the limits of the said corporation, a modern, first-class steel ship building yard, fully equipped with all necessary plant and machinery, capable of constructing at one time four of the largest class of steel vessels required in the navigation of the upper lakes, and to continuously and properly maintain and operate the same at the said town of Collingwood for a period of thirty years.

2. In consideration whereof, the said municipal corporation agree to

pay to the said parties of the second part, when the said industry shall be in complete operation, the sum of fifty thousand dollars, as follows:—The first half of the money when the machinery is on the ground ready to be operated, and the other half when the keel of the first steel ship is laid, provided the said by-law shall be approved of by the said ratepayers and receive the necessary legislation sanction.

3. The said parties of the second part agree that they will invest at least the sum of one hundred thousand dollars in the establishment of the proposed industry.

4. It is agreed that the plant and machinery used in the operation of the said shipyard shall not until after the expiration of thirty years from the date hereof be sold or removed without the consent of the said municipal corporation.

5. It is further agreed that if the parties of the second part or the said company (if one be formed as aforesaid) shall at any time during the said period of thirty years become bankrupt or insolvent, the amount of unearned bonus for the proportionate part of the time during which the said industry was to be operated shall immediately become due and payable to the said municipal corporation by the said parties of the second part, and the said municipal corporation shall be entitled to a lien or charge on the said plant or machinery for the amount thereof, and shall have the right to immediately enter and hold possession thereof until the said amount is paid, or to sell and dispose of the said plant and machinery in order to realize the same.

6. It is further agreed that if the parties of the second part, or the said company, shall at any time during the said period of thirty years cease to operate the said plant and machinery as aforesaid for eighteen months, the said municipal corporation shall be entitled to take possession of the said plant and machinery either to operate or sell the same, until they shall be reimbursed for the amount of any unearned bonus, but without any personal claims against the parties of the second part.

7. It is further agreed that the said plant and buildings shall be insured by the parties of the second part for the benefit of the said municipal corporation to an amount sufficient to protect their interests as the same shall from time to time appear.

8. It is further agreed that the costs and charges of obtaining the sanction of the Legislative Assembly to the said by-law shall be borne by the parties of the second part.

9. It is further agreed that the parties of the second part in the operation of the said industry shall have free license to use the ship slip at the foot of Hurontario street for the launching of vessels constructed by them and if at any time during the said period it should become necessary to convert the same into a dry dock of large capacity they shall have the right to do so but at their own expense.

In witness whereof the parties hereto have hereunto set their hands and seals.

JOHN CHAMBERLAIN,
Mayor.

JOHN J. LONG,
President, D.D. & W. Co.,
of Collingwood, Limited.

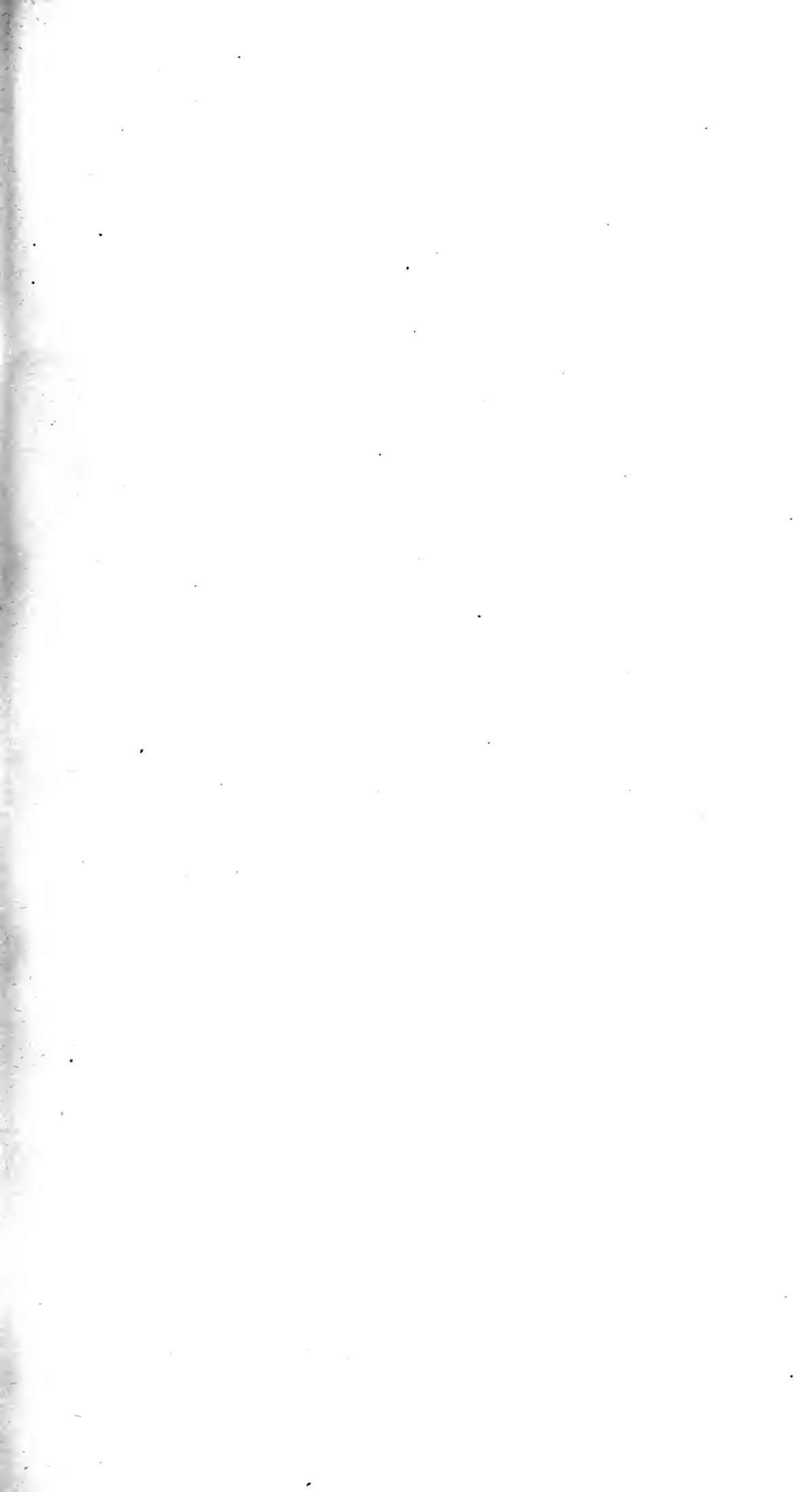
ALEXANDER McDOUGALL.

Signed, sealed and delivered in the presence of

[L.S.]

JOHN HOGG,
Town Clerk.

JOHN BIRNIE, JR.



No. 35.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to confirm and legalize a By-law and Agreement of the Corporation of the Town of Collingwood.

First Reading, 15th March, 1900.

*(Reprinted as amended by Private Bills
Committee.)*

MR. DUFF.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting the Town of Goderich.

WHEREAS the municipal corporation of the town of Goderich has petitioned praying that an Act may be passed to confirm and legalize by-law, number 10, of 1899, of the said town, passed on the 29th day of September, 1899, 5 entitled "by-law number 10, of 1899, of the town of Goderich," to authorize the corporation of the said town to borrow the sum of \$10,000 and to lend the same to the proprietor or proprietors of the factory lately carried on by "The Kensington Manufacturing Company Limited," at the said town, 10 which said by-law is contained and set forth in Schedule "A" to this Act; and whereas the said corporation has by its said petition represented that it is necessary and expedient and of great advantage to the said municipality as well as just and right, that the said by-law should be ratified, legalized and 15 confirmed; and whereas it is expedient to grant the prayer of the said petitioners;

Therefore Her Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

20 **1.** By-law number 10, of 1899, of the said town entitled, as in the preamble hereto, and as set forth in Schedule "A" to this Act, is hereby legalized and confirmed and declared to be valid and binding upon the said corporation and the ratepayers thereof. By-law No. 10, 1899, for loan of \$10,000 to Furniture Co. confirmed.

SCHEDULE A.

BY-LAW NO. 10, OF 1899, OF THE TOWN OF GODERICH, TO AUTHORIZE THE CORPORATION OF THE SAID TOWN TO BORROW THE SUM OF \$10,000.00, AND TO LEND THE SAME TO THE PROPRIETOR OR PROPRIETORS OF THE FACTORY LATELY CARRIED ON BY THE KENSINGTON MANUFACTURING COMPANY, LIMITED, AT THE SAID TOWN.

Whereas application has been made to the municipal council of the said town of Goderich by one Frederick George Rumball, representing that he has recently purchased the furniture factory in the said town erected, and, until lately, occupied by the Kensington Furniture Company, Limited; that he is desirous of continuing and enlarging the business lately carried on by the said company, and for this purpose requesting the loan by the said corporation of the town of Goderich of the sum of \$10,000.

And whereas it is considered desirable for the promotion of the general interests of the said town to accede to the said request, and to lend the said sum of \$10,000 upon the terms as to security, repayment and otherwise hereinafter set forth.

And whereas it will be necessary, for the purpose aforesaid, to raise by way of loan the said sum of \$10,000, upon the security of the debentures of the said corporation of the town of Goderich.

And whereas the amount of the whole rateable property of the said municipality, according to the last revised and equalized assessment roll, is the sum of \$1,131,055.

And whereas the amount of the existing debenture debt of the said municipality is now the sum of \$170 744.81, and no principal or interest is in arrear.

And whereas the total amount of the debt intended to be created by this by-law for the purposes aforesaid is the said sum of \$10,000.

And whereas the total amount required to be raised annually by special rate upon the taxable property within the said municipality, for paying such new debt and interest, are the several sums hereinafter specified and directed to be levied annually during the period of twelve years next after the passing of this by-law, for the repayment of principal and interest.

1. Be it therefore enacted, and it is hereby enacted by the municipal council of the said corporation of the town of Goderich, that it shall be lawful for the mayor and treasurer for the time being of the said town to borrow from any person or corporation willing to lend the same, the said sum of \$10,000, for the purpose of lending the same to the proprietor of the said furniture factory, repayable as follows: the said principal sum of \$10,000 in twelve years from the first day of January, in the year one thousand nine hundred, but repayable in instalments as follows:

\$1,000 on the 1st day of January, 1904.
 \$1,000 on the 1st day of January, 1905.
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 \$1,000 on the 1st day of January, 1910.

and \$3,000 on the 1st day of January, 1911, together with interest thereon in the meantime on the unpaid principal at the rate of four per cent., payable at the time hereinbefore fixed for the payment of each of the said instalments of principal, and to issue therefor the debentures of the said corporation of the town of Goderich, for sums of not less than \$100 each, with, if necessary, coupons attached for the payment of interest, which said debentures shall be signed by the mayor and treasurer of the said town, and sealed with the corporate seal, and the lender shall pay the money loaned upon the security of the said debentures into the branch or agency of the bank of Montreal at the said town of Goderich, to the special credit of the said town of Goderich, and the same shall be payable

out only upon the joint cheque or cheques of the said mayor and treasurer, and shall be exclusively applied for the purposes aforesaid.

2. And for the repayment of the said sum of \$10,000 and interest repayable as aforesaid, there shall be assessed and levied over and above all other rates and taxes upon the whole taxable property within the said municipality, during each and every year for the said period of twelve years next after the passing of this by-law, and the confirmation thereof by the said the Legislative Assembly of the province of Ontario, the following sums, namely :

In the year 1900, \$1,065 52.
 In the year 1901, \$1,065 52.
 In the year 1902, \$1,065 52.
 In the year 1903, \$1,065 52.
 In the year 1904, \$1,065 52.
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 In the year 1907, \$1,065 52.
 In the year 1908, \$1,065 52.
 In the year 1909, \$1,065 52.
 In the year 1910, \$1,065 52.
 In the year 1911, \$1,065 52.

for the purpose of repaying the said principal sum of \$10,000 and interest thereon at the rate aforesaid.

3. This by-law shall come into full force and effect immediately upon obtaining confirmation thereof by the Legislative Assembly of the province of Ontario, by a private bill to be introduced at the next session thereof for such purpose.

4. Upon obtaining the sanction as aforesaid of the said Legislature, it shall be lawful for the mayor of the said town to lend the said sum of \$10,000 to the said proprietor of the said furniture factory, for the said period of twelve years, repayable with interest at the rate aforesaid at such times and in such sums as will meet the falling due of the said debentures so to be issued as aforesaid, such loan to be secured by a first mortgage upon the lands, buildings and plant of the said factory, and by insurance policies thereon in favor of the said the Corporation of the Town of Goderich, to such amount as can, in the usual course, be obtained thereon, the premiums to be paid from time to time by the said borrower, and the insurance companies to be selected and approved of by the said Mayor, such mortgage to also contain a covenant that during the continuance of said loan, or any part thereof, the said borrower will employ in the said factory not less than thirty employees throughout the year, and such other agreement and stipulations for the security of the said money so to be loaned as aforesaid, and the interest thereon, and for its due repayment, and for the maintenance, as a going concern during the said period of twelve years, of the said factory as the said mayor or the solicitor or counsel for the said the Corporation of the Town of Goderich, may require ; and the said money shall not be paid over to the said the borrower until the said security is perfected, to the satisfaction of the said the Mayor of the said Town.

5. That the votes of the electors of the said municipality entitled to vote for or against this by-law shall be taken on Friday, the eighth day of September, 1899, commencing at the hour of nine of the clock in the forenoon and closing at five of the clock in the afternoon, and such poll shall be taken in the various polling places in which the poll in the last municipal election was held, namely : Polling subdivision No. 1 at McClymont's wagon shop, J. Breckenridge, deputy returning officer ; polling subdivision No. 2 at Thomas Videan's feed store, Charles Bates, deputy returning officer ; polling subdivision No. 3 at the town hall, Jas. Farr, deputy returning officer ; polling subdivision No. 4 at J. B. Runciman's machine shop, John F. Bates, deputy returning officer ; polling subdivision No. 5 at Mrs. Walton's shop, David Marwick, deputy returning officer ; polling subdivision No. 6 at Brophy's furniture store,

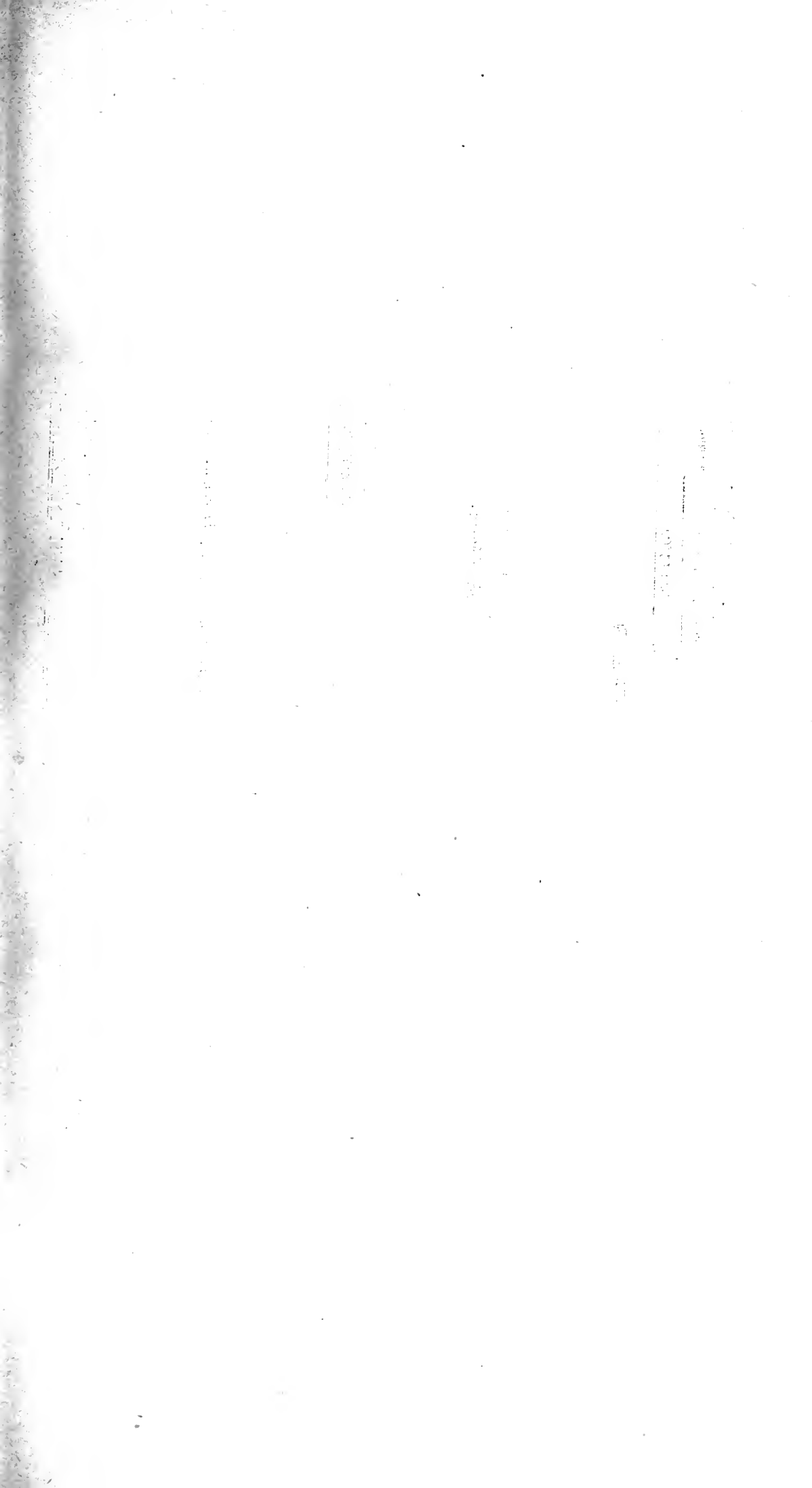
George Sheppard, deputy returning officer ; polling subdivision No. 7 at James Hays' dwelling house, John Bain, deputy returning officer.

6. That the clerk of the said corporation shall attend at the town hall in the said town on Monday, the 11th day of September, 1899, at eleven o'clock in the forenoon, to sum up the number of votes given for and against this by-law, and the mayor will attend at the said town hall at eleven o'clock in the forenoon of Thursday the 7th day of September, 1899, for the appointment of persons to attend at the various polling places and, at the final summing up of the said votes by the clerk on behalf of persons interested in promoting or opposing the passage of this by-law, respectively.

Finally passed this 29th day of September, 1899.

WM. MITCHELL,
Clerk.

ROBERT THOMPSON,
Mayor.



No. 36.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting the Town of Goderich.

First Reading, 1900.

(Private Bill.)

Mr. HYSLOP.

TORONTO.

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

No. 36.]

BILL.

[1900.

An Act respecting the Town of Goderich.

WHEREAS The Municipal Corporation of the Town of Goderich has petitioned praying that an Act may be passed to confirm and legalize by-law, number 10, of 1899, of the said town, passed on the 29th day of September, 1899, entitled "by-law number 10, of 1899, of the town of Goderich," to authorize the corporation of the said town to borrow the sum of \$10,000 and to lend the same to the proprietor or proprietors of the factory lately carried on by "The Kensington Manufacturing Company Limited," at the said town, which said by-law is set *out* in Schedule "A" to this Act; and whereas the said corporation has by its said petition represented that it is necessary and expedient and of great advantage to the said municipality as well as just and right, that the said by-law should be ratified, legalized and confirmed; and whereas no opposition has been offered to the said petition; and whereas it is expedient to grant the prayer of the said petitioners;

Therefore Her Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

1. By-law number 10, of 1899, of the said town entitled, as in the preamble hereto, and set *out* in Schedule "A" to this Act, is hereby confirmed and declared to be *legal*, valid and binding upon the said corporation and the ratepayers thereof.

By-law No. 10,
1899, for loan
of \$10,000 to
Furniture Co.
confirmed.

SCHEDULE A.

BY-LAW NO. 10, OF 1899, OF THE TOWN OF GODERICH, TO AUTHORIZE THE CORPORATION OF THE SAID TOWN TO BORROW THE SUM OF \$10,000.00, AND TO LEND THE SAME TO THE PROPRIETOR OR PROPRIETORS OF THE FACTORY LATELY CARRIED ON BY THE KENSINGTON MANUFACTURING COMPANY, LIMITED, AT THE SAID TOWN.

Whereas application has been made to the municipal council of the said town of Goderich by one Frederick George Rumball, representing that he has recently purchased the furniture factory in the said town erected, and, until lately, occupied by the Kensington Furniture Company, Limited; that he is desirous of continuing and enlarging the business lately carried on by the said company, and for this purpose requesting the loan by the said corporation of the town of Goderich of the sum of \$10,000.

And whereas it is considered desirable for the promotion of the general interests of the said town to accede to the said request, and to lend the said sum of \$10,000 upon the terms as to security, repayment and other wise hereinafter set forth.

And whereas it will be necessary, for the purpose aforesaid, to raise by way of loan the said sum of \$10,000, upon the security of the debentures of the said the corporation of the town of Goderich.

And whereas the amount of the whole rateable property of the said municipality, according to the last revised and equalized assessment roll, is the sum of \$1,131,055.

And whereas the amount of the existing debenture debt of the said municipality is now the sum of \$170,744.81, and no principal or interest is in arrear.

And whereas the total amount of the debt intended to be created by this by-law for the purposes aforesaid is the said sum of \$10,000.

And whereas the total amount required to be raised annually by special rate upon the taxable property within the said municipality, for paying such new debt and interest, are the several sums hereinafter specified and directed to be levied annually during the period of twelve years next after the passing of this by-law, for the repayment of principal and interest.

1. Be it therefore enacted, and it is hereby enacted by the municipal council of the said corporation of the town of Goderich, that it shall be lawful for the mayor and treasurer for the time being of the said town to borrow from any person or corporation willing to lend the same, the said sum of \$10,000, for the purpose of lending the same to the proprietor of the said furniture factory, repayable as follows: the said principal sum of \$10,000 in twelve years from the first day of January, in the year one thousand nine hundred, but repayable in instalments as follows:

\$1,000 on the 1st day of January, 1904.
 \$1,000 on the 1st day of January, 1905.
 \$1,000 on the 1st day of January, 1906.
 \$1,000 on the 1st day of January, 1907.
 \$1,000 on the 1st day of January, 1908.
 \$1,000 on the 1st day of January, 1909.
 \$1,000 on the 1st day of January, 1910.

and \$3,000 on the 1st day of January, 1911, together with interest thereon in the meantime on the unpaid principal at the rate of four per cent., payable at the time hereinbefore fixed for the payment of each of the said instalments of principal, and to issue therefor the debentures of the said corporation of the town of Goderich, for sums of not less than \$100 each, with, if necessary, coupons attached for the payment of interest, which said debentures shall be signed by the mayor and treasurer of the said town, and sealed with the corporate seal, and the lender shall pay the money loaned upon the security of the said debentures into the branch or agency of the bank of Montreal at the said town of Goderich, to the special credit of the said town of Goderich, and the same shall be payable

out only upon the joint cheque or cheques of the said mayor and treasurer, and shall be exclusively applied for the purposes aforesaid.

2. And for the repayment of the said sum of \$10,000 and interest repayable as aforesaid, there shall be assessed and levied over and above all other rates and taxes upon the whole taxable property within the said municipality, during each and every year for the said period of twelve years next after the passing of this by-law, and the confirmation thereof by the said the Legislative Assembly of the province of Ontario, the following sums, namely :

In the year 1900, \$1,065 52.
 In the year 1901, \$1,065 52.
 In the year 1902, \$1,065 52.
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 In the year 1908, \$1,065 52.
 In the year 1909, \$1,065 52.
 In the year 1910, \$1,065 52.
 In the year 1911, \$1,065 52.

for the purpose of repaying the said principal sum of \$10,000 and interest thereon at the rate aforesaid.

3. This by-law shall come into full force and effect immediately upon obtaining confirmation thereof by the Legislative Assembly of the province of Ontario, by a private bill to be introduced at the next session thereof for such purpose.

4. Upon obtaining the sanction as aforesaid of the said Legislature, it shall be lawful for the mayor of the said town to lend the said sum of \$10,000 to the said proprietor of the said furniture factory, for the said period of twelve years, repayable with interest at the rate aforesaid at such times and in such sums as will meet the falling due of the said debentures so to be issued as aforesaid, such loan to be secured by a first mortgage upon the lands, buildings and plant of the said factory, and by insurance policies thereon in favor of the said the Corporation of the Town of Goderich, to such amount as can, in the usual course, be obtained thereon, the premiums to be paid from time to time by the said borrower, and the insurance companies to be selected and approved of by the said Mayor, such mortgage to also contain a covenant that during the continuance of said loan, or any part thereof, the said borrower will employ in the said factory not less than thirty employees throughout the year, and such other agreement and stipulations for the security of the said money so to be loaned as aforesaid, and the interest thereon, and for its due repayment, and for the maintenance, as a going concern during the said period of twelve years, of the said factory as the said mayor or the solicitor or counsel for the said the Corporation of the Town of Goderich, may require ; and the said money shall not be paid over to the said the borrower until the said security is perfected, to the satisfaction of the said the Mayor of the said Town.

5. That the votes of the electors of the said municipality entitled to vote for or against this by-law shall be taken on Friday, the eighth day of September, 1899, commencing at the hour of nine of the clock in the forenoon and closing at five of the clock in the afternoon, and such poll shall be taken in the various polling places in which the poll in the last municipal election was held, namely: Polling subdivision No. 1 at McClymont's wagon shop, J. Breckenridge, deputy returning officer ; polling subdivision No. 2 at Thomas Videan's feed store, Charles Bates, deputy returning officer ; polling subdivision No. 3 at the town hall, Jas. Farr, deputy returning officer ; polling subdivision No. 4 at J. B. Runciman's machine shop, John F. Bates, deputy returning officer ; polling subdivision No. 5 at Mrs. Walton's shop, David Marwick, deputy returning officer ; polling subdivision No. 6 at Brophy's furniture store,

George Sheppard, deputy returning officer ; polling subdivision No. 7 at James Hays' dwelling house, John Bain, deputy returning officer.

6. That the clerk of the said corporation shall attend at the town hall in the said town on Monday, the 11th day of September, 1899, at eleven o'clock in the forenoon, to sum up the number of votes given for and against this by-law, and the mayor will attend at the said town hall at eleven o'clock in the forenoon of Thursday the 7th day of September, 1899, for the appointment of persons to attend at the various polling places and, at the final summing up of the said votes by the clerk on behalf of persons interested in promoting or opposing the passage of this by-law, respectively.

Finally passed this 29th day of September, 1899.

WM. MITCHELL,
Clerk.

ROBERT THOMPSON,
Mayor.

No. 36.

3rd Session, 9th Legislature, 63rd Vict., 1900.

BILL.

An Act respecting the Town of Goderich.

First Reading, 5th March, 1900.

*(Reprinted as amended by Private Bills
Committee.)*

(Private Bill.)

Mr. HYSLOP.

TORONTO.

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act respecting the Town of Goderich.

WHEREAS the Municipal Corporation of the Town of Goderich has petitioned praying that an Act may be passed to confirm and legalize by-law, number 10, of 1899, of the said town, passed on the 29th day of September, 1899, intituled "By-law number 10, of 1899, of the Town of Goderich, to authorize the corporation of the said town to borrow the sum of \$10,000 and to lend the same to the proprietor or proprietors of the factory lately carried on by "The Kensington Manufacturing Company Limited," at the said town," which said by-law is set out in Schedule "A" to this Act; and whereas the said corporation has by its said petition represented that it is necessary and expedient and of great advantage to the said municipality as well as just and right, that the said by-law should be ratified, legalized and confirmed; and whereas no opposition has been offered to the said petition; and whereas it is expedient to grant the prayer of the said petitioners;

Therefore Her Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

1. By-law number 10, of 1899, of the said town entitled, as in the preamble hereto, and set out in Schedule "A" to this Act, is hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law No. 10,
1899, for loan
of \$10,000 to
Furniture Co.
confirmed.

SCHEDULE A.

BY-LAW NO. 10, OF 1899, OF THE TOWN OF GODERICH, TO AUTHORIZE THE CORPORATION OF THE SAID TOWN TO BORROW THE SUM OF \$10,000.00, AND TO LEND THE SAME TO THE PROPRIETOR OR PROPRIETORS OF THE FACTORY LATELY CARRIED ON BY THE KENSINGTON MANUFACTURING COMPANY, LIMITED, AT THE SAID TOWN.

Whereas application has been made to the municipal council of the said town of Goderich by one Frederick George Rumball, representing that he has recently purchased the furniture factory in the said town erected, and, until lately, occupied by the Kensington Furniture Company, Limited; that he is desirous of continuing and enlarging the business lately carried on by the said company, and for this purpose requesting the loan by the said corporation of the town of Goderich of the sum of \$10,000.

And whereas it is considered desirable for the promotion of the general interests of the said town to accede to the said request, and to lend the said sum of \$10,000 upon the terms as to security, repayment and other wise hereinafter set forth.

And whereas it will be necessary, for the purpose aforesaid, to raise by way of loan the said sum of \$10,000, upon the security of the debentures of the said the corporation of the town of Goderich.

And whereas the amount of the whole rateable property of the said municipality, according to the last revised and equalized assessment roll, is the sum of \$1,131,055.

And whereas the amount of the existing debenture debt of the said municipality is now the sum of \$170 744.81, and no principal or interest is in arrear.

And whereas the total amount of the debt intended to be created by this by-law for the purposes aforesaid is the said sum of \$10,000.

And whereas the total amount required to be raised annually by special rate upon the taxable property within the said municipality, for paying such new debt and interest, are the several sums hereinafter specified and directed to be levied annually during the period of twelve years next after the passing of this by-law, for the repayment of principal and interest.

1. Be it therefore enacted, and it is hereby enacted by the municipal council of the said corporation of the town of Goderich, that it shall be lawful for the mayor and treasurer for the time being of the said town to borrow from any person or corporation willing to lend the same, the said sum of \$10,000, for the purpose of lending the same to the proprietor of the said furniture factory, repayable as follows: the said principal sum of \$10,000 in twelve years from the first day of January, in the year one thousand nine hundred, but repayable in instalments as follows:

\$1,000 on the 1st day of January, 1904.
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and \$3,000 on the 1st day of January, 1911, together with interest thereon in the meantime on the unpaid principal at the rate of four per cent., payable at the time hereinbefore fixed for the payment of each of the said instalments of principal, and to issue therefor the debentures of the said corporation of the town of Goderich, for sums of not less than \$100 each, with, if necessary, coupons attached for the payment of interest, which said debentures shall be signed by the mayor and treasurer of the said town, and sealed with the corporate seal, and the lender shall pay the money loaned upon the security of the said debentures into the branch or agency of the bank of Montreal at the said town of Goderich, to the special credit of the said town of Goderich, and the same shall be payable

out only upon the joint cheque or cheques of the said mayor and treasurer, and shall be exclusively applied for the purposes aforesaid.

2. And for the repayment of the said sum of \$10,000 and interest repayable as aforesaid, there shall be assessed and levied over and above all other rates and taxes upon the whole taxable property within the said municipality, during each and every year for the said period of twelve years next after the passing of this by-law, and the confirmation thereof by the said the Legislative Assembly of the province of Ontario, the following sums, namely :

In the year 1900, \$1,065 52.
 In the year 1901, \$1,065 52.
 In the year 1902, \$1,065 52.
 In the year 1903, \$1,065 52.
 In the year 1904, \$1,065 52.
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 In the year 1908, \$1,065 52.
 In the year 1909, \$1,065 52.
 In the year 1910, \$1,065 52.
 In the year 1911, \$1,065 52.

for the purpose of repaying the said principal sum of \$10,000 and interest thereon at the rate aforesaid.

3. This by-law shall come into full force and effect immediately upon obtaining confirmation thereof by the Legislative Assembly of the province of Ontario, by a private bill to be introduced at the next session thereof for such purpose.

4. Upon obtaining the sanction as aforesaid of the said Legislature, it shall be lawful for the mayor of the said town to lend the said sum of \$10,000 to the said proprietor of the said furniture factory, for the said period of twelve years, repayable with interest at the rate aforesaid at such times and in such sums as will meet the falling due of the said debentures so to be issued as aforesaid, such loan to be secured by a first mortgage upon the lands, buildings and plant of the said factory, and by insurance policies thereon in favor of the said the Corporation of the Town of Goderich, to such amount as can, in the usual course, be obtained thereon, the premiums to be paid from time to time by the said borrower, and the insurance companies to be selected and approved of by the said Mayor, such mortgage to also contain a covenant that during the continuance of said loan, or any part thereof, the said borrower will employ in the said factory not less than thirty employees throughout the year, and such other agreement and stipulations for the security of the said money so to be loaned as aforesaid, and the interest thereon, and for its due repayment, and for the maintenance, as a going concern during the said period of twelve years, of the said factory as the said mayor or the solicitor or counsel for the said the Corporation of the Town of Goderich, may require ; and the said money shall not be paid over to the said the borrower until the said security is perfected, to the satisfaction of the said the Mayor of the said Town.

5 That the votes of the electors of the said municipality entitled to vote for or against this by-law shall be taken on Friday, the eighth day of September, 1899, commencing at the hour of nine of the clock in the forenoon and closing at five of the clock in the afternoon, and such poll shall be taken in the various polling places in which the poll in the last municipal election was held, namely : Polling subdivision No. 1 at McClymont's wagon shop, J. Breckenridge, deputy returning officer ; polling subdivision No. 2 at Thomas Videan's feed store, Charles Bates, deputy returning officer ; polling subdivision No. 3 at the town hall, Jas. Farr, deputy returning officer ; polling subdivision No. 4 at J. B. Runciman's machine shop, John F. Bates, deputy returning officer ; polling subdivision No. 5 at Mrs. Walton's shop, David Marwick, deputy returning officer ; polling subdivision No. 6 at Brophy's furniture store,

George Sheppard, deputy returning officer ; polling subdivision No. 7 at James Hays' dwelling house, John Bain, deputy returning officer.

6. That the clerk of the said corporation shall attend at the town hall in the said town on Monday, the 11th day of September, 1899, at eleven o'clock in the forenoon, to sum up the number of votes given for and against this by-law, and the mayor will attend at the said town hall at eleven o'clock in the forenoon of Thursday the 7th day of September, 1899, for the appointment of persons to attend at the various polling places and, at the final summing up of the said votes by the clerk on behalf of persons interested in promoting or opposing the passage of this by-law, respectively.

Finally passed this 29th day of September, 1899.

WM. MITCHELL,
Clerk.

ROBERT THOMPSON,
Mayor.

No. 36.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting the Town of Goderich.

First Reading, 5th March, 1900.

Second Reading, 28th March, 1900.

Mr. HYSLOP.

TORONTO.

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting the Davenport Methodist Church
Burying Ground.

WHEREAS Dr. John T. Gilmour, Robert Clarke and John P. Bull, of the city of Toronto; George S. Townsley, William Farr and William Rowntree, of the town of Toronto Junction; George James Gilbert, Allan Royce, John R. Bull and Thomas McLean, of the township of York, in the county of York, have by their petition set forth that they are trustees for the Davenport congregation of the Methodist Church of certain lands in the town of Toronto Junction on which a church has been erected and a part of which was used as a burying ground; that for many years the said ground has not been used for purposes of burial, and many of the families who formerly used it have acquired burial lots in other cemeteries, and many of the bodies have been removed by friends to such other cemeteries; that the lands adjoining said burying ground on three sides have been lowered many feet and it has become unsuitable for such a purpose and cannot be conveniently and suitably maintained as such; that the Council of the town of Toronto Junction has passed a by-law prohibiting further interments within the limits of said town; that they are desirous of obtaining authority to remove the bodies and monuments therefrom; and whereas it is expedient to grant the prayer of the said petition;

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The said trustees or their successors shall, during the period of one month, publish a notice in *The Ontario Gazette* and in one newspaper published in the City of Toronto to the friends or relatives of the dead interred in said burying ground notifying them to remove the bodies therefrom within six months from the first publication of said notice.

Publication of notice to remove remains.

2. Upon and after the expiration of the said six months the said Trustees and their successors are hereby authorized and empowered to remove in a decent and orderly manner from said burying ground to some other established cemetery the remains of any bodies that may not have been removed by friends or relatives, and to inter them there in corresponding plots as nearly as may be, re-erecting any monuments that may mark the place of said remains.

Power to remove remains after notice.

No. 37.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting the Davenport Methodist Church Burying Ground.

(Private Bill.)

| | |
|----------------|-------|
| First Reading, | 1900. |
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Mr. HILL.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting the City of St. Catharines.

WHEREAS the council of the corporation of the city of St. Catharines have by their petition represented that the said city of St. Catharines is by reason of its situation and of the existence of many and extensive water privileges and water powers both in the said city itself and in the vicinity thereof a very desirable location for manufacturers and that the prosperity of the said city is largely dependent upon the existence of manufactures within its limits and in the villages in its vicinity and that the said city should be enabled to use and profit by its great natural advantages for the purpose of encouraging and promoting the establishment of manufacturing industries within the said city and in its vicinity and have therefore prayed for an Act empowering the said corporation to acquire by lease or purchase any water privilege or water privileges within the limits of the said corporation or within the counties of Lincoln and Welland, together with sufficient land adjacent thereto for the proper user of such water privilege or privileges and to expropriate lands for the purpose aforesaid and from time to time to expend thereon monies for the development, repair and user of such water privilege or privileges and lands, including the erection, improvement and repair of power houses and other buildings in connection therewith; also to acquire by purchase or demise land and the buildings erected thereon or to acquire land and erect buildings thereon in the said city for the user of the power produced by the water privilege or privileges aforesaid for manufacturing purposes; also to generate electric power by operation of the said water privilege or privileges and to transmit the same to any part of the said city or any point near to the said city, as may be desired and for the purposes aforesaid to borrow money upon the debentures of the said corporation; and to empower the said corporation to use said water privilege or privileges and lands and power houses and other buildings and plant in connection therewith necessary for the development and user of the said water privilege or privileges for its own purposes, or to grant leases of the whole or any part of the said water privilege or privileges and property connected therewith and to lease the land and buildings secondly above mentioned to any corporation, company or individual engaged or about to engage in any manufacturing business or enterprise in the said city or near thereto for such time and upon such terms and conditions as the council of the

said city may determine or as may be agreed upon, and otherwise to deal with the same fully and effectually to all intents and purposes; also to empower the said corporation to acquire by purchase or demise from any corporation, company or individual employed in the business of generating electric power in the said city or elsewhere in the counties of Lincoln and Welland electric power for the purpose of delivery by way of gift or demise to any corporation, company or individual engaged or about to engage in any manufacturing business or enterprise in the said city or near thereto and to enable the corporation of the said city to contract with such corporation, company or individual engaged or about to engage in any such manufacturing business or enterprise as aforesaid respecting the terms and conditions of such delivery of electric power as aforesaid and for the purpose aforesaid to borrow money upon the debentures of the said city corporation. The issue of debentures for all the purposes before mentioned not to exceed \$150,000; also to extend to the said city the powers of section 694 of the Municipal Act, in respect of any company or companies producing electric power within the said counties subject to the restrictions contained in sections 695 and 696 of the said Act; also to confirm and validate the election of Water Works commissioners and public school trustees held December, 22nd, 1899 and January 1st, 1900, and to provide for the future election of Water Works commissioners and public school trustees in the said city; and whereas it is expedient to grant the prayer of the said petition,

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Power to acquire water privileges in counties of Lincoln or Welland.

1. The corporation of the city of St. Catharines is hereby empowered to acquire by lease or purchase any water power or water privilege, water powers or water privileges within the limits of the said corporation or elsewhere within the counties of Lincoln and Welland together with sufficient land adjacent to any such water power or water privilege for the proper user of such water power or water privilege and to expend thereon from time to time such sums of money as are necessary for the development, repairs and user of any of such water powers or water privileges and lands, including the erection, improvement and repair of power houses and other buildings in connection therewith and for the erection, construction, building procuring, acquiring, holding, installing, maintaining and operating all machinery, buildings, excavations, erections dams, poles, wires, attachments materials and plant requisite and necessary for the generating, making, supplying, furnishing and transmitting electric power at and from any and all of such water powers or water privileges so acquired to any part of the said city or such other point at or near said city as may be necessary or desirable for manufac-

ing, heating and lighting and such other uses and purposes as shall be found desirable and the said corporation may for the purposes aforesaid borrow upon the debentures of the said corporation such sums as are required for the same for such 5 periods and at such rates of interest as the corporation may by by-law determine.

2. Before acquiring any such water power or water privilege and lands, a by-law shall be submitted to the ratepayers of the said city of St. Catharines setting forth the agreement 10 for such acquisitions which shall have been previously entered into subject to ratification by the ratepayers of the said city, the amount required to be borrowed for the purpose of such acquisition and for the other purposes specified in the preceding section, and containing generally all such matters as are 15 required by *The Municipal Act* in relation to money by-laws.

By-law to be submitted to ratepayers.

3. The vote of the ratepayers upon such by-law shall be taken in the manner provided by sections 338 to 365, both inclusive, of *The Municipal Act*, and the persons entitled to 20 vote thereon shall be the persons named in the said sections, and in case a majority of such persons vote in favor of the by-law the council shall pass the same.

Taking vote of ratepayers on by-law.

4. In case the corporation of the said city of St. Catharines shall desire to acquire any water power or water privilege and 25 lands as hereinbefore mentioned in the city of St. Catharines, or within five miles thereof, and is unable to agree with the owner or lessee (whether such owner or lessee be a corporation, company or individual) of said water power or water privilege and lands as to the sum or consideration to be paid to the said 30 owner or lessee for the conveyance or assignment thereof to the said corporation, and in case said water power or water privilege is not being utilized for the generating, furnishing or supplying of power, whether electric or otherwise, the council of the said corporation may by resolution declare that it is 35 expedient and in the interest of the said city to acquire such water power or water privilege and lands for the use and purposes of said corporation, and thereupon the compensation to be paid and allowed to the owner or lessee of such water or water privilege and lands shall be arrived at and determined 40 under the provisions of *The Municipal Act* with respect to arbitrations to determine the value of lands taken by a municipal corporation.

When corporation cannot agree with owners of property to be acquired.

5. Provided, however, that before any proceedings are taken by the said corporation to determine the sum or compensation to be paid for the acquisition of the said water 45 power or water privilege and lands under the provisions of *The Municipal Act* a by-law for the said purpose shall be submitted to the ratepayers of the said city, setting forth by

By-law to be submitted to ratepayers.

proper and sufficient description the water power or water privilege and lands proposed to be acquired, an estimate of the volume or quantity of power as nearly as may be which can be developed by or from such water power or water privilege and the amount offered or tendered by the said corporation to the owner or lessee thereof as compensation therefor. 5

Taking a vote on by-law.

6. The vote of the ratepayers upon such by-law shall be taken in the manner provided by sections 338 to 365, both inclusive, of *The Municipal Act*, and the persons entitled to vote thereon shall be the persons names in the said sections, 10 and in case a majority of such persons vote in favor of the by-law the council shall pass the same.

Issue of debentures to pay compensation.

7. Upon the determination under the provisions of *The Municipal Act* of the sum or compensation to be paid to the owner or lessee of such water power or water privilege and lands, it shall and may be lawful for the said corporation to borrow upon the debentures thereof such sum as shall be required to pay the amount of such compensation and also such additional sum or sums as shall be required for the proper use and development of such water power or water privilege, including the erection of necessary buildings and installation of plant for such periods and at such rates of interest as the said corporation may by by-law determine, and it shall not be necessary to submit such by-law to the ratepayers of said city. 15 20

Debentures to be a charge on water privilege, etc.

8. The debentures issued by the said corporation of the city of St. Catharines in respect of any water power or water privilege and lands so acquired as aforesaid shall be and continue a first charge or lien on the water power or water privilege and lands for and in respect of which such debentures shall be issued until the debt which such debentures represent is fully paid. 25 30

Lands, etc., acquired—disposal of—assent of ratepayers.

9. Upon the acquisition of any such water powers or water privileges and lands the said corporation of the city of St. Catharines may use the same for their own purposes, and may grant leases of the whole or any parts thereof upon such terms and conditions as may be agreed upon and may otherwise deal with the same as fully and effectually to all intents and purposes as might be done by an individual, but no sale of the whole or any part of the said water powers or water privileges or lands so acquired shall be made until a by-law authorizing the same has been submitted to the ratepayers and passed by a vote of the same class of persons as voted upon the by law authorizing the acquisition of said water powers or water privileges and lands, and no lease shall be granted for a longer period than thirty years with right of renewal and renewals. 35 40 45

Power to generate and supply electric power.

10. Upon the acquisition of any such water power or water privilege and lands as aforesaid it shall be lawful for the

municipal council of the city of St. Catharines to erect construct, build, procure, acquire, hold, instal, maintain and operate all machinery, buildings, excavations, erections, dams, poles wires, attachments, equipments, materials and plant requisite
 5 and necessary for the generating, making, supplying, furnishing and transmitting at and from any such water power or water privilege so acquired as aforesaid to the city of St. Catharines electric power for manufacturing, heating, and lighting and such other purposes and uses as shall or may be
 10 found desirable and to distribute, sell and dispose of such electric power in the city of St. Catharines and elsewhere within a radius of five miles from the outside limit or boundary thereof for the purposes and uses aforesaid; and also to sell, demise and dispose of all or any surplus power or electric
 15 energy delivering the same at and from any of their power houses or any water power or water privilege and lands so acquired as aforesaid.

11. It shall be lawful for the said corporation of the city of St. Catharines, their servants, agents and workmen from time
 20 to time and at such times as they shall see fit and they are hereby authorized and empowered to enter into and upon such streets, roads, highways, lanes or other passages and lands of the corporation of any municipality, in the said counties of Lincoln and Welland on, through, under, over, along or upon
 25 which it shall or may be necessary to lay down pipes, erect poles and wires and do other works necessary for the supplying, furnishing and transmitting of said electric power from any of their power houses so acquired as aforesaid, and the same to cut and dig up, if necessary and to lay down said
 30 pipes, erect said poles and wires and to do all other works necessary for the supplying, furnishing and transmitting of the said electric power on, through, under, over, along or upon the public streets, roads, highways, lanes, passages and lands of any of the said municipalities between any water power or
 35 water privilege and lands so acquired as aforesaid and the said city of St. Catharines, doing as little damage as may be in the exercise of the powers hereby granted to the corporation of the said city of St. Catharines.

Power to enter on highways etc. of Lincoln and Welland.

Loans to manufacturers

12. It shall be lawful for the corporation of the city of St. Catharines and they are hereby authorized and empowered to
 40 acquire by purchase or demise land and the buildings erected thereon or to acquire land and erect buildings thereon in the said city of St. Catharines for the purpose of leasing the same to any corporation, company or individual engaged or about
 45 to engage or who agree in consideration of the lease of such lands and buildings as aforesaid to engage in or extend any manufacturing business or enterprise in said city of St. Catharines and the said corporation of the city of St. Catharines are hereby authorized to lease the said lands and buildings
 50 erected thereon or the said lands and buildings to be erected

Acquiring lands and leasing etc. to manufacturers

thereon so acquired as aforesaid to such corporation company or individual engaged or about to engage or who agree in consideration of such lease as aforesaid to engage in or extend any such manufacturing business or enterprise in the said city for such time and upon such terms and conditions as the municipal council of said city shall determine and the said corporation of the city of St. Catharines may for the purposes aforesaid borrow upon the debentures of the corporation such sums as are required for the same for such periods and at such rates of interest as the corporation may by by-law determine. Or in the event of the said manufacturers so preferring the city corporation shall have power to aid them by way of loan, in the purchase of lands and erection of buildings for their manufacturers, repayment to be secured upon the said lands and buildings by first mortgage and the said city corporation may issue debentures for the purpose of the said loan.

Acquiring electric power etc. and supplying same manufacturers

13. It shall be lawful for the corporation of the City of St. Catharines and they are hereby authorized and empowered to contract for and acquire by purchase or demise from any corporation, company or individual engaged or about to engage in the business of generating and supplying electric power in the said city of St. Catharines or elsewhere within the counties of Lincoln and Welland electric power in such quantity or volume and upon such terms and for such conditions as the council of said city shall by by-law determine for its own use or for the purpose of sale or delivery by way of aid, gift or demise to any company, corporation or individual engaged or about to engage and who may agree in consideration of the delivery of such electric power by way of aid, gift or demise as aforesaid to engage in or extend any manufacturing business or enterprise in the said city or within five miles thereof and the said corporation of the city of St. Catharines are hereby authorized and empowered to contract with such corporation, company or individual so engaged or about to engage and who may in consideration of the delivery of such electric power by way of aid, gift or demise as aforesaid to engage or extend any such manufacturing business or enterprise as aforesaid respecting the terms and conditions of such delivery of electric power and the corporation of the city of St. Catharines may for the purpose aforesaid borrow upon the debentures of the corporation such sums as are required for the same for such periods and at such rates of interest as the corporation may by by-law determine.

Assent of ratepayers.

14. Before acquiring any quantity or volume of electric power for the purposes mentioned in the 13th section of this Act, and before acquiring any lands and the buildings erected thereon or lands for the purpose of erecting buildings thereon for the purposes mentioned in the 12th section of this Act, a by-law shall be submitted to the ratepayers of the said city

setting forth the agreement for such acquisition which shall have been previously entered into subject to ratification by the ratepayers, and if the acquisition is of lands for the purpose of erecting building thereon, also setting forth the
 5 estimated cost of such proposed buildings, and further setting forth in succinct terms the nature and terms of the agreement with any such corporation, company or individual engaged or about to engage, or who in consideration of the delivery of such electric power, or the lease
 10 of such land and buildings as the case may be, agree to engage in or extend any manufacturing business, or enterprise in the said city of St. Catharines, which agreement shall also have been previously entered into subject to ratification by the ratepayers, the amount required to be borrowed for the
 15 purpose of such acquisition, and if the acquisition is of lands for the purpose of erecting buildings thereon, the amount also required for the erection of such proposed buildings, and containing generally all such matters as are required by *The Municipal Act* in relation to money by-laws.

20 **15.** The vote of the ratepayers upon such by-law shall be taken in the manner provided by sections 338 to 365, both inclusive of *The Municipal Act*, and the persons entitled to vote thereon shall be the persons named in the said section, and in case a majority of such persons vote in favor of the
 25 by-law the council shall pass the same. The debentures issued by the said corporation in respect of any lands and buildings or lands for the purpose of erecting buildings acquired by the said city corporation as aforesaid shall be and continue a first charge or lien on the particular property for and in respect
 30 to which such debentures shall be issued until the debt which such debentures represent is fully paid.

Taking vote of ratepayers.

Debentures to be a charge on property in respect of which issued.

16. It shall be the duty of the treasurer of the said city to keep, and it shall be the duty of the council of said city to cause him to keep a proper book of accounts setting forth a
 35 full and particular statement so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is thereby secured and the times at which the said debentures shall respectively
 40 become due and payable and the several amounts which shall from time to time be realized from the sale or negotiation of the said debentures and the application which shall from time to time be made of the said amounts, and the said book of accounts and statement shall at all times at all reasonable
 45 hours be open to the inspection of any ratepayer of the said city and of any of the holders from time to time of the debentures which shall be issued under the powers hereby conferred.

Treasurer to keep books showing debenture accounts.

17. No provisions in *The Municipal Act* and nothing **Inconsistent**

enactments
not to apply.

Informalities
not to invali-
date by-law or
debentures.

Issue of de-
bentures not
to exceed
\$150,000

Aiding electric
companies.

Nomination
and election of
water commis-
sioners.

Vacancies.

contained in the Act passed in the 56th year of Her Majesty's reign, chaptered 79, which are or may be inconsistent with the provisions of this Act or any of them shall apply to the by-law or by-laws to be passed by the said corporation under the provisions of this Act, and no irregularity in the form of the said debentures or any of them authorized to be issued by this Act or any by-law or by-laws authorizing the issue thereof shall render the same invalid or illegal or be allowed as a defence to any action brought against the corporation for the recovery of the amount of the said debentures and interest or any or either of them or any part thereof, and the purchaser or holder thereof shall not be bound to inquire as to the necessity of passing such by-laws or issue of such debentures or as to the application of the proceeds thereof.

18. The amount of debentures authorized to be issued for the purposes of this Act shall not exceed in all the sum of \$150,000, payable in not exceeding thirty years from the day on which they respectively bear date, and shall bear interest at a rate not exceeding four per cent. per annum, payable half yearly, and coupons shall be attached to provide for the payment of the interest. The said debentures shall be in sums of not less than one hundred dollars each, and shall be signed by the mayor and the treasurer of the city of St. Catharines for the time being, and shall be made payable at such place as the council of the said city corporation may direct.

19. The same powers which are now given to municipalities under and by virtue of section 694 of *The Municipal Act* with respect to an incorporated railway company are hereby given and extended to the corporation of the city of St. Catharines with respect to any corporation or company producing and supplying electric power in the counties of Lincoln or Welland, subject to the restrictions contained in section 695 and 696 of the said Act.

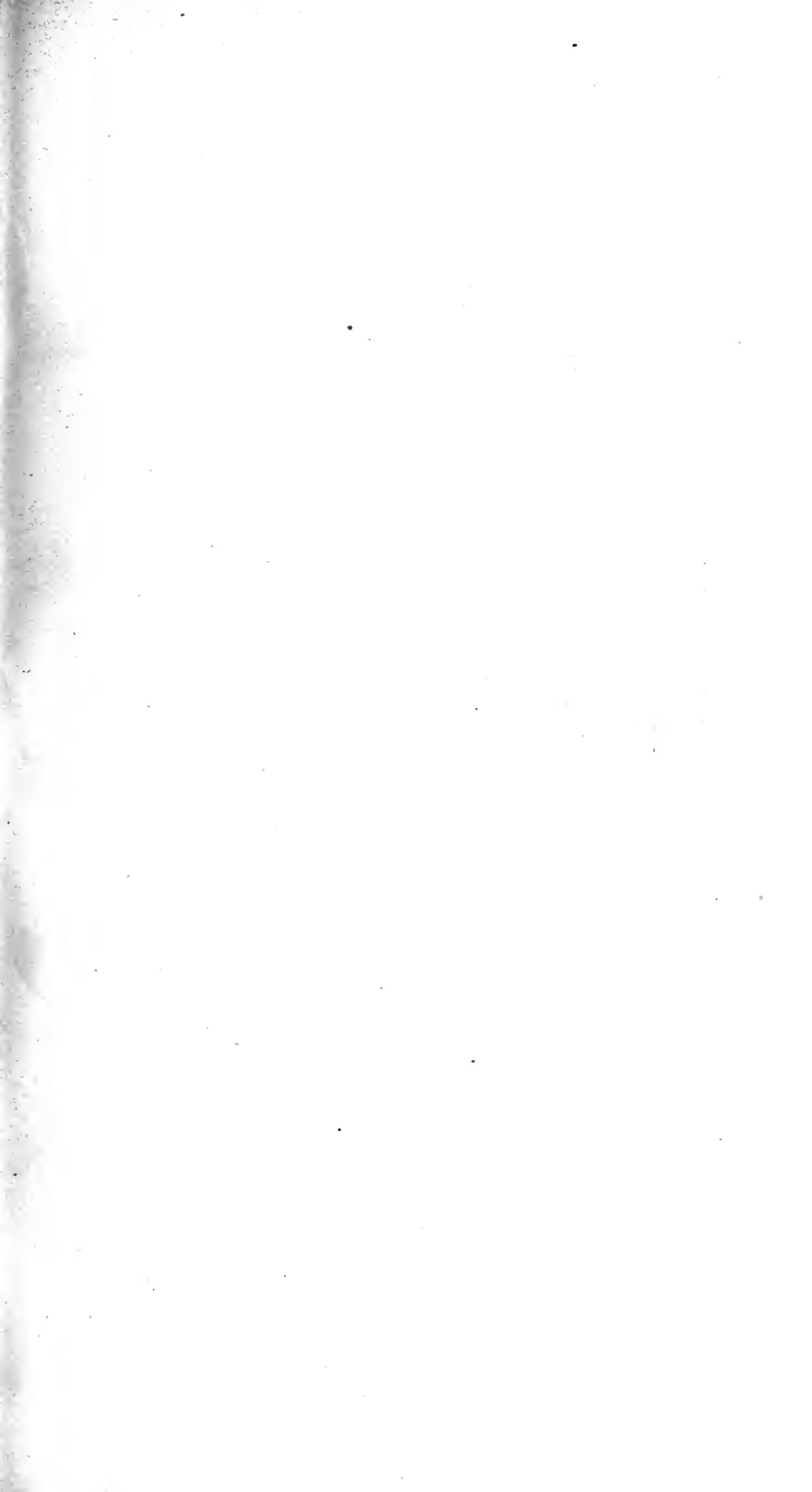
20. At elections of commissioners of the waterworks commission of the city of St. Catharines under and pursuant to substituted section 17 of section 8 of the Act passed in the 39th year of Her Majesty's reign, chaptered 47, and section 1 of the Act passed in the 59th year of Her Majesty's reign, chaptered 91, the words in said substituted section 17, "shall be elected at the same time and by the same persons, and in the same manner as members of the municipal council," shall be held to intend and mean that the said commissioners shall be nominated at the same time and place and in the same manner, and under the presidency of the same returning officer, and shall be elected by general vote of the electors of the said city at the same time and place and in the same manner as aldermen of the said city, and it is hereby declared that vacancies in the said water works commission of the city of St. Catharines

shall happen and be created in the same manner and for the same causes as vacancies in the municipal council of the said city, and shall be filled in the same manner with regard to the nomination and election of a commissioner to fill such vacancy 5 as a vacancy in the municipal council of said city, and the election of a commissioner to fill such vacancy shall be by general vote of the electors of said city.

21. So long as the election of public school trustees of the city of St. Catharines shall continue to be held by ballot, pursuant to sub-sections 1 and 3 of *The Public School Act*, the words in said sub-section 3, "such election shall thereafter be held at the same time and place, and by the same returning officer or officers, and conducted in the manner as the municipal nominations and elections of aldermen or councillors are 15 conducted," shall be held to intend and mean with regard to the election of public school trustees of the city of St. Catharines that the said public school trustees shall be nominated at the same time and place, and in the same manner, and under the presidency and direction of the same returning officer, and 20 shall be elected by general vote of the electors of the said city at the same time and place and in the same manner as aldermen of the said city, and it is hereby declared that a vacancy in the St. Catharines public school board shall be filled in the same manner with regard to the nomination and election of a 25 public school trustee to fill such vacancy as a vacancy in the municipal council of the said city, and the election of a public school trustee to fill such vacancy shall be by general vote of the electors of said city.

22. The two preceding sections of this Act shall be and remain in force only so long as the municipal council of the said city of St. Catharines shall continue to be elected by general vote of the electors of said city.

23. The election of commissioners of the water works commission of the city of St. Catharines and of public school trustees of the said city held and conducted on the 22nd day of December, 1899, and the 1st day of January, 1900, is hereby validated and confirmed with the regard to the manner of their election.



No. 38.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting the City of St. Catharines.

| | |
|----------------|-------|
| First Reading, | 1900. |
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(Private Bill.

TORONTO:

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act respecting the City of St. Catharines.

WHEREAS the council of the corporation of the city of St. Catharines have by their petition represented that the said city of St. Catharines is by reason of its situation and of the existence of water privileges and water powers both in the said city itself and in the vicinity thereof a very desirable location for manufacturers and have prayed that the powers contained in section 565 of *The Municipal Act* and amendments thereto may be granted to the said corporation and that they may be empowered to develop and improve a water power at a point on the Beaver Dam Creek above the reservoirs of the St. Catharines water works or at a point on the old Welland canal between the town of Thorold and Higgin's flume and at any point within one mile of the limits of the said corporation; also to acquire by purchase or demise land and the buildings erected thereon or to acquire land and erect buildings thereon in the said city for the purpose of leasing the same for manufacturing purposes; also to generate electric power by operation of the said water privilege or privileges and to transmit the same to any part of the said city and for the purposes aforesaid to borrow money upon the debentures of the said corporation; and to empower the said corporation to use said water privilege or privileges and lands and power houses and other buildings and plant in connection therewith for its own purposes, or to grant leases of the whole or any part of the said water privilege or privileges and property connected therewith and to lease the land and buildings secondly above mentioned to any corporation, company or individual engaged or about to engage in any manufacturing business or enterprise in the said city for such time and upon such terms and conditions as the council of the said city may determine or as may be agreed upon, and otherwise to deal with the same fully and effectually to all intents and purposes; also to empower the said corporation to acquire by purchase or demise from any corporation, company or individual employed in the business of generating electric power in the said city or elsewhere in the counties of Lincoln and Welland electric power for the purpose of delivery to any corporation, company or individual engaged or about to engage in any manufacturing business or enterprise in the said city and for the purpose aforesaid to borrow money upon the debentures of the said city corporation; the issue of de-

ventures for all the purposes before mentioned not to exceed \$150,000; also to confirm and validate the election of water works commissioners and public school trustees held December, 22nd, 1899 and January 1st, 1900, and to provide for the future election of water works commissioners and public school trustees in the said city; and to confer certain powers on the water works commission of the said city; and whereas it is expedient to grant the prayer of the said petition.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Power to acquire water privileges.

1. The corporation of the city of St. Catharines is hereby empowered to acquire by lease or purchase any water power or water privilege, water powers or water privileges within the limits of the said corporation and within one mile thereof together with sufficient land adjacent to any such water power or water privilege for the proper user of such water power or water privilege, and to expend thereon from time to time such sums of money as are necessary for the development, repairs and user of any of such water powers or water privileges and lands, including the erection, improvement and repair of power houses and other buildings in connection therewith and for the erection, construction, building procuring, acquiring, holding, installing, maintaining and operating all machinery, buildings, excavations, erections dams, races, poles, wires, attachments, materials and plant requisite and necessary for the generating, making, supplying, furnishing and transmitting electric power at and from any and all of such water powers or water privileges so acquired to any part of the said city for manufacturing, heating and lighting and such other uses and purposes as shall be found desirable and the said corporation may for the purposes aforesaid borrow upon the debentures of the said corporation such sums as are required for the same for such periods as the corporation may by by-law determine. Provided that no water power or water privilege within the limits of the Village of Merritton shall be acquired by the said corporation under the powers conferred by this section without the consent of the council of the Corporation of the Village of Merritton expressed by resolution of the said council.

2. It shall and may be lawful for the council of the city of St. Catharines to pass by-laws for the purpose of raising money for the purposes in the preceding section mentioned or any of them provided that any such by-law before being finally passed shall be submitted to and shall have received the assent of at least three-fifths of the total number of the ratepayers qualified to vote on money by-laws in the said city in manner provided by *The Municipal Act*.

3. It shall be lawful for the corporation of the city of St. Catharines subject to the approval of the water works commission of the said city expressed by resolution of the said commission to construct, equip, maintain and operate a canal or hydraulic raceway from a point on the Beaverdam creek above the reservoirs of the St. Catharines water works in the Township of Thorold or from a point on the Welland Canal between the Town of Thorold and Higgins' Flume to a point on or under the Niagara escarpment in the neighborhood of De Cew Falls and thence to the Twelve Mile creek together with all such works, dams, ponds, conduits, sluices, machinery, poles, wires, attachments, accessories and buildings as are necessary to make and install a water power for generating electric energy, and to acquire by purchase and agreement or by expropriation proceedings under the powers of *The Municipal Act* respecting arbitrations such lands as may be necessary for the purposes aforesaid and to cross roads or highways in the said Townships of Thorold and Grantham under such terms as may be agreed on with the municipal councils of the said townships subject to the decision of the Judge of the County Court of the county of Lincoln in the event of inability to agree and to transmit and supply electric energy for purposes of power, heat and light in the said city of St. Catharines. Provided that the said corporation shall not divert the natural flow of water of the Beaverdam creek derived from the watershed thereof, but shall only take such portion of the volume of water leased by the Government of Canada from the Welland Canal to the said corporation as the water works commission of the said city shall approve.

And for the purposes aforesaid the said corporation may borrow upon the debentures of the corporation such sums as are required for the same.

4. It shall and may be lawful for the council of the city of St. Catharines to pass by-laws for the purpose of raising money for the purposes in the preceding section mentioned or any of them provided that any such by-law shall be submitted to and receive the assent of the electors of the said city in manner provided by *The Municipal Act*.

5. The debentures issued by the said corporation of the city of St. Catharines in respect of any water power or water privilege and lands so acquired or developed as aforesaid shall be and continue a first charge or lien on the water power or water privilege and lands for and in respect of which such debentures shall be issued until the debt which such debentures represent is fully paid.

Debentures to be a charge on water privilege, etc.

6. Upon the acquisition or development of any such water powers or water privileges and lands the said corporation of the city of St. Catharines may use the same for their own purposes,

Lands, etc., acquired—disposal of—assent of ratepayers.

and may grant leases of the whole or any parts thereof upon such terms and conditions as may be agreed upon, and may otherwise deal with the same as fully and effectually to all intents and purposes as might be done by an individual, but no sale of the whole or any part of the said water powers or water privileges or lands so acquired shall be made until a by-law authorizing the same has been submitted to the ratepayers and passed by a vote of the same class of persons as voted upon the by-law authorizing the acquisition of said water powers or water privileges and lands, and no lease shall be granted for a longer period than thirty years with right of renewal and renewals.

Power to generate and supply electric power.

7. Upon the acquisition *or development* of any such water power or water privilege and lands as aforesaid it shall be lawful for the municipal council of the city of St. Catharines to erect, construct, build, procure, acquire, hold, instal, maintain and operate all machinery, buildings, excavations, erections, dams, *races*, poles, wires, attachments, equipments, materials and plant requisite and necessary for the generating, making, supplying, furnishing and transmitting at and from any such water power or water privilege so acquired *or developed* as aforesaid to the city of St. Catharines ^{and} to points within one mile thereof ^{and} electric power for manufacturing, heating, and lighting and such other purposes and uses as shall or may be found desirable and to distribute, sell and dispose of such electric power in the city of St. Catharines ^{and} within one mile of the city limits ^{and} for the purposes and uses aforesaid; and also to sell, demise and dispose of all or any surplus power or electric energy delivering the same at and from any of their power houses or any water power or water privilege and lands so acquired as aforesaid. ^{and} The minimum rate to be charged by the said city for each electric horse power to be sold to consumers, shall be at the cost per horse power of producing and delivering in St. Catharines electricity from the said works

Provided that it shall not be lawful for the said city corporation nor for any person, firm or corporation acquiring power from the said city corporation to supply or furnish electric energy for lighting purposes within said city unless and until the said city corporation shall have first acquired under the provisions of subsection 4 of section 566 of *The Municipal Act* as amended by section 35 of *The Municipal Amendment Act, 1899*, the works and plant of the St. Catharines Electric Light and Power Company, Limited, and the plant of William Cooke. ^{and}

Power to enter on highways, etc., of Lincoln and Welland.

8. It shall be lawful for the said corporation of the city of St. Catharines, their servants, agents and workmen from time to time and at such times as they shall see fit and they are hereby authorized and empowered to enter into and upon such streets, roads, highways, lanes or other passages and lands of the ^{and} townships of Thorold and Grantham on such terms as may be *agreed upon* by the municipal councils of the said townships ^{and} ^{and} the said city and in case of disagreement,

as may be fixed by the judge of the County Court of the County of Lincoln ~~on~~ on, through, under, over, along or upon which it shall or may be necessary to lay down pipes, erect poles and wires and do other works necessary for the supplying, furnishing and transmitting of said electric power from any of their power houses so acquired as aforesaid, and the same to cut and dig up, if necessary and to lay down said pipes, erect said poles and wires and to do all other works necessary for the supplying, furnishing and transmitting of the said electric power on, through, under, over, along or upon the public streets, roads, highways, lanes, passages and lands of *either* of the said municipalities between any water power or water privilege and lands so acquired *or developed* as aforesaid and the said city of St. Catharines, doing as little damage as may be in the exercise of the powers hereby granted to the corporation of the said city of St. Catharines.

Loans to
manufacturers

9. It shall be lawful for the corporation of the city of St. Catharines and they are hereby authorized and empowered to acquire by purchase or demise land and the buildings erected thereon or to acquire land and erect buildings thereon in the said city of St. Catharines for the purpose of leasing the same to any corporation, company or individual engaged or about to engage or who agree in consideration of the lease of such lands and buildings as aforesaid to engage in or extend any manufacturing business or enterprise in said city of St. Catharines and the said corporation of the city of St. Catharines are hereby authorized to lease the said lands and buildings erected thereon or the said lands and buildings to be erected thereon so acquired as aforesaid to such corporation company or individual engaged or about to engage or who agree in consideration of such lease as aforesaid to engage in or extend any such manufacturing business or enterprise in the said city for such time and upon such terms and conditions as the municipal council of said city shall determine and the said corporation of the city of St. Catharines may for the purposes aforesaid borrow upon the debentures of the corporation such sums as are required for the same for such periods as the corporation may by by-law determine. Or in the event of the said manufacturers so preferring the city corporation shall have power to aid them by way of loan, in the purchase of lands and erection of buildings for their manufactures, repayment to be secured upon the said lands and buildings by first mortgage and the said city corporation may issue debentures for the purpose of the said loan.

Acquiring
lands and
leasing etc. to
manufacturers

10. It shall be lawful for the corporation of the city of St. Catharines and they are hereby authorized and empowered to contract for and acquire by purchase or demise from any corporation, company or individual engaged in the business of generating and supplying electric power in the said city of St. Catharines or elsewhere within the counties of Lincoln and Welland electric power in such quantity or volume and upon

Acquiring
electric power
etc. and sup-
plying same
manufacturers

such terms and conditions as the council of said city shall by by-law determine for its own use or for the purpose of sale *and* delivery by way of demise to any company, corporation or individual engaged or about to engage or who may agree in consideration of the delivery of such electric power by way of demise as aforesaid to engage in or extend any manufacturing business or enterprise in the said city and the said corporation of the city of St. Catharines are hereby authorized and empowered to contract with such corporation, company or individual so engaged or about to engage *or* who may in consideration of the delivery of such electric power by way of demise as aforesaid *agree* to engage or extend any such manufacturing business or enterprise as aforesaid respecting the terms and conditions of such delivery of electric power, and the corporation of the city of St. Catharines may for the purpose aforesaid borrow upon the debentures of the corporation such sums as are required for the same for such periods as the corporation may by by-law determine.

Assent of
ratepayers.

11. Before acquiring any quantity or volume of electric power for the purposes mentioned in the *10th* section of this Act, and before acquiring any lands and the buildings erected thereon or lands for the purpose of erecting buildings thereon for the purposes mentioned in the *9th* section of this Act, a by-law shall be submitted to the ratepayers of the said city setting forth the agreement for such acquisition which shall have been previously entered into subject to ratification by the ratepayers, and if the acquisition is of lands for the purpose of erecting building thereon, also setting forth the estimated cost of such proposed buildings, and further setting forth in succinct terms the nature and terms of the agreement with any such corporation, company or individual engaged or about to engage, or who in consideration of the delivery of such electric power, or the lease of such land and buildings as the case may be, agree to engage in or extend any manufacturing business or enterprise in the said city of St. Catharines, which agreement shall also have been previously entered into subject to ratification by the ratepayers, the amount required to be borrowed for the purpose of such acquisition, and if the acquisition is of lands for the purpose of erecting buildings thereon, the amount also required for the erection of such proposed buildings, and containing generally all such matters as are required by *The Municipal Act* in relation to money by-laws.

Taking vote
of ratepayers.

12. The vote of the ratepayers upon such by-law shall be taken in the manner provided by sections 338 to 365, both inclusive of *The Municipal Act*, and the persons entitled to vote thereon shall be the persons named in the said sections, and in case a majority of such persons vote in favor of the by-law the council shall pass the same. The debentures issued by the said corporation in respect of any lands and buildings

Debentures to
be a charge on
property in

or lands for the purpose of erecting buildings acquired by the said city corporation as aforesaid shall be and continue a first charge or lien on the particular property for and in respect to which such debentures shall be issued until the debt which such debentures represent is fully paid. respect of which issued.

13. It shall be the duty of the treasurer of the said city to keep, and it shall be the duty of the council of said city to cause him to keep a proper book of accounts setting forth a full and particular statement so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is thereby secured and the times at which the said debentures shall respectively become due and payable and the several amounts which shall from time to time be realized from the sale or negotiation of the said debentures and the application which shall from time to time be made of the said amounts, and the said book of accounts and statement shall at all times at all reasonable hours be open to the inspection of any ratepayer of the said city and of any of the holders from time to time of the debentures which shall be issued under the powers hereby conferred. Treasurer to keep books showing debenture account

14. No provisions in *The Municipal Act* and nothing contained in the Act passed in the 56th year of Her Majesty's reign, chaptered 79, which are or may be inconsistent with the provisions of this Act or any of them shall apply to the by-law or by-laws to be passed by the said corporation under the provisions of this Act, and no irregularity in the form of the said debentures or any of them authorized to be issued by this Act or any by-law or by-laws authorizing the issue thereof shall render the same invalid or illegal or be allowed as a defence to any action brought against the corporation for the recovery of the amount of the said debentures and interest or any or either of them or any part thereof, and the purchaser or holder thereof shall not be bound to inquire as to the necessity of passing such by-laws or issue of such debentures or as to the application of the proceeds thereof. Inconsistent enactments not to apply. Informalities not to invalidate by-law or debentures.

15. The amount of debentures authorized to be issued for the purposes of this Act shall not exceed in all the sum of \$150,000, payable in not exceeding thirty years from the day on which they respectively bear date, and shall bear interest at a rate not exceeding four per cent. per annum, payable half yearly, and coupons shall be attached to provide for the payment of the interest. The said debentures shall be in sums of not less than one hundred dollars each, and shall be signed by the mayor and the treasurer of the city of St. Catharines for the time being, and shall be made payable at such place as the council of the said city corporation may direct. Issue of debentures not to exceed \$150,000.

Nomination
and election of
water commis-
sioners.

16. At elections of commissioners of the waterworks commission of the city of St. Catharines under and pursuant to substituted section 17 of section 8 of the Act passed in the 39th year of Her Majesty's reign, chaptered 47, and section 1 of the Act passed in the 59th year of Her Majesty's reign, chaptered 91, the words in said substituted section 17, "shall be elected at the same time and by the same persons, and in the same manner as members of the municipal council," shall be held to intend and mean that the said commissioners shall be nominated at the same time and place and in the same manner, and under the presidency of the same returning officer, and shall be elected by general vote of the electors of the said city at the same time and place and in the same manner as aldermen of the said city, and it is hereby declared that vacancies in the said water works commission of the city of St. Catharines shall happen and be created in the same manner and for the same causes as vacancies in the municipal council of the said city, and shall be filled in the same manner with regard to the nomination and election of a commissioner to fill such vacancy as a vacancy in the municipal council of said city, and the election of a commissioner to fill such vacancy shall be by general vote of the electors of said city.

Vacancies.

Public school
trustees, elec-
tion of.

17. So long as the election of public school trustees of the city of St. Catharines shall continue to be held by ballot, pursuant to sub-sections 1 and 3 of *The Public School Act*, the words in said sub-section 3, "such election shall thereafter be held at the same time and place, and by the same returning officer or officers, and conducted in the manner as the municipal nominations and elections of aldermen or councillors are conducted," shall be held to intend and mean with regard to the election of public school trustees of the city of St. Catharines that the said public school trustees shall be nominated at the same time and place, and in the same manner, and under the presidency and direction of the same returning officer, and shall be elected by general vote of the electors of the said city at the same time and place and in the same manner as aldermen of the said city, and it is hereby declared that a vacancy in the St. Catharines public school board shall be filled in the same manner with regard to the nomination and election of a public school trustee to fill such vacancy as a vacancy in the municipal council of the said city, and the election of a public school trustee to fill such vacancy shall be by general vote of the electors of said city.

Vacancies.

Election by
general vote.

18. The two preceding sections of this Act shall be and remain in force only so long as the municipal council of the said city of St. Catharines shall continue to be elected by general vote of the electors of said city.

Election of
commissioners
and school
trustees

19. The election of commissioners of the water works commission of the city of St. Catharines and of public school trustees of the said city held and conducted on the 22nd day

of December, 1899, and the 1st day of January, 1900, is hereby validated and confirmed with regard to the manner of their election. ^{for 1900 con-}
^{firmed.}

20. Section 8 of chapter 91 of the Acts of the late Province of Canada passed in the 20th year of Her Majesty's reign and sections 5 and 11 of chapter 70 of the Acts of the Legislative Assembly of the Province of Ontario passed in the 52nd year of Her Majesty's reign are repealed, provided that neither section 3 of chapter 79 of the Acts passed in the 42nd year of Her Majesty's reign nor section 9 of the Acts of the Province of Ontario passed in the 20th year of Her Majesty's reign shall be revived. Section 6 of chapter 70 of the Acts passed in the 52nd year of Her Majesty's reign is amended by striking out that portion of the said section from and including the word "and" in the 8th line thereof down to and including the word "thereof" in the 11th line thereof.

21. The water works commission of the city of St. Catherines shall regulate the distribution and use of water in all places and for all purposes where the same may be required and from time to time shall fix the prices, rates or rents for the use thereof by the owners or occupants of any lands, houses, tenement lot or part of lot in respect of such premises and they may regulate such number of public hydrants in such places as they shall see fit and direct in what manner and for what purpose the same shall be used, all of which they may change at their discretion. Provided always that all hydrants, conduits and other appliances required and furnished for the extinguishment of fires shall be placed as the council of the corporation of the city of St. Catherines shall direct and shall be under their exclusive control and direction ^{for fire pur-}
^{poses only.}

22. In addition to the sum charged the owner or occupants of lands, houses, tenements, lots, or parts of lots for the use of water, the said water works commission shall have power from time to time to levy or charge an additional water rate or rent upon the several properties whether vacant or occupied and whether or not buildings are erected on said lands, fronting or abutting upon all streets, lanes or alleys in through or along which water mains run or are laid whether the owners or occupants use the water or not for general purposes and also upon the personal property other than income of such owners or occupants, which rate shall be a uniform rate according to the value of the said lands or premises and personal property as determined by the last revised assessment roll of the city of St. Catherines, which rates may be changed from time to time as the said water works commission may determine, and the owners of said personal property shall not in respect of said water rates or rents be entitled to exemption under sub-section 24 of section 7 of *The Assessment Act.*

23. In lieu of the sum or sums so charged as aforesaid the said water works commission shall have power to fix a special rate or rent to be paid for the use of water by hydrants, fireplugs, public buildings, livery stables, hotels, manufactories, railway companies, water motors, or for any special use of the water beyond ordinary use thereof by householders, but the charge or sum levied or assessed by the said Water Commission against the said corporation of the city of St. Catharines for and in respect of the fire hydrants in use in the said city shall not be more than twenty dollars per annum for each hydrant.

24. All water rates or rents which shall be imposed, levied, or assessed by the said water works commission under the authority of this Act and the by-laws of the said water commission shall be payable by the owners or occupants of the lands, houses, properties, tenements, lots, or parts of lots, or personal property in respect whereof the said water rates or rents are charged and shall be and continue a lien or charge until paid upon the real estate in respect of which such rates or rents are imposed, levied, or assessed in the same manner and to the same extent as municipal taxes, and may be levied and collected in like manner as municipal rates and taxes are by law recoverable.

25. The said water works commission may pass by-laws for allowing a discount for prepayment of water rates or rents at such rate or percentage as the said commission may determine, and may also pass by-laws providing for the addition of a certain percentage or percentages to water rates or rents not paid at maturity, and the said commission shall have the like powers for levying the said addition to the rates or rents as for levying the rates or rents and shall levy the same accordingly, and the said commission may from time to time alter or repeal any of such by-laws.

26. The water works commission of the city of St. Catharines shall raise annually from the said water rates or rents over and above the expenses of maintaining and managing the said water works a sum not less than sufficient to pay the interest and create a sinking fund for the payment of the principal of such of the debentures of the corporation of the city of St. Catharines as have been issued and sold or negotiated under the authority of chapter 79 of the Acts passed in the 56th year of Her Majesty's reign known as *The City of St. Catharines Debt Consolidation Act, 1893*, for the purpose of paying, taking up or retiring the debentures of the said city theretofore issued under and by virtue of chapter 91 of the Acts of the late Province of Canada passed in the 20th year of Her Majesty's reign and chapter 39 of the Acts of this Province passed in the 41st year of Her Majesty's reign for the construction and extension of the water works system of

the said city, and to pay the interest and create a sinking fund for the payment of the principal of the debentures of the said corporation of the city of St. Catharines issued under and by virtue of chapter 70 of the Acts passed in the 52nd year of Her Majesty's reign or of such of the debentures of the said city corporation as shall or may hereafter be issued under the authority of *The City of St. Catharines Debt Consolidation Act, 1893*, for the purpose of paying, taking up or retiring the said debentures or any of them so issued as aforesaid under and by virtue of chapter 70 of the Acts passed in the 52nd year of Her Majesty's reign, and the said sum shall be applied to the purposes herein specified ^{and} and for no other purpose whatever. ^{and} The portion or amount of the debentures of the city of St. Catharines issued or to be issued as aforesaid, in respect of which the said water works commission shall be bound to raise annually from the said water rates and rents a sum not less than sufficient to pay the said interest and provide the said sinking fund under the terms and requirements of this section is hereby fixed at the sum of \$305,000. This section shall not come into force until the 1st day of January, 1901. ^{and}

No. 38.

3rd Session, 9th Legislature, 63 Vict., 1900

BILL.

An Act respecting the City of St. Catharines

First Reading, 15th March, 1900.

*(Reprinted as amended by Private Bills
Committee.)*

Mr. JESSOP.

TORONTO :

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An Act respecting the City of St. Catharines.

WHEREAS the council of the corporation of the city of St. Catharines have by their petition represented that the said city of St. Catharines is by reason of its situation and of the existence of water privileges and water powers both in the said city itself and in the vicinity thereof a very desirable location for manufacturers and that the prosperity of the said city is largely dependent upon the existence of manufactures within its limits and that the said city should be enabled to use and profit by its great natural advantages for the purpose of encouraging and promoting the establishment of manufacturing industries within the said city and have therefore prayed for an Act empowering the said corporation to acquire by lease or purchase any water privilege or water privileges within the limits of the said corporation together with sufficient land adjacent thereto for the proper user of such water privilege or privileges and from time to time to expend thereon monies for the development, repair and user of such water privilege or privileges and lands, including the erection, improvement and repair of power houses and other buildings in connection therewith; ^{Preamble.} also to develop and improve a water power on the Beaverdam Creek or other source of supply of the St. Catharines water works; also to acquire by purchase or demise land and the buildings erected thereon or to acquire land and erect buildings thereon in the said city for the purpose of leasing the same for manufacturing purposes; also to generate electric power by operation of the said water privilege or privileges and to transmit the same to any part of the said city and for the purposes aforesaid to borrow money upon the debentures of the said corporation; and to empower the said corporation to use said water privilege or privileges and lands and power houses and other buildings and plant in connection therewith for its own purposes, or to grant leases of the whole or any part of the said water privilege or privileges and property connected therewith and to lease the land and buildings secondly above mentioned to any corporation, company or individual engaged or about to engage in any manufacturing business or enterprise in the said city for such time and upon such terms and conditions as the council of the said city may determine or as may be agreed upon, and otherwise to deal with the same fully and effectually to all intents

and purposes; also to empower the said corporation to acquire by purchase or demise from any corporation, company or individual employed in the business of generating electric power in the said city or elsewhere in the counties of Lincoln and Welland electric power for the purpose of delivery to any corporation, company or individual engaged or about to engage in any manufacturing business or enterprise in the said city at such price as may be agreed on and for the purpose aforesaid to borrow money upon the debentures of the said city corporation; the issue of debentures for all the purposes before mentioned not to exceed \$150,000; also to confirm and validate the election of water works commissioners and public school trustees held December, 22nd, 1899 and January 1st, 1900, and to provide for the future election of water works commissioners and public school trustees in the said city; and to confer certain powers on the water works commission of the said city; and whereas it is expedient to grant the prayer of the said petition.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Power to acquire water privileges in counties of Lincoln or Welland.

1. The corporation of the city of St. Catharines is hereby empowered to acquire by lease or purchase any water power or water privilege, water powers or water privileges within the limits of the said corporation together with sufficient land adjacent to any such water power or water privilege for the proper user of such water power or water privilege, and to expend thereon from time to time such sums of money as are necessary for the development, repairs and user of any of such water powers or water privileges and lands, including the erection, improvement and repair of power houses and other buildings in connection therewith and for the erection, construction, building procuring, acquiring, holding, installing, maintaining and operating all machinery, buildings, excavations, erections dams, poles, wires, attachments, materials and plant requisite and necessary for the generating, making, supplying, furnishing and transmitting electric power at and from any and all of such water powers or water privileges so acquired to any part of the said city for manufacturing, heating and lighting and such other uses and purposes as shall be found desirable and the said corporation may for the purposes aforesaid borrow upon the debentures of the said corporation such sums as are required for the same for such periods as the corporation may by by-law determine.

2. It shall and may be lawful for the council of the city of St. Catharines to pass by-laws for the purpose of raising money for the purposes in the preceding section mentioned or any of them provided that any such by-law shall be submitted

to and receive the assent of the electors of the said city in manner provided by *The Municipal Act*.²³

3. It shall be lawful for the corporation of the city of St. Catharines subject to the approval of the water works commission of the said city expressed by resolution of the said commission to construct, equip, maintain and operate a canal or hydraulic raceway from a point at the Beaverdam creek above the reservoirs of the St. Catharines water works in the Township of Thorold or from a point on the Welland Canal between the Town of Thorold and Higgins' Flume to a point on or under the Niagara escarpment in the neighborhood of De Cew Falls and thence to the Twelve Mile creek in the Township of Grantham together with all such works, dams, ponds, conduits, sluices, machinery, poles, wires, attachments, accessories and buildings as are necessary to make and install a water power for generating electric energy, and to acquire by purchase and agreement or by expropriation proceedings under the powers of *The Municipal Act* respecting arbitrations such lands as may be necessary for the purposes aforesaid and to cross roads or highways in the said Townships of Thorold and Grantham under such terms as may be imposed by the municipal councils of the said townships, and to transmit and supply electric energy for purposes of power, heat and light in the said city of St. Catharines. Provided that the said corporation shall not divert the natural flow of water of the Beaverdam creek derived from the watershed thereof, but shall only take such portion of the volume of water leased by the Government of Canada from the Welland Canal to the said corporation as the water works commission of the said city shall approve.²⁴

²⁵ And for the purposes aforesaid the said corporation may borrow upon the debentures of the corporation such sums as are required for the same.²⁶

4. It shall and may be lawful for the council of the city of St. Catharines to pass by-laws for the purpose of raising money for the purposes in the preceding section mentioned or any of them provided that any such by-law shall be submitted to and receive the assent of the electors of the said city in manner provided by *The Municipal Act*.²⁷

5. The debentures issued by the said corporation of the city of St. Catharines in respect of any water power or water privilege and lands so acquired *or developed* as aforesaid shall be and continue a first charge or lien on the water power or water privilege and lands for and in respect of which such debentures shall be issued until the debt which such debentures represent is fully paid. Debentures to be a charge on water privilege, etc.

6. Upon the acquisition *or development* of any such water powers or water privileges and lands the said corporation of the Lands, etc., acquired—disposal of—

assent of
ratepayers.

city of St. Catharines may use the same for their own purposes, and may grant leases of the whole or any parts thereof upon such terms and conditions as may be agreed upon, and may otherwise deal with the same as fully and effectually to all intents and purposes as might be done by an individual, but no sale of the whole or any part of the said water powers or water privileges or lands so acquired shall be made until a by-law authorizing the same has been submitted to the ratepayers and passed by a vote of the same class of persons as voted upon the by-law authorizing the acquisition of said water powers or water privileges and lands, and no lease shall be granted for a longer period than thirty years with right of renewal and renewals.

Power to generate and supply electric power.

7. Upon the acquisition *or development* of any such water power or water privilege and lands as aforesaid it shall be lawful for the municipal council of the city of St. Catharines to erect construct, build, procure, acquire, hold, instal, maintain and operate all machinery, buildings, excavations, erections, dams, *races*, poles wires, attachments, equipments, materials and plant requisite and necessary for the generating, making, supplying, furnishing and transmitting at and from any such water power or water privilege so acquired *or developed* as aforesaid to the city of St. Catharines electric power for manufacturing, heating, and lighting and such other purposes and uses as shall or may be found desirable and to distribute, sell and dispose of such electric power in the city of St. Catharines for the purposes and uses aforesaid; and also to sell, demise and dispose of all or any surplus power or electric energy delivering the same at and from any of their power houses or any water power or water privilege and lands so acquired as aforesaid. ⁴²⁷ The provisions of *subsection 4 of section 566 of The Municipal Act* as amended by section 35 of *The Municipal Amendment Act, 1899*, shall apply to the said city and the St. Catharines and Electric Light and Power Company, Limited, with regard to electric lighting in said city, and for that purpose shall be held to be incorporated with this section. ⁶²⁸

Power to enter on highways, etc., of Lincoln and Welland.

8. It shall be lawful for the said corporation of the city of St. Catharines, their servants, agents and workmen from time to time and at such times as they shall see fit and they are hereby authorized and empowered to enter into and upon such streets, roads, highways, lanes or other passages and lands of the ⁴²⁷townships of Thorold and Grantham on such terms as may be imposed by the municipal councils of the said townships ⁶²⁸ on, through, under, over, along or upon which it shall or may be necessary to lay down pipes, erect poles and wires and do other works necessary for the supplying, furnishing and transmitting of said electric power from any of their power houses so acquired as aforesaid, and the same to cut and dig up, if necessary and to lay down said pipes, erect said poles and wires and to do all other works necessary for the supplying, furnishing and transmitting of

Loans to manufacturers

the said electric power on, through, under, over, along or upon the public streets, roads, highways, lanes, passages and lands of *either* of the said municipalities between any water power or water privilege and lands so acquired *or developed* as aforesaid and the said city of St. Catharines, doing as little damage as may be in the exercise of the powers hereby granted to the corporation of the said city of St. Catharines.

9. It shall be lawful for the corporation of the city of St. Catharines and they are hereby authorized and empowered to acquire by purchase or demise land and the buildings erected thereon or to acquire land and erect buildings thereon in the said city of St. Catharines for the purpose of leasing the same to any corporation, company or individual engaged or about to engage or who agree in consideration of the lease of such lands and buildings as aforesaid to engage in or extend any manufacturing business or enterprise in said city of St. Catharines and the said corporation of the city of St. Catharines are hereby authorized to lease the said lands and buildings erected thereon or the said lands and buildings to be erected thereon so acquired as aforesaid to such corporation company or individual engaged or about to engage or who agree in consideration of such lease as aforesaid to engage in or extend any such manufacturing business or enterprise in the said city for such time and upon such terms and conditions as the municipal council of said city shall determine and the said corporation of the city of St. Catharines may for the purposes aforesaid borrow upon the debentures of the corporation such sums as are required for the same for such periods as the corporation may by by-law determine. Or in the event of the said manufacturers so preferring the city corporation shall have power to aid them by way of loan, in the purchase of lands and erection of buildings for their manufactures, repayment to be secured upon the said lands and buildings by first mortgage and the said city corporation may issue debentures for the purpose of the said loan.

10. It shall be lawful for the corporation of the city of St. Catharines and they are hereby authorized and empowered to contract for and acquire by purchase or demise from any corporation, company or individual engaged in the business of generating and supplying electric power in the said city of St. Catharines or elsewhere within the counties of Lincoln and Welland electric power in such quantity or volume and upon such terms and conditions as the council of said city shall by by-law determine for its own use or for the purpose of sale *and* delivery by way of demise to any company, corporation or individual engaged or about to engage or who may agree in consideration of the delivery of such electric power by way of demise as aforesaid to engage in or extend any manufacturing business or enterprise in the said city and the said corporation of the city of St. Catharines are hereby authorized and empowered to contract with such corporation, company or

Acquiring
lands and
leasing etc. to
manufacturers

Acquiring
electric power
etc. and sup-
plying same
manufacturers

individual so engaged or about to engage or who may in consideration of the delivery of such electric power by way of demise as aforesaid agree to engage or extend any such manufacturing business or enterprise as aforesaid respecting the terms and conditions of such delivery of electric power, and the corporation of the city of St. Catharines may for the purpose aforesaid borrow upon the debentures of the corporation such sums as are required for the same for such periods as the corporation may by by-law determine.

Assent of
ratepayers.

11. Before acquiring any quantity or volume of electric power for the purposes mentioned in the 10th section of this Act, and before acquiring any lands and the buildings erected thereon or lands for the purpose of erecting buildings thereon for the purposes mentioned in the 9th section of this Act, a by-law shall be submitted to the ratepayers of the said city setting forth the agreement for such acquisition which shall have been previously entered into subject to ratification by the ratepayers, and if the acquisition is of lands for the purpose of erecting building thereon, also setting forth the estimated cost of such proposed buildings, and further setting forth in succinct terms the nature and terms of the agreement with any such corporation, company or individual engaged or about to engage, or who in consideration of the delivery of such electric power, or the lease of such land and buildings as the case may be, agree to engage in or extend any manufacturing business or enterprise in the said city of St. Catharines, which agreement shall also have been previously entered into subject to ratification by the ratepayers, the amount required to be borrowed for the purpose of such acquisition, and if the acquisition is of lands for the purpose of erecting buildings thereon, the amount also required for the erection of such proposed buildings, and containing generally all such matters as are required by *The Municipal Act* in relation to money by-laws.

Taking vote
of ratepayers.

12. The vote of the ratepayers upon such by-law shall be taken in the manner provided by sections 338 to 365, both inclusive of *The Municipal Act*, and the persons entitled to vote thereon shall be the persons named in the said sections, and in case a majority of such persons vote in favor of the by-law the council shall pass the same. The debentures issued by the said corporation in respect of any lands and buildings or lands for the purpose of erecting buildings acquired by the said city corporation as aforesaid shall be and continue a first charge or lien on the particular property for and in respect to which such debentures shall be issued until the debt which such debentures represent is fully paid.

Debentures to
be a charge on
property in
respect of
which issued.

Treasurer to
keep books
showing de-
benture
accounts.

13. It shall be the duty of the treasurer of the said city to keep, and it shall be the duty of the council of said city to cause him to keep a proper book of accounts setting forth a

full and particular statement so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is thereby secured and the times at which the said debentures shall respectively become due and payable and the several amounts which shall from time to time be realized from the sale or negotiation of the said debentures and the application which shall from time to time be made of the said amounts, and the said book of accounts and statement shall at all times at all reasonable hours be open to the inspection of any ratepayer of the said city and of any of the holders from time to time of the debentures which shall be issued under the powers hereby conferred.

14. No provisions in *The Municipal Act* and nothing contained in the Act passed in the 56th year of Her Majesty's reign, chaptered 79, which are or may be inconsistent with the provisions of this Act or any of them shall apply to the by-law or by-laws to be passed by the said corporation under the provisions of this Act, and no irregularity in the form of the said debentures or any of them authorized to be issued by this Act or any by-law or by-laws authorizing the issue thereof shall render the same invalid or illegal or be allowed as a defence to any action brought against the corporation for the recovery of the amount of the said debentures and interest or any or either of them or any part thereof, and the purchaser or holder thereof shall not be bound to inquire as to the necessity of passing such by-laws or issue of such debentures or as to the application of the proceeds thereof.

Inconsistent enactments not to apply.

Informalities not to invalidate by-law or debentures.

15. The amount of debentures authorized to be issued for the purposes of this Act shall not exceed in all the sum of \$150,000, payable in not exceeding thirty years from the day on which they respectively bear date, and shall bear interest at a rate not exceeding four per cent. per annum, payable half yearly, and coupons shall be attached to provide for the payment of the interest. The said debentures shall be in sums of not less than one hundred dollars each, and shall be signed by the mayor and the treasurer of the city of St. Catharines for the time being, and shall be made payable at such place as the council of the said city corporation may direct.

Issue of debentures not to exceed \$150,000.

16. At elections of commissioners of the waterworks commission of the city of St. Catharines under and pursuant to substituted section 17 of section 8 of the Act passed in the 39th year of Her Majesty's reign, chaptered 47, and section 1 of the Act passed in the 59th year of Her Majesty's reign, chaptered 91, the words in said substituted section 17, "shall be elected at the same time and by the same persons, and in the same manner as members of the municipal council," shall be held to intend and mean that the said commissioners shall be

Nomination and election of water commissioners.

Vacancies. nominated at the same time and place and in the same manner. and under the presidency of the same returning officer, and shall be elected by general vote of the electors of the said city at the same time and place and in the same manner as aldermen of the said city, and it is hereby declared that vacancies in the said water works commission of the city of St. Catharines shall happen and be created in the same manner and for the same causes as vacancies in the municipal council of the said city, and shall be filled in the same manner with regard to the nomination and election of a commissioner to fill such vacancy as a vacancy in the municipal council of said city, and the election of a commissioner to fill such vacancy shall be by general vote of the electors of said city.

Public school trustees, election of.

17. So long as the election of public school trustees of the city of St. Catharines shall continue to be held by ballot, pursuant to sub-sections 1 and 3 of *The Public School Act*, the words in said sub-section 3, "such election shall thereafter be held at the same time and place, and by the same returning officer or officers, and conducted in the manner as the municipal nominations and elections of aldermen or councillors are conducted," shall be held to intend and mean with regard to the election of public school trustees of the city of St. Catharines that the said public school trustees shall be nominated at the same time and place, and in the same manner, and under the presidency and direction of the same returning officer, and shall be elected by general vote of the electors of the said city at the same time and place and in the same manner as aldermen of the said city, and it is hereby declared that a vacancy in the St. Catharines public school board shall be filled in the same manner with regard to the nomination and election of a public school trustee to fill such vacancy as a vacancy in the municipal council of the said city, and the election of a public school trustee to fill such vacancy shall be by general vote of the electors of said city.

Vacancies.

Election by general vote.

18. The two preceding sections of this Act shall be and remain in force only so long as the municipal council of the said city of St. Catharines shall continue to be elected by general vote of the electors of said city.

Election of commissioners and school trustees for 1900 confirmed.

19. The election of commissioners of the water works commission of the city of St. Catharines and of public school trustees of the said city held and conducted on the 22nd day of December, 1899, and the 1st day of January, 1900, is hereby validated and confirmed with regard to the manner of their election.

20. Section 8 of chapter 91 of the Acts of the late Province of Canada passed in the 20th year of Her Majesty's reign and sections 5 and 11 of chapter 70 of the Acts of the Legislative Assembly of the Province of Ontario passed in the 52nd

year of Her Majesty's reign are repealed, provided that neither section 3 of chapter 79 of the Acts passed in the 42nd year of Her Majesty's reign nor section 9 of the Acts of the Province of Ontario passed in the 20th year of Her Majesty's reign shall be revived. Section 6 of chapter 70 of the Acts passed in the 52nd year of Her Majesty's reign is amended by striking out that portion of the said section from and including the word "and" in the 8th line thereof down to and including the word "thereof" in the 11th line thereof.

21. The water works commission of the city of St. Catherines shall regulate the distribution and use of water in all places and for all purposes where the same may be required and from time to time shall fix the prices, rates or rents for the use thereof by the owners or occupants of any lauds, houses, tenement lot or part of lot in respect of such premises and they may regulate such number of public hydrants in such places as they shall see fit and direct in what manner and for what purpose the same shall be used, all of which they may change at their discretion. Provided always that all hydrants, conduits and other appliances required and furnished for the extinguishment of fires shall be placed as the council of the corporation of the city of St. Catherines shall direct and shall be under their exclusive control and direction.

22. In addition to the sum charged the owner or occupants of lands, houses, tenements, lots, or parts of lots for the use of water, the said water works commission shall have power from time to time to levy or charge an additional water rate or rent upon the several properties whether vacant or occupied and whether or not buildings are erected on said lands, fronting or abutting upon all streets, lanes or alleys in through or along which water mains run or are laid whether the owners or occupants use the water or not for general purposes and also upon the personal property other than income of such owners or occupants, which rate shall be a uniform rate according to the value of the said lands or premises and personal property as determined by the last revised assessment roll of the city of St. Catherines, which rates may be changed from time to time as the said water works commission may determine, and the owners of said personal property shall not in respect of said water rates or rents be entitled to exemption under sub-section 24 of section 7 of *The Assessment Act*.

23. In lieu of the sum or sums so charged as aforesaid the said water works commission shall have power to fix a special rate or rent to be paid for the use of water by hydrants, fireplugs, public buildings, livery stables, hotels, manufactories, railway companies, water motors, or for any special use of the water beyond ordinary use thereof by householders, but the charge or sum levied or assessed by the said Water Commission against the said corporation of the city of St. Cathar-

ines for and in respect of the fire hydrants in use in the said city shall not be more than twenty dollars per annum for each hydrant.

24. All water rates or rents which shall be imposed, levied, or assessed by the said water works commission under the authority of this Act and the by-laws of the said water commission shall be payable by the owners or occupants of the lands, houses, properties, tenements, lots, or parts of lots, or personal property in respect whereof the said water rates or rents are charged and shall be and continue a lien or charge until paid upon the real estate in respect of which such rates or rents are imposed, levied, or assessed in the same manner and to the same extent as municipal taxes, and may be levied and collected in like manner as municipal rates and taxes are by law recoverable.

25. The said water works commission may pass by-laws for allowing a discount for prepayment of water rates or rents at such rate or percentage as the said commission may determine, and may also pass by-laws providing for the addition of a certain percentage or percentages to water rates or rents not paid at maturity, and the said commission shall have the like powers for levying the said addition to the rates or rents as for levying the rates or rents and shall levy the same accordingly, and the said commission may from time to time alter or repeal any of such by-laws.

26. The water works commission of the city of St. Catharines shall raise annually from the said water rates or rents over and above the expenses of maintaining and managing the said water works a sum not less than sufficient to pay the interest and create a sinking fund for the payment of the principal of such of the debentures of the corporation of the city of St. Catharines as have been issued and sold or negotiated under the authority of chapter 79 of the Acts passed in the 56th year of Her Majesty's reign known as *The City of St. Catharines Debt Consolidation Act*, for the purpose of paying, taking up or retiring the debentures of the said city theretofore issued under and by virtue of chapter 91 of the Acts of the late Province of Canada passed in the 20th year of Her Majesty's reign and chapter 39 of the Acts of this Province passed in the 41st year of Her Majesty's reign for the construction and extension of the water works system of the said city, and to pay the interest and create a sinking fund for the payment of the principal of the debentures of the said corporation of the city of St. Catharines issued under and by virtue of chapter 70 of the Acts passed in the 52nd year of Her Majesty's reign or of such of the debentures of the said city corporation as shall or may hereafter be issued under the authority of *The City of St. Catharines Debt Consolidation Act, 1893*, for the purpose of paying, taking up or

retiring the said debentures or any of them so issued as aforesaid under and by virtue of chapter 70 of the Acts passed in the 52nd year of Her Majesty's reign, and the said sum shall be applied to the purposes herein specified. The portion or amount of the debentures of the city of St. Catharines issued or to be issued as aforesaid, in respect of which the said water works commission shall be bound to raise annually from the said water rates and rents a sum not less than sufficient to pay the said interest and provide the said sinking fund under the terms and requirements of this section is hereby fixed at the sum of \$305,000.

No. 38.

3rd Session, 9th Legislature, 63 Vict., 1900

BILL.

An Act respecting the City of St. Catharines

First Reading, 1900.

*(Reprinted as amended in Committee
of the Whole).*

TORONTO:
PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act respecting the Town of Wingham.

WHEREAS the municipal corporation of the Town of Wingham has by its petition prayed for leave to aid Thomas Bell, William Button, Clayton M. Walker and others who may be associated with them in the establishment of a factory for the manufacture of tables in the town of Wingham by way of bonus, and also for leave to aid certain persons, firms or corporations proposing to establish a foundry in the said town of Wingham by way of loan, and also by way of exemption from taxation (except school taxes) upon the lands, buildings, plant and machinery of the said respective industries; and whereas the said town is a furniture manufacturing centre in which the various factories now operating manufacture special lines of furniture other than tables, and the said proposed factory would not only not come into competition with them but would be of great benefit to the said other factories and to the town and trade at large; and whereas there are no other industries in the said town similar to the said proposed foundry that would be interfered with by the granting of the said loan; and whereas it has been made to appear that the said town has no debenture indebtedness outstanding for bonuses or aids in the nature thereof, except to the extent of \$8,000, the balance of a loan granted to aid a certain other furniture factory which is being repaid in annual instalments; and whereas it is expedient to grant the prayer of the said petition;

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. It shall be lawful for the said corporation of the Town of Wingham to pass a by-law for the purpose of raising by way of loan on the credit of the debentures of the said corporation a sum not exceeding in the whole \$2,500, at a rate of interest not exceeding five per cent. per annum, from any person or persons, body or bodies corporate, who may be willing to advance the same, for the purpose of aiding Thomas Bell, William Button, Clayton M. Walker and such others as may be associated with them, in the establishment of a factory for the manufacture of tables and other furniture in the said town of Wingham, which said aid may be granted to the said persons by way of bonus upon such terms and conditions as may

Power to raise \$2,500 on debentures to aid Thos. Bell, Wm. Button, C. M. Walker and others.

be deemed advisable by the municipal council of the said corporation.

Power to raise \$10,000 to aid establishment of foundry.

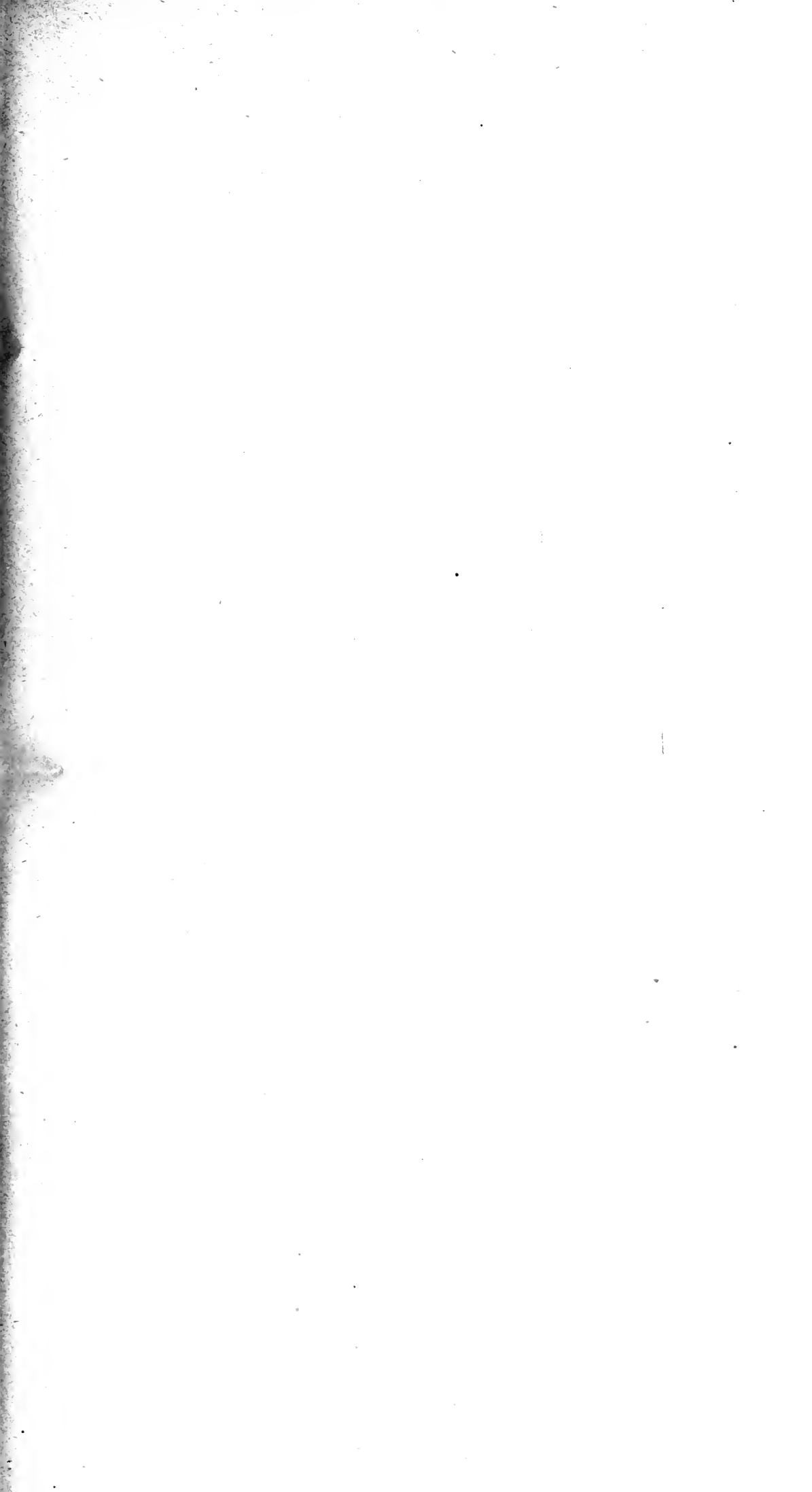
2. It shall also be lawful for the municipal corporation of the said town of Wingham to pass a by-law for the purpose of raising by way of loan on the credit of the debentures of the said corporation a further sum not exceeding in the whole the sum of \$10,000, at a rate of interest not exceeding five per cent. per annum, from any person or persons, body or bodies corporate, who may be willing to advance the same, for the purpose of aiding in the establishment of a foundry in the said town of Wingham, which said aid may be granted by way of loan to any person, company or association of persons now or about to be organized for the purpose of establishing the said foundry, upon such terms and conditions as may be deemed advisable by the municipal council of the said corporation.

By-laws to be submitted to electors.

3. The said by-laws shall, before being finally passed, be submitted to the votes of the electors entitled to vote upon by-laws creating debts not payable within one year from the creation thereof, and shall be approved by not less than two-thirds of the whole number of such electors, and the provisions as to procedure and otherwise contained in *The Municipal Act* and the amendments thereto respecting by-laws creating debts, shall apply to such by-laws to be passed under the authority of this Act, as if expressly incorporated therewith. Provided that the votes of the said electors shall be taken upon each of the said by-laws separately, from the other.

Power to make agreements and take securities.

4. The said municipal corporation shall be and is hereby authorized to enter into such agreement or agreements, and to take such securities as the said municipal council may deem advisable for the due carrying out of the terms and conditions to be imposed by the said corporation upon the respective firms or corporations now or hereafter to be organized, to whom the said aid shall be granted under the provisions of this Act and the said respective by-laws.



No. 39.

3rd Session, 9th Legislature, 6:3 Vict., 1900

BILL.

An Act respecting the Town of Wingham.

| | |
|----------------|-------|
| First Reading, | 1900. |
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(Private Bill)

Mr. ELBER.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting the Town of Port Arthur.

WHEREAS the municipal corporation of the town of Port Arthur has by its petition prayed that it may be authorized to pass the by-law intituled "By-law to exempt from municipal taxation for the period of twenty-one years from the first day of January, 1900, certain property within the limits of the town of Port Arthur, and to aid the Ontario and Rainy River Railway Company, and to authorize a certain agreement," set forth in schedule A to this Act, which by-law has received its first and second readings and has been duly voted on and has received the assent and approval of more than two thirds of the ratepayers of the said town entitled to vote thereon, and for power to enter into the agreement with the said the Ontario and Rainy River Railway Company mentioned in and attached to the said by-law and set forth in the said schedule A hereto; that all assessment rolls of the said town, and all tax sales held prior to the first day of January, 1899, and all sales held by the said town of lands bought in by them under the provisions of sub-section 3 of section 184 of *The Assessment Act*, chapter 224, R.S.O. should be confirmed and validated; that doubts have arisen as to its power to pass a by-law to prescribe the limits within the municipality within which animals may be restrained from running at large, and it is expedient to give the said town power to pass a by-law or by-laws to define such limits; that it is necessary to obtain an extension of time for levying the rates to meet the principal of the debentures set out in schedules A, B and C to *The Port Arthur Act*, 1897, being chapter 74 of 60 Victoria; that it is expedient to increase the number of Electric Railway and Light Commissioners for the said town; that it is expedient to authorize the said town to substitute gravel or other similar walks for worn-out sidewalks in certain parts of the town and to pay the cost thereof out of the general funds of the town; that it is expedient to develop the water power of Current river in the said town for the purposes of the town's electric railway and lighting system, and to issue debentures to an amount not exceeding ten thousand dollars for such purposes. And whereas it is expedient to grant the prayer of the said petition.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Power to exempt certain lands.

1. The municipal council of the corporation of the town of Port Arthur is hereby authorized and empowered to pass the by-law intituled "By-law to exempt from municipal taxation for the period of twenty-one years from the first day of January, 1900, certain property within the limits of the town of Port Arthur, and to aid the Ontario and Rainy River Railway Company, and to authorize a certain agreement," set forth in schedule A to this Act, and it is hereby declared and enacted that the said by-law, the passing of which is hereby authorized, shall when passed be legal, valid and binding upon the said municipal corporation and the ratepayers of the said town, and the said corporation is hereby declared to have full power and authority to enter into the agreement with the said railway company mentioned in and attached to the said by-law and set forth in schedule A hereto, and the said agreement shall be valid and binding in all respects upon the parties thereto, and upon all other parties interested therein, notwithstanding anything to the contrary in *The Municipal Act* contained.

Rev. Stat. c. 223.

Issue of debentures for \$50,000 authorized.

2. The said corporation may issue debentures under its seal and signed by its mayor and countersigned by its treasurer for the time being, for the said sum of \$50,000, in sums of not less than \$100 each, and payable as to principal and interest in the time and manner set out in the said by-law.

Irregularities in form not to invalidate by-law or debentures.

3. No irregularity in the form of the said debentures, or of the said by law, shall render the same invalid or illegal or be allowed as a defence to any action brought against the said corporation for the recovery of the amount of the said debt with interest or any or either of them or any part thereof.

Assessment rolls confirmed.

4. All assessment rolls of the said town heretofore finally passed, and all sales of lands in the said town for arrears of taxes had before the first day of January, 1899, including sales of lands which may have been bought in by the town, or by any trustee for the town, under the provisions of section 184, sub-section 3, of *The Assessment Act*, are hereby confirmed and validated, and the said town is hereby authorized and empowered to sell and dispose of any lands bought in by them or any trustee for them as aforesaid, notwithstanding the lapse of time mentioned in the said sub-section 3.

Sale of non-resident lands for taxes.

5. If any sum or sums assessed or payable after the passing of this Act in request of any assessable real property the said town belonging to persons residing outside of the municipality shall be in arrear and unpaid for twelve months after the 15th day of December in any year, such real property shall be liable to be sold for all arrears of taxes thereon and the provisions of *The Assessment Act* in force for the time being shall apply in the same manner and to the same extent as in the case of taxes in arrear for three years under that Act.

6. All lands bought in by the town under the provisions of sub-section 3, of section 184 of *The Assessment Act*, and which at a public auction sale called for the purpose shall fail to find a purchaser at a sum sufficient to cover the taxes, interest and costs charged against the same, shall vest in and become the absolute property of the town, free from any right of redemption or other claim on the part of the original owner or owners.

Lands offered
for sale when
to vest in town

7. The council of the said town of Port Arthur is hereby authorized and empowered to pass a by-law or by-laws to define the limits within the boundaries of the said town within which animals may be restrained from running at large, and to repeal, alter or amend any such by-law or by-laws, and with power to impound any animal violating the provisions of any such by-law or otherwise deal with such animal or animals or the owner or owners thereof in the manner provided in chapter 272, R. S. O., being "An Act respecting Pounds."

Animals
running at
large.

8. Section 3 of *The Port Arthur Act, 1897*, being chapter 74 of 60 Victoria, is hereby amended by substituting the words and figures "first day of January, 1910" for the words and figures "first day of January, 1900" wherever they occur in the said section, and notwithstanding anything contained in the said Act or any other Act, the said town shall not be required to levy any rate to meet the principal of the debentures mentioned in schedule C to the said Act until the said first day of January, 1910.

60 V. c. 74, s.
3, amended.

9. Section 1 of the last mentioned Act is hereby amended by substituting the words and figures "year 1911" for the words and figures "year 1901" wherever they occur in the said section, and by substituting the words and figures "year 1913" for the words and figures "year 1903" wherever they occur in the said section, and notwithstanding anything contained in the said Act or any other Act, the said town shall not be required to levy any rate to meet the principal of the debentures mentioned in schedules A and B of the said Act until the years 1911 and 1913, respectively.

60 V. c. 74, s.
1, amended.

10. From and after the passing of this Act there shall be four Electric Railway and Light Commissioners, in addition to the Mayor of the town for the time being, one commissioner to be appointed yearly by the council in addition to the three elected under the provisions of sections 3 and 4 of chapter 73 of 58 Victoria, and such commissioner to be appointed after the passing of this Act, to hold office until his successor is appointed as hereinafter mentioned, and thereafter the council shall at its first meeting in each year, after being duly organized, appoint one such commissioner.

Electric Rail-
way and Light
Commissioners

11. From and after the passing of this Act the mayor of the town for the time being, shall *ex officio* be an Electric Railway and Light Commissioner.

Mayor to be a
commissioner
ex officio.

- Re-election or re-appointment of commissioners.** **12.** Any commissioner shall at the expiration of his term of office, be eligible for re-election or re-appointment, and all such commissioners, whether appointed or elected, shall in all respects so far as pertains to their office, be subject to all the statutory qualifications and regulations governing municipal councillors, but nothing herein shall prevent the election or appointment of a member of the High School Board of the said town to the said office, if otherwise qualified. 5
- Members of council not to be commissioners.** **13.** From and after the 31st day of December, 1900, no member of the municipal council of the town of Port Arthur shall be qualified to be elected or appointed to the office of electric railway and light commissioner of the said town, but this shall not apply to the mayor of the said town for the time being. 10
- Sidewalks.** **14.** The council of the said town is hereby authorized and empowered to substitute gravel or other similar walks for such of the sidewalks of the said town as it may be considered inadvisable to repair, and may pay the costs thereof out of the general funds of the municipality, notwithstanding anything to the contrary in *The Municipal Act*, or The Act incorporating the town of Port Arthur, or any other Act. 15 20
- Water power in Current river.** **15.** The said town is hereby authorized and empowered to pass a by-law or by-laws to develop the water power of Current river for the purposes of the town's electric railway and lighting system, and to issue debentures under its seal signed by its treasurer and countersigned by its Mayor, to the amount of not more than \$10,000, in sums of not less than \$100 each, to pay for such work, and such by-law when passed shall be valid and binding to all intents and purposes upon the said corporation and upon all ratepayers thereof. 25 30
- Assent of electors not required.** **16.** It shall not be necessary to obtain the assent of the electors of the said town to the passing of the said by-law or to the issue of the said debentures, or any of them, or to observe the requirements which *The Municipal Act* prescribes in relation thereto. 35
- Informalities not to invalidate.** **17.** No irregularity in the form of the said debentures or of the said by-law shall render the same illegal or invalid, or be allowed as a defence to any action brought against the said corporation for the recovery of the amount of the said debt with interest, or any or either of them, or any part thereof. 40
- Pending actions.** **18.** Nothing herein shall affect any pending action.
- Short title.** **19.** This Act may be cited as "*The Port Arthur Act, 1900.*"

SCHEDULE.

BY-LAW TO EXEMPT FROM MUNICIPAL TAXATION FOR THE PERIOD OF TWENTY-ONE YEARS FROM THE FIRST DAY OF JANUARY, 1900, CERTAIN PROPERTY WITHIN THE LIMITS OF THE TOWN OF PORT ARTHUR, AND TO AID ONTARIO AND RAINY RIVER RAILWAY COMPANY, AND TO AUTHORIZE A CERTAIN AGREEMENT.

1. Whereas the said Company and the Corporation of the Town of Port Arthur purpose to enter into the agreement hereto annexed, and it is expedient to make provision for the carrying out of the terms thereof and to issue the debentures therein mentioned to the extent of fifty thousand dollars.

2. And whereas it will require the sum of \$2,994 to be raised annually by a special rate on the whole rateable property of the said town of Port Arthur for the paying of the said sum of \$50,000 and interest on the debentures to be issued therefor, of which the sum of \$2,000 will be for interest and the sum of \$994 for a sinking fund from which to pay the said debentures.

3. And whereas the amount of the whole rateable property of the said town of Port Arthur according to the last revised assessment roll is \$1,311 573, of which \$296,520 is wholly exempt from taxation, and \$19,700 is exempt except for school taxes.

4. And whereas the amount of the existing debenture debt of the said corporation of the town of Port Arthur is \$236 250, exclusive of local improvement debts secured by special acts, rates or assessments, and there is no part of the principal or interest in arrear.

Therefore the council of the corporation of the town of Port Arthur enacts as follows :

(1). The corporation of the town of Port Arthur may enter into said agreement and execute the same under the seal of the corporation and may carry out its terms and do all things necessary therefor, and upon such execution and upon the said agreement being confirmed by legislation as therein provided for the same shall be valid and binding.

(2). That for the purpose aforesaid it shall be lawful for the Mayor of the said corporation and he is hereby authorized and empowered to cause any number of debentures of the said corporation of the town of Port Arthur to be made, executed and issued to the amount of fifty thousand dollars in sums of not less than one hundred dollars each, which said debentures shall be signed by the Mayor of the said corporation for the time being and countersigned by the Treasurer for the time being of the said corporation, and duly sealed with the corporate seal thereof.

(3). That the said debentures shall bear date upon and be made payable in thirty years from the day hereinafter appointed for the coming into force of this by-law at the Ontario Bank at the City of Toronto.

(4). That the said debentures shall bear interest at and after the rate of four per centum per annum, to be computed from the first day of January, nineteen hundred and one (1901), and such interest shall be made payable half-yearly, namely, on the first day of January and the first day of July in each and every year during the currency of the said debentures at the said Ontario Bank at Toronto, the first of such payments of interest to become due and be payable on the first day of July, 1901, and such debentures shall have attached coupons for such half-yearly interest.

(5). For the purpose of having the said debt hereby created and the interest on the said debentures to be issued therefor as aforesaid the sum of \$2,994 shall be raised, levied and collected in each year, commencing from the first day of January, 1901, of and upon the whole rateable property of the town of Port Arthur by an equal special rate in addition to all other rates during the continuance of such debentures, of which the sum of \$2,000 shall be for such interest, and the sum of \$994 for a sinking fund for the ultimate payment of such debentures.

6. That this by-law shall come into force on the _____ day of January, 1900.

7. The votes of such of the electors of the said town of Port Arthur as

Now this agreement witnesseth and the parties agree the one with the other as follows :

(1) An application shall be made by the corporation to the Legislature of Ontario at its next session for an Act confirming and sanctioning the by-law hereinafter mentioned and the debentures to be issued thereunder and this agreement and authorizing the carrying out of the same and both parties hereto shall promote by all lawful means the passing of said Act.

(2) The corporation shall without delay cause to be introduced into its council and submitted to the ratepayers and if approved by them, duly passed, a by-law in form to be approved of by the company, providing for the issue of debentures to the extent of fifty thousand (\$50,000) dollars, payable in thirty years with interest half yearly at four per cent. per annum, commencing on and from the first day of January, 1901, and for delivery of such debentures to the Company, or to whom it may appoint for the purpose and on the terms hereinafter contained and for the raising of the necessary rate to pay the interest on said debentures and to create a sinking fund for the redemption thereof and providing also for the exemption from taxation and the fixing of assessments hereinafter mentioned and for the confirmation of this agreement and the carrying out thereof.

(3) Upon the said by-law and this agreement being so confirmed by Act of the Legislature, the corporation shall on receiving the security hereinafter mentioned hand over to the company or whom it may appoint, the said fifty thousand (\$50,000) dollars of debentures and it is expressly agreed that the operation of this agreement and the various provisions thereof shall be binding whether the said terminals be provided by the company or by a terminal company, and whether used by the company as now constituted or as hereafter constituted by amalgamation with the Canadian Northern Railway Company or with any other company now or hereafter authorized to enter into such amalgamation and this agreement shall apply to and be binding on the company as now constituted or as hereafter constituted by amalgamation as aforesaid.

(4) Contemporaneously with the handing over of the said debentures, a mortgage, or lien on the following properties, namely : Water Lot X and the broken front and water lots opposite lots numbers 2, 3, 4, 5, 6, 7, 8, 9 and 10, and that portion of the broken front and water lot upon which No. 5 dock is erected. South Water street in the said town of Port Arthur shall be given to the corporation in the sum of \$50,000, as security for the due fulfilment of the company's covenant hereinafter contained to provide the station, round-house, work-shops and elevator, such mortgage or lien to be discharged to the extent of \$25,000 when such station, round-house and work-shops are provided and to be fully discharged when such elevator or elevators are provided. Provided always that such mortgage or lien shall be fully discharged at any time by other securities of like value substituted in lieu thereof.

(5) The company or the terminal company will provide or cause to be provided before the 31st day of December, A. D. , 1902, at a point between Cameron street and Bay street in the town of Port Arthur, a suitable passenger station to accommodate the company's traffic. The company or the terminal company will also provide or cause to be provided before the 31st day of December, A. D. 1902, a round-house and work-shops suitable for the traffic of the company within one and one-half miles south of Arthur street in Port Arthur, also a grain elevator or elevators, of not less than a total of one million bushels capacity. Provided always that if by reason of strikes, inclemency of weather, delays in procuring material or workmen, or other causes for which the company or terminal company may not be responsible, the said station, round-house, work-shops and elevators or any of them are delayed, so that the same cannot be provided within the time above specified the period therefore shall be extended for such a reasonable time as may compensate for such delay.

6. The said passenger station, roundhouse, workshops, elevator, or elevators, shall be used by the company in connection with its said terminals and shall be at all times maintained or caused to be maintained by the company or terminal company within the limits respectively above

defined. Local and through passenger and freight traffic shall, subject always to the instructions of passengers and shippers, be handled as far as practicable within the said town of Port Arthur; the passenger traffic shall be handled between Cameron street and Ray street and the freight traffic as far practicable shall be handled within one mile south of Arthur street and steamboat connections therefor shall be made within the said limits. The general offices of the company for the said terminals, shall be continuously maintained at the said town of Port Arthur.

7. The company shall, free of charge, continuously allow or cause to be continuously allowed vessels of all descriptions to embark or disembark passengers over a suitable wharf or wharves upon said terminals to be designated from time to time by the company or terminal company.

8. The company shall continuously allow or cause to be continuously allowed, vessels of all descriptions to receive and discharge goods, wares and merchandise of all kinds, over a suitable wharf or wharves upon the said terminals to be designated from time to time by the company or terminal company, upon payment of reasonable dues and charges to be fixed by the company or terminal company from time to time, and should any dispute arise between the company or terminal company and the corporation as to the reasonableness of an such tariff, such dispute shall be decided by the railway committee of the privy council of Canada.

9. Should the corporation desire to erect a public wharf for the purposes mentioned in clauses 7 and 8 hereof, the company shall lease or cause to be leased to the corporation for that purpose, at a fair rental, a suitable and convenient piece of water frontage, the location and size of such piece, the amount of rental, the period and terms of the lease and all other things relating to the matter should be agreed on by the company or terminal company and the corporation and in default of agreement shall be settled by the railway committee of the privy council of Canada, provided always that if and when such wharf has been erected by the corporation the company shall be relieved from the obligations contained in clauses 7 and 8 hereof.

10. The company may from time to time and at all times place and use tracks upon, across and along all streets in the town of Port Arthur south of Arthur street and east of the Canadian Pacific Railway line the said town. Provided always that convenient public access to and from the water shall not be reasonably obstructed by the company or the terminal company from the foot of Arthur street and the foot of Pearl street overland at or near those points forming part of the terminal property.

11. All property real and personal of the company and the terminal company in the town of Port Arthur and all property real and personal in the said town embraced in the late sale by the High Court of Justice for Ontario, under the mortgage securing the bonds of the Port Arthur, Duluth and Western Railway Company and all additions and all improvements to any of such properties, shall be and the same are hereby declared to be exempt from all municipal taxes except school taxes for and during the period of twenty-one years from the 1st January, 1900. Provided, however, that any of such property which may not be used by the company or terminal company and which may only be used by others substantially for purposes not connected with the business of the company or of the terminals shall while being so used and to the extent of user be subject to taxation in the ordinary way.

12. The property, real and personal, of the company and the terminal company in Port Arthur, and all property, real and personal, in the said town embraced in the late sale by the High Court of Justice for Ontario, under the mortgage securing the bonds of the Port Arthur, Duluth and Western Railway Company, and all additions and improvements to any of such properties, shall not be assessed for school taxes during the years 1900 to 1909, both inclusive, at greater sums in the aggregate than the following, namely: During 1900 to 1904, both inclusive, \$100,000, and during the years 1905 to 1909, both inclusive, \$200,000.

13. Should the company substantially fail to observe and perform its covenants and agreements herein contained after notice from the corporation as hereinafter mentioned, the exemptions from taxation and limita-

tions of assessment above provided for shall cease thereafter, and should any dispute arise as to whether or not the Company has so failed, such dispute, including the question as to the time of failure, shall be decided by the Railway Committee of the Privy Council of Canada, and in the event of such failure being established, the property theretofore exempt from taxation or limited in assessment may from the time of such failure be liable to taxation and assessment in the usual way. Provided always, that the corporation shall not have the right to complain of any alleged failure on the part of the company unless and until the corporation serves on the company a notice specifying the particular breach complained of, and, if the breach is capable of remedy, requiring the company to remedy the breach, and if the breach is not capable of remedy, require the company to make compensation in money for the breach, and the company fails within a reasonable time thereafter to remedy the breach or to make reasonable compensation in money for the breach as aforesaid.

14. This agreement shall not take effect unless or until authorized or confirmed by legislation, but upon being so authorized or confirmed it shall take effect, and thereupon the agreement between the parties hereto, dated the 15th May, 1897, respecting the company's terminals at Port Arthur and the municipal taxation of the company there shall be and the same is hereby rescinded.

No. 40.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting the Town of Port Arthur.

| | |
|----------------|------|
| First Reading, | 1900 |
|----------------|------|

(Private Bill.)

Mr. CONNIE.

TORONTO :

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act respecting the Town of Port Arthur.

WHEREAS the Municipal Corporation of the Town of Port Arthur has^{as} by petition, represented that the Ontario and Rainy River Railway Company is now engaged in the construction of a line of railway which is to form a portion of a new and independant line of railway between Winnipeg and Port Arthur, having a terminus at Port Arthur, and whereas the said Corporation has^{by} by the said petition prayed that by-law^{number} number 551 of the said Corporation^{intituled} intituled "By-law to exempt from municipal taxation for the period of twenty-one years from the first day of January, 1900, certain property within the limits of the Town of Port Arthur, and to aid the Ontario and Rainy River Railway Company, and to authorize a certain agreement," set forth in schedule A to this Act, which by-law has been duly^{submitted} submitted to the rate-payers^{and} and has received the assent and approval of more than two-thirds of the ratepayers of the said Town entitled to vote thereon,^{not} not more than twenty ratepayers having voted against the same,^{and} and^{which} which said by-law was finally passed by the Municipal Council of the said Town on the 17th day of March, 1900, and whereas the said Municipal Corporation has further prayed^{for} for power to enter into the agreement with the said the Ontario and Rainy River Railway Company mentioned in and attached to the said by-law and set forth in the said Schedule A hereto;^{and} and whereas the said Corporation has further prayed^{that} that all assessment rolls of the said town, and all tax sales held prior to the first day of January, 1899, and all sales held by the said town of lands bought in by them under the provisions of sub-section 3 of section 184 of *The Assessment Act* should be confirmed and validated; *and whereas* doubts have arisen as to^{the} the power of the council of the said Corporation^{to} to pass a by-law to prescribe the limits within the municipality within which animals may be restrained from running at large, and^{the} the said Corporation has represented that^{it} it is expedient to give the said Town power to pass a by-law or by-laws to define such limits;^{and} and whereas the said Corporation has further represented^{that} that it is necessary to obtain an extension of time for levying the rates to meet the principal of the debentures set out in schedules A, B and C to *The Port Arthur Act, 1897*, being chapter 74 of^{the} the Acts passed in the 60th year of Her Majesty's reign,^{and} and whereas it is expedient to grant the prayer of the said petition.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Power to exempt certain lands.

1. The By-law of the Municipal Corporation of the Town of Port Arthur, finally passed on the 17th day of March, 1900, ^{is}intituled "By-law to exempt from municipal taxation for the period of twenty-one years from the first day of January, 1900, certain property within the limits of the Town of Port Arthur, and to aid the Ontario and Rainy River Railway Company, and to authorize a certain agreement," set forth in schedule A to this Act, ^{is}is confirmed and declared to be ^{be} legal, valid and binding upon the said Municipal Corporation and the ratepayers of the said Town, and the said Corporation is hereby declared to have full power and authority to enter into the agreement with the said railway company mentioned in and attached to the said by-law and set forth in schedule A hereto, and the said agreement shall be valid and binding in all respects upon the parties thereto, and upon all other parties interested therein, notwithstanding anything to the contrary in *The Municipal Act* contained.

Rev. Stat. c. 223.

Issue of debentures for \$50,000 authorized.

2. The said Corporation may issue debentures under its seal, and signed by *the* mayor and countersigned by *the* treasurer of *the said Town* for the time being, for the said sum of \$50,000, in sums of not less than \$100 each, and payable as to principal and interest in the time and manner set out in the said by-law.

Irregularities in form not to invalidate by-law or debentures.

3. No irregularity in the form of the said debentures, or of the said by-law, shall render the same invalid or illegal or be allowed as a defence to any action brought against the said Corporation for the recovery of the amount of the said debt with interest or any or either of them or any part thereof.

Assessment rolls confirmed.

4. All assessment rolls of the said town heretofore finally passed, and all sales of lands in the said town for arrears of taxes had before the first day of January, 1899, including sales of lands which may have been bought in by the town, or by any trustee for the town, under the provisions of section 184, sub-section 3, of *The Assessment Act*, are hereby confirmed and validated; ^{is}the owner of any land so bought in by or for the town, or his executors, administrators or assigns, may at any time within three months from the passing of this Act redeem the estate sold by paying to the town treasurer the full amount of taxes due at the date of sale and the expenses of such sale; and the treasurer shall give to the person paying such redemption money a receipt stating the sum paid and the object of payment; and such receipt shall be evidence of the redemption. Provided that this section shall not make valid any sale where taxes were not in arrear in respect of the land sold for the third or more years preceding the sale, nor any sale where an action is brought to set such sale aside and a certificate of *lis-pendens* is duly registered within six months from the passing of this Act, nor any sale of land which has not been correctly described in the advertisement. ^{is}

Sale of non-resident lands for taxes.

5. It shall be the duty of the town treasurer to offer for sale at a public auction called for the purpose any lands bought

in by the town under the provisions of subsection 3 of section 184 of *The Assessment Act* at any time within seven years from the time it acquired the same, of which auction one months notice shall be given by public advertisement in a local newspaper, and if at any such public auction the said lands shall fail to find a purchaser at a sum sufficient to cover the amount of taxes due and interest and costs chargeable against the same, the said lands shall at the expiration of six months from the date of such sale, inclusive of such date, vest in and become the absolute property of the town, free from any right of redemption or other claim on the part of the original owner or owners, unless the owner or his executors, administrators or assigns shall before the expiration of such period of six months have *redeemed* the same by payment of said sum.

In the event of a sale of any lands at any such auction sale for a sum sufficient to cover the amount aforesaid, the owner or his executors, administrators or assigns, may at any time within six months from the day of sale, exclusive of that day, redeem the estate sold by paying to the town treasurer for the use and benefit of the purchaser or his legal representative the sum paid by him, together with five per centum thereon, and the treasurer shall give to the person paying such redemption money a receipt stating the sum paid; and such receipt shall be evidence of the redemption.

6. The council of the said town of Port Arthur is hereby authorized and empowered to pass a by-law or by-laws to define the limits within the boundaries of the said town within which animals may be restrained from running at large, and to repeal, alter or amend any such by-law or by-laws, and with power to impound any animal violating the provisions of any such by-law or otherwise deal with such animal or animals or the owner or owners thereof in the manner provided in chapter 272, R. S. O., being "An Act respecting Pounds." Animals running at large.

7. Notwithstanding anything contained in *The Port Arthur Act, 1897*, being chapter 74 of the Acts passed in the 60th year of Her Majesty's reign, or in any other Act, the said Town shall not be required to levy any rate to meet the principal of the debentures mentioned in Schedule C to the said Act until the said debentures are renewed either before or at maturity by the issue of Consolidated Debt Debentures under the provisions of the Act passed in the 54th year of Her Majesty's reign, chaptered 78.

8. Section 1 of the last mentioned Act is hereby amended by substituting the words and figures "year 1921" for the words and figures "year 1901" wherever they occur in the said section, and by substituting the words and figures "year 1923" for the words and figures "year 1903" wherever they occur in the said section, and notwithstanding anything contained in the said Act or any other Act, the said town shall

not be required to levy any rate to meet the principal of the debentures mentioned in schedules A and B of the said Act until the years 1921 and 1923, respectively.

Pending actions.

9. Nothing herein contained shall affect any pending action

Short title.

10. This Act may be cited as "*The Port Arthur Act, 1900.*"

SCHEDULE.

By-law 551.

BY-LAW TO EXEMPT FROM MUNICIPAL TAXATION FOR THE PERIOD OF TWENTY-ONE YEARS FROM THE FIRST DAY OF JANUARY, 1900, CERTAIN PROPERTY WITHIN THE LIMITS OF THE TOWN OF PORT ARTHUR, AND TO AID ONTARIO AND RAINY RIVER RAILWAY COMPANY, AND TO AUTHORIZE A CERTAIN AGREEMENT.

1. Whereas the said Company and the Corporation of the Town of Port Arthur purpose to enter into the agreement hereto annexed, and it is expedient to make provision for the carrying out of the terms thereof and to issue the debentures therein mentioned to the extent of fifty thousand dollars.

2. And whereas it will require the sum of \$2,994 to be raised annually by a special rate on the whole rateable property of the said town of Port Arthur for the paying of the said sum of \$50,000 and interest on the debentures to be issued therefor, of which the sum of \$2,000 will be for interest and the sum of \$994 for a sinking fund from which to pay the said debentures.

3. And whereas the amount of the whole rateable property of the said town of Port Arthur according to the last revised assessment roll is \$1,311 573, of which \$296,520 is wholly exempt from taxation, and \$19,700 is exempt except for school taxes.

4. And whereas the amount of the existing debenture debt of the said corporation of the town of Port Arthur is \$236,250, exclusive of local improvement debts secured by special acts, rates or assessments, and there is no part of the principal or interest in arrear.

Therefore the council of the corporation of the town of Port Arthur enacts as follows :

(1). The corporation of the town of Port Arthur may enter into said agreement and execute the same under the seal of the corporation and may carry out its terms and do all things necessary therefor, and upon such execution and upon the said agreement being confirmed by legislation as therein provided for the same shall be valid and binding.

(2). That for the purpose aforesaid it shall be lawful for the Mayor of the said corporation and he is hereby authorized and empowered to cause any number of debentures of the said corporation of the town of Port Arthur to be made, executed and issued to the amount of fifty thousand dollars in sums of not less than one hundred dollars each, which said debentures shall be signed by the Mayor of the said corporation for the time being and countersigned by the Treasurer for the time being of the said corporation, and duly sealed with the corporate seal thereof.

(3). That the said debentures shall bear date upon and be made payable in thirty years from the day hereinafter appointed for the coming into force of this by-law at the Ontario Bank at the City of Toronto.

(4). That the said debentures shall bear interest at and after the rate of four per centum per annum, to be computed from the first day of January, nineteen hundred and one (1901), and such interest shall be made payable half-yearly, namely, on the first day of January and the first day of July in each and every year during the currency of the said debentures at the said Ontario Bank at Toronto, the first of such payments of interest to

become due and be payable on the first day of July, 1901, and such debentures shall have attached coupons for such half-yearly interest.

(5). For the purpose of having the said debt hereby created and the interest on the said debentures to be issued therefor as aforesaid the sum of \$2,994 shall be raised, levied and collected in each year, commencing from the first day of January, 1901, of and upon the whole rateable property of the town of Port Arthur by an equal special rate in addition to all other rates during the continuance of such debentures, of which the sum of \$2,000 shall be for such interest, and the sum of \$994 for a sinking fund for the ultimate payment of such debentures.

6. That this by-law shall come into force on the _____ day of January, 1900.

7. The votes of such of the electors of the said town of Port Arthur as are entitled to vote thereon shall be taken on this by-law on Monday, the first day of January, 1900, commencing at nine o'clock in the morning and continuing until five o'clock in the afternoon, at the following places and by the Deputy Returning Officers hereinafter mentioned, that is to say :

POLLING SUB-DIVISION No. 1.

Embracing all that part of the town of Port Arthur known as the First Ward, at the Council Chamber on Park street, by Mr. NEIL MACDUGALL as Deputy Returning Officer.

POLLING SUB-DIVISION No. 2.

Embracing all that part of the town of Port Arthur known as the Second Ward at Lot No. 5, on the west side of Cumberland street, by Mr. WILLIAM A. McCALUM as Deputy Returning Officer.

POLLING SUB-DIVISION No. 3.

Embracing all that part of the town of Port Arthur known as the Third Ward, at the office of A. L. Russell, by Mr. JOHN M. MUNRO as Deputy Returning Officer.

8. On Saturday, the 30th day of December, 1899, at his office in the Council Chamber on Park street in the town of Port Arthur, at eleven o'clock in the forenoon, the Mayor shall, in writing signed by him, appoint two persons to attend to the formal summing up of the votes by the Clerk of this corporation, and one person to attend each polling place on behalf of the persons interested in and desirous of promoting the passing of this by-law, and a like number on behalf of the persons interested in and desirous of opposing the passing of this by-law, respectively.

9. The 2nd day of January, 1900, at the Council Chamber aforesaid, at 12 o'clock at noon, is hereby appointed for the summing, by the Clerk of this corporation, of the number of votes given for and against this by-law, respectively.

| | | |
|-------------------------------|----------|-----------------------|
| Council Chamber, Port Arthur, | _____ | day of January, 1900. |
| | (Signed) | GEO. H. MACDONNELL, |
| [Corporate Seal.] | | Mayor. |
| | (Signed) | J. McTEIGUE, |
| | | Clerk. |

AGREEMENT made the _____ day of _____ A. D. 1

Between :—

The Ontario and Rainy River Railway *Company*, hereinafter called the *Company*,

Of the First Part,

—and—

the Corporation of the Town of Port Arthur, Ontario, hereinafter called the Corporation,

Of the Second Part.

Whereas the corporation is desirous that the company shall establish its terminals on Lake Superior within the limits of the corporation and should provide thereon a grain elevator, round-house and work-shops and the company is willing to do so upon the corporation granting the bonus and on the terms hereinafter mentioned.

Now this agreement witnesseth and the parties agree the one with the other as follows :

(1) An application shall be made by the corporation to the Legislature of Ontario at its next session for an Act confirming and sanctioning the by-law hereinafter mentioned and the debentures to be issued thereunder and this agreement and authorizing the carrying out of the same and both parties hereto shall promote by all lawful means the passing of said Act.

(2) The corporation shall without delay cause to be introduced into its council and submitted to the ratepayers and if approved by them, duly passed, a by-law in form to be approved of by the company, providing for the issue of debentures to the extent of fifty thousand (\$50,000) dollars, payable in thirty years with interest half yearly at four per cent. per annum, commencing on and from the first day of January, 1901, and for delivery of such debentures to the Company, or to whom it may appoint for the purpose and on the terms hereinafter contained and for the raising of the necessary rate to pay the interest on said debentures and to create a sinking fund for the redemption thereof and providing also for the exemption from taxation and the fixing of assessments hereinafter mentioned and for the confirmation of this agreement and the carrying out thereof.

(3). Upon the said by-law and this agreement being so confirmed by Act of the Legislature, the corporation shall on receiving the security hereinafter mentioned hand over to the company or whom it may appoint, the said fifty thousand (\$50,000) dollars of debentures and it is expressly agreed that the operation of this agreement and the various provisions thereof shall be binding whether the said terminals be provided by the company or by a terminal company, and whether used by the company as now constituted or as hereafter constituted by amalgamation with the Canadian Northern Railway Company or with any other company now or hereafter authorized to enter into such amalgamation and this agreement shall apply to and be binding on the company as now constituted or as hereafter constituted by amalgamation as aforesaid.

(4). Contemporaneously with the handing over of the said debentures, a mortgage, or lien on the following properties, namely : Water Lot X and the broken front and water lots opposite lots numbers 2, 3, 4, 5, 6, 7, 8, 9 and 10, and that portion of the broken front and water lot upon which No. 5 dock is erected, South Water street, in the said town of Port Arthur shall be given to the corporation in the sum of \$50,000, as security for the due fulfilment of the company's covenant hereinafter contained to provide the station, round-house, work-shops and elevator, such mortgage or lien to be discharged to the extent of \$25,000 when such station, round-house and work-shops are provided and to be fully discharged when such elevator or elevators are provided. Provided always that such mortgage or lien shall be fully discharged at any time by other securities of like value substituted in lieu thereof.

(5). The company or the terminal company will provide or cause to be provided before the 31st day of December, A.D. 1902, at a point between Cameron street and Bay street in the town of Port Arthur, a suitable passenger station to accommodate the company's traffic. The company or the terminal company will also provide or cause to be provided before the 31st day of December, A.D. 1902, a round-house and work-shops suitable for the traffic of the company within one and one-half miles south of Arthur street in Port Arthur, also a grain elevator or elevators, of not less than a total of one million bushels capacity. Provided always that if by reason of strikes, inclemency of weather, delays in procuring material or workmen, or other causes for which the company or terminal company may not be responsible, the said station, round-house, work-shops and elevators or any of them are delayed, so that the same cannot be provided within the time above specified the period therefor shall be extended for such a reasonable time as may compensate for such delay.

6. The said passenger station, roundhouse, workshops, elevator, or elevators, shall be used by the company in connection with its said terminals and shall be at all times maintained or caused to be maintained by the company or terminal company within the limits respectively above

defined. Local and through passenger and freight traffic shall, subject always to the instructions of passengers and shippers, be handled as far as practicable within the said town of Port Arthur; the passenger traffic shall be handled between Cameron street and Ray street and the freight traffic as far practicable shall be handled within one mile south of Arthur street and steamboat connections therefor shall be made within the said limits. The general offices of the company for the said terminals, shall be continuously maintained at the said town of Port Arthur.

7. The company shall, free of charge, continuously allow or cause to be continuously allowed vessels of all descriptions to embark or disembark passengers over a suitable wharf or wharves upon said terminals to be designated from time to time by the company or terminal company.

8. The company shall continuously allow or cause to be continuously allowed, vessels of all descriptions to receive and discharge goods, wares and merchandise of all kinds, over a suitable wharf or wharves upon the said terminals to be designated from time to time by the company or terminal company, upon payment of reasonable dues and charges to be fixed by the company or terminal company from time to time, and should any dispute arise between the company or terminal company and the corporation as to the reasonableness of any such tariff, such dispute shall be decided by the railway committee of the privy council of Canada.

9. Should the corporation desire to erect a public wharf for the purposes mentioned in clauses 7 and 8 hereof, the company shall lease or cause to be leased to the corporation for that purpose, at a fair rental, a suitable and convenient piece of water frontage, the location and size of such piece, the amount of rental, the period and terms of the lease and all other things relating to the matter should be agreed on by the company or terminal company and the corporation and in default of agreement shall be settled by the railway committee of the privy council of Canada, provided always that if and when such wharf has been erected by the corporation the company shall be relieved from the obligations contained in clauses 7 and 8 hereof.

10. The company may from time to time and at all times place and use tracks upon, across and along all streets in the town of Port Arthur south of Arthur street and east of the Canadian Pacific Railway line in the said town. Provided always that convenient public access to and from the water shall not be unreasonably obstructed by the company or the terminal company from the foot of Arthur street and the foot of Pearl street overlaid at or near those points forming part of the terminal property.

11. All property real and personal of the company and the terminal company in the town of Port Arthur and all property real and personal in the said town embraced in the late sale by the High Court of Justice for Ontario, under the mortgage securing the bonds of the Port Arthur, Duluth and Western Railway Company and all additions and all improvements to any of such properties, shall be and the same are hereby declared to be exempt from all municipal taxes except school taxes for and during the period of twenty-one years from the 1st January, 1900. Provided, however, that any of such property which may not be used by the company or terminal company and which may only be used by others substantially for purposes not connected with the business of the company or of the terminals shall while being so used and to the extent of such user be subject to taxation in the ordinary way.

12. The property, real and personal, of the company and the terminal company in Port Arthur, and all property, real and personal, in the said town embraced in the late sale by the High Court of Justice for Ontario, under the mortgage securing the bonds of the Port Arthur, Duluth and Western Railway Company, and all additions and improvements to any of such properties, shall not be assessed for school taxes during the years 1900 to 1909, both inclusive, at greater sums in the aggregate than the following, namely: During 1900 to 1904, both inclusive, \$100,000, and during the years 1905 to 1909, both inclusive, \$200,000.

13. Should the company substantially fail to observe and perform its covenants and agreements herein contained after notice from the corporation as hereinafter mentioned, the exemptions from taxation and limita-

tions of assessment above provided for shall cease thereafter, and should any dispute arise as to whether or not the Company has so failed, such dispute, including the question as to the time of failure, shall be decided by the Railway Committee of the Privy Council of Canada, and in the event of such failure being established, the property theretofore exempt from taxation or limited in assessment may from the time of such failure be liable to taxation and assessment in the usual way. Provided always, that the corporation shall not have the right to complain of any alleged failure on the part of the company unless and until the corporation serves on the company a notice specifying the particular breach complained of, and, if the breach is capable of remedy, requiring the company to remedy the breach, and if the breach is not capable of remedy, require the company to make compensation in money for the breach, and the company fails within a reasonable time thereafter to remedy the breach or to make reasonable compensation in money for the breach as aforesaid.

14. This agreement shall not take effect unless or until authorized or confirmed by legislation, but upon being so authorized or confirmed it shall take effect, and thereupon the agreement between the parties hereto, dated the 15th May, 1897, respecting the company's terminals at Port Arthur and the municipal taxation of the company there shall be and the same is hereby rescinded.

No. 40.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting the Town of Port Arthur.

First Reading, 14th March, 1900.

*(Reprinted as amended by Private
Bills Committee.)*

(Private Bill.)

Mr. CONNIE.

TORONTO :

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting the Town of Lindsay and the
Lindsay Waterworks.

WHEREAS the corporation of the town of Lindsay have Preamble.
by their petition represented that they have entered
into an agreement with the Lindsay Waterworks Company,
dated the 5th day of December, A.D. 1899, for the purchase of
5 their waterworks and all property and appliances used in con-
nection therewith and water franchise, at the price or sum of
\$75,000 payable in debentures with interest at three and
one-half per cent. per annum as therein mentioned, which said
agreement is set forth in full in schedule A hereto, and that
10 a by-law affirming the expediency of purchasing the said
waterworks, ratifying and confirming the said agreement, and
providing for the management of said waterworks by a board
of four commissioners to be composed of the mayor and three
15 commissioners, to hold office for three years, one to retire each
year, was submitted to a vote of the ratepayers at the last
municipal elections and carried by a large majority, and that
the said corporation have passed a by-law, No. 881, providing
for the issuing of the said debentures and carrying out said
20 agreement, which said by-law is set forth in schedule B
hereto. And whereas the said corporation have by their said
petition prayed that the said agreement and by-law set forth
in schedules A and B hereto may be ratified and confirmed
and provision made for the management of the said water-
works by a board of four commissioners, and it is expedient to
25 grant the prayer of the said petition.

Therefore Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows :

1. The said agreement made between the Lindsay Water-
30 works company and the corporation of the town of Lindsay, Agreement between town and Water-works Co. confirmed.
dated 5th December, A.D. 1899, set forth in schedule A hereto,
and the said by-law, No. 881, set forth in schedule B hereto,
are hereby ratified and confirmed and declared valid and bind-
ing on the corporation, notwithstanding anything in any Act
35 to the contrary, and the said corporation are hereby authorized
and empowered to issue debentures as provided for by said
by-law and to carry out said purchāse.

2. The said waterworks so purchased and all lands and Debentures to be charged on water-works.
property appertaining thereto or used in connection therewith,
40 and all extensions or additions thereto and improvements

thereof, shall be and the same are hereby charged with the re-payment of the said debentures to be issued under the said by-law and interest thereon, which debentures are to be called waterwork's debentures, and the holders of such waterworks debentures shall have a preferential charge on the said water- 5 works and property as aforesaid for securing payment of the said waterworks debentures and interest. It is hereby declared that the said waterworks debentures shall form no part of the general debt of the town of Lindsay and it shall not be necessary to recite the amount thereof in any by-law 10 for borrowing money on the credit of the town.

Application
of Rev. Stat.
c. 235.

3. *The Municipal Waterworks Act* shall apply to the said water works when purchased, and the same shall be managed by a board of four commissioners who shall have all the powers, rights, authorities and immunities as provided by said Act, 15 and it shall not be necessary to submit any by-law for that purpose to a vote of the ratepayers, they having already voted their approval thereof.

Waterworks
commission,
how com-
posed.

4. The mayor of the town of Lindsay shall *ex officio* be one of the commissioners, and the other three shall be elected 20 as provided by said Act, except that the said commissioners shall after the first election continue in office for three years and until his successor has been elected, and after the first election one commissioner shall be elected annually at the same time and in the same manner as the mayor. 25

Election of
commis-
sioners.

5. The corporation shall forthwith after the passing of this Act pass a by-law and fix a time and provide for the first election of commissioners, and the election shall proceed and take place in the same manner as the election of a mayor, except that each elector may vote for three commissioners, and 30 all the provisions of *The Municipal Act* in reference to elections for mayors shall apply thereto, and the commissioner elected having the lowest number of votes shall retire at the next annual municipal election, and the one having the second lowest number of votes shall retire at the second annual elec- 35 tion, and thereafter the commissioners shall retire in rotation. In the event of the first three commissioners being elected by acclamation, the board of commissioners shall at their first meeting determine by lot the order in which they shall retire respectively, and in case of a vacancy from any cause or causes 40 occurring at any time on the board, the municipal council of the said town may, by by-law, appoint a commissioner to hold office until the next annual election, when a new commissioner shall be elected to fill the said vacancy, who shall hold office for the residue of the term of the commissioner whose seat 45 during the previous year had become vacant, and the election to fill such vacancy shall be a separate election from the election of the commissioners then to be elected for three years.

Short title.

6. This Act may be cited as "*The Lindsay Waterworks Act, 1900.*" 50

SCHEDULE A.

Memorandum of Agreement made this fifth day of December, A. D. 1899, between the Lindsay Waterworks Company, hereinafter called the company, of the first part, and the corporation of the town of Lindsay, of the second part.

Whereas, the town are desirous of purchasing the waterworks of the company in the town of Lindsay, and all their property used in connection therewith, and under the Statute in that behalf and under two certain agreements with the company, dated respectfully the thirtieth day of April, A. D., 1892, and the nineteenth day of November A. D., 1895, the town have the right to purchase the same at a price to be fixed by arbitration.

And whereas, under the statute it is also provided that the council and the company may, if they think fit, agree as to the amount to be paid for the works and property of the company.

And whereas, the council and the company have agreed upon the sum of \$75,000 as the amount to be paid by the town to the company for their works and property and appliances and water franchise hereinafter mentioned, on the terms hereinafter mentioned.

Now this indenture witnesseth that the said parties hereby mutually covenant, promise and agree to and with each other and their respective successors and assigns as follows :

1. The company hereby agree to sell to the town, and the town hereby agree to purchase from the company the waterworks of the company in the town of Lindsay and all their property used in connection therewith, at the price or sum of seventy-five thousand dollars, which is hereby fixed as the price to be paid therefor under the statute and agreements between the town and the company, without going to arbitration to settle the same. It being understood and agreed that the town are to receive all the company's real estate, waterworks, stand pipe, mains, hydrants, pumps, boilers, engines, plant, machinery, appliances, diving suit, tapping machine, tools and all other property and apparatus used in connection with the waterworks. And also all plans, drawings, and other papers showing the description and location of the works, also such of their books as may be necessary for the town to assist them in carrying on the works, including the water register and meter register. Also the right to use the water from the river Seugog for the purpose of the works, which right the company are to obtain from the Flavelle Milling Company, Limited, at their own expense.

2. The company are to retain possession of the works up to and inclusive of the thirtieth day of June, 1900, and are to maintain and operate the same and receive all water rates and revenues up to that date. It being understood that the rates known as lawn rates, for service from 1st of May to 1st October, are to be apportioned two-fifths to the company and three-fifths to the town, and the company agree to account to the town for their proportion of any such rates collected by them. This is, however, not to apply to the rates for lawn service included in the flat rate for house service, which are collected half-yearly.

3. The said sum of \$75,000 to be paid in debentures of the town with interest at three and one-half per cent., payable half-yearly on the first day of January and July in each year, dating from the first day of July A. D., 1900, such debentures to be in such amounts not less than one hundred dollars as the company may require, and to bear interest only for the first ten years, and afterwards to be payable in thirty years in instalments so that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years, such debentures to be known as waterworks debentures and to be made a first charge upon said waterworks and all property appertaining thereto or used in connection therewith and all extensions and improvements thereof; such debentures and coupons attached thereto for interest to be expressed in sterling money of

Great Britain or currency of Canada and to be made payable at the bank of Montreal or town Treasurer's office in the town of Lindsay, as the company may desire.

4. The Company agree to make all necessary repairs and deliver the works in as good condition as they are now, upon the thirtieth day of June next, upon receiving the consideration hereby provided for, the town to be at liberty to make any extensions or improvements that they may see fit, and for that purpose shall be entitled to the services of the company's superintendent or manager, upon paying the company a reasonable compensation thereof. The town also agree to pay the company all expenditure they may make upon capital account after the first day of January, 1900, in putting in service to the street line, meters and such like matters, and also for all coal and supplies on hand when delivered over with the said works.

5. This agreement is conditional upon the same being approved of by the rate-payers of the town of Lindsay in a by-law to be submitted to them at the next municipal elections in January next.

6. In the event of the approval of the electors being obtained, the town agree to pass a by-law authorizing the issue of said debentures and to apply to the Legislative Assembly of the Province of Ontario at its next session, for a special Act ratifying and confirming this agreement and the by-law authorizing the issue of said debentures, which are to be incorporated in said Act.

7. The said debentures are to be delivered to the Company upon their giving the town a proper conveyance of all the aforesaid property, in good condition and proper repair as aforesaid, free from encumbrance, and giving them possession thereof.

8. In the event of the town failing to obtain the consent of the rate-payers to said by-law, or failing to obtain said special Act, this agreement shall be null and void, except that the town shall pay to the Company their disbursements, which are hereby fixed at the sum of one hundred dollars.

In witness whereof the President of the said the Lindsay Waterworks Company has hereunto set his hand and affixed the corporate seal of said Company, and the mayor of the said the corporation of the town of Lindsay has hereunto set his hand and affixed the corporate seal of said corporation.

| | | |
|--|---|--|
| Signed, sealed and delivered in the presence of | } | For The Lindsay Waterworks Co., |
| By The Lindsay Waterworks Co., | | G. H. HOPKINS, Pres't. Corporate Seal of the Lindsay Waterworks Company. |
| M. E. SHERRIFF. | } | For the Town of Lindsay, |
| By the Town of Lindsay, | | THOS. WALTERS, Mayor. Corporate Seal of the Town of Lindsay. |
| G. H. KNOWLSON. | | |

Ontario, }
to Wit: } To all to whom these presents shall come :

I, Gerard Holmes Hopkins, a notary public, in and for the Province of Ontario, do certify and attest that the within paper is a true copy of a document produced to me by Frederick Knowlson, Esquire, town clerk, and purporting to be an agreement made between the Lindsay Waterworks Company and the corporation of the town of Lindsay, dated the 5th December, A.D., 1899, the said copy having been compared by me with the said original.

An Act whereof being requested I have granted the same under my notarial form and seal of office to serve and avail as occasion may require.

G. H. HOPKINS,
Notary Public, Ontario.

BY-LAW No. 881.

A BY-LAW TO AUTHORIZE THE ISSUE OF DEBENTURES FOR \$75,000
TO PURCHASE THE LINDSAY WATERWORKS.

Whereas, by agreement dated the 5th day of December, A. D. 1899, the town of Lindsay agreed with The Lindsay Waterworks Company for the purchase of their waterworks and all property and appliances used in connection therewith and water franchise, at or for the price or sum of \$75,000, payable in debentures with interest at three and one-half per cent., payable half-yearly as therein mentioned.

And whereas, by by-law No. 878, approved of by the ratepayers on the 1st January, 1900, and finally passed on the 8th day of January, 1900, it was enacted that it was expedient in the interest of the town to acquire the said waterworks on the terms and conditions mentioned in said agreement, and the said agreement was thereby ratified and confirmed, and the council authorized to pass all necessary by-laws to issue said debentures and carry out said agreement.

And whereas, for the purpose aforesaid, it is necessary to create a debt of \$75,000 and to issue debentures therefor in manner hereinafter mentioned.

And whereas, it is provided by said agreement, and this municipality has resolved, that the said debentures shall bear interest at the rate of three and one-half per cent. per annum, payable half yearly, and that the interest thereon only shall be payable for the first ten years, and thereafter the said debentures shall be payable in thirty years in instalments with interest at the rate aforesaid, so that such instalments shall be such that the aggregate amount payable for principal and interest during any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of such period of thirty years.

And whereas it will be necessary to raise the sum of \$2,625 annually by a special Act sufficient therefor during the first term of ten years for the payment of the interest on the said debt, and to raise the sum of \$4,078.62 annually by a special rate sufficient therefor afterwards during the term of thirty years for the payment of the said debt and interest in instalments, according to the terms of this By-law.

And whereas the amount of the whole rateable property of the town of Lindsay, according to the last revised assessment roll, is \$1,914,625.

And whereas the amount of the existing debenture debt of the town of Lindsay is \$211,229.15, to meet which there is now on hand on deposit and sinking fund the sum of \$42,382.88, leaving a net debenture debt of \$168,846.27, and there is no part of the principal or interest of the said debt in arrear.

Therefore the Municipal Council of the corporation of the town of Lindsay enacts as follows :—

1. That for the purposes aforesaid it shall be lawful for the Mayor of the said corporation, and he is hereby authorized and required to cause debentures of the said town of Lindsay to be made, executed and issued to the amount of \$75,000.00 in sums of not less than \$100, payable in annual instalments on the first day of July in each year for thirty years, for the following amounts for the following years respectively, that is to say :—

1911, \$1,450; 1912, \$1,500; 1913, \$1,550; 1914, \$1,600; 1915, \$1,650; 1916, \$1,750; 1917, \$1,800; 1918, \$1,850; 1919, \$1,900; 1920, \$1,950; 1921, \$2,050; 1922, \$2,150; 1923, \$2,200; 1924, \$2,250; 1925, \$2,350; 1926, \$2,450; 1927, \$2,500; 1928, \$2,600; 1929, \$2,700; 1930, \$2,800; 1931, \$2,900; 1932, \$3,000; 1933, \$3,100; 1934, \$3,200; 1935, \$3,300; 1936, \$3,450; 1937, \$3,550; 1938, \$3,700; 1939, \$3,800; 1940, \$3,950.

2. That the said debentures shall bear interest at the rate of three and one-half per cent. per annum, payable half-yearly on the first days of January and July in each year, and shall have coupons attached for the payment of interest, and the debentures and coupons may be expressed in

sterling money of Great Britain or currency of Canada, and shall be made payable at the Bank of Montreal or town treasurer's office in the town of Lindsay, as the Lindsay Waterworks Company may require.

3. That there shall be raised and levied in each year for the first ten years the sum of \$2,625 for the payment of the interest on the said debentures, by a special rate sufficient therefor on all the rateable property in the municipality of the town of Lindsay, and there shall be raised and levied in each year for the year 1911 and twenty-nine years following for the payment of the said debt and interest and debentures issued therefor, the sum of \$4,078.62 by a special rate sufficient therefor on all the rateable property in the municipality of the town of Lindsay, the same being sufficient to discharge the several yearly sums of principal and interest accruing due as the said yearly sums become respectively payable according to the terms of this by-law. Provided that the corporation may deduct from said sum in any year any surplus revenue from the said waterworks they may have on hand and raise the balance only of said sum in that year by special rate, in which case said surplus revenue shall be applied in payment of said debentures and interest thereon.

4. That the said debentures shall be known and marked as Waterworks Debentures, and shall be a first lien and charge upon the said waterworks and all property appertaining thereto or used in connection therewith and all extensions and improvements thereof.

5. This by-law shall come into force and take effect upon the same being ratified and confirmed by the Legislature of the Province of Ontario.

Dated this twelfth day of February, A.D. 1900.

F. KNOWLSON,
Clerk.

R. SMYTH,
Mayor.

Corporate seal
of the
town of Lindsay.

No. 41.

3rd Session, 9th Legislature, 63 Vict., 1900

BILL.

An Act respecting the Town of Lindsay and
the Lindsay Waterworks.

| | |
|----------------|-------|
| First Reading, | 1900. |
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(Private Bill.)

Mr. FOX.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting the Town of Lindsay and the
Lindsay Waterworks.

WHEREAS The *Municipal* Corporation of the Town of Preamble.
Lindsay has by petition represented that the *said corporation* has entered into an agreement with the Lindsay Waterworks Company, dated the 5th day of December, A.D. 1899, for the purchase of their waterworks and all property and appliances used in connection therewith and water franchise, at the price or sum of \$75,000 payable in debentures with interest at three and one-half per cent. per annum as therein mentioned, which said agreement is set out in schedule A hereto, and that a by-law affirming the expediency of purchasing the said waterworks, ratifying and confirming the said agreement, and providing for the management of said waterworks by a board of four commissioners to be composed of the mayor and three commissioners, to hold office for three years, one to retire each year, was submitted to a vote of the ratepayers at the last municipal elections and carried by a large majority, and that the said corporation has passed a by-law, No. 881, set out in schedule B hereto, providing for the issuing of the said debentures and carrying out of the said agreement; and whereas the said corporation has by said petition prayed that the said agreement and by-law set forth in schedules A and B hereto may be ratified and confirmed and provision made for the management of the said waterworks by a board of four commissioners, ^{and} and whereas no opposition has been offered to the said petition; and whereas ^{it} it is expedient to grant the prayer of the said petition.

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The said agreement made between the Lindsay Waterworks company and The *Municipal* Corporation of the Town of Lindsay, dated 5th December, A.D. 1899, set out in schedule A hereto, and the said by-law, No. 881, set out in schedule B hereto, are hereby ratified and confirmed and declared to be legal, valid and binding on the corporation, ^{and} and the ratepayers thereof, ^{and} notwithstanding anything in any Act to the contrary, and the said corporation is hereby authorized and empowered to issue debentures as provided for by said by-law and to carry out said purchase. Agreement between town and Waterworks Co. confirmed.

Debentures
to be charged
on water-
works.

2. The said waterworks so purchased and all lands and property appertaining thereto or used in connection therewith, and all extensions or additions thereto and improvements thereof, shall be and the same are hereby charged with the re-payment of the said debentures to be issued under the said by-law and the interest thereon, which debentures are to be called waterwork's debentures, and the holders of such waterworks debentures shall have a preferential charge on the said waterworks and property as aforesaid for securing payment of the said waterworks debentures and interest. It is hereby declared that the said waterworks debentures shall form no part of the general debt of the town of Lindsay and it shall not be necessary to recite the amount thereof in any by-law for borrowing money on the credit of the town.

Application
of Rev. Stat.
c. 235.

3. *The Municipal Waterworks Act* shall apply to the said water works when purchased, and the same shall be managed by a board of four commissioners who shall have all the powers, rights, authorities and immunities as provided by said Act, and it shall not be necessary to submit any by-law for that purpose to a vote of the ratepayers, they having already voted their approval thereof.

Waterworks
commission,
how com-
posed.

4. The mayor of the town of Lindsay shall *ex officio* be one of the commissioners, and the other three shall be elected as provided by *The Municipal Waterworks Act*, except that each of the said elected commissioners save as provided in section 5 with respect to the first election shall continue in office for three years and until his successor has been elected, and after the first election one commissioner shall be elected annually at the same time and in the same manner as the mayor.

Election of
commis-
sioners.

5. The corporation shall forthwith after the passing of this Act pass a by-law and fix a time and provide for the first election of commissioners, and the election shall proceed and take place in the same manner as the election of a mayor, except that each elector may vote for three commissioners, and all the provisions of *The Municipal Act* in reference to elections for mayors shall apply thereto, and the commissioner elected having the lowest number of votes shall retire at the next annual municipal election, and the one having the second lowest number of votes shall retire at the second annual election, and thereafter the commissioners shall retire in rotation. In the event of the first three commissioners being elected by acclamation, the board of commissioners shall at their first meeting determine by lot the order in which they shall retire respectively, and in case of a vacancy from any cause or causes occurring at any time on the board, the municipal council of the said town may, by by-law, appoint a commissioner to hold office until the next annual election, when a new commissioner shall be elected to fill the said vacancy, who shall hold office

for the residue of the term of the commissioner whose seat during the previous year had become vacant, and the election to fill such vacancy shall be a separate election from the election of the commissioners then to be elected for three years.

6. This Act may be cited as "*The Lindsay Waterworks* Short title. Act, 1900."

SCHEDULE A.

Memorandum of Agreement made this fifth day of December, A.D. 1899, between the Lindsay Waterworks Company, hereinafter called the company, of the first part, and the corporation of the town of Lindsay, of the second part.

Whereas, the town are desirous of purchasing the waterworks of the company in the town of Lindsay, and all their property used in connection therewith, and under the Statute in that behalf and under two certain agreements with the company, dated respectfully the thirtieth day of April, A.D., 1892, and the nineteenth day of November A.D., 1895, the town have the right to purchase the same at a price to be fixed by arbitration.

And whereas, under the statute it is also provided that the council and the company may, if they think fit, agree as to the amount to be paid for the works and property of the company.

And whereas, the council and the company have agreed upon the sum of \$75,000 as the amount to be paid by the town to the company for their works and property and appliances and water franchise hereinafter mentioned, on the terms hereinafter mentioned.

Now this indenture witnesseth that the said parties hereby mutually covenant, promise and agree to and with each other and their respective successors and assigns as follows :

1. The company hereby agree to sell to the town, and the town hereby agree to purchase from the company the waterworks of the company in the town of Lindsay and all their property used in connection therewith, at the price or sum of seventy-five thousand dollars, which is hereby fixed as the price to be paid therefor under the statute and agreements between the town and the company, without going to arbitration to settle the same. It being understood and agreed that the town are to receive all the company's real estate, waterworks, stand pipe, mains, hydrants, pumps, boilers, engines, plant, machinery, appliances, diving suit, tapping machine, tools and all other property and apparatus used in connection with the waterworks. And also all plans, drawings, and other papers showing the description and location of the works, also such of their books as may be necessary for the town to assist them in carrying on the works, including the water register and meter register. Also the right to use the water from the river Scugog for the purpose of the works, which right the company are to obtain from the Flavelle Milling Company, Limited, at their own expense.

2. The company are to retain possession of the works up to and inclusive of the thirtieth day of June, 1900, and are to maintain and operate the same and receive all water rates and revenues up to that date. It being understood that the rates known as lawn rates, for service from 1st of May to 1st October, are to be apportioned two-fifths to the company and three-fifths to the town, and the company agree to account to the town for their proportion of any such rates collected by them. This is,

however, not to apply to the rates for lawn service included in the flat rate for house service, which are collected half-yearly.

3. The said sum of \$75,000 to be paid in debentures of the town with interest at three and one-half per cent., payable half-yearly on the first day of January and July in each year, dating from the first day of July A.D., 1900, such debentures to be in such amounts not less than one hundred dollars as the company may require, and to bear interest only for the first ten years, and afterwards to be payable in thirty years in instalments so that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years, such debentures to be known as waterworks debentures and to be made a first charge upon said waterworks and all property appertaining thereto or used in connection therewith and all extensions and improvements thereof; such debentures and coupons attached thereto for interest to be expressed in sterling money of Great Britain or currency of Canada and to be made payable at the bank of Montreal or town Treasurer's office in the town of Lindsay, as the company may desire.

4. The Company agree to make all necessary repairs and deliver the works in as good condition as they are now, upon the thirtieth day of June next, upon receiving the consideration hereby provided for, the town to be at liberty to make any extensions or improvements that they may see fit, and for that purpose shall be entitled to the services of the company's superintendent or manager, upon paying the company a reasonable compensation thereof. The town also agree to pay the company all expenditure they may make upon capital account after the first day of January, 1900, in putting in service to the street line, meters and such like matters, and also for all coal and supplies on hand when delivered over with the said works.

5. This agreement is conditional upon the same being approved of by the rate-payers of the town of Lindsay in a by-law to be submitted to them at the next municipal elections in January next.

6. In the event of the approval of the electors being obtained, the town agree to pass a by-law authorizing the issue of said debentures and to apply to the Legislative Assembly of the Province of Ontario at its next session, for a special Act ratifying and confirming this agreement and the by-law authorizing the issue of said debentures, which are to be incorporated in said Act.

7. The said debentures are to be delivered to the Company upon their giving the town a proper conveyance of all the aforesaid property, in good condition and proper repair as aforesaid, free from encumbrance, and giving them possession thereof.

8. In the event of the town failing to obtain the consent of the rate-payers to said by-law, or failing to obtain said special Act, this agreement shall be null and void, except that the town shall pay, to the Company their disbursements, which are hereby fixed at the sum of one hundred dollars.

In witness whereof the President of the said the Lindsay Waterworks Company has hereunto set his hand and affixed the corporate seal of said Company, and the mayor of the said the corporation of the town of Lindsay has hereunto set his hand and affixed the corporate seal of said corporation.

| | | |
|---|---|---|
| Signed, sealed and delivered in the presence of By The Lindsay Waterworks Co., M. E. SHERRIFF. By the Town of Lindsay, G. H. KNOWLSON. | } | For The Lindsay Waterworks Co., G. H. HOPKINS, Pres't. Corporate Seal of the Lindsay Waterworks Company. For the Town of Lindsay, THOS. WALTERS, Mayor. Corporate Seal of the Town of Lindsay. |
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SCHEDULE B.

BY-LAW No. 881.

A BY-LAW TO AUTHORIZE THE ISSUE OF DEBENTURES FOR \$75,000
TO PURCHASE THE LINDSAY WATERWORKS.

Whereas, by agreement dated the 5th day of December, A. D. 1899, the town of Lindsay agreed with The Lindsay Waterworks Company for the purchase of their waterworks and all property and appliances used in connection therewith and water franchise, at or for the price or sum of \$75,000, payable in debentures with interest at three and one-half per cent., payable half-yearly as therein mentioned.

And whereas, by by-law No. 878, approved of by the ratepayers on the 1st January, 1900, and finally passed on the 8th day of January, 1900, it was enacted that it was expedient in the interest of the town to acquire the said waterworks on the terms and conditions mentioned in said agreement, and the said agreement was thereby ratified and confirmed, and the council authorized to pass all necessary by-laws to issue said debentures and carry out said agreement.

And whereas, for the purpose aforesaid, it is necessary to create a debt of \$75,000 and to issue debentures therefor in manner hereinafter mentioned.

And whereas, it is provided by said agreement, and this municipality has resolved, that the said debentures shall bear interest at the rate of three and one-half per cent. per annum, payable half yearly, and that the interest thereon only shall be payable for the first ten years, and thereafter the said debentures shall be payable in thirty years in instalments with interest at the rate aforesaid, so that such instalments shall be such that the aggregate amount payable for principal and interest during any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of such period of thirty years.

And whereas it will be necessary to raise the sum of \$2,625 annually by a special rate sufficient therefor during the first term of ten years for the payment of the interest on the said debt, and to raise the sum of \$4,078.62 annually by a special rate sufficient therefor afterwards during the term of thirty years for the payment of the said debt and interest in instalments, according to the terms of this By-law.

And whereas the amount of the whole rateable property of the town of Lindsay, according to the last revised assessment roll, is \$1,914,625.

And whereas the amount of the existing debenture debt of the town of Lindsay is \$211,229.15, to meet which there is now on hand on deposit and sinking fund the sum of \$42,382.88, leaving a net debenture debt of \$168,846.27, and there is no part of the principal or interest of the said debt in arrear.

Therefore the Municipal Council of the corporation of the town of Lindsay enacts as follows:—

1. That for the purposes aforesaid it shall be lawful for the Mayor of the said corporation, and he is hereby authorized and required to cause debentures of the said town of Lindsay to be made, executed and issued to the amount of \$75,000.00 in sums of not less than \$100, payable in annual instalments on the first day of July in each year for thirty years, for the following amounts for the following years respectively, that is to say:—

1911, \$1,450; 1912, \$1,500; 1913, \$1,550; 1914, \$1,600; 1915, \$1,650; 1916, \$1,750; 1917, \$1,800; 1918, \$1,850; 1919, \$1,900; 1920, \$1,950; 1921, \$2,050; 1922, \$2,150; 1923, \$2,200; 1924, \$2,250; 1925, \$2,350; 1926, \$2,450; 1927, \$2,500; 1928, \$2,600; 1929, \$2,700; 1930, \$2,800; 1931, \$2,900; 1932, \$3,000; 1933, \$3,100; 1934, \$3,200; 1935, \$3,300; 1936, \$3,450; 1937, \$3,550; 1938, \$3,700; 1939, \$3,800; 1940, \$3,950.


2. That the said debentures shall bear interest at the rate of three and one-half per cent. per annum, payable half-yearly on the first days of

January and July in each year, and shall have coupons attached for the payment of interest, and the debentures and coupons may be expressed in sterling money of Great Britain or currency of Canada, and shall be made payable at the Bank of Montreal or town treasurer's office in the town of Lindsay, as the Lindsay Waterworks Company may require.

3. That there shall be raised and levied in each year for the first ten years the sum of \$2,625 for the payment of the interest on the said debentures, by a special rate sufficient therefor on all the rateable property in the municipality of the town of Lindsay, and there shall be raised and levied in each year for the year 1911 and twenty-nine years following for the payment of the said debt and interest and debentures issued therefor, the sum of \$4,078.62 by a special rate sufficient therefor on all the rateable property in the municipality of the town of Lindsay, the same being sufficient to discharge the several yearly sums of principal and interest accruing due as the said yearly sums become respectively payable according to the terms of this by-law. Provided that the corporation may deduct from said sum in any year any surplus revenue from the said waterworks *which* they may have on hand and raise the balance only of said sum in that year by special rate, in which case said surplus revenue shall be applied in payment of said debentures and interest thereon.

4. That the said debentures shall be known and marked as Waterworks Debentures, and shall be a first lien and charge upon the said waterworks and all property appertaining thereto or used in connection therewith and all extensions and improvements thereof.

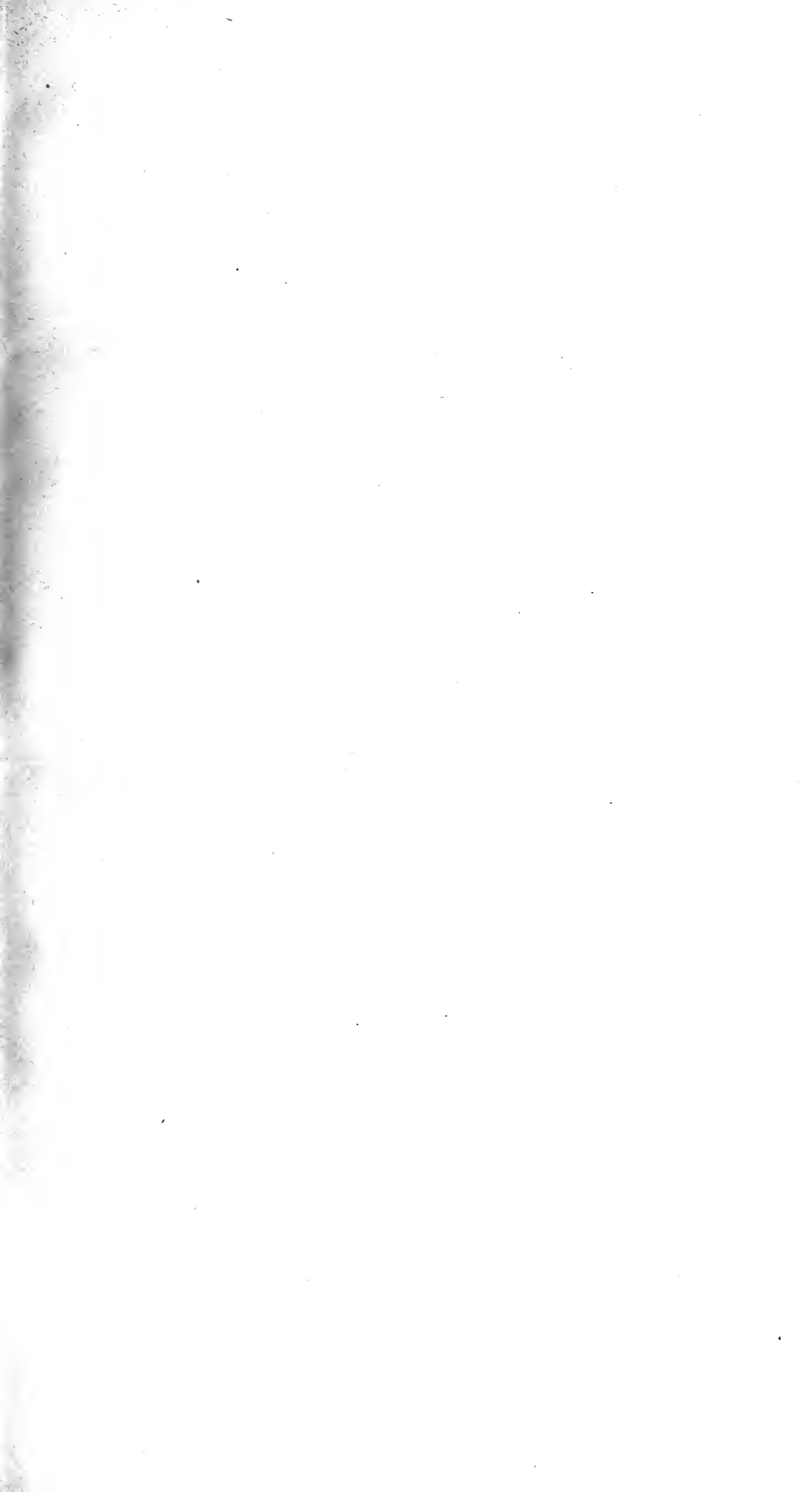
5. This by-law shall come into force and take effect upon the same being ratified and confirmed by the Legislature of the Province of Ontario.

~~Be~~ Read a first and second time 5th February, 1900 and passed in council  this twelfth day of February, A.D. 1900.

F. KNOWLSON,
Clerk.

R. SMYTH,
Mayor.

Corporate seal
of the
town of Lindsay.



No. 41.

3rd Session, 9th Legislature, 63 Vict., 1900

BILL.

An Act respecting the Town of Lindsay and
the Lindsay Waterworks.

First Reading, 20th March 1900.

*(Reprinted as amended by Private Bills
Committee.)*

Mr. FOX.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting the Town of Lindsay and the
Lindsay Waterworks.

WHEREAS The *Municipal* Corporation of the Town of Preamble.
Lindsay has by petition represented that the *said corporation* has entered into an agreement with the Lindsay Waterworks Company, dated the 5th day of December, A.D. 1899, for the purchase of their waterworks and all property and appliances used in connection therewith and water franchise, at the price or sum of \$75,000 payable in debentures with interest at three and one-half per cent. per annum as therein mentioned, which said agreement is set *out* in schedule A hereto, and that a by-law affirming the expediency of purchasing the said waterworks, ratifying and confirming the said agreement, and providing for the management of said waterworks by a board of four commissioners to be composed of the mayor and three commissioners, to hold office for three years, one to retire each year, was submitted to a vote of the rate-payers at the last municipal elections and carried by a large majority, and that the said corporation has passed a by-law, No. 881, set *out* in schedule B hereto, providing for the issuing of the said debentures and carrying out *of the* said agreement; and whereas the said corporation has by said petition prayed that the said agreement and by-law set forth in schedules A and B hereto may be ratified and confirmed and provision made for the management of the said waterworks by a board of four commissioners, ~~and~~ and whereas no opposition has been offered to the said petition; and whereas ~~it~~ it is expedient to grant the prayer of the said petition.

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The said agreement made between the Lindsay Waterworks company and The *Municipal* Corporation of the Town of Lindsay, dated 5th December, A.D. 1899, set *out* in schedule A hereto, and the said by-law, No. 881, set *out* in schedule B hereto, are hereby ratified and confirmed and declared *to be legal*, valid and binding on the corporation, ~~and~~ and the rate-payers thereof, ~~and~~ notwithstanding anything in any Act to the contrary, and the said corporation *is* hereby authorized and empowered to issue debentures as provided for by said by-law and to carry out said purchase. Agreement between town and Waterworks Co. confirmed.

Debentures
to be charged
on water-
works.

2. The said waterworks so purchased and all lands and property appertaining thereto or used in connection therewith, and all extensions or additions thereto and improvements thereof, shall be and the same are hereby charged with the re-payment of the said debentures to be issued under the said by-law and the interest thereon, which debentures are to be called waterwork's debentures, and the holders of such waterworks debentures shall have a preferential charge on the said waterworks and property as aforesaid for securing payment of the said waterworks debentures and interest. It is hereby declared that the said waterworks debentures shall form no part of the general debt of the town of Lindsay and it shall not be necessary to recite the amount thereof in any by-law for borrowing money on the credit of the town; but the corporation shall nevertheless be liable for the said debentures and interest thereon in accordance with the said agreement and by-law.

Application
of Rev. Stat.
c. 235.

3. *The Municipal Waterworks Act* shall apply to the said water works when purchased, and the same shall be managed by a board of four commissioners who shall have all the powers, rights, authorities and immunities as provided by said Act, and it shall not be necessary to submit any by-law for that purpose to a vote of the ratepayers, they having already voted their approval thereof.

Waterworks
commission,
how com-
posed.

4. The mayor of the town of Lindsay shall *ex officio* be one of the commissioners, and the other three shall be elected as provided by *The Municipal Waterworks Act*, except that each of the said elected commissioners save as provided in section 5 with respect to the first election shall continue in office for three years and until his successor has been elected, and after the first election one commissioner shall be elected annually at the same time and in the same manner as the mayor.

Election of
commis-
sioners.

5. The corporation shall forthwith after the passing of this Act pass a by-law and fix a time and provide for the first election of commissioners, and the election shall proceed and take place in the same manner as the election of a mayor, except that each elector may vote for three commissioners, and all the provisions of *The Municipal Act* in reference to elections for mayors shall apply thereto, and the commissioner elected having the lowest number of votes shall retire at the next annual municipal election, and the one having the second lowest number of votes shall retire at the second annual election, and thereafter the commissioners shall retire in rotation. In the event of the first three commissioners being elected by acclamation, the board of commissioners shall at their first meeting determine by lot the order in which they shall retire respectively, and in case of a vacancy from any cause or causes occurring at any time on the board, the municipal council of

the said town may, by by-law, appoint a commissioner to hold office until the next annual election, when a new commissioner shall be elected to fill the said vacancy, who shall hold office for the residue of the term of the commissioner whose seat during the previous year had become vacant, and the election to fill such vacancy shall be a separate election from the election of the commissioners then to be elected for three years.

6. This Act may be cited as "*The Lindsay Waterworks Act, 1900.*" Short title.

SCHEDULE A.

Memorandum of Agreement made this fifth day of December, A.D. 1899, between the Lindsay Waterworks Company, hereinafter called the company, of the first part, and the corporation of the town of Lindsay, of the second part.

Whereas, the town are desirous of purchasing the waterworks of the company in the town of Lindsay, and all their property used in connection therewith, and under the Statute in that behalf and under two certain agreements with the company, dated respectfully the thirtieth day of April, A.D., 1892, and the nineteenth day of November A.D., 1895, the town have the right to purchase the same at a price to be fixed by arbitration.

And whereas, under the statute it is also provided that the council and the company may, if they think fit, agree as to the amount to be paid for the works and property of the company.

And whereas, the council and the company have agreed upon the sum of \$75,000 as the amount to be paid by the town to the company for their works and property and appliances and water franchise hereinafter mentioned, on the terms hereinafter mentioned.

Now this indenture witnesseth that the said parties hereby mutually covenant, promise and agree to and with each other and their respective successors and assigns as follows :

1. The company hereby agree to sell to the town, and the town hereby agree to purchase from the company the waterworks of the company in the town of Lindsay and all their property used in connection therewith, at the price or sum of seventy-five thousand dollars, which is hereby fixed as the price to be paid therefor under the statute and agreements between the town and the company, without going to arbitration to settle the same. It being understood and agreed that the town are to receive all the company's real estate, waterworks, stand pipe, mains, hydrants, pumps, boilers, engines, plant, machinery, appliances, diving suit, tapping machine, tools and all other property and apparatus used in connection with the waterworks. And also all plans, drawings, and other papers showing the description and location of the works, also such of their books as may be necessary for the town to assist them in carrying on the works, including the water register and meter register. Also the right to use the water from the river Scugog for the purpose of the works, which right the company are to obtain from the Flavelle Milling Company, Limited, at their own expense.

2. The company are to retain possession of the works up to and inclusive of the thirtieth day of June, 1900, and are to maintain and operate the same and receive all water rates and revenues up to that date. It being understood that the rates known as lawn rates, for service from 1st of May to 1st October, are to be apportioned two-fifths to the company and three-fifths to the town, and the company agree to account to the town for their proportion of any such rates collected by them. This is,

however, not to apply to the rates for lawn service included in the flat rate for house service, which are collected half-yearly.

3. The said sum of \$75,000 to be paid in debentures of the town with interest at three and one-half per cent., payable half-yearly on the first day of January and July in each year, dating from the first day of July A. D., 1900, such debentures to be in such amounts not less than one hundred dollars as the company may require, and to bear interest only for the first ten years, and afterwards to be payable in thirty years in instalments so that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years, such debentures to be known as waterworks debentures and to be made a first charge upon said waterworks and all property appertaining thereto or used in connection therewith and all extensions and improvements thereof; such debentures and coupons attached thereto for interest to be expressed in sterling money of Great Britain or currency of Canada and to be made payable at the bank of Montreal or town Treasurer's office in the town of Lindsay, as the company may desire.

4. The Company agree to make all necessary repairs and deliver the works in as good condition as they are now, upon the thirtieth day of June next, upon receiving the consideration hereby provided for, the town to be at liberty to make any extensions or improvements that they may see fit, and for that purpose shall be entitled to the services of the company's superintendent or manager, upon paying the company a reasonable compensation thereof. The town also agree to pay the company all expenditure they may make upon capital account after the first day of January, 1900, in putting in service to the street line, meters and such like matters, and also for all coal and supplies on hand when delivered over with the said works.

5. This agreement is conditional upon the same being approved of by the rate-payers of the town of Lindsay in a by-law to be submitted to them at the next municipal elections in January next.

6. In the event of the approval of the electors being obtained, the town agree to pass a by-law authorizing the issue of said debentures and to apply to the Legislative Assembly of the Province of Ontario at its next session, for a special Act ratifying and confirming this agreement and the by-law authorizing the issue of said debentures, which are to be incorporated in said Act.

7. The said debentures are to be delivered to the Company upon their giving the town a proper conveyance of all the aforesaid property, in good condition and proper repair as aforesaid, free from encumbrance, and giving them possession thereof.

8. In the event of the town failing to obtain the consent of the rate-payers to said by-law, or failing to obtain said special Act, this agreement shall be null and void, except that the town shall pay to the Company their disbursements, which are hereby fixed at the sum of one hundred dollars.

In witness whereof the President of the said the Lindsay Waterworks Company has hereunto set his hand and affixed the corporate seal of said Company, and the mayor of the said the corporation of the town of Lindsay has hereunto set his hand and affixed the corporate seal of said corporation.

| | | |
|--|---|---|
| Signed, sealed and delivered in the presence of | } | For The Lindsay Waterworks Co., |
| By The Lindsay Waterworks Co., | | G. H. HOPKINS, Pres't. Corporate Seal of the Lindsay Waterworks Company. |
| M. E. SHERRIFF. | } | For the Town of Lindsay, |
| By the Town of Lindsay, G. H. KNOWLSON. | | THOS. WALTERS, Mayor. Corporate Seal of the Town of Lindsay. |

SCHEDULE B.

BY-LAW No. 881.

A BY-LAW TO AUTHORIZE THE ISSUE OF DEBENTURES FOR \$75,000
TO PURCHASE THE LINDSAY WATERWORKS.

Whereas, by agreement dated the 5th day of December, A. D. 1899, the town of Lindsay agreed with The Lindsay Waterworks Company for the purchase of their waterworks and all property and appliances used in connection therewith and water franchise, at or for the price or sum of \$75,000, payable in debentures with interest at three and one-half per cent., payable half-yearly as therein mentioned.

And whereas, by by-law No. 878, approved of by the ratepayers on the 1st January, 1900, and finally passed on the 8th day of January, 1900, it was enacted that it was expedient in the interest of the town to acquire the said waterworks on the terms and conditions mentioned in said agreement, and the said agreement was thereby ratified and confirmed, and the council authorized to pass all necessary by-laws to issue said debentures and carry out said agreement.

And whereas, for the purpose aforesaid, it is necessary to create a debt of \$75,000 and to issue debentures therefor in manner hereinafter mentioned.

And whereas, it is provided by said agreement, and this municipality has resolved, that the said debentures shall bear interest at the rate of three and one-half per cent. per annum, payable half yearly, and that the interest thereon only shall be payable for the first ten years, and thereafter the said debentures shall be payable in thirty years in instalments with interest at the rate aforesaid, so that such instalments shall be such that the aggregate amount payable for principal and interest during any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of such period of thirty years.

And whereas it will be necessary to raise the sum of \$2,625 annually by a special rate sufficient therefor during the first term of ten years for the payment of the interest on the said debt, and to raise the sum of \$4,078.62 annually by a special rate sufficient therefor afterwards during the term of thirty years for the payment of the said debt and interest in instalments, according to the terms of this By-law.

And whereas the amount of the whole rateable property of the town of Lindsay, according to the last revised assessment roll, is \$1,914,625.

And whereas the amount of the existing debenture debt of the town of Lindsay is \$211,229.15, to meet which there is now on hand on deposit and sinking fund the sum of \$42,382.88, leaving a net debenture debt of \$168,846.27, and there is no part of the principal or interest of the said debt in arrear.

Therefore the Municipal Council of the corporation of the town of Lindsay enacts as follows:—

1. That for the purposes aforesaid it shall be lawful for the Mayor of the said corporation, and he is hereby authorized and required to cause debentures of the said town of Lindsay to be made, executed and issued to the amount of \$75,000.00 in sums of not less than \$100, payable in annual instalments on the first day of July in each year for thirty years, for the following amounts for the following years respectively, that is to say:—

1911, \$1,450; 1912, \$1,500; 1913, \$1,550; 1914, \$1,600; 1915, \$1,650; 1916, \$1,750; 1917, \$1,800; 1918, \$1,850; 1919, \$1,900; 1920, \$1,950; 1921, \$2,050; 1922, \$2,150; 1923, \$2,200; 1924, \$2,250; 1925, \$2,350; 1926, \$2,450; 1927, \$2,500; 1928, \$2,600; 1929, \$2,700; 1930, \$2,800; 1931, \$2,900; 1932, \$3,000; 1933, \$3,100; 1934, \$3,200; 1935, \$3,300; 1936, \$3,450; 1937, \$3,550; 1938, \$3,700; 1939, \$3,800; 1940, \$3,950.


2. That the said debentures shall bear interest at the rate of three and one-half per cent. per annum, payable half-yearly on the first days of

January and July in each year, and shall have coupons attached for the payment of interest, and the debentures and coupons may be expressed in sterling money of Great Britain or currency of Canada, and shall be made payable at the Bank of Montreal or town treasurer's office in the town of Lindsay, as the Lindsay Waterworks Company may require.

3. That there shall be raised and levied in each year for the first ten years the sum of \$2,625 for the payment of the interest on the said debentures, by a special rate sufficient therefor on all the rateable property in the municipality of the town of Lindsay, and there shall be raised and levied in each year for the year 1911 and twenty-nine years following for the payment of the said debt and interest and debentures issued therefor, the sum of \$4,078.62 by a special rate sufficient therefor on all the rateable property in the municipality of the town of Lindsay, the same being sufficient to discharge the several yearly sums of principal and interest accruing due as the said yearly sums become respectively payable according to the terms of this by-law. Provided that the corporation may deduct from said sum in any year any surplus revenue from the said waterworks *which* they may have on hand and raise the balance only of said sum in that year by special rate, in which case said surplus revenue shall be applied in payment of said debentures and interest thereon.

4. That the said debentures shall be known and marked as Waterworks Debentures, and shall be a first lien and charge upon the said waterworks and all property appertaining thereto or used in connection therewith and all extensions and improvements thereof.

5. This by-law shall come into force and take effect upon the same being ratified and confirmed by the Legislature of the Province of Ontario.

~~Read~~ Read a first and second time 5th February, 1900 and passed in council  this twelfth day of February, A.D. 1900.

F. KNOWLSON,
Clerk.

R. SMYTH,
Mayor.

Corporate seal
of the
town of Lindsay.

THE UNIVERSITY OF CHICAGO LIBRARY

No. 41.

3rd Session, 9th Legislature, 63 Vict, 1900

BILL.

An Act respecting the Town of Lindsay and
the Lindsay Waterworks.

First Reading, 20th March, 1900.
Second Reading, 28th March, 1900.

*(Reprinted as amended by Committee
of the Whole House.)*

Mr. FOX.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting the Amherstburg Library and
Reading Room Association

WHEREAS the Amherstburg Library and Reading Room Association was incorporated on the first day of May, 1882, in accordance with the statute in that behalf made and provided, with the purpose and object as set forth in the 5 declaration of incorporation, "of establishing and maintaining a public library and reading room at the Town of Amherstburg, for the use and benefit of all persons who shall or may become members thereof pursuant to the by-laws, rules and regulations of the association, and for the purpose of receiving 10 and collecting subscriptions, gifts of money and books, pamphlets and other property that may be subscribed or donated to the said association, and for the purpose of purchasing, erecting or renting a building or buildings for the use of the said association, and for any other purpose connected with the main- 15 taining the said association for the benefit of the members thereof"; and whereas the said association has been maintained in accordance with the said by-laws, rules and regulations from the said first day of May, 1882, to the present time when it is deemed advisable by the members and board of manage- 20 ment of the said association that it should be converted into a public library, and be incorporated and maintained in accordance with *The Public Libraries Act*; and whereas by deed of gift in writing, bearing date the said first day of May, 1882, James Boyle, Esquire, M.B., since deceased, did give and grant 25 unto the trustees of the said The Amherstburg Library and Reading Room Association, and their successors in office, all his library of books, and other personal effects more particularly set forth in the schedules to the said deed of gift annexed, "To have and to hold all and singular the said books and other 30 property in the said schedules mentioned, thereby given and granted unto the trustees of the said Amherstburg Library and Reading Room Association and their successors in office, forever, for the use and benefit of the people of the Town of Amherstburg and vicinity, subject to the rules and regulations 35 of the said association and subject to the following stipulations, namely: That in the event of the said association failing in the object and purpose mentioned in the certificate or articles of incorporation thereof; or ceasing to exist as a library and reading room association, then the said books and property 40 shall become my (the said James Boyle's) personal property, and in the event of my death shall become the property of my

Preamble.

nephew, Thomas Boyle, of the Town of Amherstburg, Barrister at Law, for the use of my heirs, &c.,' as thereafter mentioned. Afterwards by amendment to the said deed of gift, dated the third day of November, 1882, the said James Boyle confirmed the said gift and directed that in the event of his death and the said association failing in its objects as aforesaid, the said library and other property should revert to the executor named in his last will and testament free and clear from any interference or claim of his said nephew Thomas Boyle; and whereas by his last will and testament bearing date the twenty-first day of November, 1889, the said James Boyle made the following bequest: "I give and bequeath to the Amherstburg Library and Reading Room Association (now incorporated) the sum of five thousand dollars for the use and purpose of the said Association as mentioned in their articles of incorporation and subject to the terms, conditions and trusts in the deed of gift of books and other property made by me to the said association and upon the further trust that the said sum of five thousand dollars is to be permanently invested by the trustees or directors of the said association and the interest thereof to be applied yearly or half yearly to the purposes of the said Association"; and afterwards, by a codicil to his said will bearing date the third day of December, 1890, the said James Boyle made the following provisions with respect to the said bequest: "It is my desire and I hereby nominate and appoint Simon Fraser, of the Town of Amherstburg, in the County of Essex, Gentleman, trustee for the purpose of receiving and investing the sum of five thousand dollars in my said will bequeathed to the Amherstburg Library and Reading Room Association, and for all other purposes in connection therewith as provided by my said will; and I further desire, and in order that my other bequests may be subject to as little delay as possible, require that a certain mortgage dated the 16th day of August, in the year of our Lord one thousand eight hundred and eighty-four, and made in my favor from one William Gibb on the east third part of the east half of lot number forty-six, in the fifth concession of the township of Malden, in the county of Essex, and on the west half of the the east half of lot number three in the sixth concession of the township of Colchester South, in the county of Essex, and on which the principal sum due is three thousand three hundred and twenty-five dollars, shall be taken by the said library and reading room association on account of my said bequest to them, to the extent of the full amount due on the said mortgage for principal and interest at the time of my death; and whereas the said James Boyle died on or about the 26th day of November, 1891, and the said mortgage security and money representing the amount of the said bequest were transferred and paid by his executor to Simon Fraser, Esq., as trustee for the Amherstburg Library and Reading Room Association in accordance with his said will and codicil; and whereas the said mortgage security having depreciated in value, the said Simon Fraser, after the trust came into his hands, took a deed from the mortgagor of the land conveyed

thereby in settlement of the said mortgage money and interest, and now holds the said land in trust for the said association; and whereas the said association, by purchase and otherwise, have acquired books and effects to the value of two thousand dollars or thereabouts, in addition to the library and property which they received from the said James Boyle by deed of gift aforesaid;

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. That the Amherstburg Library and Reading Room Association be and is hereby converted into and incorporated as "The Amherstburg Public Library," and shall henceforth be governed by and come under the provisions of *The Public Libraries Act*, being chapter 232, Revised Statutes of Ontario, in like manner as if the same had been incorporated under the said Act. Incorporation.

2. Upon the Amherstburg Public Library Board being duly appointed and constituted in accordance with the provisions of the said Act, the books, property and effects of the Amherstburg Library and Reading Room Association shall, *ipso facto*, be transferred to and vest in the said The Amherstburg Public Library Board. Vesting of property

3. That the Amherstburg Public Library Board be empowered to receive any gifts, legacies or bequests of books, money, real estate or other securities and the same or the proceeds thereof to apply or invest to and for the use of The Amherstburg Public Library. Authority to receive gifts.

4. The Amherstburg Public Library Board is hereby empowered to receive the bequests of the late James Boyle, M.D., to the Amherstburg Library and Reading Room Association aforesaid, and upon the Amherstburg Public Library Board being appointed and constituted as hereinbefore provided, the said bequest shall, *ipso facto*, be transferred from the said Simon Fraser and vested in the said The Amherstburg Public Library Board to and for the use of the Amherstburg Public Library upon the same trusts and conditions as the said bequest has been heretofore held by the Amherstburg Library and Reading Room Association. Bequest of late James Boyle.

5. That the said The Amherstburg Public Library Board are hereby empowered to lease, sell and absolutely dispose of such part of the said legacy as consists of real estate and any other real estate which they may legally acquire, and to assure the same unto the lessee or lessees, purchaser or purchasers thereof, in a good and sufficient manner. Power to sell real estate

No. 42.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting the Amherstburg Library
and Reading Room Association.

First Reading, _____, 1900.

(Private Bill).

Mr. AULD.

TORONTO:
PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act respecting the Amherstburg Library and
Reading Room Association

WHEREAS the Amherstburg Library and Reading Room Association was incorporated on the first day of May, 1882, in accordance with the statute in that behalf made and provided, with the purpose and object as set forth in the declaration of incorporation, "of establishing and maintaining a public library and reading room at the Town of Amherstburg, for the use and benefit of all persons who shall or may become members thereof pursuant to the by-laws, rules and regulations of the association, and for the purpose of receiving and collecting subscriptions, gifts of money and books, pamphlets and other property that may be subscribed or donated to the said association, and for the purpose of purchasing, erecting or renting a building or buildings for the use of the said association, and for any other purpose connected with the maintaining the said association for the benefit of the members thereof"; and whereas the said association has been maintained in accordance with the said by-laws, rules and regulations from the said first day of May, 1882, to the present time when it is deemed advisable by the members and board of management of the said association that it should be converted into a public library, and be incorporated and maintained in accordance with *The Public Libraries Act*; and whereas by deed of gift in writing, bearing date the said first day of May, 1882, James Boyle, Esquire, M.B., since deceased, did give and grant unto the trustees of the said The Amherstburg Library and Reading Room Association, and their successors in office, all his library of books, and other personal effects more particularly set forth in the schedules to the said deed of gift annexed, "To have and to hold all and singular the said books and other property in the said schedules mentioned, thereby given and granted unto the trustees of the said Amherstburg Library and Reading Room Association and their successors in office, forever, for the use and benefit of the people of the Town of Amherstburg and vicinity, subject to the rules and regulations of the said association and subject to the following stipulations, namely: That in the event of the said association failing in the object and purpose mentioned in the certificate or articles of incorporation thereof; or ceasing to exist as a library and reading room association, then the said books and property shall become my (the said James Boyle's) personal property, and in the event of my death shall become the property of my

Preamble.

nephew, Thomas Boyle, of the Town of Amherstburg, Barrister at Law, for the use of my heirs, &c,' as thereafter mentioned. Afterwards by amendment to the said deed of gift, dated the third day of November, 1882, the said James Boyle confirmed the said gift and directed that in the event of his death and the said association failing in its objects as aforesaid, the said library and other property should revert to the executor named in his last will and testament free and clear from any interference or claim of his said nephew Thomas Boyle; and whereas by his last will and testament bearing date the twenty-first day of November, 1889, the said James Boyle made the following bequest: "I give and bequeath to the Amherstburg Library and Reading Room Association (now incorporated) the sum of five thousand dollars for the use and purpose of the said Association as mentioned in their articles of incorporation and subject to the terms, conditions and trusts in the deed of gift of books and other property made by me to the said association and upon the further trust that the said sum of five thousand dollars is to be permanently invested by the trustees or directors of the said association and the interest thereof to be applied yearly or half yearly to the purposes of the said Association"; and afterwards, by a codicil to his said will bearing date the third day of December, 1890, the said James Boyle made the following provisions with respect to the said bequest: "It is my desire and I hereby nominate and appoint Simon Fraser, of the Town of Amherstburg, in the County of Essex, Gentleman, trustee for the purpose of receiving and investing the sum of five thousand dollars in my said will bequeathed to the Amherstburg Library and Reading Room Association, and for all other purposes in connection therewith as provided by my said will; and I further desire, and in order that my other bequests may be subject to as little delay as possible, require that a certain mortgage dated the 16th day of August, in the year of our Lord one thousand eight hundred and eighty-four, and made in my favor from one William Gibb on the east third part of the east half of lot number forty-six, in the fifth concession of the township of Malden, in the county of Essex, and on the west half of the the east half of lot number three in the sixth concession of the township of Colchester South, in the county of Essex, and on which the principal sum due is three thousand three hundred and twenty-five dollars, shall be taken by the said library and reading room association on account of my said bequest to them, to the extent of the full amount due on the said mortgage for principal and interest at the time of my death; and whereas the said James Boyle died on or about the 26th day of November, 1891, and the said mortgage security and money representing the amount of the said bequest were transferred and paid by his executor to Simon Fraser, Esq., as trustee for the Amherstburg Library and Reading Room Association in accordance with his said will and codicil; and whereas the said mortgage security having depreciated in value, the said Simon Fraser, after the trust came into his hands, took a deed from the mortgagor of the land conveyed

thereby in settlement of the said mortgage money and interest, and now holds the said land in trust for the said association; and whereas the said association, by purchase and otherwise, have acquired books and effects to the value of two thousand dollars or thereabouts, in addition to the library and property which they received from the said James Boyle by deed of gift aforesaid;

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The Amherstburg Library and Reading Room Association is hereby converted into and incorporated as “The Amherstburg Public Library,” and shall henceforth be governed by and come under the provisions of *The Public Libraries Act*, being chapter 232, Revised Statutes of Ontario, in like manner as if the same had been incorporated under the said Act. Incorporation.

2. Upon the Amherstburg Public Library Board being duly appointed and constituted in accordance with the provisions of the said Act, the books, property and effects of the Amherstburg Library and Reading Room Association shall be transferred to and vest in the said The Amherstburg Public Library Board. Vesting of property

3. The Amherstburg Public Library Board is authorized to receive any gifts, legacies or bequests of books, money, real estate or other securities and the same or the proceeds thereof to apply or invest to and for the use of The Amherstburg Public Library. Authority to receive gifts.

4. The Amherstburg Public Library Board is hereby authorized to receive the bequests of the late James Boyle, M.D., to the Amherstburg Library and Reading Room Association aforesaid, and upon the Amherstburg Public Library Board being appointed and constituted as hereinbefore provided, the said bequest may be transferred from the said Simon Fraser and vested in the said The Amherstburg Public Library Board to and for the use of the Amherstburg Public Library upon the same trusts and conditions as the said bequest has been heretofore held for the Amherstburg Library and Reading Room Association. Bequest of late James Boyle.

5. Should the said Simon Fraser during his lifetime transfer the said bequest to the said the Amherstburg Public Library Board, or in case of the death of the said Simon Fraser, then immediately thereafter the said The Amherstburg Public Library Board is hereby authorized to lease, sell and absolutely dispose of such part of the said legacy as consists of real estate and any other real estate which the said Board may legally acquire, and to assure the same unto the lessee or Power to sell real estate

lessees, purchaser or purchasers thereof, in a good and sufficient manner.

Transfer of
proceeds of
bequest.

6. In case the trust property shall not be so transferred by the said Simon Fraser in his lifetime, then immediately upon the death of the said Simon Fraser all the monies and other property so held in trust by him under the said bequest shall be paid to and vested in the said the Amherstburg Public Library Board to be held by the said Board subject to the provisions of this Act upon the trusts and for the purposes set out in the said recited will.

No. 42.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting the Amherstburg Library
and Reading Room Association.

First Reading, _____, 1900.

*(Reprinted as amended by the Private
Bills Committee.)*

(Private Bill).

Mr. AULD.

TORONTO:

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act respecting The Manitoulin and North Shore
Railway Company.

WHEREAS the Manitoulin and North Shore Railway Company has petitioned for an Act to authorize and empower the said company to construct, lay out, and build and operate a railway from a point at or near the town of Little
5 Current, in the district of Manitoulin, thence northerly and easterly a distance of one hundred miles, crossing the main line of the Canadian Pacific Railway, at or near Onaping or Cartier stations, and also from a point on such line of railway in or near the township of Drury, thence easterly to the town of Sudbury,
10 in the district of Nipissing, and also from a point at or near the town of Little Current, thence south-easterly to a point on the south shore of Fitzwilliam Island, and from a point near Tobermory in the county of Bruce, thence south and easterly to the town of Meaford, in the county of Grey, passing through or near
15 the towns of Wiarton and Owen Sound; to extend the time for the construction and completion of its railway; to change its head office to the town of Sault Ste. Marie, in the district of Algoma; to increase its capital stock, and to own, work and control steam railway ferries, steam and other vessels, in con-
20 nection with its railway, and to otherwise amend its Act of Incorporation. And it has been represented that the lines of railway of the company will for the most part run through an unsettled part of the Province, and it is proposed to operate the same by steam or electricity. And whereas, owing to the
25 location of the line of the said railway, the provisions of *The Electric Railway Act* are not applicable to the company; and whereas, for the reasons aforesaid, the circumstances of the said proposed line of railway are exceptional; and whereas it is expedient to grant the prayer of the said petition.

30 Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 2 of the said Act is repealed, and the following
is substituted therefor:—The company is hereby authorized
35 and empowered to survey, lay out, construct, complete, equip, and maintain a railway of the gauge of 4 feet 8½ inches in width, to be operated by steam or electricity, with double or single iron or steel tracks, from a point at or near the town of

Location and
gauge of line.

Little Current, in the district of Manitoulin, thence northerly and easterly a distance of one hundred miles, crossing the main line of the Canadian Pacific Railway at or near Onaping or Cartier stations, and also from a point on such line of railway in or near the township of Drury; thence easterly to the town of Sudbury, in the district of Nipissing, and also from a point at or near the town of Little Current, thence south-easterly to a point on the south shore of the Fitzwilliam Island, and from a point at or near Tobermoray, in the county of Bruce; thence south and easterly to the town of Meaford, in the county of Grey, passing through or near the towns of Wiarton and Owen Sound.

- Capital stock.** 2. That the capital stock of the company be \$5,000,000, with power to increase the same in the manner provided in *The Railway Act of Ontario*, to be divided into 50,000 shares of \$100.00 each. 5
- Rights of aliens.** 3. That aliens and companies incorporated abroad, as well as British subjects and corporations, may be shareholders in the company and all such shareholders who are residents in this Province and elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible for office as directors in the company. 20
- Head office.** 4. The head office of the company shall be at the town of Sault Ste. Marie in the district of Algoma and province of Ontario, and the general annual meeting of the shareholders of the company shall be held in such place in the said town of Sault Ste. Marie on such days and at such hours as may be directed by the by-laws of the company, and public notice thereof and of all other meetings of the shareholders of the company shall be given at least four weeks previously in *The Ontario Gazette*, and once a week in one newspaper published in the said town of Sault Ste. Marie, or in the town of Little Current, during the four weeks immediately preceding the week in which said meeting is to take place. 25
- General annual meetings.**
- Special meetings.** 5. Special general meetings of the shareholders of the company may be held at such place and at such times, and in such manner and for such purposes as may be provided by the by-laws of the company, and upon such notice as is provided in the last preceding section. 35
- Proxies.** 6. At all meetings of the company the shareholders thereof may vote by proxy, and the proxy may be appointed in such manner and by such means as the by-laws of the company may provide, but no person shall be qualified to be so appointed who is not himself a shareholder in the company. 40
- Powers.** 7. The company shall also have power and authority : 45
- Docks, Steamers, etc.** (1) To construct, maintain and operate ore docks, steam rail-

way ferries and other vessels as directors of the company may deem requisite from time to time to facilitate the carriage of passengers, freight, ore and other traffic in connection with its railway.

5 (2) To construct, maintain and operate works for the production of electricity for the motive power of the said railway, and for the lighting and heating the rolling stock and other property of the company. Electric works.

(3) To sell or lease any such electricity not required for the purposes aforesaid to any person or corporation, and the company in that behalf shall, subject to the provisions and restrictions of its Act, possess the powers, rights and privileges, and be subject to all the obligations and restrictions of Joint Stock Companies incorporated under the *Act respecting Companies* Selling or leasing electricity.
 10 for supplying Steam Heat, Electricity or Natural Gas for Heating, Light and Power, and to acquire and hold any property necessary for the purposes mentioned in this subsection.

(4) To purchase the right to convey electricity required for working of the railway and lighting or heating the same over, through or under lands other than the lands of the said railway, and with the consent of the councils of the municipalities affected to purchase the right to lay conduits under or erect poles and wires on or over such lands as may be determined by the company, and along and upon any of the public highways or across any of the waters in this Province by the erection of the necessary fixtures, including posts, piers or abutments for sustaining the cords or wires of such lines, or the conduits for such electricity upon and subject to such agreements in respect thereof as shall first be made between the company and any municipality in which such erection or any part thereof or of the railway, may be situate and under and subject to any by-law or by-laws of the council of such municipality passed in pursuance thereof. Carrying lines conduits, etc., for electricity through land.

35 8.—(1) The railway of the company shall not be constructed or operated on upon or along any street, highway or public place of any municipality until first authorized by an agreement in respect thereto made between the company and such municipality, and under and subject to the terms of such agreement, and of this Act, and of any by-law or by-laws of the council of said municipality to be passed in pursuance thereof; and in all such cases any and every work, matter or thing in connection with electricity or other motor power, and the application and using thereof in so constructing, operating and working such railway, or the cars, carriages, engines, motors or machines aforesaid shall be so constructed, erected, laid down and arranged as to impede or incommode the public use of such street, highway or public place as little as possible, and so as not to be a nuisance thereto nor to inter- Operating on highways.

ferre with the free access to any house or other building erected in the vicinity of the same, and the electric and other appliances shall be of such an improved manufacture and so placed as to avoid as far as possible any danger to buildings or other property, and provided that none of the works or property of the company shall be constructed or placed as to injuriously interrupt navigation in any navigable water. 5

Rev. Stat. c.
223.

(2) The by-law mentioned in this section shall be subject to the conditions and provisions of section 632 of *The Municipal Act*. 10

Constructing
line in sec-
tions.

Rev. Stat. c.
207.

9. The said company is also authorized and empowered to take and make the surveys and levels of the lands through which the said railway is to pass together with a map or plan thereof, and of their course and direction and of the lands intended to be passed over and taken therefor so far as is then ascertained, and also the book of reference for the railway, and to deposit the same as required by the clause of *The Railway Act of Ontario* and the amendments thereto with respect to plans and surveys by sections or portions less than the length of the whole railway, portions of such length as the company may from time to time see fit, so that no one of such sections or portions shall be less than ten miles in length, and upon such deposit as aforesaid of the map or plan and book of reference to any and each of such sections or portions of the said Railway Act and either of the clauses of the said Railway Act, and the amendments thereof applied to, included in or incorporated with this Act shall apply and extend to any and each of such sections or portions of the said railway as fully and effectually as if the surveys and levels had been taken and made of the lands through which the whole of the said railway is to pass, together with a map or plan of the whole thereof, and of their whole course and direction, and of the lands intended to be passed over and taken, and the book of reference of the whole of said railway had been taken, made, examined, certified and deposited according to the said clause of the said railway Act and the amendments thereof with respect to plans and surveys. 15
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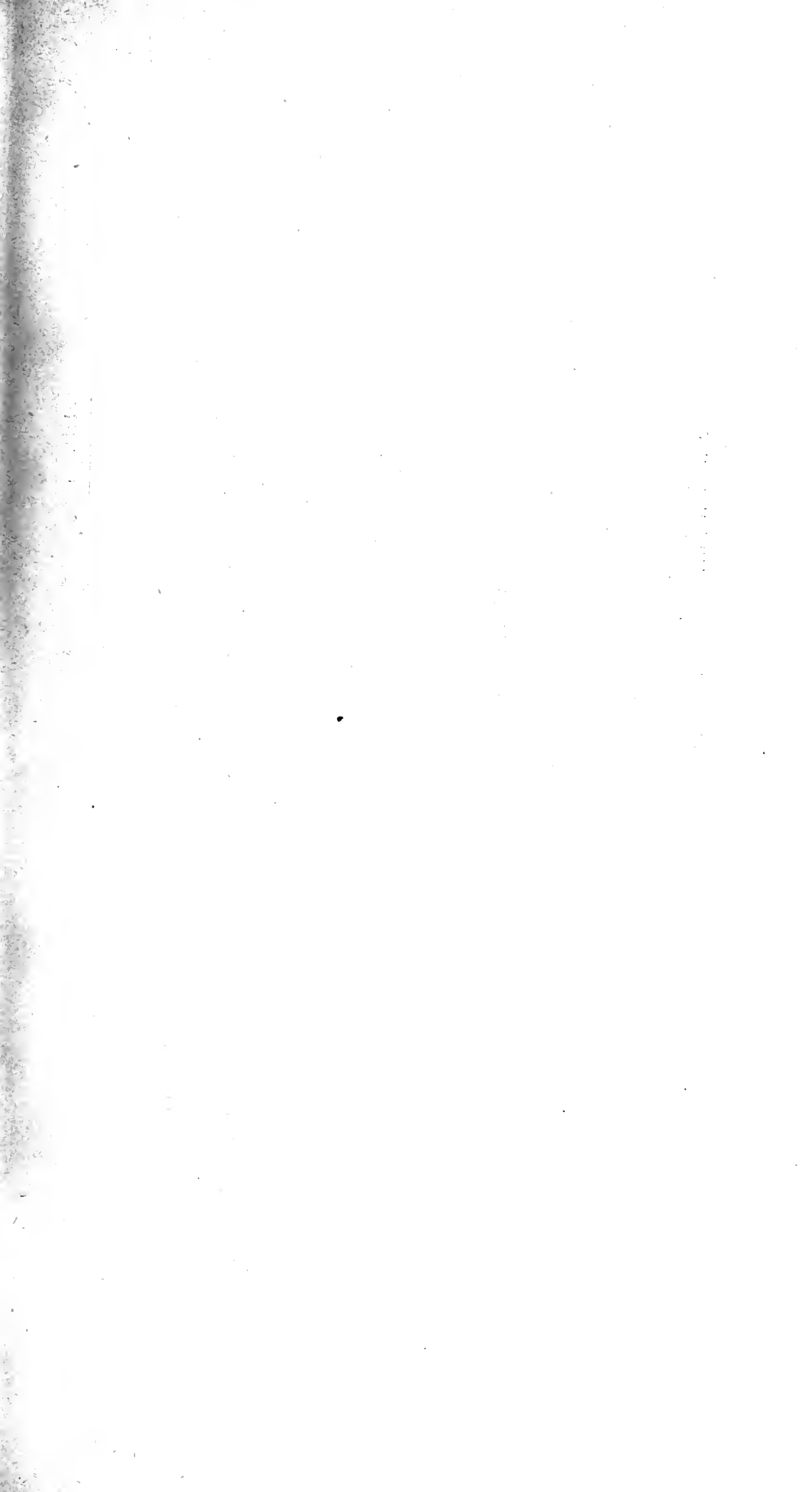
Rev. Stat. c.
209 not to be
applicable.

10. The provisions of *The Electric Railway Act* shall not apply to the company, but the several clauses of *The Railway Act of Ontario* shall apply to the said company except only so far as they may be inconsistent with the express enactments contained in the Act of Incorporation passed in the 51st year of Her Majesty's reign, chapter 70 and the several amendments thereto. 40

Time for
completion.

11. The said railway shall be finished and put in operation within seven years after the passing of this Act, and in default thereof the powers hereby conferred shall absolutely cease with respect to so much of the railway as then remains uncompleted. 45

12. The agreements made between Ella Kilgannan of the one part and John J. McIntyre and Peter Ryan of the other part and dated the twenty-third day of March, A. D. 1896 and the provisions thereof, the parties thereto consenting are hereby declared to be null and void and the said company as to its rights and obligations is hereby restored to its legal position as existing at the date of the said agreement.



No. 43.

3rd Session, 9th Legislature, 63 Vic., 1900.

BILL.

An Act respecting The Manitoulin and
North Shore Railway Company.

| | |
|---------------|-------|
| First Reading | 1900. |
|---------------|-------|

(Private Bill).

Mr. FARWELL.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting The Manitoulin and North Shore
Railway Company.

WHEREAS the Manitoulin and North Shore Railway ^{Preamble.} Company has petitioned for an Act to authorize and empower the said company to construct, lay out, and build and operate a railway from a point at or near the town of Little Current, in the district of Manitoulin, thence northerly and easterly a distance of one hundred miles, crossing the main line of the Canadian Pacific Railway, at or near Onaping or Cartier stations, and also from a point on such line of railway in or near the township of Drury, thence easterly to the town of Sudbury, in the district of Nipissing, and also from a point at or near the town of Little Current, thence south easterly to a point on the south shore of Fitzwilliam Island, and from a point near Tobermory in the county of Bruce, thence south and easterly to the town of Meaford, in the county of Grey, passing through or near the towns of Wiarton and Owen Sound; to extend the time for the construction and completion of its railway; to change its head office to the town of Sault Ste. Marie, in the district of Algoma; to increase its capital stock, and to own, work and control steam and other vessels, in connection with its railway, and to otherwise amend its Act of Incorporation. And it has been represented that the lines of railway of the company will for the most part run through an unsettled part of the Province, and it is proposed to operate the same by steam or electricity. And whereas, owing to the location of the line of the said railway, the provisions of *The Electric Railway Act* are not applicable to the company ⁴²⁷except so far as regards the construction and operation of any part of the proposed railway in the counties of Grey and Bruce; ⁴²⁸and whereas, for the reasons aforesaid, the circumstances of the said proposed line of railway are exceptional; and whereas it is expedient to grant the prayer of the said petition.

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

⁴²⁷1. Section 2 of the Acts passed in the 51st year of Her Majesty's reign intituled *An Act to incorporate the Manitoulin and North Shore Railway Company*, and chaptered 70 is repealed and the following substituted therefor: ^{51 v. cap. 70, s. 2, repealed.}

Location and
gauge of line.

2. The company is hereby authorized and empowered to survey, lay out, construct, complete, equip, and maintain a railway of the gauge of 4 feet 8½ inches in width, to be operated by steam or electricity, with double or single iron or steel tracks, from a point at or near the town of Little Current, in the district of Manitoulin, thence northerly and easterly a distance of one hundred miles, crossing the main line of the Canadian Pacific Railway at or near Onaping or Cartier stations, and also from a point on such line of railway in or near the township of Drury; thence easterly to the town of Sudbury, in the district of Nipissing, and also from a point at or near the town of Little Current, thence south-easterly to a point on the south shore of the Fitzwilliam Island, and from a point at or near Tobermoray, in the county of Bruce; thence south and easterly to the town of Meaford, in the county of Grey, passing through or near the towns of Wiarton and Owen Sound,⁴²⁷ and through the townships of St. Edmunds, Lindsay, Eastnor, Albermarle, Amabel, Keppel, Sarawak, Sydenham and St. Vincent and the said railway, or any part thereof, so far as the same may be operated by electricity, may be carried along and upon such public highways as may be authorized by the by-laws of the respective corporations having jurisdiction over the same and subject to the restrictions and provisions therein and in this Act contained and under and subject to any agreements between the company and the councils of any of the said corporations and between the company and the road companies (if any) interested in such highways; and the company may make and enter into any agreements with any municipal corporation or road company as to the terms of occupancy of any street or highway subject to the provisions and conditions contained in this Act and in *The Municipal Act*, and any Act or Acts amending the same: Provided that where the said railway is to be operated by electricity in any portions of the counties of Grey and Bruce, the provisions of *The Electric Railway Act* relating to the construction and operation of railways shall apply to the railway of the said company.⁶³¹

51 V. cap. 70, ⁴²⁸2. Section 6 of the said Act is hereby repealed and the following substituted therefor:⁶³¹

Capital stock. ⁴²⁹6. The capital stock of the company shall be \$5,000,000.00 with power to increase the same in the manner provided in *The Railway Act of Ontario*, to be divided into 50,000 shares of \$100.00 each, and shall be raised by the persons and corporations who may become shareholders in such company, and the money so raised shall be applied in the first place to the payment of all fees, expenses and disbursements of and incidental to the passing of this Act, and for making the surveys, plans and estimates connected with the works hereby authorized and the remainder of said moneys shall be applied to the making, equipping, completing and maintaining of the said railway and to the other purposes of this Act.⁶³¹

Rev. Stat.
c. 207.

3. Aliens and companies incorporated abroad, as well as British subjects and corporations, may be shareholders in the company and all such shareholders residents in this Province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible for office as directors in the company. Rights of aliens.

4. The head office of the company shall be at the town of Sault Ste. Marie in the district of Algoma and the general annual meeting of the shareholders of the company shall be held in such place in the said town of Sault Ste. Marie on such days and at such hours as may be directed by the by-laws of the company, and public notice thereof and of all other meetings of the shareholders of the company shall be given at least four weeks previously in *The Ontario Gazette*, and once a week in one newspaper published in the said town of Sault Ste. Marie, or in the town of Little Current, during the four weeks immediately preceding the week in which said meeting is to take place. Head office.
General annual meetings.

5. Special general meetings of the shareholders of the company may be held at such place and at such times, and in such manner and for such purposes as may be provided by the by-laws of the company, and upon such notice as is provided in the last preceding section. Special meetings.

6. At all meetings of the company the shareholders thereof may vote by proxy, and the proxy may be appointed in such manner and by such means as the by-laws of the company may provide, but no person shall be qualified to be so appointed who is not himself a shareholder in the company. Proxies.

7. The company shall also have power and authority : Powers.

(1) To purchase land for and erect power-houses, warehouses, elevators, docks, stations, work-shops and offices and to sell and convey such land as may be found superfluous for any such purpose ; and the company shall have power to hold as part of the property of the said company as many steam or other vessels as the directors of the company may deem requisite from time to time to facilitate the carriage of passengers, freight and other traffic in connection with the railway ; Docks,
Steamers, etc.

(2) To construct, maintain and operate works for the production of electricity for the motive power of the said railway, and for the lighting and heating the rolling stock and other property of the company. Electric works.

(3) To sell or lease any such electricity not required for the purposes aforesaid to any person or corporation, and the company in that behalf shall, subject to the provisions and restrictions of *this Act*, possess the powers, rights and privileges, and be subject to all the obligations and restrictions of Joint Stock Selling or leasing electricity.

Companies incorporated under the *Act respecting Companies for supplying Steam Heat, Electricity or Natural Gas for Heat, Light or Power*, and to acquire and hold any property necessary for the purposes mentioned in this subsection.

Carrying lines
conduits, etc.,
for electricity
through land.

(4) To purchase the right to convey electricity required for the working of the railway and lighting or heating the same over, through or under lands other than the lands of the said railway, and with the consent of the councils of the municipalities affected to purchase the right to lay conduits under or erect poles and wires on or over such lands as may be determined by the company, and along and upon any of the public highways or across any of the waters in this Province by the erection of the necessary fixtures, including posts, piers or abutments for sustaining the cords or wires of such lines, or the conduits for such electricity upon and subject to such agreement in respect thereof as shall first be made between the company and any private owners of the land affected, and between the company and any municipality in which such works or any part thereof or of the railway, may be situate and under and subject to any by-law or by-laws of the council of such municipality passed in pursuance thereof.

Operating on
highways.

8.—(1) The railway of the company shall not be constructed or operated on, upon or along any street, highway or public place of any municipality until first authorized by an agreement in respect thereto made between the company and such municipality, and under and subject to the terms of such agreement, and of this Act, and of any by-law or by-laws of the council of said municipality to be passed in pursuance thereof; and in all such cases any and every work, matter or thing in connection with electricity or other motive power, and the application and using thereof in so constructing, operating and working such railway, or the cars, carriages, engines, motors or machines aforesaid shall be so constructed, erected, laid down and arranged as to impede or incommode the public use of such street, highway or public place as little as possible, and so as not to be a nuisance thereto nor to interfere with the free access to any house or other building erected in the vicinity of the same, and the electric and other appliances shall be of such an improved manufacture and so placed as to avoid as far as possible any danger to buildings or other property, and provided that none of the works or property of the company shall be so constructed or placed as to injuriously interrupt navigation in any navigable water.

Rev. Stat. c.
223.

(2) The by-laws mentioned in section 2, subsection 4 of the preceding section and in this section shall be subject to the conditions and provisions of section 632 of *The Municipal Act*.

Constructing
line in sec-
tions.

9. The said company is hereby authorized and empowered to take and make the surveys and levels of the land through which the said railway is to pass together with a map or plan

thereof, and of *its* course and direction and of the lands intended to be passed over and taken therefor so far as then ascertained, and also the book of reference for the railway, and to deposit the same as required by the clauses of *The Railway Act of Ontario* and the amendments thereto with respect to plans and surveys by sections or portions less than the length of the whole railway *authorized*, of such length as the company may from time to time see fit, so that no one of such sections or portions shall be less than ten miles in length, and upon such deposit as aforesaid of the map or plan and book of reference of any and each of such sections or portions of the said railway *all and every* of the clauses of the said Railway Act, and the amendments thereof applied to, included in or incorporated with this Act shall apply and extend to any and each of such sections or portions of the said railway as fully and effectually as if the surveys and levels had been taken and made of the lands through which the whole of the said railway is to pass, together with a map or plan of the whole thereof, and of *its* whole course and direction, and of the lands intended to be passed over and taken, and the book of reference *for* the whole of said railway had been taken, made, examined, certified and deposited according to the said clauses of the said Railway Act and the amendments thereof with respect to plans and surveys.

10. Save as provided in section 2 hereof the provisions of *The Electric Railway Act* shall not apply to the company, but the several clauses of *The Railway Act of Ontario* and of every Act in amendment thereof shall be incorporated with and be deemed to be part of this Act and shall apply to the said company and to the railway to be constructed by them except only so far as they may be inconsistent with the express enactments contained in the Act of incorporation of the company passed in the 51st year of Her Majesty's reign and chaptered 70 and the several amendments thereto, and in this Act; and the expression "this Act" when used herein shall be understood to include the clauses of the said Railway Act and of every Act in amendment thereof so incorporated with this Act.

11. The said railway shall be finished and put in operation within *five* years after the passing of this Act, and in default thereof the powers hereby conferred shall absolutely cease with respect to so much of the railway as then remains uncompleted.

12. The agreement made between Ella Kilgannan of the one part and John J McIntyre and Peter Ryan of the other part and dated the twenty-third day of March, A. D. 1896 and the provisions thereof, the parties thereto consenting, are hereby declared to be null and void and the said company as to its rights and obligations is hereby restored to its legal position as existing at the date of the said agreement.

No. 43.

3rd Session, 9th Legislature, 63 Vic., 1900.

BILL.

An Act respecting The Manitoulin and
North Shore Railway Company.

First Reading, 14th March, 1900.

*(Reprinted as amended by Railway
Committee.)*

Mr. FARWELL

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting the Town of Fort William, 1900.

WHEREAS the corporation of the town of Fort William Preamble.
 have prayed for special legislation in respect of the
 enactments hereinafter contained ; and whereas it is expedient
 to grant the prayer of said petition ;

5 Therefore Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows :—

1. What is known as By-law number 205 of the corporation By-law No.
205, granting
aid to Ogilvie
grain elevator
confirmed.
 of the town of Fort William, intituled " A By-law for granting
 10 aid by way of a free site to William W. Ogilvie for the pur-
 pose of a grain elevator and flour mill in said town of Fort
 William ", (a copy of which By-law is contained in Schedule
 A hereto) is hereby declared to be a valid, legal and exist-
 ing By-law of said corporation, notwithstanding anything to
 15 the contrary ; and the said corporation is hereby declared to
 have had full power to enter into the agreement set forth in
 Schedule B hereto with the said William W. Ogilvie and
 the said agreement is hereby confirmed and declared to be and
 to have always been since the execution thereof legal, valid
 20 and binding upon the parties thereto, their respective heirs,
 executors, administrators, successors and assigns.

2. The lands referred to in said agreement contained in Exemption of
lands from
taxation.
 Schedule " B " hereto and all buildings which may be erected
 thereon, as also all persons who may be the owners thereof in
 25 respect of such lands and buildings, shall be exempt from all
 taxes (other than school rates) of the town of Fort William
 for a period of twenty years from the passing hereof ; and all
 personal property of every kind and description which may be
 in any way associated with the operation of the mill and ele-
 30 vator in said agreement mentioned or the business connected
 therewith, inclusive of all grain, flour and other products
 which may, during the period of this exemption, be upon the
 said lands or in transit thereto or therefrom, and the owners
 thereof in respect of such personal property, shall be exempt
 35 from the general taxation of said town (including school rates)
 for a period of twenty years from the passing hereof ;

Provided, however, the above exemptions are granted subject to the terms and conditions of said agreement contained in Schedule B hereto.

By-law No. 214, closing Front street confirmed.

3. What is known as By-law number 214 of said corporation, intituled "A By-law to stop up a portion of Front street in the town of Fort William and to sell and convey the same to William W. Ogilvie" (a copy of which By-law is contained in Schedule C hereto) is hereby declared to be a valid, legal and existing by-law of the said corporation, notwithstanding anything to the contrary; and the said corporation are hereby empowered to grant that portion of said Front Street so closed up to said William W. Ogilvie, his heirs and assigns as aid by way of free site for the purposes aforesaid. 5 10

By-law No. 227, for bonus to Mattawin Iron Mining Co. confirmed.

4. What is known as "By-law number 227 of the corporation of the town of Fort William to authorize the issue of debentures for \$25,000 for the purpose of granting a bonus to The Mattawin Iron Mining Company, Limited, in aid of the erection of a copper smelting establishment for smelting copper ores in the town of Fort William" (a copy of which by-law is contained in Schedule D hereto) is hereby declared to be a valid, legal and existing by-law of the said corporation to all intents and purposes, notwithstanding anything to the contrary; and the said corporation through its corporate seal and the hands of its Mayor and Clerk is hereby empowered to enter into an agreement to the effect set forth in Schedule D hereto with the said The Mattawin Iron Mining Company, Limited, and the same when so entered into shall be valid, legal and binding upon the parties thereto. 15 20 52

By-law No. 226, for aid to blast furnace, etc., confirmed.

5. What is known as "By-law number 226 of the Corporation of the Town of Fort William to authorize the issue of debentures for \$50 000 for the purpose of granting a bonus to The Mattawin Iron Mining Company, Limited, in aid of the erection of a blast furnace for the manufacture of pig iron in said municipality" (a copy of which by-law is contained in Schedule E hereto) is hereby declared to be a valid, legal and existing by-law of the said corporation to all intents and purposes, notwithstanding anything to the contrary: and the said corporation is hereby empowered through its corporate seal and the hands of its mayor and clerk to enter into an agreement to the effect contained in Schedule E hereto with the said The Mattawin Iron Mining Company, Limited, and the same when so entered into shall be valid, legal and binding on the parties thereto. 30 35 40

Rev. Stat. c. 293, s. 33, sub-s. 2, not to apply to Fort William.

6. The provisions of sub-section 2 of section 33 of Chapter 293 of the Revised Statutes of Ontario, 1897, are hereby repealed in so far as they affect, apply or extend to the said corporation of the Town of Fort William or the municipal council thereof. 45

SCHEDULE A.

(Section 1.)

The Corporation of the Town of Fort William, By-law No. 205.

A BY-LAW FOR GRANTING AID BY WAY OF A FREE SITE TO WM. W. OGILVIE FOR THE PURPOSE OF A GRAIN ELEVATOR AND FLOUR MILL IN SAID TOWN OF FORT WILLIAM.

Whereas the said William W. Ogilvie has offered to build in the town of Fort William a grain elevator of a capacity of not less five hundred thousand bushels, and also a flour mill of a capacity to grind not less than one thousand barrels of flour per day, on condition of obtaining among other considerations a free site for same from the corporation of the said town of Fort William.

And whereas it is deemed expedient to raise the sum of \$25,000 by way of loan to purchase a suitable site for the said elevator and mill ;

And whereas the amount of the whole rateable property of the said town of Fort William, according to the last revised assessment roll thereof, being the assessment roll for the year 1899, is \$1,043,532 ;

And whereas the existing debenture debt of the said town of Fort William amounts to the sum of \$136,471.35, no principal and no interest being in arrear ;

Therefore the corporation of the town of Fort William, by the council thereof, enacts as follows :—

1. It shall and may be lawful for the municipal council of the corporation of the town of Fort William to aid the said William W. Ogilvie for the erection of an elevator and flour mill within the limits of the town of Fort William by the granting of a free site to be purchased by the town in accordance with the offer of the said William W. Ogilvie, dated the 12th day of August, 1899 ;

2. For that purpose it shall be lawful for the Mayor of the said town of Fort William to borrow twenty-five thousand dollars, and to issue debentures of the said municipality to the said amount of \$25,000 in sums of not less than \$100, payable at the end of twenty years from the date of which this by-law takes effect, and to bear interest at a rate not exceeding four per cent per annum, payable half-yearly on the 12th day of March and the 12th day of September in each year respectively, during the currency of said debentures.

3. The said debentures shall bear date on the day hereinafter appointed for the coming into force of this by-law, shall be sealed with the corporate seal of the said town of Fort William, be signed by the Mayor and the Treasurer thereof, and bear interest at the rate of four per cent. per annum from the date thereof until respectively due, as hereinbefore specified, which interest shall be payable half-yearly on the 12th days of March and September respectively in each year at the Treasurer's office in the town of Fort William, where also the said debentures shall be payable.

4. The said debentures shall have attached thereto coupons for the payment of the interest thereon.

5. During the currency of the said debt while any of the said debentures remain unpaid, there shall be raised, assessed and levied yearly upon the whole rateable property in the town of Fort William, the sum of \$1,000 for the payment of the interest during the currency of the said debentures, and also the sum of \$839 50 for the payment of the said debt

6. This by-law shall come into force on the day of the final passing thereof by this Council.

7. The votes of the electors of the municipality of the town of Fort William shall be taken on this by-law on Monday the 11th day of September, 1899, commencing at nine o'clock in the morning and closing at the hour of five o'clock in the afternoon of the same day as follows :

In ward 1 at J. W. Robertson's house, and the said J. W. Robertson to be Deputy Returning Officer; ward 2 (No. 1) at L. A. Hamilton's store, A. McNaughton, Deputy Returning Officer, (No. 2) in town hall, John J. Wells, Deputy Returning Officer; ward 3, Stevens' Photograph Gallery, William Polling, Deputy Returning Officer; ward 4, at Court House, Augustus H. Wilson, Deputy Returning Officer.

8. On Saturday the 9th day of September, 1899, at the hour of ten o'clock in the forenoon, the Mayor of the town of Fort William will attend at the office of the town Clerk in the town of Fort William for the purpose of appointing in writing, signed by himself two persons to attend at the final summing up by the Town Clerk of the votes polled on this by-law, and also of appointing one person to attend at each polling place on behalf of the persons interested in and desirous of promoting the passing of this by-law, and a like number on behalf of the persons interested and desirous of opposing the passing of this by-law.

9. On Tuesday the 12th day of September, 1899, at ten o'clock in the forenoon at the office in the town hall in the town of Fort William the Clerk of the town of Fort William will proceed to sum up the number of votes given for and against this by-law.

(Corporate seal).

C. W. JARVIS, Mayor.
E. S. RUTLEDGE, Clerk.

SCHEDULE B.

(Section 1.)

Memorandum of agreement made this second day of November, 1899: Between, William W. Ogilvie, of the City of Montreal, Esquire of the First Part, and the Corporation of the Town of Fort William, hereinafter called the Town of the Second Part.

Whereas negotiations have been proceeding between the parties hereto and tentative arrangements arrived at for the erection by said Ogilvie of a certain flour mill and elevator, in the said town, and for assistance to be rendered by the town to said Ogilvie, in connection with said erection.

And whereas the town has enacted a certain by-law known as by-law No. 205, entitled "A by-law granting aid by way of a free site to William W. Ogilvie, for the purpose of a grain elevator and flour mill in the said town of Fort William," and also a by-law known as by-law No. 206, entitled, "A by-law for granting exemption from taxes to William W. Ogilvie, for the erection of a grain elevator and flour mill in the town of Fort William," and said by-laws have been passed by popular vote and finally adopted by the council of the said town.

And whereas the said town has also enacted a certain by-law No. 214, entitled, "A by-law to stop up a portion of Front street, in the town of Fort William, and to sell and convey the same to William W. Ogilvie:"

Now this agreement witnesseth that the town covenants and agrees with the said Ogilvie, his heirs, executors, administrators and assigns, as follows:

1. The town will cause to be conveyed and assigned with a good title free of all encumbrances, to said Ogilvie, certain lands and premises more particularly described as follows, that is to say, situate, lying and being in the town of Fort William, and composed of lots numbers 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52 and 97 on the west side of Front street, and lots numbers 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, on the east side of Front street, all in said town of Fort William:

2. The town will also cause to be conveyed to said Ogilvie the lands heretofore forming a portion of Front street in the said town, more particularly described in said by-law No. 214;

3. The town will make application to the Legislative Assembly of the Province of Ontario, at its next session, for legislation validating said by-laws Nos. 205 and 214, and also this agreement, and the town will use its best endeavors to procure such legislation to be passed.

4. The town will also apply for and use its best efforts to obtain legislation next session, exempting the lands hereinbefore referred to, and all buildings which may be erected thereon, as also all persons who may be the owners thereof in respect of such lands and buildings, from all taxes (other than school rates) during a period of ten years from the passage of such legislation; and also exempting all personal property of every kind and description which may be in any way associated with the operation of the said mill and elevator, or the business connected therewith, inclusive of all grain, flour and other products which may during such period of ten years be upon the said lands, or in transit thereto or therefrom, and the owners thereof in respect of such personal property, from all taxes including school rates.

In consideration of the above agreement and the execution thereof including the obtaining of the exemption from taxation aforesaid the said Ogilvie for himself his heirs, executors, administrators and assigns, covenants and agrees with the town as follows:—

5. The said Ogilvie will construct, erect and equip upon the said lands or a portion thereof, a grain elevator of a capacity of not less than five hundred thousand bushels and a flour mill of a capacity sufficient to grind at least one thousand barrels of flour per day.

(a) If the said mill and elevator be not fully completed and in operation before the expiration of 2 years from the passage of the legislation hereinbefore referred to, then the said lands, buildings and personal property shall, notwithstanding the provisions hereinbefore contained, become liable to the ordinary taxation of the town and shall so continue until said buildings shall have been fully completed and put in operation.

(b) If the said mill and elevator be not fully equipped and completed before the expiration of 3 years from the passage of such legislation then not only shall the exemption from taxation above provided for cease, but the said Ogilvie shall pay to the town the sum of Thirty-five thousand dollars.

(c) If prior to the completion of the said buildings and their being put in operation, they shall be destroyed or injured by fire or other causes over which said Ogilvie has not control, then the period during which said Ogilvie shall have been delayed by such cause shall not be estimated in computing the said periods of 2 and 3 years respectively.

6. The said Ogilvie or his assigns are to operate the said flour mill at an average of not less than one hundred and seventy-five days per year during the twenty years from the commencement of the operations thereof.

(a) In the event of the said Ogilvie failing to operate the said flour mill in the manner aforesaid, then when and so often as such default shall happen the property of the said Ogilvie in the said town shall be assessed and pay taxes according to the general law for the year in which such default happens, as if this agreement had not been entered into and as if no by-law or statute in that behalf had been passed.

(b) If the said Ogilvie shall fail to operate the said flour mill for less than three hundred and fifty days in any consecutive period of twenty-four months then on the happening of any such event or default this agreement shall be null and void in so far as exemption from taxation is concerned, and the property of the said Ogilvie in the said Town shall be assessed and pay taxes according to the general law as if this agreement had not been made and as if no by-law or ratifying statute in that behalf had been made or passed.

(c) The clauses of this paragraph shall not have effect in case of default happening by reason of damage to the mill by fire, accident or otherwise, or by any other cause over which said Ogilvie shall have no control, and any period of cessation in operating said mill due to such cause shall not be estimated in calculating any period of default.

7. If at any time during the said period of twenty years all the buildings which have been erected on said lands are totally destroyed, and in case a flour mill and elevator of the capacities aforesaid are not built within a period of two years from the happening of such destruction, then the said lands shall be reconveyed by said Ogilvie to the town or at

the option of said Ogilvie he shall pay to the town the sum of thirty-five thousand dollars and all exemption from taxation shall cease.

(a) If the buildings are partially destroyed and if the mill and elevator of the capacities aforesaid are not rebuilt within two years after destruction, then the said Ogilvie shall pay to the town the sum of thirty-five thousand dollars and all exemption from taxation shall cease.

(b) If prior to the completion of such re-erection of the said buildings and their being put in operation they shall be destroyed or damaged by fire or by any other cause over which said Ogilvie has no control, then the period during which the said Ogilvie shall have been delayed by such cause shall not be estimated in computing the period of two years referred to in this paragraph.

8. The town shall have a charge upon all the lands and premises hereinbefore referred to as security for the due payment by the said Ogilvie of the sum of thirty-five thousand dollars, as provided for in the preceding paragraphs, 5 (b), 7 and 7 (a).

9. And this agreement further witnesseth that the town covenants and agrees with the said Ogilvie, his heirs, executors, administrators and assigns, that it will apply for and use its best efforts to obtain legislation at the next ensuing session of the Legislative Assembly of the Province of Ontario, exempting the said lands, buildings and personal property in manner aforesaid, but for a period of twenty years instead of ten, as hereinbefore provided.

10. And the said Ogilvie, for himself, his heirs, executors, administrators and assigns, covenants and agrees with the town that in case such legislation is passed he will so construct and equip the said mill that it shall have a capacity of not less than fifteen hundred barrels of flour per day, and the said elevator so that it shall have a capacity of not less than seven hundred thousand bushels.

11. And further that if the legislation referred to in paragraphs 3 and 4 is not passed that he will either reconvey all the said lands to the town or will pay to the town twenty-five thousand dollars in respect of the parcels of land referred to in paragraph 1 of this agreement, and a further sum in respect of the lands referred to in paragraph 2 of this agreement, to be settled by three arbitrators in case the parties cannot agree upon the amount, each party to appoint one arbitrator and the third to be appointed by the two so appointed, and the award of a majority of the arbitrators shall be sufficient.

12. This agreement is subject to the ratification of the Legislative Assembly of the Province of Ontario.

In witness whereof the parties hereto have hereunto set their hands and seals the day and the year first above written.

Signed, sealed and delivered in
presence of

THOS. WILLIAMSON, Witness,
Montreal.

(Signed) W. W. OGILVIE. [Seal.]
C. W. JARVIS, Mayor.
E. S. RUTLEDGE, Clerk.

[Corporate seal.]

SCHEDULE C.

(Section 3.)

TOWN OF FORT WILLIAM, BY-LAW NO. 214. TO STOP UP A PORTION OF FRONT STREET IN THE TOWN OF FORT WILLIAM, AND TO SELL AND CONVEY THE SAME TO WM. W. OGILVIE.

Whereas, William W. Ogilvie, of the city of Montreal, miller, proposes to establish a flour mill and grain elevator in the said town of Fort William, on a site to be furnished by the corporation of the said town.

And whereas, to make said site the said corporation of the town of Fort William has purchased all the lots on both sides of Front street aforesaid,

lying between Duncan and Garnet streets, and it is necessary to close up Front street in order to make a solid block available for said site.

Therefore the municipal council of the corporation of the town of Fort William enacts as follows :—

1. That all that portion of Front street in the sub-division of the John McKellar Farm, lying west of the Kaminstiquia river, in the town of Fort William and District of Thunder Bay, described as follows :—

Commencing at the northwest corner of Garnet and Front streets and at the intersection thereof, thence north along the westerly limit of Front street eight hundred feet, more or less to the southwest corner of Front and Duncan streets ; thence east sixty-six feet, more or less, to the southeast corner of Front and Duncan streets and the easterly limit of Front street ; thence south along said easterly limit of Front street eight hundred feet, more or less, to the northeast corner of Front and Garnet streets ; thence west sixty-six feet, more or less, to the northwest corner of Front and Garnet streets and place of beginning, as shewn colored blue on a plan of survey made by A. E. Farncomb, land surveyor, dated Sept. 12th, 1899, is hereby declared to be stopped up and closed, and the said portion thereof shall, after the passing of this by-law, cease to be a public highway.

2. That in consideration of the said William W. Ogilvie erecting a flour mill and grain elevator on the said portion of Front street so closed and stopped up on lands adjoining the same to the east and west thereof, the said portion of Front street so closed shall be sold and conveyed for the consideration aforesaid to the said William W. Ogilvie, and the mayor shall execute under the corporate seal of the said corporation, countersigned by the clerk of the said corporation, the necessary conveyance vesting the same in the said W. W. Ogilvie.

Dated the 12th day of September, A. D. 1899.

C. W. JARVIS, Mayor.

E. S. RUTLEDGE, Clerk.

[Corporate Seal.]

SCHEDULE D.

(Section 4.)

By-law No. 227 of the Corporation of the town of Fort William to authorize the issue of debentures for \$25,000 for the purpose of granting a bonus to the Mattawin Iron Mining Company, Limited, in aid of a copper smelting establishment for smelting copper ores in the town of Fort William.

Whereas the Mattawin Iron Mining Company, Limited, is incorporated for the purpose of mining and manufacturing ores and minerals ; and whereas, owing to the recent development of a large copper mine at Round Lake, in the vicinity of the route of The Ontario and Rainy River railway, the town of Fort William is advantageously situated for the erection of a copper smelting establishment, and such enterprise will benefit similar mines and promote manufacturing industry in Fort William, and whereas it is deemed expedient to grant to the said Company \$25,000 by way of bonus to aid in the erection of a copper smelting establishment on certain conditions hereinafter stated.

And whereas it is necessary to issue debentures for the said sum of \$25,000, and that the time for payment thereof shall be extended over a period of forty years in such manner that the yearly payment of principal and interest shall together be as nearly equal as possible, and that the Provincial Legislature shall be petitioned to sanction this by-law and legalize the said issue of debentures.

And whereas the total amount required to be raised annually for paying the debt and interest in respect of the said bonus is the sum of \$1,263.10 yearly for 40 years, and whereas the whole rateable property of the town of Fort William, according to the last revised assessment roll thereof is \$1,043,352.00.

And whereas the existing debenture debt of the town of Fort William is \$156,295.22, and no part of said debt, either principal or interest is in arrear.

Therefore the council of the corporation of the town of Fort William enacts as follows:—

1. It shall be lawful for the said municipality to borrow the said sum of twenty-five thousand dollars and to issue debentures for said sum in such instalments of principal and interest to be paid yearly as shall together with the interest to be paid yearly be as nearly equal as possible in every year during said period of 40 years.

2. It shall be lawful for the Mayor or other head of the municipality and he is hereby authorized and instructed to sign and issue the said debentures hereby authorized, the sanction of the same by the Provincial Legislature being first authorized, and to cause the same to be signed by the Treasurer of the said municipality, and the Clerk of said municipality is hereby authorized and instructed to attach the seal of said municipality to said debentures which shall be payable at the Treasurer's Office, in the Town of Fort William.

3. During the period of 40 consecutive years beginning with the year in which the debentures are to be issued as hereinafter provided there shall be raised and levied annually by special rate upon the rateable property within the municipality the sum of \$1,263.10 (twelve hundred and sixty-three dollars and ten cents) being a sum sufficient to repay the said debentures for \$25,000 and all interest thereon in 40 years.

4. The said debentures shall be issued and delivered to the Mattawin Iron Mining Company, Limited, in satisfaction of the said bonus in manner and subject to the conditions and at the times set forth in the following agreement, that is to say:—

This agreement made in duplicate this _____ day of _____ A.D. _____, between the corporation of the Town of Fort William, (hereinafter called the "Corporation") of the first part and The Mattawin Iron Mining Company, Limited, (hereinafter called the "Company") of the second part.

Whereas the company have in contemplation the establishment of a copper smelting works in the said Town of Fort William, and the Corporation have offered to assist the said enterprize by granting a bonus to the extent of \$25,000 upon the terms and conditions hereinafter set forth.

Therefore this agreement witnesseth that for the consideration herein set forth, the said parties have, and hereby do covenant, promise and agree each with the other in manner following:—

First.—The Company will cause to be erected, constructed and equipped a copper ore smelting works, comprising two furnaces capable of smelting sixty tons of copper ore per working day of twenty-four hours. Such copper smelting works to be of modern design and of substantial character and completely and properly equipped with all necessary machinery and plant for the working thereof. The said copper smelting works shall be erected and put in operation within eighteen months from the legalization and ratification hereof by the Provincial Legislature of the Province of Ontario. Upon the final completion of said copper smelting works, as hereinafter provided, there shall have been expended in the construction, erection and equipment thereof a sum of at least \$100,000.

Second.—The Company covenant, promise and agree that they will operate the said smelting works as follows:—

(a) That the said copper smelters shall be capable of smelting sixty tons of copper ore each working day of twenty-four hours during the year as provided in section (b) hereof; and the daily work of said furnaces shall be the smelting of sixty tons of copper ore.

(b) That the Company will carry on operations in connection with the said smelters for at least six months in each and every year during the period of ten years hereinafter provided for, accidents, strikes and other circumstances beyond their control excepted.

(c) That they will pay monthly in cash in the Town of Fort William to all men employed by them in or about the said smelters.

(d) That they will not engage in or be connected with any business as retail merchants in the District of Thunder Bay.

(e) That they will operate the said smelting works or any other works substituted therefor, as herein provided for ten years from the commencement of operations of said smelters.

Third.—The whole of the said \$25,000 of said debentures to be issued for said bonus of \$25,000 shall be issued and with interest coupons at four per cent. per annum attached, shall be handed to the Company (who are to accept them at par in full satisfaction of said bonus of \$25,000) as soon as the company have said smelters in operation and have, during thirty days, smelted an average of at least sixty tons of copper ore per working day of twenty-four hours, as herein specified, and the Company shall have expended said sum of \$100,000 in erection thereof, of which amount being so expended the vouchers and books of account with statutory declaration of the President and Secretary of the Company shall be *prima facie* evidence, and the Corporation shall have the right to appoint an engineer to inspect the said works jointly with the engineer of the Company and to verify said expenditure as herein provided, the said engineers to report jointly to the Corporation.

Fourth.—The company agree to erect said copper smelters in that portion of the Town of Fort William, bounded by Vickers street on the east, by River Neebing on the north, by Kaministiquia River on the south, and the westerly limit of the town of Fort William on the west.

Fifth.—The corporation agree to exempt, saving school rates and local improvement taxes, such of the lands, buildings, machinery and plant of the company as are actually required, necessary and used for the proper workings of the said smelting works as a going concern for a period of ten years from the final passing of the by-law submitted in that behalf.

Sixth.—And the company further agree with the corporation that in the event of the company making default in the running and operation of said smelting works as aforesaid at any time during the said terms of ten years, then when and so often as such default shall happen all the real estate, buildings, machinery and other property of the company in the town of Fort William shall be liable to taxation during the year in which such default happens as if this agreement had not been entered into and no by-laws or ratifying statute in that behalf passed.

Seventh.—And it is further agreed that if the company shall fail to run and operate said smelting works as herein provided for less than twelve months in any consecutive period of twenty-four months, or shall fail to have said works in operation within the time aforesaid, then on the happening of any such event or default, this agreement shall be null and void as far as exemption from taxation is concerned, and the whole property of the company in the town of Fort William shall be liable to taxation according to the general law as if this agreement and no exempting by-law or ratifying statute in that behalf had been passed.

Eighth.—The company in the event of the total or partial destruction of the said copper smelters, shall restore and put in operation the works of the company in accordance with the requirements of original construction and operation hereunder, and all provisions hereof not inconsistent therewith, shall apply and extend to the said works as restored to same extent as to original works hereunder.

Ninth.—Provided that notwithstanding anything herein contained, the company shall acquire a site and commence operations in good faith, and shall have spent the sum of \$2,500 in such operations towards erection and completion of said copper smelters as aforesaid (exclusive of site) within six months from the passing of an act by Provincial Legislature ratifying this agreement and by-laws in this behalf, otherwise this agreement shall be null and void, notwithstanding said ratifying act or statute in that behalf, and the company shall be liable only to pay the corporation all costs, legal expenses and other disbursements incurred by the corporation in preparing and submitting said by-laws and this agreement, and in applying to Provincial Legislature for legislation ratifying the same. This agreement shall extend to and be binding on the successors and assigns of the company.

Time shall be of the essence of this agreement.

This agreement shall be subject to ratification and approval of the Provincial Legislature of the Province of Ontario.

In witness, etc.

The mayor is empowered on behalf of this corporation to execute the said agreement between the said company and this corporation herein contained and which is made a part of this by-law after the same shall have received the assent of the ratepayers as required by law and shall have been made valid by the Legislature.

The votes of the electors of the municipality of the Town of Fort William shall be taken on this by-law on Monday, the first day of January, A.D. 1900, commencing at the hour of nine o'clock in the morning and closing at the hour of five o'clock in the afternoon of the same day as follows:—

In Ward One—At J. W. Robertson's house. J. W. Robertson, Deputy Returning Officer.

In Ward Two—(No. 1) at the former Journal office, corner of Simpson street and Victoria avenue. David McLure, Deputy Returning Officer. (No. 2) at the Town Hall, S. W. Matthews, Deputy Returning Officer.

In Ward Three—At S. Steven's house, corner of Syndicate avenue and Ridgeway street. Wm. Polling, Deputy Returning Officer.

In Ward Four—At Court House, West Fort. A. H. Wilson, Deputy Returning Officer.

5. On Saturday, the 30th day of December, 1889, at the hour of ten o'clock in the forenoon, the Mayor of the town of Fort William will attend at the office of the Town Clerk for the purpose of appointing in writing signed by himself, two persons to attend at the final summing up by the Town Clerk of the votes polled on this by-law and also of appointing one person to attend at each polling place on behalf of the persons interesting in and desirous of promoting the passing of this by-law, and a like number on behalf of the persons interested in and desirous of opposing the passing of this by-law.

6. On Tuesday, the 2nd day of January, 1900, at 10 o'clock in the forenoon at the office in the Town Hall, in the Town of Fort William the Clerk of the Town of Fort William will proceed to sum up the number of votes given for and against this by-law.

C. W. JARVIS,
Mayor.
E. S. RUTLEDGE,
Clerk.

[Corporation seal].

SCHEDULE E.

(Section 5.)

By-law No. 226 of the Corporation of the Town of Fort William, to authorize the issue of debentures for \$50,000 for the purpose of granting a bonus to the Mattawin Iron Mining Company, Limited, in aid of the erection of a blast furnace for the manufacture of pig iron in said municipality.

Whereas the Mattawin Iron Mining Company, Limited, is the owner of valuable iron mining locations in the vicinity of the Mattawin River, and is incorporated for the purpose of mining and manufacturing iron and other ores and minerals: and the said Company desire to erect a charcoal blast furnace in the Town of Fort William for the smelting of iron ores, and it is deemed expedient to grant \$50,000 by way of bonus to aid the said Company's enterprise on the terms and conditions hereinafter stated:

And whereas it is necessary that the time for payment of said debentures shall be extended over a period of 40 years in such manner that the yearly payments of principal and interest shall together be as nearly equal

as possible, and that the Provincial Legislature of Ontario should be petitioned to sanction this by-law and legalize the said issue of debentures ;

And whereas the total amount to be raised annually by special rates for paying the debt and interest at 4 per cent. in respect of said bonus, is the sum of \$2,526.20 yearly for 40 years ;

And whereas the whole rateable property of the town of Fort William according to the last revised assessment roll is the sum of \$1,043,352 ;

And whereas the existing debenture debt of the said Corporation of the Town of Fort William is \$156,295.22 ;

And no part of the said debt, either principal or interest, is in arrears ;
Therefore the Council of the Corporation of the town of Fort William enacts as follows :—

1. It shall be lawful for the said municipality to borrow the said sum of \$50,000 and to issue debentures for the said sum for such instalments of principal as shall, together with the interest to be paid yearly, be as nearly equal as possible in every year during the said period of 40 years.

2. It shall be lawful for the Mayor or other head of the municipality and he is hereby authorized and requested to sign and issue the said debentures hereby authorized, the sanction of the same by the Provincial Legislature being first authorized, and to cause the same to be signed by the Treasurer of said municipality, and the Clerk of said municipality is hereby authorized and instructed to attach the seal of said municipality to said debentures, which shall be payable at the Treasurer's office in the Town of Fort William.

3. During the period of forty consecutive years beginning with the year in which the debentures are to be issued as hereinafter provided there shall be raised and levied annually by special rate upon all the rateable property within the municipality aforesaid the sum of \$2,526.20 (two thousand five hundred and twenty-six dollars and twenty cents) being a sum sufficient to repay the said debenture debt and all interest in respect thereof.

4. The said debentures shall be issued and delivered to the Mattawin Iron Mining Company, Limited, in satisfaction of the said bonus in the manner and upon the conditions and at the times set forth in the following agreement :—

AGREEMENT

made in duplicate this day of , A.D. , between the Corporation of the Town of Fort William (hereinafter called the "Corporation") of the first part, and the Mattawin Iron Mining Company, Limited (hereinafter called the "Company") of the second part.

Whereas the Company have in contemplation the establishment of an iron smelting industry in the Town of Fort William, and the Corporation have offered to assist the said enterprise by granting a bonus to the extent of \$50,000 upon the terms and conditions hereinafter set forth.

Therefore this agreement witnesseth that for the consideration herein set forth, the said parties have, and hereby do covenant, promise and agree each with the other in the manner following :

1. The Company will cause to be constructed, erected and equipped a charcoal iron smelting works or blast furnace capable of turning out at least fifty tons of pig iron per working day of twenty-four hours. Such iron smelting works or blast furnace to be of modern design and substantial character, and to be fully and completely equipped with all necessary machinery and plant proper for working thereof. The said iron smelting works or blast furnace shall be erected and put in operation within eighteen months from the legalization and ratification hereof by the Provincial Legislature of Province of Ontario. Upon the final completion of said works there shall have been expended in the construction, erection and equipment thereof a sum of at least \$200,000.

2. The Company covenant, promise and agree with the Corporation that they will operate said smelting works or blast furnace as follows :

(a). That the output of said furnace shall average at least fifty tons of pig iron of a merchantable quality for each working day of twenty-four

hours during the year, as provided in section (b) hereof, and the minimum output of said smelting works or blast furnace shall be fifty tons of pig iron per working day of twenty-four hours.

(b). That the company will carry on operations in connection with the said smelting works or blast furnace for at least two hundred and fifty working days in each and every year during the period of ten years hereinafter provided for, accidents, strikes and other circumstances beyond their control excepted.

(c). That they will pay monthly in cash in the town of Fort William to all men employed by them in or about the said smelter.

(d). That they will not engage in or be connected with any business as retail merchants in the District of Thunder Bay.

(e). That they will operate the said smelting works or blast furnace or any other works substituted therefor, as hereinafter provided for, as provided in clause second hereof, for ten years from the time of commencement of operations as aforesaid.

Provided that if the supply of charcoal fuel shall, through forest fires or other sufficient causes, become unreasonably expensive, the Company may alter their smelting works or furnace suitable for the manufacture of pig iron with coke or mineral coal and a delay of one year for such alterations shall not impose any liability on the Company for default hereunder in that respect, and all provisions of this agreement not inconsistent therewith shall extend and apply to said works as altered to same extent as to original works.

(f). That the Company will permit the Corporation to remove from the Company's premises, for the improvement of their streets, two thousand tons of furnace slag in each and every year during which said furnace or smelting works shall be in operation.

3. The debentures for \$50,000 shall be issued and handed over to the Company, with interest coupons bearing interest at four per cent. per annum from the time of commencing smelting operations as aforesaid attached (to be taken by them at par) when and so soon as the works of the Company have been put in operation, and have, during thirty days, produced an average of at least fifty tons of pig iron of a merchantable quality per working day of twenty-four hours as herein specified and the Company shall have expended said \$200,000, of which amount being so expended the vouchers and books of account of the Company and the statutory declarations of the President and Secretary thereof shall be prima facie evidence. The Corporation shall have the right to appoint an engineer to inspect the said works jointly with the engineer of the Company, and to verify said expenditure as herein provided, the said engineers to report jointly to the Corporation.

4. The Company agree to erect the said iron smelting works and blast furnace in that portion of the town of Fort William bounded by Vickers Street on the east, by River Neebing on the north, by Kaministiquia River on the south, and the westerly limit of the town of Fort William on the west.

5. The corporation agree to exempt, saving school rates and local improvement taxes, such of the land, buildings, machinery and plant of the company as are actually acquired, necessary and used for the proper working of said smelting works and blast furnace as a going concern for a period of ten years from the final passing of the by-law submitted in that behalf.

6. And the company further agree with the corporation that in the event of the company making default in the running and operation of said smelting works or blast furnace as aforesaid at any time during the said term of ten years, then when and so often as such default shall happen all the real estate, buildings, machinery and other property of the company in the town of Fort William shall be liable to taxation during the year in which said default happens as if this agreement had not been entered into and no exempting by-laws and no ratifying Act of the Provincial Legislature in that behalf passed validating same.

7. And it is further agreed that if the company shall fail to run and operate said smelting works as hereinbefore provided for less than twelve months in any consecutive period of twenty four months, or shall fail to have said works in operation within the time aforesaid then on the hap-

pening of any such event or default this agreement shall be null and void as far as exemption from taxation is concerned and the whole property of the company in the Town of Fort William shall be liable to taxation according to general law and as if this agreement and no exempting by-law or ratifying statute in that behalf has been passed.

8. That the company in the event of the total or partial destruction of the said smelting works or blast furnace shall restore and put in operation the works of the company in accordance with the requirements of original construction and operation hereunder, and all provisions hereof not inconsistent therewith shall, apply and extend to the said works as restored to same extent as to original works hereunder.

9. Provided that notwithstanding anything herein contained the company shall commence operations for erecting said works and acquire the site therefor within six months from the passing of an Act of the Provincial Legislature ratifying this agreement and by-laws in this behalf, and shall have expended the sum of at least \$5,000 in said operations exclusive of site therefor, otherwise this agreement shall be null and void notwithstanding any ratifying by-law or statute in that behalf, and the company shall only be liable to pay the corporation all costs, legal expenses and other disbursements incurred by the corporation in preparing and submitting said by-laws and this agreement and in applying to the Provincial Legislature for legislation ratifying same.

This agreement shall extend and to be binding on the successors and assigns of the company.

Time shall be of the essence of this agreement.

This agreement is subject to ratification and approval of the Provincial Legislature of the Province of Ontario.

In witness whereof the seal of the corporation under the hands of its mayor and clerk, and the seal of the company as witnessed by the hands of its president and secretary.

Signed, sealed and delivered in the presence of

The mayor is empowered on behalf of this corporation to execute the said agreement between the said company and this corporation herein contained and which is made a part of this by-law, after the same shall have received the assent of the rate-payers as required by law and shall have been made valid by the legislature.

The votes of the electors of the municipality of the Town of Fort William shall be taken on this by-law on Monday, the First day of January, A.D. 1900, commencing at the hour of nine o'clock in the morning and closing at the hour of five o'clock in the afternoon of the same day, as follows:—

In Ward One—At J. W. Robertson's house. J. W. Robertson, Deputy Returning Officer.

In Ward 2—(No. 1) at the former *Journal* Office, corner of Simpson Street and Victoria Avenue. David McLure, Deputy Returning Officer. (No. 2) at the Town Hall. S. W. Matthews, Deputy Returning Officer.

In Ward 3—At S. Steven's house, corner of Syndicate Avenue and Ridgeway Street. Wm. Polling, Deputy Returning Officer.

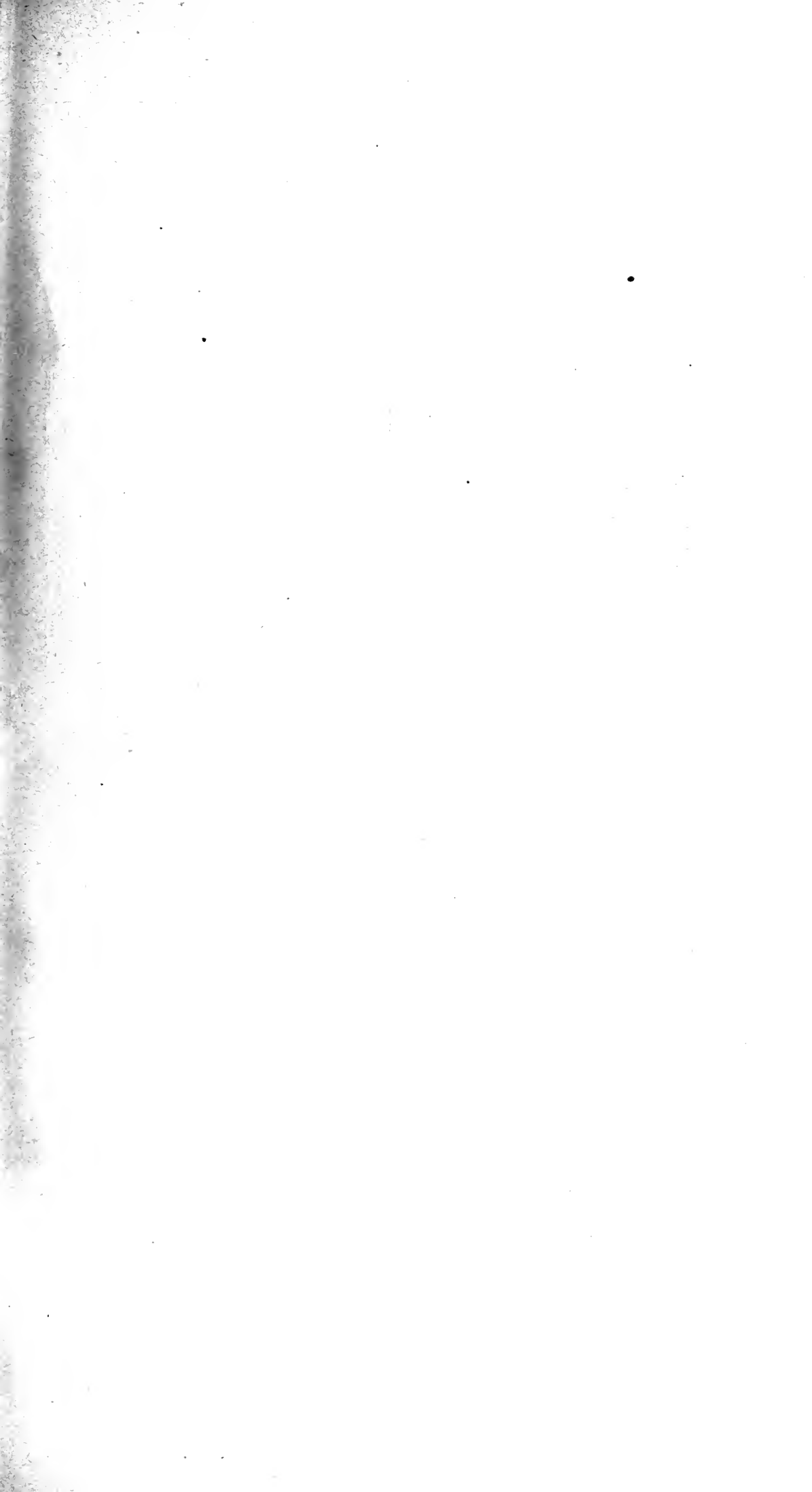
In Ward 5—At Court House, West Fort. A. H. Wilson, Deputy Returning Officer.

5. On Saturday, the 30th day of December, 1899, at the hour of ten o'clock in the forenoon, the Mayor of the town of Fort William will attend at the office of the Town Clerk for the purpose of appointing in writing, signed by himself, two persons to attend at the final summing up by the Town Clerk of the votes polled on this by-law, and also of appointing one person to attend each polling place on behalf of the persons interested in and desirous of promoting the passing of this by-law, and a like number on behalf of the persons interested in and desirous of opposing the passing of this by-law.

6. On Tuesday, the 2nd of January, 1900, at ten o'clock in the forenoon, at the office in the Town Hall in the town of Fort William, the Clerk of the town of Fort William will proceed to sum up the number of votes given for and against this by-law.

[SEAL]

C. N. JARVIS, Mayor.
E. J. RUTLEDGE, Clerk.



BILL.

An Act respecting the Town of Fort
William, 1900.

| | |
|----------------|-------|
| First Reading. | 1900. |
|----------------|-------|

(Private Bill.)

Mr. CONNIE.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty

An Act respecting the Town of Fort William, 1900.

WHEREAS the corporation of the Town of Fort William Preamble. have prayed for special legislation in respect of the enactments hereinafter contained; and whereas William W. Ogilvy, late of Montreal (now deceased), for himself, his heirs, executors and administrators, entered into an agreement with the Town of Fort William to build an elevator of 500,000 bushels capacity and to erect a flour mill of a daily capacity of 1,000 barrels in consideration of the grant to him by the Town of Fort William of a free site, the cost of which to the municipality will be \$25,000 (said site to include a portion of Front Street between Garnet and Duncan Streets) and of the said estate both real and personal being exempted from taxes for the term of ten years from this date, but that should the exemption from taxes be extended to twenty years, the capacity of the said elevator will be increased to 700,000 *bushels* and of the said flour mill to not less than 1,500 barrels per day; and whereas a by-law authorizing the issue of debentures to the extent of \$25,000 repayable with interest at 4 per cent. in 20 years for the purpose of purchasing the proposed site having been submitted to the duly qualified ratepayers of the Town of Fort William, out of a total of 625 persons entitled to vote thereon, 136 of whom are non-resident, 437 voted for the By-law and 5 against; and whereas a by-law to exempt the said property from taxation for a period of ten years was submitted and 433 voted for and 10 against the said by-law; and whereas by an error in drawing up the said exemption by-law all reference to personal property was omitted from the same, but there has been filed with the Clerk of the Legislative Assembly for the Province of Ontario a Petition signed by 302 of the duly qualified ratepayers of the Town of Fort William, praying that the property both real and personal, in any way connected with the aforesaid mill and elevator shall be exempted from taxation during a period of twenty years, which 302 signatures represent a much larger number of votes inasmuch as many of the signers are entitled to vote in more Wards than one in the Town of Fort William; and whereas the Town of Fort William has complied with all the provisions of *The Municipal Act* for the proper closing up of Front Street between Garnet and Duncan Streets aforesaid; and whereas the Mattawin Iron Mining Company, Limited, have agreed with the town of Fort William to erect a blast furnace for the manufacture of pig iron with a daily capacity of fifty tons and to spend not less

than \$200,000 on the erection, completion and equipment of said furnace and charcoal fuel plant, and to produce daily for a period of not less than 30 days, 50 tons of iron before claiming the benefits hereby conferred, in consideration of the grant to them of \$50,000 of the debentures of the Town of Fort William payable in 39 years, and bearing interest at 4 per cent. and of the exemption from taxation (excepting school taxes and local improvement rates) of all the real and personal property of the Company in connection with the said blast furnace; and whereas by a vote of the duly qualified ratepayers of the town of Fort William upon the said by-law to grant the said bonus there were 285 votes cast for and 80 against the said by-law; and whereas by a vote of the duly qualified ratepayers of the Town of Fort William upon a by-law to exempt the said blast furnace from taxation for the period of ten years, there were 271 votes cast for and 92 against the said by-law; and whereas the said Mattawin Iron Mining Company, Limited, have agreed with the Town of Fort William to erect a copper smelting establishment for the smelting of copper ores with a daily smelting capacity of 60 tons of ore and to spend not less than \$75,000 on the erection, completion and equipment of the said copper smelting establishment and to smelt daily for a period of not less than 30 days 60 tons of copper ore before claiming the benefits hereby conferred, in consideration of the grant to them of \$25,000 of the debentures of the Town of Fort William payable in 30 years and bearing interest at 4 per cent. and of the exemption from taxation (excepting school taxes and local improvement rates) of all the real and personal property of the company in connection with the said copper smelting establishment; and whereas by a vote of the duly qualified ratepayers of the Town of Fort William upon the said by-law to grant the said bonus there were 248 votes cast for and 104 against the said by-law; and whereas by a vote of the duly qualified ratepayers of the Town of Fort William upon a by-law to exempt the said copper smelting establishment from taxation for a period of ten years there was 251 votes cast for and 115 against the said by-law; and whereas the payment of similar bonuses already granted by the municipality requires an annual levy of \$2,117.00; and whereas the said the corporation of the Town of Fort William desires that the various agreements and by-laws should be ratified, validated and confirmed; and whereas it is expedient to grant the legislation asked for; ¹⁸⁸³

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

By-law No. 205, granting aid to Ogilvie grain elevator confirmed.

1. By-law number 205 of the corporation of the Town of Fort William, intituled "A By-law for granting aid by way of a free site to William W. Ogilvie, ^{and} his heirs, executors and administrators, ¹⁸⁸³ for the purpose of a grain elevator and flour mill in

said Town of Fort William" (a copy of which by-law is contained in Schedule A hereto)⁴²⁷ and the agreement between the said municipal corporation and the said William W. Ogilvie, his heirs, executors and administrators, fully set out in section one, Schedule B, to this Act, are hereby confirmed and declared to be legal, valid and binding upon the said municipal corporation of the Town of Fort William and the ratepayers thereof and upon the said William W. Ogilvie, his heirs, executors, administrators and assigns anything in *The Municipal Act* or in any other Act to the contrary notwithstanding.⁶²⁸

2. The lands referred to in the said agreement contained in Schedule "B" hereto and all buildings which may be erected thereon, as also all persons who may be the owners thereof in respect of such lands and buildings, shall⁴²⁷ subject to the provisions of the said agreement contained in Schedule B,⁶²⁸ be exempt from all taxes (other than school taxes) of the Town of Fort William for a period of twenty years from the passing hereof; and all personal property of every kind and description which may be in any way associated with the operation of the mill and elevator in said agreement mentioned or the business connected therewith, inclusive of all grain, flour and other products which may, during the period of this exemption, be upon the said lands or in transit thereto or therefrom, and the owners thereof in respect of such personal property, shall,⁴²⁷ subject to the provisions of the said agreement contained in Schedule B,⁶²⁸ be exempt from all taxes (including school taxes) for a period of twenty years from the passing hereof;

Exemption of
lands from
taxation.

3. By-law number 214 of said Corporation, intituled "A by-law to stop up a portion of Front street in the Town of Fort William and to sell and convey the same to William W. Ogilvie" (a copy of which by-law is contained in Schedule C hereto) is hereby⁴²⁷ confirmed and declared to be legal, valid and binding upon the said municipal corporation of the Town of Fort William and the ratepayers thereof and upon the said William W. Ogilvie, his heirs, executors and administrators, anything in *The Municipal Act* or any other Act to the contrary notwithstanding,⁶²⁸ and the said corporation are hereby empowered to grant that portion of said Front Street so closed up to said William W. Ogilvie, his heirs and assigns for the purposes aforesaid.

By-law No.
214, closing
Front street
confirmed.

4. "By law number 227 of the Corporation of the Town of Fort William to authorize the issue of debentures for \$25,000 for the purpose of granting a bonus to The Mattawin Iron Mining Company, Limited, in aid of the erection of a copper smelting establishment for smelting copper ores in the Town of Fort William" (a copy of which by-law is contained in Schedule D hereto)⁴²⁷ is hereby confirmed and declared valid and binding upon the said municipal corporation of the Town of Fort William and the ratepayers thereof and upon the said The

By-law No.
227, for bonus
to Mattawin
Iron Mining
Co confirmed.

Mattawin Iron Mining Company, Limited, their successors and assigns, anything in *The Municipal Act* or in any other Act to the contrary notwithstanding, and the said Corporation may enter into an agreement *in the form or to the effect* set forth in Schedule D hereto with the said The Mattawin Iron Mining Company, Limited, *their successors and assigns*, and the same when so entered into shall be valid, legal and binding upon the parties thereto.

By-law No.
226, for aid to
blast furnace,
etc., con-
firmed.

5. " By-law number 226 of the Corporation of the Town of Fort William to authorize the issue of debentures for \$50 000 for the purpose of granting a bonus to The Mattawin Iron Mining Company, Limited, in aid of the erection of a blast furnace for the manufacture of pig iron in said municipality " (a copy of which by-law is contained in Schedule E hereto) is hereby confirmed and declared valid and binding upon the said municipal corporation of the town of Fort William and the ratepayers thereof and upon the said The Mattawin Iron Mining Company, Limited, their successors and assigns anything in *The Municipal Act* or in any other Act to the contrary notwithstanding, and the said Corporation may enter into an agreement *in the form or to the effect* contained in Schedule E hereto with the said The Mattawin Iron Mining Company, Limited, *their successors and assigns*, and the same when so entered into shall be valid, legal and binding on the parties thereto.

Exemption
from taxation.

6. All real estate situate in Fort William purchased or to be purchased by the Mattawin Iron Mining Company, Limited, for the use of or in connection with the blast furnace in section 5 hereof referred to, and for the use of or in connection with the copper smelting establishment in section 4 hereof referred to, not exceeding altogether seventy-five acres (but not the dwelling houses owned or erected by the company or its employees, servants or agents), together with the furnace, establishment, machinery for said furnace and establishment, buildings, ways, ores, fuel and other property of the said company for the operation of or being a product of the said furnace and establishment shall, subject to the provisions contained in the agreements in section 4, Schedule E, and section 5, Schedule E, to this Act, be exempt from all municipal taxes (other than school taxes and local improvement rates) for a period of ten years from the passing hereof.

SCHEDULE A.

(Section 1.)

The Corporation of the Town of Fort William, By-law No. 205.

A. BY-LAW FOR GRANTING AID BY WAY OF A FREE SITE TO WM. W. OGILVIE FOR THE PURPOSE OF A GRAIN ELEVATOR AND FLOUR MILL IN SAID TOWN OF FORT WILLIAM.

Whereas the said William W. Ogilvie has offered to build in the town of Fort William a grain elevator of a capacity of not less than five hundred thousand bushels, and also a flour mill of a capacity to grind not less than one thousand barrels of flour per day, on condition of obtaining among other considerations a free site for same from the corporation of the said town of Fort William.

And whereas it is deemed expedient to raise the sum of \$25,000 by way of loan to purchase a suitable site for the said elevator and mill ;

And whereas the amount of the whole rateable property of the said town of Fort William, according to the last revised assessment roll thereof, being the assessment roll for the year 1899, is \$1,043,532 ;

And whereas the existing debenture debt of the said town of Fort William amounts to the sum of \$136,471.35, no principal and no interest being in arrear ;

Therefore the corporation of the town of Fort William, by the council thereof, enacts as follows :—

1. It shall and may be lawful for the municipal council of the corporation of the town of Fort William to aid the said William W. Ogilvie for the erection of an elevator and flour mill within the limits of the town of Fort William by the granting of a free site to be purchased by the town in accordance with the offer of the said William W. Ogilvie, dated the 12th day of August, 1899 ;

2. For that purpose it shall be lawful for the Mayor of the said town of Fort William to borrow twenty-five thousand dollars, and to issue debentures of the said municipality to the said amount of \$25,000 in sums of not less than \$100, payable at the end of twenty years from the date of which this by-law takes effect, and to bear interest at a rate not exceeding four per cent per annum, payable half-yearly on the 12th day of March and the 12th day of September in each year respectively, during the currency of said debentures.

3. The said debentures shall bear date on the day hereinafter appointed for the coming into force of this by-law, shall be sealed with the corporate seal of the said town of Fort William, be signed by the Mayor and the Treasurer thereof, and bear interest at the rate of four per cent. per annum from the date thereof until respectively due, as hereinbefore specified, which interest shall be payable half-yearly on the 12th days of March and September respectively in each year at the Treasurer's office in the town of Fort William, where also the said debentures shall be payable.

4. The said debentures shall have attached thereto coupons for the payment of the interest thereon.

5. During the currency of the said debt while any of the said debentures remain unpaid, there shall be raised, assessed and levied yearly upon the whole rateable property in the town of Fort William, the sum of \$1,000 for the payment of the interest during the currency of the said debentures, and also the sum of \$839.50 for the payment of the said debt.

6. This by-law shall come into force on the day of the final passing thereof by this Council.

7. The votes of the electors of the municipality of the town of Fort William shall be taken on this by-law on Monday the 11th day of September, 1899, commencing at nine o'clock in the morning and closing at the hour of five o'clock in the afternoon of the same day as follows :

In ward 1 at J. W. Robertson's house, and the said J. W. Robertson to be Deputy Returning Officer; ward 2 (No. 1) at L. A. Hamilton's store, A. McNaughton, Deputy Returning Officer. (No. 2) in town hall, John J. Wells, Deputy Returning Officer; ward 3, Stevens' Photograph Gallery, William Polling, Deputy Returning Officer; ward 4, at Court House, Augustus H. Wilson, Deputy Returning Officer.

8. On Saturday the 9th day of September, 1899, at the hour of ten o'clock in the forenoon, the Mayor of the town of Fort William will attend at the office of the town Clerk in the town of Fort William for the purpose of appointing in writing, signed by himself two persons to attend at the final summing up by the Town Clerk of the votes polled on this by-law, and also of appointing one person to attend at each polling place on behalf of the persons interested in and desirous of promoting the passing of this by-law, and a like number on behalf of the persons interested and desirous of opposing the passing of this by-law.

9. On Tuesday the 12th day of September, 1899, at ten o'clock in the forenoon at the office in the town hall in the town of Fort William the Clerk of the town of Fort William will proceed to sum up the number of votes given for and against this by-law.

C. W. JARVIS, Mayor.
E. S. RUTLEDGE, Clerk.

(Corporate seal).

SCHEDULE B.

(Section 1.)

Memorandum of agreement made this second day of November, 1899: Between, William W. Ogilvie, of the City of Montreal, Esquire of the First Part, and the Corporation of the Town of Fort William, hereinafter called the Town of the Second Part.

Whereas negotiations have been proceeding between the parties hereto and tentative arrangements arrived at for the erection by said Ogilvie of a certain flour mill and elevator, in the said town, and for assistance to be rendered by the town to said Ogilvie, in connection with said erection.

And whereas the town has enacted a certain by-law known as by-law No. 205, entitled "A by-law granting aid by way of a free site to William W. Ogilvie, for the purpose of a grain elevator and flour mill in the said town of Fort William," and also a by-law known as by-law No. 206, entitled, "A by-law for granting exemption from taxes to William W. Ogilvie, for the erection of a grain elevator and flour mill in the town of Fort William," and said by-laws have been passed by popular vote and finally adopted by the council of the said town.

And whereas the said town has also enacted a certain by-law No. 214, entitled, "A by-law to stop up a portion of Front street, in the town of Fort William, and to sell and convey the same to William W. Ogilvie:"

Now this agreement witnesseth that the town covenants and agrees with the said Ogilvie, his heirs, executors, administrators and assigns, as follows:

1. The town will cause to be conveyed and assigned with a good title free of all encumbrances, to said Ogilvie, certain lands and premises more particularly described as follows, that is to say, situate, lying and being in the town of Fort William, and composed of lots numbers 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52 and 97 on the west side of Front street, and lots numbers 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, on the east side of Front street, all in said town of Fort William:

2. The town will also cause to be conveyed to said Ogilvie the lands heretofore forming a portion of Front street in the said town, more particularly described in said by-law No. 214;

3. The town will make application to the Legislative Assembly of the Province of Ontario, at its next session, for legislation validating said by-laws Nos. 205 and 214, and also this agreement, and the town will use its best endeavors to procure such legislation to be passed.

4. The town will also apply for and use its best efforts to obtain legislation next session, exempting the lands hereinbefore referred to, and all buildings which may be erected thereon, as also all persons who may be the owners thereof in respect of such lands and buildings, from all taxes (other than school rates) during a period of ten years from the passage of such legislation; and also exempting all personal property of every kind and description which may be in any way associated with the operation of the said mill and elevator, or the business connected therewith, inclusive of all grain, flour and other products which may during such period of ten years be upon the said lands, or in transit thereto or therefrom, and the owners thereof in respect of such personal property, from all taxes including school rates.

In consideration of the above agreement and the execution thereof including the obtaining of the exemption from taxation aforesaid the said Ogilvie for himself his heirs, executors, administrators and assigns, covenants and agrees with the town as follows:—

5. The said Ogilvie will construct, erect and equip upon the said lands or a portion thereof, a grain elevator of a capacity of not less than five hundred thousand bushels and a flour mill of a capacity sufficient to grind at least one thousand barrels of flour per day.

(a) If the said mill and elevator be not fully completed and in operation before the expiration of 2 years from the passage of the legislation hereinbefore referred to, then the said lands, buildings and personal property shall, notwithstanding the provisions hereinbefore contained, become liable to the ordinary taxation of the town and shall so continue until said buildings shall have been fully completed and put in operation.

(b) If the said mill and elevator be not fully equipped and completed before the expiration of 3 years from the passage of such legislation then not only shall the exemption from taxation above provided for cease, but the said Ogilvie shall pay to the town the sum of Thirty-five thousand dollars.

(c) If prior to the completion of the said buildings and their being put in operation, they shall be destroyed or injured by fire or other causes over which said Ogilvie has not control, then the period during which said Ogilvie shall have been delayed by such cause shall not be estimated in computing the said periods of 2 and 3 years respectively.

6. The said Ogilvie or his assigns are to operate the said flour mill at an average of not less than one hundred and seventy-five days per year during the twenty years from the commencement of the operations thereof.

(a) In the event of the said Ogilvie failing to operate the said flour mill in the manner aforesaid, then when and so often as such default shall happen the property of the said Ogilvie in the said town shall be assessed and pay taxes according to the general law for the year in which such default happens, as if this agreement had not been entered into and as if no by-law or statute in that behalf had been passed.

(b) If the said Ogilvie shall fail to operate the said flour mill for less than three hundred and fifty days in any consecutive period of twenty-four months then on the happening of any such event or default this agreement shall be null and void in so far as exemption from taxation is concerned, and the property of the said Ogilvie in the said Town shall be assessed and pay taxes according to the general law as if this agreement had not been made and as if no by-law or ratifying statute in that behalf had been made or passed.

(c) The clauses of this paragraph shall not have effect in cause of default happening by reason of damage to the mill by fire, accident or otherwise, or by any other cause over which said Ogilvie shall have no control, and any period of cessation in operating said mill due to such cause shall not be estimated in calculating any period of default.

7. If at any time during the said period of twenty years all the buildings which have been erected on said lands are totally destroyed, and in case a flour mill and elevator of the capacities aforesaid are not built within a period of two years from the happening of such destruction, then the said lands shall be reconveyed by said Ogilvie to the town or at

the option of said Ogilvie he shall pay to the town the sum of thirty-five thousand dollars and all exemption from taxation shall cease.

(a) If the buildings are partially destroyed and if the mill and elevator of the capacities aforesaid are not rebuilt within two years after destruction, then the said Ogilvie shall pay to the town the sum of thirty-five thousand dollars and all exemption from taxation shall cease.

(b) If prior to the completion of such re-erection of the said buildings and their being put in operation they shall be destroyed or damaged by fire or by any other cause over which said Ogilvie has no control, then the period during which the said Ogilvie shall have been delayed by such cause shall not be estimated in computing the period of two years referred to in this paragraph.

8. The town shall have a charge upon all the lands and premises hereinbefore referred to as security for the due payment by the said Ogilvie of the sum of thirty-five thousand dollars, as provided for in the preceding paragraphs, 5 (b), 7 and 7 (a).

9 And this agreement further witnesseth that the town covenants and agrees with the said Ogilvie, his heirs, executors, administrators and assigns, that it will apply for and use its best efforts to obtain legislation at the next ensuing session of the Legislative Assembly of the Province of Ontario, exempting the said lands, buildings and personal property in manner aforesaid, but for a period of twenty years instead of ten, as hereinbefore provided.

10. And the said Ogilvie, for himself, his heirs, executors, administrators and assigns, covenants and agrees with the town that in case such legislation is passed he will so construct and equip the said mill that it shall have a capacity of not less than fifteen hundred barrels of flour per day, and the said elevator so that it shall have a capacity of not less than seven hundred thousand bushels.

11. And further that if the legislation referred to in paragraphs 3 and 4 is not passed that he will either reconvey all the said lands to the town or will pay to the town twenty-five thousand dollars in respect of the parcels of land referred to in paragraph 1 of this agreement, and a further sum in respect of the lands referred to in paragraph 2 of this agreement, to be settled by three arbitrators in case the parties cannot agree upon the amount, each party to appoint one arbitrator and the third to be appointed by the two so appointed, and the award of a majority of the arbitrators shall be sufficient.

12 This agreement is subject to the ratification of the Legislative Assembly of the Province of Ontario.

In witness whereof the parties hereto have hereunto set their hands and seals the day and the year first above written.

Signed, sealed and delivered in
presence of
THOS. WILLIAMSON, Witness,
Montreal.

(Signed) W. W. OGILVIE. [Seal.]
C. W. JARVIS, Mayor.
E. S. RUTLEDGE, Clerk.

[Corporate seal.]

SCHEDULE C.

(Section 3.)

TOWN OF FORT WILLIAM, BY-LAW NO. 214. TO STOP UP A PORTION OF FRONT STREET IN THE TOWN OF FORT WILLIAM, AND TO SELL AND CONVEY THE SAME TO WM W. OGILVIE.

Whereas, William W. Ogilvie, of the city of Montreal, miller, proposes to establish a flour mill and grain elevator in the said town of Fort William, on a site to be furnished by the corporation of the said town.

And whereas, to make said site the said corporation of the town of Fort William has purchased all the lots on both sides of Front street aforesaid,

lying between Duncan and Garnet streets, and it is necessary to close up Front street in order to make a solid block available for said site.

Therefore the municipal council of the corporation of the town of Fort William enacts as follows:—

1. That all that portion of Front street in the sub-division of the John McKellar Farm, lying west of the Kaministiquia river, in the town of Fort William and District of Thunder Bay, described as follows:—

Commencing at the northwest corner of Garnet and Front streets and at the intersection thereof, thence north along the westerly limit of Front street eight hundred feet, more or less to the southwest corner of Front and Duncan streets; thence east sixty-six feet, more or less, to the southeast corner of Front and Duncan streets and the easterly limit of Front street; thence south along said easterly limit of Front street eight hundred feet, more or less, to the northeast corner of Front and Garnet streets; thence west sixty-six feet, more or less, to the northwest corner of Front and Garnet streets and place of beginning, as shewn colored blue on a plan of survey made by A. E. Farncomb, land surveyor, dated Sept. 12th, 1899, is hereby declared to be stopped up and closed, and the said portion thereof shall, after the passing of this by-law, cease to be a public highway.

2. That in consideration of the said William W. Ogilvie erecting a flour mill and grain elevator on the said portion of Front street so closed and stopped up on lands adjoining the same to the east and west thereof, the said portion of Front street so closed shall be sold and conveyed for the consideration aforesaid to the said William W. Ogilvie, and the mayor shall execute under the corporate seal of the said corporation, countersigned by the clerk of the said corporation, the necessary conveyance vesting the same in the said W. W. Ogilvie.

Dated the 12th day of September, A. D. 1899.

C. W. JARVIS, Mayor.
E. S. RUTLEDGE, Clerk.

[Corporate Seal.]

SCHEDULE D.

(Section 4.)

By-law No. 227 of the Corporation of the town of Fort William to authorize the issue of debentures for \$25,000 for the purpose of granting a bonus to the Mattawin Iron Mining Company, Limited, in aid of a copper smelting establishment for smelting copper ores in the town of Fort William.

Whereas the Mattawin Iron Mining Company, Limited, is incorporated for the purpose of mining and manufacturing ores and minerals; and whereas, owing to the recent development of a large copper mine at Round Lake, in the vicinity of the route of The Ontario and Rainy River railway, the town of Fort William is advantageously situated for the erection of a copper smelting establishment, and such enterprise will benefit similar mines and promote manufacturing industry in Fort William, and whereas it is deemed expedient to grant to the said Company \$25,000 by way of bonus to aid in the erection of a copper smelting establishment on certain conditions hereinafter stated.

And whereas it is necessary to issue debentures for the said sum of \$25,000, and that the time for payment thereof shall be extended over a period of *thirty* years in such manner that the yearly payment of principal and interest shall together be as nearly equal as possible, and that the Provincial Legislature shall be petitioned to sanction this by-law and legalize the said issue of debentures.

And whereas the total amount required to be raised annually for paying the debt and interest in respect of the said bonus is the sum of \$1,445.76 yearly for 30 years, and whereas the whole rateable property of the town of Fort William, according to the last revised assessment roll thereof is \$1,043,352.00.

And whereas the existing debenture debt of the town of Fort William is \$156,295.22, and no part of said debt, either principal or interest is in arrear.

Therefore the council of the corporation of the town of Fort William enacts as follows :—

1. It shall be lawful for the said municipality to borrow the said sum of twenty-five thousand dollars and to issue debentures for said sum in such instalments of principal and interest to be paid yearly as shall together with the interest to be paid yearly be as nearly equal as possible in every year during said period of 30 years.

2. It shall be lawful for the Mayor or other head of the municipality and he is hereby authorized and instructed to sign and issue the said debentures hereby authorized, the sanction of the same by the Provincial Legislature being first authorized, and to cause the same to be signed by the Treasurer of the said municipality, and the Clerk of said municipality is hereby authorized and instructed to attach the seal of said municipality to said debentures which shall be payable at the Treasurer's Office, in the Town of Fort William.

3. During the period of 30 consecutive years beginning with the year in which the debentures are to be issued as hereinafter provided there shall be raised and levied annually by special rate upon the rateable property within the municipality the sum of ~~£~~\$1,445.76 (fourteen hundred and forty-five dollars and seventy-six cents) being a sum sufficient to repay the said debentures for \$25,000 and all interest thereon in 30 years.

4. The said debentures shall be issued and delivered to the Mattawin Iron Mining Company, Limited, in satisfaction of the said bonus in manner and subject to the conditions and at the times set forth in the following agreement, that is to say :—

This agreement made in duplicate this *thirteenth* day of *December*, A. D. 1899, between the corporation of the Town of Fort William, (hereinafter called the "Corporation") of the first part and The Mattawin Iron Mining Company, Limited, (hereinafter called the "Company") of the second part.

Whereas the company have in contemplation the establishment of a copper smelting works in the said Town of Fort William, and the Corporation have offered to assist the said enterprize by granting a bonus to the extent of \$25,000 upon the terms and conditions hereinafter set forth.

Therefore this agreement witnesseth that for the consideration herein set forth, the said parties have, and hereby do covenant, promise and agree each with the other in manner following :—

First.—The Company will cause to be erected, constructed and equipped a copper ore smelting works, comprising two furnaces capable of smelting sixty tons of copper ore per working day of twenty-four hours. Such copper smelting works to be of modern design and of substantial character and completely and properly equipped with all necessary machinery and plant for the working thereof. The said copper smelting works shall be erected and put in operation within eighteen months from the legalization and ratification hereof by the Provincial Legislature of the Province of Ontario. Upon the final completion of said copper smelting works, as hereinafter provided, there shall have been expended in the construction, erection and equipment thereof a sum of at least \$75,000.

Second.—The Company covenant, promise and agree that they will operate the said smelting works as follows :—

(a) That the said copper smelters shall be capable of smelting sixty tons of copper ore each working day of twenty-four hours during the year as provided in section (b) hereof; and the daily work of said furnaces shall be the smelting of sixty tons of copper ore.

(b) That the Company will carry on operations in connection with the said smelters for at least six months in each and every year during the period of ten years hereinafter provided for, accidents, strikes and other circumstances beyond their control excepted.

(c) That they will pay monthly in cash in the Town of Fort William all men employed by them in or about the said smelters.

(d) That they will not engage in or be connected with any business as retail merchants in the District of Thunder Bay.

(e) That they will operate the said smelting works or any other works substituted therefor, as herein provided for ten years from the commencement of operations of said smelters.

Third.—The whole of the said \$25,000 of said debentures to be issued for said bonus of \$25,000 shall be issued and with interest coupons at four per cent. per annum attached, shall be handed to the Company (who are to accept them at par in full satisfaction of said bonus of \$25,000) as soon as the company have said smelters in operation and have, during thirty days, smelted an average of at least sixty tons of copper ore per working day of twenty-four hours, as herein specified, and the Company shall have expended said sum of \$75,000 in erection thereof, of which amount being so expended the vouchers and books of account with statutory declaration of the President and Secretary of the Company shall be *prima facie* evidence, and the Corporation shall have the right to appoint an engineer to inspect the said works jointly with the engineer of the Company and to verify said expenditure as herein provided, the said engineers to report jointly to the Corporation.

Fourth.—The company agree to erect said copper smelters in that portion of the Town of Fort William, bounded by Vickers street on the east, by River Neebing on the north, by Kaministiquia River on the south, and the westerly limit of the town of Fort William on the west.

Fifth.—The corporation agree to exempt, saving school rates and local improvement taxes, the *real and personal property* of the company used in connection with said smelters or incidental to the proper working thereof, for a period of ten years from the final passing of the by-law submitted in that behalf; provided, nevertheless, that no dwelling houses owned or erected by or for the company, or its employees, servants or agents shall be exempted from taxation.

Sixth.—And the company further agree with the corporation that in the event of the company making default in the running and operation of said smelting works as aforesaid at any time during the said terms of ten years, then when and so often as such default shall happen all the real estate, buildings, machinery and other property, *real and personal*, of the company in the town of Fort William shall be liable to taxation during the year in which such default happens as if this agreement had not been entered into and no by-laws or ratifying statute in that behalf passed.

Seventh.—And it is further agreed that if the company shall fail to run and operate said smelting works as herein provided for less than twelve months in any consecutive period of twenty-four months, or shall fail to have said works in operation within the time aforesaid, then on the happening of any such event or default, this agreement shall be null and void as far as exemption from taxation is concerned, and the whole property of the company in the town of Fort William shall be liable to taxation according to the general law as if this agreement and no exempting by-law or ratifying statute in that behalf had been passed.

Eighth.—The company in the event of the total or partial destruction of the said copper smelters, shall restore and put in operation the works of the company in accordance with the requirements of original construction and operation hereunder, and all provisions hereof not inconsistent therewith, shall apply and extend to the said works as restored to same extent as to original works hereunder.

Ninth.—Provided that notwithstanding anything herein contained, the company shall acquire a site and commence operations in good faith, and shall have spent the sum of \$500 in such operations towards erection and completion of said copper smelters as aforesaid (exclusive of site) within six months from the passing of an act by Provincial Legislature ratifying this agreement and by-laws in this behalf, otherwise this agreement shall be null and void, notwithstanding said ratifying act or statute in that behalf, and the company shall be liable only to pay the corporation all costs, legal expenses and other disbursements incurred by the corporation in preparing and submitting said by-laws and this agreement, and in applying to Provincial Legislature for legislation ratifying the same. This agreement shall extend to and be binding on the successors and assigns of the company.

Time shall be of the essence of this agreement.

This agreement shall be subject to ratification and approval of the Provincial Legislature of the Province of Ontario.

In witness ~~whereof~~ whereof the parties hereto have hereunto executed this agreement, the Mattawin Iron Mining Company, Limited, under the hands of its President and Secretary, and by affixing its corporate seal, and the Corporation of the Town of Fort William under the hand of its Mayor and Clerk, and by affixing its corporate seal.

(Sgd.) B. W. FOLGER,
President.

[Corporate seal.] (Sgd.) J. BAWDEN,
Secretary.

The mayor is empowered on behalf of this corporation to execute the said agreement between the said company and this corporation herein contained and which is made a part of this by-law after the same shall have received the assent of the ratepayers as required by law and shall have been made valid by the Legislature.

The votes of the electors of the municipality of the Town of Fort William shall be taken on this by-law on Monday, the first day of January, A.D. 1900, commencing at the hour of nine o'clock in the morning and closing at the hour of five o'clock in the afternoon of the same day as follows:—

In Ward One—At J. W. Robertson's house. J. W. Robertson, Deputy Returning Officer.

In Ward Two—(No. 1) at the former Journal office, corner of Simpson street and Victoria avenue. David McLure, Deputy Returning Officer. (No. 2) at the Town Hall, S. W. Matthews, Deputy Returning Officer.

In Ward Three—At S. Steven's house, corner of Syndicate avenue and Ridgeway street. Wm. Polling, Deputy Returning Officer.

In Ward Four—At Court House, West Fort. A. H. Wilson, Deputy Returning Officer.

5. On Saturday, the 30th day of December, 1899, at the hour of ten o'clock in the forenoon, the Mayor of the town of Fort William will attend at the office of the Town Clerk for the purpose of appointing in writing signed by himself, two persons to attend at the final summing up by the Town Clerk of the votes polled on this by-law and also of appointing one person to attend at each polling place on behalf of the persons interested in and desirous of promoting the passing of this by-law, and a like number on behalf of the persons interested in and desirous of opposing the passing of this by-law.

6. On Tuesday, the 2nd day of January, 1900, at 10 o'clock in the forenoon at the office in the Town Hall, in the Town of Fort William the Clerk of the Town of Fort William will proceed to sum up the number of votes given for and against this by-law.

C. W. JARVIS,
Mayor.
E. S. RUTLEDGE,
Clerk.

[Corporation seal].

SCHEDULE E

(Section 5.)

By-law No. 226 of the Corporation of the Town of Fort William, to authorize the issue of debentures for \$50,000 for the purpose of granting a bonus to the Mattawin Iron Mining Company, Limited, in aid of the erection of a blast furnace for the manufacture of pig iron in said municipality.

Whereas the Mattawin Iron Mining Company, Limited, is the owner of valuable iron mining locations in the vicinity of the Mattawin River, and

is incorporated for the purpose of mining and manufacturing iron and other ores and minerals: and the said Company desire to erect a charcoal blast furnace in the Town of Fort William for the smelting of iron ores, and it is deemed expedient to grant \$50,000 by way of bonus to aid the said Company's enterprise on the terms and conditions hereinafter stated:

And whereas it is necessary that the time for payment of said debentures shall be extended over a period of 30 years in such manner that the yearly payments of principal and interest shall together be as nearly equal as possible, and that the Provincial Legislature of Ontario should be petitioned to sanction this by-law and legalize the said issue of debentures;

And whereas the total amount to be raised annually by special rates for paying the debt and interest at 4 per cent. in respect of said bonus, is the sum of \$2,891.52 yearly for 30 years;

And whereas the whole rateable property of the town of Fort William according to the last revised assessment roll is the sum of \$1,043,352;

And whereas the existing debenture debt of the said Corporation of the Town of Fort William is \$156,295.22;

And no part of the said debt, either principal or interest, is in arrears;

Therefore the Council of the Corporation of the town of Fort William enacts as follows:—

1. It shall be lawful for the said municipality to borrow the said sum of \$50,000 and to issue debentures for the said sum for such instalments of principal as shall, together with the interest to be paid yearly, be as nearly equal as possible in every year during the said period of 30 years.

2. It shall be lawful for the Mayor or other head of the municipality and he is hereby authorized and requested to sign and issue the said debentures hereby authorized, the sanction of the same by the Provincial Legislature being first authorized, and to cause the same to be signed by the Treasurer of said municipality, and the Clerk of said municipality is hereby authorized and instructed to attach the seal of said municipality to said debentures, which shall be payable at the Treasurer's office in the Town of Fort William.

3. During the period of *thirty* consecutive years beginning with the year in which the debentures are to be issued as hereinafter provided there shall be raised and levied annually by special rate upon all the rateable property within the municipality aforesaid the sum of \$2,891.52 (two thousand *eight* hundred and *ninety-one* dollars and *fifty-two* cents) being a sum sufficient to repay the said debenture debt and all interest in respect thereof.

4. The said debentures shall be issued and delivered to the Mattawin Iron Mining Company, Limited, in satisfaction of the said bonus in the manner and upon the conditions and at the times set forth in the following agreement:—

AGREEMENT

made in duplicate this *thirteenth* day of *December*, A.D. 1899, between the Corporation of the Town of Fort William (hereinafter called the "Corporation") of the first part, and the Mattawin Iron Mining Company, Limited (hereinafter called the "Company") of the second part.

Whereas the Company have in contemplation the establishment of an iron smelting industry in the Town of Fort William, and the Corporation have offered to assist the said enterprise by granting a bonus to the extent of \$50,000 upon the terms and conditions hereinafter set forth.

Therefore this agreement witnesseth that for the consideration herein set forth, the said parties have, and hereby do covenant, promise and agree each with the other in the manner following:

1. The Company will cause to be constructed, erected and equipped a charcoal iron smelting works or blast furnace capable of turning out at least fifty tons of pig iron per working day of twenty-four hours. Such iron smelting works or blast furnace to be of modern design and substantial character, and to be fully and completely equipped with all necessary machinery and plant proper for working thereof. The said iron smelting works or blast furnace shall be erected and put in operation within eighteen

months from the legalization and ratification hereof by the Provincial Legislature of Province of Ontario. Upon the final completion of said works there shall have been expended in the construction, erection and equipment thereof a sum of at least \$200,000.

2. The Company covenant, promise and agree with the Corporation that they will operate said smelting works or blast furnace as follows :

(a). That the output of said furnace shall average at least fifty tons of pig iron of a merchantable quality for each working day of twenty-four hours during the year, as provided in section (b) hereof, and the minimum output of said smelting works or blast furnace shall be fifty tons of pig iron per working day of twenty-four hours.

(b). That the company will carry on operations in connection with the said smelting works or blast furnace for at least two hundred and fifty working days in each and every year during the period of ten years hereinafter provided for, accidents, strikes and other circumstances beyond their control excepted.

(c). That they will pay monthly in cash in the town of Fort William to all men employed by them in or about the said smelter.

(d). That they will not engage in or be connected with any business as retail merchants in the District of Thunder Bay.

(e). That they will operate the said smelting works or blast furnace or any other works substituted therefor, as hereinafter provided for, as provided in clause second hereof, for ten years from the time of commencement of operations as aforesaid.

Provided that if the supply of charcoal fuel shall, through forest fires or other sufficient causes, become unreasonably expensive, the Company may alter their smelting works or furnace suitable for the manufacture of pig iron with coke or mineral coal and a delay of one year for such alterations shall not impose any liability on the Company for default hereunder in that respect, and all provisions of this agreement not inconsistent therewith shall extend and apply to said works as altered to same extent as to original works.

(f). That the Company will permit the Corporation to remove from the Company's premises, for the improvement of their streets, two thousand tons of furnace slag in each and every year during which said furnace or smelting works shall be in operation.

3. The debentures for \$50,000 shall be issued and handed over to the Company, with interest coupons bearing interest at four per cent. per annum from the time of commencing smelting operations as aforesaid attached (to be taken by them at par) when and so soon as the works of the Company have been put in operation, and have, during thirty days, produced an average of at least fifty tons of pig iron of a merchantable quality per working day of twenty-four hours as herein specified and the Company shall have expended said \$200,000, of which amount being so expended the vouchers and books of account of the Company and the statutory declarations of the President and Secretary thereof shall be prima facie evidence. The Corporation shall have the right to appoint an engineer to inspect the said works jointly with the engineer of the Company, and to verify said expenditure as herein provided, the said engineers to report jointly to the Corporation.

4. The Company agree to erect the said iron smelting works and blast furnace in that portion of the town of Fort William bounded by Vickers Street on the east, by River Neebing on the north, by Kaministiquia River on the south, and the westerly limit of the town of Fort William on the west.

5. The corporation agree to exempt, saving school rates and local improvement taxes, *the real and personal property* of the company *used in connection with said smelting works or blast furnace or incidental thereto* for a period of ten years from the final passing of the by-law submitted in that behalf; ~~and~~ provided, nevertheless, that no dwelling houses owned or erected by or for the company, or its employees, servants or agents shall be exempted from taxation.

6. And the company further agree with the corporation that in the event of the company making default in the running and operation of said smelt-

ing works or blast furnace as aforesaid at any time during the said term of ten years, then when and so often as such default shall happen all the real estate, buildings, machinery and other property of the company in the town of Fort William shall be liable to taxation during the year in which said default happens as if this agreement had not been entered into and no exempting by-law and no ratifying Act of the Provincial Legislature in that behalf passed validating same.

7. And it is further agreed that if the company shall fail to run and operate said smelting works as hereinbefore provided for less than twelve months in any consecutive period of twenty four months, or shall fail to have said works in operation within the time aforesaid then on the happening of any such event or default this agreement shall be null and void as far as exemption from taxation is concerned and the whole property of the company in the Town of Fort William shall be liable to taxation according to general law and as if this agreement and no exempting by-law or ratifying statute in that behalf has been passed.

8. That the company in the event of the total or partial destruction of the said smelting works or blast furnace shall restore and put in operation the works of the company in accordance with the requirements of original construction and operation hereunder, and all provisions hereof not inconsistent therewith shall apply and extend to the said works as restored to same extent as to original works hereunder.

9. Provided that notwithstanding anything herein contained the company shall commence operations for erecting said works and acquire the site therefor within six months from the passing of an Act of the Provincial Legislature ratifying this agreement and by-laws in this behalf, and shall have expended the sum of at least \$1,000 in said operations exclusive of site therefor, otherwise this agreement shall be null and void notwithstanding any ratifying by-law or statute in that behalf, and the company shall only be liable to pay the corporation all costs, legal expenses and other disbursements incurred by the corporation in preparing and submitting said by-laws and this agreement and in applying to the Provincial Legislature for legislation ratifying same.

This agreement shall extend to and be binding on the successors and assigns of the company.

Time shall be of the essence of this agreement.

This agreement is subject to ratification and approval of the Provincial Legislature of the Province of Ontario.

In witness whereof the seal of the corporation under the hands of its mayor and clerk, and the seal of the company as witnessed by the hands of its president and secretary.

(Sgd.) B. W. FOLGER,
President.

[Corporate seal.] (Sgd.) J. BAWDEN,
Secretary.

The mayor is empowered on behalf of this corporation to execute the said agreement between the said company and this corporation herein contained and which is made a part of this by-law, after the same shall have received the assent of the rate-payers as required by law and shall have been made valid by the legislature.

The votes of the electors of the municipality of the Town of Fort William shall be taken on this by-law on Monday, the First day of January, A.D. 1900, commencing at the hour of nine o'clock in the morning and closing at the hour of five o'clock in the afternoon of the same day, as follows:—

In Ward One—At J. W. Robertson's house. J. W. Robertson, Deputy Returning Officer.

In Ward 2—(No. 1) at the former *Journal* Office, corner of Simpson Street and Victoria Avenue. David McLure, Deputy Returning Officer. (No. 2) at the Town Hall. S. W. Matthews, Deputy Returning Officer.

In Ward 3—At S. Steven's house, corner of Syndicate Avenue and Ridgeway Street. Wm. Polling, Deputy Returning Officer.

In Ward 4—At Court House, West Fort. A. H. Wilson, Deputy Returning Officer.

5. On Saturday, the 30th day of December, 1899, at the hour of ten o'clock in the forenoon, the Mayor of the town of Fort William will attend at the office of the Town Clerk for the purpose of appointing in writing, signed by himself, two persons to attend at the final summing up by the Town Clerk of the votes polled on this by-law, and also of appointing one person to attend each polling place on behalf of the persons interested in and desirous of promoting the passing of this by-law, and a like number on behalf of the persons interested in and desirous of opposing the passing of this by-law.

6. On Tuesday, the 2nd of January, 1900, at ten o'clock in the forenoon, at the office in the Town Hall in the town of Fort William, the Clerk of the town of Fort William will proceed to sum up the number of votes given for and against this by-law.

[SEAL]

C. W. JARVIS, Mayor.
E. S. RUTLEDGE, Clerk.

NO. 44.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting the Town of Fort
William, 1900.

First Reading, 1900.

*(Reprinted as amended by Private Bills
Committee.)*

Mr. CONNIE.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty

An Act to Incorporate The Crow Lake Railway and
Development Company.

WHEREAS George Smith of the Township of North Preamble.
Grimsby, in the County of Lincoln and Province of
Ontario, fruit grower; Edgar Warren Smith of the same place,
fruit grower; John Henry Tilden of the city of Hamilton, in
5 the Province of Ontario, manufacturer; Joseph Edward Bird
of the town of Rat Portage, in the District of Rainy River and
Province of Ontario, barrister-at-law; and James Vernall
Teetzel of the said city of Hamilton, barrister-at-law, have by
their petition prayed for the incorporation of a company under
10 the name of "The Crow Lake Railway and Development Com-
pany," for the purpose of constructing, equipping and operating
a steam railway from a point on White Fish Bay, Lake of the
Woods, District of Rainy River, easterly to a point on Crow
Lake; and it has been represented that the line of the railway
15 of the company so to be incorporated will be entirely con-
structed in the unorganized part of the province; and it is
proposed to operate the same by steam or electricity; and
whereas owing to the location of the line of said railway the
provisions of *The Electric Railway Act* are not applicable to
20 the company so to be incorporated, and the said petitioners
have prayed that there may be conferred upon them the powers
ordinarily given upon the incorporation of a railway to be
operated by steam; and whereas for the reasons aforesaid the
circumstances of the said proposed line of railway are ex-
25 ceptional; and whereas the said George Smith, Edgar Warren
Smith, John Henry Tilden, Joseph Edward Bird and James Ver-
nall Teetzel have also by their said petition prayed for an Act of
incorporation under the said name of "The Crow Lake Railway
and Development Company" for the purposes of carrying on
30 in all its branches the business of a mining, milling, reduction,
fishing, lumbering and development company; and whereas
the petitioners are desirous of obtaining and appear to require
powers which are not ordinarily granted by charter under the
general Acts in that behalf; and whereas it is expedient to
35 grant the prayers of the said petition;

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

- Incorporation.** 1. George Smith, Edgar Warren Smith, John Henry Tilden, Joseph Edward Bird and James Vernall Tetzzel, together with such other persons and corporations as shall in pursuance of this Act become shareholders in the company hereby incorporated, shall be and are hereby constituted a body corporate and politic by and under the name of "The Crow Lake Railway and Development Company," hereinafter called "the company."
- Head Office.** 2. The head office of the company shall be in the city of Hamilton in the Province of Ontario.
- Location of line.** 3. The company shall have full power and authority to lay out, construct, equip and operate by steam or electricity a railway of the gauge of four feet eight and one half inches from a point on White Fish Bay, Lake of the Woods, District of Rainy River, easterly to a point on Crow Lake, with full power to pass over any portion of the country between the points aforesaid.
- Authority to make surveys.** 4. The company is hereby authorized and empowered to take and make the surveys and levels of the land through which the said railway is to pass, together with the map or plan thereof, and of its course and direction, and of the lands intended to be passed over and taken therefor, so far as then ascertained, and also the book of reference for the railway, and to deposit the same as required by the clauses of *The Railway Act of Ontario* and amendments thereto with respect to "plans and surveys," by sections or portions less than the length of the whole railway authorized, of such length as the company may from time to time see fit, so that no one of such sections or portions shall be less than three miles in length, and upon such deposit as aforesaid of the map or plan and book of reference of any and each of such sections or portions of the said railway, all and every of the clauses of the said *Railway Act*, and the amendments thereof applied to, included in or incorporated with this Act, shall apply and extend to any and each of such sections or portions of the said railway as fully and effectually as if the surveys and levels had been taken and made of the lands through which the whole of the said railway is to pass, together with the map or plan of the whole thereof, and of its whole course and direction, and of the lands intended to be passed over and taken, and the book of reference for the whole of said railway had been taken, made, examined, certified and deposited according to the said clauses of the said *Railway Act* and the amendments thereof with respect to "plans and surveys."
5. The company may receive from any Government, or

from any persons or bodies corporate, municipal or politic, who may have power to make or grant the same, aid towards the construction, equipment or maintenance of the said railway, by way of gift, bonus, or loan of money or debentures or other securities for money, or by way of guarantee upon such terms and conditions as may be agreed upon.

6. The provisional directors or elected directors may pay, or agree to pay in cash or stock, or in the bonds of the said company, such sums as they may deem expedient to engineers or contractors, or for right of way or material, plant or rolling stock, and also, when sanctioned by a vote of the shareholders at any general meeting, for the services of the promoters or other persons who may be employed by the directors in furthering the undertaking, or for the purchase of right of way, material plant, rolling stock, or any other property or rights, whether such promoters or other persons be provisional or elected directors or not, and any agreement so made shall be binding on the company.

7. Any municipality through which the said railway may pass, or is situated, is empowered to grant by way of gift to the company any lands belonging to such municipality, or over which it may have control, which may be required for right of way, station grounds or other purposes connected with the running of traffic of the said railway; and the company shall have power to accept gifts of land from any government, or any person or body corporate or politic, and shall have power to sell or otherwise dispose of the same for the benefit of the company.

8. When stone, gravel, earth or sand is or are required for the construction or maintenance of said railway, or any part thereof, the company may, in case they cannot agree with the owner of the lands on which the same are situate for the purchase thereof, cause an Ontario land surveyor to make a map and description of the property so required, and they shall serve a copy thereof with their notice of arbitration, as in case of acquiring the roadway, and the notice of arbitration, the award and tender of the compensation, shall have the same effect as in the case of arbitration for the roadway; and all provisions of *The Railway Act of Ontario*, and of this Act as to the service of the said notice, arbitration, compensation, deeds, payment of money into court, the right to sell, the right to convey, and the parties from whom the lands may be taken, or who may sell, shall apply to the subject matter of this section, as to the obtaining materials as aforesaid; and such proceedings may be had by the said company either for the right to the fee simple in the land from which said material shall be taken, or for the right to take materials for any time they shall think necessary; the notice of arbitration, in case arbitration is resorted to, to state the interest required.

Authority to receive gift.

Payment in stock.

Authority to municipalities to make gifts

Stone, gravel, etc.

Rev. Stat. c. 207.

Sidings.

9.—(1) When said gravel, stone, earth or sand shall be taken under the preceding section of this Act, at a distance from the line of the railway, the company may lay down the necessary sidings and tracks over any land which may intervene between the railway and the lands on which said material shall be found, whatever the distance may be, and all the provisions of *The Railway Act of Ontario*, and of this Act, except such as relate to filing plans and publication of notice, shall apply and may be used and exercised to obtain the right of way from the railway to the land on which such materials are situated, and such rights may be so acquired for a term of years, or permanently, as the company may think proper, and the powers in this and the preceding section may at all times be exercised and used in all respects, after the railway is constructed, for the purposes of repairing and maintaining said railway.

Rev. Stat.
c. 207.Rev. Stat.
c. 207.

(2) When estimating the damages for the taking of gravel, sand, stone or earth, sub-section 9 of section 20 of *The Railway Act of Ontario* shall not apply.

Purchase of
whole lot.

10. Whenever it shall be necessary for the purpose of procuring sufficient lands for stations or gravel pits, or for constructing, maintaining and using said railway, and in case by purchasing the whole of any lot or parcel of land over which the railway is to run, the company can obtain the same at a more reasonable price, or to greater advantage than by purchasing the railway line only, the company may purchase, use, hold and enjoy such lands, and also the right of way thereto, if the same be separated from their railway, and sell and convey the same, or any part thereof, from time to time, as they may deem expedient, but the compulsory clauses of *The Railway Act of Ontario* shall not apply to this section.

Rev. Stat.
c. 207.Provisional
directors.

11. The persons named in section 1 of this Act, with power to add to their number, shall be and are hereby constituted a board of provisional directors of the company, of whom a majority shall be a quorum, and shall hold office as such until the first election of directors under this Act.

Powers of
provisional
directors.

12. The said board of provisional directors shall have power forthwith to open stock books and procure subscriptions of stock for the undertaking, and to allot the stock, and to receive payments on account of stock subscribed, and to make calls upon subscribers in respect to their stock, and to sue for and recover the same: and to cause plans and surveys to be made, and to receive for the company any grant, loan, bonus or gift made to it or in aid of the undertaking, and to enter into any agreement respecting the conditions or disposition of any gift or bonus in aid of the railway, and with all such other powers as, under *The Railway Act of Ontario*, are vested in ordinary directors. The said directors, or a majority of them, or the board of directors to be elected as hereinafter men-

Rev. Stat.
c. 207.

tioned, may, in their discretion, exclude anyone from subscribing for stock, who in their judgment would hinder, delay or prevent the company from proceeding with and completing their undertaking under the provisions of this Act; and if at any time a portion or more than the whole stock shall have been subscribed, the said provisional directors, or board of directors, shall allocate and apportion it amongst the subscribers as they shall deem most advantageous and conducive to the furtherance of the undertaking; and in such allocation the said directors may, in their discretion, exclude any one or more of the said subscribers, if, in their judgment, such exclusion will best secure the building of the said railway; and all meetings of the provisional board of directors shall be held at the City of Hamilton aforesaid, or at such other place as may best suit the interest of the said company.

13. The capital stock of the company hereby incorporated shall be \$200,000 (with power to increase the same in the manner provided by *The Railway Act of Ontario*) to be divided into 2,000 shares of \$100 each, and shall be raised by the persons and corporations who may become shareholders in such company; and the money so raised shall be applied in the first place to the payment of all fees, expenses and disbursements of and incidental to the passing of this Act, and for making the surveys, plans and estimates connected with the works hereby authorized; and the remainder of said money shall be applied to the making, equipping, completing and maintaining of the said railway, and to the other purposes of this act. Capital stock.

14. When, and as soon as shares to the amount of \$20,000 in the capital stock of the company shall have been subscribed, and ten per centum paid thereon, into some chartered bank of the Dominion having an office in the Province of Ontario, to the credit of the company, and which shall on no account be withdrawn therefrom unless for the services of the company, the provisional directors, or a majority of them present, at a meeting duly called for the purpose, shall call a general meeting of the shareholders for the purpose of electing directors of the said company, giving at least four weeks' notice by advertisement in the *Ontario Gazette* and in one or more newspapers published in the said city of Hamilton of the time, place and purpose of said meeting. First general meeting.

15. At such general meeting the shareholders present either in person or by proxy, who shall at the opening of such meeting have paid up ten per centum on the stock subscribed by them, shall elect not less than five and not more than nine persons to be directors of the company in manner and qualified as hereinafter mentioned, who shall constitute a board of directors and shall hold office until the next general annual meeting, and a majority of the directors shall form a quorum. Number of directors and quorum.

- of the board, and may pass such rules, regulations and by-laws as may be deemed expedient and are not inconsistent with this act and *The Railway Act of Ontario*; and the said board may employ and pay one of their member as managing director. 5
- Rev. Stat. c. 207.**
- Qualification.** 16. No person shall be qualified to be elected as such director by the shareholders unless he be a shareholder holding at least ten shares of stock in the said company, and unless he has paid up all calls thereon.
- General meetings.** 17. Thereafter the general annual meeting of the shareholders of the company shall be held in such place in the said City of Hamilton, or in such other place, and on such days, and at such hours as may be directed by the by-laws of the company, and public notice thereof shall be given at least four weeks previously in the *Ontario Gazette*, and once a week in one newspaper published in the said City of Hamilton during the four weeks immediately preceding the week in which such meeting is to be held. 10 15
- Special meetings.** 18. Special general meetings of the shareholders of the company may be held at such place and at such times, and in such manner and for such purposes as may be provided by the by-laws of the company, and upon such notice as is provided in the last preceding section. 20
- Calls.** 19. The directors may, from time to time, make calls as they may think fit, provided that no call shall be made at any one time of more than ten per centum of the amount subscribed by each shareholder, and thirty days' notice shall be given of each call, as provided in section 17 of this act. 25
- Aliens.** 20. Aliens and companies incorporated abroad, as well as British subjects and corporations, may be shareholders in the company, and all such shareholders, whether resident in this Province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible to office as directors in the company. 30
- Authority to issue bonds.** 21. The directors of the company shall have power to issue bonds of the company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all the sum of \$25,000 for each mile of the said railway, and the provisions of sub-sections 19, 20, 21, 22 and 23 of section 9 of *The Railway Act of Ontario* shall apply to all such bonds and issues thereof, and such bonds shall be issued subject and according to, and in conformity with the provisions of the said sub-sections. 35 40
- Rev. Stat. c. 207.**
- Pledge bonds.** 22. The company may from time to time for advances of money to be made thereon, mortgage or pledge any bonds, 45

which they may be enabled, under the powers of this Act, to issue for the construction of the said railway.

23. Shares in the capital stock of the company may be transferred by any form of instrument in writing, but no transfer shall become effectual unless the stock or scrip certificate issued in respect of shares intended to be transferred are surrendered to the company, or the surrender thereof dispensed with by the company. Transfer of stocks.

24. The company shall have power and authority to become parties to promissory notes and bills of exchange, for sums not less than \$100, and any such promissory note or bill of exchange made, accepted or endorsed, by the president or vice-president of the company, and countersigned by the secretary of the company, and under the authority of a quorum of the directors, shall be binding on the company, and every such promissory note or bill of exchange so made shall be presumed to, have been made with proper authority until the contrary be shown; and in no case shall it be necessary to have the seal of the company affixed to such promissory note or bill of exchange, nor shall the president, vice-president or the secretary be individually responsible for the same, unless the said promissory notes or bills of exchange have been issued without the sanction and authority of the directors as herein provided and enacted; provided however, that nothing in this section shall be construed to authorize the company to issue any promissory note or bill of exchange payable to bearer, or intended to be circulated as money or as notes or bills of a bank. Negotiable instruments.

25. The company shall have power and authority:—

(1) To purchase land for and erect power-houses, warehouses, elevators, docks, stations, workshops, machine shops, foundries, saw mills, hotels and offices and to sell and convey such land as may be found superfluous for any such purpose, and the company shall have the power to build, own, operate and hold, as part of the property of the said company, as many steam or other vessels as the directors of the company may deem requisite from time to time to facilitate the carriage of passengers, freight and other traffic in connection with the railway. General powers.
Warehouses, docks, etc.

(2) To erect and maintain all necessary and convenient buildings, stations, depots, wharves, saw mills, hotels and fixtures and from time to time to alter, repair and enlarge the same and to build, purchase and acquire motors, engines, carriages, wagons and other machinery and contrivances necessary or convenient for the working of the railway and the accommodation and use of the passengers, freight and business of the railway; Erect necessary buildings, wharfs, etc.

(3) To construct, maintain and operate works for the production of electricity either by steam or water power for the Powers as to production and use of electricity.

motive power of the said railways, and for the lighting and heating the rolling stock and other property of the company ;

Lease or sell
electricity not
required for
railway.

(4) To sell or lease any such electricity not required for the purposes aforesaid to any person or corporation, and the company in that behalf shall, subject to the provisions and restrictions of this Act, possess the powers, rights and privileges and be subject to all the obligations and restrictions of joint stock companies incorporated under *The Act respecting Companies for supplying Steam, Heat, Electricity, or Natural Gas for Heat, Light or Power*, and to acquire and hold any property necessary for the purposes mentioned in this sub-section ;

Rev. Stat. c.
200.

Acquiring
rights for
conveying
electricity.

(5) To purchase the right to convey electricity required for the working of the railway and lighting or heating the same over, through or under lands other than the lands of the said railway, and along and upon any of the public highways, or across any of the waters in this Province by the erection of the necessary fixtures, including posts, piers or abutments for sustaining the cords or wires of such lines, or the conduits for such electricity upon and subject to such agreement in respect thereof as shall first be made between the company and any private owners of the land affected.

Rights to fish.

(6) To have the exclusive right to fish and carry on the business of fishing in Crow Lake.

Telegraph and
telephone
lines.

26. The company may also construct an electric telegraph line and a telephone line throughout and along the whole line of their railway, or any part of the said railway, and for the purpose of constructing, working and protecting the said telegraph lines, the powers conferred upon telegraph companies by *The Act respecting Telegraph Companies*, being chapter 192 of the Revised Statutes of Ontario, 1897, are hereby conferred upon the company.

Snow fences.

27. The company shall have the right on and after the first day of November in each year to enter into and upon any lands of Her Majesty, or into or upon any lands of any corporation or persons whatsoever, lying along the route or line of the said railway, and to erect and maintain snow fences thereon, subject to the payment of such damages (if any) as may be hereafter established in the manner provided by law in respect of such railway to have been actually suffered ; provided always that any such snow fences so erected shall be removed on or before the first day of April next following.

Form of
conveyance.

28. Conveyances of land to the company for the purposes of and powers given by this Act, made in the form set forth in schedule A. hereunder written, or to the like effect, shall be sufficient conveyance to the company, their successors and assigns of the estate or interest therein mentioned, and sufficient bar of dower respectively, of all persons executing the same ; and such conveyances shall be registered in such manner

and upon such proof of execution as is required under the Registry laws of Ontario; and no registrar shall be entitled to demand more than seventy-five cents for registering the same, including all entries and certificates thereof, and certificates 5 endorsed on the duplicates thereof.

29. The provisions of *The Electric Railway Act* shall not apply to the company hereby incorporated, but the several clauses of *The Railway Act of Ontario*, and of every Act in amendment thereof, shall be incorporated with, and be deemed 10 to be part of this Act, and shall apply to the company and the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof and the expression "this Act" when used herein shall be understood to include the clauses of the said *Railway Act*, and of every 15 Act in amendment thereof so incorporated with this Act.

Incorporation
of R.-v. Stat.
c. 207.

30. The said railway shall be commenced within three years and completed within five years after the passing of this Act, and in default thereof the powers hereby conferred shall absolutely cease with respect to so much of the railway as then 20 remains incomplete.

Commence-
ment and
completion.

31. The said company is hereby further authorized and empowered to prospect for, open, explore, develop, work, operate, improve, maintain and manage gold, silver, copper, nickel, lead, iron, coal and other mines, mineral and other deposits, 25 and properties, and to dig for, raise, crush, wash, smelt, assay, analyze, reduce, refine and amalgamate and otherwise treat ores, metals and minerals, whether belonging to the company or not and to render the same merchantable, and to sell and otherwise dispose of the same, or any part thereof, or any 30 interest therein; to acquire by purchase, lease, concession, license, exchange, or other legal title, mines, mining lands, mining locations, easements, mineral properties, or any interest therein, minerals and ores and mining claims, options, powers, privileges, waters and other rights, patent-rights, letters patent 35 of invention, processes and mechanical or other contrivances, and either absolutely or conditionally, and either solely or jointly with others, and as principals, agents, contractors or otherwise, and to lease, mortgage, place under license, hypothecate, sell, dispose of and otherwise deal with the same or any 40 part thereof, or any interest therein: to construct, maintain, alter, make work and operate or assist or take part in construction, improvement, maintenance, working, management, carrying out or control of any tramways, railways, branches or sidings, telegraph, or telephone lines, reservoirs, dams, flumes, 45 race and other ways, waterpowers, aqueducts, wells, roads, piers, wharves, buildings, shops, stamping mills, smelting works, refineries, and other works and machinery, plant and electrical and other appliances of every description which may seem calculated or necessary to advance the company's in- 50 terests, and to buy, sell, manufacture and deal in all kinds of

Addition
powers of
company.

goods, stores, implements, provisions, chattels and effects and to
 carry on any other business which may seem to the company cap-
 able of being conveniently carried on in connection therewith
 or calculated directly or indirectly to enhance the value of or
 render profitable any of the company's property or rights; to 5
 build, acquire, own, charter, navigate and use steam and other
 vessels; to construct, maintain and keep in repair, roads,
 bridges, waterways, drainage works and other improvements
 and means of communication or transportation through, over
 or adjacent to or leading to or from mining lands of the com- 10
 pany or in which the company is interested or other mining
 lands; and to acquire by purchase, lease, concession, license,
 exchange or other legal title and hold lands and other proper-
 ties necessary for the construction of such work and from time
 to time to sell and dispose of all such lands as may be found 15
 to be unnecessary or unsuitable for the purposes thereof or of
 the company; and to demand and receive from persons and
 corporations for the use of such works such fees and tolls as
 may be fixed by the company subject to approval by the Lieu-
 tenant-Governor in Council; or to subscribe for and take and 20
 hold shares or stock in any company incorporated for such
 purposes; to take, acquire and hold as the consideration for
 ores, metals or minerals sold or otherwise disposed of, or for
 goods supplied or for work done by contract or otherwise,
 shares, debentures, bonds, or other securities of or in any other 25
 company having objects similar to those of the company here-
 by incorporated and to sell or otherwise dispose of the same;
 to enter into any arrangement for sharing profits, union of
 interests, or co-operation with any other person or company
 carrying on or about to carry on any business or transaction 30
 which may be of benefits to the company hereby incorporated
 and to assist any such person or company and to take or
 otherwise acquire shares and securities of any such company
 and to sell or otherwise deal with the same; to purchase or
 otherwise acquire and undertake all or any part of the assets, 35
 shares, business, property, privileges, contracts, rights, obliga-
 tions and liabilities of any person or company carrying on any
 part of the business which the company hereby incorporated
 is authorized to carry on or possessed of property suitable for
 the purposes thereof; and to amalgamate with any other com- 40
 pany having objects altogether or in part similar to those of
 the company hereby incorporated, and any such other com-
 pany not possessing powers sufficient for the purpose is hereby
 by this Act empowered to enter into any such arrangement, to
 amalgamate with the company hereby incorporated, or to sell 45
 and convey or otherwise dispose of its mining locations, assets,
 shares, business, privileges, contracts, rights, and other proper-
 ties to the company hereby incorporated, and such arrange-
 ment, amalgamation, sale or conveyance is hereby authorized,
 confirmed and declared to be valid and binding as if such 50
 other company already possessed the powers enabling them so
 to do, or were specially and particularly by this Act invested
 with such powers; and to do all such acts, matters and things

as shall be incidental or necessary to the due attainment of the above objects or any them.

32. The several clauses of *The Ontario Companies' Act* and *The Ontario Mining Companies' Incorporation Act* and every Act in amendment of the said Acts or either of them shall be incorporated with and be deemed to be a part of this Act and shall apply to the company and to its operations except only so far as they may be inconsistent with the express enactments hereof and the expression "this Act" when used herein shall be understood to include the clauses of the said *The Ontario Companies' Act* and *The Ontario Mining Companies' Incorporation Act*.

Incorporation
of provisions
of certain
general Acts.

33. The said company and the powers hereby conferred upon the said company and the operations of the said company shall be subject to such regulations and conditions as to the smelting and refining of nickel and other ores within the Province of Ontario as may from time to time be adopted by the Lieutenant-Governor in Council.

Rev. Stat.
cc., 191 : 197.

SCHEDULE A.

Section 32.

Know all men by these presents that I (or we) (insert the name of the vendor or vendors) in consideration of Dollars paid to me (or us) by The Crow Lake Railway and Development Company, the receipt whereof is hereby acknowledged, do grant and convey unto the said company, and I (or we) (insert the name or names of any other party or parties) in consideration of dollars, paid to me (or us) by the said company, the receipt whereof is hereby acknowledged, do grant and release all that certain parcel (or those certain parcels as the case may be) of land (describe the land) the same having been selected and laid out by the said company for the purposes of their railway to hold, with the appurtenances unto the said the Crow Lake Railway and Development Company, their successors and assigns forever (here insert any other clauses, conditions and covenants required) and I (or we) the wife (or wives) of the said do hereby bar my (or our) dower to the said lands.

As witness my (or our) hand and seal (or hands and seals) this

day of 19

Signed, sealed and delivered in the presence of

[L S.]

No. 45.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL

An Act to incorporate the Crow Lake Railway and Development Company.

First Reading, 1900.

(Private Bill.)

Mr. CARSCALLEN.

TORONTO:

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act to Incorporate The ⁴²Camp Bay and ²³Crow
Lake Railway Company.

WHEREAS George Smith of the Township of North Preamble.
Grimsby, in the County of Lincoln and Province of
Ontario, fruit grower; Edgar Warren Smith of the same place,
fruit grower; John Henry Tilden of the city of Hamilton, in
the Province of Ontario, manufacturer; Joseph Edward Bird
of the town of Rat Portage, in the District of Rainy River and
Province of Ontario, barrister-at-law; and James Vernall
Teetzal of the said city of Hamilton, barrister-at-law, have by
their petition prayed for the incorporation of a company under
the name of "The *Camp Bay and Crow Lake Railway Com-*
pany," for the purpose of constructing, equipping and operating
a railway from a point on White Fish Bay, Lake of the
Woods, District of Rainy River, easterly to a point on Crow
Lake; and it has been represented that the line of the railway
of the company so to be incorporated will be entirely con-
structed in the unorganized part of the province; and it is
proposed to operate the same by steam or electricity; and
whereas owing to the location of the line of said railway the
provisions of *The Electric Railway Act* are not applicable to
the company so to be incorporated, and the said petitioners
have prayed that there may be conferred upon them the powers
ordinarily given upon the incorporation of a railway to be
operated by steam; and whereas for the reasons aforesaid the
circumstances of the said proposed line of railway are ex-
ceptional; and whereas it is expedient to grant the prayer of
the said petition;

Therefore Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. George Smith, Edgar Warren Smith, John Henry Tilden, ^{Incorporation.}
Joseph Edward Bird and James Vernall Teetzal, together with
such other persons and corporations as shall in pursuance of
this Act become shareholders in the company hereby incor-

porated, shall be and are hereby constituted a body corporate and politic by and under the name of "The *Camp Bay and Crow Lake Railway Company*," hereinafter called "the company."

Head Office. 2. The head office of the company shall be in the city of Hamilton. in the Province of Ontario.

Location of line. 3. The company shall have full power and authority to lay out, construct, equip and operate by steam or electricity a railway of the gauge of four feet eight and one half inches from a point on White Fish Bay, Lake of the Woods, District of Rainy River, easterly to a point on Crow Lake, with full power to pass over any portion of the country between the points aforesaid, ^{and} and the said railway, or any part thereof, so far as the same may be operated by electricity, may be carried along and upon such public highways as may be authorized by the by-laws of the respective corporations having jurisdiction over the same and subject to the restrictions and provisions therein and in this Act contained, and under and subject to any agreements between the company and the councils of any of the said corporations and between the company and the road companies (if any) interested in such highways; and the company may make and enter into any agreements with any municipal corporation or road company as to the terms of occupancy of any street or highway subject to the provisions and conditions contained in this Act and in *The Municipal Act* and any Act or Acts amending the same ^{and}.

Rev. Stat., c. 223.

Authority to make surveys. 4. The company is hereby authorized and empowered to take and make the surveys and levels of the land through which the said railway is to pass, together with the map or plan thereof, and of its course and direction, and of the lands intended to be passed over and taken therefor, so far as then ascertained, and also the book of reference for the railway, and to deposit the same as required by the clauses of *The Railway Act of Ontario* and amendments thereto with respect to "plans and surveys," by sections or portions less than the length of the whole railway authorized, of such length as the company may from time to time see fit, so that no one of such sections or portions shall be less than three miles in length, and upon such deposit as aforesaid of the map or plan and book of reference of any and each of such sections or portions of the said railway, all and every of the clauses of the said Railway Act, and the amendments thereof applied to, included in or incorporated with this Act, shall apply and extend to any and each of such sections or portions of the said railway as fully and effectually as if the surveys and levels had been taken and made of the lands through which the whole of the said railway is to pass, together with the map or plan of the whole thereof, and of its whole course and direction, and of the lands intended to be passed over and taken, and the book of reference for the whole of said railway had been taken, made,

Rev. Stat. c. 207.

examined, certified and deposited according to the said clauses of the said Railway Act and the amendments thereof with respect to "plans and surveys." Authority to receive gifts.

5. The company may receive from any Government, or from any persons or bodies corporate, municipal or politic, who may have power to make or grant the same, aid towards the construction, equipment or maintenance of the said railway, by way of gift, bonus, or loan of money or debentures or other securities for money, or by way of guarantee upon such terms and conditions as may be agreed upon.

6. The provisional directors or elected directors may pay, or agree to pay in cash or paid up stock, or in the bonds of the said company, such sums as they may deem expedient to engineers or contractors, or for right of way or material, plant or rolling stock, and also, when sanctioned by a vote of the shareholders at any general meeting, for the services of the promoters or other persons who may be employed by the directors in furthering the undertaking, or for the purchase of right of way, material plant, rolling stock, whether such promoters or other persons be provisional or elected directors or not, and any agreement so made shall be binding on the company. Payment in stock.

7. In payment of stock subscribed for or any call thereon, the company may receive any property, franchises, rights or privileges, necessary for the purposes of the company and within the powers of the corporation to receive, at such a value, and on such conditions as the owner or holders thereof and the company may agree upon, and such payment shall be equivalent to and have the effect of payment in cash. Payments on subscribed stock.

8. Any municipality through which the said railway may pass, or is situated, is empowered to grant by way of gift to the company any lands belonging to such municipality, or over which it may have control, which may be required for right of way, station grounds or other purposes connected with the running of traffic of the said railway; and the company shall have power to accept gifts of land from any government, or any person or body corporate or politic, and shall have power to sell or otherwise dispose of the same for the benefit of the company. Authority to municipalities to make gifts

9. When stone, gravel, earth or sand is or are required for the construction or maintenance of said railway, or any part thereof, the company may, in case they cannot agree with the owner of the lands on which the same are situate for the purchase thereof, cause an Ontario land surveyor to make a map and description of the property so required, and they shall serve a copy thereof with their notice of arbitration, as in case of acquiring the roadway, and the notice of arbitration, the award and tender of the compensation, shall have the same Stone, gravel, etc.

Rev. Stat.
c. 207.

effect as in the case of arbitration for the roadway; and all provisions of *The Railway Act of Ontario*, and of this Act as to the service of the said notice, arbitration, compensation, deeds, payment of money into court, the right to sell, the right to convey, and the parties from whom the land may be taken, or who may sell, shall apply to the subject matter of this section, as to the obtaining materials as aforesaid; and such proceedings may be had by the said company either for the right to the fee simple in the land from which said material shall be taken, or for the right to take materials for any time they shall think necessary; the notice of arbitration, in case arbitration is resorted to, to state the interest required,

Sidings.

Rev. Stat.
c. 207.

10.—(1) When said gravel, stone, earth or sand shall be taken under the preceding section of this Act, at a distance from the line of the railway, the company may lay down the necessary sidings and tracks over any lands which may intervene between the railway and the lands on which said material shall be found, whatever the distance may be, and all the provisions of *The Railway Act of Ontario*, and of this Act, except such as relate to filing plans and publications of notice, shall apply and may be used and exercised to obtain the right of way from the railway to the land on which such materials are situated, and such rights may be so acquired for a term of years, or permanently, as the company may think proper, and the powers in this and the preceding section may at all times be exercised and used in all respects, after the railway is constructed, for the purpose of repairing and maintaining said railway.

Rev. Stat.
c. 207.

(2) When estimating the damages for the taking of gravel, sand, stone or earth, sub-section 9 of section 20 of *The Railway Act of Ontario* shall not apply.

Purchase of
whole lots.

Rev. Stat.
c. 207.

11. Whenever it shall be necessary for the purpose of procuring sufficient lands for stations or gravel pits, or for constructing, maintaining and using said railway, and in case by purchasing the whole of any lot or parcel of land over which the railway is to run, the company can obtain the same at a more reasonable price, or to greater advantage than by purchasing the railway line only, the company may purchase, use, hold and enjoy such lands, and also the right of way thereto, if the same be separated from their railway, and may sell and convey the same, or any part thereof, from time to time, as they may deem expedient, but the compulsory clauses of *The Railway Act of Ontario* shall not apply to this section.

Provisional
directors.

12. The persons named in section 1 of this Act, with power to add to their number, shall be and are hereby constituted a board of provisional directors of the company, of whom a majority shall be a quorum, and shall hold office as such until the first election of directors under this Act.

13. The said board of provisional directors shall have power forthwith to open stock books and procure subscriptions of stock for the undertaking, and to allot the stock, and to receive payments on account of stock subscribed, and to make calls upon subscribers in respect to their stock, and to sue for and recover the same; and to cause plans and surveys to be made, and to receive for the company any grant, loan, bonus or gift made to it or in aid of the undertaking, and to enter into any agreement respecting the conditions or disposition of any gift or bonus in aid of the railway, and with all such other powers as, under *The Railway Act of Ontario*, are vested in ordinary directors. The said directors, or a majority of them, or the board of directors to be elected as hereinafter mentioned, may, in their discretion, exclude any one from subscribing for stock, who in their judgment would hinder, delay or prevent the company from proceeding with and completing their undertaking under the provisions of this Act; and if at any time a portion or more than the whole stock shall have been subscribed, the said provisional directors, or board of directors, shall allocate and apportion it amongst the subscribers as they shall deem most advantageous and conducive to the furtherance of the undertaking; and in such allocation the said directors may, in their discretion, exclude any one or more of the said subscribers, if, in their judgment, such exclusion will best secure the building of the said railway; and all meetings of the provisional board of directors shall be held at the City of Hamilton aforesaid, or at such other place as may best suit the interest of the said company.

Powers of provisional directors.

Rev. Stat. c. 207.

14. No subscription for stock in the capital of the company shall be binding on the company unless it shall be approved by resolution of the directors, nor unless ten per centum of the amount subscribed has been actually paid thereon within one month after subscription.

Subscriptions for stock when binding.

15. The capital stock of the company hereby incorporated shall be \$200,000 (with power to increase the same in the manner provided by *The Railway Act of Ontario*) to be divided into 2,000 shares of \$100 each, and shall be raised by the persons and corporations who may become shareholders in the company; and the money so raised shall be applied in the first place to the payment of all fees, expenses and disbursements of and incidental to the passing of this Act, and for making the surveys, plans and estimates connected with the works hereby authorized; and the remainder of said money shall be applied to the making, equipping, completing and maintaining of the said railway, and to the other purposes of this act.

Capital stock.

16. When, and as soon as shares to the amount of \$20,000 in the capital stock of the company shall have been subscribed, and ten per centum paid thereon, into some chartered

First general meeting.

bank of the Dominion having an office in the Province of Ontario, to the credit of the company, and which shall on no account be withdrawn therefrom unless for the services of the company, the provisional directors, or a majority of them present, at a meeting duly called for the purpose, shall call a general meeting of the shareholders for the purpose of electing directors of the said company, giving at least four weeks' notice of such meeting by advertisement in the *Ontario Gazette* and in one or more newspapers published in the said city of Hamilton of the time, place and purpose of said meeting.

Number of directors and quorum.

17. At such general meeting the shareholders present either in person or by proxy, who shall at the opening of such meeting have paid up ten per centum on the stock subscribed by them, shall elect not less than five and not more than nine persons to be directors of the company in manner and qualified as hereinafter mentioned, who shall constitute a board of directors and shall hold office until the next general annual meeting, and a majority of the directors shall form a quorum of the board, and may pass such rules, regulations and by-laws as may be deemed expedient and are not inconsistent with this act and *The Railway Act of Ontario*; and the said board may employ and pay one of their number as managing director.

Rev. Stat. c. 207.

Qualification.

18. No person shall be qualified to be elected as such director by the shareholders unless he be a shareholder holding at least ten shares of stock in the said company, and unless he has paid up all calls thereon.

General meetings.

19. Thereafter the general annual meeting of the shareholders of the company shall be held in such place in the said City of Hamilton, or in such other place, and on such days, and at such hours as may be directed by the by-laws of the company, and public notice thereof shall be given at least four weeks previously in the *Ontario Gazette*, and once a week in one newspaper published in the said City of Hamilton during the four weeks immediately preceding the week in which such meeting is to be held.

Special meetings.

20. Special general meetings of the shareholders of the company may be held at such place and at such times, and in such manner and for such purposes as may be provided by the by-laws of the company, and upon such notice as is provided in the last preceding section.

Calls.

21. The directors may, from time to time, make calls as they may think fit, provided that no call shall be made at any one time of more than ten per centum of the amount subscribed by each shareholder, and thirty days' notice shall be given of each call, as provided in section 19 of this Act.

22. Aliens and companies incorporated abroad, as well as British subjects and corporations, may be shareholders in the company, and all such shareholders, whether resident in this Province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible to office as directors in the company. Aliens.

23. The directors of the company shall have power to issue bonds of the company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all the sum of \$25,000 for each mile of the said railway, and the provisions of sub-sections 19, 20, 21, 22 and 23 of section 9 of *The Railway Act of Ontario* shall apply to all such bonds and the issue thereof, and such bonds shall be issued subject and according to, and in conformity with the provisions of the said sub-sections. Authority to issue bonds.
Rev. Stat. c. 207.

24. The company may from time to time for advances of money to be made thereon, mortgage or pledge any bonds, which they may be enabled, under the powers of this Act, to issue for the construction of the said railway. Pledge bonds.

25. Shares in the capital stock of the company may be transferred by any form of instrument in writing, but no transfer shall become effectual unless the stock or scrip certificates issued in respect of shares intended to be transferred are surrendered to the company, or the surrender thereof dispensed with by the company. Transfer of stocks.

26. The company shall have power and authority to become parties to promissory notes and bills of exchange, for sums not less than \$100, and any such promissory note or bill of exchange made, accepted or endorsed, by the president or vice-president of the company, and countersigned by the secretary of the company, and under the authority of a quorum of the directors, shall be binding on the company, and every such promissory note or bill of exchange so made shall be presumed to, have been made with proper authority until the contrary be shown; and in no case shall it be necessary to have the seal of the company affixed to such promissory note or bill of exchange, nor shall the president, vice-president or the secretary be individually responsible for the same, unless the said promissory notes or bills of exchange have been issued without the sanction and authority of the directors as herein provided and enacted; provided however, that nothing in this section shall be construed to authorize the company to issue any promissory note or bill of exchange payable to bearer, or intended to be circulated as money or as notes or bills of a bank. Negotiable instruments.

27. The company shall have power and authority :— General powers.

(1) To purchase land for and erect power-houses, warehouses, elevators, docks, stations, workshops, machine shops, Warehouses, docks, etc.

foundries, saw mills, hotels and offices *necessary and incidental to the purposes of the company* and to sell and convey such land as may be found superfluous for any such purpose, and the company shall have the power to build, own, operate and hold, as part of the property of the said company, as many steam or other vessels as the directors of the company may deem requisite from time to time to facilitate the carriage of passengers, freight and other traffic in connection with the railway.

Erect necessary buildings, wharfs, etc.

(2) To erect and maintain all necessary and convenient buildings, stations, depots, wharves, saw mills, hotels and fixtures *for the purposes aforesaid* and from time to time to alter, repair and enlarge the same and to build, purchase and acquire motors, engines, carriages, wagons and other machinery and contrivances necessary or convenient for the working of the railway and the accommodation and use of the passengers, freight and business of the railway;

Powers as to production and use of electricity.

(3) To construct, maintain and operate works for the production of electricity either by steam or water power for the motive power of the said railway, and for the lighting and heating the rolling stock and other property of the company;

Lease or sell electricity not required for railway.

(4) To sell or lease any such electricity not required for the purposes aforesaid to any person or corporation, and the company in that behalf shall, subject to the provisions and restrictions of this Act, possess the powers, rights and privileges and be subject to all the obligations and restrictions of joint stock companies incorporated under *The Act respecting Companies for supplying Steam, Heat, Electricity, or Natural Gas for Heat, Light or Power*, and to acquire and hold any property necessary for the purposes mentioned in this sub-section;

Rev. Stat. c. 200.

Acquiring rights for conveying electricity.

(5) To purchase the right to convey electricity required for the working of the railway and lighting or heating the same over, through or under lands other than the lands of the said railway, ²⁸and with the consent of the councils of the municipalities affected, to purchase the right to lay conduits under, or erect poles and wires on or over such lands as may be determined by the company ^{28a}and along and upon any of the public highways, or across any of the waters in this Province by the erection of the necessary fixtures, including posts, piers or abutments for sustaining the cords or wires of such lines, or the conduits for such electricity upon and subject to such agreement in respect thereof as shall first be made between the company and any private owners of the land affected, ^{28b}and between the company and any municipality in which such works or any part thereof or of the railway may be situate, and under and subject to any by-law or by-laws of the council of such municipality passed in pursuance thereof. ^{28c}

Construction on streets, etc.

²⁸28—(1) The railway of the company shall not be constructed or operated on, upon or along any street, highway or

public place of any municipality until first authorized by an agreement in respect thereto made between the company and such municipality, and under and subject to the terms of such agreement and of this Act and of any by-law or by-laws of the council of said municipality to be passed in pursuance thereof; and in all such cases any and every work, matter or thing in connection with electricity or other motor power, and the application and using thereof in so constructing, operating and working such railway, or the cars, carriages, engines, motors or machines aforesaid shall be so constructed, erected, laid down and arranged as to impede or incommode the public use of such street, highway or public place as little as possible, and so as not to be a nuisance thereto, nor to interfere with the free access to any house or other building erected in the vicinity of the same, and the electric and other appliances shall be of such an improved manufacture and so placed as to avoid so far as possible any danger to buildings or other property, and provided that none of the works or property of the company shall be so constructed or placed as to injuriously interrupt navigation in any navigable water. ⁷²¹

⁷²²(2) The by-laws mentioned in section 3, sub-section 5 of the preceding section and in this section shall be subject to the conditions and provisions of section 632 of *The Municipal Act*. ⁷²³ Rev. Stat., c. 223, s. 632.

29. The company may also construct an electric telegraph line and a telephone line throughout and along the whole line of their railway, or any part of the said railway, and for the purpose of constructing, working and protecting the said telegraph and telephone lines, the powers conferred upon telegraph companies by *The Act respecting Telegraph Companies*, being chapter 192 of the Revised Statutes of Ontario, 1897, are hereby conferred upon the company; ⁷²⁴ provided, that no poles shall be erected in the construction of either of the said lines in or through any city, town or incorporated village without the consent of the council of such city, town or village being first obtained by the company; and the company may undertake the transmission of messages for the public by such line or lines of telegraph or telephone and collect tolls for so doing. ⁷²⁵ Telegraph and telephone lines.

30. The company shall have the right on and after the first day of November in each year to enter into and upon any lands of Her Majesty, or into or upon any lands of any corporation or persons whatsoever, lying along the route or line of the said railway, and to erect and maintain snow fences thereon, subject to the payment of such damages (if any) as may be hereafter established in the manner provided by law in respect of such railway to have been actually suffered; provided always that any such snow fences so erected shall be removed on or before the first day of April next following. Snow fences.

Form of conveyance.

31. Conveyances of land to the company for the purposes of and powers given by this Act, made in the form set forth in schedule A. hereunder written, or to the like effect, shall be sufficient conveyance to the company, their successors and assigns of the estate or interest therein mentioned, and sufficient bar of dower respectively, of all persons executing the same ; and such conveyances shall be registered in such manner and upon such proof of execution as is required under ~~the~~ *The Land Titles Act* and amendments thereto and no Master of Titles shall be entitled to demand more than seventy-five cents for registering the same, including all entries and certificates thereof, and certificates endorsed on the duplicates thereof.

Incorporation of Rev. Stat. c. 207.

32. The provisions of *The Electric Railway Act* shall not apply to the company hereby incorporated, but the several clauses of *The Railway Act of Ontario*, and of every Act in amendment thereof, shall be incorporated with, and be deemed to be part of this Act, and shall apply to the company and to the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof and the expression " this Act " when used herein shall be understood to include the clauses of the said Railway Act, and of every Act in amendment thereof so incorporated with this Act.

Commencement and completion.

33. The said railway shall be commenced within three years and completed within five years after the passing of this Act, and in default thereof the powers hereby conferred shall absolutely cease with respect to so much of the railway as then remains incomplete.

SCHEDULE A.

Section 31.

Know all men by these presents that I (or we) (insert the name of the vendor or vendors) in consideration of Dollars paid to me (or us) by The *Camp Bay and Crow Lake Railway Company*, the receipt whereof is hereby acknowledged, do grant and convey unto the said company, and I (or we) (insert the name or names of any other party or parties) in consideration of dollars, paid to me (or us) by the said company, the receipt whereof is hereby acknowledged, do grant and release all that certain parcel (or those certain parcels as the case may be) of land (describe the land) the same having been selected and laid out by the said company for the purposes of their railway to hold, with the appurtenances unto the said *The Camp Bay and Crow Lake Railway Company*, their successors and assigns forever (here insert any other clauses, conditions and covenants required) and I (or we) the wife (or wives) of the said do hereby bar my (or our) dower to the said lands.

As witness my (or our) hand and seal (or hands and seals) this
day of 19
Signed, sealed and delivered in the presence of

[L.S.]

No. 45.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to incorporate the *Camp Bay and
Crow Lake Railway Company.*

First Reading, 5th March, 1900.

*(Reprinted as amended by Railway Com-
mittee.)*

Mr. CARSCALLEN.

TORONTO:

PRINTED BY I. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting the Town of Milton.

WHEREAS the Municipal Corporation of the Town of Milton has by petition represented that the said corporation has passed a by-law No. 290, as amended by by-law No. 291, intituled "a by-law to provide funds for granting to the extent of \$10,000 a bonus by way of loan to E. Syer, of the town of Port Hope, in the county of Durham, carpet manufacturer, for the purpose of enabling her to build and operate a carpet factory in the town of Milton and to increase the said business, and to authorize the issue of debentures therefor, and to exempt from taxation (except school taxes) the lands, buildings, plant and machinery of the said E. Syer, and to grant to her free water and the sum of \$30.00 yearly for pumping water from the creek"; wherein it is enacted that the said corporation might lend the said E. Syer the sum of \$10,000 to enable her to remove and establish her carpet manufacturing interests in the said town of Milton, on certain conditions mentioned in the said by-law and also in a certain agreement made between the said E. Syer and the corporation of the town of Milton, dated the fifteenth day of February, A.D. 1900, said loan to be repayable in twenty years from the first day of September, 1900, and also might exempt from taxation (except school taxes) the lands used for factory site and the buildings, plant and machinery of the said E. Syer, for the term of ten years from the first day of September, 1900, and also might grant to the said E. Syer for the term of twenty years from the first day of September, 1900, the use of town water and pay to her the sum of \$30.00 per annum for the said term of twenty years to cover cost of pumping water from the creek, and whereas it is further represented that there is no similar industry established within the limits of the said corporation, and whereas the said by-law as amended was, on the 9th day of March, 1900, submitted to a vote of the ratepayers entitled to vote on money by-laws, as provided by *The Municipal Act*, and 229 of the ratepayers qualified to vote as aforesaid voted in favor of the said by-law as amended, being over two-thirds of those qualified to vote on such by-law, and only 7 voted against the said by-law as amended; and whereas the said corporation has prayed that the said by-law as amended may be confirmed and that the said agreement between the said E. Syer and the corporation of the town of Milton for the performance of the conditions of

the said by-law as amended may be declared legal and valid ;
 and whereas the said municipal corporation of the town of
 Milton has by its petition prayed for leave to enable the said
 corporation to grant exemption from taxation for twenty years
 and also to grant a loan of ten thousand dollars upon such 5
 conditions as the council of the said town may determine for
 the purpose of aiding the establishment and running in said
 town of a carpet factory, and for power to enable said corpora-
 tion to enter into and make such agreements in the premises
 as may be considered best, subject to ratification by the rate- 10
 payers qualified to vote upon such questions, also to enable the
 said corporation to grant similar privileges and a loan not ex-
 ceeding ten thousand dollars to such persons, firms or corpora-
 tions as shall establish such other industries in said town as
 shall not conflict with those already established therein, sub- 15
 ject to all conditions mentioned above, and whereas, subject
 to the provisions of this Act, it is expedient to grant the
 prayer of the said petition ;

Therefore Her Majesty, by and with the advice and con-
 sent of the Legislative Assembly of the Province of Ontario, 20
 enacts as follows :

By-law
 confirmed.

1. The said by-law No. 290 of the corporation of the town
 of Milton as amended by by-law No. 291 intituled as in the
 preamble to this Act and set out in schedule A to this Act, is
 hereby confirmed and declared to be valid and binding upon 25
 the said municipality from the time of passing thereof to all
 intents and purposes notwithstanding any want of power or
 jurisdiction in the said municipal council to pass the said by-law
 as amended, and notwithstanding any defect in substance or
 in form of the said by-law as amended or in the manner of 30
 passing the same, and the said corporation is declared to have
 been authorized by the said by-law as amended to grant aid by
 way of loan to the said E. Syer therein mentioned to the extent
 of \$10,000 repayable in twenty years from the first day of
 September, 1900, or repayable sooner than that time as is pro- 35
 vided for and in pursuance of the terms of the said agreement,
 and to exempt from taxation (except school taxes) the lands
 used for factory site, and the buildings, plant and machinery
 of the said E. Syer for the term of ten years, from the first
 day of September, 1900, and also to grant to the said E. Syer 40
 for the term of twenty years from the first day of September,
 1900, the use of town water subject to the terms of the said
 agreement, and pay to her the sum of \$30.00 per annum for
 the said term of twenty years to cover cost of pumping water
 from the creek, and the said agreement set out in schedule A 45
 to this Act is declared to be valid and binding and all acts done
 or to be done and all payments made or to be made by the said
 corporation pursuant to the said by-law as amended are hereby
 declared to be valid and binding, anything in any Act to the
 contrary notwithstanding. 50

2. It shall be lawful for the Corporation of the town of Milton to pass a by-law or by-laws for the purpose of granting exemption from taxation for twenty years and also for the purpose of raising by way of loan on the credit of the debentures of the said corporation a sum not exceeding in the whole \$10,000 at a rate of interest not exceeding four and one-half per cent. per annum upon such conditions as the council of said town may determine for the purpose of aiding by way of loan the establishment and running in the said town of Milton of a carpet factory, and to enter into and make such agreements in the premises as may be considered best, and to grant similar privileges and a loan not exceeding \$10,000 to such persons, firms or corporations as shall establish such other industries in said town as shall not conflict with those already established therein.

Provided, however, that such by-law or by-laws shall, before being finally passed, be submitted to the votes of the electors entitled to vote upon by-laws creating debts not payable within a year from the creation thereof, and shall be approved by not less than two-thirds of the rate-payers qualified to vote on money by-laws under the provisions of *The Municipal Act* and the provisions as to procedure and otherwise contained in *The Municipal Act* respecting by-laws creating debts shall apply to such by-law or by-laws to be passed under the authority of this Act, as if expressly incorporated therewith.

3. The said municipal corporation shall be and is hereby authorized to enter into such agreement or agreements and to take such securities as the said municipal council may deem advisable for the due carrying out of the terms and conditions to be imposed by the said corporation upon the persons, firms and corporations to whom such aid as aforesaid shall be granted.

SCHEDULE A.

(Section 1.)

BY-LAW No. 290, AS AMENDED BY BY-LAW No. 291.

A by-law to provide funds for granting to the extent of \$10,000.00 a bonus by way of loan to E. Syer, of the town of Port Hope, in the county of Durham, carpet manufacturer, for the purpose of enabling her to build and operate a carpet factory in the town of Milton and to increase the said business and to authorize the issue of debentures therefor, and to exempt from taxation (except school taxes) the lands, buildings, plant and machinery of the said E. Syer, and to grant her free water and the sum of \$30 yearly for pumping water from the creek.

Whereas the said E. Syer is now engaged in the manufacture of carpets in the town of Port Hope and is desirous of removing to and establishing her carpet manufacturing interests in the town of Milton, and it is desirable in the interests of the said town of Milton that she should be induced

to do so, and that for the purpose of inducing her to do so, the said town should loan her by way of bonus the sum of \$10,000.00 for the term of twenty years without interest, to be repaid in twenty annual instalments of \$500.00 each, said sum of \$10,000.00 to be raised by debentures of the said town of Milton and to be advanced to the said E. Syer in manner hereinafter more fully mentioned ; and

Whereas the said E. Syer has entered into an agreement with the municipal corporation of the town of Milton, dated the fifteenth day of February, 1900, that in consideration of the sum of \$10,000.00 to be loaned to her she will erect in the town of Milton a substantial stone and brick building to cost not less than \$3,000 00 and place therein necessary machinery for the manufacture of carpets, the total equipment, including building and site, to be of not less value than \$10,000.00, and to have the factory in operation as a going concern by the first day of September, 1900, and to employ in said business not less than forty hands on the average in each month and to pay in wages a sum averaging not less than \$8,000.00 per annum, to be computed at the end of successive periods of five years from the 1st day of September, 1900, and upon the purchase of the factory site to give to the corporation of the town of Milton a first mortgage for \$10,000.00 on the premises and on the buildings, plant and machinery to be placed thereon, as a guarantee of good faith and for the faithful performance of the covenants in the agreement binding upon her, the said mortgage to be made in pursuance of *The Act Respecting Short Forms of Mortgages* and the premises to be insured to the extent of at least two-thirds of the cash value of buildings, plant and machinery. The said sum of \$10,000.00 to be advanced as follows : firstly, a sum sufficient to cover site of factory when purchased, secondly, such sums from time to time as may be required to pay for work, materials, machinery and cost of removal if required not to exceed \$5,000.00 and the balance of the sum of \$10,000.00 to be advanced and used for the purpose of the said business as follows, \$4,000.00 when the factory is in operation as a going concern and carpet is being manufactured on the premises, and the balance at the expiration of 30 days after the completion of the building there being no liens or encumbrances appearing against the premises, machinery or plant. The said corporation of the town of Milton to exempt the said premises from all taxes, except school taxes, for ten years, and renewable until the completion of the said agreement and to grant to the said E. Syer for the term of twenty years the use of town water through a one-inch pipe for factory purposes whenever the supply in the town reservoir is within one foot of the overflow, and to pay her the sum of \$30 per annum to cover the cost of pumping water from the creek.

And whereas it will be requisite to raise annually during the term of twenty years by special rate for paying the said debt and interest the sum of \$735.82.

And whereas it will be requisite to raise the several sums in each year respectively set forth in the schedule to this by-law.

And whereas the amount of the whole rateable property of the municipality according to the last revised assessment amounts to \$415,685.

And whereas the existing debenture debt of this municipality amounts to \$40,519.27, and no principal or interest is in arrear.

Therefore the municipal corporation of the town of Milton enacts as follows :—

1. It shall be lawful for the mayor of the said town of Milton, for the purpose aforesaid to borrow the said sum of \$10,000.00 and to issue debentures for the said municipality to the amount of \$10,000.00 in sums of not less than \$100.00 each and which shall be payable in the manner for the amounts and at the times set forth in the schedule to this by-law, and the clerk of the said municipality is hereby authorized and instructed to attach the seal of the said municipality to the said debentures.

2. The said debentures shall have attached to them coupons for the payment of interest at the rate of four per cent. per annum, which coupons shall be signed by the mayor and treasurer of the said town and shall be made payable on the first day of July in each and every year during the continuance of the said debentures.

3. The said debentures shall bear date on the first day of July, 1900.

4. The principal and interest on said debentures to be issued under this by-law, shall be payable within twenty years from the time of their issue, and both the said principal and interest shall be payable at the Bank of Hamilton in the town of Milton.

5. There shall be levied and raised in each year by special rate on all the rateable property in the said municipality a sum sufficient to discharge the several instalments of principal and interest accruing due on the said debt as the same become respectively payable according to the schedule of this by-law.

6. This by-law shall take effect on the first day of June, 1900.

7. The votes of the ratepayers of the said municipality shall be taken on this by-law at the following times and places, that is to say:--on Friday the ninth day of March, 1900, at the hour of nine o'clock in the forenoon and continuing until five o'clock in the afternoon of the same day. For the East Ward at electric light office by Jas. Barber, deputy-returning officer. For the North Ward at the town hall by J. F. Little, deputy-returning officer. For the South Ward at the court house by R. J. McInnes, deputy-returning officer.

8. On Wednesday the seventh day of March, 1900, the mayor shall attend at the council chambers at two o'clock p.m., to appoint persons to attend at the various polling places at the final summing up of the votes by the clerk respectively on behalf of the persons interested in the promoting or opposing the passing of this by-law.

9. The clerk of the council of the said municipality shall attend at the council chambers, in the town of Milton, at two o'clock in the afternoon of the Saturday the 10th day of March, 1900, and shall sum up the number of votes for and against the by-law.

10. The following is a schedule of this by-law hereinbefore referred to.

| Year. | Interest. | Principal. | Total. |
|-----------|-----------|------------|----------|
| 1901..... | \$400 00 | \$335 82 | \$735 82 |
| 1902..... | 386 57 | 349 25 | 735 82 |
| 1903..... | 372 60 | 363 22 | 735 82 |
| 1904..... | 358 07 | 377 74 | 735 81 |
| 1905..... | 342 96 | 392 86 | 735 82 |
| 1906..... | 327 24 | 408 58 | 735 82 |
| 1907..... | 310 90 | 424 92 | 735 82 |
| 1908..... | 293 90 | 441 91 | 735 81 |
| 1909..... | 276 23 | 459 59 | 735 82 |
| 1910..... | 257 84 | 477 98 | 735 82 |
| 1911..... | 238 72 | 497 09 | 735 81 |
| 1912..... | 218 84 | 516 97 | 735 81 |
| 1913..... | 198 16 | 537 66 | 735 82 |
| 1914..... | 176 66 | 559 16 | 735 82 |
| 1915..... | 154 30 | 581 52 | 735 82 |
| 1916..... | 131 03 | 604 78 | 735 81 |
| 1917..... | 106 83 | 628 98 | 735 81 |
| 1918..... | 81 67 | 654 14 | 735 81 |
| 1919..... | 55 51 | 680 31 | 735 82 |
| 1920..... | 28 30 | 707 51 | 735 81 |

11. The lands used for factory site and the buildings, plant and machinery of the said E. Syer shall, subject to the terms, conditions and provisos in said agreement set out, be exempt from taxation for the term of ten years from the first day of September, 1900, on all rates assessable by the corporation of the town of Milton, except school taxes.

12. The corporation of the town of Milton shall, subject to the terms, conditions and provisos in said agreement set out, grant to the said E. Syer for the term of twenty years from the first day of September, 1900, the use of town water through a one-inch pipe for factory purposes, whenever the water supply in the town reservoir is within one foot of the overflow pipe, and shall pay to her the sum of \$30 per annum during the said term of twenty years, to cover cost of pumping water from the creek.

Dated at the Town of Milton this 21st day of February, A. D. 1900.

SCHEDULE B.

(Section 1.)

This agreement made (in duplicate) this, fifteenth day of February, A.D. 1900, between E. Syer, of the town of Port Hope, in the county of Durham, carpet manufacturer, of the first part, and the municipal corporation of the town of Milton, of the second part,

Witnesseth that the said parties hereto, for themselves, their heirs, successors, and assigns, do hereby mutually promise and agree to and with each other in manner and form as follows :

The said party of the first part agrees

(Firstly) To purchase a suitable site, centrally located, within the limits of the town of Milton, and erect thereon a substantial stone and brick building, with fire-proof metal or gravel roof, to cost not less than \$3,000.00, and to place therein the plant now owned by her, and such other machinery as may be necessary for the manufacture of carpets, the total equipment, including building and site, to be of not less value than \$10,000, of which valuation the plant at present owned by the said party of the first part shall be taken at \$6,000.00, and the balance of such valuation shall be proved by expenditure vouchers thereon, such building and machinery to be free from all liens and encumbrances of every kind other than the mortgage hereinafter mentioned.

(Secondly) The said party of the first part shall erect and complete such building, and shall place said machinery therein and have the same in full operation as a going concern by the first day of September, A. D. 1900, and shall without any default whatever during the term of twenty years from the said first day of September, A. D. 1900, employ in said business in the town of Milton not less than forty employees on the average in each month, and shall pay in wages a sum averaging not less than \$8,000.00 per annum, the calculation as to number of employees and wages to be made as hereinafter provided.

(Thirdly) The said party of the first part, upon the purchase of the site upon which said carpet factory is to be so erected, shall execute and deliver to the said party of the second part, a first mortgage on the said premises, including the boiler, engine, steam heating apparatus, and fixed and moveable and all other fixtures to be subsequently placed upon the said premises in connection with the said business, free from all other encumbrances, for the sum of \$10,000.00, as a guarantee of good faith and for the faithful performance of all the conditions and covenants binding upon her in this agreement until the discharge of the said mortgage as hereinafter provided, and to secure the repayment of the sum of ten thousand dollars without interest, to be advanced by the said party of the second part as hereinafter provided, the said sum of \$10,000.00 to be paid in twenty equal annual instalments of \$500.00 each, to be paid on the first day of September in each and every year until the whole sum of \$10,000.00 is fully paid, the first of such payments to be made on the first day of September, 1901. The said mortgage shall be prepared or made in pursuance of *The Act Respecting Short Forms of Mortgages* and shall contain the usual covenants contained in such mortgages, that is to say, for payment, title, right to convey, quiet possession on default, freedom from encumbrance, further assurance, that no act to encumber has been done, for insurance to extent of at least two-thirds of the cash value of buildings plant and machinery on the mortgaged premises, and should the said buildings, plant and machinery be totally or partially destroyed, the proceeds of any policy or policies thereon shall be applied to the repair or rebuilding of the said premises and the restoration of the said plant and machinery subject to the supervision of said application by the said parties of the second part, a release of all claims subject to proviso for repayment, a power of sale on default for three months on one month's notice, that until default mortgagor to have quiet possession, and that on default of payment of any instalment of principal or any portion of the same for four months the whole of the principle secured by the said mortgage shall become due and payable. The said mortgage shall provide that all the

terms, conditions and provisions of this agreement (so far as the same may be applicable to both parties hereto) shall be incorporated in and form a part of the said mortgage, until the same be discharged as hereinafter provided. The said mortgage shall further provide that the said party hereto of the first part shall, after the expiration of ten years from the first day September, 1900, have the privilege of making additional payments of not less than \$500.00 at the time of making any of the aforesaid annual payments, and the said party of the second part shall allow on such additional sum or sums so paid interest at the rate of four per cent per annum for the unexpired term of the said mortgage, and the said mortgage shall be discharged on payment of the entire principal money secured thereby less the rebate if any as aforesaid.

(Fourthly) The said party of the first part shall during the said term of twenty years keep proper books of account of wages paid and persons employed, to be verified by a statutory declaration to be made by the party of the first part, her book-keeper or the person employed by her in keeping the account of the wages paid, and at the end of each successive period of five years beginning on the first day of September, A. D., 1900, an examination of the books of the said party of the first part shall be made on behalf of the said party of the second part by one or two auditors appointed by the said party of the second part for such purpose, and the said party of the first part shall render all necessary assistance and if it shall appear that during such period of five years next preceding such examination, the average number of employees of the said party of the first part has been less than forty on the average in each month during such period of five years, then the said party of the second part shall be entitled to realize from the said party of the first part as liquidated damages for such default at the rate of \$10.00 per annum for each employee short of said average number of forty to be so employed as hereby required, and further if it should appear on said examination that the average yearly amount paid for wages by the said party of the first part, has been less than \$8000.00 during such period of five years, then the said party of the second part shall be entitled to realize from the said party of the first part as liquidated damages for such default at the rate of \$10.00 for each \$200.00 short of the said yearly average of \$8000.00 provided always, and it is hereby understood and agreed by and between the parties hereto, anything herein contained to the contrary in anywise notwithstanding, that should said mortgage be discharged before the expiration of said term of twenty, as hereinbefore provided, then and in such case, the average of employees engaged and wages paid shall be based on periods of three years instead of five years as hereinbefore provided and the audits shall be made at the end of periods of three years.

(Fifthly) In the event of default being made during the currency of the said mortgage in any of the terms and conditions set out to be observed and performed by the said party of the first part under this agreement, then and in such case the party hereto of the second part shall have the right to recover as liquidated damages the several sums set out in this agreement in reference to such default, and for such purpose may exercise all their rights and remedies as mortgagees under said mortgage until the discharge thereof, in as full and ample a manner to recover said sums as if default had been made in payment of moneys secured by the said mortgage, and this clause may be pleaded as an estoppel to any defence preventing the said parties hereto of the second part from proceeding to realize said sums under said mortgage during such time.

(Sixthly) The said party of the first part shall reside in the town of Milton, and shall concentrate all her manufacturing interests therein, and shall have no branch factory elsewhere during the said term except temporarily with the consent of the said party of the second part.

The said party of the second part agrees to submit a by-law to the ratepayers entitled to vote on money by-laws to authorize the issue of debentures for the purpose of raising the said sum of \$10,000.00 and will endeavor to obtain the enactment of legislation at the next ensuing session of the Legislature of the Province of Ontario confirming such by-law, and will upon the passing of such by-law and the confirmation thereof by the

Legislature by the Province of Ontario and upon the execution and delivery to them of a mortgage for \$10,000.00 to be made by the said party hereto of the first part as hereinbefore provided, loan the said sum of \$10,000.00 to the said party of the first part to be repaid by the said party of the first part without interest as aforesaid.

The said mortgage moneys shall be advanced by the said party of the second part as follows, firstly, a sum sufficient to cover cost of site of factory when purchased, secondly, such sums from time to time as may be required to pay for work actually done, materials actually used, machinery newly purchased and placed upon the said premises, and cost of removal if required, which said moneys are to be paid on certificates or vouchers satisfactory to the Mayor of said corporation in all, including site of factory not to exceed the sum of \$5000 00, and the balance of the said sum of \$10,000.00 to be advanced and used for the purpose of said business as follows, that is to say, \$4000.00 part thereof when the said factory is in operation as a going concern and carpet is being manufactured on the premises, and the remaining part of said advance of \$10,000.00 at the expiration of thirty days after the completion of the said building under the original contracts therefor and there being no liens or encumbrances appearing against the said premises, machinery or plant.

The said party of the second part further agrees to grant exemption from taxation on all rates except those for school purposes on the said premises for the term of ten years conditioned on the performance of this agreement by the said party of the first part and renewable until the completion thereof.

The said party of the second part further agrees to grant to the said party of the first part for the said term of twenty years the use of the town water through a one inch pipe for factory purposes, whenever the supply in the town reservoir is within a foot of the overflow, and to pay to the said party of the first part the sum of thirty dollars per annum during the said term to cover cost of pumping water from the creek, conditioned on the performance of this agreement by the said party of the first part.

And it is further agreed by and between the parties hereto that if the said party of the second part should submit such by-law, and if such by-law should not receive a vote sufficient to carry any money by-law as provided by *The Municipal Act*, or if the legislature of the province of Ontario should refuse to confirm the said by-law, then this agreement shall be null and void and of no effect and the parties thereto shall be released from all liability or obligation thereunder.

In witness whereof the said party hereto of the first part has hereunto set her hand and seal and the corporation of the town of Milton by the hands of the mayor and clerk and the corporate seal.

Signed, sealed and delivered
in the presence of

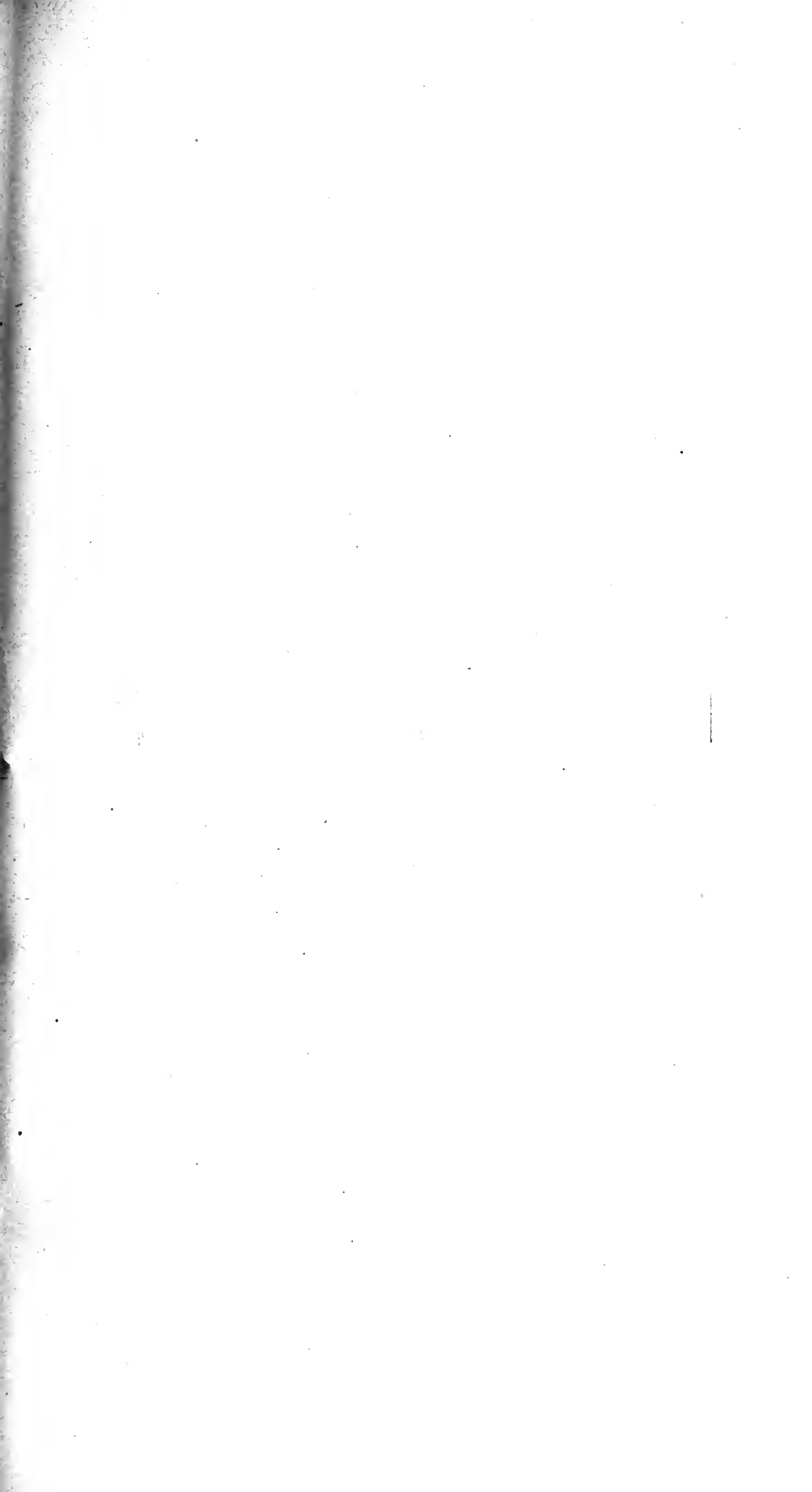
W. S. CLARKE.



E SYER. [SEAL.]

J. S. DEACON,
Mayor.

R. WATES,
Clerk.



No. 46.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting the Town of Milton.

First Reading, , 1900.

(Private Bill.)

Mr. BARBER.

TORONTO.

PRINTED BY I. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act to incorporate The Ottawa and Dundas
Railway Company.

WHEREAS Nicholas Charles Sparks, Arthur J. Forward,
John Inkermann MacCraken, all of the city of Ot- Preamble.
tawa, in the county of Carleton, Robert H. Cowley and
Frederick A. Heney, both of the township of Nepean, in the
5 county of Carleton, James Simpson, Frank Iveson, Patrick
O'Connor and Andrew P. Imlay, of the village of Metcalfe, in
the county of Carleton, James McLaurin, Robert Dow and Alan
P. McDonell, all of the township of Osgoode, in the county of
Carleton, Mahlon F. Beach and John S. Ross, of the village of
10 Winchester, Frank Elliott, of Morewood, Hugo H. Ross, James
D. Bullis and William L. Redmond, of the village of Iroquois,
James Collison, of Dixon's Corners, John McTavish, of Van
Camp, Matthew C. Gibson and Herbert H. Bradfield, of Mor-
risburgh, all in the county of Dundas, and William D. Cam-
15 eron, of Chicago, United States of America, have by their peti-
tion prayed for an Act of incorporation under the name of
"The Ottawa and Dundas Railway Company," for the pur-
pose of constructing and operating by electric or other motive
power a railway from a point in or near the city of Ottawa,
20 passing through the townships of Gloucester and Osgoode, in
the county of Carleton, and through the county of Dundas to
some point at or near the shore of the St. Lawrence river, in
the said county of Dundas; and whereas it is expedient to
grant the prayer of the said petition.

25 Therefore Her Majesty, by and with the consent of the
Legislative Assembly of Ontario, enacts as follows:—

1. The said Nicholas Charles Sparks, Arthur J. Forward,
John Inkermann MacCraken, Robert H. Cowley, Frederick A.
Heney, James Simpson, Frank Iveson, Patrick O'Connor, An- Incorporation.
drew P. Imlay, James McLaurin, Robert Dow, Alan P. Mc-
30 Donell, Mahlon F. Beach, John S. Ross, Frank Elliott, Hugo
H. Ross, James D. Bullis, William L. Redmond, James Col-
lison, John McTavish, Matthew C. Gibson, Herbert H. Brad-
field and William D. Cameron, and such other persons and cor-
35 porations as shall hereafter become shareholders of the said
company, are hereby constituted a body corporate and politic
under the name of "The Ottawa and Dundas Railway Com-
pany." hereinafter called the company.

Location of
line.

2. The company and their servants and agents are hereby authorized and empowered to survey, lay out, construct, make, build, equip, maintain and operate an iron or steel railway, from a point in or near the city of Ottawa; thence through the townships of Gloucester and Osgoode, in the county of Carleton, and running in or near the village of Metcalfe and the villages of Kenmore or Vernon, in the township of Osgoode; thence through the townships of Winchester and Williamsburgh, in the county of Dundas, running in or near the villages of Ormond, Winchester, Winchester Springs and North Williamsburgh to a point in or near the village of Morrisburgh, in the county of Dundas, and also a branch from a point in or near the village of Winchester to a point in or near the village of Iroquois, in the said county of Dundas, passing through the townships of Williamsburgh and Matilda, such railway and branch to be operated by electricity or other motive power, to be of a gauge of four feet, eight and one-half inches, and to be constructed with single or double iron track or tracks, with all necessary switches and turnouts; and such railway or branch may be constructed in sections; and the said railways, or any part thereof, so far as the same may be operated by electricity, may be carried along and upon such public highways as may be authorized by the by-laws of the respective corporations having jurisdiction over the same and subject to the restrictions and provisions therein and in this Act contained, and under and subject to any agreements between the company and the councils of any of the said corporations and between the company and the road companies (if any) interested in such highways; and the company may make and enter into any agreements with any municipal corporation or road company as to the terms of occupancy of any street or highway subject to the provisions and conditions contained in this Act and in *The Municipal Act*.

Rev. Stat.
c. 223.

Provisional
directors.

3. The said parties named in section 1 hereof shall be and are hereby constituted a board of provisional directors of the company, of whom a majority shall be a quorum, and shall hold office as such provisional directors until other directors shall be appointed under the provisions of this Act by the shareholders.

Powers of
provisional
directors.

4. The said board of provisional directors shall have power forthwith to open stock books and procure subscriptions of stock for the undertaking, and to allot stock and to receive payments on account of stock subscribed, and to make calls upon subscribers in respect to their stock and to sue for and recover the same; and to cause plans and surveys to be made and to receive for the company any grant, loan, bonus or gift made to it, or in aid of the undertaking, and to enter into any agreement respecting the conditions or disposition of any gift or bonus in aid of the railway, and with all such other powers as under *The Railway Act of Ontario* are vested in ordinary directors. The said directors or a majority of them, or the

board of directors to be elected as hereinafter mentioned, may, in their discretion, exclude any one from subscribing for stock, who, in their judgment, would hinder, delay or prevent the company from proceeding with and completing their under-
 5 taking under the provisions of this Act; and if at any time a portion or more than the whole stock shall have been subscribed the said provisional directors or board of directors shall allocate and apportion it amongst the subscribers as they shall deem most advantageous and conducive to the furtherance of
 10 the undertaking; and on such allocation the said directors may, in their discretion, exclude any one or more of the said subscribers, if, in their judgment, such exclusion will best secure the building of the said railway, and all meetings of the provisional board of directors shall be held at the city of
 15 Ottawa, or at such other place as may be in the interests of the company.

5. Conveyances of land to the company for the purposes of, and powers given by this Act, made in the form set forth in schedule A hereunder written, or to the like effect, shall be
 20 sufficient conveyance to the company, their successors and assigns, of the estate or interest therein mentioned, and sufficient bar of dower, respectively, of all persons executing the same; and such conveyances shall be registered in the same manner and on such proof of execution as is required under
 25 the registry laws of Ontario; and no registrar shall be entitled to demand more than seventy-five cents for registering the same, including all entries and certificates thereof and certificates endorsed on the duplicates thereof.

6. The company may receive from any government, or from
 30 any persons or bodies corporate, municipal or politic, who may have power to make or grant the same, aid toward's the construction, equipment or maintenance of the said railway by way of gift, bonus or loan of money, or debentures or other securities, for money or by way of guarantee upon such terms
 35 and conditions as may be agreed upon.

7. The head office of the company shall be at the city of
 Ottawa.

8. The capital stock of the company shall be five hundred
 40 thousand dollars, divided into five thousand shares of one hundred dollars each.

9. No subscription for stock in the capital of the company shall be binding on the company unless it shall be approved by resolution of the directors, nor unless ten per centum of the amount subscribed has been actually paid thereon within one
 45 month after subscription.

First general meeting, election of directors.

10. When and so soon as seventy-five thousand dollars of the authorized capital stock has been subscribed and ten per cent. upon such subscription has been paid in cash into some chartered bank in the city of Ottawa to the credit of the company, the provisional directors, or a majority of them, shall call a meeting of the shareholders for the purpose of organization, giving at least two weeks' notice in *The Ontario Gazette* and in one newspaper published in the city of Ottawa, of the time, place and object of such meeting; and shall elect the directors of the company. 5 10

General annual meeting.

11. The general annual meeting of the shareholders of the company for the election of a board of directors and the prosecution of other business connected with or incidental to the undertaking, and special general meetings of the shareholders shall be held at the head office of the company, or elsewhere, as the directors may deem most convenient, on such day and such hour as may be directed by the by-laws of the company, and public notice thereof shall be given at least four weeks previously in *The Ontario Gazette* and once a week in one newspaper published in the said city of Ottawa during four weeks immediately preceding the week in which such meeting is to take place. 15 20

Number of directors and quorum.

12. At such general meeting the shareholders present either in person or by proxy, who shall at the opening of such meeting have paid up ten per centum on the stock subscribed by them, shall elect not less than five and not more than twelve persons to be directors of the company in manner and qualified as hereinafter mentioned, who shall constitute a board of directors and shall hold office until the next general annual meeting, and a majority of the directors shall form a quorum of the board, and may pass such rules, regulations and by-laws as may be deemed expedient and are not inconsistent with this Act and *The Railway Act of Ontario*: and the said board may employ and pay one of their number as managing director 25 30

Qualification of directors.

13. No person shall be qualified to be elected as such director by the shareholders unless he be a shareholder holding at least two shares of stock in the company and unless he has paid up all calls thereon. 35

Power to construct line in sections.

14. The company is hereby authorized and empowered to take and make the surveys and levels of the lands through which the said railway is to pass, together with the map or plan thereof, and of their course and direction, and of the lands intended to be passed over and taken therefor so far as then ascertained, and also the book of reference for the railway, and to deposit the same, as required by the clauses of *The Railway Act of Ontario* and the amendments thereto with respect to plans and surveys, by sections or portions less than the length of the whole railway authorized, of such length as the com- 40 45

pany may from time to time see fit so that no one of such sections or portions shall be less than ten miles in length ; and upon such deposit as aforesaid of the map or plan and book of reference of any and each of such sections or portions of the ^{Rev. Stat., c. 207.}
 5 said railway, all and every of the clauses of the said Railway Act and the amendments thereof applied to, included in or incorporated with this Act shall apply and extend to any and each of such sections or portions of the said railway as fully and effectually as if the surveys and levels had been taken and
 10 made of the lands through which the whole of the said railway is to pass, together with the map or plan of the whole thereof, and of their whole course and direction, and of the lands intended to be passed over and taken, and the book of reference of the whole of said railways had to be taken, made,
 15 examined, certified and deposited according to the said clauses of the said Railway Act and the amendments thereof with respect to "plans and surveys."

15. Aliens and companies incorporated abroad, as well as British subjects and corporations, may be shareholders in the ^{Rights of aliens.}
 20 company, and all such shareholders, whether resident in this Province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible for office as directors in the company.

16. The directors may from time to time make calls as ^{Calls on stock.}
 25 they shall think fit, provided that no call shall be made at any one time of more than ten per centum of the amount subscribed by each shareholder, and thirty days' notice shall be given of each call, as hereinafter provided in section 17 of this Act.

17. The provisional directors or the elected directors may ^{Payments in stock or bonds.}
 30 pay, or agree to pay, in paid up stock or in the bonds of the company, such sums as they may deem expedient, to engineers or contractors, or for right of way, or material, plant or rolling stock, and also, when sanctioned by a vote of the shareholders at any general meeting, for the services of the
 35 promoters or other persons who may be employed by the directors in furthering the undertaking, or for the purchase of right of way, material, plant, or rolling stock, whether such promoters or other persons be provisional or elected directors or not, and any agreement so made shall be binding on the
 40 company.

18. Special general meetings of the shareholders of the ^{Special general meetings.}
 company may be held at such places and at such times and in such manner and for such purposes as may be provided by the by-laws of the company, upon such notice as is provided
 45 in the last preceding section.

19. At all meetings of the company the shareholders thereof may vote by proxy and the proxy may be appointed in such ^{Proxies.}

manner and by such means as the by-laws of the company may provide, but no person shall be qualified to be so appointed who is not himself a shareholder in the company.

Issue of
bonds.

20. The directors of the company shall have power to issue bonds of the company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all the sum of \$20,000 for each mile of the said railway and branches, and the provisions of sub-sections 19, 20, 21, 22 and 23 of section 9 of *The Railway Act of Ontario* shall apply to all such bonds and the issue thereof, and such bonds shall be issued subject and according to, and in conformity with the provisions of the said sub-sections.

Rev. Stat.,
c. 207.

Bonds, etc.,
how payable.

21. All such bonds, debentures and other securities and coupons and interest warrants thereon respectively, may be made payable to bearer and transferable by delivery, and any holder of any such securities so made payable to bearer, may sue at law thereon in his own name.

Transfer of
bonds.

22. The company shall have power and authority to be come parties to promissory notes and bills of exchange for sums not less than \$100, and any such promissory note or bill of exchange made, accepted or endorsed by the president or vice-president of the company, and countersigned by the secretary or treasurer, as may be provided by the by-laws of the company, which by-laws shall be submitted for approval by the Lieutenant-Governor-in-Council, shall be binding on the company, and every such promissory note or bill of exchange so made shall be presumed to have been made with proper authority until the contrary be shown, and in no case shall it be necessary to have the seal of the company affixed to such promissory note or bill of exchange, nor shall the president, vice president or the secretary or treasurer be individually responsible for the same unless the said promissory notes or bills of exchange have been issued without the sanction and authority of the directors as herein provided and enacted; provided, however, that nothing in this section shall be construed to authorize the company to issue any promissory note or bill of exchange payable to bearer, or intended to be circulated as money, or as the notes or bills of a bank.

Mortgaging
or pledging
bonds.

23. The company may, from time to time, for advances of money to be made thereon, mortgage or pledge any bonds which they may be enabled, under the powers of this Act, to issue for the construction of the said railway.

Agreements
with other
companies for
leasing or
hiring rolling
stock.

24. It shall be lawful for the directors of the company to enter into an agreement or agreements with any other company or companies, if lawfully authorized to enter into such agreements, or with any person or persons, for leasing, hiring,

or use of any locomotives, carriages, rolling stock and other movable property from such companies or persons for such time or times and on such terms as may be agreed on and also to enter into agreements with any railway company or 5 companies, if so lawfully authorized, for the use by one or more of such contracting companies of the locomotives, carriages, rolling stock and other moveable property of the other or others of them on such terms as to compensation and otherwise as may be agreed on.

10 **25.** The company may also construct an electric telegraph Telegraph and telephone lines. line and a telephone line throughout and along the whole line of their railway and the branches thereof or any part of the said railway or branches and for the purpose of constructing, working and protecting the said telegraph and telephone lines, 15 the powers conferred upon telegraph companies by *The Act respecting Telegraph Companies* being chapter 192 of the Revised Statutes of Ontario, 1897, are hereby conferred upon the company; provided that no poles shall be erected in the construction of either of the said lines in or through any city, 20 town or incorporated village without the consent of the council of such city, town or village being first obtained by the company; and the company may undertake the transmission of messages for the public by such line or lines of telegraph or telephone and collect tolls for so doing.

25 **26.** Any municipality, or any portion of a township municipality, which may be interested in securing the construction of the said railway, or through any part of which, or near which the railway or works of the company shall pass or be situate may aid the company by giving money or debentures, by way of bonus, gift or loan, or by the guarantee 30 of the municipal corporation, under and subject to the provisions hereinafter contained; provided always, that such aid shall not be given except after the passing of a by-law for the purpose, and the adoption of such by-law by the qualified 35 ratepayers of the municipality or portion of the municipality (as the case may be) in accordance with and as provided by law in respect to granting aid, by way of bonuses to railways.

27. Such by-law shall be submitted by the municipal council, to the vote of the rate-payers, in manner following, Submitting bonus by-laws. 40 namely:

(1) The proper petition shall first be presented to the council, expressing the desire to aid the railway, and stating in what way and for what amount; and the council shall within six weeks after the receipt of such petition by the clerk of the 45 municipality, introduce a by-law to the effect petitioned for, and submit the same to the approval of the qualified voters.

(2) In the case of a county municipality, the petition shall be that of a majority of the members of the county council; or

of fifty resident free-holders, in each of the minor municipalities of the county, who are qualified voters under *The Municipal Act* and the amendments thereto.

(3) In the case of other municipalities, the petition shall be that of a majority of the council thereof, or of fifty resident 5 freeholders, being duly qualified voters under *The Municipal Act*, and amendments thereto as aforesaid.

(4) In the case of a section of a township municipality, the petition is to be presented to the council, defining the section by metes and bounds, or lots and concessions, and shall be that 10 of a majority of the council of such township municipality, or of fifty resident freeholders in such section of the municipality, being duly qualified voters as aforesaid.

Petition
against aid
from county.

28. In case of aid from a county municipality, fifty resi- 15 dent freeholders of the county may petition the county council against submitting the said by-law, upon the ground that certain minor municipalities or portions thereof, comprised in the said by-law, would be injuriously affected thereby, or upon any other ground ought not to be included therein and upon deposit by the petitioners, with the treasurer of the county, of a sum sufficient to defray the expenses of such reference, the 20 said council shall forthwith refer the said petition to three arbitrators, one being the judge of the county court or district objecting, one being the registrar of the county or of the riding in which the county town is situate, and one being an engineer appointed by the Commissioner of Public Works for Ontario, 25 who shall have power to confirm or amend the said by-law, by excluding any minor municipality or any section thereof therefrom, and the decision of any two of them shall be final, and the by-law so confirmed or amended, shall thereupon, at the option of the railway company, be submitted by the 30 council to the duly qualified voters, and in case the by-law is confirmed by the arbitrators, the expense of the reference shall be borne by the petitioners against the same, but if amended, then by the railway company or the county as the arbitrators may order. 35

"Minor muni-
cipality,"
meaning of.

29. The term "minor municipality" shall be construed to mean any town not separated from the municipal county, township, or incorporated village, situate in the county or district municipality.

By-law
what to
contain.

30. Such by-law shall in each instance provide : 40

(1) For raising the amount petitioned for in the municipality or portion of the township municipality (as the case may be) mentioned in the petition, by the issue of the debentures of the county or minor municipality, respectively, and shall also provide for the delivery of the said debentures, or 45 the application of the amount to be raised thereby as may be expressed in the said by-law.

(2) For assessing and levying upon all rateable property lying within the municipality or portion of the township municipality defined in said by-law (as the case may be) an annual special rate, sufficient to include a sinking fund for the repayment of the said debentures within twenty years with interest thereon, payable yearly or half yearly, which debentures the respective municipal councils, wardens, mayors, reeves and other officers thereof are hereby authorized to execute and issue in such cases respectively.

10 **31.** Before any such by-law is submitted, the railway company shall, if required, deposit with the treasurer of the municipality, a sum sufficient to pay the expenses to be incurred in submitting said by-law.

Deposit to be made before by-law is submitted.

15 **32.** In case the by-law submitted be approved of and carried, in accordance with the provisions of the law in that behalf, then within four weeks after the date of such voting the municipal council which submitted the same shall read the said by-law a third time and pass the same.

Council to pass by-law if assented to by ratepayers.

20 **33.** Within one month after the passing of such by-law the said council and the mayor, warden, reeve or other head, or other officers thereof, shall issue or dispose of the debentures provided for by the by-law, and deliver the same, duly executed, to the trustees appointed, or to be appointed, under this Act.

Issue of debentures.

25 **34.** In case any such loan, guarantee or bonus, be so granted by a portion of a township municipality, the rate to be levied for payment of the debentures issued therefor, and the interest thereon, shall be assessed and levied upon such portion only of such municipality.

Levying rates on portion of municipality.

30 **35.** The provisions of *The Municipal Act* and the amendments thereto, so far as the same are not inconsistent with this Act, shall apply to any by-law so passed by or for a portion of a township municipality, to the same extent as if the same had been passed by or for the whole municipality.

Application of provisions of Rev. Stat. c. 223.

35 **36.** The councils for all corporations that may grant aid by way of bonus to the said company may, by resolution or by-law, extend the time for the commencement of the work beyond that stipulated for in the by-law or by-laws granting such aid, from time to time; provided that no such extension shall be for a longer period than one year.

Councils may extend the time for commencement.

40 **37.** It shall and may be lawful for the council of any municipality that may grant aid by way of bonus to the said company, by resolution or by-law, to extend the time for the completion of the works (on the completion of which the said company would be entitled to such bonus), from time to time, provided that no such extension shall be for a longer period than one year at a time.

Councils may extend the time for completion.

Extent of aid
from municipi-
pa'ties.

38. Any municipality, or portion of a township municipality interested in the construction of the road of the company, may grant aid by way of bonus to the company towards the construction of such road, notwithstanding that such aid may increase the municipal taxation of such municipality, or portion thereof, beyond what is allowed by law ; provided that such aid shall not require the levying of a greater aggregate annual rate for all purposes exclusive of school rates, than three cents in the dollar upon the value of the rateable property therein. 5

By-laws grant-
ing exemption
from taxation.

39. It shall be lawful for the corporation of any municipality through any part of which the railway of the company passes, or in which it is situate, by by-law especially passed for that purpose, to exempt the company and its property within such municipality, either in whole or in part from municipal assessment or taxation, or to agree to a certain sum per annum, or otherwise in gross, by way of commutation or composition for payment, or in lieu of all or any municipal rates or assessments to be imposed by such municipal corporation, and for such term of years as such municipal corporation may deem expedient, not exceeding twenty one years, and no such by-law shall be repealed unless in conformity with a condition contained therein. 10 15 20

Gifts of lands.

40. Any municipality through which the said railway may pass or is situate is empowered to grant, by way of gift to the company, any lands belonging to such municipality, or over which it may have control, which may be required for right of way, station grounds or other purposes connected with the running or traffic of the said railway ; and the said railway company shall have power to accept gifts of land from any government, or any person or body, corporate or politic, and shall have power to sell or otherwise dispose of the same for the benefit of the company. 25 30

Issue of
debentures.

41. Whenever any municipality or portion of a township municipality shall grant aid by way of bonus or gift to the railway company, the debentures therefor shall within six months after the passing of the by-law authorizing the same, be delivered to three trustees to be named, one by the Lieutenant-Governor in Council, one by the said company, and one by the majority of the heads of the municipalities which have granted bonuses, all of the trustees to be residents of the Province of Ontario ; provided that if the said heads of the municipalities shall refuse or neglect to name such trustee within one month after notice in writing of the appointment of the company's trustee, or if the Lieutenant-Governor in Council shall omit to name such trustee within one month after notice in writing to him of the appointment of the other trustees, then in either case the company shall be at liberty to name such other trustee or other trustees ; any of the said trustees may be removed and a new trustee appointed 40 45

in his place at any time by the Lieutenant-Governor in Council, and in case any trustee dies or resigns his trust, or goes to live out of the Province of Ontario, or otherwise becomes incapable of acting, his trusteeship shall become vacant and a
5 new trustee may be appointed by the Lieutenant-Governor in Council.

42. The said trustees shall receive the said debentures or bonds in trust, firstly, under the directions of the company, but subject to the conditions of the by-laws in relation thereto
10 as to time or manner, to convert the same into money or otherwise dispose of them ; secondly, to deposit the debentures or amount realized from the sale in some chartered bank having an office in the Province of Ontario in the name of "The Nickel Range Railway, Municipal Trust Account," and to pay
15 the same out to the company from time to time as the company becomes entitled thereto, under the conditions of the by-law granting the said bonus and on the certificate of the chief engineer of the said railway for the time being, in the form set out in schedule B. hereto, or to the like effect, which certificate shall set forth that the conditions of the by-law have
20 been complied with, and is to be attached to the cheque or order drawn by the said trustees for such payment or delivery of debentures, and such engineer shall not wrongfully grant any such certificate under a penalty of \$500, recoverable in
25 any court of competent jurisdiction by any person who may sue therefor.

Trusts of proceeds of debentures.

43. The trustees shall be entitled to their reasonable fees and charges from the said trust fund, and the act of any two
of such trustees shall be as valid and binding as if the three
30 had agreed.

Fees to trustees.

44. Whenever it shall be necessary for the purpose of procuring sufficient land for stations, or gravel pits, or for constructing, maintaining and using the said railway, and in case, by purchasing the whole of any lot or parcel of land
35 over which the railway is to run, the company can obtain the same at a more reasonable price, or to greater advantage than by purchasing the railway line only the company may purchase, hold, use and enjoy such lands, and also the right of way thereto, if the same be separated from their railway,
40 and may sell or convey the same, or any part thereof, from time to time as they may deem expedient ; but the compulsory clauses of *The Railway Act of Ontario* shall not apply to this section.

Rev. Stat. c. 207.

45. When stone, gravel, earth or sand is or are required for the construction or maintenance of said railway or any part thereof, the company may, in case they cannot agree with the owner of the lands on which the same are situate for the purchase thereof, cause an Ontario Land Surveyor to make a

Acquiring material for construction.

Rev. Stat.
c. 207.

map and description of the property so required, and they shall serve a copy thereof, with their notice of arbitration, as in case of acquiring the roadway, and the notice of arbitration, the award and the tender of compensation, shall have the same effect as in case of arbitration for the roadway; and all the provisions of *The Railway Act of Ontario*, and of this Act, as to the service of the said notice, arbitration, compensation, deeds, payment of money into court, the right to sell, the right to convey, and the parties from whom land may be taken, or who may sell, shall apply to the subject matter of this section, as to the obtaining materials as aforesaid, and such proceedings may be had by the company either for the right to the fee simple in the land from which said materials shall be taken, or for the right to take materials for any time they shall think necessary; the notice of arbitration, in case arbitration is resorted to, to state the interest required.

Sidings to
gravel pits.

Rev. Stat.
c. 207.

46.—(1) When said gravel, stone, earth or sand shall be taken under the preceding section of this Act, at a distance from the line of railway, the company may lay down the necessary sidings and tracts over any lands which may intervene between the railway and the lands on which the said material shall be found, whatever the distance may be; and all the provisions of *The Railway Act of Ontario* and of this Act, except such as relate to filing plans and publications of notice, shall apply and may be used and exercised to obtain the right of way from the railway to the land on which such materials are situated; and such right may be so acquired for a term of years or permanently, as the company may think proper; and the powers in this and the preceding section may at all times be exercised and used in all respects after the railway is constructed for the purpose of repairing and maintaining the said railway.

Rev. Stat.
c. 207.

(2) When estimating the damages for the taking of gravel, stone, earth or sand, subsection 9 of section 20 of *The Railway Act of Ontario* shall not apply.

Incidental
powers.

Warehouses,
docks, etc.

Erect neces-
sary buildings,
wharves, etc.

47. The company shall have power and authority:—

(1) To purchase land for and erect power-houses, warehouses, elevators, docks, stations, work shops, machine shops, foundries and offices, and to sell and convey such land as may be found superfluous for any such purpose, and the company shall have power to build, own, operate and hold as part of the property of the said company as many steam or other vessels as the directors of the company may deem requisite from time to time to facilitate the carriage of passengers, freight and other traffic in connection with the railway;

(2) To erect and maintain all necessary and convenient buildings, stations, depots, wharves and fixtures, and from time to time to alter, repair or enlarge the same, and to build

purchase and acquire motors, engines, carriages, waggons and other machinery and contrivances necessary or convenient for the working of the railway and the accommodation and use of the passengers, freight and business of the railway ;

5 (3) To construct, maintain and operate works for the pro- Powers as to production and use of electricity.
duction of electricity for the motive power of the said railways and for the lighting and heating the rolling stock and other property of the company.

10 (4) To sell or lease any such electricity not required for the Lease or sell electricity not required for railway.
purpose aforesaid to any person or corporation, and the company in that behalf shall, subject to the provisions and restrictions of this Act, possess the powers, rights and privileges, and be subject to all the obligations and restrictions of joint stock companies incorporated under *The Act respecting Companies* Rev. Stat. c. 200.
15 *for supplying Steam, Heat, Electricity or Natural Gas for Heat, Light or Power*, and to acquire and hold any property necessary for the purposes mentioned in this sub-section ;

20 (5) To purchase the right to convey electricity required for the working of the railway and lighting or heating the same Acquiring rights for conveying electricity.
over, through or under lands other than the lands of the said railway, and with the consent of the councils of the municipalities affected, to purchase the right to lay conduits under, or erect poles and wires on or over such lands as may be determined by the company, and along and upon any of the
25 public highways, or across any of the waters in this Province by the erection of the necessary fixtures, including posts, piers or abutments for sustaining the cords or wires of such lines, or the conduits for such electricity, upon and subject to such agreement in respect thereof as shall first be made between
30 the company and any private owners of the land affected, and between the company and any municipality in which such works or any part thereof or of the railway may be situate, and under and subject to any by-law or by-laws of the council of such municipality passed in pursuance thereof.

35 **48.**—(1) The railway of the company shall not be constructed or operated on, upon or along any street, highway or Construction on streets, etc.
public place of any municipality until first authorized by an agreement in respect thereto made between the company and such municipality, and under and subject to the terms of such
40 agreement and of this Act and of any by-law or by-laws of the council of said municipality to be passed in pursuance thereof: and in all such cases any and every work, matter or thing in connection with electricity or other motor power, and the application and using thereof in so constructing, operating
45 and working such railway, or the cars, carriages, engines, mortors or machines aforesaid shall be so constructed, erected, laid down and arranged as to impede or incommode the public use of such street, highway or public place as little as possible, and so as not to be a nuisance thereto, nor to interfere with

the free access to any house or other building erected in the vicinity of the same, and the electric and other appliances shall be of such an improved manufacture and so placed as to avoid so far as possible any danger to buildings or other property, and provided that none of the works or property of the company shall be so constructed or placed as to injuriously interrupt navigation in any navigable water. 5

(2) The by-laws mentioned in section 2, sub-section 5 of the preceding section and in this section shall be subject to the conditions and provisions of section 632 of *The Municipal Act*. 10
 Rev. Stat. c. 223, s. 632.

Snow fences. 49. The company shall have the right on an after the first day of November, in each year to enter into and upon any lands of Her Majesty, or into or upon any lands of any corporation or persons whatsoever, lying along the route or line of the said railway, and to erect and maintain snow fences thereon, subject to the payment of such damages (if any) as may be hereafter established in the manner provided by law in respect of such railway to have been actually suffered; provided always that any such snow fences so erected shall be removed on or before the first day of April following. 15 20

Special rates. 50. The company may make special rates for the carriage of milk, fruit, cheese or perishable articles, and may erect and construct buildings, plant and machinery at any convenient point or points along its lines of railway for the purpose of receiving fruit, milk, cheese or other perishable articles, and the company may hold and store the same by a system of cold storage at such rates and upon such terms as shall from time to time be specified by the by-laws of the company, which by-laws the directors are hereby empowered to make. 25 30

Level crossings. 51. Notwithstanding any provision to the contrary in any other Act the company's railway may cross the railway of any other company upon a level therewith with the consent of such other company or with the authority of the Railway Committee of the Privy Council of Canada. 35

Leasing and running powers. 52 It shall be lawful for the company to enter into any agreement with the Canadian Pacific Railway Company, the Canada Atlantic Railway Company and the Grand Trunk Railway Company, if lawfully empowered to enter into such agreement, for leasing to them the said railway or any part thereof, and it shall further be lawful for the company to enter into any agreements with the said companies or either of them if so lawfully authorized, for the working of the said railway, or for running powers over the same, on such terms and conditions as the directors of the several contracting companies may agree on, or for leasing and hiring from such other contracting company or companies any portion of their railway or the use thereof, and generally to make any agreement 40 45

or agreements with the said companies, if so lawfully authorized, touching the use by one or the other or both companies of the railway, or the rolling stock of either or both, or any part thereof, or touching any service to be rendered by the
 5 the one company to the other and the compensation therefor, and any such agreement shall be valid and binding, according to the terms and tenor thereof, and the company or companies leasing or entering into such agreement for using the said line, may and are hereby authorized to work the said rail-
 10 way in the same manner and in all respects as if incorporated with its own line, and to exercise so far as the same are applicable all the rights, powers and privileges by this Act conferred; provided that every such lease or agreement shall first be sanctioned at a special general meeting called for the
 15 purpose of considering the same according to the by-laws of the company and the provisions of this Act; by the vote of two-thirds in value of the shareholders present in person or by proxy at such meeting.

53. The company is also authorized and empowered to
 20 make necessary arrangements and to contract and agree with the Canadian Pacific Railway Company, the Canada Atlantic Railway Company and the Grand Trunk Railway Company, if lawfully empowered to enter into such arrangement, for
 amalgamation with the said Company, or for leasing their
 25 said line or any part or parts thereof to the said company, and may also make traffic or running arrangements with any such company, provided that the terms of such amalgamation or lease are approved of by two-thirds of the shareholders present in person or represented by proxy at a special general
 30 meeting to be held for that purpose in accordance with this Act; but nothing in this or the preceding section shall be construed as purporting or intending to confer rights or powers upon any company which is not within the legislative authority of this Province.

54. Shares in the capital stock of the company may be
 35 transferred by any form of instrument in writing, but no transfer shall become effectual unless the stock or scrip certificates issued in respect of shares intended to be transferred are surrendered to the company, or the surrender thereof dispensed
 40 with by the company.

55. The company shall have power to collect and receive
 all charges subject to which goods or commodities may come
 into their possession, and on payment of such back charges,
 and without any formal transfer, shall have the same lien for
 45 the amount thereof upon such goods and commodities as the person to whom such charges were originally due, and shall be subrogated by such payment in all the rights and remedies of such persons for such charges.

Incorporation
of provisions
of Rev. Stat.
c. 207.

56. The provisions of *The Electric Railway Act* shall not apply to the company hereby incorporated but the several clauses of *The Railway Act of Ontario*, and of every Act in amendment thereof shall be incorporated with, and be deemed to be part of this Act, and shall apply to the company and to the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof; and the expression "this Act," when used herein, shall be understood to include the clauses of the said Railway Act and of every act in amendment thereof so incorporated with this Act. 5 10

Commence-
ment and
completion.

57. The railway hereby authorized shall be commenced within three years and finished and put in operation within six years after the passing of this Act, and in default thereof the powers hereby conferred shall absolutely cease with respect to so much of the railway as then remains incomplete. 15

Ottawa Elec-
tric Railway
Co.

58. Notwithstanding anything contained in this Act, or in any other Act, the said company shall not be authorized or have any power to build or operate its railway along any of the streets of the city of Ottawa, or to run its cars along any of said streets, unless and until it has first obtained the consent in writing of the Ottawa Electric Railway Company so to do. 20

SCHEDULE A.

(Section 5.)

Know all men by these presents that I (or we) (*insert the name or names of the vendor or vendors*) in consideration of _____ dollars paid to me (or us) by The Ottawa and Dundas Railway Company, the receipt whereof is hereby acknowledged, do grant and convey unto the said company, and I (or we) (*insert the name or names of any other party or parties*) in consideration of _____ dollars paid to me (or us) by the said company, the receipt whereof is hereby acknowledged, do grant and release all that certain parcel (*or those certain parcels, as the case may be*) of land (*describe the land*) the same having been selected and laid out by the said company for the purposes of its railway, to hold with the appurtenances unto the said The Ottawa and Dundas Railway Company, their successors and assigns forever (*here insert any other clauses, covenants and conditions required*), and I (or we) the wife (or wives) of the said _____ do hereby bar my (or our) dower in the said lands.

As witness my (or our) hand and seal (or hands and seals) this _____ day of _____, one thousand, eight hundred and ninety-

Signed, sealed and delivered
in the presence of }

(L. S.)

No. 47.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to incorporate The Ottawa and
Dundas Railway Company.

First Reading, 21st March, 1900.

(Private Bill)

Mr. LUMSDEN.

TORONTO :

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act to incorporate The Ottawa and Dundas
Railway Company.

WHEREAS Nicholas Charles Sparks, Arthur J. Forward, John Inkermann MacCraken, all of the city of Ottawa, in the county of Carleton, Robert H. Cowley and Frederick A. Heney, both of the township of Nepean, in the county of Carleton, James Simpson, Frank Iveson, Patrick O'Connor and Andrew P. Imlay, of the village of Metcalfe, in the county of Carleton, James McLaurin, Robert Dow and Alan P. McDonell, all of the township of Osgoode, in the county of Carleton, Mahlon F. Beach and John S. Ross, of the village of Winchester, Frank Elliott, of Morewood, Hugo H. Ross, James D. Bullis and William L. Redmond, of the village of Iroquois, James Collison, of Dixon's Corners, John McTavish, of Van Camp, Matthew C. Gibson and Herbert H. Bradfield, of Morrisburgh, all in the county of Dundas, and William D. Cameron, of Chicago, United States of America, have by their petition prayed for an Act of incorporation under the name of "The Ottawa and Dundas Railway Company," for the purpose of constructing and operating a *steam* railway from a point in or near the city of Ottawa, passing through the townships of Gloucester and Osgoode, in the county of Carleton, and through the county of Dundas to some point at or near the shore of the St. Lawrence river, in the said county of Dundas; and whereas it is expedient to grant the prayer of the said petition. Preamble.

Therefore Her Majesty, by and with the consent of the Legislative Assembly of Ontario, enacts as follows:—

1. The said Nicholas Charles Sparks, Arthur J. Forward, John Inkermann MacCraken, Robert H. Cowley, Frederick A. Heney, James Simpson, Frank Iveson, Patrick O'Connor, Andrew P. Imlay, James McLaurin, Robert Dow, Alan P. McDonell, Mahlon F. Beach, John S. Ross, Frank Elliott, Hugo H. Ross, James D. Bullis, William L. Redmond, James Collison, John McTavish, Matthew C. Gibson, Herbert H. Bradfield and William D. Cameron, and such other persons and corporations as shall hereafter become shareholders of the said company, are hereby constituted a body corporate and politic under the name of "The Ottawa and Dundas Railway Company." hereinafter called "the company." Incorporation

Location of
line.

2. The company and their servants and agents are hereby authorized and empowered to survey, lay out, construct, make, build, equip, maintain and operate an iron or steel railway, from a point in or near the city of Ottawa; thence through the townships of Gloucester and Osgoode, in the county of Carleton, and running in or near the village of Metcalfe and the villages of Kenmore or Vernon, in the township of Osgoode; thence through the townships of Winchester and Williamsburgh, in the county of Dundas, running in or near the villages of Ormond, Winchester, Winchester Springs and North Williamsburgh to a point in or near the village of Morrisburgh, in the county of Dundas, and also a branch from a point in or near the village of Winchester to a point in or near the village of Iroquois, in the said county of Dundas, passing through the townships of *Mountain*, Williamsburgh and Matilda, such railway and branch to be operated by *steam*, to be of a gauge of four feet eight and one-half inches, and to be constructed with single or double iron track or tracks, with all necessary switches and turnouts; and such railway or branch may be constructed in sections.

Provisional
directors.

3. The said parties named in section 1 hereof shall be and are hereby constituted a board of provisional directors of the company, of whom a majority shall be a quorum, and shall hold office as such provisional directors until other directors shall be appointed under the provisions of this Act by the shareholders.

Powers of
provisional
directors.

4. The said board of provisional directors shall have power forthwith to open stock books and procure subscriptions of stock for the undertaking, and to allot stock and to receive payments on account of stock subscribed, and to make calls upon subscribers in respect to their stock and to sue for and recover the same; and to cause plans and surveys to be made and to receive for the company any grant, loan, bonus or gift made to it, or in aid of the undertaking, and to enter into any agreement respecting the conditions or disposition of any gift or bonus in aid of the railway, and with all such other powers as under *The Railway Act of Ontario* are vested in ordinary directors. The said directors or a majority of them, or the board of directors to be elected as hereinafter mentioned, may, in their discretion, exclude any one from subscribing for stock, who, in their judgment, would hinder, delay or prevent the company from proceeding with and completing their undertaking under the provisions of this Act; and if at any time a portion or more than the whole stock shall have been subscribed the said provisional directors or board of directors shall allocate and apportion it amongst the subscribers as they shall deem most advantageous and conducive to the furtherance of the undertaking; and on such allocation the said directors may, in their discretion, exclude any one or more of the said subscribers, if, in their judgment, such exclusion will best secure the building of the said railway, and all meetings of the

Rev. Stat.
c. 207.

provisional board of directors shall be held at the city of Ottawa, or at such other place as may be in the interests of the company.

5. Conveyances of land to the company for the purposes of, and powers given by this Act, made in the form set forth in schedule "A" hereunder written, or to the like effect, shall be sufficient conveyance to the company, their successors and assigns, of the estate or interest therein mentioned, and sufficient bar of dower, respectively, of all persons executing the same; and such conveyances shall be registered in the same manner and on such proof of execution as is required under the registry laws of Ontario; and no registrar shall be entitled to demand more than seventy-five cents for registering the same, including all entries and certificates thereof and certificates endorsed on the duplicates thereof.

Conveyances
of land to
company.

6. The company may receive from any government, or from any persons or bodies corporate, municipal or politic, who may have power to make or grant the same, aid towards the construction, equipment or maintenance of the said railway by way of gift, bonus or loan of money, or debentures or other securities, for money or by way of guarantee upon such terms and conditions as may be agreed upon.

Aid to
company.

7. The capital stock of the company hereby incorporated shall be \$500,000 (with power to increase the same in the manner provided by *The Railway Act of Ontario*), to be divided into 5,000 shares of \$100 each, and shall be raised by the persons and corporations who may become shareholders in the company, and the money so raised shall be applied, in the first place, to the payment of all fees, expenses and disbursements of, and incidental to the passing of this Act, and for making the surveys, plans and estimates connected with the works hereby authorized; and the remainder of said money shall be applied to the making, equipping, completing and maintaining of the said railway, and to the other purposes of this Act.

Capital stock
Rev. Stat.
c. 207.

8. No subscription for stock in the capital of the company shall be binding on the company unless it shall be approved by resolution of the directors, nor unless ten per centum of the amount subscribed has been actually paid thereon within one month after subscription.

Subscriptions
for stock when
binding.

9. When and as soon as shares to the amount of \$75,000 of capital stock in the company shall have been subscribed and ten per centum paid thereon into some chartered bank of the Dominion, having an office in the Province of Ontario, to the credit of the company, and which shall on no account be withdrawn therefrom unless for the services of the company, the said provisional directors or a majority of them shall call a general meeting of the shareholders for the purpose of elect-

First election
of directors.

ing directors of the company, giving at least four weeks' notice of such meeting by advertisement in *The Ontario Gazette* and in at least one newspaper published in the said city of Ottawa of the time, place and purpose of the said meeting. ⁶³

Head office,
general annual
meeting.

⁶⁴ **10.** The head office of the company shall be at the said city of Ottawa, and the general annual meeting of the shareholders of the company shall be held in such place in the said city of Ottawa on such days and at such hours as may be directed by the by-laws of the company; and public notice thereof shall be given at least four weeks previously in *The Ontario Gazette* and once a week in one newspaper published in the said city of Ottawa during the four weeks immediately preceding the week in which such meeting is to take place. ⁶⁵

Number of
directors and
quorum.

11. At such general meeting the shareholders present either in person or by proxy, who shall at the opening of such meeting have paid up ten per centum on the stock subscribed by them, shall elect not less than five and not more than twelve persons to be directors of the company in manner and qualified as hereinafter mentioned, who shall constitute a board of directors and shall hold office until the next general annual meeting, and a majority of the directors shall form a quorum of the board, and may pass such rules, regulations and by-laws as may be deemed expedient and are not inconsistent with this Act and *The Railway Act of Ontario*: and the said board may employ and pay one of their number as managing director

Rev. Stat.
c. 207.

Qualification
of directors.

12. No person shall be qualified to be elected as such director by the shareholders unless he be a shareholder holding at least *ten* shares of stock in the company and unless he has paid up all calls thereon.

Power to con-
struct line in
sections.

13. The company is hereby authorized and empowered to take and make the surveys and levels of the lands through which the said railway is to pass, together with the map or plan thereof, and of their course and direction, and of the lands intended to be passed over and taken therefor so far as then ascertained, and also the book of reference for the railway, and to deposit the same, as required by the clauses of *The Railway Act of Ontario* and the amendments thereto with respect to plans and surveys, by sections or portions less than the length of the whole railway authorized, of such length as the company may from time to time see fit so that no one of such sections or portions shall be less than ten miles in length; and upon such deposit as aforesaid of the map or plan and book of reference of any and each of such sections or portions of the said railway, all and every of the clauses of the said Railway Act and the amendments thereof applied to, included in or incorporated with this Act shall apply and extend to any and each of such sections or portions of the said railway as fully and effectually as if the surveys and levels had been taken and

Rev. Stat., c.
207.

made of the lands through which the whole of the said railway is to pass, together with the map or plan of the whole thereof, and of their whole course and direction, and of the lands intended to be passed over and taken, and the book of reference of the whole of said railways had to be taken, made, examined, certified and deposited according to the said clauses of the said Railway Act and the amendments thereof with respect to "plans and surveys."

14. Aliens and companies incorporated abroad, as well as British subjects and corporations, may be shareholders in the company, and all such shareholders, whether resident in this Province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible for office as directors in the company. Rights of aliens.

15. The directors may from time to time make calls as they shall think fit, provided that no call shall be made at any one time of more than ten per centum of the amount subscribed by each shareholder, and thirty days' notice shall be given of each call, as hereinbefore provided in section 9 of this Act. Calls on stock.

16. The provisional directors or the elected directors may pay, or agree to pay, in paid up stock or in the bonds of the company, such sums as they may deem expedient, to engineers or contractors, or for right of way, or material, plant or rolling stock, and also, when sanctioned by a vote of the shareholders at any general meeting, for the services of the promoters or other persons who may be employed by the directors in furthering the undertaking, or for the purchase of right of way, material, plant, or rolling stock, whether such promoters or other persons be provisional or elected directors or not, and any agreement so made shall be binding on the company. Payments in stock or bonds.

17. Special general meetings of the shareholders of the company may be held at such places and at such times and in such manner and for such purposes as may be provided by the by-laws of the company, upon such notice as is provided in section 9 of this Act. Special general meetings.

18. At all meetings of the company the shareholders thereof may vote by proxy and the proxy may be appointed in such manner and by such means as the by-laws of the company may provide, but no person shall be qualified to be so appointed who is not himself a shareholder in the company. Proxies.

19. The directors of the company shall have power to issue bonds of the company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all the sum of \$20,000 for each mile of the said railway and branches, and Issue of bonds.

Rev. Stat.,
c. 207.

the provisions of sub-sections 19, 20, 21, 22 and 23 of section 9 of *The Railway Act of Ontario* shall apply to all such bonds and the issue thereof, and such bonds shall be issued subject and according to, and in conformity with the provisions of the said sub-sections.

Bonds, etc.,
how payable.

20 All such bonds, debentures and other securities and coupons and interest warrants thereon respectively, may be made payable to bearer and transferable by delivery, and any holder of any such securities so made payable to bearer, may sue at law thereon in his own name.

Transfer of
bonds.

21. The company shall have power and authority to become parties to promissory notes and bills of exchange for sums not less than \$100, and any such promissory note or bill of exchange made, accepted or endorsed by the president or vice-president of the company, and countersigned by the secretary or treasurer, as may be provided by the by-laws of the company, which by-laws shall be submitted for approval by the Lieutenant-Governor-in-Council, shall be binding on the company, and every such promissory note or bill of exchange so made shall be presumed to have been made with proper authority until the contrary be shown, and in no case shall it be necessary to have the seal of the company affixed to such promissory note or bill of exchange, nor shall the president, vice-president or the secretary or treasurer be individually responsible for the same unless the said promissory notes or bills of exchange have been issued without the sanction and authority of the directors as herein provided and enacted; provided, however, that nothing in this section shall be construed to authorize the company to issue any promissory note or bill of exchange payable to bearer, or intended to be circulated as money, or as the notes or bills of a bank.

Mortgaging
or pledging
bonds.

22. The company may, from time to time, for advances of money to be made thereon, mortgage or pledge any bonds which they may be enabled, under the powers of this Act, to issue for the construction of the said railway.

Agreements
with other
companies for
leasing or
hiring rolling
stock.

23. It shall be lawful for the directors of the company to enter into an agreement or agreements with any other company or companies, if lawfully authorized to enter into such agreements, or with any person or persons, for leasing, hiring, or use of any locomotives, carriages, rolling stock and other movable property from such companies or persons for such time or times and on such terms as may be agreed on and also to enter into agreements with any railway company or companies, if so lawfully authorized, for the use by one or more of such contracting companies of the locomotives, carriages, rolling stock and other moveable property of the other or others of them on such terms as to compensation and otherwise as may be agreed on.

24. The company may also construct an electric telegraph line and a telephone line throughout and along the whole line of their railway and the branches thereof or any part of the said railway or branches and for the purpose of constructing, working and protecting the said telegraph and telephone lines, the powers conferred upon telegraph companies by *The Act respecting Telegraph Companies* being chapter 192 of the Revised Statutes of Ontario, 1897, are hereby conferred upon the company; provided that no poles shall be erected in the construction of either of the said lines in or through any city, town or incorporated village without the consent of the council of such city, town or village being first obtained by the company; ~~and~~ provided also, that such telegraph and telephone lines shall be used exclusively for the purposes of the business of the company.

25. Any municipality, or any portion of a township municipality, which may be interested in securing the construction of the said railway, or through any part of which, or near which the railway or works of the company shall pass or be situate may aid the company by giving money or debentures, by way of bonus, gift or loan, or by the guarantee of the municipal corporation, under and subject to the provisions hereinafter contained; provided always, that such aid shall not be given except after the passing of a by-law for the purpose, and the adoption of such by-law by the qualified ratepayers of the municipality or portion of the municipality (as the case may be) in accordance with and as provided by law in respect to granting aid, by way of bonuses to railways.

26. Such by-law shall be submitted by the municipal council, to the vote of the ratepayers, in manner following, namely:

(1) The proper petition shall first be presented to the council, expressing the desire to aid the railway, and stating in what way and for what amount; and the council shall within six weeks after the receipt of such petition by the clerk of the municipality, introduce a by-law to the effect petitioned for, and submit the same to the approval of the qualified voters.

(2) In the case of a county municipality, the petition shall be that of a majority of the members of the county council; or of fifty resident freeholders, in each of the minor municipalities of the county, who are qualified voters under *The Municipal Act* and the amendments thereto.

(3) In the case of other municipalities, the petition shall be that of a majority of the council thereof, or of fifty resident freeholders, being duly qualified voters under *The Municipal Act*, and amendments thereto as aforesaid.

(4) In the case of a section of a township municipality, the petition is to be presented to the council, defining the section

by metes and bounds, or lots and concessions, and shall be that of a majority of the council of such township municipality, or of fifty resident freeholders in such section of the municipality, being duly qualified voters as aforesaid.

Petition
against aid
from county.

27. In case of aid from a county municipality, fifty resident freeholders of the county may petition the county council against submitting the said by-law, upon the ground that certain minor municipalities or portions thereof, comprised in the said by-law, would be injuriously affected thereby, or upon any other ground ought not to be included therein and upon deposit by the petitioners, with the treasurer of the county, of a sum sufficient to defray the expenses of such reference, the said council shall forthwith refer the said petition to three arbitrators, one being the judge of the county court or district objecting, one being the registrar of the county or of the riding in which the county town is situate, and one being an engineer appointed by the Commissioner of Public Works for Ontario, who shall have power to confirm or amend the said by-law, by excluding any minor municipality or any section thereof therefrom, and the decision of any two of them shall be final, and the by-law so confirmed or amended, shall thereupon, at the option of the railway company, be submitted by the council to the duly qualified voters, and in case the by-law is confirmed by the arbitrators, the expense of the reference shall be borne by the petitioners against the same, but if amended, then by the railway company or the county as the arbitrators may order.

“Minor municipality,”
meaning of.

28. The term “minor municipality” shall be construed to mean any town not separated from the municipal county, township, or incorporated village, situate in the county or district municipality.

By-law
what to
contain.

29. Such by-law shall in each instance provide :

(1) For raising the amount petitioned for in the municipality or portion of the township municipality (as the case may be) mentioned in the petition, by the issue of the debentures of the county or minor municipality, respectively, and shall also provide for the delivery of the said debentures, or the application of the amount to be raised thereby as may be expressed in the said by-law.

(2) For assessing and levying upon all rateable property lying within the municipality or portion of the township municipality defined in said by-law (as the case may be) an annual special rate, sufficient to include a sinking fund for the repayment of the said debentures within twenty years with interest thereon, payable yearly or half yearly, which debentures the respective municipal councils, wardens, mayors, reeves and other officers thereof are hereby authorized to execute and issue in such cases respectively.

30. Before any such by-law is submitted, the railway company shall, if required, deposit with the treasurer of the municipality, a sum sufficient to pay the expenses to be incurred in submitting said by-law. Deposit to be made before by-law is submitted.

31. In case the by-law submitted be approved of and carried, in accordance with the provisions of the law in that behalf, then within four weeks after the date of such voting, the municipal council which submitted the same shall read the said by-law a third time and pass the same. Council to pass by-law if assented to by ratepayers.

32. Within one month after the passing of such by-law the said council and the mayor, warden, reeve or other head, or other officers thereof, shall issue or dispose of the debentures provided for by the by-law, and deliver the same, duly executed, to the trustees appointed, or to be appointed, under this Act. Issue of debentures.

33. In case any such loan, guarantee or bonus, be so granted by a portion of a township municipality, the rate to be levied for payment of the debentures issued therefor, and the interest thereon, shall be assessed and levied upon such portion only of such municipality. Levying rates on portion of municipality.

34. The provisions of *The Municipal Act* and the amendments thereto, so far as the same are not inconsistent with this Act, shall apply to any by-law so passed by or for a portion of a township municipality, to the same extent as if the same had been passed by or for the whole municipality. Application of provisions of Rev. Stat. c. 223.

35. The councils for all corporations that may grant aid by way of bonus to the said company may, by resolution or by-law, extend the time for the commencement of the work beyond that stipulated for in the by-law or by-laws granting such aid, from time to time; provided that no such extension shall be for a longer period than one year. Councils may extend the time for commencement.

36. It shall and may be lawful for the council of any municipality that may grant aid by way of bonus to the said company, by resolution or by-law, to extend the time for the completion of the works (on the completion of which the said company would be entitled to such bonus), from time to time, provided that no such extension shall be for a longer period than one year at a time. Councils may extend the time for completion.

37. Any municipality, or portion of a township municipality interested in the construction of the road of the company, may grant aid by way of bonus to the company towards the construction of such road, notwithstanding that such aid may increase the municipal taxation of such municipality, or portion thereof, beyond what is allowed by law; provided that such aid shall not require the levying of a greater aggregate annual rate for all purposes exclusive of school rates, than three cents in the dollar upon the value of the rateable property therein. Extent of aid from municipalities.

By-laws granting exemption from taxation.

38. It shall be lawful for the corporation of any municipality through any part of which the railway of the company passes, or in which it is situate, by by-law especially passed for that purpose, to exempt the company and its property within such municipality, either in whole or in part from municipal assessment or taxation, or to agree to a certain sum per annum, or otherwise in gross, by way of commutation or composition for payment, or in lieu of all or any municipal rates or assessments to be imposed by such municipal corporation, and for such term of years as such municipal corporation may deem expedient, not exceeding twenty one years, and no such by-law shall be repealed unless in conformity with a condition contained therein.

Gifts of lands.

39. Any municipality through which the said railway may pass or is situate is empowered to grant, by way of gift to the company, any lands belonging to such municipality, or over which it may have control, which may be required for right of way, station grounds or other purposes connected with the running or traffic of the said railway; and the said railway company shall have power to accept gifts of land from any government, or any person or body, corporate or politic, and shall have power to sell or otherwise dispose of the same for the benefit of the company.

Issue of debentures.

40. Whenever any municipality or portion of a township municipality shall grant aid by way of bonus or gift to the railway company, the debentures therefor shall within six months after the passing of the by-law authorizing the same, be delivered to three trustees to be named, one by the Lieutenant-Governor in Council, one by the said company, and one by the majority of the heads of the municipalities which have granted bonuses, all of the trustees to be residents of the Province of Ontario; provided that if the said heads of the municipalities shall refuse or neglect to name such trustee within one month after notice in writing of the appointment of the company's trustee, or if the Lieutenant-Governor in Council shall omit to name such trustee within one month after notice in writing to him of the appointment of the other trustees, then in either case the company shall be at liberty to name such other trustee or other trustees; any of the said trustees may be removed and a new trustee appointed in his place at any time by the Lieutenant-Governor in Council, and in case any trustee dies or resigns his trust, or goes to live out of the Province of Ontario, or otherwise becomes incapable of acting, his trusteeship shall become vacant and a new trustee may be appointed by the Lieutenant-Governor in Council.

Trusts of proceeds of debentures.

41. The said trustees shall receive the said debentures or bonds in trust, firstly, under the directions of the company, but subject to the conditions of the by-laws in relation thereto

as to time or manner, to convert the same into money or otherwise dispose of them ; secondly, to deposit the debentures or amount realized from the sale in some chartered bank having an office in the Province of Ontario in the name of "The ~~the~~ Ottawa and Dundas ~~the~~ Railway Municipal Trust Account," and to pay the same out to the company from time to time as the company becomes entitled thereto, under the conditions of the by-law granting the said bonus and on the certificate of the chief engineer of the said railway for the time being, in the form set out in schedule "B" hereto, or to the like effect, which certificate shall set forth that the conditions of the by-law have been complied with, and is to be attached to the cheque or order drawn by the said trustees for such payment or delivery of debentures, and such engineer shall not wrongfully grant any such certificate under a penalty of \$500, recoverable in any court of competent jurisdiction by any person who may sue therefor.

42. The trustees shall be entitled to their reasonable fees Fees to trustees. and charges from the said trust fund, and the act of any two of such trustees shall be as valid and binding as if the three had agreed.

43. Whenever it shall be necessary for the purpose of Power to purchase whole lots. procuring sufficient land for stations, or gravel pits, or for constructing, maintaining and using the said railway, and in case, by purchasing the whole of any lot or parcel of land over which the railway is to run, the company can obtain the same at a more reasonable price, or to greater advantage than by purchasing the railway line only the company may purchase, hold, use and enjoy such lands, and also the right of way thereto, if the same be separated from their railway, and may sell or convey the same, or any part thereof, from time to time as they may deem expedient ; but the compulsory clauses of *The Railway Act of Ontario* shall not apply Rev. Stat. c. 207. to this section.

44. When stone, gravel, earth or sand is or are required Acquiring material for construction. for the construction or maintenance of said railway or any part thereof, the company may, in case they cannot agree with the owner of the lands on which the same are situate for the purchase thereof, cause an Ontario Land Surveyor to make a map and description of the property so required, and they shall serve a copy thereof, with their notice of arbitration, as in case of acquiring the roadway, and the notice of arbitration, the award and the tender of compensation, shall have the same effect as in case of arbitration for the roadway ; and all the provisions of *The Railway Act of Ontario*, and of this Rev. Stat. c. 207. Act, as to the service of the said notice, arbitration, compensation, deeds, payment of money into court, the right to sell, the right to convey, and the parties from whom land may be taken, or who may sell, shall apply to the subject matter of

this section, as to the obtaining materials as aforesaid, and such proceedings may be had by the company either for the right to the fee simple in the land from which said materials shall be taken, or for the right to take materials for any time they shall think necessary; the notice of arbitration, in case arbitration is resorted to, to state the interest required.

Sidings to
gravel pits.

Rev. Stat.
c. 207.

45.—(1) When said gravel, stone, earth or sand shall be taken under the preceding section of this Act, at a distance from the line of railway, the company may lay down the necessary sidings and tracts over any lands which may intervene between the railway and the lands on which the said material shall be found, whatever the distance may be; and all the provisions of *The Railway Act of Ontario* and of this Act, except such as relate to filing plans and publications of notice, shall apply and may be used and exercised to obtain the right of way from the railway to the land on which such materials are situated; and such right may be so acquired for a term of years or permanently, as the company may think proper; and the powers in this and the preceding section may at all times be exercised and used in all respects after the railway is constructed for the purpose of repairing and maintaining the said railway.

Rev. Stat.
c. 207.

(2) When estimating the damages for the taking of gravel, stone, earth or sand, subsection 9 of section 20 of *The Railway Act of Ontario* shall not apply.

Incidental
powers.

46. The company shall have power and authority:—

Warehouses,
docks, etc.

(1) To purchase land for and erect warehouses, elevators, docks, stations, work shops, machine shops, and offices, and to sell and convey such land as may be found superfluous for any such purpose, and the company shall have power to build, own, operate and hold as part of the property of the said company as many steam or other vessels as the directors of the company may deem requisite from time to time to facilitate the carriage of passengers, freight and other traffic in connection with the railway;

Erect neces-
sary buildings,
wharves, etc.

(2) To erect and maintain all necessary and convenient buildings, stations, depots, wharves and fixtures, and from time to time to alter, repair or enlarge the same, and to purchase and acquire stationary or locomotive engines and carriages, waggons, floats and other machinery and contrivances necessary for the accommodation and use of the passengers, freight and business of the railway.

Snow fences.

47. The company shall have the right on and after the first day of November, in each year to enter into and upon any lands of Her Majesty, or into or upon any lands of any corporation or persons whatsoever, lying along the route or line of the said railway, and to erect and maintain snow fences there-

on, subject to the payment of such damages (if any) as may be hereafter established in the manner provided by law in respect of such railway to have been actually suffered ; provided always that any such snow fences so erected shall be removed on or before the first day of April following.

48. The company may make special rates for the carriage of milk, fruit, cheese or perishable articles, and may erect and construct buildings, plant and machinery at any convenient point or points along its lines of railway for the purpose of receiving fruit, milk, cheese or other perishable articles, and the company may hold and store the same by a system of cold storage at such rates and upon such terms as shall from time to time be specified by the by-laws of the company, which by-laws the directors are hereby empowered to make. Special rates.

49. Notwithstanding any provision to the contrary in any other Act the company's railway may cross the railway of any other company upon a level therewith with the consent of such other company or with the authority of the Railway Committee of the Privy Council of Canada. Level crossings.

50. It shall be lawful for the company to enter into any agreement with the Canadian Pacific Railway Company, the Canada Atlantic Railway Company and the Grand Trunk Railway Company, if lawfully empowered to enter into such agreement, for leasing to them the said railway or any part thereof, and it shall further be lawful for the company to enter into any agreements with the said companies or either of them if so lawfully authorized, for the working of the said railway, or for running powers over the same, on such terms and conditions as the directors of the several contracting companies may agree on, or for leasing and hiring from such other contracting company or companies any portion of their railway or the use thereof, and generally to make any agreement or agreements with the said companies, if so lawfully authorized, touching the use by one or the other or both companies of the railway, or the rolling stock of either or both, or any part thereof, or touching any service to be rendered by the one company to the other and the compensation therefor, and any such agreement shall be valid and binding, according to the terms and tenor thereof, and the company or companies leasing or entering into such agreement for using the said line, may and are hereby authorized to work the said railway in the same manner and in all respects as if incorporated with its own line, and to exercise so far as the same are applicable all the rights, powers and privileges by this Act conferred ; provided that every such lease or agreement shall first be sanctioned at a special general meeting called for the purpose of considering the same according to the by-laws of the company and the provisions of this Act ; by the vote of Leasing and running powers.

two-thirds in value of the shareholders present in person or by proxy at such meeting.

Authority to amalgamate.

51. The company is also authorized and empowered to make necessary arrangements and to contract and agree with the Canadian Pacific Railway Company, the Canada Atlantic Railway Company and the Grand Trunk Railway Company, if lawfully empowered to enter into such arrangement, for amalgamation with the said Company, or for leasing their said line or any part or parts thereof to the said company, and may also make traffic or running arrangements with any such company, provided that the terms of such amalgamation or lease are approved of by two-thirds of the shareholders present in person or represented by proxy at a special general meeting to be held for that purpose in accordance with this Act; but nothing in this or the preceding section shall be construed as purporting or intending to confer rights or powers upon any company which is not within the legislative authority of this Province.

Transfer of shares.

52. Shares in the capital stock of the company may be transferred by any form of instrument in writing, but no transfer shall become effectual unless the stock or scrip certificates issued in respect of shares intended to be transferred are surrendered to the company, or the surrender thereof dispensed with by the company.

Payment of back charges of goods.

53. The company shall have power to collect and receive all charges subject to which goods or commodities may come into their possession, and on payment of such back charges, and without any formal transfer, shall have the same lien for the amount thereof upon such goods and commodities as the person to whom such charges were originally due, and shall be subrogated by such payment in all the rights and remedies of such persons for such charges.

Incorporation of provisions of Rev. Stat. c. 207.

54. The several clauses of *The Railway Act of Ontario*, and of every Act in amendment thereof shall be incorporated with, and be deemed to be part of this Act, and shall apply to the company and to the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof; and the expression "this Act," when used herein, shall be understood to include the clauses of the said Railway Act and of every act in amendment thereof so incorporated with this Act.

Commencement and completion.

55. The railway hereby authorized shall be commenced within three years and finished and put in operation within six years after the passing of this Act, and in default thereof the powers hereby conferred shall absolutely cease with respect to so much of the railway as then remains incomplete.

SCHEDULE A.

(Section 5.)

Know all men by these presents that I (or we) (insert the name or names of the vendor or vendors) in consideration of

dollars paid to me (or us) by The Ottawa and Dundas Railway Company, the receipt whereof is hereby acknowledged, do grant and convey unto the said company, and I (or we) (insert the name or names of any other party or parties) in consideration of

dollars paid to me (or us) by the said company, the receipt whereof is hereby acknowledged, do grant and release all that certain parcel (or those certain parcels, as the case may be) of land (describe the land) the same having been selected and laid out by the said company for the purposes of its railway, to hold with the appurtenances unto the said The Ottawa and Dundas Railway Company, their successors and assigns forever (here insert any other clauses, covenants and conditions required), and I (or we) the wife (or wives) of the said do hereby bar my (or our) dower in the said lands.

As witness my (or our) hand and seal (or hands and seals) this day of , one thousand nine hundred

Signed, sealed and delivered }
in the presence of }

(L. S.)

SCHEDULE B.

(Section 41.)

CHIEF ENGINEER'S DEPARTMENT.

The Ottawa and Dundas Railway Company's Office,
No.

A.D. 19 .

ENGINEER'S DEPARTMENT.

Certificates to be attached to cheques drawn on The Ottawa and Dundas Railway Company Municipal Trust Account given under section , chapter , of the Acts of the Legislature of Ontario, passed in the year of Her Majesty's reign.

I, chief engineer of The Ottawa and Dundas Railway Company, do hereby certify that the said company has fulfilled the terms and conditions necessary to be fulfilled under the by-law No. of the township of (or under the agreement dated the day of 19 , between the corporation of and the said company) to entitle the said company to receive from the said trust the sum of (here set out the terms and conditions, if any, which have been fulfilled.)

BILL.

An Act to incorporate The Ottawa and
Dundas Railway Company.

First Reading, 21st March, 1900.

*Reprinted as amended by Railway
Committee.*

(Private Bill).

MR. LUMSDEN.

TORONTO:

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act to incorporate The Huntsville and Lake of Bays Railway Company.

WHEREAS George F. Marsh, F. W. Clearwater, John Whiteside, Jacob W. Hart, M.D., W. H. Mathews and Harry S. May, all of the town of Huntsville in the district of Muskoka; Alexander Marsh, of the village of Richmond Hill, in the county of York, and J. J. McNeil of the city of Toronto, in the county of York, have by their petition prayed for an Act of Incorporation under the name "The Huntsville and Lake of Bays Railway Company" for the purpose of constructing and operating a railway in two sections, the first section from the north end of Lake of Bays to the south end of Peninsular lake and the second section from the east end of lake of Bays to the west end of Hollow lake, said lakes being situated in the district of Muskoka; and it is proposed to operate the same by steam, compressed air or electricity; and whereas owing to the location of the line of the said railway, the provisions of *The Electric Railway Act* are not applicable to the company so to be incorporated and the said petitioners have prayed that there may be conferred upon them the powers ordinarily given upon the incorporation of a railway to be operated by steam; and whereas for the reasons aforesaid the circumstances of the said proposed line of railway are exceptional; and whereas it is expedient to grant the prayer of the said petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

1. The said George F. Marsh, F. W. Clearwater, John Whiteside, Jacob W. Hart, M.D., W. H. Mathews, Harry S. May, Alexander Marsh and J. J. McNeil and such other persons and corporations as shall hereafter become shareholders of the company hereby incorporated are hereby constituted a body corporate and politic under the name of The Huntsville and Lake of Bays Railway Company hereinafter called "the company."

2. The company is hereby authorized and empowered to survey, lay out, construct, complete, equip and maintain a railway in two sections to be operated by steam, compressed air or electricity,

the first section to run from the north end of Lake of Bays to the south end of Peninsular lake and the second section from the east end of Lake of Bays to the west end of Hollow lake.

Gauge. **3.** The gauge of the said railway shall be four feet eight and one half inches. 5

Provisional directors. **4.** The said George F. Marsh, F. W. Clearwater, John Whiteside, Jacob W. Hart, M.D., W. H. Mathews, Harry S. May, Alexander Marsh and J. J. McNeil with power to add to their number shall be and are hereby constituted a board of provisional directors of the company of whom a majority shall 10 be a quorum and shall hold office as such until other directors shall be appointed under the provisions of this Act by the shareholders.

Powers of provisional directors: **5.** The said board of provisional directors shall have power forthwith to open stock books and procure subscriptions of 15 stock for the undertaking, or either of the two sections embraced therein, and to allot the stock and to receive payments on account of stock subscribed and to make calls upon subscribers in respect of their stock and to sue for and recover the same and to cause plans and surveys to be made and to receive 20 for the company any grant, loan, bonus or gift made to it or in aid of the undertaking or either of the two sections as aforesaid, and to enter into any agreement respecting the conditions or disposition of any gift or bonus in aid of the railway and with all such other powers as under the *Railway Act of 25 Ontario* are vested in ordinary directors. The said directors or the majority of them or the board of directors to be elected as hereinafter mentioned may in their discretion exclude any one from subscribing for stock who in their judgment would hinder, delay or prevent the company from proceeding with 30 and completing their undertaking under the provisions of this Act; and if at any time a portion or more than the whole stock shall have been subscribed, the said provisional directors or board of directors shall allocate and apportion it amongst the subscribers as they shall deem most 35 advantageous and conducive to the furtherance of the undertaking and in such allocation the said directors may in their discretion exclude any one or more of the said subscribers if in their judgment such exclusion will best secure the building of the said railway, and all meetings of the provisional board 40 of directors shall be held at the town of Huntsville in the district of Muskoka, or at such other place as may best suit the interests of the Company.

Conveyances of land to company. **6.** Conveyances of lands to the company for the purposes of and powers given by this Act, made in the form set forth 45 in Schedule A, hereunder written, or to the like effect, shall be sufficient conveyance to the company, their successors and assigns, of the estate or interest therein mentioned, and

sufficient bar of dower, respectively of all persons' executing the same: and such conveyances shall be registered in such manner, and upon such proof of execution as is required under the registry laws of Ontario: and no registrar shall be entitled
5 to demand more than seventy-five cents for registering the same including all entries and certificates thereof, and certificates endorsed on the duplicates thereof.

7. No subscription for stock in the capital of the company shall be binding on the company unless it shall be approved
10 by resolution of the directors, nor unless ten per centum of the amount subscribed has been actually paid thereon within one month after subscription. Subscriptions
for stock,
when binding.

8. The company may receive, from any government, or from
15 any persons or bodies corporate, municipal or politic, who may have power to make or grant the same aid towards the construction, equipment or maintenance of the said railway, by way of gift, bonus or loan of money or debentures or other securities for money, or by way of guarantee upon such terms and conditions as may be agreed upon. Receiving aid
for company.

20 9. The capital stock of the company hereby incorporated shall be \$50,000 (with power to increase the same in the manner provided by the *Railway Act of Ontario*) to be divided into five hundred shares of \$100 each and shall be raised by the persons and corporations who may become shareholders in
25 the company, and the money so raised shall be applied in the first place to the payment of all fees, expenses and disbursements of and incidental to the passing of this Act, and for making the surveys, plans and estimates connected with the works hereby authorized; and the remainder of said money
30 shall be applied to the making, equipping, completing and maintaining of the said railway, and to the other purposes of this Act; Capital stock.

10. When and as soon as shares to the amount of \$5,000 of capital stock in the said company shall have been subscribed
35 and ten per centum paid thereon into some chartered bank of the Dominion having an office in the Province of Ontario, to the credit of the company, and which shall, on no account, be withdrawn therefrom unless for the services of the company, the said provisional directors, or a majority of them, shall call
40 a general meeting of the shareholders for the purpose of electing directors of the company, giving at least four weeks notice of such meeting by advertisement in *The Ontario Gazette*, and in at least one newspaper published in the said town of Huntsville of the time, place and purpose of the said meeting. First general
meeting.

45 11. At such general meeting the shareholders present either in person or by proxy, who shall at the opening of such meeting have paid up ten per centum on the stock subscribed by Election of
directors.

them, shall elect not less than five, and not more than seven persons to be directors of the company in manner and qualified as hereinafter mentioned, who shall constitute a board of directors, and shall hold office until the next general annual meeting, and a majority of the directors shall form a quorum of the board, and may pass such rules, regulations and by-laws as may be deemed expedient and are not inconsistent with this Act and *The Railway Act of Ontario*; and the said board may employ and pay one of their number as managing director. 5

Qualifications of directors. 12. No person shall be qualified to be elected as such director by the shareholders unless he be a shareholder holding at least ten shares of stock in the company, and unless he has paid up all calls thereon. 10

Plans and surveys. 13. The company is hereby authorized and empowered to take and make the surveys and levels of the lands through which the said railway is to pass, together with the map or plan thereof, and of their course and direction, and of the lands intended to be passed over and taken therefor so far as then ascertained, and also the book of reference for the railway, and to deposit the same, as required by the clauses of *The Railway Act of Ontario* and the amendments thereto with respect to plans and surveys. 15 20

Rights of aliens. 14. Aliens and companies incorporated abroad, as well as British subjects and corporations, may be shareholders in the company, and all such shareholders, whether resident in this province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible to office as directors of the company. 25

Calls. 15. The directors may, from time to time, make calls as they think fit, provided that no call shall be made at any one time of more than ten per centum of the amount subscribed by each shareholder, and thirty days' notice shall be given of each call as provided in section 17 of this Act. 30

Payments in bonds or paid up stock. 16. The provisional directors, or the elected directors, may pay, or agree to pay in paid up stock, or in the bonds of the company, such sums as they may deem expedient, to engineers or contractors or for right of way, or material, plant of rolling stock, and also, when sanctioned by a vote of the shareholders at any general meeting, for the services of the promoters or other persons who may be employed by the directors in furthering the undertaking, or for the purchase of right of way, material, plant or rolling stock, whether such promoters or other persons be provisional or elected directors or not; and any agreement so made shall be binding on the company. 35 40

Head office. 17. The head office of the company shall be at the said town of Huntsville and the general annual meeting of the share- 45

holders of the company shall be held in such place in the said town of Huntsville on such days and at such hours as may be directed by the by-laws of the company; and public notice thereof shall be given at least four weeks previously in *The Ontario Gazette* and once a week in one newspaper published in the said town of Huntsville during the four weeks immediately preceding the week in which such meeting is to take place.

10 **18.** Special general meetings of the shareholders of the said company may be held at such places, and at such times, and in such manner and for such purposes as may be provided by the by-laws of the company, and upon such notice as is provided in the last preceding section. **Special general meeting.**

15 **19.** At all meetings of the company the shareholders thereof may vote by proxy and the proxy may be appointed in such manner and by such means as the by-laws of the company may provide, but no person shall be qualified to be so appointed who is not himself a shareholder in the company. **Voting by proxy.**

20 **20.** The directors of the company shall have power to issue bonds of the company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all the sum of \$20,000 for each mile of the said railway and branches, and the provisions of sub-sections 19, 20, 21, 22 and 23 of section 9 of *The Railway Act of Ontario* shall apply to all such bonds and the issue thereof, and such bonds shall be issued subject and according to, and in conformity with the provisions of the said sub-sections. **Bonding powers.**

30 **21.** All such bonds, debentures and other securities and coupons and interest warrants thereon respectively, may be made payable to bearer and transferable by delivery, and any holder of any such securities so made payable to bearer, may sue at law thereon in his own name. **Transfer of bonds.**

35 **22.** The company shall have power and authority to become parties to promissory notes and bills of exchange, for sums not less than \$100, and any such promissory note or bill of exchange made, accepted or endorsed by the president or vice-president of the company and countersigned by the secretary or treasurer, as may be provided by the by-laws of the company, which by-laws shall be submitted for approval by the Lieutenant-Governor in Council, shall be binding on the company, and every such promissory note or bill of exchange so made shall be presumed to have been made with proper authority until the contrary be shown; and in no case shall it be necessary to have the seal of the company affixed to such promissory note or bill of exchange, nor shall the president, vice-president or the secretary or treasurer be individually **Negotiable instruments.**

responsible for the same, unless the said promissory notes or bills of exchange have been issued without the sanction and authority of the directors as herein provided and enacted; provided, however, that nothing in this section shall be construed to authorize the company to issue any promissory note or bill of exchange payable to bearer or intended to be circulated as money or as the notes or bills of a bank. 5

Mortgaging and pledging bonds.

23. The company may, from time to time, for advances of money to be made thereon, mortgage or pledge any bonds which they may be enabled, under the powers of this Act to issue for the construction of the said railway. 10

Agreements with other companies.

24. It shall be lawful for the directors of the company to enter into an agreement or agreements with any other company or companies, if lawfully authorized to enter into such agreements, or with any person or persons, for leasing, hiring or use of any locomotives, carriages, rolling stock and other movable property from such companies or persons for such time or times and on such terms as may be agreed on; and also to enter into agreements with any railway company or companies, if so lawfully authorized, for the use by one or more of such contracting companies, of the locomotives, carriages, rolling stock and other movable property of the other or others of them on such terms as to compensation and otherwise as may be agreed upon. 15 20

Telegraph and telephone lines.

25. The company may also construct an electric telegraph line and a telephone line throughout and along the two sections of their railway connecting the two sections by cable or by poles along the borders of the Lake of Bays and for the purpose of constructing, working and protecting the said telegraph and telephone lines, the powers conferred upon telegraph companies by The Act respecting Telegraph Companies, being chapter 192 of the Revised Statutes of Ontario, 1897, are hereby conferred upon the company; provided, that no poles shall be erected in the construction of either of the said lines in or through any city, town or incorporated village without the consent of the council of such city, town or village being first obtained by the company; and the company may undertake the transmission of messages for the public by such line or lines of telegraph or telephone and collect tolls for so doing. 25 30 35

Aid from municipalities.

26. Any municipality, or any portion of a township municipality which may be interested in securing the construction of the said railway, or through any part of which, or near which the railway or works of the company shall pass or be situate, may aid the company by giving money or debentures, by way of bonus, gift or loan, or by the guarantee of the municipal corporation, under and subject to the provisions herein-after contained: provided always that such aid shall not be given except after the passing of a by-law for the purpose, 40 45

and the adoption of such by-law by the qualified ratepayers of the municipality or portion of the municipality (as the case may be) in accordance with and as provided by law in respect to granting aid by way of bonuses to railways.

5 **27.** Such by-law to be submitted by the municipal council Submitting
bonus by-laws
to ratepayers.
to the vote of the ratepayers in manner following, namely :

(1) The proper petition shall first be presented to the council expressing the desire to aid the railway and stating in what way and for what amount, and the council shall within
10 six weeks after the receipt of such petition by the clerk of the municipality, introduce a by-law to the effect petitioned for, and submit the same to the approval of the qualified voters.

(2) In the case of a county municipality, the petition shall be that of a majority of the members of the county council or
15 of fifty resident freeholders in each of the minor municipalities of the county who are qualified voters under *The Municipal Act* and the amendments thereto. Rev. Stat.
c. 223.

(3) In the case of other municipalities the petition shall be that of a majority of the council thereof, or of fifty resident
20 freeholders, being duly qualified voters under *The Municipal Act* and the amendments thereto as aforesaid. Rev. Stat.
c. 223.

(4) In the case of a section of a township municipality, the petition is to be presented to the council defining the section by metes and bounds, or lots and concessions, and shall be that
25 of a majority of the council of such township municipality, or of fifty resident freeholders in such section of the municipality, being duly qualified voters aforesaid.

28. Such by-laws shall in each instance provide :—

(1) For raising the amount petitioned for in the municipi- Requisites of
bonus by-laws.
30 pality or portion of the township municipality (as the case may be), mentioned in the petition, by the issue of debentures of the county or minor municipality, respectively, and shall also provide for the delivery of the said debentures, or the application of the amount to be raised thereby, as may be
35 expressed in the said by-law.

(2) For assessing and levying upon all rateable property lying within the municipality or portion of the township municipality defined in said by-law (as the case may be), an annual special rate, sufficient to include a sinking fund for the
40 repayment of the said debentures in twenty years with interest thereon, payable yearly or half-yearly, which debentures the respective municipal councils wardens, mayors, reeves and other officers thereof, are hereby authorized to execute and issue in such cases respectively.

45 **29.** Before any such by-law is submitted, the railway com- Deposit before
by-law sub-
mitted.
pany shall, if required, deposit with the treasurer of the municipality, a sum sufficient to pay the expenses to be incurred in submitting the said by-law.

By-laws to be passed when approved by ratepayers.

30. In case the by-law submitted be approved of and carried, in accordance with the provision of the law in that behalf, then within four weeks after the date of such voting, the municipal council which submitted the same shall read the said by-law a third time and pass the same.

5

Bonus debentures issue of.

31. Within one month after the passing of such by-law the said council and the mayor, warden, reeve or other head, or other officers thereof, shall issue or dispose of the debentures provided for by the by-law, and deliver the same, duly executed to the trustees appointed, or to be appointed, under this Act.

10

Aid from portion of municipality.

32. In case any such loan, guarantee or bonus, be so granted by a portion of a township municipality, the rate to levied for payment of the debentures issued therefor, and the interest thereon, shall be assessed and levied upon such portion only of such municipality.

15

Application of provisions of Rev. Stat. c. 223.

33. The provisions of *The Municipal Act* and the amendments thereto, so far as the same are not inconsistent with this Act, shall apply to any by-law so passed by or for a portion of a township municipality, to the same extent as if the same had been passed by or for the whole municipality.

20

Extending time for commencing work.

34. The councils for all corporations that may grant aid by way of bonus to the said company may, by resolution or by-law, extend the time for the commencement of the work beyond that stipulated for in the by-law or by-laws granting such aid, from time to time; provided that no such extension shall be for a longer period than one year.

25

Extending time for completion of work.

35. It shall and may be lawful for the council of any municipality that may grant aid by way of bonus, to the said company by resolution or by-law, to extend the time for the completion of the works (on the completion of which the said company would be entitled to such bonus), from time to time, provided that no such extension shall be for a longer period than one year at a time.

30

Extent of municipal aid.

36. Any municipality, or portion of a township municipality, interested in the construction of the railway of the company, may grant aid by way of bonus to the company towards the construction of such railway, notwithstanding that such aid may increase the municipal taxation of such municipality, or portion thereof, beyond what is allowed by law; provided that such aid shall not require the levying of a greater aggregate annual rate for all purposes exclusive of school rates, than three cents in the dollar upon the value of the rateable property therein.

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Exemption from taxation.

37. It shall be lawful for the corporation of any municipi-

45

pality through any part of which the railway of the company passes, or in which it is situate, by by-law especially passed for that purpose, to exempt the company and its property within such municipality, either in whole or in part from
 5 municipal assessment or taxation, or to agree to a certain sum per annum, or otherwise in gross, by way of commutation or composition for payment, or in lieu of all or any municipal rates or assessments to be imposed by such municipal corporation, and for such term of years as such municipal corporation
 10 ation may deem expedient, not exceeding twenty-one years, and no such by-law shall be repealed unless in conformity with a condition contained therein.

38. Any municipality through which the said railway may pass or is situate is empowered to grant, by way of gift to the
 15 company, any lands belonging to such municipality, or over which it may have control, which may be required for right of way, station grounds or other purposes connected with the running or traffic of the said railway, and the said railway company shall have power to accept gifts of land from any
 20 government, or any person or body, corporate or politic, and shall have power to sell or otherwise dispose of the same for the benefit of the company.

Gift of land to company.

39. Whenever any municipality or portion of a township municipality shall grant aid by way of bonus or gift to the
 25 railway company, the debentures therefor shall within six months after the passing of the by-law authorizing the same, be delivered to three trustees to be named, one by the Lieutenant-Governor in Council, one by the said company, and one by the majority of the heads of the municipalities which have
 30 granted bonuses, all of the trustees to be residents of the Province of Ontario; provided that if the said heads of the municipalities shall refuse or neglect to name such trustees within one month after notice in writing of the appointment of the company's trustee, or if the Lieutenant-Governor in
 35 Council shall omit to name such trustee within one month after notice in writing to him of the appointment of the other trustees, then in either case the company shall be at liberty to name such other trustee or trustees; any of the said trustees may be removed and a new trustee appointed in his place at
 40 any time by the Lieutenant-Governor in Council, and in case any trustee dies or resigns his trust, or goes to live out of the Province of Ontario or otherwise becomes incapable of acting, his trusteeship shall become vacant and a new trustee may be appointed by the Lieutenant-Governor in Council.

Trustees of municipal debentures.

45 **40.** The said trustees shall receive the said debentures or bonds in trust, firstly, under the directions of the company and subject to the conditions of the by-laws in relation thereto as to time or manner, to convert the same into money or otherwise dispose of them; secondly, to deposit the debentures or

Trusts of debentures.

amount realised from the sale in some chartered bank having an office in the Province of Ontario in the name of "The Huntsville and Lake of Bays Railway Municipal Trust Account," and to pay the same out to the company from time to time as the company becomes entitled thereto, under the conditions of the by-laws granting the said bonus and on the certificate of the chief engineer of the said railway for the time being in the form set out in Schedule B hereto, or to the like effect, which certificate shall set forth that the conditions of the by-law have been complied with, and is to be attached to the cheque or order drawn by the said trustees for such payment or delivery of debentures, and such engineer shall not wrongfully grant any such certificate under a penalty of \$500, recoverable in any Court of competent jurisdiction by any person who may sue therefor.

Fees of Trustees.

41. The trustees shall be entitled to their reasonable fees and charges from the said trust fund, and the act of any two of such trustees shall be as valid and binding as if the three had agreed.

Power to purchase whole lots.

42. Whenever it shall be necessary for the purpose of procuring sufficient land for stations, or gravel pits, or for constructing, maintaining and using the said railway, and in case by purchasing the whole of any lot or parcel of land over which the railway is to run, the company can obtain the same at a more reasonable price, or to greater advantage than by purchasing the railway line only, the company may purchase, hold, use and enjoy such lands, and also the right of way thereto, if the same be separated from their railway, and may sell and convey the same, or any part thereof, from time to time, as they may deem expedient; but the compulsory clauses of *The Railway Act of Ontario* shall not apply to this section.

Stone, gravel: etc., for construction purposes.

Rev. Stat. 207

43. When stone, gravel, earth or sand is or are required for the construction or maintenance of the said railway or any part thereof, the company may, in case they cannot agree with the owner of the lands on which the same are situate for the purchase thereof, cause an Ontario land surveyor to make a map and description of the property so required, and they shall serve a copy thereof, with their notice of arbitration, as in case of acquiring the roadway, and the notice of arbitration the award and the tender of compensation, shall have the same effect as in case of arbitration for the roadway; and all the provisions of *The Railway Act of Ontario*, and of this Act, as to the service of the said notice, arbitration, compensation, deeds, payment of money into court, the right to sell, the right to convey, and the parties from whom land may be taken who may sell, shall apply to the subject matter of this section, as to the obtaining materials as aforesaid; and such proceedings may be had by the company either for the right to the fee simple in the land from which said materials shall be taken,

or for the right to take materials for any time they shall think necessary; the notice of arbitration, in case arbitration is resorted to, to state the interest required.

44. (1.) When said gravel, stone, earth or sand shall be
5 taken under the preceding section of this Act, at a distance
from the line of the railway, the company may lay down the
necessary sidings and tracks over any lands which may inter-
vene between the railway and the lands on which said material
shall be found, whatever the distance may be; and all the
10 provisions of *The Railway Act of Ontario* and of this Act, ex-
cept such as relate to filing plans and publications of notice,
shall apply and may be used and exercised to obtain the right
of way from the railway to the land on which such materials
are situated; and such right may be so acquired for a term of
15 years or permanently, as the company may think proper: and
the powers in this and the preceding section may at all times
be exercised and used in all respects after the railway is con-
structed for the purpose of repairing and maintaining the said
railway.
- 20 (2.) When estimating the damages for the taking of gravel,
stone, earth or sand, sub-section 9 of section 20 of *The Railway
Act of Ontario* shall not apply.

Sidings to
gravel pits.

Rev. Stat.
c. 207.

45. The company shall have power and authority;—

- (1.) To purchase land for and erect power-houses, ware-
25 houses, elevators, docks, stations, workshops, machine shops,
foundries, and offices and to sell and convey such land as may
be found superfluous for any such purpose, and the company
shall have power to build, own, operate and hold as part of the
property of the company as many steam or other vessels as the
30 directors of the company may deem requisite from time to
time to facilitate the carriage of passengers, freight and other
traffic in connection with the railway;
- (2.) To erect and maintain all necessary and convenient
buildings, stations, depots, and from time to time to alter, re-
35 pair or enlarge the same and to build, purchase and acquire
motors, engines, carriages, waggons and other machinery and
contrivances necessary or convenient for the working of the
railway and the accommodation and use of the passengers,
freight and business of the railway;
- 40 (2a.) To purchase and hold as its own absolute property, and
for the use of the company at both ends of each section of their
said railway wharves, piers, docks, water lots, water frontages
and lands, and upon the said water lots, water frontages and
lands and in and upon the waters adjoining the same, to build
45 and erect elevators, storehouses, warehouses and engine houses,
sheds, wharves, docks, piers and other erections for the use of
the company, and the steam and other vessels owned, worked
or controlled by the company, or any other steam or other
vessel; and to collect wharfage and storage charges for the use

Power of
company.
Power houses,
elevators, etc.

Stations, etc.,
rolling stock.

Wharves,
piers, etc.

of the same : and also to erect, build, repair and maintain all moles, piers, wharves and docks necessary and proper for the protection of such works, and for the accommodation and convenience of vessels entering, leaving, lying, loading and unloading within the same, and to dredge; deepen and enlarge such works ; and the said wharves, piers, docks, water lots, water frontages, lands, elevators, storehouses, warehouses, engine houses, sheds and other erections or any thereof, or any portions thereof in its discretion to sell lease or convey; 5

Works for compressed air or electricity.

(3) To construct, maintain and operate works for the production of compressed air or electricity for the motive power of the said railway or electricity for the lighting and heating the rolling stock or other property of the company ; 10

Disposing of electric power.

(4) To sell or lease any such electricity not required for the purposes aforesaid, to any person or corporation, and the company in that behalf shall, subject to the provisions and restrictions of this Act, possess the powers, rights and privileges, and be subject to all the obligations and restrictions of joint stock companies incorporated under the Act respecting Companies for supplying steam, heat, electricity or natural gas for heat, light or power, and to acquire and hold any property necessary for the purposes mentioned in this sub-section ; 15 20

Carrying wires, conduits, etc., through lands.

(5) To purchase the right to convey electricity required for the working of the railway and lighting or heating the same over, through or under lands other than the lands of the said railway, and with the consent of the councils of the municipalities affected, to purchase the right to lay conduits under, or erect poles and wires on or over such lands as may be determined by the company, and along and upon any of the public highways or across any of the waters in this Province by the erection of the necessary fixtures, including posts, piers or abutments for sustaining the cords or wires of such lines, or the conduits for such electricity, upon and subject to such agreement in respect thereof as shall first be made between the company and any private owners of the land affected, and between the company and any municipality in which such works or any part thereof or of the railway may be situate, and under and subject to any by-law or by-laws of the council of such municipality passed in pursuance thereof. 25 30 35

Carrying line along highways.

46. (1)—The railway of the company shall not be constructed or operated on, upon or along any street, highway or public place of any municipality until first authorized by an agreement in respect thereto made between the company and such municipality, and under and subject to the terms of such agreement and of this Act and of any by-law or by-laws of the council of said municipality to be passed in pursuance thereof ; and in all such cases any and every work, matter or thing in connection with electricity or other motor power and the application and using thereof in so constructing, operating and working such railway, or the cars, carriages, engines, 40 45 50

motors or machine aforesaid shall be so constructed, erected, laid down and arranged as to impede or incommode the public use of such street, highway, or public place as little as possible, and so as not to be a nuisance thereto, nor to interfere
 5 with the free access to any house or other building erected in the vicinity of the same, and the electric and other appliances shall be of such an improved manufacture and so placed as to avoid as far as possible any danger to buildings or other property, and provided that none of the works or property of the
 10 company shall be so constructed or placed as to injuriously interrupt navigation in any navigable water.

(2) The by-laws mentioned in section 2, subsection 5, of the preceding section and in this section shall be subject to the conditions and provisions of section 632 of The Municipal Act.

15 **47.** Shares in the capital stock of the company may be transferred by any form or instrument of writing, but no transfer shall become effectual unless the stock or scrip certificates issued in respect of shares intended to be transferred are surrendered to the company, or the surrender thereof dispensed
 20 with by the company. Transfer of shares.

48. The company shall have the power to collect and receive all charges, subject to which goods or commodities may come into their possession, and on payment of such back charges, and without any formal transfer, shall have the same
 25 lien for the amount thereof upon such goods or commodities as the person to whom such charges were originally due, and shall be subrogated by such payment in all the rights and remedies of such persons for such charges. Recovery of back charges on goods.

49. The provisions of The Electric Railway Act shall not
 30 apply to the company hereby incorporated but the several clauses of the Railway Act of Ontario, and of every Act in amendment thereof shall be incorporated with, and be deemed to be part of this Act, and shall apply to the said company and to the railway to be constructed by them, except only so far
 35 as they may be inconsistent with the express enactments hereof; and the expression "this Act," when used herein, shall be understood to include the clauses of the said Railway Act and of every Act in amendment thereof so incorporated with this Act. Application of provisions of Rev. Stat. c. 209.

40 **50.** The railway shall be commenced within three years and finally completed within seven years after the passing of this Act. Commencement and completion of work.

SCHEDULE A.

Know all men by these presents that I (or we) (insert the name or names of the vendor or vendors) in consideration of \$ _____ paid to me (or us) by The Huntsville and Lake of Bays Railway Company, the receipt whereof is hereby acknowledged, do grant and convey to the said company, and I (or we) (insert the name or names of any other party or parties) in consideration of \$ _____, paid to me (or us) by the said company, the receipt whereof is hereby acknowledged, do grant and release all that certain parcel (or those certain parcels, as the case may be) of land (describe the land) the same having been selected and laid out by the said company for the purposes of their railway, to hold, with the appurtenances, unto the said The Huntsville and Lake of Bays Railway Company, their successors and assigns forever, (here insert any other clauses, conditions and covenants required) and I (or we) the wife (or wives) of the said _____ do hereby bar my (or our) dower in the said lands.

As witness my (or our) hand and seal (or hands and seals) this day of _____, 19 _____.

Signed, sealed and delivered in the presence of _____

[L. S.]

SCHEDULE B.

(Section 40.)

CHIEF ENGINEER'S CERTIFICATE.

The Huntsville and Lake of Bays Railway Company's Office, No. _____
A.D. 19 _____.

ENGINEER'S DEPARTMENT.

Certificates to be attached to the cheques drawn on The Huntsville and Lake of Bays Railway Company Municipal Trust Account given under section _____, chapter _____, of the Acts of the Legislature of Ontario, passed in the _____ year of Her Majesty's reign.

I, _____, chief engineer of The Huntsville and Lake of Bays Railway Company, do hereby certify that the said company has fulfilled the terms and conditions necessary to be fulfilled under the by-law No. _____ of the township of _____ (or under the agreement dated the _____ day of _____, 19 _____, between the corporation of _____ and the said company) to entitle the said company to receive from the said trust the sum of \$ _____ (here set out the terms and conditions if any, which have been fulfilled).

BILL

An Act to incorporate The Huntsville and
Lake of Bays Railway Company.

First Reading, 1899.

(Private Bill.)

Mr. RUSSELL.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act to incorporate The Huntsville and Lake of Bays Railway Company.

WHEREAS George F. Marsh, F. W. Clearwater, John Whiteside, Jacob W. Hart, M.D., W. H. Mathews and Harry S. May, all of the town of Huntsville in the district of Muskoka; Alexander Marsh, of the village of Richmond Hill, in the county of York, and J. J. McNeil of the city of Toronto, in the county of York, have by their petition prayed for an Act of Incorporation under the name "The Huntsville and Lake of Bays Railway Company" for the purpose of constructing and operating a railway in two sections, the first section from the north end of Lake of Bays to the south end of Peninsular lake and the second section from the east end of lake of Bays to the west end of Hollow lake, said lakes being situated in the district of Muskoka; and it is proposed to operate the same by steam, or electricity; and whereas, owing to the location of the line of the said railway, the provisions of *The Electric Railway Act* are not applicable to the company so to be incorporated and the said petitioners have prayed that there may be conferred upon them the powers ordinarily given upon the incorporation of a railway to be operated by steam; and whereas for the reasons aforesaid the circumstances of the said proposed line of railway are exceptional; and whereas it is expedient to grant the prayer of the said petition;

Preamble.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

1. The said George F. Marsh, F. W. Clearwater, John Whiteside, Jacob W. Hart, M.D., W. H. Mathews, Harry S. May, *W. M. Butchart*, Alexander Marsh and J. J. McNeil and such other persons and corporations as shall hereafter become shareholders of the company hereby incorporated are hereby constituted a body corporate and politic under the name of The "Huntsville and Lake of Bays Railway Company" hereinafter called "the company."

Incorporation.

2. The company is hereby authorized and empowered to survey, lay out, construct, complete, equip and maintain a railway in two sections to be operated by steam, or electricity,

Location of line.

the first section to run from the north end of Lake of Bays to the south end of Peninsular lake and the second section from the east end of Lake of Bays to the west end of Hollow lake, ~~and~~ and the said railways, or any part thereof, so far as the same may be operated by electricity, may be carried along and upon such public highways as may be authorized by the by-laws of the respective corporations having jurisdiction over the same and subject to the restrictions and provisions therein and in this Act contained, and under and subject to any agreements between the company and the councils of any of the said corporations, and between the company and the road companies (if any) interested in such highways; and the company may make and enter into any agreements with any municipal corporation or road company as to the terms of occupancy of any street or highway, subject to the provisions and conditions contained in this Act and in *The Municipal Act*, and any Act or Acts amending the same. ¹⁸⁴

Rev. Stat. c.
223.

Gauge.

3. The gauge of the said railway shall be four feet eight and one half inches.

Provisional
directors.

4. The said George F. Marsh, F. W. Clearwater, John Whiteside, Jacob W. Hart, M.D, W. H. Mathews, Harry S. May, W. M. Butchart, Alexander Marsh and J. J. McNeil with power to add to their number shall be and are hereby constituted a board of provisional directors of the company of whom a majority shall be a quorum and shall hold office as such until other directors shall be appointed under the provisions of this Act by the shareholders.

Powers of
provisional
directors.

5. The said board of provisional directors shall have power forthwith to open stock books and procure subscriptions of stock for the undertaking, or either of the two sections embraced therein, and to allot the stock and to receive payments on account of stock subscribed and to make calls upon subscribers in respect of their stock and to sue for and recover the same and to cause plans and surveys to be made and to receive for the company any grant, loan, bonus or gift made to it or in aid of the undertaking or either of the two sections as aforesaid, and to enter into any agreement respecting the conditions or disposition of any gift or bonus in aid of the railway and with all such other powers as under *The Railway Act of Ontario* are vested in ordinary directors. The said directors or the majority of them or the board of directors to be elected as hereinafter mentioned may in their discretion exclude any one from subscribing for stock who in their judgment would hinder, delay or prevent the company from proceeding with and completing their undertaking under the provisions of this Act; and if at any time a portion or more than the whole stock shall have been subscribed, the said provisional directors or board of directors shall allocate and apportion it amongst the subscribers as they shall deem most

Rev. Stat.
c. 207.

advantageous and conducive to the furtherance of the undertaking and in such allocation the said directors may in their discretion exclude any one or more of the said subscribers if in their judgment such exclusion will best secure the building of the said railway, and all meetings of the provisional board of directors shall be held at the town of Huntsville in the district of Muskoka, or at such other place as may best suit the interests of the company.

6. Conveyances of lands to the company for the purposes of and powers given by this Act, made in the form set forth in Schedule A, hereunder written, or to the like effect, shall be sufficient conveyance to the company, their successors and assigns, of the estate or interest therein mentioned, and sufficient bar of dower, respectively of all persons executing the same: and such conveyances shall be registered in such manner, and upon such proof of execution as is required under the registry laws of Ontario; and no registrar shall be entitled to demand more than seventy-five cents for registering the same including all entries and certificates thereof, and certificates endorsed on the duplicates thereof.

Conveyances
of land to
company.

7. No subscription for stock in the capital of the company shall be binding on the company unless it shall be approved by resolution of the directors, nor unless ten per centum of the amount subscribed has been actually paid thereon within one month after subscription.

Subscriptions
for stock,
when binding.

8. The company may receive, from any government, or from any persons or bodies corporate, municipal or politic, who may have power to make or grant the same aid towards the construction, equipment or maintenance of the said railway, by way of gift, bonus or loan of money or debentures or other securities for money, or by way of guarantee upon such terms and conditions as may be agreed upon.

Receiving aid
for company.

9. The capital stock of the company hereby incorporated shall be \$50,000 (with power to increase the same in the manner provided by *The Railway Act of Ontario*) to be divided into five hundred shares of \$100 each and shall be raised by the persons and corporations who may become shareholders in the company, and the money so raised shall be applied in the first place to the payment of all fees, expenses and disbursements of and incidental to the passing of this Act, and for making the surveys, plans and estimates connected with the works hereby authorized; and the remainder of said money shall be applied to the making, equipping, completing and maintaining of the said railway, and to the other purposes of this Act;

Capital stock.

Rev. Stat.
c. 207.

10. When and as soon as shares to the amount of \$5,000 of capital stock in the said company shall have been subscribed

First general
meeting.

and twenty per centum paid thereon into some chartered bank of the Dominion having an office in the Province of Ontario, to the credit of the company, and which shall, on no account, be withdrawn therefrom unless for the services of the company, the said provisional directors, or a majority of them, shall call a general meeting of the shareholders for the purpose of electing directors of the company, giving at least four weeks notice of such meeting by advertisement in *The Ontario Gazette*, and in at least one newspaper published in the said town of Huntsville of the time, place and purpose of the said meeting.

Election of
Directors.

11. At such general meeting the shareholders present either in person or by proxy, who shall at the opening of such meeting have paid up ten per centum on the stock subscribed by them, shall elect not less than five, and not more than seven persons to be directors of the company in manner and qualified as hereinafter mentioned, who shall constitute a board of directors, and shall hold office until the next general annual meeting, and a majority of the directors shall form a quorum of the board, and may pass such rules, regulations and by-laws as may be deemed expedient and are not inconsistent with this Act and *The Railway Act of Ontario*; and the said board may employ and pay one of their number as managing director.

Rev. Stat.
c. 207.

Qualifications
of directors.

12. No person shall be qualified to be elected as such director by the shareholders unless he be a shareholder holding at least ten shares of stock in the company, and unless he has paid up all calls thereon, and holds such stock absolutely in his own right.

Plans and
surveys.

13. The company is hereby authorized and empowered to take and make the surveys and levels of the lands through which the said railway is to pass, together with the map or plan thereof, and of their course and direction, and of the lands intended to be passed over and taken therefor so far as then ascertained, and also the book of reference for the railway, and to deposit the same, as required by the clauses of *The Railway Act of Ontario* and the amendments thereto with respect to plans and surveys, by sections or portions less than the length of the whole railway authorized, of such length as the company may from time to time see fit so that no one of such sections or portions shall be less than two miles in length; and upon such deposit as aforesaid of the map or plan and book of reference of any and each of such sections or portions of the said railway, all and every of the clauses of the said Railway Act and the amendments thereof applied to, included in or incorporated with this Act, shall apply and extend to any and each of such sections or portions of the said railway as fully and effectually as if the surveys and levels had been taken and made of the lands through which the whole of the said railway is to pass, together with the map or plan of the whole thereof, and of their whole course and direction, and of the lands intended to

Rev. Stat.
c. 207.

be passed over and taken, and the book of reference of the whole of said railways had been taken, made, examined, certified and deposited according to the said clauses of the said Railway Act and the amendments thereof with respect to "plans and surveys."

14. Aliens and companies incorporated abroad, as well as British subjects and corporations, may be shareholders in the company, and all such shareholders, whether resident in this province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible to office as directors of the company. Rights of aliens.

15. The directors may, from time to time, make calls as they shall think fit, provided that no call shall be made at any one time of more than ten per centum of the amount subscribed by each shareholder, and thirty days' notice shall be given of each call as provided in section 17 of this Act. Calls.

16. The provisional directors, or the elected directors, may pay, or agree to pay in paid up stock, or in the bonds of the company, such sums as they may deem expedient, to engineers or contractors or for right of way, or material, plant of rolling stock, and also, when sanctioned by a vote of the shareholders at any general meeting, for the services of the promoters or other persons who may be employed by the directors in furthering the undertaking, or for the purchase of right of way, material, plant or rolling stock, whether such promoters or other persons be provisional or elected directors or not; and any agreement so made shall be binding on the company. Payments in bonds or paid up stock

17. The head office of the company shall be at the said town of Huntsville and the general annual meeting of the shareholders of the company shall be held in such place in the said town of Huntsville on such days and at such hours as may be directed by the by-laws of the company; and public notice thereof shall be given at least four weeks previously in *The Ontario Gazette* and once a week in one newspaper published in the said town of Huntsville during the four weeks immediately preceding the week in which such meeting is to take place. Head office.

18. Special general meetings of the shareholders of the company may be held at such places, and at such times, and in such manner and for such purposes as may be provided by the by-laws of the company, and upon such notice as is provided in the last preceding section. Special general meeting.

19. At all meetings of the company the shareholders thereof may vote by proxy and the proxy may be appointed in such manner and by such means as the by-laws of the company may provide, but no person shall be qualified to be so appointed who is not himself a shareholder in the company. Voting by proxy.

Bonding
powers.

20. The directors of the company shall have power to issue bonds of the company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all the sum of \$20,000 for each mile of the said railway and branches, and the provisions of sub sections 19, 20, 21, 22 and 23 of section 9 of *The Railway Act of Ontario* shall apply to all such bonds and the issue thereof, and such bonds shall be issued subject and according to, and in conformity with the provisions of the said sub-sections.

Rev. Stat.
c. 207.

Transfer of
bonds.

21. All such bonds, debentures and other securities and coupons and interest warrants thereon respectively, may be made payable to bearer and transferable by delivery, and any holder of any such securities so made payable to bearer, may sue at law thereon in his own name.

Negotiable
instruments.

22. The company shall have power and authority to become parties to promissory notes and bills of exchange, for sums not less than \$100, and any such promissory note or bill of exchange made, accepted or endorsed by the president or vice-president of the company and countersigned by the secretary or treasurer, ~~and~~ and under the authority of a quorum of the directors, ~~and~~ shall be binding on the company, and every such promissory note or bill of exchange so made shall be presumed to have been made with proper authority until the contrary be shown; and in no case shall it be necessary to have the seal of the company affixed to such promissory note or bill of exchange, nor shall the president, vice-president or the secretary or treasurer be individually responsible for the same, unless the said promissory notes or bills of exchange have been issued without the sanction and authority of the directors as herein provided and enacted; provided, however, that nothing in this section shall be construed to authorize the company to issue any promissory note or bill of exchange payable to bearer or intended to be circulated as money or as the notes or bills of a bank.

Mortgaging
and pledging
bonds.

23. The company may, from time to time, for advances of money to be made thereon, mortgage or pledge any bonds which they may be enabled, under the powers of this Act to issue for the construction of the said railway.

Agreements
with other
companies.

24. It shall be lawful for the directors of the company to enter into an agreement or agreements with any other company or companies, if lawfully authorized to enter into such agreements, or with any person or persons, for leasing, hiring or use of any locomotives, carriages, rolling stock and other movable property from such companies or persons for such time or times and on such terms as may be agreed on; and also to enter into agreements with any railway company or companies, if so lawfully authorized, for the use by one or

more of such contracting companies, of the locomotives, carriages, rolling stock and other movable property of the other or others of them on such terms as to compensation and otherwise as may be agreed upon.

25. The company may also construct an electric telegraph line and a telephone line throughout and along the two sections of their railway connecting the two sections by cable or by poles along the borders of the Lake of Bays and for the purpose of constructing, working and protecting the said telegraph and telephone lines, the powers conferred upon telegraph companies by *The Act respecting Telegraph Companies*, being chapter 192 of the Revised Statutes of Ontario, 1897, are hereby conferred upon the company; provided, that no poles shall be erected in the construction of either of the said lines in or through any city, town or incorporated village without the consent of the council of such city, town or village being first obtained by the company; and the company may undertake the transmission of messages for the public by such line or lines of telegraph or telephone and collect tolls for so doing.

Telegraph and telephone lines.

26. Any municipality, or any portion of a township municipality which may be interested in securing the construction of the said railway, or through any part of which, or near which the railway or works of the company shall pass or be situate, may aid the company by giving money or debentures, by way of bonus, gift or loan, or by the guarantee of the municipal corporation, under and subject to the provisions hereinafter contained: provided always that such aid shall not be given except after the passing of a by-law for the purpose and the adoption of such by-law by the qualified ratepayers of the municipality or portion of the municipality (as the case may be) in accordance with and as provided by law in respect to granting aid by way of bonuses to railways.

Aid from municipalities.

27. Such by-law shall be submitted by the municipal council to the vote of the ratepayers in manner following, namely:

Submitting bonus by-laws to ratepayers.

(1) The proper petition shall first be presented to the council expressing the desire to aid the railway and stating in what way and for what amount, and the council shall within six weeks after the receipt of such petition by the clerk of the municipality, introduce a by-law to the effect petitioned for, and submit the same to the approval of the qualified voters.

(2) In the case of a county municipality, the petition shall be that of a majority of the members of the county council or of fifty resident freeholders in each of the minor municipalities of the county who are qualified voters under *The Municipal Act* and the amendments thereto.

Rev. Stat. c. 223.

(3) In the case of other municipalities the petition shall be that of a majority of the council thereof, or of fifty resident freeholders, being duly qualified voters under *The Municipal Act* and the amendments thereto as aforesaid.

Rev. Stat. c. 223.

(4) In the case of a section of a township municipality, the petition is to be presented to the council defining the section by metes and bounds, or lots and concessions, and shall be that of a majority of the council of such township municipality, or of fifty resident freeholders in such section of the municipality, being duly qualified voters aforesaid.

Requisites of
bonus by-laws.

28. Such by-laws shall in each instance provide:—

(1) For raising the amount petitioned for in the municipality or portion of the township municipality (as the case may be), mentioned in the petition, by the issue of debentures of the county or minor municipality, respectively, and shall also provide for the delivery of the said debentures, or the application of the amount to be raised thereby, as may be expressed in the said by-law.

(2) For assessing and levying upon all rateable property lying within the municipality or portion of the township municipality defined in said by-law (as the case may be), an annual special rate, sufficient to include a sinking fund for the repayment of the said debentures *within* twenty years with interest thereon, payable yearly or half-yearly, which debentures the respective municipal councils wardens, mayors, Reeves and other officers thereof, are hereby authorized to execute and issue in such cases respectively.

Petition
against aid
from county.

29. In case of aid from a county municipality, fifty resident freeholders of the county may petition the county council against submitting the said by-law, upon the ground that certain minor municipalities or portions thereof, comprised in the said by-law, would be injuriously affected thereby, or upon any other ground ought not to be included therein and upon deposit by the petitioners, with the treasurer of the county, of a sum sufficient to defray the expenses of such reference, the said council shall forthwith refer the said petition to three arbitrators, one being the judge of the county court or district objecting, one being the registrar of the county or of the riding in which the county town is situate, and one being an engineer appointed by the commissioner of public works for Ontario, who shall have power to confirm or amend the said by-law, by excluding any minor municipality or any section thereof, therefrom, and the decision of any two of them shall be final, and the by-law so confirmed or amended, shall thereupon, at the option of the railway company, be submitted by the council to the duly qualified voters, and in case the by-law is confirmed by the arbitrators, the expense of the reference shall be borne by the petitioners against the same, but if amended then by the railway company or the county as the arbitrators may order.

"Minor municipality,"
meaning of.

30. The term "minor municipality" shall be construed to mean any town not separated from the municipal county, township or incorporated village, situate in the county or district municipality.

31. Before any such by-law is submitted, the railway company shall, if required, deposit with the treasurer of the municipality, a sum sufficient to pay the expenses to be incurred in submitting the said by-law. Deposit before by-law submitted.

32. In case the by-law submitted be approved of and carried, in accordance with the provision of the law in that behalf, then within four weeks after the date of such voting, the municipal council which submitted the same shall read the said by-law a third time and pass the same. By-laws to be passed when approved by ratepayers.

33. Within one month after the passing of such by-law the said council and the mayor, warden, reeve or other head, or other officers thereof, shall issue or dispose of the debentures provided for by the by-law, and deliver the same, duly executed to the trustees appointed, or to be appointed, under this Act. Bonus debentures issue of.

34. In case any such loan, guarantee or bonus, be so granted by a portion of a township municipality, the rate to be levied for payment of the debentures issued therefor, and the interest thereon, shall be assessed and levied upon such portion only of such municipality. Aid from portion of municipality.

35. The provisions of *The Municipal Act* and the amendments thereto, so far as the same are not inconsistent with this Act, shall apply to any by-law so passed by or for a portion of a township municipality, to the same extent as if the same had been passed by or for the whole municipality. Application of provisions of Rev. Stat. c. 223.

36. The councils for all corporations that may grant aid by way of bonus to the said company may, by resolution or by-law, extend the time for the commencement of the work beyond that stipulated for in the by-law or by-laws granting such aid, from time to time; provided that no such extension shall be for a longer period than one year. Extending time for commencing work.

37. It shall and may be lawful for the council of any municipality that may grant aid by way of bonus, to the said company by resolution or by-law, to extend the time for the completion of the works (on the completion of which the said company would be entitled to such bonus), from time to time, provided that no such extension shall be for a longer period than one year at a time. Extending time for completion of work.

38. Any municipality, or portion of a township municipality, interested in the construction of the railway of the company, may grant aid by way of bonus to the company towards the construction of such railway, notwithstanding that such aid may increase the municipal taxation of such municipality, or portion thereof, beyond what is allowed by law; provided that such aid shall not require the levying of a greater aggregate annual rate for all purposes exclusive of school rates, than three cents in the dollar upon the value of the rateable property therein. Extent of municipal aid.

Exemption
from taxation.

39. It shall be lawful for the corporation of any municipality through any part of which the railway of the company passes, or in which it is situate, by by-law especially passed for that purpose, to exempt the company and its property within such municipality, either in whole or in part from municipal assessment or taxation, or to agree to a certain sum per annum, or otherwise in gross, by way of commutation or composition for payment, or in lieu of all or any municipal rates or assessments to be imposed by such municipal corporation, and for such term of years as such municipal corporation may deem expedient, not exceeding twenty-one years, and no such by-law shall be repealed unless in conformity with a condition contained therein.

Gift of land
company.

40. Any municipality through which the said railway may pass or is situate is empowered to grant, by way of gift to the company, any lands belonging to such municipality, or over which it may have control, which may be required for right of way, station grounds or other purposes connected with the running or traffic of the said railway, and the said railway company shall have power to accept gifts of land from any government, or any person or body, corporate or politic, and shall have power to sell or otherwise dispose of the same for the benefit of the company.

Trustees of
municipal
debentures.

41. Whenever any municipality or portion of a township municipality shall grant aid by way of bonus or gift to the railway company, the debentures therefor shall within six months after the passing of the by-law authorizing the same, be delivered to three trustees to be named, one by the Lieutenant-Governor in Council, one by the said company, and one by the majority of the heads of the municipalities which have granted bonuses, all of the trustees to be residents of the Province of Ontario; provided that if the said heads of the municipalities shall refuse or neglect to name such trustees within one month after notice in writing of the appointment of the company's trustee, or if the Lieutenant-Governor in Council shall omit to name such trustee within one month after notice in writing to him of the appointment of the other trustees, then in either case the company shall be at liberty to name such other trustee or *other* trustees; any of the said trustees may be removed and a new trustee appointed in his place at any time by the Lieutenant-Governor in Council, and in case any trustee dies or resigns his trust, or goes to live out of the Province of Ontario or otherwise becomes incapable of acting, his trusteeship shall become vacant and a new trustee may be appointed by the Lieutenant-Governor in Council.

Trusts of
debentures.

42. The said trustees shall receive the said debentures or bonds in trust, firstly, under the directions of the company and subject to the conditions of the by-laws in relation thereto as to time or manner, to convert the same into money or otherwise dispose of them; secondly, to deposit the debentures or

amount realised from the sale in some chartered bank having an office in the Province of Ontario in the name of "The Huntsville and Lake of Bays Railway Municipal Trust Account," and to pay the same out to the company from time to time as the company becomes entitled thereto, under the conditions of the by-laws granting the said bonus and on the certificate of the chief engineer of the said railway for the time being in the form set out in Schedule B hereto, or to the like effect, which certificate shall set forth that the conditions of the by-law have been complied with, and is to be attached to the cheque or order drawn by the said trustees for such payment or delivery of debentures, and such engineer shall not wrongfully grant any such certificate under a penalty of \$500, recoverable in any Court of competent jurisdiction by any person who may sue therefor.

43. The trustees shall be entitled to their reasonable fees and charges from the said trust fund, and the act of any two of such trustees shall be as valid and binding as if the three had agreed. Fees of Trustees.

44. Whenever it shall be necessary for the purpose of procuring sufficient land for stations, or gravel pits, or for constructing, maintaining and using the said railway, and in case by purchasing the whole of any lot or parcel of land over which the railway is to run, the company can obtain the same at a more reasonable price, or to greater advantage than by purchasing the railway line only the company may purchase, hold, use and enjoy such lands, and also the right of way thereto, if the same be separated from their railway, and may sell and convey the same, or any part thereof, from time to time, as they may deem expedient; but the compulsory clauses of *The Railway Act of Ontario* shall not apply to this section. Power to purchase whole lots.
Rev. Stat. c. 207.

45. When stone, gravel, earth or sand is or are required for the construction or maintenance of the said railway or any part thereof, the company may, in case they cannot agree with the owner of the lands on which the same are situate for the purchase thereof, cause an Ontario land surveyor to make a map and description of the property so required, and they shall serve a copy thereof, with their notice of arbitration, as in case of acquiring the roadway, and the notice of arbitration the award and the tender of compensation, shall have the same effect as in case of arbitration for the roadway; and all the provisions of *The Railway Act of Ontario*, and of this Act, as to the service of the said notice, arbitration, compensation, deeds, payment of money into court, the right to sell, the right to convey, and the parties from whom land may be taken or who may sell, shall apply to the subject matter of this section, as to the obtaining materials as aforesaid; and such proceedings may be had by the company either for the right to the fee simple in the land from which said materials shall be taken, Stone, gravel; etc., for construction purposes.
Rev. Stat. 207

or for the right to take materials for any time they shall think necessary; the notice of arbitration, in case arbitration is resorted to, to state the interest required.

Sidings to
gravel pits.

46. (1.) When said gravel, stone, earth or sand shall be taken under the preceding section of this Act, at a distance from the line of the railway, the company may lay down the necessary sidings and tracks over any lands which may intervene between the railway and the lands on which said material shall be found, whatever the distance may be; and all the provisions of *The Railway Act of Ontario* and of this Act, except such as relate to filing plans and publications of notice, shall apply and may be used and exercised to obtain the right of way from the railway to the land on which such materials are situated; and such right may be so acquired for a term of years or permanently, as the company may think proper: and the powers in this and the preceding section may at all times be exercised and used in all respects after the railway is constructed for the purpose of repairing and maintaining the said railway.

Rev. Stat.
c. 207.

(2.) When estimating the damages for the taking of gravel, stone, earth or sand, sub-section 9 of section 20 of *The Railway Act of Ontario* shall not apply.

Rev. Stat.
c. 207.

47. The company shall have power and authority;—

Powers of
company.

Power houses,
elevators, etc.

(1.) To purchase land for and erect power-houses, warehouses, elevators, docks, stations, workshops, machine shops, foundries, and offices and to sell and convey such land as may be found superfluous for any such purpose, and the company shall have power to build, own, operate and hold as part of the property of the company as many steam or other vessels as the directors of the company may deem requisite from time to time to facilitate the carriage of passengers, freight and other traffic in connection with the railway;

Stations, etc.,
rolling stock.

(2.) To erect and maintain all necessary and convenient buildings, stations, depots, and from time to time to alter, repair or enlarge the same and to build, purchase and acquire motors, engines, carriages, waggons and other machinery and contrivances necessary or convenient for the working of the railway and the accommodation and use of the passengers, freight and business of the railway;

Works for
compressed air
or electricity.

(3.) To construct, maintain and operate works for the production of electricity for the motive power of the said railway and for the lighting and heating the rolling stock or other property of the company;

Disposing of
electric power.

(4.) To sell or lease any such electricity not required for the purposes aforesaid, to any person or corporation, and the company in that behalf shall, subject to the provisions and restrictions of this Act, possess the powers, rights and privileges, and be subject to all the obligations and restrictions of joint stock

companies incorporated under *The Act respecting Companies* Rev. Stat. c. 200.
for supplying steam, heat, electricity or natural gas for heat, light or power, and to acquire and hold any property necessary for the purposes mentioned in this sub-section ;

(5) To purchase the right to convey electricity required for the working of the railway and lighting or heating the same over, through or under lands other than the lands of the said railway, and with the consent of the councils of the municipalities affected, to purchase the right to lay conduits under, or erect poles and wires on or over such lands as may be determined by the company, and along and upon any of the public highways or across any of the waters in this Province by the erection of the necessary fixtures, including posts, piers or abutments for sustaining the cords or wires of such lines, or the conduits for such electricity, upon and subject to such agreement in respect thereof as shall first be made between the company and any private owners of the land affected, and between the company and any municipality in which such works or any part thereof or of the railway may be situate, and under and subject to any by-law or by-laws of the council of such municipality passed in pursuance thereof.

Carrying wires, conduits, etc., through lands.

48. (1)—The railway of the company shall not be constructed or operated on, upon or along any street, highway or public place of any municipality until first authorized by an agreement in respect thereto made between the company and such municipality, and under and subject to the terms of such agreement and of this Act and of any by-law or by-laws of the council of said municipality to be passed in pursuance thereof; and in all such cases any and every work, matter or thing in connection with electricity or other motor power and the application and using thereof in so constructing, operating and working such railway, or the cars, carriages, engines, motors or machine aforesaid shall be so constructed, erected, laid down and arranged as to impede or incommode the public use of such street, highway, or public place as little as possible, and so as not to be a nuisance thereto, nor to interfere with the free access to any house or other building erected in the vicinity of the same, and the electric and other appliances shall be of such an improved manufacture and so placed as to avoid as far as possible any danger to buildings or other property, and provided that none of the works or property of the company shall be so constructed or placed as to injuriously interrupt navigation in any navigable water.

Carrying line along highways.

(2) The by-laws mentioned in section 2, subsection 5 of the preceding section and in this section shall be subject to the conditions and provisions of section 632 of *The Municipal Act*.

Rev. Stat. c. 223.

49. Shares in the capital stock of the company may be transferred by any form of instrument in writing, but no transfer shall become effectual unless the stock or scrip certificates issued in respect of shares intended to be transferred are

Transfer of shares.

surrendered to the company, or the surrender thereof dispensed with by the company.

50. The company shall have the power to collect and receive all charges, subject to which goods or commodities may come into their possession, and on payment of such back charges, and without any formal transfer, shall have the same lien for the amount thereof upon such goods or commodities as the person to whom such charges were originally due, and shall be subrogated by such payment in all the rights and remedies of such persons for such charges.

Application of provisions of Rev. Stat. c. 209. Rev. Stat. c. 207.

51. The provisions of *The Electric Railway Act* shall not apply to the company hereby incorporated but the several clauses of *The Railway Act of Ontario*, and of every Act in amendment thereof shall be incorporated with, and be deemed to be part of this Act, and shall apply to the said company and to the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof; and the expression "this Act," when used herein, shall be understood to include the clauses of the said Railway Act and of every Act in amendment thereof so incorporated with this Act.

Commencement and completion of work.

52. The railway shall be commenced within *two* years and finally completed within *five* years after the passing of this Act.

SCHEDULE A.

(Section 6.)

Know all men by these presents that I (or we) (insert the name or names of the vendor or vendors) in consideration of \$ _____ paid to me (or us) by The Huntsville and Lake of Bays Railway Company, the receipt whereof is hereby acknowledged, do grant and convey unto the said company, and I (or we) (insert the name or names of any other party or parties) in consideration of \$ _____, paid to me (or us) by the said company, the receipt whereof is hereby acknowledged, do grant and release all that certain parcel (or those certain parcels, as the case may be) of land (describe the land) the same having been selected and laid out by the said company for the purposes of their railway, to hold, with the appurtenances, unto the said The Huntsville and Lake of Bays Railway Company, their successors and assigns forever, (here insert any other clauses, conditions and covenants required) and I (or we) the wife (or wives) of the said _____ do hereby bar my (or our) dower in the said lands.

As witness my (or our) hand and seal (or hands and seals) this day of _____, 19 _____.

Signed, sealed and delivered in the presence of _____

[L. S.]

SCHEDULE B.

(Section 42.)

CHIEF ENGINEER'S CERTIFICATE.

The Huntsville and Lake of Bays Railway Company's Office, No. _____
A.D. 19 _____.

ENGINEER'S DEPARTMENT.

Certificates to be attached to cheques drawn on The Huntsville and Lake of Bays Railway Company Municipal Trust Account given under section _____, chapter _____, of the Acts of the Legislature of Ontario, passed in the _____ year of Her Majesty's reign.

I, _____, chief engineer of The Huntsville and Lake of Bays Railway Company, do hereby certify that the said company has fulfilled the terms and conditions necessary to be fulfilled under the by-law No. _____ of the township of _____ (or under the agreement dated the _____ day of _____, 19 _____, between the corporation of _____ and the said company) to entitle the said company to receive from the said trust the sum of \$ _____ (here set out the terms and conditions if any, which have been fulfilled).

No. 48.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to incorporate The Huntsville and
Lake of Bays Railway Company.

First Reading, 5th March, 1900.

*(Reprinted as amended by the Railway
Committee.)*

Mr. RUSSELL.

TORONTO:
PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act to amend an Act authorizing the issue of
Debentures by St. George's Cathedral
Church, Kingston.

WHEREAS by an Act of the Legislative Assembly of the Province of Ontario passed in the sixtieth year of Her Majesty's reign, chaptered 102 and intituled an Act to authorize the issuing of debentures by St. George's Cathedral Church, Kingston, the churchwardens of the said church were authorized to borrow the sum of \$35,000, upon debentures secured by a mortgage of the said church and the lands connected therewith and in pursuance of the power conferred by said Act debentures were issued to the extent of and a mortgage was given to secure the payment of the same and whereas the said church was almost entirely destroyed by fire on the first day of January, A.D., 1899, and whereas the loss sustained thereby was not covered by the insurance on said church, and whereas in order to rebuild said church and pay the debentures issued under the authority of said Act it has become necessary to borrow a sum in excess of said \$35,000; and whereas at a special meeting of the vestry of said St. George's Cathedral held on the eighteenth day of December, A.D., 1899, it was resolved to apply for an amendment of said Act so as to authorize the church wardens and rector for the time being to borrow a sum not exceeding \$50,000 on mortgage of the said church and the lands connected therewith instead of the amount mentioned in said Act, and whereas, the said vestry by its petition has prayed that the said power and authority may be given to the churchwardens and rector, and whereas, it is desirable to grant said petition.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows :

1. It shall and may be lawful for the churchwardens of the said church and their successors as such to execute and issue debentures not exceeding at any one time in the whole the sum of \$50,000 in such sums not less than one hundred dollars each, at such rate of interest and redeemable at such times and places as they may determine, and from time to time to renew the same or issue new debentures in their place or stead.

Issue of debentures for \$50,000 authorized.

Calling in
outstanding
debentures.

2. The said churchwardens shall and may from time to time with the consent of the holders call in any of the out-standing debentures and liabilities and discharge the same with the funds raised by the issue of debentures authorized to be issued under this Act, or may substitute therefor the said debentures, or any of them, authorized as aforesaid, under this Act, as may be agreed upon between the said churchwardens and the holders of such outstanding debentures and liabilities, or other the creditors of the said vestry and church. 5

Application of
proceeds of
debentures.

3. The funds to be raised by the issue of debentures authorized as aforesaid, shall be applied to the redemption and payment of the said outstanding debentures and other liabilities, and to defray the cost of completing and improving the said church, and to carry out the instructions of the said vestry. 10

Debentures to
be a charge on
the church
property.

4. The debentures so issued as aforesaid shall without registration or formal conveyance, be taken and considered to be charges upon the said church, and the lands therewith used, and other the property of the said vestry; and the holder of any of the said debentures shall be deemed to be a mortgagee and incumbrancer *pro rata* with the other holders thereof upon the said church and property. 15 20

Mortgage to
secure
debentures.

5. The said churchwardens and the rector for the time being of the said church are hereby authorized with the consent of the said vestry, to convey the said church and the lands connected therewith or any part thereof in fee simple to any person or corporation who may advance the full amount of the loan required or otherwise to two trustees or to any Trust Corporation in the Province of Ontario authorized to act as a trustee in the premises in trust to secure the due payment of the said debentures rateably and without preference or priority and by the said mortgage to give all usual and proper remedies to enforce payment of the said debt and the said mortgage may be in the form set forth in schedule "A" to this Act with such modified terms or changes as the circumstances may require and a conveyance executed by the said rector and churchwardens shall pass the title to the said lands without any further formality and without the consent or concurrence of the incorporated Synod of the diocese of Ontario or any committee thereof or of any other person or body corporate notwithstanding the provisions of any Act of Parliament heretofore passed requiring such consent or concurrence; provided that any mortgage now existing on the said church and lands shall be preserved in full force and effect until the conditions thereof shall have been fully performed and satisfied. 25 30 35 40

Interest to be
a charge on
church
revenues.

6. The interest of the said debentures shall be the first charge upon the whole revenue of the said church, and the vestry thereof ordinary and extraordinary; and it shall be the duty of the churchwardens in each year, out of the said revenues 45

to pay the whole interest falling due in each year; and the vestry of the said church shall until the said debt shall be fully paid levy annually by way of pew rent a sum sufficient to pay the interest on the outstanding debentures.

5 7. No person advancing money on or before the purchase of the debentures authorized by this Act to be issued shall be in any way bound to see to the application of the money so advanced. Lender not bound to see to application of purchase money.

10 8. Nothing in this Act contained shall prejudice or affect any legal or equitable right of priority which the holders of debentures issued at the time of the passing of this Act may have or possess. Priority of present debenture holders preserved

SCHEDULE A.

(Section 5.)

This indenture made in duplicate the _____ day of _____ in pursuance of the Act respecting short forms of mortgages, between the Rev. _____, Rector and _____ churchwardens for the time being of Saint George's church in the city of Kingston, hereinafter called the "mortgagors" of the first part and trustees hereinafter called the "mortgagees" of the second part.

Witnesseth that whereas under and in pursuance of the powers created by an Act of the Legislative Assembly of the Province of Ontario passed in the _____ year of Her Majesty's reign, chaptered _____ and entitled "*An Act to amend the Act passed in the Sixtieth year of Her Majesty's reign chapter 102 authorizing the issuing of Debentures by St. George's Cathedral Church in the City of Kingston,*" the churchwardens of the said church have issued debentures and propose issuing further debentures to the amount of \$50,000 in the whole.

And whereas pursuant to the said Act the vestry of the said church has duly authorized the said mortgagors, as the rector and churchwardens of the said church, to convey the said church and the lands connected therewith, being the property hereinafter particularly described, to the said mortgagees as trustees for the holders of the said debentures, and the said mortgagees have consented to accept such conveyance and to act as trustees in the premises.

Therefore in consideration of the premises the said mortgagors do grant and mortgage to the said mortgagees the said lands and premises which are particularly described as follows :

(Then follows description of property.)

Provided this mortgage to be void on payment of the said debentures at the maturity thereof and of the interest which shall from time to time fall due thereon and taxes.

It is expressly agreed by and between the parties hereto that this mortgage shall be held for the benefit of all the holders of the said debentures rateably and without preference or priority as between each other.

The said mortgagors covenant with the said mortgagees that they have the right to convey the said lands to the said mortgagees, and that in default the said mortgagees shall have quiet possession of the said lands free from all incumbrances.

And that the mortgagors will execute such further assurances of the said lands as may be requisite.

And that the mortgagors will insure the buildings on the said lands to

the full amount to which they can be insured, not exceeding the mortgage debt.

Provided that the mortgagees, in default of payment for six months, may, upon three months' notice, enter upon and lease or sell the said lands.

Provided that the mortgagees may distrain for arrears of interest.

Provided that until default of payment the mortgagors shall have quiet possession of the said lands.

It is understood and agreed between the parties hereto, and the said mortgagees stipulate as a condition of acting as trustees in the premises, that they shall not be obliged or required to take proceedings for the enforcement of the claims of any of the debenture holders except upon the written request of such debenture holder, and not then without full and satisfactory indemnity from said debenture holders against any costs or expenses which may be incurred by them in enforcing this security.

The provision of section 3 of chapter 110 of the Revised Statutes of Ontario, 1887, shall be regarded as incorporated into this conveyance for the purpose of appointing a new trustee, and the right of appointment shall in the first place be exercisable by the rector and churchwardens of the said church for the time being.

Witness the signature of the said rector and churchwardens.

Signed, sealed and delivered }
in the presence of }

No. 49.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to amend an Act authorizing the issue of debentures by St. George's Cathedral Church, Kingston.

| | |
|----------------|-------|
| First Reading, | 1900. |
|----------------|-------|

(Private Bill.)

Mr. HARTY.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting By-law No. of the Town of
Barrie.

WHEREAS the municipal corporation of the town of Barrie Preamble.
has by petition represented that on the 30th day of
January, 1900, an agreement was entered into between the
Barrie Tanning Company, Limited, and the said municipal corpo-
5 ration (which agreement is contained in schedule A hereto) for
the purpose of declaring and defining the terms and conditions
upon which the said corporation should aid the said company
by way of a loan not exceeding the sum of \$30,000, for the
purpose of enabling the said company to erect new buildings,
10 install new machinery and plant, and otherwise improve and
increase the business heretofore carried on by the said company
in the said town of Barrie, the repayment of the said loan to
be secured (*inter alia*) by a mortgage on all the company's
real estate, machinery and plant, as more fully set out in the
15 said agreement; also that the said corporation had in pursu-
ance of the said agreement passed a by-law numbered for
the carrying out of the purposes set forth in the said agreement
and the granting of such aid to the said tanning company, a
copy of which by-law is contained in schedule B hereto; and
20 whereas the said by-law before it was finally passed, received
the assent and approval of more than two-thirds of the rate-
payers of the said town entitled to vote on money by-laws
under the provisions of *The Municipal Act*; and whereas there
is no other tannery or business of like character in the said
25 town; and whereas by its said petition the said town prayed
that an Act be passed to legalize, ratify and confirm the said
agreement and by-law; and whereas by the said petition it
has been represented that it is expedient and will be of
advantage to the said municipality that the said agreement
30 and by-law should be declared legal, valid and binding; and
whereas the said by-law appears to come within the provisions
of the repealed clauses of *The Municipal Amendment Act*,
1888, relating to the granting of aid to industrial enterprises;
and whereas it is expedient to grant the prayer of the said
35 petition.

Therefore Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

Agreement with tanning company confirmed. 1. The said agreement which is set out in schedule A to this Act, is hereby ratified and made legal and binding upon the parties thereto.

By-law for lending \$30,000 to tanning company confirmed. 2. The said by-law of the said town of Barrie, being by-law number of the said town as set forth in schedule B to this Act, is hereby declared to be legal, valid and binding upon the said municipal corporation notwithstanding any defect in substance or form, or in the mode of passing the same or otherwise, and notwithstanding any want of authority of the said corporation to pass the same. 5 15

Mortgage to secure loan to tanning company. 3. It shall be lawful for the municipal corporation of the said town of Barrie to take and receive from the said The Barrie Tanning Company, Limited, a mortgage upon the lands machinery and plant of the said company, as set out in the said agreement and to hold the same and any other securities (if any) which may hereafter be given for repayment of the said loan and to take all necessary and proper proceedings and exercise all remedies for the collection of the moneys secured by the said mortgage and other securities upon the default of the company in carrying out the several agreements and covenants with the said municipal corporation, agreed to be given and mentioned in the said agreement of the 30th day of January, 1900. 20 25

Issue of debentures authorized. 4. The said the municipal corporation of the town of Barrie is hereby authorized and empowered to issue debentures as provided by the said by-law, and the said debentures so issued, with the interest coupons attached thereto are hereby declared legal and binding upon the said corporation. 30

SCHEDULE A.

(Section 1.)

This indenture made in triplicate this thirtieth day of January, 1900, between The Barrie Tanning Company, Limited, of the first part and The Municipal Corporation of the Town of Barrie, of the second part.

Whereas the said parties of the first part have for the last five years and upwards carried on continuously in the said town of Barrie, the business of tanners and manufacturers of leather.

And whereas they desire to extend and increase their said business and to erect and build other buildings and premises and to procure additional and more modern plant and machinery suitable for such increased business so as to enable them to carry on the same according to the most approved methods now in use.

And whereas the said parties of the first part have agreed to erect said buildings on and adjacent to the site of their present tannery or elsewhere within the corporate limits of the said town and also have agreed that when the said new buildings and plant are erected, installed and completed they will employ in the carrying on of their said business at least fifty workmen (their present employees being less than one half that number) who shall be residents of that town ;

And whereas the said parties of the first part have applied to the said parties of the second part to aid them by lending them the sum of \$30,000 or such less sum as may be required for the purchase of the site, the erecting of the said buildings and the purchase and installation of the said plant and machinery ;

And whereas the municipal council of the said corporation of the town of Barrie, deem it expedient to grant the application and request of the said parties of the first part upon the terms and conditions hereinafter set forth.

Now this indenture witnesseth and it is hereby covenanted and agreed by and between the said parties of the first and second parts their respective successors and assigns as follows :—

1. The said parties of the part agree to procure suitable lands for the erection of the said buildings and plant either on or adjacent to the site of their present tannery or elsewhere within the corporate limits of the said town, but if not on or adjacent to the site of their present tannery such site elsewhere shall not be located any place south of Dunlop street between the gas-works and Mary street in the said town, the price of which land shall be first approved of by the said parties of the second part.

2. The said parties of the first part agree that they will within one year after the passing of the Act of the Legislature hereinafter mentioned, erect and build upon such site such buildings and other erections and will put and place thereon such machinery and plant as may be necessary to make the whole a modern up-to-date and well equipped tannery of such character and capacity that to carry on the same will require the employment and services of at least fifty workmen who shall be employed in and about the said tannery premises and shall be all resident in the said town.

3. The said parties of the first part also agree that upon the completion of the said tannery they shall employ continuously for at least three hundred days in each year during the period any portion of the debt hereinafter mentioned remains unpaid (and being for about the term of from 15 to 20 years) in the carrying on of their said business of tanning and manufacturing of leather at least the said fifty workman and also shall maintain and keep in active operation the said tannery during the said period.

4. The said parties of the first part also agree to secure to the said parties of the second part by a first mortgage clear of all dowers, liens charges and encumbrances upon the said lands, premises, plant and machinery to be used as such improved tannery (which said plant and machinery shall for the purposes of the said security be regarded as part of the freehold) the re-payment of the said sum of \$30,000 or such less sum as shall be required for the purposes aforesaid and interest thereon as follows, that is to say, the said monies to be repayable in such amounts and upon such dates and terms as shall be set out and named in the by-law to be passed as hereinafter mentioned by the said town corporation or in the debentures and coupons issued under such by-law and so that the said parties of the second part shall on or before the due date of such debentures and coupons be paid and supplied by the said parties of the first part with funds to meet the moneys becoming due thereunder; such mortgage shall be in the form annexed hereto and if required the said parties of the first part shall also execute and deliver to the said parties of the second part at any time a confirmatory mortgage on the said lands, machinery and plant as additional security to the said mortgage.

5. The said parties of the first part also agree to insure and keep insured during the period any portion of the said debt remains unpaid against loss or damage by fire, in insurance companies to be approved of by the said parties of the second part their buildings, plant, machinery and stock (manufactured, unmanufactured and in the course of manufacture) to an amount not less than the debt existing from time to time from the said parties of the first part to the said parties of the second part and in such proportions upon the said buildings, plant, machinery and stock as may be required by the said parties of the second part and

will pay all premiums and sums of money necessary for such purpose as the same shall become due and will assign, transfer and deliver over unto the said parties of the second part the policy or policies of assurance receipt or receipts thereto appertaining and if the said parties of the second part shall pay any premiums or sums of money for insurance of the said premises or any part thereof the amount of such payment with interest thereon at the rate of six per cent per annum, from the time of such payment shall be repayable to them forthwith.

6. And the said parties of the first part agree to notify the said parties of the second part of their board meetings, and that the mayor of the said town, or such one of the town auditors as the Council may from time to time appoint, shall be entitled to and may attend the said board meetings, and to inspect and examine the monthly and other statements of the affairs or the said parties of the first part, and for such purpose shall have access to the books and vouchers of the said parties of the first part at all reasonable times, but not more frequently than once a month to verify such statements, and the said parties of the first part agree to produce at their head office in the town of Barrie all of their books and vouchers at any time on demand for the purpose of such inspection and verification, and should the said parties of the first part not be found paying their liabilities as they mature the moneys secured as aforesaid shall immediately become due and payable.

7. The said parties of the first part also agree that the lands, buildings, machinery and plant for the acquiring, erecting, purchasing and installing, of which the said advance from the said parties of the second part is to be made as hereinafter set forth, are to be such only as shall be acquired, erected, purchased and installed after the passing of the by-law hereinafter mentioned, and any lands, buildings, machinery and plant now or at the said time owned by the said parties of the first part are not to be taken into account or estimated for in arriving at the amount to be advanced by the said parties of the second part as hereinafter set forth.

8. The said parties of the first part further agree that before the said parties of the second part shall be called upon to make any of the advances hereinafter referred to, they the said parties of the first part shall have at least forty thousand dollars of their stock subscribed, on which there shall be paid up at least \$30,000 in cash, the amount of the paid up stock now being under \$17,000, and the said parties of the first part shall furnish the statutory declaration of their president or treasurer proving the said facts, nor shall the said parties of the second part be called upon to pay any part of the said loan to the said parties of the first part until the said parties of the first part shall have purchased and paid for said building site, and shall have delivered to the parties of the second part the said mortgage.

9. The said parties of the second part agree to advance, lend and pay over to the said parties of the first part, in sums of not less than \$5,000 at any one time, such an amount of money as shall be required for the purchase of the said site, the erection of the said buildings, and the purchase and installation of the said machinery and plant, not to exceed in the whole the sum of \$30,000, and the said monies shall be payable and be paid from time to time in manner following, that is to say, as the work of the erecting said buildings and the purchase and installation of the machinery and plant progresses there shall be produced to the said parties of the second part progress certificates of the architect in charge of such building operations, and receipted bills or invoices for said machinery and plant and materials, and on production thereof, the said parties of the first part shall be entitled to receive from the said parties of the second part seventy-five per cent. of the value of said work, materials, machinery and plant as represented by said progress certificates and receipted bills and invoices, such advances, however, not to be less than \$5,000 at any one time, as hereinbefore mentioned, and such progress certificates shall state whether or not they include the price of any machinery and plant and materials, and in the event of the said parties of the second part being dissatisfied with the progress certificates and receipted bills and invoices to be issued as aforesaid, they shall be at liberty to demand and receive a

statutory declaration made by the president, manager or treasurer of the said company stating that the certificate of the said architect is true and correct to the best of his knowledge and belief, and that the sum then claimed by the company is fairly and properly payable for the said lands, buildings, plant and machinery, as the case may be, and that all monies previously received by the said parties of the first part from the said parties of the second part had been actually paid out on account of the said lands, buildings, plant and machinery in accordance with the terms of this agreement. The remaining 25 per cent. required for the purchase of the said lands, and the erection of the said buildings thereon, and the purchase and installation of the said machinery and plant shall be paid to the said parties of the first part so soon as the said tannery is completed and in running order, and the time for registering liens against any part thereof has expired.

10. The debentures to be issued by the said parties of the second part in pursuance of the said by-law are to bear interest at the rate of three and one-half per cent per annum payable half yearly, and the parties of the first part are to bear any loss should the said debentures sell for any less than their face or par value and to receive any profit on any debentures that may be sold should they sell for more than such face or par value, such excess however is not to be paid until the time arrives for the payment of the 25 per cent reserved as aforesaid.

11. The said parties of the second part also agree to submit a by-law to the electors of the municipality entitled to vote on money by-laws not later than the 26th day of February next, for the purpose of obtaining their assent to the said loan, and also will aid the said parties of the first part in securing legislation to ratify such by-law, and enable the said loan to be made, and to enable the said parties of the second part to take the said security therefor, the provisions of the said Act to be first approved of by the parties of the second part before becoming law.

12. The expenses connected with the passing of the said by-law the taking of the said vote and the securing of the said legislation and registration of the said mortgages, by-law and this agreement shall be borne and paid by the said parties of the first part except in so far as the said parties of the second part shall incur expense for legal advice and services for which legal advice and services they the said parties of the second part shall pay and except also the cost of advertising and publishing the proposed by-law and the cost of taking the said vote which the said parties of the second part shall also bear.

13. It is understood and agreed that this agreement shall not become operative and binding upon the parties hereunto unless and until the necessary assent of the electors aforesaid shall have been obtained to the passing of such by-law and unless and until this agreement and the said by-law shall have been made valid and duly legalized and confirmed by the legislature of the Province of Ontario.

In witness whereof the said parties of the first part have hereunto affixed their corporate seal and the hand of their president and secretary and the said parties of the second part have hereunto affixed their corporate seal and the hand of the mayor and clerk of the said corporation.

S. R. WICKETT,
President.

G. H. ESTEN,
Secretary.

G. A. RADENHURST,
Mayor.

E. DONNELL,
Clerk.

Cor-
porate
Seal.

Cor-
porate
Seal.

SCHEDULE B.

(Section 2.)

BY-LAW No. —, BEING A BY-LAW TO AUTHORIZE THE LOAN OF \$30,000 TO THE BARRIE TANNING COMPANY (LIMITED), AND TO AUTHORIZE THE ISSUE OF DEBENTURES TO RAISE SAID LOAN.

Whereas The Barrie Tanning Company, Limited, has applied to the

municipal corporation of the town of Barrie for a loan of \$30,000 upon the security of a mortgage on the land, machinery and plant of the said company, and otherwise, as more fully set out in an agreement made between the said company and this corporation, bearing date the Thirtieth day of January, 1900, for the purpose of aiding said company to erect larger premises, instal more modern machinery and plant, and generally to increase the business of the said company, thus rendering necessary the employment of many more persons than at present employed by the said company, and it is desirable to grant the said application.

And whereas it will be necessary for such purposes to issue debentures of the said corporation for the said sum of \$30,000.

And whereas it will be requisite to raise annually during the term of twenty years hereinafter mentioned by special rate to pay the said debt to be created by this by-law and interest thereon, the sum of \$2,110.83.

And whereas the amount of the whole rateable property of the municipality of the town of Barrie, according to the last revised assessment roll is \$1,566,615.

And whereas the amount of the existing debenture debt of the said municipality is \$220,941.99, of which no part, either for principal or interest is in arrear.

Therefore the municipal council of the corporation of the town of Barrie enacts as follows :

1. That to raise the sum of \$30,000 for the purpose aforesaid, it shall be lawful for the corporation of the said municipality to issue debentures of the said municipality to said amount in sums of not less than \$100 each, payable within twenty years from the assent to the Act authorizing or legalizing this by-law.

2. That the said debentures to be issued for the said sum of \$30,000 shall bear interest at the rate of $3\frac{1}{2}$ per cent. per annum, payable half yearly, such debentures shall be payable in twenty annual successive instalments, and such instalments of principal and semi-annual instalments of interest to be of such amount that the aggregate amounts payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of such period, and one of such debentures or instalments of principle shall be payable at the end of each year from and after the date of the assent to the Act confirming this by-law for the said period of twenty years, as shown in the schedule to this by-law, the said interest being payable at the end of each half year during the same period.

3. That the said debentures as to principal and interest shall be payable at the branch of the Bank of Toronto in the said town of Barrie.

4. That it shall be lawful for the mayor of the said municipal corporation, and he is hereby authorized and instructed to sign and issue the said debentures hereby authorized to be issued and the interest coupons attached thereto, and to cause the same also to be signed by the treasurer of the said municipality, and the clerk of the said municipality is hereby authorized and instructed to attach the seal of the said municipality to the said debentures.

5. There shall be raised and levied in each year during the currency of said debentures or any of them by special rate on all the rateable property of the said municipality in the same manner as other taxes are levied, a sum sufficient to pay and discharge the said several yearly sums of principal and half-yearly sums of interest so accruing due as the same become respectively payable according to the terms of this by-law, that is to say the said total sum of \$2,110.83 in each of said years ; provided that the moneys paid by the said company under the said mortgage (and which moneys are intended to meet the said debenture debt) shall be applied in payment of the said debentures and coupons and it shall not be necessary to actually collect the said rate in any year in which the said company has made payment under the said mortgage and the town has from that source sufficient money in hand to pay the debentures and coupons coming due in said year.

6. The purchaser of any of the said debentures shall not be required to see to the application of the purchase money thereof or that the condition of any agreement made or to be made between The Barrie Tanning Com-

pany and the corporation of the town of Barrie have been complied with, observed or performed, but said debentures and coupons shall be unimpeachable on any such grounds in the hands of any purchaser for value.

7. That this by-law shall come into force and take effect upon the same being authorized or confirmed and legalized by the Legislature of the Province of Ontario.

8. The votes of the duly qualified electors of the said town of Barrie shall be taken on this by-law on Monday the 26th day of February, 1900, commencing at 9 o'clock in the forenoon, and continuing until 5 o'clock in the afternoon, at the undermentioned places and by the following Deputy Returning Officers, that is to say:—

Ward No. 1.—Caldwell's shop, L. G. Erly.

Ward No. 2.—Market Building, Joseph Rogers.

Ward No. 3.—Fire Hall Building, R. J. Fletcher.

Ward No. 4.—E. B. Reid's shop, John Powell.

Ward No. 5.—Hogg's Woollen Mill, Thomas Milbee.

Ward No. 6.—Orange Hall, Edward Whitebread.

9. That on the 23rd day of February, 1900, at the Council Chambers in the said town of Barrie, at 2 o'clock in the afternoon, the Mayor will appoint in writing, signed by him, two persons to attend at the final summing up of the votes and one person to attend at each of the said polling places on behalf of the persons interested in and desirous of promoting the passing of this by-law, and a like number of persons and for the said purpose on behalf of the persons interested in and desirous of opposing the passing of this by-law.

10. That the said Clerk of the said council shall at his office in the said Council Chambers on the 27th day of February, 1900, at the hour of two o'clock in the afternoon sum up the number of votes given for and against this by-law.

Schedule to the foregoing By-law No.

| No. of debenture. | Annual instalment of principal. | When principal payable. | Semi-annual payment of interest. | Total payments of principal and interest. |
|-------------------|---------------------------------|-------------------------|----------------------------------|---|
| 1..... | \$1,060 83 | 1901 | \$625 00 | \$2,110 83 |
| 2..... | 1,097 96 | 1902 | 506 43 | 2,110 83 |
| 3..... | 1,136 39 | 1903 | 487 22 | 2,110 83 |
| 4..... | 1,176 17 | 1904 | 467 33 | 2,110 83 |
| 5..... | 1,217 33 | 1905 | 446 75 | 2,110 83 |
| 6..... | 1,259 94 | 1906 | 425 44 | 2,110 83 |
| 7..... | 1,304 03 | 1907 | 403 40 | 2,110 83 |
| 8..... | 1,349 68 | 1908 | 380 58 | 2,110 83 |
| 9..... | 1,396 91 | 1909 | 356 96 | 2,110 83 |
| 10..... | 1,445 81 | 1910 | 332 51 | 2,110 83 |
| 11..... | 1,496 41 | 1911 | 307 21 | 2,110 83 |
| 12..... | 1,548 78 | 1912 | 281 02 | 2,110 83 |
| 13..... | 1,602 99 | 1913 | 253 92 | 2,110 83 |
| 14..... | 1,659 10 | 1914 | 225 86 | 2,110 83 |
| 15..... | 1,717 16 | 1915 | 196 83 | 2,110 83 |
| 16..... | 1,777 26 | 1916 | 166 78 | 2,110 83 |
| 17..... | 1,839 47 | 1917 | 136 68 | 2,110 83 |
| 18..... | 1,903 85 | 1918 | 103 49 | 2,110 83 |
| 19..... | 1,970 48 | 1919 | 70 17 | 2,110 83 |
| 20..... | 2,039 45 | 1920 | 35 69 | 2,110 83 |
| | <u>\$30,000 00</u> | | | |

Read a first and second time in open council on the 30th January, 1900.

(Signed)

E. DONNELL,
Town Clerk.

No. 50.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting By-law No. of the
Town of Barrie.

| | |
|----------------|-------|
| First Reading, | 1900. |
|----------------|-------|

(Private Bill.)

MR. THOMPSON.

TORONTO:
PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act respecting By-law No. 483 of the Town of
Barrie.

WHEREAS the municipal corporation of the town of Barrie Preamble. has by petition represented that on the 30th day of January, 1900, an agreement was entered into between the Barrie Tanning Company, Limited, and the said municipal corporation (which agreement is *set out* in schedule A hereto) for the purpose of declaring and defining the terms and conditions upon which the said corporation should aid the said company by way of a loan not exceeding the sum of \$30,000, for the purpose of enabling the said company to erect new buildings, instal new machinery and plant, and otherwise improve and increase the business heretofore carried on by the said company in the said town of Barrie, the repayment of the said loan to be secured by a mortgage on all the company's real estate, machinery and plant, as more fully set out in the said agreement; *and* that the said corporation *did* in pursuance of the said agreement pass a by-law numbered 483 for the carrying out of the purposes set forth in the said agreement and the granting of such aid to the said tanning company, a copy of which by-law is contained in schedule B hereto; and whereas the said by-law before it was finally passed, received the assent and approval of the ratepayers of the said town entitled to vote on money by-laws under the provisions of *The Municipal Act*, ⁴²⁷ five hundred and seven ratepayers having voted therefor while only thirty-two ratepayers voted against the same; ⁴²⁸ and whereas there is no other tannery or business of like character in the said town; and whereas it has been represented that it is expedient and will be of advantage to the said municipality that the said agreement and by-law should be *confirmed and* declared legal, valid and binding; and ⁴²⁹ the said municipal corporation has ⁴³⁰ prayed that an Act *may* be passed to legalize, ratify and confirm the said agreement and by-law; ⁴³¹ and whereas no opposition has been offered to the said petition; ⁴³² and whereas it is expedient to grant the prayer of the said petition.

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows;

Agreement with tanning company confirmed.

1. The said agreement which is set out in schedule A to this Act, is confirmed and declared to be legal, valid and binding upon the parties thereto and their successors respectively.

By-law for lending \$30,000 to tanning company confirmed.

2. The said by-law of the said town of Barrie, being by-law number 483 of the said town as set forth in schedule B to this Act, is confirmed and declared to be legal, valid and binding upon the said municipal corporation and the rate payers thereof notwithstanding any defect in substance or form, or in the manner of passing the same or otherwise, and notwithstanding any want of authority of the said corporation to pass the same.

Mortgage to secure loan to tanning company.

3. It shall be lawful for the municipal corporation of the said town of Barrie to take and receive from the said The Barrie Tanning Company, Limited, a mortgage upon the lands machinery and plant of the said company, as set out in the said agreement and to hold the same and any other securities (if any) which may hereafter be given for repayment of the said loan and to take all necessary and proper proceedings and exercise all remedies for the collection of the moneys secured by the said mortgage and other securities upon the default of the company in carrying out the several agreements and covenants with the said municipal corporation, agreed to be given and mentioned in the said agreement of the 30th day of January, 1900.

Issue of debentures authorized.

4. The said the municipal corporation of the town of Barrie is hereby authorized and empowered to issue debentures as provided by the said by-law, and the said debentures so issued, with the interest coupons attached thereto shall be legal and binding upon the said corporation and the ratepayers thereof.

SCHEDULE A.

(Section 1.)

This indenture made in triplicate this thirtieth day of January, 1900, between The Barrie Tanning Company, Limited, of the first part and The Municipal Corporation of the Town of Barrie, of the second part.

Whereas the said parties of the first part have for the last five years and upwards carried on continuously in the said town of Barrie, the business of tanners and manufacturers of leather.

And whereas they desire to extend and increase their said business and to erect and build other buildings and premises and to procure additional and more modern plant and machinery suitable for such increased business so as to enable them to carry on the same according to the most approved methods now in use.

And whereas the said parties of the first part have agreed to erect said buildings on and adjacent to the site of their present tannery or elsewhere within the corporate limits of the said town and also have agreed that when the said new buildings and plant are erected, installed and completed they will employ in the carrying on of their said business at least fifty workmen (their present employees being less than one half that number) who shall be residents of that town ;

And whereas the said parties of the first part have applied to the said parties of the second part to aid them by lending them the sum of \$30,000 or such less sum as may be required for the purchase of the site, the erecting of the said buildings and the purchase and installation of the said plant and machinery ;

And whereas the municipal council of the said corporation of the town of Barrie, deem it expedient to grant the application and request of the said parties of the first part upon the terms and conditions hereinafter set forth.

Now this indenture witnesseth and it is hereby covenanted and agreed by and between the said parties of the first and second parts their respective successors and assigns as follows :—

1. The said parties of the part agree to procure suitable lands for the erection of the said buildings and plant either on or adjacent to the site of their present tannery or elsewhere within the corporate limits of the said town, but if not on or adjacent to the site of their present tannery such site elsewhere shall not be located any place south of Dunlop street between the gas-works and Mary street in the said town, the price of which land shall be first approved of by the said parties of the second part.

2. The said parties of the first part agree that they will within one year after the passing of the Act of the Legislature hereinafter mentioned, erect and build upon such site such buildings and other erections and will put and place thereon such machinery and plant as may be necessary to make the whole a modern up-to-date and well equipped tannery of such character and capacity that to carry on the same will require the employment and services of at least fifty workmen who shall be employed in and about the said tannery premises and shall be all resident in the said town.

3. The said parties of the first part also agree that upon the completion of the said tannery they shall employ continuously for at least three hundred days in each year during the period any portion of the debt hereinafter mentioned remains unpaid (and being for about the term of from 15 to 20 years) in the carrying on of their said business of tanning and manufacturing of leather at least the said fifty workman and also shall maintain and keep in active operation the said tannery during the said period.

4. The said parties of the first part also agree to secure to the said parties of the second part by a first mortgage clear of all dowers, liens charges and encumbrances upon the said lands, premises, plant and machinery to be used as such improved tannery (which said plant and machinery shall for the purposes of the said security be regarded as part of the freehold) the re-payment of the said sum of \$30,000 or such less sum as shall be required for the purposes aforesaid and interest thereon as follows that is to say, the said monies to be repayable in such amounts and upon such dates and terms as shall be set out and named in the by-law to be passed as hereinafter mentioned by the said town corporation or in the debentures and coupons issued under such by-law and so that the said parties of the second part shall on or before the due dates of such debentures and coupons be paid and supplied by the said parties of the first part with funds to meet the moneys becoming due thereunder; such mortgage shall be in the form annexed hereto and if required the said parties of the first part shall also execute and deliver to the said parties of the second part at any time a confirmatory mortgage on the said lands, machinery and plant as additional security to the said mortgage.

5. The said parties of the first part also agree to insure and keep insured during the period any portion of the said debt remains unpaid against loss or damage by fire, in insurance companies to be approved of by the said parties of the second part their buildings, plant, machinery and stock (manufactured, unmanufactured and in the course of manufacture) to an amount not less than the debt existing from time to time from the said parties of the first part to the said parties of the second part and in such proportions upon the said buildings, plant, machinery and stock as may be required by the said parties of the second part and

will pay all premiums and sums of money necessary for such purpose as the same shall become due and will assign, transfer and deliver over unto the said parties of the second part the policy or policies of assurance receipt or receipts thereto appertaining and if the said parties of the second part shall pay any premiums or sums of money for insurance of the said premises or any part thereof the amount of such payment with interest thereon at the rate of six per cent per annum, from the time of such payment shall be repayable to them forthwith.

6. And the said parties of the first part agree to notify the said parties of the second part of their board meetings, and that the mayor of the said town, or such one of the town auditors as the Council may from time to time appoint, shall be entitled to and may attend the said board meetings, and to inspect and examine the monthly and other statements of the affairs of the said parties of the first part, and for such purpose shall have access to the books and vouchers of the said parties of the first part at all reasonable times, but not more frequently than once a month to verify such statements, and the said parties of the first part agree to produce at their head office in the said town of Barrie all of their books and vouchers at any time on demand for the purpose of such inspection and verification, and should the said parties of the first part not be found paying their liabilities as they mature the moneys secured as aforesaid shall immediately become due and payable.

7. The said parties of the first part also agree that the lands, buildings, machinery and plant for the acquiring, erecting, purchasing and installing, of which the said advance from the said parties of the second part is to be made as hereinafter set forth, are to be such only as shall be acquired, erected, purchased and installed after the passing of the by-law hereinafter mentioned, and any lands, buildings, machinery and plant now or at the said time owned by the said parties of the first part are not to be taken into account or estimated for in arriving at the amount to be advanced by the said parties of the second part as hereinafter set forth.

8. The said parties of the first part further agree that before the said parties of the second part shall be called upon to make any of the advances hereinafter referred to, they the said parties of the first part shall have at least forty thousand dollars of their stock subscribed, on which there shall be paid up at least \$30,000 in cash, the amount of the paid up stock now being under \$17,000, and the said parties of the first part shall furnish the statutory declaration of their president or treasurer proving the said facts, nor shall the said parties of the second part be called upon to pay any part of the said loan to the said parties of the first part until the said parties of the first part shall have purchased and paid for said building site, and shall have delivered to the parties of the second part the said mortgage.

9. The said parties of the second part agree to advance, lend and pay over to the said parties of the first part, in sums of not less than \$5,000 at any one time, such an amount of money as shall be required for the purchase of the said site, the erection of the said buildings, and the purchase and installation of the said machinery and plant, not to exceed in the whole the sum of \$30,000, and the said monies shall be payable and be paid from time to time in manner following, that is to say, as the work of the erecting said buildings and the purchase and installation of the machinery and plant progresses there shall be produced to the said parties of the second part progress certificates of the architect in charge of such building operations, and receipted bills or invoices for said machinery and plant and materials, and on production thereof, the said parties of the first part shall be entitled to receive from the said parties of the second part seventy-five per cent. of the value of said work, materials, machinery and plant as represented by said progress certificates and receipted bills and invoices, such advances, however, not to be less than \$5,000 at any one time, as hereinbefore mentioned, and such progress certificates shall state whether or not they include the price of any machinery and plant and materials, and in the event of the said parties of the second part being dissatisfied with the progress certificates and receipted bills and invoices to be issued as aforesaid, they shall be at liberty to demand and receive a

statutory declaration made by the president, manager or treasurer of the said company stating that the certificate of the said architect is true and correct to the best of his knowledge and belief, and that the sum then claimed by the company is fairly and properly payable for the said lands, buildings, plant and machinery, as the case may be, and that all monies previously received by the said parties of the first part from the said parties of the second part had been actually paid out on account of the said lands, buildings, plant and machinery in accordance with the terms of this agreement. The remaining 25 per cent. required for the purchase of the said lands, and the erection of the said buildings thereon, and the purchase and installation of the said machinery and plant shall be paid to the said parties of the first part so soon as the said tannery is completed and in running order, and the time for registering liens against any part thereof has expired.

10. The debentures to be issued by the said parties of the second part in pursuance of the said by-law are to bear interest at the rate of three and one-half per cent per annum payable half yearly, and the parties of the first part are to bear any loss should the said debentures sell for any less than their face or par value and to receive any profit on any debentures that may be sold should they sell for more than such face or par value, such excess however is not to be paid until the time arrives for the payment of the 25 per cent reserved as aforesaid.

11. The said parties of the second part also agree to submit a by-law to the electors of the municipality entitled to vote on money by-laws not later than the 26th day of February next, for the purpose of obtaining their assent to the said loan, and also will aid the said parties of the first part in securing legislation to ratify such by-law, and enable the said loan to be made, and to enable the said parties of the second part to take the said security therefor, the provisions of the said Act to be first approved of by the parties of the second part before becoming law.

12. The expenses connected with the passing of the said by-law the taking of the said vote and the securing of the said legislation and registration of the said mortgages, by-law and this agreement shall be borne and paid by the said parties of the first part except in so far as the said parties of the second part shall incur expense for legal advice and services for which legal advice and services they the said parties of the second part shall pay and except also the cost of advertising and publishing the proposed by-law and the cost of taking the said vote which the said parties of the second part shall also bear.

13. It is understood and agreed that this agreement shall not become operative and binding upon the parties *hereto* unless and until the necessary assent of the electors aforesaid shall have been obtained to the passing of such by-law and unless and until this agreement and the said by-law shall have been made valid and duly legalized and confirmed by the legislature of the Province of Ontario.

In witness whereof the said parties of the first part have hereunto affixed their corporate seal and the hand of their president and secretary and the said parties of the second part have hereunto affixed their corporate seal and the hand of the mayor and clerk of the said corporation.

S. R. WICKETT,
President.

G. H. ESTEN,
Secretary.

G. A. RADENHURST,
Mayor.

E. DONNELL,
Clerk.

Corporate
Seal.

Corporate
Seal.

SCHEDULE B.

(Section 2.)

BY-LAW NO. —, BEING A BY-LAW TO AUTHORIZE THE LOAN OF \$30,000 TO THE BARRIE TANNING COMPANY (LIMITED), AND TO AUTHORIZE THE ISSUE OF DEBENTURES TO RAISE SAID LOAN.

Whereas The Barrie Tanning Company, Limited, has applied to the

municipal corporation of the town of Barrie for a loan of \$30,000 upon the security of a mortgage on the land, machinery and plant of the said company, and otherwise, as more fully set out in an agreement made between the said company and this corporation, bearing date the Thirtieth day of January, 1900, for the purpose of aiding the said company to erect larger premises, instal more modern machinery and plant, and generally to increase the business of the said company, thus rendering necessary the employment of many more persons than at present employed by the said company, and it is desirable to grant the said application.

And whereas it will be necessary for such purposes to issue debentures of the said corporation for the said sum of \$30,000.

And whereas it will be requisite to raise annually during the term of twenty years hereinafter mentioned by special rate to pay the said debt to be created by this by-law and interest thereon, the sum of \$2,110.83.

And whereas the amount of the whole rateable property of the municipality of the town of Barrie, according to the last revised assessment roll is \$1,566,615.

And whereas the amount of the existing debenture debt of the said municipality is \$220,941.99, of which no part, either for principal or interest is in arrear.

Therefore the municipal council of the corporation of the town of Barrie enacts as follows:

1. That to raise the sum of \$30,000 for the purposes aforesaid, it shall be lawful for the corporation of the said municipality to issue debentures of the said municipality to said amount in sums of not less than \$100 each, payable within twenty years from the date of the assent to the Act authorizing or legalizing this by-law.

2. That the said debentures so to be issued for the said sum of \$30,000 shall bear interest at the rate of $3\frac{1}{2}$ per cent. per annum, payable half yearly, such debentures shall be payable in twenty annual successive instalments, and such annual instalments of principal and semi-annual instalments of interest to be of such amount that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of such period, and one of such debentures or instalments of principle shall be payable at the end of each year from and after the date of the assent to the Act confirming this by-law for the said period of twenty years, as shown in the schedule to this by-law, the said interest being payable at the end of each half year during the same period.

3. That the said debentures as to principal and interest shall be payable at the branch of the Bank of Toronto in the said town of Barrie.

4. That it shall be lawful for the mayor of the said municipal corporation, and he is hereby authorized and instructed to sign and issue the said debentures hereby authorized to be issued and the interest coupons attached thereto, and to cause the same also to be signed by the treasurer of the said municipality, and the clerk of the said municipality is hereby authorized and instructed to attach the seal of the said municipality to the said debentures.

5. There shall be raised and levied in each year during the currency of said debentures or any of them by special rate on all the rateable property of the said municipality in the same manner as other taxes are levied, a sum sufficient to pay and discharge the said several yearly sums of principal and half-yearly sums of interest so accruing due as the same become respectively payable according to the terms of this by-law, that is to say the said total sum of \$2,110.83 in each of said years; provided that the moneys paid by the said company under the said mortgage (and which moneys are intended to meet the said debenture debt) shall be applied in payment of the said debentures and coupons and it shall not be necessary to actually collect the said rate in any year in which the said company has made payment under the said mortgage and the town has from that source sufficient money in hand to pay the debentures and coupons coming due in said year.

6. The purchaser of any of the said debentures shall not be required to see to the application of the purchase money thereof or that the condition of any agreement made or to be made between The Barrie Tanning Com-

pany and the corporation of the town of Barrie have been complied with, observed or performed, but said debentures and coupons shall be unimpeachable on any such grounds in the hands of any purchaser for value.

7. That this by-law shall come into force and take effect upon the same being authorized or confirmed and legalized by the Legislature of the Province of Ontario.

8. The votes of the duly qualified electors of the said town of Barrie shall be taken on this by-law on Monday the 26th day of February, 1900, commencing at 9 o'clock in the forenoon, and continuing until 5 o'clock in the afternoon, at the undermentioned places and by the following Deputy Returning Officers, that is to say:—

Ward No. 1.—Caldwell's shop, L. G. Erly.

Ward No. 2.—Market Building, Joseph Rogers.

Ward No. 3.—Fire Hall Building, R. J. Fletcher.

Ward No. 4.—E. B. Reid's shop, John Powell.

Ward No. 5.—Hogg's Woollen Mill, Thomas Milbee.

Ward No. 6.—Orange Hall, Edward Whitebread.

9. That on the 23rd day of February, 1900, at the Council Chambers in the said town of Barrie, at 2 o'clock in the afternoon, the Mayor will appoint in writing, signed by him, two persons to attend at the final summing up of the votes and one person to attend at each of the said polling places on behalf of the persons interested in and desirous of promoting the passing of this by-law, and a like number of persons and for the same purpose on behalf of the persons interested in and desirous of opposing the passing of this by-law.

10. That the said Clerk of the said council shall at his office in the said Council Chambers on the 27th day of February, 1900, at the hour of two o'clock in the afternoon sum up the number of votes given for and against this by-law.

Schedule to the foregoing By-law No. 483.

| No. of debenture. | Annual instalment of principal. | When principal payable. | Semi-annual payment of interest. | Total payments of principal and interest. |
|-------------------|---------------------------------|-------------------------|----------------------------------|---|
| 1..... | \$1,060 83 | 1901 | \$625 00 | \$2,110 83 |
| 2..... | 1,097 96 | 1902 | 506 43 | 2,110 83 |
| 3..... | 1,136 39 | 1903 | 487 22 | 2,110 83 |
| 4..... | 1,176 17 | 1904 | 467 33 | 2,110 83 |
| 5..... | 1,217 33 | 1905 | 446 75 | 2,110 83 |
| 6..... | 1,259 94 | 1906 | 425 44 | 2,110 83 |
| 7..... | 1,304 03 | 1907 | 403 40 | 2,110 83 |
| 8..... | 1,349 68 | 1908 | 380 58 | 2,110 83 |
| 9..... | 1,396 91 | 1909 | 356 96 | 2,110 83 |
| 10..... | 1,445 81 | 1910 | 332 51 | 2,110 83 |
| 11..... | 1,496 41 | 1911 | 307 21 | 2,110 83 |
| 12..... | 1,548 78 | 1912 | 281 02 | 2,110 83 |
| 13..... | 1,602 99 | 1913 | 253 92 | 2,110 83 |
| 14..... | 1,659 10 | 1914 | 225 86 | 2,110 83 |
| 15..... | 1,717 16 | 1915 | 196 83 | 2,110 83 |
| 16..... | 1,777 26 | 1916 | 166 78 | 2,110 83 |
| 17..... | 1,839 47 | 1917 | 135 68 | 2,110 83 |
| 18..... | 1,903 85 | 1918 | 103 49 | 2,110 83 |
| 19..... | 1,970 48 | 1919 | 70 17 | 2,110 83 |
| 20..... | 2,039 45 | 1920 | 35 69 | 2,110 83 |
| | \$30,000 00 | | | |

Read a first and second time in open council on the 30th January, 1900.

Read a third time and finally passed on the 5th day of March, 1900.

(Signed)

G. A. RADENHURST,

Mayor.

E. DONNELL,

Town Clerk.



No. 50.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting By-law No. 483 of the
Town of Barrie.

First Reading, 14th March, 1900.

*(Reprinted as amended by Private Bills
Committee.)*

MR. THOMPSON.

TORONTO :

PRINTED L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting the Town of Leamington.

WHEREAS, the municipal corporation of the town of ^{Preamble} Leamington and the municipal corporation of the county of Essex have by petition represented that the said municipal corporations have entered into an agreement, 5 whereby the municipal corporation of the Town of Leamington has agreed to furnish, upon the terms contained in the said agreement, natural gas, water and light to the House of Refuge and Industry, about to be erected by the municipal corporation of the county of Essex, which said agreement bears date 10 the 19th day of January, 1900, and a copy whereof is contained in schedule "A" to this Act; and whereas a by-law has been passed by the municipal council of the town of Leamington, being by-law No. 239, entitled "A by-law to adopt and confirm the terms and conditions of a certain agree- 15 ment made between the municipal corporation of the town of Leamington and the municipal corporation of the county of Essex, bearing date the 19th day of January, 1900, and to authorize the execution of the same," adopting said agreement and authorizing the Mayor and Clerk to sign the same and 20 affix the corporate seal thereto, a copy of which said by-law is contained in schedule "B" to this Act; and whereas doubts have arisen as to the power and authority of the corporation of the town of Leamington to enter into said agreement and pass the said by-law and the corporation of the town of 25 Leamington and the corporation of the county of Essex have by their petition prayed that an Act may be passed to legalize, ratify, confirm and declare binding the said agreement upon the said corporation and to legalize, ratify and confirm by-law No. 239 of the town of Leamington; and whereas the corpora- 30 tion of the town of Leamington has by petition represented that it is desirous to obtain the power and authority to supply natural gas to any person or persons upon whatever terms is deemed expedient by the corporation of the said town of Leamington; and whereas the said corporation of the town of 35 Leamington has by petition prayed that an Act may be passed authorizing and empowering the corporation of the town of Leamington to supply natural gas to any person or persons at such rates as may be deemed expedient by the said corporation; and whereas it is expedient to grant the prayer of the 40 said petition.

Therefore her majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Agreement
with county
of Essex con-
firmed.

1. The agreement bearing date the 19th day of January, 1900' made between the municipal corporation of the town of Leamington and the municipal corporation of the county of Essex which is set forth in schedule "A" to this Act is hereby ratified, confirmed and declared to be legal and valid and to be binding upon the parties thereto. 5

By-law No.
239 adopting
agreement
confirmed.

2. By-law No. 239 of the town of Leamington, intituled as in the preamble to this Act, and set out in Schedule 'B' to this Act is hereby ratified and confirmed and declared to be legal, valid and binding upon the corporation of the town of Leamington. 10

Supply
natural gas

3. The corporation of the town of Leamington shall have the power and authority to make and carry out any agreement to supply natural gas to any person or persons, whether resident within or without the municipality of the town of Leamington, upon such special terms as the municipal council of the corporation of the town of Leamington may, from time to time, deem expedient, and the corporation of the town of Leamington may exercise all other powers necessary to the carrying out of any agreement that the council of the corporation of the town of Leamington may enter into with such person or persons, and such agreement or agreements may be for a term of years or otherwise as may be agreed upon. 15
20

SCHEDULE A.

(Section 1.)

Memorandum of agreement made in triplicate this 19th day of January, 1900, between the municipal corporation of the town of Leamington, hereinafter called the town, of the first part and the municipal corporation of the county of Essex, hereinafter called the county, of the second part.

Whereas the said county is about to erect a House of Refuge on lands lying adjacent to the said town, and being part of lot number 242, north of Talbot road, in the township of Mersea, in the county of Essex;

And whereas it is deemed advisable by the municipal council of the said town to assist in the maintenance of the said House of Refuge in the manner hereinafter specified in consideration of it being erected on said premises;

Now therefore this agreement witnesseth, in consideration of the premises and of the sum of one dollar now paid by the said county to the said town, the said town hereby agrees to lay and keep in repair a sufficiently large main from its natural gas system to a point in the said Talbot road adjacent to said lot number 242 to be designated by the said county or its officers, for the purpose of supplying the said House of Refuge with natural gas from its natural gas system, said pipe to be laid when required by the said county and its officers.

And the said town agrees that the said town may freely and lawfully and without hindrance or molestation from the said town, its servants, agents or workmen, but in a workmanlike manner pipe from the said main on Talbot street whatever natural gas is required for fuel in the said House of Refuge, so long as the said town supplies natural gas to the citizens of said town for domestic use.

And it is further agreed that the town will lay and maintain a four-inch main from the water-works system of the said town to a point on Talbot street adjacent to said lot 242, to be designated by the said county and its officers for the purpose of supplying the said House of Refuge with water.

And it is agreed that the said county may freely and lawfully and without molestation or hindrance from the said town or its servants, agents or workmen but in a workmanlike manner, pipe from the said main on Talbot street whatever water is required for all purposes of the said House of Refuge and its inmates and for the protection of the House of Refuge and other buildings from fire.

And the said town further agrees to pay for the continuous operation by the Leamington Electric Light Company, Limited, or by some equally competent company of sufficient incandescent electric lights to light the said House of Refuge for the period of five years from the date of the placing of the said lights in said House of Refuge.

In witness whereof the presiding officers and clerks of the said corporation have hereunto signed the names of the said corporations and signed their names and affixed the seals of the said corporations.

Signed, sealed and delivered
in presence of

(Sd) A. T. BOLES.

(Sd) P. H. HUGHES,

Mayor.

(Sd) W. C. COULSON,

Clerk.

Corporate seal of town of Leamington.

(Sd) J. D. A. DEZIEL,

Warden.

(Sd) THOS. MCKEE,

Clerk.

Corporate seal of county of Essex.

SCHEDULE B.

(Section 2.)

BY-LAW No. 230.

A by-law to adopt and confirm the terms and conditions of a certain agreement made between the municipal corporation of the town of Leamington and the municipal corporation of the county of Essex bearing date the 19th day of January, 1900, and to authorize the execution of the same.

Whereas it has been deemed advisable by the municipal corporation of the town of Leamington to enter into an agreement with the municipal corporation of the county of Essex for the purpose of assisting in the maintenance of the House of Refuge about to be erected by the said municipal corporation of the county of Essex, the terms of which agreement are contained in the document hereto annexed and to provide for the execution of the said agreement.

Be it therefore enacted by the municipal council of the corporation of the town of Leamington that the terms and conditions of the agreement between the corporation of the town of Leamington and the corporation of the county of Essex as they appear upon the document hereto annexed bearing date the 19th day of January, 1900, be and the same are hereby accepted and agreed to by the said municipal corporation of the town of Leamington.

2. That the mayor and clerk of the town of Leamington be and they are hereby authorized and instructed to execute the said agreement in said terms on behalf of the said municipal corporation of the town of Leamington and to affix the corporate seal of the said corporation of Leamington to said agreement.

Passed in open council this 19th day of January, 1900.

W. C. COULSON,
Clerk.

P. H. HUGHES,
Mayor.
Corporate seal.

No. 51.

3rd Session, 9th Legislature, 63 Vic, 1900.

BILL
An Act respecting The Town of Learning-
ton.

First Reading, 1900.

(Private Bill.)

Mr. AULD.

TORONTO:
PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act to validate and confirm an agreement entered into between the Corporation of the City of Toronto and Lever Bros., Limited, and a By-law of the said Corporation.

WHEREAS an agreement dated the 29th of June, 1899, was entered into between the Corporation of the city of Toronto and Lever Brothers, Limited, of Port Sunlight, a company incorporated under the "Imperial Companies' Act," 5 1862 to 1890 (hereinafter called the 'English Company') and its assigns, respecting certain streets and facilities for carrying on business on certain lands, containing about twenty-three acres near the Don Improvement Road, Eastern Avenue and Broadview Avenue in the City of Toronto and respecting the 10 taxation of the said lands and other matters; and whereas by by-law No. 3,743 of the said corporation, passed on the 10th day of July, 1899, by a two-thirds vote of all the members of the municipal council thereof, said agreement was confirmed, and the execution thereof by the said corporation was ratified, 15 validated and confirmed; and whereas the said agreement and all benefits and advantages thereof have been assigned to Lever Bros., Limited, a company incorporated under the "Ontario Companies' Act" (hereinafter called the 'Canadian Company') and the said Canadian Company has covenanted 20 to perform and carry out all parts of the said agreement which the English Company is, or may become liable to perform; and whereas the Canadian Company and the corporation of the city of Toronto have by their petition prayed for an Act validating and confirming the said agreement and by-law; and 25 whereas it is expedient to grant the prayer of the said petition:

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

30 1. The said agreement entered into between Lever Brothers, Limited, (the English Company) and the Corporation of the Agreement between Lever Brothers,

Limited, and the Corporation of the city of Toronto, and by-law No. 3,743 of the said Corporation, confirmed.

city of Toronto, dated the 29th day of June, 1899, and by-law No. 3,743 of the said corporation authorizing the execution of the said agreement, copies of the said agreement and by-law being set out in the Schedule to this Act, are hereby validated and confirmed, and the said agreement and by-law and all the terms and conditions of the same shall be valid and binding.

5

SCHEDULE.

No. 3,743.

A BY-LAW TO AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN THE CORPORATION OF THE CITY OF TORONTO AND LEVER BROTHERS, LIMITED. (PASSED JULY 10TH, 1899).

Whereas by Report No. 22 of the Board of Control, adopted by the council on the 26th day of June, 1899, an agreement therein set out was adopted by the council, and the mayor and treasurer authorized to execute the same on behalf of the city ;

And whereas it is deemed expedient to confirm the said agreement and authorize its execution by by-law, and this by-law has been prepared for such purpose ;

Therefore the Municipal Council of the corporation of the city of Toronto, by a two-thirds vote of all the members thereof, enacts as follows :

I. That the mayor and city treasurer be and they are authorized to execute the agreement between the Corporation of the city of Toronto and Lever Brothers, Limited, a copy whereof is set out in Schedule "A" hereto ; and the treasurer be and he is hereby authorized to affix the city seal thereto, but the said agreement is only to be binding upon the corporation so far as it has power to do or enact the several things contained therein until legislation is obtained validating and confirming the said agreement, and enabling the corporation to do the acts therein specified.

II. The said agreement having been executed by the mayor and treasurer, and the city's seal attached thereto, the execution of the same as aforesaid, on behalf of this corporation is hereby ratified, validated and confirmed.

I certify that I have examined this Bill and that it is correct.

W. A. LITTLEJOHN,
Acting City Clerk.

Council Chamber,
Toronto, July 10th, 1899.

{ L. S. }

JOHN SHAW,
Mayor.

SCHEDULE A

To BY-LAW No. 3,743.

Agreement made this twenty-ninth day of June, one thousand eight hundred and ninety-nine, between the Corporation of the City of Toronto, hereinafter called the "Corporation," of the first part, and Lever Brothers, Limited, hereinafter called the "Company," of the second part.

Whereas the company was incorporated under the English "Companies' Act," and carries on business as a manufacturer of soap, glycerine, dynamite and other articles, its chief place of business being at Port Sunlight, England ;

And whereas the company having determined to establish a branch of its business in Canada, the corporation has requested that such branch should be located in the city of Toronto ;

And whereas the company has represented to the corporation that it has secured from the trustees of the estate of the late John Smith an option for the purchase of certain land owned by said estate, comprising about twenty-three acres, and being that parcel of land bounded on the west by the highway known as the Don Improvement road ; on the south by Eastern avenue ; on the east by Broadview avenue, and on the north by a line drawn nearly parallel with Queen street at a distance of about one hundred and forty feet southerly from said street and extending from said Don Improvement road to Broadview avenue ; also a triangular parcel of land lying to the south of the above described land, and bounded on the north by Eastern avenue, on the west by said Don Improvement road, and on the south by the property of the Grand Trunk Railway Company, and that said company is prepared to purchase said land and to establish thereon a branch of its said business upon the corporation entering into the agreement hereinafter contained ;

And whereas negotiations in respect of the agreements and arrangements embodied in this agreement were being carried on prior to the date of the passing of "The Municipal Amendment Act, 1899," and were pending on said date ;

Now this agreement witnesseth that if the company becomes the purchaser of the lands above described, or some substantial part thereof, the corporation covenants and agrees with the company as follows :

1. So soon as the consent of the owners, mortgagees and lessees of the "Byres" property hereinafter mentioned to such closure has been obtained to close as a public highway that part of the public Esplanade or highway on the east side of the river Don, having a width of one hundred and twenty-five feet extending from the south limit of Eastern avenue to the property of the Grand Trunk Railway Company, and to convey the land so closed in fee to the company, but such closure and conveyance is to be subject always to the existing rights, if any, of any railways entitled under any existing legislation or agreements with the corporation to use any part of said highway.

2. To replace the present piling on the east bank of the river Don in front of that portion of said land lying between Eastern avenue and the property of the Grand Trunk Railway Company with substantial cribwork of timber and stone, such cribwork to be raised to the height of the centre of the roadway of Eastern avenue, where said roadway is intersected by the present travelled road along the east side of the Don river ; and the land lying between said cribwork and the present western limit of the said land of the Smith estate to be filled in and raised to the same level.

3. To construct, level, grade and macadamize to the width of thirty feet that part of said public Esplanade or highway on the east side of the Don river, reserved for a roadway as shewn on Unwin, Browne & Sankey's plan of the Don improvement, and herein referred to as the Don improvement road, from Queen street to Eastern avenue, so as to make the same a good substantial road, and to construct a substantial wooden sidewalk six feet wide, along the east side of said road between the same points.

4. To properly level, grade and macadamize at the expense of the corporation, and not as a local improvement, to the width of thirty feet the highway known as Eastern avenue, from the said Don improvement road to the point of intersection of Eastern avenue by the Grand Trunk railway, so as to make the same a good, substantial road, and to construct a substantial wooden sidewalk six feet wide along the south side of Eastern avenue between the same points, but this clause and clause 3 shall not apply to renewals or reconstructions.

5. To extend the city water pipes and water (if not already there) along Eastern avenue to the eastern boundary of the said land on Eastern avenue and to place on said Eastern avenue the necessary hydrants for fire and other purposes.

6. To provide on Eastern avenue (if not already there) the necessary sewer but not private drains for the proper drainage of the company's said premises.

7. So soon as permission to construct the private road hereinafter men-

tioned has been secured from the owners of the lands upon which it is to be situate (such permission to be obtained without expense to the corporation) to lay out, construct, grade, level and macadamize at the expense of the corporation, a good substantial road twenty feet wide, commencing at Eastern avenue, where the same intersects the property of the Grand Trunk Railway, and thence extending southerly across the property of said railway company and along or near the easterly boundary of the property leased by the late John Smith to Gooderham & Worts, Limited, known as the "Byres," a distance of eight hundred feet more or less to an existing private road; said new road to be a private road for the said "Byres" property only.

8. The corporation shall not be bound to do any of the works herein provided for in paragraphs 1 to 7 inclusive, during the present year, nor until the company shall have spent at least the sum of fifty thousand dollars in the erection of its buildings and works mentioned in paragraph 15 hereof, but thereafter the corporation shall forthwith proceed to do the said works provided for in said paragraphs 1 to 7 inclusive, and so continue the said works simultaneously with the erection by the company of its buildings and works as provided in paragraph No. 15 hereof to completion, so that the works by the corporation and by the company shall be completed as near as may be at the same time.

9. To deepen to such depth as the company may from time to time find necessary for the purposes of its business during the season of navigation, not, however, exceeding a depth of fourteen feet, the Don river from Eastern avenue to its entrance into the bay and thence to the channel in the harbor leading to its eastern entrance from the lake, and to maintain the same at such depth; provided that in no case shall the corporation be obliged to do any deepening prior to the year 1901, nor in any case to provide a greater depth in said river and bay than that of the said channel; provided also that the corporation shall not be obliged to do such deepening unless and until the company find the same to be necessary for the purposes aforesaid, and then only as and when requested in that behalf; provided nothing contained in this agreement shall operate to prevent the city council, the Dominion parliament or government, or the harbor commissioners, or any or either of them, from changing the present channel of the Don river south of the Grand Trunk Railway bridge and its entrance into the bay or lake, in any way they may think advisable, and closing the present channel or part thereof south of the said bridge, but in case of such change being made, the corporation shall provide and maintain a like depth of water in the new channel and entrance, and shall provide and maintain access with like depth of water for the company by means of such new channel to and from its said property, from and to the said channel in the harbor leading to the eastern entrance of the lake, or from and to the lake itself; and such new channel and changed access shall be accepted by the company in lieu of that herein provided for.

10. All of the foregoing shall be done without expense to the company, and no assessment shall be made against the company's property in respect thereof, or any part thereof, by way of local improvement or otherwise, except as in this clause is hereafter provided, and no assessment shall hereafter be made against the said lands acquired by the company in respect of any former expenditure by the corporation on the works known as the "Don Improvement"; provided, however, that nothing in this clause contained shall diminish the liability of the company to pay any general taxes payable by the ratepayers of the city as a whole, or any special taxes in respect of property hereafter acquired by the company, not referred to in this agreement.

11. To join with the company in any application that may be made to the railway committee of the Privy Council or other proper authority in that behalf to compel the Grand Trunk Railway Company to replace the present fixed bridge over the Don river by a swing or other movable bridge.

12. No dock or harbor charges under the control of the corporation shall be imposed or levied in respect of the wharf or docks in front of the company's property, or on goods landed at, or shipped from, such wharf.

13. If the property of the company should at any time during the

period of ten years from the first day of January, 1900, be assessed for the purposes of taxation at a sum greater than sixty thousand dollars, then during the said period of ten years the property of the company shall, to the extent of such excess, be exempt from taxation except as to school taxes. Provided always that any buildings hereafter erected on the said property and used as residences by the company's employees or others or rented to tenants shall be subject to assessment in the usual way in addition to the said sixty thousand dollars.

14. Any by-laws necessary to give effect to this agreement and to carry out the same, shall be passed without delay; and the company and the corporation will join in applying to the proper authorities for legislation to validate and confirm this agreement.

15. In consideration of the foregoing, the company agrees with the corporation that upon securing a proper title free from incumbrances to the said lands, or some substantial portion thereof, it will forthwith proceed with the erection of all buildings and works for the manufacture on said lands of soap, glycerine, dynamite and other by products thereof, such buildings and works to cost not less than one hundred thousand dollars.

16. This agreement may be assigned by the company to any new company which may be formed for the purpose of carrying upon the said lands the business of manufacturing soap, glycerine, dynamite, etc., and of the name of such new company, the words "Lever Brothers" shall form a part and upon such assignment being made, and notice thereof given to the corporation such new company shall by virtue of such assignment be and be deemed to be substituted for the company, the party hereto, and shall be and become entitled to all the rights and interests of the company, and be bound by all the agreements of the company herein contained; and whenever the company is mentioned or referred to in this agreement, such mention or reference shall extend to and include such new company and its successors and assigns: Provided however, that the partial exemption from taxation provided for in clause 13 hereof shall be limited to the company, the party hereto of the second part, and to the new company to be formed as herein provided for.

17. This agreement is subject to the provisions of by-law number 3,741 passed by the council of this corporation upon the twenty-sixth day of June, one thousand eight hundred and ninety-nine, as though the same were repeated herein.

In witness whereof this agreement has been duly executed by the parties hereto.

In presence of:

R. A. STATON.

JNO. SHAW,
Mayor.

R. T. COADY,
Treasurer.

City of
Toronto
SEAL.

In presence of:

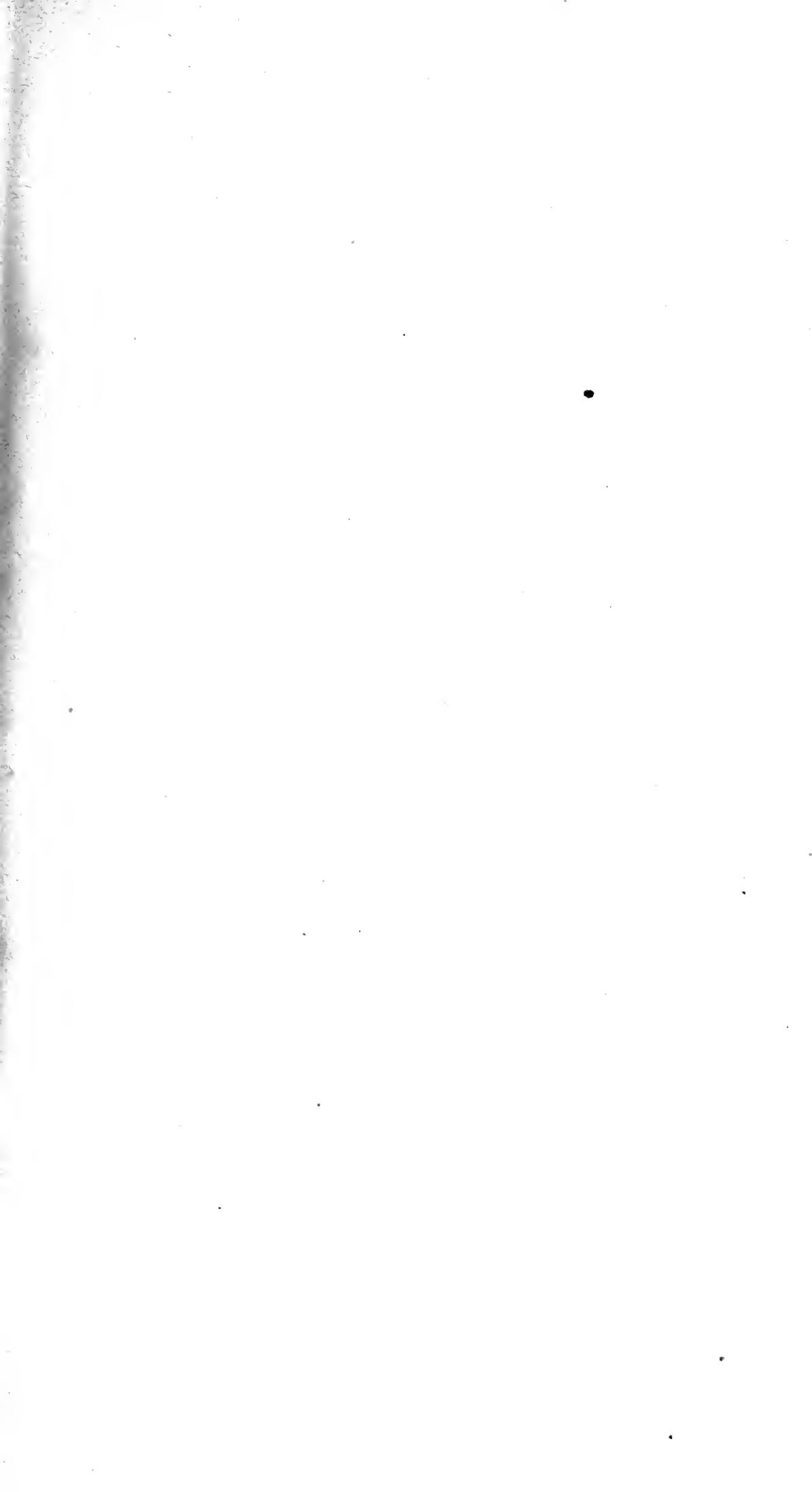
W. A. H. KERR,
As to execution by Lever Brothers, Limited, by its attorney, Alfred Robinson.

LEVER BROTHERS, LIMITED,
By its Attorney,
Alfred Robinson.

(Authorized by Report No. 22 of the Board of Control, adopted in Council, on the 26th day of June, A. D. 1899.)

W. A. LITTLEJOHN,
Acting City Clerk.)





BILL.

An Act to validate and confirm an Agreement entered into between the Corporation of the City of Toronto and Lever Brothers, Limited; and By-law No. 3743 of said Corporation.

First Reading, _____, 1900.

(Private Bill)

Mr. FOY.

TORONTO:

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act respecting The Toronto Suburban Street
Railway Company, Limited.

WHEREAS the Toronto Suburban Street Railway Com- Preamble.
pany, Limited, has under its Act of Incorporation and
amendments thereto, constructed and is now operating a rail-
way in the township of York, the town of Toronto Junction
5 and adjoining municipalities. And whereas the said com-
pany has by its petition prayed that an Act may be
passed changing the name of the company and legal-
izing and confirming certain agreements entered into be-
tween the company and the municipal corporations of the
10 village of Weston, the township of York and the town of
Toronto Junction. And whereas it is expedient to grant the
prayer of the said petition.

Therefore Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
15 as follows :—

1. The name of the said company is hereby changed to The Change of name.
Toronto Suburban Railway Company, but the powers, rights
and liabilities of the company shall not be affected in any
manner by such change of name and all contracts and agree-
20 ments made, powers exercised and rights, franchises and pro-
perty acquired by the said company under its prior corporate
names shall remain valid and binding and be the contracts,
agreements, powers, rights and property of The Toronto
Suburban Railway Company.
- 25 2. No stockholder shall be personally liable for the promises, Liability of shareholders limited.
contracts, debts, undertakings, tolls or liabilities of the com-
pany beyond the amount remaining unpaid upon stock held
by him and to that extent only after the other assets (if any)
of said company shall be realized upon.
- 30 3 Any passenger refusing to pay his fare may with his Passengers refusing to pay fare.
baggage, by the conductor of the car or train and the servants
of the company, be put out of the car or train at any usual
stopping place or near any dwelling house as the conductor
elects, the conductor first stopping the car or train and using
53 no unnecessary force.
4. The agreements between the corporation of the village of Confirmation of agreements.
Weston, bearing date the 27th day of October, 1898, the cor-

poration of the township of York bearing date the 4th day of September, 1899, and the corporation of the town of Toronto Junction bearing date the 11th day of November, 1899, and the company, which are fully set forth in the schedules A, B and C to this Act are hereby confirmed and declared to be 5 within the powers of the respective parties thereto and to be valid, legal and binding for all purposes to the same extent and in the same manner as if the several clauses of such agreements were set out and enacted as part of this Act, and by-laws number 240 of the Village of Weston and number 10 475 of the Town of Toronto Junction as set forth in Schedules D and E to this Act are hereby confirmed and declared to be legal, valid and binding upon the said municipalities respectively and the ratepayers thereof.

And it is hereby declared that under the said agreements 15 with the village of Weston and the township of York the company is entitled to the exclusive right and privilege of using and working a railway in and upon the streets, roads and highways of the village of Weston as in said agreement provided for the full period of thirty years from the 27th day 20 of October, 1898, and on the streets, roads and highways in the township of York as in the said agreement provided for the full period of thirty years from the 4th day of September, 1899, and in both cases to renewals thereafter, but according to the terms and conditions in the said agreements expressed 25 and contained.

Varying
existing
conditions.

5. The said agreements and all other agreements varying existing agreements entered into between the company and any municipality may be varied from time to time by agreement between the company and the council of any such municipality, and such agreements so varied shall be binding for all purposes. 30

SCHEDULE A.

THIS INDENTURE MADE IN DUPLICATE THIS TWENTY-SEVENTH DAY OF OCTOBER, A.D., 1898.

(Section 4.)

Between: the Corporation of the Village of Weston, hereinafter called the Village, of the first part, and
The Toronto Suburban Street Railway Company, Limited, hereinafter called the Company, of the second part.

Whereas by indenture bearing date the 20th day of November, A.D., 1895, the said village did grant permission to the said company to construct, complete, maintain and operate and iron or steel rail or tramway upon and along the Weston road in the village of Weston on the terms, conditions, covenants, provisos and stipulations contained and set forth in the said indenture.

And whereas differences arose between the parties hereto in the carrying out of said agreement, and although said railway was partly con-

structed the operation of the same has been recently discontinued and said agreement terminated.

And, whereas the said company has applied to the said village to again sanction the operation of the portions of said railway already constructed and the construction and operation of the extensions of said railway as hereinafter set forth upon and along Weston road in the said village.

And, whereas the said village is willing to grant such permission on the terms and conditions hereinafter set forth and to enter into an agreement with the said company such as is hereinafter contained.

Now this indenture witnesseth :

1. The company shall have the right to maintain and operate as far as is now constructed and to construct, complete, maintain and operate and from time to time change and renew subject to the conditions hereinafter specified an iron or steel rail or tramway upon and along the Weston road in the said village of Weston.

2. The roadway, tracks and rails of the extension of the said railway or tramway shall be located and constructed along such portion of said Weston road as shewn by the plans, profiles, cross sections and specifications prepared by Jas. Macdougall, C.E., and for such portion not so shewn according to the plans, profiles, cross-sections and specifications to be made by the village engineer for the time being or such engineer as the village may appoint for that purpose.

3. The construction of the extension of said railway or tramway shall be commenced forthwith after the execution of this agreement and the passing of the by-law confirming the same and shall thenceforward be carried on to completion to a point on Weston road opposite the post-office in the said village within one month from the date of the passing of the said by-law and the further construction of the said railway to Humber street shall be completed within such time as is hereinafter more particularly set out and agreed. The said Weston road to be kept open for traffic while the construction is going on to the satisfaction of the village council.

3. (a) The said company as a guarantee of their intention to construct the extension of their railway as far as the post-office will deposit a marked cheque upon the execution of this agreement for the sum of \$500, which amount shall be refunded by the village immediately upon the completion of said extension, but the company shall forfeit the said sum of \$500 if the said extension is not completed within 10 days of the date herein agreed upon subject to the provisions of clause 31 hereof.

4. The location of the company's tracks after once being put down shall not be altered without the consent of the council of the village of Weston.

5. The operation of that portion of said railway already constructed shall be commenced forthwith and of the portion to be constructed to the post-office forthwith after construction.

The balance of the said railway to be constructed from opposite the post-office to the said Humber street shall be operated forthwith after the construction thereof is complete.

6. The company for the purpose of operating and constructing may

(a) Lay down such tracks, rails, cables, conduits and sub-structures upon such portions of the Weston road as may be occupied by the company's railway under this agreement.

(b) Erect and maintain such poles and wires on the Weston road as may be necessary for operating the company's railway and for conducting electricity for any of the purposes provided for in the various Acts relating to the company provided that no wire shall be strung at a less height than fourteen feet from the ground and the location of such poles shall be first approved of by the engineer.

(c) Construct, put in and maintain such culverts switches and turnouts and sidings as may from time to time be found to be necessary for operating the company's line of railway on the Weston road or leading to any of the cross streets leading into or from the Weston road, or for the purpose of leading to any track allowance or rights of way on lands adjacent to the Weston road where the company's line deflects from the Weston road or to the company's works, power houses or car sheds, and the com-

pany may with the consent of the council of the village of Weston from time to time alter such culverts, switches, turnouts and sidings, the number and location of such culverts, switches, turnouts and siding to be approved by said council.

7. All tracks laid on any portion of the street or road shall conform to the grade of the street or road, as provided in said profiles and cross-sections.

8. The company shall at all places where switches, turnouts and sidings are constructed macadamize or gravel the portion of the travelled road within and alongside of such switches and turnouts and sidings in the same manner as herein provided for the main line.

9. The company shall forthwith proceed to lay down and maintain ballast or gravel to the satisfaction of the council of said village for the whole length of the track now constructed between the rails and outside the rails for a width of eighteen inches, and as nearly as practical flush with the rails, and in case the village should change the material with which the roadway is constructed then the company will forthwith change the said portions of the road and use similar material. This clause shall apply to the portions of the rail or tramway hereafter to be constructed upon construction.

10. If the company neglects to lay down and maintain the track allowances as aforesaid, and the culverts, crossings, switches, turnouts or sidings referred to in this agreement, or to make the necessary repairs according to this agreement, the village may give notice to the company requiring such work to be done forthwith, and the resolution of the council of the said village for the time being as to the necessity for such work shall be binding and conclusive upon the company, and if after giving such notice the company does not within one week begin, and thereafter with all reasonable diligence carry on such work to completion, the village shall have the right to cause such work to be done, and the company shall pay to the village the expenditure incurred in doing or completing such work upon demand.

11. At the intersection of the company's railway or cross-streets or highways crossing or leading into the Weston road, the company shall construct and keep in repair crossings for vehicles and for foot passengers of a similar character to those adopted by the village, and shall construct underneath its track allowances such culverts and waterways as are in the opinion of the council of the village necessary for drainage purposes, and shall at the entrances to private properties which the company's railway crosses construct and maintain such driveway approaches wherever the council of the village directs. Where the company's track is built over any existing culverts, then the company shall extend such culverts as may be directed by the council of the village so that the travelled road shall have a width of eighteen feet, provided the width of the constructed road will permit between the company's track and the end of the culvert on the opposite side of the road. There shall also be fender planks the thickness of the depth of the rail and twelve inches wide, spiked close to each rail on the inside and outside of said rails at street crossings, as may be required by the council aforesaid, or their engineer, the same to facilitate the crossing of said rails by vehicles.

12. The company may at any time hereafter change the gauge or rails upon its rail or tramway now constructed or that may be hereafter constructed by the said company under any authority of the council of the village of Weston, from the now or then existing gauge or rail to such gauges or rails as may from time to time be adopted by the company.

13. All work necessary for changing the said gauge or rails shall be done in a substantial manner, according to the best modern practice, to the satisfaction of the engineer of the village for the time being.

14. The company shall have the right to remove the snow from and within its tracks and switches, provided that any snow put upon the graded part of the road by the company shall be evenly spread thereon in a manner to be approved by the council of the village. In no case shall chemicals except salt be used to remove snow or ice except at switches or turnouts.

15. In case the electric motors or cars used by the company in operating its railway whilst passing along the railway cause alarm to any horses travelling or being upon the Weston road with vehicles or otherwise, the motors or cars of the company shall if necessary be stopped to enable the horses so alarmed to pass without accident or injury, and if necessary the servants of the company in charge of such motors or cars shall assist the person or persons riding or driving, or in charge of such horse or horses, in endeavoring to prevent accident or injury to such person or persons, horse or horses, or to vehicles or other property of persons travelling, using or upon the Weston road.

16. The company shall run passenger cars over all their line now constructed and over parts thereof to be constructed upon construction each way at least every half-hour from six o'clock a. m. to eleven o'clock p. m., or as much more frequently as the traffic shall warrant.

17. The speed of the cars shall not exceed or be increased beyond fifteen miles per hour.

18. Passenger car conductors shall clearly announce the name of cross-streets, cross-roads and public squares and post-offices as the cars reach them.

19. The village may at any time after giving to the company twenty days' notice of its intention so to do take up any part of the street or road along which the company's railway is constructed for the purpose of altering the street or road or the grade thereof, constructing sewers, drains, culverts or side crossings, laying down gas or water pipes or underground wires, and for all other purposes within the province and privileges of a municipal corporation without being liable to the company for any injury or damage that may be occasioned thereby. When and so often as it may be necessary for the village to open the road or street for the purpose of repairing any such street or road, sewer, drain, culverts, gas or water services a reasonable notice shall be given to the company of the village's intention so to do and the work thereon shall not be unnecessarily delayed but shall be carried on and completed with all reasonable speed, due regard being had to the proper and efficient execution thereof, and the said village corporation shall not in any such case be liable to the company for any injury or damage that may be occasioned thereby. Provided however and in case the village should interfere with, remove or otherwise derange the company's track or works or any part thereof the village will replace the same at their own expense in the same condition as before interference within a reasonable time.

20. The fare from any part of the village of Weston to any point on the company's system or railway in the town of Toronto Junction or return shall be five cents. A class of tickets to be used within the village shall be sold at the rate of ten tickets for twenty-five cents.

21. Constables, fireman and mail carriers when on duty in uniform or wearing authorized badges in the employ of the village shall be carried free.

22. Cars are to be of a modern design for service and comfort including lighting and such as are in general use for electric railways, and shall be heated from the first day of November to the first day of April. They must be kept clean inside and out. Passenger cars are to be used exclusively for the conveyance of passengers and their personal baggage or baskets, not exceeding 25 pounds for each passenger, but such baggage or baskets shall not take up any seating space if required by passengers but a special or combination class of cars may be used for freight.

23. Cars shall always be stopped clear of cross streets. Cars shall have the right of way as provided in the *Street Railway Act* governing said company, and vehicles or persons are not to obstruct or delay their operation but drivers and conductors must at all times exercise every reasonable care for the safety of the public.

24. All work done under the authority of this agreement shall be done in a most substantial manner and according to the best modern practice to the satisfaction of the engineer of the village of Weston for the time being.

25. The alignment of the company's tracks, the location of switches and the grades of the roadbed of its railway shall be as shewn on said plan profiles and cross-sections.

26. The rails to be used by the company may be center bearing "T" rails, and the cars and motors to be used on the said railway within the village and all erections, appliances and material to be used on the said railway within the village shall be of an approved modern design and to the satisfaction of the council of said village.

27. The company shall pay such engineer as may be employed by the village and such solicitor as may be employed by the village for all services performed by them in connection with and on behalf of the company.

28. All persons using the said portions of the Weston road shall be at liberty to travel upon any portion of the travelled roadway occupied by the company's railway and in the same manner as upon other portions of the highway, and vehicles of every description are to be allowed upon such portions of the highway, it being agreed however that the company's cars shall have the right of way over the said railway as provided by the *Street Railway Act*, and the village will on request pass a by-law for the regulating the traffic and conduct of all persons travelling upon the streets and highways upon which the railway is laid in the said village, which by-law shall contain a provision that all vehicles or persons travelling on that portion of the highway occupied by the railway shall turn out upon meeting or being overtaken by any of the company's cars so as to give them right of way. The motorman shall sound a gong or bell when approaching crossings or vehicles on the track.

29. The rights and privileges authorized by this agreement shall extend over a period of twenty years from the date of these presents and said period shall be renewed or extended for a further term of ten years. And in the event of legislation being sought or required to authorize such renewal for such further term of ten years the said village hereby agrees at once on request being made by the said company to aid in procuring such legislation. And the said company shall have the exclusive right for the said period of twenty years and the said extended period of ten years as far as the village has power to so grant to operate a street railway on Weston road through the village of Weston.

30. Upon the expiration of the rights, privileges and franchises granted by this agreement the company shall be entitled to a renewal of the same for a like period, and upon the expiration of such renewed term to further renewals thereof but in case of any renewal upon such terms and subject to such conditions, covenants, provisos and stipulations as may be agreed upon between the village and its successors on the one part and the company and their successors and assigns on the other part, and in case the said parties are unable to agree then upon such terms, conditions, covenants, provisos and stipulations as may from time to time on each such renewal be determined upon by arbitrators to be appointed under the provisions of *The Municipal Act*, provided however that at the expiration or the existing privileges and franchise hereby granted the village may, upon giving notice in writing of their intention to the company six months prior to the expiration of the said existing privileges and franchises, and at the expiration of any fifth year thereafter upon giving one year's notice to the company assume the ownership of their railway or tramway as a going concern, and all real and personal property in connection with the working thereof upon payment of the value of the railway and the property as a going concern to be determined by arbitration. And the privileges of the company shall continue until the ownership is assumed by the village as aforesaid. (Subject to prior existing rights of other municipalities.)

31. The company agrees to build the extension of the railway to the post-office as herein provided, except as such construction may be delayed by any act of the village or its officials, or other act over which the company have not absolute control.

32. In case of neglect or failure on the part of the company to run cars the required number of trips as provided in this agreement, the company shall in such case forfeit and pay to the village for each day that cars are not run, as provided herein, the sum of twenty dollars as liquidated damages, and not as a penalty, but this clause shall not apply in case of neglect to run cars during days when it is impossible to run them by reason of bad weather, any act or deed of the village or any other muni-

cipality, accident to the road bed or machinery, strike among the employees or other unavoidable causes.

33. All the property of the company used in connection with the working of the railway and other objects covered by this agreement and appertaining thereto, and the income derived therefrom by the company, shall be exempt from taxation and from all local improvement rates and charges for a period of ten years from the date hereof and as far as the village has the power to grant the same or to recommend the same such exception, shall continue and be for the further period of ten years thereafter, and the village consents to any necessary legislation in that behalf.

34. The company agrees as soon as they instal an electric light plant to supply the said village and residents with street lights and interior lights at such rates and under such conditions as may be agreed upon between the company and the village.

Provided that said rate when fixed shall not be changed for a period of five years, and provided further that if such electric light plant be installed within the period of two years from this date, the said company shall have the exclusive right to contract for the supply of said lights for said term of five years.

35. There shall be no unnecessary delay on the part of the village or its officers in the getting of any certificate required by any of the provisions of this agreement, but the village and its officers shall and will in all things, so far as it is consistent with their duty, aid and assist the company in carrying out this agreement.

36. The company will construct, maintain and operate its railway in the manner and upon the conditions in this agreement set forth, and will faithfully perform, fulfil and keep all the conditions, covenants and agreements in this agreement expressed and contained, or on the company's part to be performed, fulfilled and kept.

37. In the event of any differences arising between the village and the company as to any matter or thing to be done or performed under the terms of this agreement, then the same, except as hereinbefore provided, shall be referred for determination under the provisions of the act relating to arbitrations, and references to the senior judge of the county of York for the time being, and an appeal shall lie from his decision to the high court of justice or other superior court having jurisdiction in this Province in such matters, and from that court an appeal shall lie to the court of appeal for Ontario, but no further or other appeal shall lie from the decision of the court of appeal for Ontario. And the parties hereto covenant and agree one with the other to institute no further or other appeal.

38. In the event of legislation being required to confirm this agreement or any clause or provision thereof, the village agree to support such legislation at the expense of the company.

39. The company will indemnify and hold harmless the said village from all loss, costs, damages and expenses of any kind that may be incurred in consequence of any litigation or threatened litigation in connection with anything done or permitted under the provisions of this agreement or in consequence of the construction or operation or existence of the company's railway or other works.

40. No motive power other than electricity shall be used by the company except with the approval of the council of the said Village of Weston.

41. Fenders shall be placed on all cars for the protection of the public, to the satisfaction of the council of the village.

42. The company shall remove at its own expense all material excavated in constructing its roadbed, and shall spread such material on the sides of the street at such places and in such manner as is satisfactory to the council of the village of Weston, or its engineer for the time being.

43. Wherever earth is removed by the company fresh gravel or stone shall be laid in a manner satisfactory to the council of the village, or its engineer for the time being, between the rails and for a space of eighteen inches wide on each side of the rails.

44. The company covenants and agrees with the village, the right thereto being previously acquired by said village, that it will remove the

telegraph poles necessary for the purpose of performing the provisions of this agreement on the side of the said Weston road to such points and in such manner as may be directed by the council of the village of Weston, and that the company will pay all expenses connected with such removal.

45. The company shall be compellable to commence the construction of that portion of the railway lying beyond the point in Weston road opposite the post-office and extending to Humber street of the said village, as soon as the profits of their railway shall be sufficient to cover the cost of such extension and the increased expense occasioned by the operation thereof, but the cost of installing a new power plant shall not be included in operating expenses, but nevertheless the said company shall be permitted to construct and operate such portion or any less portion thereof whenever they may desire to do so.

46. Wherever it is considered desirable or advantageous in the operation of the said railway to construct a switch or belt line for the more convenient and expeditious turning or handling of the rolling stock of said company, the said company shall have the right to construct and complete for operation and maintain such switch or belt line along any street or streets intersecting Weston road or connecting such intersecting street or through and upon any park or other property of the said village, in use for park purposes, subject in all cases, however, to the consent of the council of said village, and the approval as to manner, location and construction, of the village engineer for the time being, and subject to the provisions of this agreement.

47. The rails, poles, wires and other material used in the construction of the railway already constructed within the village are hereby declared to be and are the property of the company.

48. The company shall have the right and are hereby authorized to carry freight, express or mail matter within or through the village.

49. In the event of any work of construction, grading, excavating, or any alterations in the existing roadway becoming necessary because of the construction of said railway where the same passes under the Grand Trunk Railway bridge, or in the event of any work being ordered by the railway committee of the Privy Council at the said points, the company shall pay all expenses of and incidental to such work, and the maintenance and repair of the same, and all costs and expenses of or incidental to any proceedings at law and any appearance before said railway Committee.

This agreement and all covenants and provisions herein contained shall be binding upon and shall ensure to the benefit of the successors and assigns of the parties thereto.

In witness whereof the council of the said corporation of the village of Weston have caused the corporate seal of the said village to be affixed hereto by the hands of the reeve and clerk thereof, and the said The Toronto Suburban Street Railway Company, Limited, has caused its corporate seal to be hereunto affixed by the hands of R. Wilson Smith, President, and S. A. A. Watt, Secretary thereof.

The Toronto Suburban Street Railway
Co., Limited.

R. WILSON SMITH,
President.

Signed, Sealed and Delivered
in the presence of

E. J. HEATON.

S. WATT,
Secretary.

J. T. FRANKS,
Witness for Reeve and Clerk.

W. J. CHARLTON,
Reeve.

R. H. LEIGHTON,
Clerk.

SCHEDULE B.

(Section 4.)

This indenture made this Fourth day of September, in the year of our Lord one thousand eight hundred and ninety-nine, between the municipal corporation of the township of York, hereinafter called the township of the first part, and The Toronto Suburban Street Railway Company, Limited, hereinafter called the company of the second part.

Whereas, by a certain indenture bearing date the 20th day of April, 1891, and made between the township and the Davenport Street Railway Company, Limited, the said last mentioned company was granted the right to operate street railways upon Davenport road and Bathurst street as therein set out; and

Whereas, by a certain other indenture bearing date the 27th day of August, 1894, made between the township and the company, the company was granted the right to operate street railways upon that part of Weston road and a deviation thereof as is therein described; and

Whereas, by a certain act passed in the 57th year of Her Majesty's reign, being chapter 94, the company was incorporated and was thereby granted power to acquire and did subsequently acquire the rights, powers and franchises of The Davenport Street Railway Company, Limited, under the two hereinbefore in part recited agreements and said agreements were by said act confirmed and declared to be valid and binding upon the parties thereto; and

Whereas, it has been agreed between the parties hereto that the agreements hereinbefore in part recited shall be terminated, and that this agreement shall be entered into in substitution for the same, but upon the terms and conditions hereinafter set out and contained:

Now this agreement witnesseth:

1. The company shall have the exclusive right to construct, maintain and operate an iron and steel rail or tramway, single and double tracks, subject to the conditions hereinafter specified upon and along (a) Davenport road, in the township of York, from the northern limit of the city of Toronto to the eastern limit of the town of Toronto Junction, and that part of Bathurst street between the said Davenport road and the northerly limit of the city of Toronto; (b) Weston road, in the township of York; (c) a deviation of said Weston road from its intersection with the south-westerly limit of the Weston road to its intersection with the northerly limit of the town of Toronto Junction; (d) Dundas street, from the westerly limit of the town of Toronto Junction to the easterly limit of the township of Etobicoke; (e) the road allowance between the fifth and sixth concessions west of Yonge street, of the township of York, and the roadway connected therewith leading southerly to the northerly limit of the village of Weston, sometimes known as Weston road, and also the part leading therefrom westerly to and across the Humber river, sometimes known as the Albion road; (f) the side road allowance between lots 20 and 21, in the sixth and seventh concessions west of Yonge street, in the township of York, to the easterly limit of the township of Etobicoke, and the deviation therefrom across the River Humber; (g) the concession road allowance between the sixth and seventh concessions west of Yonge street, in the township of York, from the river Humber northerly to the old toll road leading to Woodbridge, and along the same northwesterly to and including the town line; (h) and over any lands which the company may acquire or may expropriate under the provisions of the statute in that behalf, but the exclusive privilege shall not extend to the erection of poles.

2. No motive power other than electricity or horse power shall be used without the consent of the township in any way at any time.

3. The location of the company's tracks not already constructed shall be located according to plans, profiles and cross-sections to be made by the township engineer and approved of by the township council.

4. The company for the purpose of operating its railway may (a) lay down such tracks, rails, cables, conduits and sub-structures upon such

streets, roadways, highways and bridges as may be occupied by the company's railway under this agreement; (b) maintain and erect such poles and wires as may be necessary upon and along such of the streets, roads and highways of the township as the said company may from time to time deem requisite or necessary for the purpose of carrying wires and supporting the appliances necessary for operating the company's line or lines of railway, and for conducting electricity in connection with any of the purposes provided for in the various Acts relating to the company; and provided that the township shall have the right to lay out the line in which the said poles may be erected, and provided further that no wires shall be strung at a less height than fourteen feet from the ground; (c) shall construct, put in and maintain such culverts, switches, turnouts and sidings as may from time to time be found to be necessary for the operation of the company's lines of railway on the streets herein set out or leading to any cross streets leading into or from any of the said streets, roads or highways, or for the purpose of leading to any track allowances or rights of way on lands adjacent thereto where the company's line or lines deflect from said streets, roads or highways, or to the company's power houses and car sheds, and the company may from time to time alter the location of such culverts, switches, turnouts and sidings, but that not more than two parallel tracks shall be laid in any one place without the consent of the township.

5. All tracks laid on any portion of the travelled street or road shall, so far as is practicable, conform to the street or road, and shall be laid flush with the streets so as to cause the least possible impediment to the ordinary traffic of the streets.

6. The company shall, where the rails are laid upon the travelled portion of the road, keep clean and in proper repair that portion of the travelled road between the rails, and for eighteen inches on each side of the rail or rails lying on or being next to the travelled road, and in default the township may cause the same to be done at the expense and proper cost of the company.

7. The company may deflect its line from the said streets, roads and highways and operate the same across and along private properties after expropriating the necessary rights of way under the provisions of the statutes in that behalf or otherwise acquiring the same, and the township agrees upon demand being made by the company to pass by-laws from time to time to enable the company to expropriate such lands as may be necessary for their purposes at the proper costs and charges of the company.

8. At the intersection of the company's railway and cross streets or highways crossing the said streets, roads or highways, and at entrances to private properties now existing, or may hereafter be required, the company shall construct and keep in repair for the width of the railway, and eighteen inches on the outside of each rail, crossings of a similar character to those adopted by the township, and shall construct underneath its tracks allowances such culverts and waterways as are necessary for drainage purposes.

9. The company may at any time hereafter change the gauge of its railway now constructed, or that may be hereafter constructed, by the said company under any authority of the township from the now or then existing gauge to the standard railway gauge, being four feet eight and one-half inches, or to such gauge as may hereafter be adopted as a standard electrical railway gauge, or to such gauge as may be in use upon the street railways or tramways in the city of Toronto, in the discretion of the company, and may with the consent of the township change the rail now in use by the said company on its railway now or hereafter to be constructed.

10. All works necessary for changing the said gauge or rail shall be made in a substantial manner according to the best modern practice.

11. The Company shall have the right to remove the snow from and within its tracks turnout sidings and switches provided that any snow put upon the graded or travelled part of the road by the Company, shall be evenly spread thereon and in such manner as not to interfere with public travel.

12. In case the electric motors or cars used by the company in operating its railway whilst passing along the railway cause alarm to any horses travelling or being upon the said streets with vehicles or otherwise the motors or cars of the company, shall if necessary be stopped, and the servants of the company in charge of such motors or cars shall if necessary assist the person or persons driving or riding or in charge of such horse or horses that may be alarmed.

13. The company shall (unless prevented by accident, strikes or other unavoidable cause) run at least one passenger car each way every half hour between the hours of 6 o'clock and 10 o'clock in the forenoon, and between 5 o'clock and 8 o'clock in the afternoon, and during the remaining portion of the time between 6 a.m. and 11.30 p.m. the company shall run at least one passenger car each way every hour. Such service to be each lawful day in the year over Bathurst street from the Canadian Pacific Railway crossing at the foot of Bathurst street to and along Davenport road to the eastern limit of the town of Toronto Junction in accordance with a regular time table to be settled and approved of by the township council.

14. The company shall each lawful day in the year (unless prevented by accident strikes or other unavoidable cause) run at least one passenger car every half hour between the hours of 6 o'clock in the forenoon and 11 o'clock in the afternoon over Weston road between the northerly limit of the town of Toronto Junction and the southerly limit of the village of Weston, and provided the traffic is sufficient to warrant such service, such service shall also be given on Dundas street between the town of Toronto Junction and the village of Lambton Mills, in accordance with a regular time table to be settled and approved of by the township council.

15. The speed of the cars shall not exceed or be increased beyond twenty miles an hour. All motors and cars run upon the company's railway for the purpose of carrying milk, shall be stopped for the purpose of loading or unloading milk cans at such stations or stopping places as are from time to time designated by the township, provided, however, that in determining the places at which stops are to be made no more than three stopping place in any mile section shall be designated.

16. Passenger car conductors shall clearly announce the names of the streets, cross roads and public places as the cars reach them.

17. The township may at any time after giving to the company seven days notice of its intention so to do take up any part of the street or road along which the company's railway is constructed for the purpose of altering the street or road grade constructing sewers, drains, culverts or side crossings, laying down gas or water pipes or underground wires, and for all other purposes within the province and privileges of a municipal corporation without being liable for any compensation or damage that may be occasioned to the working of the railway or the works connected therewith. When and so often as it may be necessary for the township to open the road or street for the purpose of repairing such street or road, sewer, drains, culverts, gas or water pipes or underground wires or putting in gas, water or other services a reasonable notice shall be given to the company of the township's intention so to do and the work thereon shall not be unnecessarily delayed, but shall be carried on and completed with all reasonable speed due regard being had to the proper and efficient execution thereof. The said township after the completion of any such works and improvements shall leave the said railway line rails and substructure in substantially the same state and condition as before the commencement of any such works or improvements.

18. The fares to be charged by the company shall not exceed a rate of three cents per mile provided, however that if the rate per mile be hereafter fixed by any Act having general application to railways at a less rate than three cents per mile than the fares to be charged shall not exceed the rates so fixed by such Act, but the company shall not be bound to carry any passenger any distance for less than five cents. A special class of tickets shall be sold good to be used only on that portion of the line of railway lying between the Canadian Pacific Railway crossing at Bathurst street and the eastern limit of the town of Toronto Junction at the rate of

en for twenty-five cents, each ticket to be good for one continuous passage either way.

19. The company may use its railways for the conveyance of freight, goods, merchandise and passengers.

20. All persons using the said street or streets shall be at liberty to travel upon any portion of the roadway occupied by the company's railway and in the same manner as upon other portions of the highway and vehicles of every description are to be allowed upon such portion of the highway, it being provided however, that the company's cars shall have the first right of way over the said railway and all vehicles of persons travelling on that portion of the highway occupied by the railway shall turn out upon meeting or being overtaken by any of the company's cars so as to give them full right of way provided however, that no person shall be allowed upon any bridge or part thereof built by the company or solely for the company's use, but such bridge or bridges shall be guarded.

21. The company shall be liable for and shall indemnify the township against all damages arising out of the construction repair or operation of the Company's railway or arising out of the existence of the company's railway, poles, ties or other material upon the roads whether such damages are occasioned while running at a speed authorized by this agreement or otherwise and for and against the township's cost and expenses of and incidental to claims for such damages.

22. The alignment of the company's track the location of switches and the grades of the roadbed of its railway shall be prescribed by the township engineer or such engineer as the township may appoint for the purpose and all work done under the authority of this agreement shall be done in the most substantial manner and according to the best modern practice under the superintendence and to the satisfaction of the said engineer with a right of appeal to the township council and the company shall pay to the said engineer or engineers such compensation for his services as the township may from time to time certify.

23. The rights and privileges conferred by this agreement shall extend over a period of twenty years from the date of these presents which said period shall be renewed or extended for a further period of ten years in the event of legislation being obtained enabling this to be done and the township hereby agrees upon the request of the said company to forthwith aid in procuring such legislation. Upon the expiration of the term of thirty years granted by this agreement or at such other time as this agreement may be terminated the township shall grant to the company a renewed agreement for a further term of twenty years upon such terms and conditions as shall be mutually agreed upon between the township and the company or determined by arbitration under the provisions of the Municipal Act, and so on at the end of each term of twenty years will grant further renewals for a like term under and subject to the same covenants provisions and agreements as are herein contained except in so far as the same may be varied by mutual agreement or by arbitration as aforesaid provided however if at the expiration of any one of such terms the company or the township is unwilling to renew on the terms determined upon by arbitration the township may at its option take over the railway and all the real and personal property necessarily used in connection with the working of the said railway at a value to be determined by agreement or arbitration as aforesaid and the privileges of the company shall continue until the ownership is assumed by the township.

24. There shall be no unnecessary delay on the part of the township or its officers in the granting of any certificate required by any of the provisions of this agreement but the township and its officers shall and will in all things so far as is consistent with their duty aid and assist the company in carrying out this agreement.

25. In the event of any differences arising between the township and the company as to any matter or thing to be done or performed under the terms of this agreement then the same as hereinbefore provided shall be referred for determination under the provisions of the Act relating to arbitration and references to a judge of the County of York for the time being

and an appeal shall lie from his decision to the High Court of Justice or other superior court having jurisdiction in this province in such matters and from that court an appeal shall lie to the Court of Appeal for Ontario, but no other or further appeal shall lie from the decision of such Court of Appeal for Ontario.

26. The township shall enact and pass a by-law exempting all the property of the company and the income derived therefrom from taxation for a period of ten years and may renew such exemption for a further period of ten years thereafter, provided however that this exemption shall not apply to school or county rates.

27. The company shall grant running rights over that portion of their railway on Bathurst Street from the Canadian Pacific Railway crossing to Davenport Road and on Davenport Road to one other bona fide railway company operating a street railway and having ingress to the city of Toronto upon such terms as may be mutually agreed upon between the company and the company applying for such running rights or in case of disagreement upon such terms and conditions as may be determined upon by arbitration under the provisions of the Municipal Act; provided however that any company applying for such running rights shall pay all costs of and incidental to such negotiations and any agreement made in connection with any arbitration that may be held for the purpose aforesaid and shall deposit with the company a sufficient sum of money to cover the same at the time the application is made.

28. Should the company neglect to keep their track or roadway in good condition according to the terms of this agreement or to have the necessary repairs according to this agreement made thereon, the township may give notice requiring such repairs to be forthwith made and it is agreed between the parties hereto, that a certificate of the engineer for the time being of the township as to the necessity of such repairs in order to keep the said track or roadway in good condition according to the terms of this agreement shall be binding and conclusive upon the company and if after such notification given requiring such repairs to be made the company do not within ten days begin and carry to completion with all reasonable diligence and complete such repairs within thirty days from the receipt of such notice or such further time as the said engineer may allow the franchise granted by this agreement shall be null and void and at an end, and the township shall be at liberty at their option to remove the rails of the said company and to place the said highway in a proper state of repair at the expense of the said company the company agreeing to pay for such work on demand.

29. Proper fenders shall be placed on all cars.

30. The company may erect poles and wires for the supply of electricity for light, power and heat on all and any of the streets, roads and highways of the municipality, but such right shall not be an exclusive right.

31. After the year 1901 the company shall upon request of the township construct and operate their line of railway on Davenport Road, east of Bathurst Street and on the streets, roads and highways running north from the northern limit of Weston village such line or lines to be complete and in operation within a period (not less than six months) to be fixed by by-law passed by a majority vote of all the members of the township council.

32. In case the company shall refuse, decline or fail to construct a line or lines of railway as provided in section 31, the franchise of such portion of the street, road or highways as the company shall not within the time fixed by the by-law hereinbefore referred to have built upon shall revert to the township.

33. This agreement shall not be binding upon the parties hereto so far as the same applies to that portion of Dundas street lying between the western limit of the town of Toronto Junction and the present terminus of the railway at the village of Lambton Mills until the agreements between the county of York, the town of Toronto Junction and the company bearing dates respectively the 31st day of October, 1895 and the 5th day of October, 1891, granting certain rights to the company, shall have been cancelled or terminated.

34. The company shall, except where the same are inconsistent with his agreement, be subject to all by-laws of the township now or hereafter in force in respect to highways.

35. The words "township engineer" shall include and be construed to mean as well as the township engineer, any qualified engineer that may be appointed by the council of the township for any or all of the purposes mentioned in this agreement.

36. All the rights and privileges granted by the township and as contained in this agreement shall be subject to confirmation by the Legislature of the Province of Ontario before they are binding upon the parties hereto. And the township agrees to support such legislation and hereby consents and agrees to the same.

37. Nothing in this agreement contained shall affect the validity of by-law No. 1,530 of the township of York to authorize the issue of debentures, but the same shall be binding upon the parties affected thereby and the confirmation of this section of the said agreement by the Legislature of the Province of Ontario shall be a confirmation of the said by law No. 1,530.

38. The several clauses of the Street Railway Act, of the R. S. O. and of every Act in amendment thereof at present applicable to the company shall apply to the company except only so far as they may be inconsistent with the terms of this agreement.

39. In the event of this agreement being voided or forfeited then the rights of the parties as they existed prior to the execution thereof shall remain unaffected and as if this agreement had not been entered into.

In witness whereof the said township have caused their Corporate Seal to be hereunto affixed and the Reeve and Clerk have set their respective hands and the said company have signed, sealed and delivered this Indenture the day and year first above written and the President and Vice-President and the Secretary thereof have set their respective hands and seals on behalf of the said company.

TORONTO SUBURBAN STREET RAILWAY COMPANY.

E. J. HEATON, Vice President.
S. H. WATT, Secretary.

Signed, sealed and delivered,
in the presence of

ALLAN H. ROYCE.

HENRY DUNCAN,
Reeve.
W. A. CLARKE,
Clerk.

SCHEDULE C.

(Section 4.)

This Indenture made in duplicate the eleventh day of November, 1899, between the Corporation of the Town of Toronto Junction, hereinafter called the corporation, of the first part, and the Toronto Suburban Street Railway Company, Limited, hereinafter called the company, of the second part:

Witnesseth that by a certain indenture bearing date the 8th June, 1891, and made between the corporation and the Davenport Street Railway Company, Limited, the said last named Company was granted the right to operate a surface street railway upon portions of Davenport Road, Weston Road and St. Clair Avenue in said town for a period of twenty years from the said 8th June, 1891, paying a yearly rental after the first ten years of \$200.00 per mile of track;

And whereas by a certain other indenture bearing date the 5th October, 1891, and made between the corporation and the City and Suburban Electric Railway Company, Limited, the said last named company was granted the right to operate for a period of twenty years from said 5th October, 1891, surface street railways upon all or any streets or roads of the said town except those on which the Davenport Street Railway Company had

been granted the right to operate under said in part recited agreement, paying a yearly rental after the first ten years of \$500.00 per mile of track :

And whereas by the Act passed in the 57th year of Her Majesty's reign, and Chapter 94, The Toronto Suburban Street Railway Company, Limited, party hereto of the second part, was incorporated and was thereby granted power to acquire and did subsequently acquire the rights, powers and franchises of the Davenport Street Railway Company, Limited, and of the City and Suburban Electric Railway Company Limited, under the two hereinbefore in part recited agreements and said agreements were by said Act confirmed and declared to be valid and binding upon the parties thereto ;

And whereas the said The Toronto Suburban Street Railway Company, Limited, parties of the second part, have now in operation the following lines of railway :—

1. The Lambton Line, extending along Dundas street.
2. The Weston Line, extending from Dundas street along Keele street and Weston road south to the northern limits of the town.
3. The Davenport Line, extending from Keele street along St. Clair avenue, King street and the Davenport road to the eastern limits of the town.
4. The Evelyn Crescent Line, extending southely from Dundas street along Lansdowne avenue, Louisa street and Fairview avenue to Evelyn Crescent.

And whereas it has been agreed between the parties hereto that provided the company becomes a party to an agreement with the Toronto Railway Company under the terms of which the regular Dundas street service of such last named company shall be extended to the corner of Keele and Dundas streets as hereinafter provided. Then subject to the terms and conditions hereinafter contained the corporation will agree that in substitution for the franchises granted under said in part recited agreements for twenty years from said dates respectively, franchises shall now be granted for a period of twenty-three years from the first day of September, 1898, and certain other concessions shall be made to the company as to mileage, rental, exemption from taxation and the supply of water at cost as hereinafter provided.

Now therefore this indenture further witnesseth as follows :

1. The sections of this agreement which are similar to sections contained in said two prior agreements are to be construed as constituting a consolidation thereof and the repetition thereof in this agreement shall not affect the confirmation of said sections by said special Act, and the sections of this agreement which are now or which are inconsistent with sections in said two prior agreements are to be construed as constituting a substitution for such last mentioned sections and for such sections as are not mentioned herein.

2. The corporation in so far as it has power and jurisdiction so to do doth by these presents grant unto the company, its successors and assigns, for a period of twenty-three years from the 1st September last (1898), the exclusive right to construct, maintain and operate surface street railways with the necessary switches, sidings and turn-outs, and to erect and maintain such posts and wires as may be necessary for the transmission of electricity for the operation of the said railway on all or any of the streets and roads of the said corporation or portions of the same subject as hereinafter contained, such posts and wires shall not, however, be constructed or erected so as to interfere with the posts and wires of the corporation or of other persons or companies, and shall be subject to the approval of the town engineer and located as he directs.

Provided that the Company shall not have the right to construct a double track upon any street without the express consent of the municipal council.

Except as otherwise provided in this agreement the operations of the company shall be governed by the provisions of the Street Railway Act, R.S.O. 1897, chapter 208, except only sections 4 to 10 inclusive, 12 and 14, and 28 to 34 inclusive, of said act.

3. The company covenants and agrees to indemnify and save harmless the said corporation from any loss, costs, damages or expenses of any action or actions at law or otherwise, however arising out of the construction or operation or existence of said railway system, or any part thereof, whether such loss, costs, charges, damages or expenses are occasioned by running at a speed authorized by this agreement or otherwise, or by reason of any alleged damages or interference to or with the property of any other person or company, or the posts or wires of any other person or company having posts or wires on the streets.

4. Steam shall not be used as a motive power except with the approval of the corporation.

5. The corporation will from time to time construct, re-construct and maintain in repair the street railway portion of the roadways on all streets traversed by the railway system; but not the tracks, sub-structure or superstructure required for said railways.

6. The company shall in consideration of the performance of the provisions of section 5. pay to the town treasurer the sum of \$125 per annum per mile of single track, payable quarterly on 1st December, March, June and September in each year, or the first judicial day after each of the said days respectively; but this provision shall not come into force until the 1st December, 1899. In computing the amount of the above payments "turnouts" shall not be included provided that the length of such turnouts shall have been approved by the town engineer. This section shall not, however, apply to any streets in the town over which any other railway company is allowed at any time to operate with the consent of the corporation, but the corporation shall maintain such portion of said streets at its own expense.

7. The payment of the said mileage quarterly as aforesaid shall be a lien and charge on the said railways and the property used in the working thereof.

8. The company may use its railway for the conveyance of freight, goods and merchandize.

9. If freight cars are operated by the company then the company shall provide such sidings as the corporation may from time to time request upon conditions similar to those contained in the standard form of siding agreement at present in use by the Canadian Pacific Railway Company.

10. The company may at any time hereafter change the gauge upon its railway now constructed, or which may be hereafter constructed by the company under authority of the corporation, except on Dundas street east of Keele street, from the now or then existing gauge to the standard railway gauge, being four feet eight and one-half inches, or to such gauge as may be hereafter adopted as a standard electrical railway gauge, or to such gauge as may be in use upon the street railways or tramways in the city of Toronto in the discretion of the company, and may, with the consent of the council, change the rail now in use by the company on its railway or that may be in use upon its railway now or hereafter to be constructed.

11. The speed of the cars shall not exceed twelve miles an hour within the following limits: Elizabeth street on the west St. Clair avenue, on the north Humber side avenue on the south and the boundary of the town on the east. Outside of these limits the speed shall not exceed twenty miles an hour; but the corporation shall have the right to require a less maximum speed than above when the parts of the town through which said railway shall be operated becomes more thickly peopled.

12. The company shall construct the tracks and sub-structure according to the best modern practice from time to time in general use, and as most suitable for the comfortable and safe use of the highway by those using vehicles thereon, and all changes in the rails, tracks and roadbeds construction of new lines or additions to old ones shall be done under the supervision of the town engineer and to his reasonable satisfaction.

13. The company when putting down its tracks shall be required to lay the same on the present level of the streets or as near thereto as is compatible with the proper execution of the work, and in case the corporation shall hereafter require it the company shall, at its own expense, lower or

raise and relay its tracks so as to conform to the grade the street may be brought to by the corporation cutting or filling in the street, it being understood that except on Keele street north of Dundas street, and for 200 yards on Weston road south, no change in grade shall be made until after two years from said 1st September, 1898, and thereafter not oftener than once in five years, subject however to the rights of the ratepayers and of the corporation under the local improvement sections of *The Municipal Act*. The rails are to laid flush as nearly as practicable with the streets so as to cause the least possible impediment to the traffic of the streets.

14. The location of the railway on any street shall not be made by the company until plans thereof showing the proposed position and style of the rails to be used and other works on each such street in connection with the construction of said railway have been submitted to and approved in writing by the town engineer and adopted by resolution of the municipal council, and the construction shall be carried out in accordance with such plans (provided also that the corporation shall have the right to prohibit the company from locating its railways upon any particular street or streets or portion thereof, but the corporation shall not have such right to prohibit in any case where there is no other practicable route along which the railway can be operated.

15. The corporation shall have the right, subject to the provisions of clause 13, to take up the streets traversed by the railway lines for all purposes within the powers of the corporation, including altering grades thereof, constructing or repairing pavements, sewers, drains, conduits or for laying down or repairing water or gas pipes without being liable for any compensation or damage that may thereby be occasioned to the working of the railway or the works connected therewith, but all such work shall be proceeded with by the corporation with due diligence, so that there shall be no loss of time to the railway save what cannot reasonably be avoided. The said corporation shall, after the completion of any such works or improvements, leave the said railway line, rails and substructure in substantially the same state and condition as before the commencement of any such works or improvements. In the event of the company desiring to make any repairs or alterations in the ties, stringers, rails, turnouts or curves on paved streets the portion of the roadway torn up in so doing shall be re-paved by the corporation, but at the expense of the company.

16. The privilege hereby granted is also subject to any existing rights statutory or otherwise of any other corporation which has now the power to open or take up the streets of the town.

17. The company shall remove the snow and ice from the track allowances, so that cars may be used continuously, and shall if the town engineer so directs evenly spread the snow on the adjoining portions of the roadway; but should the fall of snow or the accumulation of snow and ice upon the business streets of the town at any time exceed nine inches in depth the whole space occupied as track allowance shall thereafter, if the town engineer directs, be cleared of snow and ice and the material removed and deposited at such point or points on or off the street at a reasonable distance as may be ordered by the town engineer, and the town engineer shall from time to time define what the streets or parts of streets shall be considered business streets under this section. But the company shall not sprinkle salt or other material on said track allowances for the purpose of melting snow or ice thereon without the written permission of the town engineer.

18. The rails, poles and wires used in the construction of any part of the railway not heretofore in operation or that may be forfeited to the corporation for non-operation, and the rails, poles and wires of any part of the railway that the company may cease to operate shall be the property of the company, and the company may take up such rails, poles and wires, but the company shall forthwith thereafter place the roadway in good condition for travel or the corporation may do so at the expense of the company.

19. The rates for tickets and fares shall within the limits of the town be as follows: Single (cash) fares to be five cents each. A class of tickets

must be sold at the rate of six for twenty-five cents. Another class must be sold at the rate of twenty-five for one dollar. Children under nine years of age and not in arms are to be carried at half rates, and infants in arms are to be carried free. School children are to have tickets at the rate of ten for twenty-five cents, only to be used between 8 a.m. and 5 p.m. and not on Saturdays. Limited tickets (good between 5.30 and 8 a.m. and between 5 and 6.30 p.m.) eight for twenty-five cents.

20. Police constables and firemen in the employ of the corporation when on duty shall be carried free.

21. Cars are to be of an approved design as from time to time in general use in the city of Toronto for service and comfort, including lighting and signal appliances, numbers and route boards, and cars must be kept clean inside and out. Thoroughly efficient brakes are to be provided, also fenders satisfactory to the town engineer. The company shall cause all passenger cars to be heated to a comfortable temperature from 1st November to 1st April and to be properly lighted. Smoking will only be allowed on rear platform of closed cars and rear three seats and platform of open cars. A class of cars may be used for freight, and also a class of combination cars with separate compartments for passengers and freight, and the company is hereby authorized to carry freight on such cars provided; that such freight cars shall be run at such hours and in such a manner as not to interfere with the proper operation of passenger cars.

22. Notices shall be posted in the cars that no person shall enter or leave the cars while in motion.

23. Cars are not to be overcrowded, and the town engineer shall have the right to fix the proper number of passengers to occupy each style of car without overcrowding.

24. Cars shall have the right of way, and vehicles or persons shall not obstruct or delay their operation.

25. Nothing herein contained shall be construed as conferring upon the company any right to construct or operate underground or overhead or elevated railways in the town, and the right to construct or to operate or authorize the operation or construction of such railways in the said town or in any part thereof is hereby expressly reserved.

26. The company covenants and agrees to extend within five years from this date its lines of railway so that the length of railway in operation shall be increased ten miles.

27. The company shall each lawful day in the year unless prevented by accident to roadbed or works or general strike among employees or other unavoidable cause run cars over their Lambton, Weston and Davenport lines as frequently and at such hours as will best meet the wants of the general public, to be decided and certified in writing by the town engineer, subject to the approval of the municipal council, but the company shall not be bound to run their cars more frequently than one car every thirty minutes over their Lambton, Davenport Road and Weston lines, and the company shall not be bound to run any cars between the hours of 12 o'clock midnight and 5.30 a.m.

28. (1) The corporation shall have the right to take over the property of the company at the expiration of the said term of twenty-three years or at the expiration of any subsequent term of five years under the provisions of the Street Railway Act, but the corporation shall only pay for the real property so taken over what it will then bring or its worth without reference to the value for the purpose of operation of a street railway or railways, and no allowance shall be made to the company in respect to the franchise hereby granted.

(2.) After the corporation shall have given notice of its intention to take over the said railway and property it may at once proceed to arbitrate, and both the corporation and the company shall in every reasonable way facilitate such arbitration, and the arbitrators shall proceed as if possible to make their award not later than the time named by the corporation for taking over the said railway. But if from any cause the award shall not be made by such time, or if either party be dissatisfied

with the award the corporation may, nevertheless, take possession of the said railway and all the property and effects thereof, real and personal, necessary to be used in connection with the working thereof, on paying into court either the amount of such award, if the award be made, or if not upon paying into court or to the company, as the case may be, such sums of money as a judge of the High Court of Justice may, upon notice to the opposite party, order and upon and subject and according to such terms, stipulations and conditions as the said court shall by its order direct and prescribe, provided always that the rights of the parties, except in so far as herein specially provided, shall not be affected or prejudiced thereby.

29. In case of any dispute arising, or differences of opinion, during the term of this contract between the company and the corporation as to the meaning or construction of this contract, the same shall be determined on summary application after two days' clear notice to the other party by the person who for the time being fills the office of judge of the county court for the county of York, who may as arbitrator determine the same with the powers as to the costs and otherwise of arbitrators under the Municipal Act, and his decision shall be final.

30. After the year 1901 the company shall, upon the request of the corporation, construct and operate a line or lines of railway on such street or streets in the town as may be from time to time recommended by the town engineer for the time being and approved by the municipal council. Such line or lines to be complete and in operation within a period (not less than six months) to be fixed by by-law passed by a majority vote of all the members of the municipal council.

31. If the company shall fail to operate in accordance with the terms of this agreement its Lambton, Davenport and Weston lines, or either of them, such failure shall work a complete and absolute forfeiture of all the privileges or franchise on or over the streets granted by the corporation to the company under this agreement or any previous agreement or any previous agreements. Provided, however, that the said forfeiture shall not be enforceable by the corporation until after the corporation has given to the company notice stating in what respect the company has failed to operate its lines and the company has, for one month after such notice, refused or neglected to remedy such failure to operate, and if the company shall fail to run one car every hour over its Evelyn Crescent line such failure shall subject to the above recited provision for notice by the corporation to the company, work a complete and absolute forfeiture of all its privileges or franchise on and over all streets in the town lying south of the south side of Dundas street. Such forfeiture shall, however, not take place until the same shall have been exercised by a by-law of the corporation to be passed by a two-thirds vote of all the members of the municipal council of the corporation.

32. In case the company shall refuse, decline or fail to construct a line or lines of railway on streets of the town as provided in section 30, the franchise of such streets not been used by the company shall revert to the town; and the town shall in that case have the right to grant a franchise of such streets to any other street railway company, and any other street railway company shall have the right to cross the tracks of the company so failing with its line or lines of railway without the payment of any sum for the privilege of so crossing, except the cost of making the crossing and maintaining the same

33. Provided that the company upon request of the corporation under section 30 must construct the whole line of railway requested, and in default shall forfeit the franchise for the whole of the line on such street.

34. All the property of the company necessarily used in connection with the working of the railway and other objects covered by the agreement appertaining thereto, and the income derived therefrom by the shareholders of the company, shall be exempt from taxation for a period terminating with the franchise hereby granted in accordance with the by-law bearing even date herewith and subject to the terms and conditions

in said by-law contained, this exemption shall include local improvements but shall not extend to school rates.

35. The said railway property shall be assessed for public school purposes, and the rates levied in respect thereof shall be payable to the public school funds of the town, but this provision shall cease to be in force if a separate school is at any time erected in the town.

36. The company shall be supplied with water from the corporation waterworks for ten years from 1st January next at a price equivalent to the actual cost of production, such cost being hereby fixed at 10 cents per 1,000 gallons up to 100,000 gallons per day, the quantity of water to be consumed shall be estimated and certified by the superintendent of the municipal waterworks, whose decision shall be final and the company shall pay the cost of any necessary water meter.

37. The company may erect posts and wires for the supply of electricity for light and power unless and until the municipal council shall at any time pass a by-law revoking this consent and requiring the company to cease such supply, and the company shall thereupon forthwith remove all posts and wires used for such purposes and cease the supply of electricity for light and power except to its own street railway premises and cars.

38. The company may construct and operate its lines of railway across and along any private property which it may acquire from time to time, and may connect and operate the same with the lines of railway now constructed or which may hereafter be constructed along streets under this agreement.

39. In case of neglect or failure on the part of the company to perform any of the covenants or conditions of this agreement, the company shall in each such case of failure forfeit and pay to the corporation as liquidated and ascertained damages and not as a penalty the sums following, that is to say :

| | | |
|---|------------|-------|
| For breach of section 4 | the sum of | \$30. |
| “ “ “ “ 11 | “ “ “ | 60. |
| “ “ “ “ 17 | “ “ “ | 70. |
| “ “ “ “ 20 | “ “ “ | 10. |
| “ “ “ covenant to heat cars in section 21 | the sum of | 25. |
| “ “ “ covenant to provide fenders in section 21 | the sum of | 15. |
| “ “ of covenant to provide brakes in section 21 | the sum of | 80. |
| “ “ of section 32 | the sum of | 40. |
| “ “ of any of the other covenants or conditions | the sum of | 50. |

40. The company and the corporation mutually covenant and agree to pass any necessary by-law or by-laws to carry out this agreement, and to promote any legislation necessary to ratify and confirm this agreement and said by-law or by-laws, and until said legislation is obtained said hereinbefore in part recited agreements shall be and continue in force, and in the event of this agreement being voided then the rights of the parties as they existed prior to the execution hereof shall remain unaffected and as if this agreement had not been entered into.

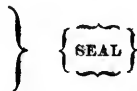
41. If at any time in the future the corporation should desire to grant the exclusive right to any other company to build and operate a street railway on Keele street from the south side of Dundas street to Humber-side avenue, and along Humber-side avenue and Annette street, or either of them, easterly to Dundas street, then the said company shall forthwith upon notice by the corporation surrender their rights under this agreement so far as relates to the said last mentioned streets, but in that case the company shall have the right to remove any rails posts and wires placed upon the said streets before such notice, and provided further that nothing in this agreement contained shall authorize the construction of a double track upon Dundas street west of Union street without the consent of the corporation.

In witness whereof the said corporation hath caused to be affixed its corporate seal and the hands of its mayor and clerk and the said company hath caused to be affixed its corporate seal and the hands of its vice-president and secretary.

Signed, sealed and delivered,

In the presence of

C. C. GOING.



PETER LAUGHTON,
Mayor.

W. J. CONRON,
Clerk.

Toronto Suburban Street Rwy. Co. Ltd

ALLAN H. ROYCE,

E. P. HEATON, Vice-President.
S. H. WATT, Secretary.



I Hereby certify that the above is a true copy of the original agreement, Corporation vs. The T. S. St. Ry. Co., of the Municipal Council of the Town of Toronto Junction bearing date, the 11th day of November, 1899.

W. J. CONRON,
Town Clerk.

SCHEDULE D.

BY-LAW No. 240.

A BY-LAW TO CONFIRM AN AGREEMENT BETWEEN THE CORPORATION OF THE VILLAGE OF WESTON AND THE TORONTO SUBURBAN STREET RAILWAY COMPANY, LIMITED.

The municipal council of the corporation of the Village of Weston enacted as follows :—

That the agreement between the corporation of the Village of Weston and the Toronto Suburban Street Railway Company set forth in Schedule A to this by-law is hereby confirmed, and the Reeve and Clerk are hereby authorized and directed to affix the seal of this corporation to the said agreement.



(Sgd) W. J. CHARLTON,
Reeve.

ROBT. LEIGHTON,
Clerk.

Passed the 4th day of November, 1898.

Certified a true copy,

R. H. LEIGHTON,
Clerk.

SCHEDULE E.

No. 475.—A BY-LAW IN REFERENCE TO THE TORONTO SUBURBAN STREET RAILWAY COMPANY, LIMITED. PASSED 11TH NOVEMBER, 1899.

Be it enacted by the municipal council of the corporation of the Town of Toronto Junction as follows :—

1. That the mayor and clerk be and they are hereby authorized under the seal of the corporation to enter into the agreement with the Toronto Suburban Street Railway Company, Limited, a copy of which is hereto attached.

2. That the Corporation in so far as it has power and jurisdiction so to do doth hereby grant unto the Toronto Suburban Street Railway Company, Limited, its successors and assigns, for a period of twenty-three years

from 1st of September, 1898, the exclusive right to construct, maintain and operate surface street railways with the necessary switches, sidings, and turnouts, and to erect and maintain such poles and wires as may be necessary for the transmission of electricity as set forth in the said agreement.

3. The property of the said company shall be exempt from general taxation for a period terminating with the franchise granted under Sec. 34 of said agreement subject to the terms and conditions contained in said agreement.

4. The company shall be supplied with water as provided in Sec. 36 of the said agreement.

5. This by-law shall not come into force or operation until ratified by Legislation as provided in said agreement.

{ Seal. }

PETER LAUGHTON,
Mayor.

W. J. CONRON,
Clerk.

I hereby certify that the above is a true copy of the original by-law No. 475 of the Municipal Council of the Town of Toronto Junction bearing date the 11th day of November, 1899.

W. J. CONRON,
Clerk.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting The Toronto Suburban
Street Railway Company Limited.

First Reading, _____, 1900.

(Private Bill).

Mr. HILL.

TORONTO:

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act respecting The Toronto Suburban Street Railway Company, Limited.

WHEREAS the Toronto Suburban Street Railway Company, Limited, has under its Act of Incorporation and amendments thereto, constructed and is now operating a railway in the township of York, the town of Toronto Junction and adjoining municipalities; and whereas the said company has by its petition prayed that an Act may be passed changing the name of the company and legalizing and confirming certain agreements entered into between the company and the municipal corporations of the village of Weston *and* the township of York; and whereas it is expedient to grant the prayer of the said petition. Preamble.

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The name of the said company is hereby changed to The Toronto Suburban Railway Company, but the powers, rights and liabilities of the company shall not be affected in any manner by such change of name and all contracts and agreements made, powers exercised and rights, franchises and property acquired by the said company under its prior corporate names shall remain valid and binding and be the contracts, agreements, powers, rights and property of The Toronto Suburban Railway Company. Change of name.

2. Each shareholder shall be individually liable to the creditors of the company to an amount equal to the amount unpaid on the stock held by him for the debts and liabilities of the company, and until the whole amount of his stock has been paid up in cash; but shall not be liable to an action therefor before an execution against the company has been returned unsatisfied in whole or in part, and the amount due on such execution shall be the amount recoverable with costs against such shareholder. Liability of shareholders limited.

3. Any passenger refusing to pay his fare, may, with his baggage, by the conductor of the car or train and the servants of the company, be put out of the car or train at any usual stopping place, or near any dwelling house, as the conductor elects, the conductor first stopping the car or train and using no unnecessary force. Passengers refusing to pay fare.

4. The agreements between the corporation of the village of Weston, bearing date the 27th day of October, 1898, *and* the Confirmation of agreements.

corporation of the township of York bearing date the 4th day of September, 1899, and the company, which are fully set forth in the schedules A and B to this Act are hereby confirmed and declared to be within the powers of the respective parties thereto and to be valid, legal and binding for all purposes to the same extent and in the same manner as if the several clauses of such agreements were set out and enacted as part of this Act, and by-law number 240 of the Village of Weston as set forth in Schedule C to this Act is hereby confirmed and declared to be legal, valid and binding upon the municipal corporation of the said village of Weston and the rate-payers thereof.

And it is hereby declared that under the said agreements with the village of Weston and the township of York the company is entitled to the exclusive right and privilege of using and working a railway in and upon the streets, roads and highways of the village of Weston as in said agreement provided for the full period of thirty years from the 27th day of October, 1898, and on the streets, roads and highways in the township of York as in the said agreement provided for the full period of thirty years from the 4th day of September, 1899, and in both cases to renewals thereafter, but according to the terms and conditions in the said agreements expressed and contained.

Agreements varied.

5. It is hereby declared that the said agreements printed in schedules A and B are varied in the following respects:

Section 33 of the agreement set forth in Schedule A by adding the following words to the end of the section, "Provided, however, that this exemption shall not apply to school rates."

Section 40 and section 2, Schedules A and B, the following section shall in each case be substituted therefor: "Steam shall not be used as a motive power."

SCHEDULE A.

THIS INDENTURE MADE IN DUPLICATE THIS TWENTY-SEVENTH DAY OF OCTOBER, A.D., 1898.

(Section 4.)

Between: the Corporation of the Village of Weston, hereinafter called the Village, of the first part, and
The Toronto Suburban Street Railway Company, Limited, hereinafter called the Company, of the second part.

Whereas by indenture bearing date the 20th day of November, A.D., 1895, the said village did grant permission to the said company to construct, complete, maintain and operate an iron or steel rail or tramway upon and along the Weston road in the village of Weston on the terms, conditions, covenants, provisoes and stipulations contained and set forth in the said indenture.

And whereas differences arose between the parties hereto in the carrying out of said agreement, and although said railway was partly constructed the operation of same has been recently discontinued and said agreement terminated.

And, whereas the said company has applied to the said village to again sanction the operation of the portions of said railway already constructed and the construction and operation of the extensions of said railway as hereinafter set forth upon and along Weston road in the said village.

And, whereas the said village is willing to grant such permission on the terms and conditions hereinafter set forth and to enter into an agreement with the said company such as is hereinafter contained.

Now this indenture witnesseth :

1. The company shall have the right to maintain and operate so far as is now constructed and to construct, complete, maintain and operate and from time to time change and renew subject to the conditions hereinafter specified an iron or steel rail or tramway upon and along the Weston road in the said village of Weston.

2. The roadway, tracks and rails of the extension of the said railway or tramway shall be located and constructed along such portion of said Weston road as shewn by the plans, profiles, cross-sections and specifications prepared by Jas. Macdougall, C.E., and for such portion not so shewn according to the plans, profiles, cross-sections and specifications to be made by the village engineer for the time being or such engineer as the village may appoint for that purpose.

3. The construction of the extension of said railway or tramway shall be commenced forthwith after the execution of this agreement and the passing of the by-law confirming the same and shall thenceforward be carried on to completion to a point on Weston road opposite the post-office in the said village within one month from the date of the passing of the said by-law and the further construction of said railway to Humber street shall be completed within such time as is hereinafter more particularly set out and agreed. The said Weston road to be kept open for traffic while the construction is going on to the satisfaction of the village council.

3. (a) The said company as a guarantee of their intention to construct the extension of their railway as far as the post-office will deposit a marked cheque upon the execution of this agreement for the sum of \$500, which amount shall be refunded by the village immediately upon the completion of said extension, but the company shall forfeit the said sum of \$500 if the said extension is not completed within 10 days of the date herein agreed upon subject to the provisions of clause 31 hereof.

4. The location of the company's tracks after once being put down shall not be altered without the consent of the council of the village of Weston.

5. The operation of that portion of said railway already constructed shall be commenced forthwith and of the portion to be constructed to the post-office forthwith after construction.

Provided, however that the company shall not be bound to operate their railway further than a double house, the property of Mrs. Savage, situate near the foot of the hill going up to the post office, unless and until the said company have sufficient power to satisfactorily operate its system.

The balance of the said railway to be constructed from opposite the post-office to the said Humber street shall be operated forthwith after the construction thereof is complete.

6. The company for the purpose of operating and constructing may

(a) Lay down such tracks, rails, cables, conduits and sub-structures upon such portions of the Weston road as may be occupied by the company's railway under this agreement.

(b) Erect and maintain such poles and wires on the Weston road as may be necessary for operating the company's railway and for conducting electricity for any of the purposes provided for in the various Acts relating to the company provided that no wire shall be strung at a less height than fourteen feet from the ground and the location of such poles shall be first approved of by the engineer.

(c) Construct, put in and maintain such culverts, switches and turnouts and sidings as may from time to time be found to be necessary for operating the company's line of railway on the Weston road or leading to any of the cross streets leading into or from the Weston road, or for the purpose of leading to any track allowance or rights of way on lands adjacent to the Weston road where the company's line deflects from the Weston road or to the company's works, power houses or car sheds, and the com-

pany may with the consent of the council of the village of Weston from time to time alter such culverts, switches, turnouts and sidings, the number and location of such culverts, switches, turnouts and sidings to be approved by said council.

7. All tracks laid on any portion of the street or road shall conform to the grade of the street or road, as provided in said profiles and cross-sections.

8. The company shall at all places where switches, turnouts and sidings are constructed macadamize or gravel the portion of the travelled road within and alongside of such switches and turnouts and sidings in the same manner as herein provided for the main line.

9. The company shall forthwith proceed to lay down and maintain ballast or gravel to the satisfaction of the council of said village for the whole length of the track now constructed between the rails and outside the rails for a width of eighteen inches, and as nearly as practical flush with the rails, and in case the village should change the material with which the roadway is constructed then the company will forthwith change the said portion of the road and use similar material. This clause shall apply to the portions of the rail or tramway hereafter to be constructed upon construction.

10. If the company neglects to lay down and maintain the track allowances as aforesaid, and the culverts, crossings, switches, turnouts or sidings referred to in this agreement, or to make the necessary repairs according to this agreement, the village may give notice to the company requiring such work to be done forthwith, and the resolution of the council of the said village for the time being as to the necessity for such work shall be binding and conclusive upon the company, and if after giving of such notice the company does not within one week begin, and thereafter with all reasonable diligence carry on such work to completion, the village shall have the right to cause such work to be done, and the company shall pay to the village the expenditure incurred in doing or completing such work upon demand.

11. At the intersection of the company's railway and cross-streets or highways crossing or leading into the Weston road, the company shall construct and keep in repair crossings for vehicles and for foot passengers of a similar character to those adopted by the village, and shall construct underneath its track allowances such culverts and waterways as are in the opinion of the council of the village necessary for drainage purposes, and shall at the entrances to private properties which the company's railway crosses construct and maintain such driveway approaches wherever the council of the village directs. Where the company's track is built over any existing culverts, then the company shall extend such culverts as may be directed by the council of the village so that the travelled road shall have a width of eighteen feet, provided the width of the constructed road will permit between the company's track and the end of the culvert on the opposite side of the road. There shall also be fender planks the thickness of the depth of the rail and twelve inches wide, spiked close to each rail on the inside and outside of said rails at street crossings, as may be required by the council aforesaid, or their engineer, the same to facilitate the crossing of said rails by vehicles.

12. The company may at any time hereafter change the gauge or rails upon its rail or tramway now constructed or that may be hereafter constructed by the said company under any authority of the council of the village of Weston, from the now or then existing gauge or rail to such gauges or rails as may from time to time be adopted by the company.

13. All work necessary for changing the said gauge or rails shall be done in a most substantial manner, according to the best modern practice, to the satisfaction of the engineer of the village for the time being.

14. The company shall have the right to remove the snow from and within its tracks and switches, provided that any snow put upon the graded part of the road by the company shall be evenly spread thereon in a manner to be approved by the council of the village. In no case shall chemicals except salt be used to remove snow or ice except at switches or turnouts.

15. In case the electric motors or cars used by the company in operating its railway whilst passing along the railway cause alarm to any horses travelling or being upon the Weston road with vehicles or otherwise, the motors or cars of the company shall if necessary be stopped to enable the horses so alarmed to pass without accident or injury, and if necessary the servants of the company in charge of such motors or cars shall assist the person or persons riding or driving, or in charge of such horse or horses, in endeavoring to prevent accident or injury to such person or persons, horse or horses, or to vehicles or other property of persons travelling, using or upon the Weston road.

16. The company shall run passenger cars over all their line now constructed and over the parts thereof to be constructed upon construction each day at least every half-hour from six o'clock a. m. to eleven o'clock p. m., or as much more frequently as the traffic shall warrant.

17. The speed of the cars shall not exceed or be increased beyond fifteen miles per hour.

18. Passenger car conductors shall clearly announce the names of cross-streets, cross-roads and public squares and post-offices as the cars reach them.

19. The village may at any time after giving to the company twenty days' notice of its intention so to do take up any part of the street or road along which the company's railway is constructed for the purpose of altering the street or road or the grade thereof, constructing sewers, drains, culverts or side crossings, laying down gas or water pipes or underground wires, and for all other purposes within the province and privileges of a municipal corporation without being liable to the company for any injury or damage that may be occasioned thereby. When and so often as it may be necessary for the village to open the road or street for the purpose of repairing such street or road, sewer, drain, culverts, gas or water services a reasonable notice shall be given to the company of the village's intention so to do and the work thereon shall not be unnecessarily delayed but shall be carried on and completed with all reasonable speed, due regard being had to the proper and efficient execution thereof, and the said village corporation shall not in any such case be liable to the company for any injury or damage that may be occasioned thereby. Provided however and in case the village should interfere with, remove or otherwise derange the company's track or works or any part thereof the village will replace the same at their own expense in the same condition as before interference within a reasonable time.

20. The fare from any part of the village of Weston to any point on the company's system or railway in the town of Toronto Junction or return shall be five cents. A class of tickets to be used within the village shall be sold at the rate of ten tickets for twenty-five cents.

21. Constables, firemen and mail carriers when on duty in uniform or wearing authorized badges in the employ of the village shall be carried free.

22. Cars are to be of a modern design as in general use for service and comfort including lighting and such as are in general use for electric railways, and shall be heated from the first day of November to the first day of April. They must be kept clean inside and out. Passenger cars are to be used exclusively for the conveyance of passengers and their personal baggage or baskets, not exceeding 25 pounds for each passenger, but such baggage or baskets shall not take up any seating space if required by passengers but a special or combination class of cars may be used for freight.

23. Cars shall always be stopped clear of cross streets. Cars shall have the right of way as provided in the *Street Railway Act* governing said company, and vehicles or persons are not to obstruct or delay their operation but drivers and conductors must at all times exercise every reasonable care for the safety of the public.

24. All work done under the authority of this agreement shall be done in a most substantial manner and according to the best modern practice to the satisfaction of the engineer of the village of Weston for the time being.

25. The alignment of the company's tracks, the location of switches and the grades of the roadbed of its railway shall be as shewn on said plan profiles and cross-sections.

26. The rails to be used by the company may be center bearing "T" rails, and the cars and motors to be used on the said railway within the village and all erections, appliances and material to be used on the said railway within the village shall be of an approved modern design and to the satisfaction of the council of said village.

27. The company shall pay such engineer as may be employed by the village and such solicitor as may be employed by the village for all services performed by them in connection with and on behalf of the company.

28. All persons using the said portions of the Weston road shall be at liberty to travel upon any portion of the travelled roadway occupied by the company's railway and in the same manner as upon other portions of the highway, and vehicles of every description are to be allowed upon such portions of the highway, it being agreed however that the company's cars shall have the right of way over the said railway as provided by the *Street Railway Act*, and the village will on request pass a by-law for regulating the traffic and conduct of all persons travelling upon the streets and highways upon which the railway is laid in the said village, which by-law shall contain a provision that all vehicles or persons travelling on that portion of the highway occupied by the railway shall turn out upon meeting or being overtaken by any of the company's cars so as to give them right of way. The motorman shall sound a gong or bell when approaching crossings or vehicles on the track.

29. The rights and privileges authorized by this agreement shall extend over a period of twenty years from the date of these presents and said period shall be renewed or extended for a further term of ten years. And in the event of legislation being sought or required to authorize such renewal for such further term of ten years the said village hereby agrees at once on request being made by the company to aid in procuring such legislation. And the said company shall have the exclusive right for the said period of twenty years and the said extended period of ten years as far as the village has power to so grant to operate a street railway on Weston road through the village of Weston.

30. Upon the expiration of the rights, privileges and franchises granted by this agreement the company shall be entitled to a renewal of the same for a like period, and upon the expiration of such renewed term to further renewals thereof but in case of any renewal upon such terms and subject to such conditions, covenants, provisos and stipulations as may be agreed upon between the village and its successors on the one part and the company and their successors and assigns on the other part, and in case the said parties are unable to agree then upon such terms, conditions, covenants, provisos and stipulations as may from time to time on each such renewal be determined upon by arbitrators to be appointed under the provisions of *The Municipal Act*, provided however that at the expiration of the existing privileges and franchise hereby granted the village may, upon giving notice in writing of their intention to the company six months prior to the expiration of the said existing privileges and franchise, and at the expiration of any fifth year thereafter upon giving one year's notice to the company assume the ownership of their railway or tramway as a going concern, and all real and personal property in connection with the working thereof upon payment of the value of the railway and the property as a going concern to be determined by arbitration. And the privileges of the company shall continue until the ownership is assumed by the village as aforesaid. (Subject to prior existing rights of other municipalities).

31. The company agrees to build the extension of the railway to the post-office as herein provided, except as such construction may be delayed by any act of the village or its officials, or other act over which the company have not absolute control.

32. In case of neglect or failure on the part of the company to run cars the required number of trips as provided in this agreement, the company shall in such case forfeit and pay to the village for each day that cars are not run, as provided herein, the sum of twenty dollars as liquidated damages, and not as a penalty, but this clause shall not apply in case of neglect to run cars during days when it is impossible to run them by reason of bad weather, any act or deed of the village or any other muni-

cipality, accident to the road bed or machinery, strike among the employees or other unavoidable causes.

33. All the property of the company used in connection with the working of the railway and other objects covered by this agreement and appertaining thereto, and the income derived therefrom by the company, shall be exempt from taxation and from all local improvement rates and charges for a period of ten years from the date hereof and as far as the village has the power to grant the same or to recommend the same such exemption, shall continue and be for the further period of ten years thereafter, and the village consents to any necessary legislation in that behalf.

34. The company agrees as soon as they instal an electric light plant to supply the said village and residents with street lights and interior lights at such rates and under such conditions as may be agreed upon between the company and the village.

Provided that the said rate when fixed shall not be changed for a period of five years, and provided further that if such electric light plant be installed within the period of two years from this date, the said company shall have the exclusive right to contract for the supply of said lights for said term of five years.

35. There shall be no unnecessary delay on the part of the village or its officers in the getting of any certificate required by any of the provisions of this agreement, but the village and its officers shall and will in all things, so far as it is consistent with their duty, aid and assist the company in carrying out this agreement.

36. The company will construct, maintain and operate its railway in the manner and upon the conditions in this agreement set forth, and will faithfully perform, fulfil and keep all the conditions, covenants and agreements in this agreement expressed and contained, or on the company's part to be performed, fulfilled and kept.

37. In the event of any differences arising between the village and the company as to any matter or thing to be done or performed under the terms of this agreement, then the same, except as hereinbefore provided, shall be referred for determination under the provisions of the act relating to arbitrations, and references to the senior judge of the county of York for the time being, and an appeal shall lie from his decision to the high court of justice or other superior court having jurisdiction in this Province in such matters, and from that court an appeal shall lie to the court of appeal for Ontario, but no further or other appeal shall lie from the decision of the court of appeal for Ontario. And the parties hereto covenant and agree one with the other to institute no further or other appeal.

38. In the event of legislation being required to confirm this agreement or any clause or provision thereof, the village agrees to support such legislation at the expense of the company.

39. The company will indemnify and hold harmless the said village from all loss, costs, damages and expenses of any kind that may be incurred in consequence of any litigation or threatened litigation in connection with anything done or permitted under the provisions of this agreement or in consequence of the construction or operation or existence of the company's railway or other works.

40. No motive power other than electricity shall be used by the company except with the approval of the council of the said Village of Weston.

41. Fenders shall be placed on all cars for the protection of the public, to the satisfaction of the council of the village.

42. The company shall remove at its own expense all material excavated in constructing its roadbed, and shall spread such material on the sides of the street at such places and in such manner as is satisfactory to the council of the village of Weston, or its engineer for the time being.

43. Wherever earth is removed by the company fresh gravel or stone shall be laid in a manner satisfactory to the council of the village, or its engineer for the time being, between the rails and for a space eighteen inches wide on each side of the rails.

44. The company covenants and agrees with the village, the right thereto being previously acquired by said village, that it will remove the

telegraph poles necessary for the purpose of performing the provisions of this agreement on the side of the said Weston road to such points and in such manner as may be directed by the council of the village of Weston, and that the company will pay all expenses connected with such removal.

45. The company shall be compellable to commence the construction of that portion of the railway lying beyond the point in Weston road opposite the post-office and extending to Humber street of the said village, as soon as the profits of their railway shall be sufficient to cover the cost of such extension and the increased expense occasioned by the operation thereof, but the cost of installing a new power plant shall not be included in operating expenses, but nevertheless the said company shall be permitted to construct and operate such portion or any less portion thereof whenever they may desire to do so.

46. Whenever it is considered desirable or advantageous in the operation of the said railway to construct a switch or belt line for the more convenient and expeditious turning or handling of the rolling stock of said company, the said company shall have the right to construct and complete for operation and maintain such switch or belt line along any street or streets intersecting Weston road or connecting such intersecting street through and upon any park or other property of the said village, in use for park purposes, subject in all cases, however, to the consent of the council of said village, and the approval as to manner, location and construction, of the village engineer for the time being, and subject to the provisions of this agreement.

47. The rails, poles, wires and other material used in the construction of the railway already constructed within the village are hereby declared to be and are the property of the company.

48. The company shall have the right and are hereby authorized to carry freight, express or mail matter within or through the village.

49. In the event of any work of construction, grading, excavating, or any alterations in the existing roadway becoming necessary because of the construction of said railway where the same passes under the Grand Trunk Railway bridge, or in the event of any work being ordered by the railway committee of the Privy Council at the said points, the company shall pay all expenses of and incidental to such work, and the maintenance and repair of the same, and all costs and expenses of or incidental to any proceedings at law and any appearance before said railway Committee.

This agreement and all covenants and provisions herein contained shall be binding upon and shall enure to the benefit of the successors and assigns of the parties hereto.

In witness whereof the council of the said corporation of the village of Weston have caused the corporate seal of the said village to be affixed hereto by the hands of the reeve and clerk thereof, and the said The Toronto Suburban Street Railway Company, Limited, has caused its corporate seal to be hereunto affixed by the hands of R. Wilson Smith, President, and S. A. A. Watt, Secretary thereof.

The Toronto Suburban Street Railway
Co., (Ltd.)

R. WILSON SMITH,
Pres.

S. A. A. WATT,
Sec.

W. H. CHARLTON,
(Reeve).

R. H. LEIGHTON,
(Clerk).

Signed, Sealed and Delivered
in the presence of

E. P. HEATON.

J. T. FRANKS,
(Witness for Reeve and Clerk).

[Seal]

[Seal]

SCHEDULE B.

(Section 4.)

This indenture made this Fourth day of September, in the year of our Lord one thousand eight hundred and ninety-nine, between the municipal corporation of the township of York, hereinafter called the township of the first part, and The Toronto Suburban Street Railway Company, Limited, hereinafter called the company of the second part.

Whereas, by a certain indenture bearing date the 20th day of April, 1891, and made between the township and the Davenport Street Railway Company, Limited, the said last mentioned company was granted the right to operate street railways upon Davenport road and Bathurst street as therein set out; and

Whereas, by a certain other indenture bearing date the 27th day of August, 1894, made between the township and the company, the company was granted the right to operate street railways upon that part of Weston road and a deviation thereof as is therein described; and

Whereas, by a certain act passed in the 57th year of Her Majesty's reign, being chapter 94, the company was incorporated and was thereby granted power to acquire and did subsequently acquire the rights, powers and franchises of The Davenport Street Railway Company, Limited, under the two hereinbefore in part recited agreements and said agreements were by said act confirmed and declared to be valid and binding upon the parties thereto; and

Whereas, it has been agreed between the parties hereto that the agreements hereinbefore in part recited shall be terminated, and that this agreement shall be entered into in substitution for the same, but upon the terms and conditions hereinafter set out and contained:
Now this agreement witnesseth:

1. The company shall have the exclusive right to construct, maintain and operate an iron or steel rail or tramway, single and double tracks, subject to the conditions hereinafter specified upon and along (a) Davenport road, in the township of York, from the northern limit of the city of Toronto to the eastern limit of the town of Toronto Junction, and that part of Bathurst street between the said Davenport road and the northerly limit of the city of Toronto; (b) Weston road, in the township of York; (c) a deviation of said Weston road from its intersection with the south-westerly limit of the Weston road to its intersection with the northerly limit of the town of Toronto Junction; (d) Dundas street, from the westerly limit of the town of Toronto Junction to the easterly limit of the township of Etobicoke; (e) the road allowance between the fifth and sixth concessions west of Yonge street, of the township of York, and the roadway connected therewith leading southerly to the northerly limit of the village of Weston, sometimes known as Weston road, and also the part leading therefrom westerly to and across the Humber river, sometimes known as the Albion road; (f) the side road allowance between lots 20 and 21, in the sixth and seventh concessions west of Yonge street, in the township of York, to the easterly limit of the township of Etobicoke, and the deviation therefrom across the River Humber; (g) the concession road allowance between the sixth and seventh concessions west of Yonge street, in the township of York, from the river Humber northerly to the old toll road leading to Woodbridge, and along the same northwesterly to and including the town line; (h) and over any lands which the company may acquire or may expropriate under the provisions of the statute in that behalf, but the exclusive privilege shall not extend to the erection of poles.

2. No motive power other than electricity or horse power shall be used without the consent of the township in any way at any time.

3. The location of the company's tracks not already constructed shall be located according to plans, profiles and cross-sections to be made by the township engineer and approved of by the township council.

4. The company for the purpose of operating its railway may (a) lay down such tracks, rails, cables, conduits and sub-structures upon such

streets, roads, highways and bridges as may be occupied by the company's railway under this agreement; (b) maintain and erect such poles and wires as may be necessary upon and along such of the streets, roads and highways of the township as the said company may from time to time deem requisite or necessary for the purpose of carrying wires and supporting the appliances necessary for operating the company's line or lines of railway, and for conducting electricity in connection with any of the purposes provided for in the various Acts relating to the company; and provided that the township shall have the right to lay out the line in which the said poles may be erected, and provided further that no wires shall be strung at a less height than fourteen feet from the ground; (c) shall construct, put in and maintain such culverts, switches, turnouts and sidings as may from time to time be found to be necessary for the operation of the company's lines of railway on the streets herein set out or leading to any cross streets leading into or from any of the said streets, roads or highways, or for the purpose of leading to any track allowances or rights of way on lands adjacent thereto where the company's line or lines deflect from said streets, roads or highways, or to the company's power houses and car sheds, and the company may from time to time alter the location of such culverts, switches, turnouts and sidings, but that not more than two parallel tracks shall be laid in any one place without the consent of the township.

5. All tracks laid on any portion of the travelled street or road shall, so far as is practicable, conform to the street or road, and shall be laid flush with the streets so as to cause the least possible impediment to the ordinary traffic of the streets.

6. The company shall, where the rails are laid upon the travelled portion of the road, keep clean and in proper repair that portion of the travelled road between the rails, and for eighteen inches on each side of the rail or rails lying on or being next to the travelled road, and in default the township may cause the same to be done at the expense and proper cost of the company.

7. The company may deflect its line from the said streets, roads and highways and operate the same across and along private properties after expropriating the necessary rights of way under the provisions of the statutes in that behalf or otherwise acquiring the same, and the township agrees upon demand being made by the company to pass by-laws from time to time to enable the company to expropriate such lands as may be necessary for their purposes at the proper costs and charges of the company.

8. At the intersection of the company's railway and cross streets or highways crossing the said streets, roads or highways, and at entrances to private properties now existing, or may hereafter be required, the company shall construct and keep in repair for the width of the railway, and eighteen inches on the outside of each rail, crossings of a similar character to those adopted by the township, and shall construct underneath its track allowances such culverts and waterways as are necessary for drainage purposes.

9. The company may at any time hereafter change the gauge of its railway now constructed, or that may be hereafter constructed, by the said company under any authority of the township from the now or then existing gauge to the standard railway gauge, being four feet eight and one-half inches, or to such gauge as may hereafter be adopted as a standard electrical railway gauge, or to such gauge as be in use upon the street railways or tramways in the city of Toronto, in the discretion of the company, and may with the consent of the township change the rail now in use by the said company on its railway now or hereafter to be constructed.

10. All works necessary for changing the said gauge or rail shall be made in a substantial manner according to the best modern practice.

11. The Company shall have the right to remove the snow from and within its tracks turnout sidings and switches provided that any snow put upon the graded or travelled part of the road by the Company, shall be evenly spread thereon and in such manner as not to interfere with public travel.

12. In case the electric motors or cars used by the company in operating its railway whilst passing along the railway cause alarm to any horses travelling or being upon the said streets with vehicles or otherwise the motors or cars of the company, shall if necessary be stopped, and the servants of the company in charge of such motors or cars shall if necessary assist the person or persons driving or riding or in charge of such horse or horses that may be alarmed.

13. The company shall (unless prevented by accident, strikes or other unavoidable cause) run at least one passenger car each way every half hour between the hours of 6 o'clock and 10 o'clock in the forenoon, and between 5 o'clock and 8 o'clock in the afternoon, and during the remaining portion of the time between 6 a.m. and 11.30 p.m. the company shall run at least one passenger car each way every hour. Such service to be each lawful day in the year over Bathurst street from the Canadian Pacific Railway crossing at the foot of Bathurst street to and along Davenport road to the eastern limit of the town of Toronto Junction in accordance with a regular time table to be settled and approved of by the township council.

14. The company shall each lawful day in the year (unless prevented by accident strikes or other unavoidable cause) run at least one passenger car every half hour between the hours of 6 o'clock in the forenoon and 11 o'clock in the afternoon over Weston road between the northerly limit of the town of Toronto Junction and the southerly limit of the village of Weston, and provided the traffic is sufficient to warrant such service, such service shall also be given on Dundas street between the town of Toronto Junction and the village of Lambton Mills, in accordance with a regular time table to be settled and approved of by the township council.

15. The speed of the cars shall not exceed or be increased beyond twenty miles an hour. All motors and cars run upon the company's railway for the purpose of carrying milk, shall be stopped for the purpose of loading or unloading milk cans at such stations or stopping places as are from time to time designated by the township, provided, however, that in determining the places at which stops are to be made no more than three stopping places in any mile section shall be designated.

16. Passenger car conductors shall clearly announce the names of the streets, cross roads and public places as the cars reach them.

17. The township may at any time after giving to the company seven days notice of its intention so to do take up any part of the street or road along which the company's railway is constructed for the purpose of altering the street or road grade constructing sewers, drains, culverts or side crossings, laying down gas or water pipes or underground wires, and for all other purposes within the province and privileges of a municipal corporation without being liable for any compensation or damage that may be occasioned to the working of the railway or the works connected therewith. When and so often as it may be necessary for the township to open the road or street for the purpose of repairing such street or road, sewer, drains, culverts, gas or water pipes or underground wires or putting in gas, water or other services a reasonable notice shall be given to the company of the township's intention so to do and the work thereon shall not be unnecessarily delayed, but shall be carried on and completed with all reasonable speed due regard being had to the proper and efficient execution thereof. The said township after the completion of any such works and improvements shall leave the said railway line rails and substructure in substantially the same state and condition as before the commencement of any such works or improvements.

18. The fares to be charged by the company shall not exceed a rate of three cents per mile provided, however that if the rate per mile be hereafter fixed by any Act having general application to railways at a less rate than three cents per mile than the fares to be charged shall not exceed the rates so fixed by such Act, but the company shall not be bound to carry any passenger any distance for less than five cents. A special class of tickets shall be sold good to be used only on that portion of the line of railway lying between the Canadian Pacific Railway crossing at Bathurst street and the eastern limit of the town of Toronto Junction at the rate of

ten for twenty-five cents, each ticket to be good for one continuous passage either way.

19. The company may use its railway for the conveyance of freight, goods, merchandise and passengers.

20. All persons using the said street or streets shall be at liberty to travel upon any portion of the roadway occupied by the company's railway and in the same manner as upon other portions of the highway and vehicles of every description are to be allowed upon such portion of the highway, it being provided however, that the company's cars shall have the first right of way over the said railway and all vehicles or persons travelling on that portion of the highway occupied by the railway shall turn out upon meeting or being overtaken by any of the company's cars so as to give them full right of way provided however, that no person shall be allowed upon any bridge or part thereof built by the company or solely for the company's use, but such bridge or bridges shall be guarded.

21. The company shall be liable for and shall indemnify the township against all damages arising out of the construction repair or operation of the Company's railway or arising out of the existence of the company's railway, poles, ties or other material upon the roads whether such damages are occasioned while running at a speed authorized by this agreement or otherwise and for and against the township's cost and expenses of and incidental to claims for such damages.

22. The alignment of the company's track the location of switches and the grades of the roadbed of its railway shall be prescribed by the township engineer or such engineer as the township may appoint for the purpose and all work done under the authority of this agreement shall be done in the most substantial manner and according to the best modern practice under the superintendence and to the satisfaction of the said engineer with a right of appeal to the township council and the company shall pay to the said engineer or engineers such compensation for his services as the township may from time to time certify.

23. The rights and privileges conferred by this agreement shall extend over a period of twenty years from the date of these presents which said period shall be renewed or extended for a further period of ten years in the event of legislation being obtained enabling this to be done and the township hereby agreed upon the request of the said company to forthwith aid in procuring such legislation. Upon the expiration of the term of thirty years granted by this agreement or at such other time as this agreement may be terminated the township shall grant to the company a renewed agreement for a further term of twenty years upon such terms and conditions as shall be mutually agreed upon between the township and the company or determined by arbitration under the provisions of the Municipal Act, and so on at the end of each term of twenty years will grant further renewals for a like term under and subject to the same covenants provisions and agreements as are herein contained except in so far as the same may be varied by mutual agreement or by arbitration as aforesaid provided however if at the expiration of any one of such terms the company or the township is unwilling to renew on the terms determined upon by arbitration the township may at its option take over the railway and all the real and personal property necessarily used in connection with the working of the said railway at a value to be determined by agreement or arbitration as aforesaid and the privileges of the company shall continue until the ownership is assumed by the township.

24. There shall be no unnecessary delay on the part of the township or its officers in the granting of any certificate required by any of the provisions of this agreement but the township and its officers shall and will in all things so far as is consistent with their duty aid and assist the company in carrying out this agreement.

25. In the event of any differences arising between the township and the company as to any matter or thing to be done or performed under the terms of this agreement then the same as hereinbefore provided shall be referred for determination under the provisions of the Act relating to arbitration and references to a judge of the County of York for the time being

and an appeal shall lie from his decision to the High Court of Justice or other superior court having jurisdiction in this province in such matters and from that court an appeal shall lie to the Court of Appeal for Ontario, but no other or further appeal shall lie from the decision of such Court of Appeal for Ontario.

26. The township shall enact and pass a by-law exempting all the property of the company and the income derived therefrom from taxation for a period of ten years and may renew such exemption for a further period of ten years thereafter, provided however that this exemption shall not apply to school or county rates.

27. The company shall grant running rights over that portion of their railway on Bathurst Street from the Canadian Pacific Railway crossing to Davenport Road and on Davenport Road to one other bona fide railway company operating a street railway and having ingress to the city of Toronto upon such terms as may be mutually agreed upon between the company and the company applying for such running rights or in case of disagreement upon such terms and conditions as may be determined upon by arbitration under the provisions of the Municipal Act; provided however that any company applying for such running rights shall pay all costs of and incidental to such negotiations and any agreement made in connection therewith and of and in connection with any arbitration that may be held for the purposes aforesaid and shall deposit with the company a sufficient sum of money to cover the same at the time the application is made.

28. Should the company neglect to keep their track or roadway in good condition according to the terms of this agreement or to have the necessary repairs according to this agreement made thereon, the township may give notice requiring such repairs to be forthwith made and it is agreed between the parties hereto, that a certificate of the engineer for the time being of the township as to the necessity of such repairs in order to keep the said track or roadway in good condition according to the terms of this agreement shall be binding and conclusive upon the company and if after such notification given requiring such repairs to be made the company do not within ten days begin and carry to completion with all reasonable diligence and complete such repairs within thirty days from the receipt of such notice or such further time as the said engineer may allow the franchise granted by this agreement shall be null and void and at an end, and the township shall be at liberty at their option to remove the rails of the said company and to place the said highway in a proper state of repair at the expense of the said company the company agreeing to pay for such work on demand.

29. Proper fenders shall be placed on all cars.

30. The company may erect poles and wires for the supply of electricity for light, power and heat on all and any of the streets, roads and highways of the municipality, but such right shall not be an exclusive right.

31. After the year 1901 the company shall upon request of the township construct and operate their line of railway on Davenport Road, east of Bathurst Street and on the streets, roads and highways running north from the northern limit of Weston village such line or lines to be complete and in operation within a period not less than six months to be fixed by by-law passed by a majority vote of all the members of the township council.

32. In case the company shall refuse, decline or fail to construct a line or lines of railway as provided in section 31, the franchise of such portion of the street, road or highways as the company shall not within the time fixed by the by-law hereinbefore referred to have built upon shall revert to the township.

33. This agreement shall not be binding upon the parties hereto so far as the same applies to that portion of Dundas street lying between the western limit of the town of Toronto Junction and the present terminus of the railway at the village of Lambton Mills until the agreements between the county of York, the town of Toronto Junction and the company bearing dates respectively the 31st day of October, 1895, and the 5th day of October, 1891, granting certain rights to the company, shall have been cancelled or terminated.

34. The company shall, except where the same are inconsistent with

this agreement, be subject to all by-laws of the township now or hereafter in force in respect to highways.

35. The words "township engineer" shall include and be construed to mean as well as the township engineer, any qualified engineer that may be appointed by the council of the township for any or all of the purposes mentioned in this agreement.

36. All the rights and privileges granted by the township and as contained in this agreement shall be subject to confirmation by the Legislature of the Province of Ontario before they are binding upon the parties hereto. And the township agrees to support such legislation and hereby consents and agrees to the same.

37. Nothing in this agreement contained shall affect the validity of by-law No. 1,530 of the township of York to authorize the issue of debentures, but the same shall be binding upon the parties affected thereby and the confirmation of this section of the said agreement by the Legislature of the Province of Ontario shall be a confirmation of the said by-law No. 1,530.

38. The several clauses of the Street Railway Act, of the R. S. O. and of every Act in amendment thereof at present applicable to the company shall apply to the company except only so far as they may be inconsistent with the terms of this agreement.

39. In the event of this agreement being voided or forfeited then the rights of the parties as they existed prior to the execution thereof shall remain unaffected and as if this agreement had not been entered into.

In witness whereof the said township have caused their Corporate Seal to be hereunto affixed and the Reeve and Clerk have set their respective hands and the said company have signed, sealed and delivered this Indenture the day and year first above written and the President and Vice-President and the Secretary thereof have set their respective hands and seals on behalf of the said company.

TORONTO SUBURBAN STREET R.WY. CO. LIMITED.

E. P. HEATON, Vice-President.

S. A. A. WATT, Secretary.

[Seal of Co.]

Signed, sealed and delivered,
in the presence of

ALLAN H. ROYCE.

HENRY DUNCAN,
Reeve.
W. A. CLARKE,
Clerk.

[Seal of Corp'n.]

SCHEDULE C.

BY-LAW No. 240.

A BY-LAW TO CONFIRM AN AGREEMENT BETWEEN THE CORPORATION OF THE VILLAGE OF WESTON AND THE TORONTO SUBURBAN STREET RAILWAY COMPANY, LIMITED.

The municipal council of the corporation of the Village of Weston enacted as follows:—

That the agreement between the corporation of the Village of Weston and the Toronto Suburban Street Railway Company set forth in Schedule A to this by-law is hereby confirmed, and the Reeve and Clerk are hereby authorized and directed to affix the seal of this corporation to the said agreement.

(Sgd) W. J. CHARLTON,
Reeve.

ROBT. LEIGHTON,
Clerk.



Passed the 4th day of November, 1898.

Certified a true copy,

R. H. LEIGHTON,
Clerk.



BILL.

An Act respecting The Toronto Suburban
Street Railway Company Limited.

First Reading, 14th March, 1900.

*(Reprinted as amended by Railway
Committee.)*

(Private Bill.)

Mr. HILL.

TORONTO:
PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act respecting the Municipality of Shuniah.

WHEREAS the municipal corporation of the municipality of Shuniah has by its petition prayed that all its assessment rolls as heretofore finally revised and all sales of lands for taxes heretofore held by the municipality of Shuniah, and all purchases and sales by the municipality of Shuniah made pursuant to sub-section 3 of chapter 224 of the Revised Statutes of Ontario, 1897, be confirmed and validated. And whereas it is expedient to grant the prayer of the said petition. Preamble.

10 Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. All assessment rolls of the corporation of the municipality of Shuniah heretofore finally revised are hereby confirmed and validated and declared to be legal, valid and binding upon all parties or persons affected thereby. Assessment rolls legalized.

2. All sales by the corporation of the municipality of Shuniah held before the first day of January, 1897, for arrears of taxes are hereby validated and confirmed and made legal and binding upon all parties and persons affected thereby. Tax sales confirmed.

3. All purchases and sales by the corporation of the municipality of Shuniah made pursuant to sub-section 3 of section 184 of chapter 224 of the Revised Statutes of Ontario, 1897, (notwithstanding some of such sales were not made within the time prescribed by such statute) are hereby confirmed and validated and declared to be legal and binding upon all parties or persons affected by such purchases and sales. Purchases and sales under section 184, chap. 224 R.S.O., 1897, confirmed.

No. 54

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting the Municipality of
Shumiah.

| | |
|----------------|-------|
| First Reading, | 1900. |
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(Private Bill).

Mr. CONNOR.

TORONTO :

PRINTED BY I. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting the Municipalities of Shuniah and Neebing.

WHEREAS the Municipal Corporations of the Municipalities of Shuniah and Neebing have by petition prayed that all assessment rolls of the said municipalities as heretofore finally revised and all sales of lands for taxes heretofore held by the Municipalities of Shuniah and Neebing, and all purchases and sales by the Municipalities of Shuniah and Neebing made pursuant to sub-section 3 of section 184 of *The Assessment Act* may be confirmed and validated; and whereas it is expedient to grant the prayer of the said petitions to the extent hereinafter provided:

Preamble.

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. All assessment rolls of the Corporations of the Municipalities of Shuniah and Neebing heretofore finally revised are hereby confirmed and validated and declared to be legal, valid and binding upon all parties or persons affected thereby.

Assessment rolls legalized

2. Every sale of land by the Corporations of the Municipalities of Shuniah and Neebing held before the first day of January, 1897, for arrears of taxes including any sale to the said municipalities under subsection 3 of section 184 of *The Assessment Act* is hereby validated and confirmed and made legal and binding upon all parties and persons affected thereby. Provided that any taxes were in arrear in respect of the land sold for the third or more years preceding the sale thereof and provided that an action is not brought to set aside the sale and a certificate of *lis pendens* duly registered within six months after the passing of this Act. Provided also that no sale of land which has not been correctly described in the advertisement of the sale shall be made valid by this Act.

Tax sales confirmed.

3. All purchases by the Corporations of the Municipalities of Shuniah and Neebing made pursuant to subsection 3 of section 184 of *The Assessment Act* are hereby confirmed and validated, notwithstanding the same were not made within the time prescribed by statute.

Purchases and sales under section 184, chap. 224 R.S.O., 1897, confirmed.

No. 54.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting the Municipalities of
Shuniah and Neebing.

First Reading, 21st March, 1900.

*(Reprinted as amended by Private Bills
Committee.)*

(Private Bill).

Mr. CONMEE.

TORONTO :
PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act respecting the Municipalities of Shuniah and Neebing.

WHEREAS the Municipal Corporations of the Municipalities of Shuniah *and Neebing* have by petition prayed that all assessment rolls of *the said municipalities* as heretofore finally revised and all sales of lands for taxes heretofore held by the Municipalities of Shuniah *and Neebing*, and all purchases and sales by the Municipalities of Shuniah *and Neebing* made pursuant to sub-section 3 of section 184 of *The Assessment Act* may be confirmed and validated; and whereas it is expedient to grant the prayer of the said petitions to the extent hereinafter provided:

Preamble.

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. All assessment rolls of the Corporations of the Municipalities of Shuniah *and Neebing* heretofore finally revised are hereby confirmed and validated and declared to be legal, valid and binding upon all parties or persons affected thereby.

Assessment rolls legalized

2. *Every sale of land* by the Corporations of the Municipalities of Shuniah *and Neebing* held before the first day of January, 1897, for arrears of taxes including any sale to the said municipalities under subsection 3 of section 184 of *The Assessment Act* is hereby validated and confirmed and made legal and binding upon all parties and persons affected thereby. Provided that any taxes were in arrear in respect of the land sold for the third or more years preceding the sale thereof and provided that an action is not brought to set aside the sale and a certificate of *lis pendens* duly registered within six months after the passing of this Act. Provided also that no sale of land which has not been correctly described in the advertisement of the sale nor any sale preferring to be of an undivided partial interest in any land shall be made valid by this Act nor shall this Act make valid any tax deed in which the description fails to conform with the sale.

Tax sales confirmed.

3. All purchases by the Corporations of the Municipalities of Shuniah *and Neebing* made pursuant to subsection 3 of section 184 of *The Assessment Act* are hereby confirmed and validated, notwithstanding the same were not made within the time prescribed by statute.

Purchases and sales under confirmed.

No. 54.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting the Municipalities of
Shumiah and Neebing.

First Reading, 21st March, 1900.
Second Reading, 20th April, 1900.

*(Reprinted as amended in Committee of
the Whole House.)*

(Private Bill).

Mr. CONNIE.

TORONTO :

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act to Incorporate the Wabigoon, Manitou and
Rainy Lake Railway Company.

WHEREAS Thomas McLaughlin, of the city of Toronto, Preamble.
Francis H. Sangster, John Rawson Lumby and Lawrence Rutherford Johnstone, all of the village of Wabigoon in the Province of Ontario; Herbert H. Beck, of the city of
5 Winnipeg, in the Province of Manitoba; Christopher Conway Robinson, Thomas B. Speight and William James Clark, all of the city of Toronto in the county of York and the Province of Ontario, have by their petition prayed for an Act of incorporation under the name of "The Wabigoon, Manitou and Rainy
10 Lake Railway Company," for the purposes of constructing, maintaining and operating a steam or electric railway from a point on the south-eastern end of Minnetakie Lake to Mine Centre, all in the district of Rainy River and Province of Ontario, and from a point on the Canadian Pacific Railway
15 between Dryden and Tache Station, southerly (east of Manitou Lake), to a point on the Ontario and Rainy River Railway between Fort Francis and Sturgeon Falls, and whereas it is expedient to grant the prayer of the said petition:—

Therefore, Her Majesty, by and with the advice and consent
20 of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Thomas McLaughlin, of the city of Toronto; Francis H. Sangster, of the village of Wabigoon; Herbert Henry Beck, of the city of Winnipeg; John Rawson Lumby, of the
25 village of Wabigoon; Lawrence Rutherford Johnstone, of the said village of Wabigoon; Christopher Conway Robinson, Thomas B. Speight and William James Clark, all of the city of Toronto in the county of York, and such other persons and corporations as shall hereafter become shareholders in the said
30 Company, are hereby constituted a body corporate and politic under the name of "The Wabigoon, Manitou and Rainy River Railway Company," hereinafter called the "Company." Incorporation.

2. The said company is hereby authorized and empowered
to survey, lay out, complete, construct, equip, maintain and
35 operate a steam or electric railway with double or single iron or steel tracks, from a point on the south eastern end of Minnetakie Lake to Mine Centre, all in the District of Rainy River and Province of Ontario, and from a point on the Canadian Pacific Railway between Dryden and Tache Station, Location of line.

southerly (east of Manitou Lake), to a point on the Ontario and Rainy River Railway between Fort Francis and Sturgeon Falls, and with power to acquire water powers for the purpose of generating electricity for motor power and all other necessary powers for the purpose of the undertaking. 5

Guage.

3. The guage of the said railway shall be four feet, eight and one-half inches.

Provisional directors.

4. The said Thomas McLaughlin, Francis H. Sangster, Herbert Henry Beck, John Rawson Lumby, Lawrence Rutherford Johnstone, Christopher Conway Robinson, Thomas B. Speight, and William James Clark, with power to add to their number, shall be and are hereby constituted a board of provisional directors of the said company, of whom a majority shall be a quorum, and shall hold office as such until other directors shall be appointed under the provisions of this Act, by the shareholders. 10 15

Powers of provisional directors.

5. The said board of provisional directors shall have power forthwith to open stock books and to procure subscriptions of stock for the undertaking, and to allot the stock and to receive payments on account of stock subscribed, and to make calls upon subscribers in respect to their stock, and to sue for and recover the same; and to cause plans and surveys to be made, and to receive for the company any grant, loan, bonus or gift made to it, or in aid of the undertaking, and to enter into any agreement respecting the conditions or disposition of any gift or bonus in aid of the railway; and with all such other powers as, under The Railway Act of Ontario, are vested in ordinary directors. The said directors, or a majority of them, or the board of directors to be elected as hereinafter mentioned, may, in their discretion, exclude any one from subscribing for stock, who, in their judgment, would hinder, delay or prevent the company from proceeding with and completing their undertaking under the provisions of this Act; and if at any time a portion or more than the whole stock shall have been subscribed, the said provisional directors, or board of directors, shall allocate and apportion it amongst the subscribers as they shall deem most advantageous and conducive to the furtherance of the undertaking; and in such allocation the said directors may, in their discretion, exclude any one or more of the said subscribers, if, in their judgment, such exclusion will best secure the building of the said railway; and all meetings of the provisional board of directors shall be held at the city of Toronto, in the county of York, or at such other place as may best suit the interest of the said company. 20 25 30 35 40

Conveyances of land to company.

6. Conveyance of lands to the said company for the purposes of and powers given by this Act, made in the form set forth in schedule A hereunder written, or to the like effect, shall be sufficient conveyance to the said company, their suc- 45

cessors and assigns, of the estate or interest therein, mentioned and sufficient bar of dower, respectively, of all persons executing the same; and such conveyances shall be registered in the same manner and upon such proof of execution as is required under the registry laws of Ontario, and no registrar shall be entitled to demand more than seventy-five cents for registering the same, including all entries and certificates thereof and certificates endorsed on the duplicates thereof.

7. No subscription for stock in the capital of the company shall be binding on the said company unless it shall be approved by resolution of the directors, nor unless ten per centum of the amount subscribed has been actually paid thereon within one month after subscription.

Subscriptions
for stock,
when binding.

8. The said company may receive from any government or from any persons or bodies corporate, municipal, or politic, who may have powers to make or grant the same, aid towards the construction, equipment or maintenance of the said railway, by way of gift, bonus or loan of money or debentures or other securities for money, or by way of guarantee upon such terms and condition as may be agreed upon.

Aid to com-
pany.

9. The capital stock of the company hereby incorporated shall be \$1,000,000 (with power to increase the same in the manner provided by *The Railway Act of Ontario*), to be divided into ten thousand shares of \$100 each, and shall be raised by the persons and corporations who may become shareholders in such company, and the money so raised shall be applied, in the first place, to the payment of all fees, expenses and disbursements of, and incidental to, the passing of this Act, and for making the surveys, plans and estimates connected with the works hereby authorized, and the remainder of the said money shall be applied to the making, equipping and completing and maintaining of the said railway, and to the other purposes of this Act; and until such preliminary expenses shall be paid out of such capital stock the municipal corporation of any municipality on or near the line of such works may, by resolution, of which seven days' previous notice shall be given, and passed by a majority of the said municipal corporation, authorize the treasurer of such municipality to pay out of the general funds of such municipality, its fair proportion of such preliminary expenses, which shall thereafter, if such municipality shall so require, be refunded to such municipality, from the capital stock of the said company, or be allowed to it in payment of stock.

Capital stock.

10. When and as soon as shares to the amount of \$100,000 of the capital stock of the said company shall have been subscribed, and ten per centum paid thereon into some chartered bank of the Dominion, having an office in the Province of Ontario, to the credit of the company, and which shall on the

First general
meeting.

account be withdrawn therefrom unless for the services of the company, the said provisional directors or a majority of them shall call a general meeting of the shareholders for the purpose of electing directors of the said company, giving at least four weeks' notice of such meeting by advertisement in *The Ontario Gazette* and in at least one newspaper published in the said City of Toronto of the time, place and purpose of the said meeting. 5

Directors. 11. At such general meeting the shareholders present either in person or by proxy, who shall at the opening of such meeting have paid up ten per centum on the stock subscribed by them, shall elect not less than seven persons nor more than fifteen persons to be directors of the said company in manner and qualified as hereinafter mentioned, who shall constitute a board of directors and shall hold office until the next general annual meeting, and a majority of the directors shall form a quorum of the board, and may pass such rules, regulations and by-laws as may be deemed expedient and are not inconsistent with this Act and the Railway Act of Ontario, and the said board may employ and pay one of their number as managing-director. 10 15 20

Qualification of directors. 12. No person shall be qualified to be elected as such director by the shareholders unless he be a shareholder holding at least ten shares of stock in the said company, and unless he has paid up all calls thereon. 25

Construction of line in sections. 13. The company is hereby authorized and empowered to take and make the surveys and levels of the lands through which the said railway is to pass, together with the map or plan thereof, and of their course and direction, and of the lands intended to be passed over and taken therefor, so far as then ascertained, and also the book of reference for the railway, and to deposit the same as required by the clauses of *The Railway Act of Ontario* and the amendments thereto with respect to plans and surveys, by sections or portions less than the length of the whole railway authorized, of such length as the company may from time to time see fit so that no one of such sections or portions shall be less than ten miles in length, and upon such deposit, as aforesaid, of the map or plan and book of reference of any and each of such sections or portions of the said railway, all and every of the clauses of the said *Railway Act* and the amendments thereof applied to, included in or incorporated with this Act shall apply and extend to any and each of such sections or portions of the said railway as fully and effectually as if the surveys and levels had been taken and made of the lands through which the whole of the said railway is to pass, together with the map or plan of the whole thereof, and of their whole course and direction, and of the lands intended to be passed over and taken, and the book of reference of the whole of said railways had been taken, made, examined, certified 30 35 40 45

and deposited according to the said clauses of the said *Railway Act* and the amendments thereof with respect to "plans and surveys."

14. Aliens, and companies incorporated abroad, as well as
5 British subjects and corporations, may be shareholders in the
said company, and all such shareholders, whether resident in
this Province or elsewhere, shall be entitled to vote on their
shares equally with British subjects, and shall also be eligible
for office as directors in the said company. Rights of
aliens.

15. Whenever any municipality or portion of a township
10 municipality shall grant aid by way of bonus or gift to the
railway company, the debentures therefor shall, within six
months after the passing of the by-law authorizing the same,
be delivered, to three trustees to be named, one by the
15 Lieutenant-Governor-in-Council, one by the said company, and
one by the majority of the heads of the municipalities which
have granted bonuses, all of the trustees to be residents of the
Province of Ontario, provided that if the said heads of the
municipalities shall refuse or neglect to name such trustee
20 within one month after notice in writing of the appointment
of the company's trustee, or if the Lieutenant-Governor-in-
Council shall omit to name such trustee within one month
after notice in writing to him of the appointment of the other
trustees, then in either case, the company shall be at liberty to
25 name such other trustee or other trustees, any of the said
trustees may be removed and a new trustee appointed in his
place, at any time by the Lieutenant-Governor-in-Council, and
in case any trustee dies or resigns his trust, or goes to live out
of the Province of Ontario, or otherwise becomes incapable of
30 acting, his trusteeship shall become vacant, and a new trustee
may be appointed by the Lieutenant-Governor-in-Council. Trustees of
municipal
debentures.

16. The said trustees shall receive the said debentures or
bonds in trust, firstly, under the direction of the company, but
subject to the conditions of the by-law in relation thereto, as
35 to time or manner, to convert the same into money or other-
wise dispose of them; secondly, to deposit the debentures or
amount realized from the sale in some chartered bank having
an office in the Province of Ontario, in the name of "The
Wabigoon, Manitou and Rainy Lake Railway Municipal
40 Trust Account," and to pay the same out to the said company
from time to time as the said company becomes entitled
thereto, under the conditions of the by-law granting the said
bonus and on the certificate of the chief engineer of the said
company for the time being, in the form set out in schedule B
45 hereto, or to the like effect, which certificate shall set forth
that the conditions of the by-law have been complied with, and
is to be attached to the cheque or order drawn by the said
trustees for such payment or delivery of debentures, and such
engineer shall not wrongfully grant any such certificate under

Trusts of pro-
ceeds of de-
bentures.

a penalty of \$500, recoverable in any court of competent jurisdiction by any person who may sue therefor.

Fees of trustees.

17. The trustees shall be entitled to their reasonable fees and charges from the said trust fund, and the act of any two of such trustees shall be as valid and binding as if the three had 5 agreed.

Bonding powers.

18. The directors of the company shall have power to issue bonds of the company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all the sum of \$20,000, 10 for each mile of the said railway.

Transfer of bonds.

19. All such bonds, debentures and other securities and coupons and interest warrants thereon respectively may be made payable to bearer, and transferable by delivery, and any holder of any such securities so made payable to bearer, may 15 sue at law thereon in his own name.

Negotiable instruments.

20. The said company shall have power and authority to become parties to promissory notes and bills of exchange for sum not less than \$100 and any such promissory note or bill of exchange made, accepted or endorsed by the president 20 or vice-president of the company, and countersigned by the secretary of the said company, and under the authority of a quorum of the directors, shall be binding on the said company, and every such promissory note or bill of exchange so made shall be presumed to have been with proper authority until 25 the contrary be shown, and in no case shall it be necessary to have the seal of the said company affixed to such promissory note or bill of exchange, nor shall the president, vice-president or the secretary be individually responsible for the same unless the said promissory notes or bills of exchange 30 have been issued without the sanction and authority of the directors as therein provided and enacted; provided, however, that nothing in this section shall be construed to authorize the said company to issue any promissory note or bill of exchange payable to the bearer, or intended to be circulated as money, 35 or as the notes or bills of a bank.

Pledging bonds.

21. The said company, may from time to time, for advances of money to be made thereon, mortgage or pledge any bonds which they may be enabled, under the powers of this Act, to issue for the construction of the said railway, 40

Agreements with other companies.

22. It shall be lawful for the directors of the company to enter into an agreement or agreements with any other company or companies, if lawfully authorized to enter into such agreements, or with any person or persons for leasing, hiring, or use of any locomotives, carriages, rolling stock, and other 45 movable property from such companies or persons for such

time or times and on such terms as may be agreed on and also to enter into agreements with any railway company or companies, if so lawfully authorized for the use by one or more of such contracting companies, of the locomotives, carriages, rolling stock and other moveable property of the other or others of them on such terms as to compensation and otherwise as may be agreed upon.

23. The said company may also construct an electric telegraph line and a telephone line in connection with their railway, and for the purpose of constructing, working and protecting the said telegraph and telephone lines, the powers conferred upon telegraph companies by the Act respecting telegraph companies being Chapter 192 of the Revised Statutes of Ontario, 1897, are hereby conferred upon the said company; provided that no poles shall be erected in the construction of either of the said lines in or through any city, town or incorporated village without the consent of the council of such city, town or village being first obtained by the said company.

20 (a) The company may establish offices for the transmission of messages for the public for profit, and for the purpose of erecting and working such telegraph and telephone lines, the company may enter into a contract with any other company.

25 (b) The company may enter into arrangements with any other telegraph or telephone company for the exchange and transmission of messages, and for the working in whole or in part of the lines of the company.

30 (c) The company for the purpose of its undertaking may acquire and utilize water and steam power for the purpose of compressing air or generating electricity for lighting, heating or motor purposes, and may dispose of surplus power generated by the company's works and not required for the undertaking of the company.

35 (d) The company may operate its line of railway by the force and power of steam or of electricity, or of the atmosphere, or of animals or by mechanical power, or by any combination of them.

24. The directors may, from time to time, make calls as they shall think fit, provided that no call shall be made at any one time of more than ten per centum of the amount subscribed by each shareholder, and thirty days' notice shall be given of each call, as hereinafter provided, in section 27 of this Act.

25. The said company shall have full power to purchase land for and erect warehouses, elevators, docks, stations, workshops and offices, and to sell and convey such land as may be found superfluous for any such purpose; and the company shall have power to hold and operate as part of the pro-

Telegraph and
telephone
lines.

Calls.

Warehouses,
docks, etc.

perty of the said company as many steam or other vessels as the directors of the company may deem requisite, from time to time, to facilitate the carriage of passengers, freight and other traffic in connection with the railway.

Payments in
bonds or paid
up stock.

26. The provincial directors, or the elected directors, may pay, or agree to pay, in paid up stock or in bonds of the said company, such sums as they may deem expedient, to engineers or contractors, or for right of way, or material, plant or rolling stock, and also, when sanctioned by a vote of the shareholders at a general meeting, for the services of the promoters or other persons who may be employed by the directors in furthering the undertaking, or for the purchase of right of way, material, plant, or rolling stock, whether such promoters or other persons be provisional or elected directors or not, and any agreement so made shall be binding on the company.

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Head office,
general an-
nual meeting.

27. The head office of the said company shall be at the said city of Toronto, and the general annual meeting of the shareholders of the said company shall be held in such place in the said City of Toronto, on such days and at such hours as may be directed by the by-laws of the company; and public notice thereof shall be given at least four weeks previously in *The Ontario Gazette*, and once a week in one newspaper published in the said city of Toronto during the four weeks immediately preceding the week in which such meeting is to take place.

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Special gen-
eral meetings

28. Special general meetings of the shareholders of the said company may be held at such place and at such times and in such manner and for such purposes as may be provided by the by-laws of said company, upon such notice as is provided in the last preceding section.

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Municipal
bonuses.

29. Any municipality, or any portion of a township municipality, which may be interested in securing the construction of the said railway, or through any part of which, or near which, the railway or works of the said company shall pass or be situate, may aid the said company by giving money or debentures, by way of bonus, gift or loan, or by the guarantee of the municipal corporation, under and subject to the provisions hereinafter contained; provided always that such aid shall not be given except after the passing of a by-law, for the purpose, and the adoption of such by-law by the qualified ratepayers of the municipality or portion of a municipality (as the case may be) in accordance with and as provided by law in respect to granting aid, by way of bonuses to railways.

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Submitting
bonus by-laws
to ratepayers.

30. Such by-law shall be submitted by the municipal council, to the vote of the ratepayers, in manner following, namely:

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(1) The proper petition shall first be presented to the council, expressing the desire to aid the railway, and stating in

what way and for what amount; and the council shall within six weeks after the receipt of such petition by the clerk of the municipality, introduce a by-law to the effect petitioned for, and submit the same to the approval of the qualified voters.

5 (2.) In the case of a county municipality, the petition shall be that of a majority of the reeves and deputy-reeves; or of fifty resident freeholders, in each of the minor municipalities of the county, who are qualified voters under *The Municipal Act* and the amendments thereto.

10 (3.) In the case of other municipalities, the petition shall be that of a majority of the council thereof, or of fifty resident freeholders, being duly qualified voters under *The Municipal Act*, and amendments thereto as aforesaid.

(4.) In the case of a section of a township municipality, the
15 petition is to be presented to the council, defining the section by metes and bounds, or lots and concessions, and shall be that of a majority of the council of such township, municipality or of fifty resident freeholders in such section of the municipality, being duly qualified voters as aforesaid.

20 **31.** Such by-law shall in each instance provide.

(1) For raising the amount petitioned for in the municipal-
ity or portion of the township municipality (as the case may
be) mentioned in the petition, by the issue of debentures of
the company or minor municipality, respectively, and shall
25 also provide for the delivery of the said debentures, or the
application of the amount to be raised thereby, as may be ex-
pressed in said by-law. Terms of municipal by-laws.

(2) For assessing and levying upon all rateable property
lying within the municipality or portion of the township mun-
30 icipality defined in said by-law (as the case may be) an annual
special rate sufficient to include a sinking fund for the repay-
ment of the said debentures within twenty years with interest
thereon, payable yearly or half-yearly, which debentures the
respective municipal councils, wardens, reeves, mayors, and
35 other officers thereof are hereby authorized to execute and
issue in such cases respectively.

32. In the case of aid from a county municipality, fifty
resident freeholders of the county may petition the county
council against submitting the said by-law upon the ground
40 that certain minor municipalities or portions thereof comprised
in the said by-law, would be injuriously affected thereby, or
upon any other ground ought not to be included therein, and
upon deposit by the petitioners with the treasurer of the
county of a sum sufficient to defray the expenses of such
45 reference, the said council shall forthwith refer the said peti-
tion to three arbitrators, one being the judge of the county
court, one being the registrar of the county or of the riding in
which the county town is situate, and one being an engineer

appointed by the commissioner of public works for Ontario, who shall have power to confirm or amend the said by-law by excluding any minor municipality or any section thereof, therefrom, and the decision of any two of them shall be final, and the by-law so confirmed or amended shall thereupon, at the option of the railway company, be submitted by the council to the duly qualified voters, and in case the by-law is confirmed by the arbitrators, the expense of the reference shall be borne by the petitioners against the same, but if amended, then by the railway company or the county, as the arbitrators may order.

"Minor municipality," meaning of.

33. The term "minor municipality" shall be construed to mean any town not separated from the municipal county, township, or incorporated village, situate in the county municipality.

15

Deposit before by-law submitted.

34. Before any such by-law is submitted, the railway company shall, if required, deposit with the treasurer of the municipality a sum sufficient to pay the expenses to be incurred in submitting said by-law.

Passing by-law when approved by ratepayers.

35. In case the by-law submitted be approved of and carried, in accordance with the provisions of the law in that behalf, then within four weeks after the date of such voting, the municipal council which submitted the same shall read the said by-law a third time and pass the same.

20

Bonus debentures issue and disposal of.

36. Within one month after the passing of such by-law, the said council, and the mayor, warden, reeve or other head, or other officers thereof, shall issue or dispose of the debentures provided for by the by-law, and deliver the same duly executed to the trustees appointed, or to be appointed, under this Act.

25

Rate on portion of municipality.

37. In case any such loan, guarantee or bonus, be so granted by a portion of a township municipality, the rate to be levied for payment of the debentures issued therefor, and the interest thereon, shall be assessed and levied upon such portion only of such municipality.

30

Application of Rev. Stat., c. 223, to bonus by-laws.

38. The provisions of *The Municipal Act* and the amendments thereto, so far as the same are not inconsistent with this Act, shall apply to any by-law so passed by or for a portion of a township municipality, to the same extent as if the same had been passed by or for the whole municipality.

35

Extension of time for commencing work.

39. The councils for all corporations that may grant aid by way of bonus to the said company, may, by resolution or by-law, extend the time for the commencement of the work beyond that stipulated for in the by-law or by-laws granting such aid, from time to time; provided that no such extension shall be for a longer period than one year.

40

45

40. It shall and may be lawful for the council of any municipality that may grant aid by way of bonus to the said company, by resolution or by-law to extend the time for the completion of the works (on the completion of which the said company would be entitled to such bonus), from time to time, provided that no such extension shall be for a longer period than one year at a time.

Extension of time for completing work.

41. Any municipality or portion of a township municipality interested in the construction of the road, of
 10 may grant aid by way of bonus to the said company towards the construction of such road, notwithstanding that such aid may increase the municipal taxation of such municipality, or portion thereof, beyond what is allowed by law ; provided that such aid shall not require the levying of a greater aggregate
 15 annual rate for all purposes exclusive of school rates, than three cents in the dollar upon the value of the rateable property therein.

Limit of rates in aid of railway proviso.

42. It shall be lawful for the corporation of any municipality through any part of which the railway of the said company passes, or in which it is situate, by by-law especially
 20 passed for that purpose, to exempt the said company and its property within such municipality, either in whole or in part from municipal assessment or taxation, or to agree to a certain sum per annum, or otherwise in gross by way of commutation or composition for payment, or in lieu of all or any
 25 municipal rates or assessments, to be imposed by such municipal corporation, and for such term of years as such municipal corporation may deem expedient not exceeding twenty-one years, and no such by-law shall be repealed unless in conformity with a condition contained therein.

Exemptions from taxation.

43. Any municipality through which the said railway may pass or is situate, is empowered to grant, by way of gift to the said company, any lands belonging to such municipality, or over which it may have control, which may be required for
 35 right of way, station grounds, or other purposes, connected with the running or traffic of said railway ; and the said railway company shall have power to accept gifts of land from any government, or any person or body, corporate or politic, and shall have power to sell or otherwise dispose of the same
 40 for the benefit of the said company.

Grants of lands from municipalities

44. Whenever it shall be necessary for the purpose of procuring sufficient land for stations, or gravel pits, or for constructing, maintaining and using the said railway, and in case, by purchasing the whole of any lot or parcel of land, over
 45 which the railway is to run, the company can obtain the same at a more reasonable price, or to greater advantage, than by purchasing the railway line only, the company may purchase hold, use and enjoy such lands, also the right of way thereto,

Purchase of whole lots.

Rev. Stat.
c. 207.

if the same be separated from their railway, and may sell and convey the same, or any part thereof, from time to time, as they may deem expedient; but the compulsory clauses of *The Railway Act of Ontario* shall not apply to this section.

Acquiring
lands for
supply of
materials.

45. When stone, gravel, earth or sand is or are required for the construction or maintainence of said railway or any part thereof, the company may, in case they cannot agree with the owner of the lands on which the same are situate for the purchase thereof, cause an Ontario Land Surveyor to make a map and description of the property so required, and they shall serve a copy thereof, with their notice of arbitration, as in case of acquiring the roadway, and the notice of arbitration, the award and the tender of the compensation, shall have the same effect as in case of arbitration for the roadway; and all the provisions of *The Railway Act of Ontario*, and of this Act, as to the service of the said notice, arbitration, compensation, deeds, payment of money into Court, the right to sell, the right to convey, and the parties from whom land may be taken, or who may sell, shall apply to the subject matter of this section, as to the obtaining materials as aforesaid; and such proceedings may be had by the said company either for the right to the fee simple in the lands from which said materials shall be taken, or for the right to take materials for any time they shall think necessary; the notice of arbitration, in case arbitration is resorted to, to state the interest required.

Rev. Stat.
c. 207.

Sidings to
gravel pits.

46. When said gravel, earth, stone or sand shall be taken under the preceding section of this Act, at a distance from the line of the railway, the company may lay down the necessary sidings and tracks over any lands which may intervene between the railway and the lands on which said material shall be found, whatever the distance may be; and all the provisions of *The Railway Act of Ontario* and of this Act, except such as relate to filing plans and publications of notice, shall apply and may be used and exercised to obtain the right of way from the railway to the land on which such materials are situated; and such right may be so acquired for a term of years or permanently, as the company may think proper; and the powers in this and the preceding section may at all times be exercised and used in all respects after the railway is constructed for the purpose of maintaining and repairing the said railway.

Running
arrangements
with C. P. R.
Co. and O.
and R. R. Co.

47. The said company shall have power to agree for connections and make running arrangements with the Canadian Pacific Railway Company and the Ontario and Rainy River Railway Company, if lawfully empowered to enter into such an agreement, upon terms to be approved of by two thirds in value of the shareholders at a special general meeting to be held for that purpose, and it shall also be lawful for the said company to enter into an agreement with the said railway

companies, if lawfully authorized to enter into such an agreement, for the sale or leasing or hiring of the whole or any portion of the railway herein authorized or the use thereof, or for the sale or lease or hiring any locomotives, tenders, 5 plant or rolling stock or other property or of any part thereof, or touching any service to be rendered by the one company to the other and the compensation thereof, if the arrangements and agreements shall be approved of by two-thirds in value of the shareholders voting in person or by proxy at a special 10 general meeting to be called for that purpose, and every such agreement shall be valid and binding according to the terms and tenor thereof, and the company purchasing, leasing or entering into such an agreement for using the said railway may and are hereby authorized to work the said railway and 15 in the same manner as if incorporated with their own line; but this section shall not be construed as purporting or intending to confer rights or powers upon any company which is not within the legislative authority of the Province of Ontario.

48. Shares in the capital stock of the said company may be 20 transferred by any form of instrument in writing, but no transfer shall become effectual unless the stock or scrip certificates issued in respect of shares intended to be transferred are surrendered to the company, or the surrender thereof dispensed with by the company. Shares—
transfer of.

49. The said company shall have power to collect and receive 25 all charges subject to which goods or commodities may come into their possession, and on payment of such back charges, and without any formal transfer, shall have the same lien for the amount thereof upon such goods and commodities as the 30 person to whom such charges were originally due, and shall be subrogated by such payment in all the rights and remedies of such persons for such charges. Back charges
on goods.

50. The directors of the said company may enter into a 35 contract or contracts with any individual or association of individuals for the construction or equipment of the line or any part thereof, including or excluding the purchase of right of way, and may pay therefor, either in the whole or in part, either in cash or bonds; provided that no such contract shall be of any force or validity till approved of by two-thirds of 40 the shareholders present in person or by proxy at a meeting specially convened for considering the same. Contracts for
construction,
etc.

51. The several clauses of *The Railway Act of Ontario* and 45 of every Act in amendment thereof shall be incorporated with, and be deemed to be a part of, this Act, and shall apply to the said company and to the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof; and the expression "this Act," when used herein, shall be understood to include the clauses of the said Application
of Rev. Stat.
c. 207.

Railway Act, and of every Act in amendment thereof, so incorporated with this Act.

Time for commencement and completion.

52. The railway shall be commenced within three years and finally completed within five years after the passing of this Act.

SCHEDULE A.

(Section 6.)

Know all men by these presents that I (or we) (insert the name or names of the vendor or vendors), in consideration of _____ dollars paid to me (or us) by The Wabigoon, Manitou and Rainy Lake Railway Company, the receipt whereof is hereby acknowledged, do grant and convey unto the said company, and I (or we) (insert the name or names of any other party or parties), in consideration of _____ dollars, paid to me (or us) by the said company, the receipt whereof is hereby acknowledged, do grant and release all that certain parcel (or those certain parcels, as the case may be) of land (describe the land), the same having been selected and laid out by the said company for the purposes of its railway, to hold with the appurtenances unto the said The Wabigoon, Manitou and Rainy Lake Railway Company, their successors and assigns, forever (here insert any other clauses, covenants and conditions required), and I (or we), the wife (or wives) of the said _____, do hereby bar my (or our) dower in the said lands.

As witness my (or our) hand and seal (or hands and seals) this day of _____ one thousand nine hundred.

Signed, sealed and delivered {
in the presence of _____ }

SCHEDULE B.

(Section 16.)

Chief Engineer's Certificate.

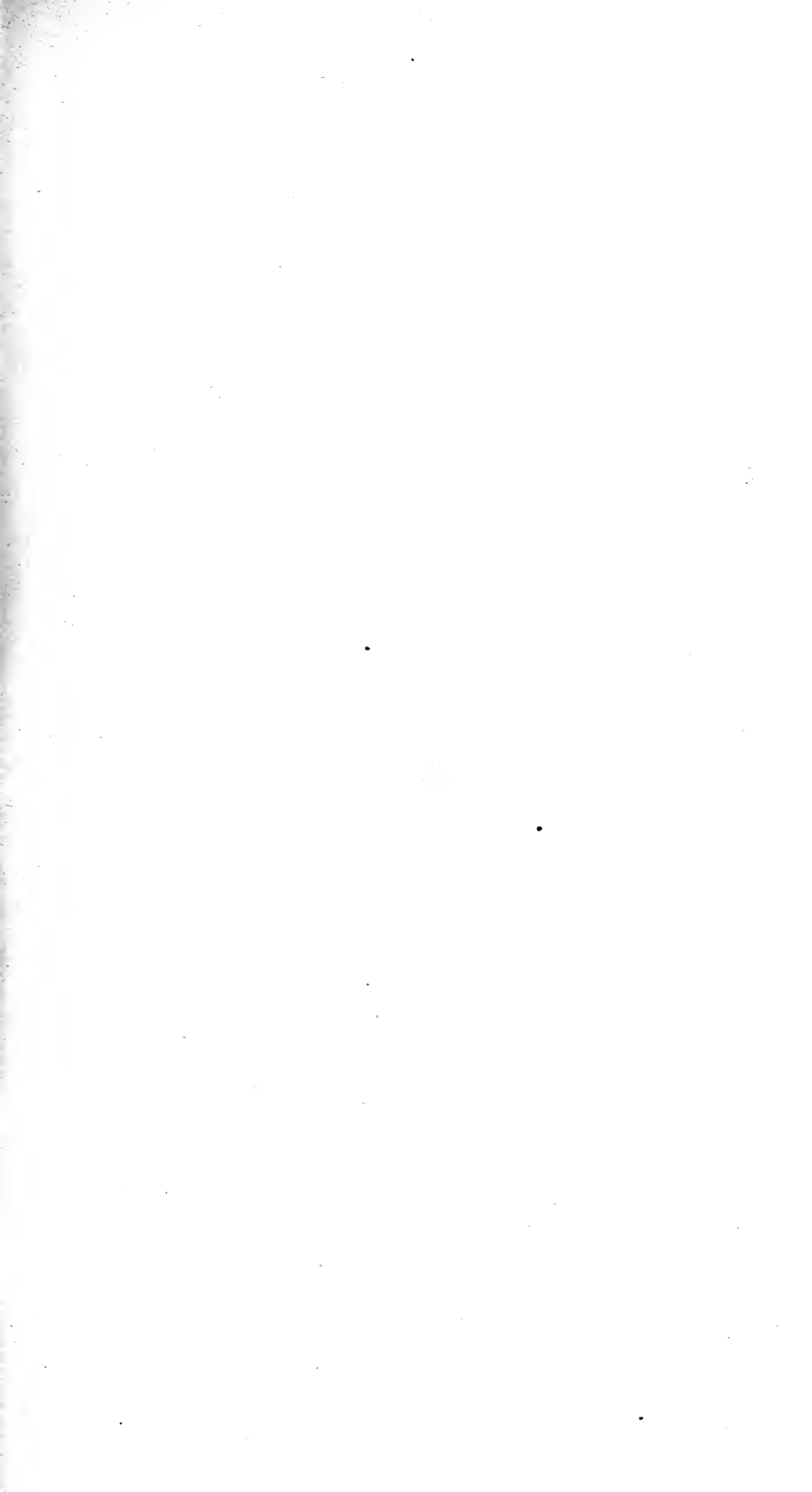
The Wabigoon, Manitou and Rainy Lake Railway Company's Office.

No. _____ A.D. 19 _____

Engineer's Department.

Certificate to be attached to cheques drawn on the Wabigoon, Manitou and Rainy Lake Railway Company Municipal Trust Account given under section _____, chapter _____, of the Acts of the Legislature of Ontario, passed in the _____ year of Her Majesty's reign.

I, A. B., Chief Engineer of the Wabigoon, Manitou and Rainy Lake Railway Company, do hereby certify that the said company has fulfilled the terms and conditions to be fulfilled under the by-law No. _____ of the township of _____ (or under the agreement dated the day of _____, 19 _____, between the corporation of _____ and the said company) to entitle the said company to receive from the said trust the sum of _____ (here set out the terms and conditions, if any, which have been fulfilled.



No. 55.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to Incorporate the Wabigoon, Manitou and Rainy Lake Railway Company.

First Reading, 1900.

(Private Bill.)

Mr. CONNIE.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act to Incorporate the Wabigoon, Manitou and
Rainy Lake Railway Company.

WHEREAS Thomas McLaughlin, of the city of Toronto, Preamble.
Francis H. Sangster, John Rawson Lumby and Lawrence Rutherford Johnstone, all of the village of Wabigoon in the Province of Ontario; Herbert H. Beck, of the city of Winnipeg, in the Province of Manitoba; Christopher Conway Robinson, Thomas B. Speight and William James Clark, all of the city of Toronto in the county of York and the Province of Ontario, have by their petition prayed for an Act of incorporation under the name of "The Wabigoon, Manitou and Rainy Lake Railway Company," for the purpose of constructing, maintaining and operating a railway from a point on the south eastern end of Minnetakie Lake to Mine Centre, all in the district of Rainy River and Province of Ontario, and from a point on the Canadian Pacific Railway between Dryden and Tache Station, southerly (east of Manitou Lake), to a point on the Ontario and Rainy River Railway between Fort Francis and Sturgeon Falls, ~~and~~ and it has been represented that the line of the railway of the company so to be incorporated will, for the most part, be constructed in the unorganized part of the Province; and it is proposed to operate the same by steam or electricity; and whereas, owing to the location of the line of the said railway, the provisions of *The Electric Railway Act* are not applicable to the company so to be incorporated, and the said petitioners have prayed that there may be conferred upon them the powers ordinarily given upon the incorporation of a railway to be operated by steam; and whereas for the reasons aforesaid the circumstances of the said proposed line of railway are exceptional; ~~and~~ and whereas it is expedient to grant the prayer of the said petition:—

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Thomas McLaughlin, of the city of Toronto; Francis H. Sangster, of the village of Wabigoon; Herbert Henry Beck, of the city of Winnipeg; John Rawson Lumby, of the village of Wabigoon; Lawrence Rutherford Johnstone, of the said village of Wabigoon; Christopher Conway Robinson, Thomas B. Speight and William James Clark, all of the city of Toronto in the county of York, and such other persons and corporations as shall hereafter become shareholders in the said Incorporation .

company, are hereby constituted a body corporate and politic under the name of "The Wabigoon, Manitou and Rainy River Railway Company," hereinafter called "the Company."

Location of
line.

2. The said company is hereby authorized and empowered to survey, lay out, complete, construct, equip, maintain and operate a steam or electric railway with double or single iron or steel tracks, from a point on the south eastern end of Minnetakie Lake to Mine Centre, all in the District of Rainy River and Province of Ontario, and from a point on the Canadian Pacific Railway between Dryden and Tache Station, southerly (east of Manitou Lake), to a point on the Ontario and Rainy River Railway between Fort Francis and Sturgeon Falls; and ^{and} the said railway, or any part thereof, so far as the same may be operated by electricity, may be carried along and upon such public highways as may be authorized by the by-laws of the respective corporations having jurisdiction over the same and subject to the restrictions and provisions therein and in this Act contained, and under and subject to any agreements between the company and the councils of any of the said corporations and between the company and the road companies (if any) interested in such highways; and the company may make and enter into any agreements with any municipal corporation or road company as to the terms of occupancy of any street or highway subject to the provisions and conditions contained in this Act and in *The Municipal Act* and any Act or Acts amending the same. ^{and}

Rev. Stat.
c. 223.

Gauge.

3. The gauge of the said railway shall be four feet, eight and one-half inches.

Provisional
directors.

4. The said Thomas McLaughlin, Francis H. Sangster, Herbert Henry Beck, John Rawson Lumby, Lawrence Rutherford Johnstone, Christopher Conway Robinson, Thomas B. Speight, and William James Clark, with power to add to their number, shall be and are hereby constituted a board of provisional directors of the said company, of whom a majority shall be a quorum, and shall hold office as such until other directors shall be appointed under the provisions of this Act, by the shareholders.

Powers of
provisional
directors.

5. The said board of provisional directors shall have power forthwith to open stock books and to procure subscriptions of stock for the undertaking, and to allot the stock and to receive payments on account of stock subscribed, and to make calls upon subscribers in respect to their stock, and to sue for and recover the same; and to cause plans and surveys to be made, and to receive for the company any grant, loan, bonus or gift made to it, or in aid of the undertaking, and to enter into any agreement respecting the conditions or disposition of any gift or bonus in aid of the railway; and with all such other powers as, under *The Railway Act of Ontario*, are vested in ordinary

Rev. Stat.
c. 207.

directors. The said directors, or a majority of them, or the board of directors to be elected as hereinafter mentioned, may, in their discretion, exclude any one from subscribing for stock, who, in their judgment, would hinder, delay or prevent the company from proceeding with and completing their undertaking under the provisions of this Act; and if at any time a portion or more than the whole stock shall have been subscribed, the said provisional directors, or board of directors, shall allocate and apportion it amongst the subscribers as they shall deem most advantageous and conducive to the furtherance of the undertaking; and in such allocation the said directors may, in their discretion, exclude any one or more of the said subscribers, if, in their judgment, such exclusion will best secure the building of the said railway; and all meetings of the provisional board of directors shall be held at the city of Toronto, in the county of York, or at such other place as may best suit the interest of the said company.

6. Conveyances of lands to the said company for the purposes of and powers given by this Act, made in the form set forth in schedule A hereunder written, or to the like effect, shall be sufficient conveyance to the said company, their successors and assigns, of the estate or interest therein, mentioned and sufficient bar of dower, respectively, of all persons executing the same; and such conveyances shall be registered in the same manner and upon such proof of execution as is required under the registry laws of Ontario, and no registrar shall be entitled to demand more than seventy-five cents for registering the same, including all entries and certificates thereof and certificates endorsed on the duplicates thereof.

Conveyances
of land to
company.

7. No subscription for stock in the capital of the company shall be binding on the said company unless it shall be approved by resolution of the directors, nor unless ten per centum of the amount subscribed has been actually paid thereon within one month after subscription.

Subscriptions
for stock,
when binding.

8. The said company may receive from any government or from any persons or bodies corporate, municipal, or politic, who may have powers to make or grant the same, aid towards the construction, equipment or maintenance of the said railway, by way of gift, bonus or loan of money or debentures or other securities for money, or by way of guarantee upon such terms and conditions as may be agreed upon.

Aid to com-
pany.

9. The capital stock of the company hereby incorporated shall be \$1,000,000 (with power to increase the same in the manner provided by *The Railway Act of Ontario*), to be divided into ten thousand shares of \$100 each, and shall be raised by the persons and corporations who may become shareholders in such company, and the money so raised shall be applied, in the first place, to the payment of all fees, expenses and disburse-

Capital stock.

Rev. Stat.
c 207.

ments of, and incidental to, the passing of this Act, and for making the surveys, plans and estimates connected with the works hereby authorized, and the remainder of the said money shall be applied to the making, equipping, completing and maintaining of the said railway, and to the other purposes of this Act; and until such preliminary expenses shall be paid out of such capital stock the municipal corporation of any municipality on or near the line of such works may, by resolution, of which seven days' previous notice shall be given, and passed by a majority of the said municipal corporation, authorize the treasurer of such municipality to pay out of the general funds of such municipality, its fair proportion of such preliminary expenses, which shall thereafter, if such municipality shall so require, be refunded to such municipality, from the capital stock of the said company, or be allowed to it in payment of stock.

First general meeting.

10. When and as soon as shares to the amount of \$100,000 of the capital stock of the said company shall have been subscribed, and ten per centum paid thereon into some chartered bank of the Dominion, having an office in the Province of Ontario, to the credit of the company, and which shall on no account be withdrawn therefrom unless for the services of the company, the said provisional directors or a majority of them shall call a general meeting of the shareholders for the purpose of electing directors of the said company, giving at least four weeks' notice of such meeting by advertisement in *The Ontario Gazette* and in at least one newspaper published in the said City of Toronto of the time, place and purpose of the said meeting.

Directors.

11. At such general meeting the shareholders present either in person or by proxy, who shall at the opening of such meeting have paid up ten per centum on the stock subscribed by them, shall elect not less than seven persons nor more than fifteen persons to be directors of the said company in manner and qualified as hereinafter mentioned, who shall constitute a board of directors and shall hold office until the next general annual meeting, and a majority of the directors shall form a quorum of the board, and may pass such rules, regulations and by-laws as may be deemed expedient and are not inconsistent with this Act and the Railway Act of Ontario, and the said board may employ and pay one of their number as managing-director.

Qualification of directors.

12. No person shall be qualified to be elected as such director by the shareholders unless he be a shareholder holding at least ten shares of stock in the said company, and unless he has paid up all calls thereon ~~and~~ and holds such stock absolutely in his own right. ~~and~~

Construction of line in sections.

13. The company is hereby authorized and empowered to take and make the surveys and levels of the lands through

which the said railway is to pass, together with the map or plan thereof, and of their course and direction, and of the lands intended to be passed over and taken therefor, so far as then ascertained, and also the book of reference for the railway, and to deposit the same as required by the clauses of *The Railway Act of Ontario* and the amendments thereto with respect to plans and surveys, by sections or portions less than the length of the whole railway authorized, of such length as the company may from time to time see fit so that no one of such sections or portions shall be less than ten miles in length, and upon such deposit, as aforesaid, of the map or plan and book of reference of any and each of such sections or portions of the said railway, all and every of the clauses of the said Railway Act and the amendments thereof applied to, included in or incorporated with this Act shall apply and extend to any and each of such sections or portions of the said railway as fully and effectually as if the surveys and levels had been taken and made of the lands through which the whole of the said railway is to pass, together with the map or plan of the whole thereof, and of their whole course and direction, and of the lands intended to be passed over and taken, and the book of reference of the whole of said railways had been taken, made, examined, certified and deposited according to the said clauses of the said *Railway Act* and the amendments thereof with respect to "plans and surveys."

14. Aliens, and companies incorporated abroad, as well as British subjects and corporations, may be shareholders in the said company, and all such shareholders, whether resident in this Province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible for office as directors in the said company.

15. Whenever any municipality or portion of a township shall grant aid by way of bonus or gift to the railway company, the debentures therefor shall, within six months after the passing of the by-law authorizing the same, be delivered, to three trustees to be named, one by the Lieutenant-Governor in Council, one by the said company, and one by the majority of the heads of the municipalities which have granted bonuses, all of the trustees to be residents of the Province of Ontario, provided that if the said heads of the municipalities shall refuse or neglect to name such trustee within one month after notice in writing of the appointment of the company's trustee, or if the Lieutenant-Governor in Council shall omit to name such trustee within one month after notice in writing to him of the appointment of the other trustees, then in either case, the company shall be at liberty to name such other trustee or other trustees, any of the said trustees may be removed and a new trustee appointed in his place, at any time by the Lieutenant-Governor in Council, and in case any trustee dies or resigns his trust, or goes to live out

of the Province of Ontario, or otherwise becomes incapable of acting, his trusteeship shall become vacant, and a new trustee may be appointed by the Lieutenant-Governor in Council.

Trusts of proceeds of debentures.

16. The said trustees shall receive the said debentures or bonds in trust, firstly, under the directions of the company, but subject to the conditions of the by-law in relation thereto, as to time or manner, to convert the same into money or otherwise dispose of them; secondly, to deposit the debentures or amount realized from the sale in some chartered bank having an office in the Province of Ontario, in the name of "The Wabigoon, Manitou and Rainy Lake Railway Municipal Trust Account," and to pay the same out to the said company from time to time as the said company becomes entitled thereto, under the conditions of the by-law granting the said bonus and on the certificate of the chief engineer of the said railway for the time being, in the form set out in schedule B hereto, or to the like effect, which certificate shall set forth that the conditions of the by-law have been complied with, and is to be attached to the cheque or order drawn by the said trustees for such payment or delivery of debentures, and such engineer shall not wrongfully grant any such certificate under a penalty of \$500, recoverable in any court of competent jurisdiction by any person who may sue therefor.

Fees of trustees.

17. The trustees shall be entitled to their reasonable fees and charges from the said trust fund, and the act of any two of such trustees shall be as valid and binding as if the three had agreed.

Bonding powers.

18. The directors of the company shall have power to issue bonds of the company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all the sum of \$20,000, for each mile of the said railway, ⁴²⁷ and the provisions of sub-sections 19, 20, 21, 22 and 23 of section 9 of *The Railway Act of Ontario* shall apply to all such bonds and the issue thereof, and such bonds shall be issued subject and according to, and in conformity with the provisions of the said sub-sections.

Rev. Stat c 207.

Transfer of bonds.

19. All such bonds, debentures and other securities and coupons and interest warrants thereon respectively may be made payable to bearer, and transferable by delivery, and any holder of any such securities so made payable to bearer, may sue at law thereon in his own name.

Negotiable instruments.

20. The said company shall have power and authority to become parties to promissory notes and bills of exchange for sum not less than \$100 and any such promissory note or bill of exchange made, accepted or endorsed by the president or vice-president of the company, and countersigned by the

secretary of the said company, and under the authority of a quorum of the directors, shall be binding on the said company, and every such promissory note or bill of exchange so made shall be presumed to have been *made* with proper authority until the contrary be shown, and in no case shall it be necessary to have the seal of the said company affixed to such promissory note or bill of exchange, nor shall the president, vice-president or the secretary be individually responsible for the same unless the said promissory notes or bills of exchange have been issued without the sanction and authority of the directors as therein provided and enacted; provided, however, that nothing in this section shall be construed to authorize the said company to issue any promissory note or bill of exchange payable to the bearer, or intended to be circulated as money or as the notes or bills of a bank.

21. The said company, may from time to time, for advances of money to be made thereon, mortgage or pledge any bonds which they may be enabled, under the powers of this Act, to issue for the construction of the said railway,

Pledging
bonds.

22. It shall be lawful for the directors of the company to enter into an agreement or agreements with any other company or companies, if lawfully authorized to enter into such agreements, or with any person or persons for leasing, hiring, or use of any locomotives, carriages, rolling stock, and other movable property from such companies or persons for such time or times and on such terms as may be agreed on and also to enter into agreements with any railway company or companies, if so lawfully authorized for the use by one or more of such contracting companies, of the locomotives, carriages, rolling stock and other moveable property of the other or others of them on such terms as to compensation and otherwise as may be agreed upon.

Agreements
with other
companies.

23. The company may also construct an electric telegraph line and a telephone line throughout and along the whole line of their railway and the branches thereof or any part of the said railway or branches and for the purpose of constructing, working and protecting the said telegraph and telephone lines, the powers conferred upon telegraph companies by *The Act respecting Telegraph Companies* being chapter 192 of the Revised Statutes of Ontario, 1897, are hereby conferred upon the company; provided, that no poles shall be erected in the construction of either of the said lines in or through any city, town or incorporated village without the consent of the council of such city, town or village being first obtained by the company; and the company may undertake the transmission of messages for the public by such line or lines of telegraph or telephone and collect tolls for so doing.

Telegraph and
telephone lines.

24. The directors may, from time to time, make calls as they shall think fit, provided that no call shall be made at any one

Calls.

time of more than ten per centum of the amount subscribed by each shareholder, and thirty days' notice shall be given of each call, as hereinafter provided, in section 28 of this Act.

25. The company shall have power and authority—

Warehouses,
docks, &c.

(1) To purchase land for and erect power houses, warehouses, elevators, docks, stations, workshops, machine shops and offices, and to sell and convey such land as may be found superfluous for any such purpose; and the company shall have power to hold and operate as part of the property of the said company as many steam or other vessels as the directors of the company may deem requisite, from time to time, to facilitate the carriage of passengers, freight and other traffic in connection with the railway.

Erect necessary buildings, wharfs, etc.

(2) To erect and maintain all necessary and convenient buildings, stations, depots, wharves and fixtures, and from time to time to alter, repair or enlarge the same, and to build, purchase and acquire motors, engines, carriages, waggons and other machinery and contrivances necessary or convenient for the working of the railway and the accommodation and use of the passengers, freight and business of the railway;

Powers as to production and use of electricity.

(3) To construct, maintain and operate works for the production of electricity for the motive power of the said railway and for the lighting and heating the rolling stock and other property of the company;

Lease or sell electricity not required for railway.

(4) To sell or lease any such electricity not required for the purpose aforesaid to any person or corporation, and the company in that behalf shall, subject to the provisions and restrictions of this Act, possess the powers, rights and privileges, and be subject to all the obligations and restrictions of joint stock companies incorporated under *The Act respecting Companies for supplying Steam, Heat, Electricity or Natural Gas for Heat, Light or Power*, and to acquire and hold any property necessary for the purposes mentioned in this sub-section.

Rev. Stat. c. 200.

Acquiring rights for conveying electricity.

(5) To purchase the right to convey electricity required for the working of the railway and lighting or heating the same over, through or under lands other than the lands of the said railway, and with the consent of the councils of the municipalities affected, to purchase the right to lay conduits under, or erect poles and wires on or over such lands as may be determined by the company, and along and upon any of the public highways, or across any of the waters in this Province by the erection of the necessary fixtures, including posts, piers or abutments for sustaining the cords or wires of such lines, or the conduits for such electricity, upon and subject to such agreement in respect thereof as shall first be made between the company and any private owners of the land affected, and between the company and any municipality in which such works or any part thereof or of the railway may be situate, and under and subject to any by-law or by-laws of the council of such municipality passed in pursuance thereof.

26.—(1) The railway of the company shall not be constructed or operated on, upon or along any street, highway or public place of any municipality until first authorized by an agreement in respect thereto made between the company and such municipality, and under and subject to the terms of such agreement and of this Act and of any by-law or by-laws of the council of said municipality to be passed in pursuance thereof; and in all such cases any and every work, matter or thing in connection with electricity or other motor power, and the application and using thereof in so constructing, operating and working such railway, or the cars, carriages, engines, motors or machines aforesaid shall be so constructed, erected, laid down and arranged as to impede or incommode the public use of such street, highway or public place as little as possible, and so as not to be a nuisance thereto, nor to interfere with the free access to any house or other building erected in the vicinity of the same, and the electric and other appliances shall be of such an improved manufacture and so placed as to avoid so far as possible any danger to buildings or other property, and provided that none of the works or property of the company shall be so constructed or placed as to injuriously interrupt navigation in any navigable water.

Construc-
on streets,
etc.

(2) The by-laws mentioned in section 2, sub-section 5 of the preceding section and in this section shall be subject to the conditions and provisions of section 632 of *The Municipal Act*.

Rev. Stat. c.
223, s. 632.

27. The *provisional* directors, or the elected directors, may pay, or agree to pay, in paid up stock or in bonds of the said company, such sums as they may deem expedient, to engineers or contractors, or for right of way, or material, plant or rolling stock, and also, when sanctioned by a vote of the shareholders at any general meeting, for the services of the promoters or other persons who may be employed by the directors in furthering the undertaking, or for the purchase of right of way, material, plant, or rolling stock, whether such promoters or other persons be provisional or elected directors or not, and any agreement so made shall be binding on the company.

Payments in
bonds or paid
up stock.

28. The head office of the said company shall be at the said city of Toronto, and the general annual meeting of the shareholders of the said company shall be held at such place in the said City of Toronto, on such days and at such hours as may be directed by the by-laws of the company; and public notice thereof shall be given at least four weeks previously in *The Ontario Gazette*, and once a week in one newspaper published in the said city of Toronto during the four weeks immediately preceding the week in which such meeting is to take place.

Head office,
general an-
nual meeting.

29. Special general meetings of the shareholders of the said company may be held at such places and at such times and

Special gen-
eral meetings.

in such manner and for such purposes as may be provided by the by-laws of said company, upon such notice as is provided in the last preceding section.

Municipal
bonuses.

30. Any municipality, or any portion of a township municipality, which may be interested in securing the construction of the said railway, or through any part of which, or near which, the railway or works of the said company shall pass or be situate, may aid the said company by giving money or debentures, by way of bonus, gift or loan, or by the guarantee of the municipal corporation, under and subject to the provisions hereinafter contained; provided always that such aid shall not be given except after the passing of a by-law, for the purpose, and the adoption of such by-law by the qualified ratepayers of the municipality or portion of the municipality (as the case may be) in accordance with and as provided by law in respect to granting aid, by way of bonuses to railways.

Submitting
bonus by-laws
to ratepayers.

31. Such by-law shall be submitted by the municipal council, to the vote of the ratepayers, in manner following, namely:

(1) The proper petition shall first be presented to the council, expressing the desire to aid the railway, and stating in what way and for what amount; and the council shall within six weeks after the receipt of such petition by the clerk of the municipality, introduce a by-law to the effect petitioned for, and submit the same to the approval of the qualified voters.

(2.) In the case of a county municipality, the petition shall be that of a majority of the members of the county council or of fifty resident freeholders, in each of the minor municipalities of the county, who are qualified voters under *The Municipal Act* and the amendments thereto.

(3.) In the case of other municipalities, the petition shall be that of a majority of the council thereof, or of fifty resident freeholders, being duly qualified voters under *The Municipal Act*, and amendments thereto as aforesaid.

(4.) In the case of a section of a township municipality, the petition is to be presented to the council, defining the section by metes and bounds, or lots and concessions, and shall be that of a majority of the council of such township, municipality or of fifty resident freeholders in such section of the municipality, being duly qualified voters as aforesaid.

Terms of municipal
by-laws.

32. Such by-law shall in each instance provide .

(1) For raising the amount petitioned for in the municipality or portion of the township municipality (as the case may be) mentioned in the petition, by the issue of debentures of the company or minor municipality, respectively, and shall also provide for the delivery of the said debentures, or the application of the amount to be raised thereby, as may be expressed in said by-law.

(2) For assessing and levying upon all rateable property lying within the municipality or portion of the township municipality defined in said by-law (as the case may be) an annual special rate sufficient to include a sinking fund for the repayment of the said debentures within twenty years with interest thereon, payable yearly or half-yearly, which debentures the respective municipal councils, wardens, Reeves, mayors, and other officers thereof are hereby authorized to execute and issue in such cases respectively.

33. In the case of aid from a county municipality, fifty resident freeholders of the county may petition the county council against submitting the said by-law upon the ground that certain minor municipalities or portions thereof comprised in the said by-law, would be injuriously affected thereby, or upon any other ground ought not to be included therein, and upon deposit by the petitioners with the treasurer of the county of a sum sufficient to defray the expenses of such reference, the said council shall forthwith refer the said petition to three arbitrators, one being the judge of the county court or district objecting, one being the registrar of the county or of the riding in which the county town is situate, and one being an engineer appointed by the commissioner of public works for Ontario, who shall have power to confirm or amend the said by-law by excluding any minor municipality or any section thereof, therefrom, and the decision of any two of them shall be final, and the by-law so confirmed or amended shall thereupon, at the option of the railway company, be submitted by the council to the duly qualified voters, and in case the by-law is confirmed by the arbitrators, the expense of the reference shall be borne by the petitioners against the same, but if amended, then by the railway company or the county, as the arbitrators may order.

Aid from portions of county

34. The term "minor municipality" shall be construed to mean any town not separated from the municipal county, township, or incorporated village, situate in the county or district municipality.

"Minor municipality," meaning of.

35. Before any such by-law is submitted, the railway company shall, if required, deposit with the treasurer of the municipality a sum sufficient to pay the expenses to be incurred in submitting said by-law.

Deposit before by-law submitted.

36. In case the by-law submitted be approved of and carried, in accordance with the provisions of the law in that behalf, then within four weeks after the date of such voting, the municipal council which submitted the same shall read the said by-law a third time and pass the same.

Passing by-law when approved by ratepayer.

37. Within one month after the passing of such by-law, the said council, and the mayor, warden, reeve or other head, or other officers thereof, shall issue or dispose of the debentures

Bonus debentures issue and disposal of.

provided for by the by-law, and deliver the same duly executed to the trustees appointed, or to be appointed, under this Act.

Rate on portion of municipality.

38. In case any such loan, guarantee or bonus, be so granted by a portion of a township municipality, the rate to be levied for payment of the debentures issued therefor, and the interest thereon, shall be assessed and levied upon such portion only of such municipality.

Application of Rev. Stat., c. 223, to bonus by-laws.

39. The provisions of *The Municipal Act* and the amendments thereto, so far as the same are not inconsistent with this Act, shall apply to any by-law so passed by or for a portion of a township municipality, to the same extent as if the same had been passed by or for the whole municipality.

Extension of time for commencing work.

40. The councils for all corporations that may grant aid by way of bonus to the said company, may, by resolution or by-law, extend the time for the commencement of the work beyond that stipulated for in the by-law or by-laws granting such aid, from time to time; provided that no such extension shall be for a longer period than one year.

Extension of time for completing work.

41. It shall and may be lawful for the council of any municipality that may grant aid by way of bonus to the said company, by resolution or by-law to extend the time for the completion of the works (on the completion of which the said company would be entitled to such bonus), from time to time, provided that no such extension shall be for a longer period than one year at a time.

Limit of rates in aid of railway proviso.

42. Any municipality or portion of a township municipality, interested in the construction of the *railway of the said company* may grant aid by way of bonus to the said company towards the construction of such *railway*, notwithstanding that such aid may increase the municipal taxation of such municipality, or portion thereof, beyond what is allowed by law; provided that such aid shall not require the levying of a greater aggregate annual rate for all purposes exclusive of school rates, than three cents in the dollar upon the value of the rateable property therein.

Exemptions from taxation.

43. It shall be lawful for the corporation of any municipality through any part of which the railway of the said company passes, or in which it is situate, by by-law especially passed for that purpose, to exempt the said company and its property within such municipality, either in whole or in part from municipal assessment or taxation, or to agree to a certain sum per annum, or otherwise in gross by way of commutation or composition for payment, or in lieu of all or any municipal rates or assessments, to be imposed by such municipal corporation, and for such term of years as such municipal corporation may deem expedient not exceeding twenty-one

years, and no such by-law shall be repealed unless in conformity with a condition contained therein.

44. Any municipality through which the said railway may pass or is situate, is empowered to grant, by way of gift to the said company, any lands belonging to such municipality, or over which it may have control, which may be required for right of way, station grounds, or other purposes, connected with the running or traffic of said railway; and the said railway company shall have power to accept gifts of land from any government, or any person or body, corporate or politic, and shall have power to sell or otherwise dispose of the same for the benefit of the said company.

Grants of lands from municipalities

45. Whenever it shall be necessary for the purpose of procuring sufficient land for stations, or gravel pits, or for constructing, maintaining and using the said railway, and in case, by purchasing the whole of any lot or parcel of land, over which the railway is to run, the company can obtain the same at a more reasonable price, or to greater advantage, than by purchasing the railway line only, the company may purchase hold, use and enjoy such lands, and also the right of way thereto if the same be separated from their railway, and may sell and convey the same, or any part thereof, from time to time, as they may deem expedient; but the compulsory clauses of *The Railway Act of Ontario* shall not apply to this section.

Purchase of whole lots.

Rev. Stat. c. 207.

46. When stone, gravel, earth or sand is or are required for the construction or maintainence of said railway or any part thereof, the company may, in case they cannot agree with the owner of the lands on which the same are situate for the purchase thereof, cause an Ontario Land Surveyor to make a map and description of the property so required, and they shall serve a copy thereof, with their notice of arbitration, as in case of acquiring the roadway, and the notice of arbitration, the award and the tender of the compensation, shall have the same effect as in case of arbitration for the roadway; and all the provisions of *The Railway Act of Ontario*, and of this Act, as to the service of the said notice, arbitration, compensation, deeds, payment of money into Court, the right to sell, the right to convey, and the parties from whom land may be taken, or who may sell, shall apply to the subject matter of this section, as to the obtaining materials as aforesaid; and such proceedings may be had by the said company either for the right to the fee simple in the lands from which said materials shall be taken, or for the right to take materials for any time they shall think necessary; the notice of arbitration, in case arbitration is resorted to, to state the interest required.

Acquiring lands for supply of materials.

Rev. Stat. c. 207.

47.—(1) When said gravel, earth, stone or sand shall be taken under the preceding section of this Act, at a distance from the line of the railway, the company may lay down the

Sidings to gravel pits.

Rev. Stat.
c. 207.

necessary sidings and tracks over any lands which may intervene between the railway and the lands on which said material shall be found, whatever the distance may be; and all the provisions of *The Railway Act of Ontario* and of this Act, except such as relate to filing plans and publications of notice, shall apply and may be used and exercised to obtain the right of way from the railway to the land on which such materials are situated; and such right may be so acquired for a term of years or permanently, as the company may think proper; and the powers in this and the preceding section may at all times be exercised and used in all respects after the railway is constructed for the purpose of maintaining and repairing the said railway.

Rev. Stat.
c. 207.

~~47~~(2) When estimating the damages for the taking of gravel, stone, earth or sand, subsection 9 of section 20 of *The Railway Act of Ontario* shall not apply. ⁶⁸

Running
arrangements
with C. P. R.
Co. and O.
and R. R. Co.

48. The said company shall have power to agree for connections and make running arrangements with the Canadian Pacific Railway Company and the Ontario and Rainy River Railway Company, if lawfully empowered to enter into such an agreement, upon terms to be approved of by two thirds in value of the shareholders at a special general meeting to be held for that purpose, and it shall also be lawful for the said company to enter into an agreement with the said railway companies, if lawfully authorized to enter into such an agreement, for the sale or leasing or hiring of the whole or any portion of the railway herein authorized or the use thereof, or for the sale or lease or hiring any locomotives, tenders, plant or rolling stock or other property or of any part thereof, or touching any service to be rendered by the one company to the other and the compensation therefor, if the arrangements and agreements shall be approved of by two-thirds in value of the shareholders voting in person or by proxy at a special general meeting to be called for that purpose, and every such agreement shall be valid and binding according to the terms and tenor thereof, and the company purchasing, leasing or entering into such an agreement for using the said railway may and are hereby authorized to work the said railway and in the same manner as if incorporated with their own line; but this section shall not be construed as purporting or intending to confer rights or powers upon any company which is not within the legislative authority of the Province of Ontario.

Shares—
transfer of.

49. Shares in the capital stock of the said company may be transferred by any form of instrument in writing, but no transfer shall become effectual unless the stock or scrip certificates issued in respect of shares intended to be transferred are surrendered to the company, or the surrender thereof dispensed with by the company.

Snow fences.

~~48~~50. The company shall have the right on and after the

first day of November in each year to enter into and upon any lands of Her Majesty, or into or upon any lands of any corporation of persons whatsoever, lying along the route or line of the said railway, and to erect and maintain snow fences thereon, subject to the payment of such damages (if any) as may be hereafter established in the manner provided by law in respect to such railway to have been actually suffered; provided always that any such snow fences so erected shall be removed on or before the first day of April following.

51. The said company shall have power to collect and receive all charges subject to which goods or commodities may come into their possession, and on payment of such back charges, and without any formal transfer, shall have the same lien for the amount thereof upon such goods and commodities as the person to whom such charges were originally due, and shall be subrogated by such payment in all the rights and remedies of such persons for such charges. Back charges on goods.

52. The directors of the said company may enter into a contract or contracts with any individual or association of individuals for the construction or equipment of the line or any part thereof, including or excluding the purchase of right of way, and may pay therefor, either in the whole or in part, either in cash or bonds; provided that no such contract shall be of any force or validity till approved of by two-thirds of the shareholders present in person or by proxy at a meeting specially convened for considering the same. Contracts for construction, etc.

53. ~~The~~ The provisions of *The Electric Railway Act* shall not apply to the company hereby incorporated, but the several clauses of *The Railway Act of Ontario* and of every Act in amendment thereof shall be incorporated with, and and be deemed to be a part of, this Act, and shall apply to the said company and to the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof; and the expression "this Act," when used herein, shall be understood to include the clauses of the said *Railway Act*, and of every Act in amendment thereof, so incorporated with this Act. Application of Rev. Stat. c. 207.

54. The railway shall be commenced within three years and finally completed within five years after the passing of this Act. Time for commencement and completion.

SCHEDULE A.

(Section 6.)

Know all men by these presents that I (or we) (insert the name or names of the vendor or vendors), in consideration of _____ dollars paid to me (or us) by The Wabigoon, Manitou and Rainy Lake Railway Company,

the receipt whereof is hereby acknowledged, do grant and convey unto the said company, and I (*or we*) (insert the name or names of any other party or parties), in consideration of _____ dollars, paid to me (*or us*) by the said company, the receipt whereof is hereby acknowledged, do grant and release all that certain parcel (*or those certain parcels, as the case may be*) of land (describe the land), the same having been selected and laid out by the said company for the purposes of its railway, to hold with the appurtenances unto the said The Wabigoon, Manitou and Rainy Lake Railway Company, their successors and assigns, forever (here insert any other clauses, covenants and conditions required), and I (*or we*), the wife (*or wives*) of the said _____, do hereby bar my (*or our*) dower in the said lands.

As witness my (*or our*) hand and seal (*or hands and seals*) this day of _____ one thousand nine hundred.

Signed, sealed and delivered { [L. S.]
in the presence of }

SCHEDULE B.

(Section 16.)

Chief Engineer's Certificate.

The Wabigoon, Manitou and Rainy Lake Railway Company's Office.

No. _____ A.D. 19 _____
Engineer's Department.

Certificate to be attached to cheques drawn on the Wabigoon, Manitou and Rainy Lake Railway Company Municipal Trust Account given under section _____, chapter _____, of the Acts of the Legislature of Ontario, passed in the _____ year of Her Majesty's reign.

I, A. B., Chief Engineer of the Wabigoon, Manitou and Rainy Lake Railway Company, do hereby certify that the said company has fulfilled the terms and conditions *necessary* to be fulfilled under the by-law No. _____ of the township of _____ (*or under the agreement dated the _____ day of _____, 19 _____, between the corporation of _____ and the said company*) to entitle the said company to receive from the said trust the sum of _____ (*here set out the terms and conditions, if any, which have been fulfilled.*)



No. 55.

3rd Session, 9th Legislature, 63 Vict., 1900

BILL.

An Act to incorporate the Wabigoon, Manitou and Rainy Lake Railway Company.

First Reading, 14th March, 1900.

(Reprinted as amended by Railway Committee.)

(Private Bill.)

Mr. CONNIE.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act to Confirm a certain By-law and Agreement
of the Municipal Corporation of the Town of
Arnprior.

WHEREAS the corporation of the town of Arnprior has by Preamble.
its petition prayed that an Act may be passed confirm-
ing a certain by-law of the said corporation and a certain
agreement made between the said corporation and Hugh Fred-
erick McLachlin and Claude McLachlin, carrying on business
5 under the name of McLachlin Brothers, which said by-law and
agreement are fully set forth in Schedules A and B to this Act;
and whereas the said by-law was unanimously passed by the
municipal council of the town of Arnprior and the said agree-
10 ment was entered into pursuant to the authority of the said
by-law, and duly executed by the said parties thereto; and
whereas it is expedient to grant the prayer of the said peti-
tion;

Therefore Her Majesty, by and with the advice and consent
15 of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. By-law number 138 of the corporation of the town of
Arnprior, which is set forth in Schedule A to this Act, is hereby
ratified and confirmed and declared to be valid and within the
20 powers of the said the corporation of the town of Arnprior
and to be binding upon the said town, and the agreement set
forth in Schedule B to this Act is hereby ratified and con-
firmed and declared to be valid and binding upon the respec-
tive parties thereto.

By-law No.
138, exemp-
tion of Mc-
Lachlin Bros.
confirmed.

SCHEDULE A.

**BY-LAW NO. 138 OF THE CORPORATION OF THE TOWN OF ARNPRIOR, IN
THE COUNTY OF RENFREW, RESPECTING THE PARTIAL EXEMPTION
FROM ASSESSMENT FOR MUNICIPAL AND SCHOOL TAXES OF PART OF
THE PROPERTY OF MESSRS. MCLACHLIN BROS., IN THE TOWN OF
ARNPRIOR, FOR A PERIOD OF TWENTY YEARS FROM THE FIRST DAY OF
JULY, 1900.**

Whereas the corporation of the town of Arnprior have entered into an
agreement bearing even date herewith with the firm of McLachlin Bros.
to exempt from taxation from all municipal rates and taxes, including
school taxes, the aggregate value of the real estate, buildings and other
property mentioned and described in the said agreement, and the income

of the said firm from the business, for so much of the value thereof as shall be in excess of the sum of \$100,000 for a period of ten years from the first day of July, 1900, and further to exempt from all municipal rates and taxes, including school taxes, the aggregate value of the aforesaid property and income for so much of the value thereof as shall be in excess of the sum of \$125,000 for a further period of ten years from the first day of July, 1910, upon the terms and conditions in the said agreement contained.

And whereas it is necessary to authorize the mayor and clerk of the corporation of the town of Arnprior to execute the said agreement and attach the corporate seal thereto, it is, therefore, hereby enacted by the said corporation of the town of Arnprior that the mayor and clerk be and they are hereby authorized and empowered to sign and seal with the corporate seal of the town of Arnprior the said agreement with the said firm of McLachlin Bros., bearing date the seventh day of February, A.D. 1900.

And it is further enacted that the said agreement with the said firm of McLachlin Bros. shall not come into operation or take effect until an Act is passed by the Legislature of the Province of Ontario ratifying, confirming and declaring valid the said agreement, together with this by-law.

Passed, signed and sealed this seventh day of February, in the year of Our Lord 1900.

{ Seal. }

W. M. HOWE,
Mayor.
GEO. E. NEILSON,
Town Clerk.

SCHEDULE B.

This agreement made in duplicate this seventh day of February, in the year of our Lord nineteen hundred, between the corporation of the town of Arnprior, in the county of Renfrew, in the Province of Ontario (hereinafter called the "corporation"), of the first part; and Hugh Frederick McLachlin and Claude McLachlin, both of the said town of Arnprior, carrying on business under the firm name of "McLachlin Brothers," manufacturers (hereinafter called the "firm"), of the second part.

Whereas the corporation of the village of Arnprior (now the town of Arnprior) did, by by-law passed on the twenty-sixth day of April, A.D. 1881, exempt property as therein described, being part of the property of the said firm of McLachlin Bros., from taxation for a period of ten years from the date of the said by-law:

And whereas the said corporation afterwards, by by-law passed on the sixteenth day of March, A.D. 1891, did renew such exemption for a period of ten years from the twenty-sixth day of April, 1891, upon terms and conditions therein set forth:

And whereas the said term of exemption created by the last-mentioned by-law will expire on the twenty-sixth day of April, 1901:

And whereas the said firm are the only manufacturers of sawn lumber within the limits of the corporation:

And whereas the said firm have for many years carried on a very large manufacturing business, producing sawn lumber of all kinds and other products of lumber, including lath, shingles, etc., etc., and have now in active operation within the limits of the said corporation and upon the property hereinafter described two saw mills driven by water power and two steam mills, with the machinery and appurtenances thereunto belonging and used in connection therewith, and have necessarily expended very large sums of money in erecting, enlarging and maintaining the said mills and appurtenances and equipping the same, and have a large quantity of lumber in stock, varying from time to time, which is piled upon said property, for seasoning and awaiting shipment:

And whereas the said firm constantly give employment to a very large number of men, mechanics, engineers and other employees, in connection

with their said manufacturing establishments, who reside in the said town of Arnprior, and the said firm expend, directly and indirectly, a very large sum of money in the said town for wages and other expenses and outgoings of the business :

And whereas the said firm are desirous of further extending and improving their facilities for manufacturing and purpose making further improvements to their dams and mills and of making additions to their manufacturing establishments of a permanent character, and desire to be assured, before making further expenditure upon such improvements and additions, that the charges which the business of the firm will have to bear for municipal taxes and school rates will not exceed a certain limit :

And whereas the property, in request of which partial exemption is asked by the said firm, and which is owned and occupied by them as a manufacturing establishment for the storage of the stock or product of their mills and factories, consists of a large block of land on the eastern side of the river Madawaska, separated by the said river from the rest of the town of Arnprior, and the said property is wholly used for the purposes of the business of the firm :

And whereas the said firm have in use on the east side of the said river only a small number of dwelling which are occupied by a few of the men in their employment, whose occupation requires them to live close to their work, not exceeding at the present, seven such dwelling houses :

And whereas the said firm have iron water pipes laid through the piling ground and to the mills for supplying water for fire protection to the piling ground and to the mills, which pipes are supplied by pumps worked by steam and water power machinery, all which were provided by the said firm at their own cost, and are maintained by them at their own expense :

And whereas, in connection with the said pumps, the said firm have always, at their own expense, supplied and maintained a large quantity of fire hose ready for use in case of fire, which has frequently been used, and is always in readiness for use, for the protection of the principal part of the business portion of the said town of Arnprior, being the part in which the most valuable and important buildings are situated, as well as for the protection in part of the property of the firm :

As whereas the said firm have always supplied and paid watchman, and, thereby, indirectly, have provided further protection of their property and the property of the neighboring rate payers of the said town, and have supplied the services of their men in working the said fire appliances free from all charge or expense to the corporation.

And whereas the firm have railway sidings into their yard from both the Canada Atlantic Railway and the Canadian Pacific Railway and make very little use of the public roads intersecting the said property, and very little money has been expended by the corporation upon the said roads, and any money so expended was in reality expended for the benefit of the general public, and not of the said firm :

And whereas no money has been spent by the corporation for the benefit of the said property and all the taxes paid upon the said property are expended by the corporation for the benefit of the town on the west side of the said Madawaska river, except the small amount expended on the said roads :

And whereas the members of the said firm are the largest taxpayers in the town of Arnprior upon other property in the said town situated on the west side of the said Madawaska river and upon which no exemption is asked.

And whereas the said firm have presented a petition to the council of the said corporation, asking them to enter into this agreement for the partial exemption of the property of the said firm, above referred to and hereinafter more particularly described, from taxation for the period of twenty years from the first day of July, A. D. 1900.

And whereas, in consideration of the expenditure of the large sums of money and the employment of the large number of men in the mills, factories and yard of the said firm, as aforesaid, and the benefit accruing to the said town from such expenditure, and the increased value of the taxable property therein by reason thereof, the corporation deem it

advisable to enter into this agreement with the said firm for the purpose of granting partial exemption from taxation in respect of the property hereinafter described for the period and upon the terms and conditions hereinafter set forth, and of fixing the amount of the exemption from taxes to be levied for municipal and school purposes on all the firm's real estate, hereinafter mentioned and described, and upon the stock of lumber and other products of the said mills and factories piled upon the said land, and upon the income of said firm arising from the said business;

Therefore, in consideration of the premises, the said corporation hereby agrees with the said firm to exempt, and doth hereby exempt, from taxation the real estate hereinafter described, and all buildings, premises, machinery, appurtenances and stock of lumber and other products of the mills and factories piled or stored upon the real estate of the said firm east of the west bank of the Madawaska river, as hereinafter described, in excess of the value of \$100,000, and that such excess above the value of \$100,000 so exempted shall be free from all taxation for municipal or school purposes for the period of ten years from the said first day of July, A.D. 1900.

And the said corporation hereby further agrees with the said firm to exempt, and doth hereby exempt, from taxation the real estate hereinafter described, and all buildings, premises, machinery, appurtenances and stock of lumber and other products of the mills and factories piled and stored upon the real estate of the said firm east of the west bank of the Madawaska river, as hereinafter described, in excess of the value of \$125,000, and that such excess above the value of \$125,000 so exempted shall be free from all taxation for municipal and school purposes for the further period of ten years from the first day of July, A.D. 1910.

The said real estate intended to be in part exempted from taxation, as aforesaid, may be more fully described, as follows: Being composed of parts of lots two (2) and three (3) in the thirteenth concession of the township of McNab, in the said county of Renfrew, lot two (2) and parts of three (3), four (4) and five (5) in the fourteenth concession of the said township, part of lot three (3) and part of lot four (4) in the fifteenth concession of the said township, all now within the limit of the corporation of the town of Arnprior, and included in the following description, that is to say, commencing at a point where the east side of Carss street in the said town intersects a small arm or bay of the Madawaska River on the north side of said bay; then following the northern bank of said bay and the western bank of said Madawaska river as the same appears at high water mark with the stream following the turnings and windings of the shore to the point where the said west bank intersects the south shore or bank of the Ottawa river, thence south-easterly across the Madawaska River and along the south shore of the Ottawa river at low water mark to the side line between lots numbers two (2) and three (3) in the said fifteenth concession; thence south-westerly along said line and said line produced to the northern angle of said lot number two (2) in the said fourteenth concession; thence south-easterly along the north-east boundary of said lot number two (2) in the fourteenth concession to the side line between lots one (1) and two (2) in the fourteenth concession; thence following the easterly boundary of said lot two (2) in the fourteenth concession and the easterly boundary of lot number two (2) in the thirteenth concession across all public highways and across the right-of-way of the Canada Atlantic Railway and of the Canadian Pacific Railway respectively to the point where the said side line intersects the east side of the Madawaska river; thence northerly following the windings and turnings of the east bank of the said Madawaska river down the stream to a point where the side line between lots two (2) and three (3) in the thirteenth concession intersects the said east side of the Madawaska river; thence westerly across the Madawaska river to the place of beginning, excepting out of the foregoing description those parts of the said lands above described owned by the Canadian Pacific Railway Company and the Canada Atlantic Railway Company, comprising the right-of-way of the said companies respectively and all public highways crossing the said property.

The said parties hereto further agree that, for and during the said period of ten years from the first day of July next, the aggregate value of

the said land and of all the buildings, plant and machinery erected or being thereon, and of all the stock and products of the mills, factories and manufacturing establishments, together with the income of the firm, and of each of the members thereof, derived from the said business, in excess of the said sum of \$100,000, shall, to the extent of the excess of the said aggregate value thereof over the said sum of \$100,000, be exempt from all taxation for municipal or school purposes, as aforesaid; and that, during the said period of ten years from the first day of July, A.D. 1910, the aggregate value of the said land and of all the buildings, plant and machinery erected or being thereon, and of all stock and products of the mills, factories and manufacturing establishments, together with the income of the firm, and of each of the members thereof, derived from the said business in excess of the said sum of \$125,000 shall, to the extent of the excess of the said aggregate value thereof over the said sum of \$125,000, be exempt from all taxation for municipal or school purposes, as aforesaid, notwithstanding any changes, substitutions, alterations or additions to or in the said mills or manufacturing establishments, or to or in the number or character thereof.

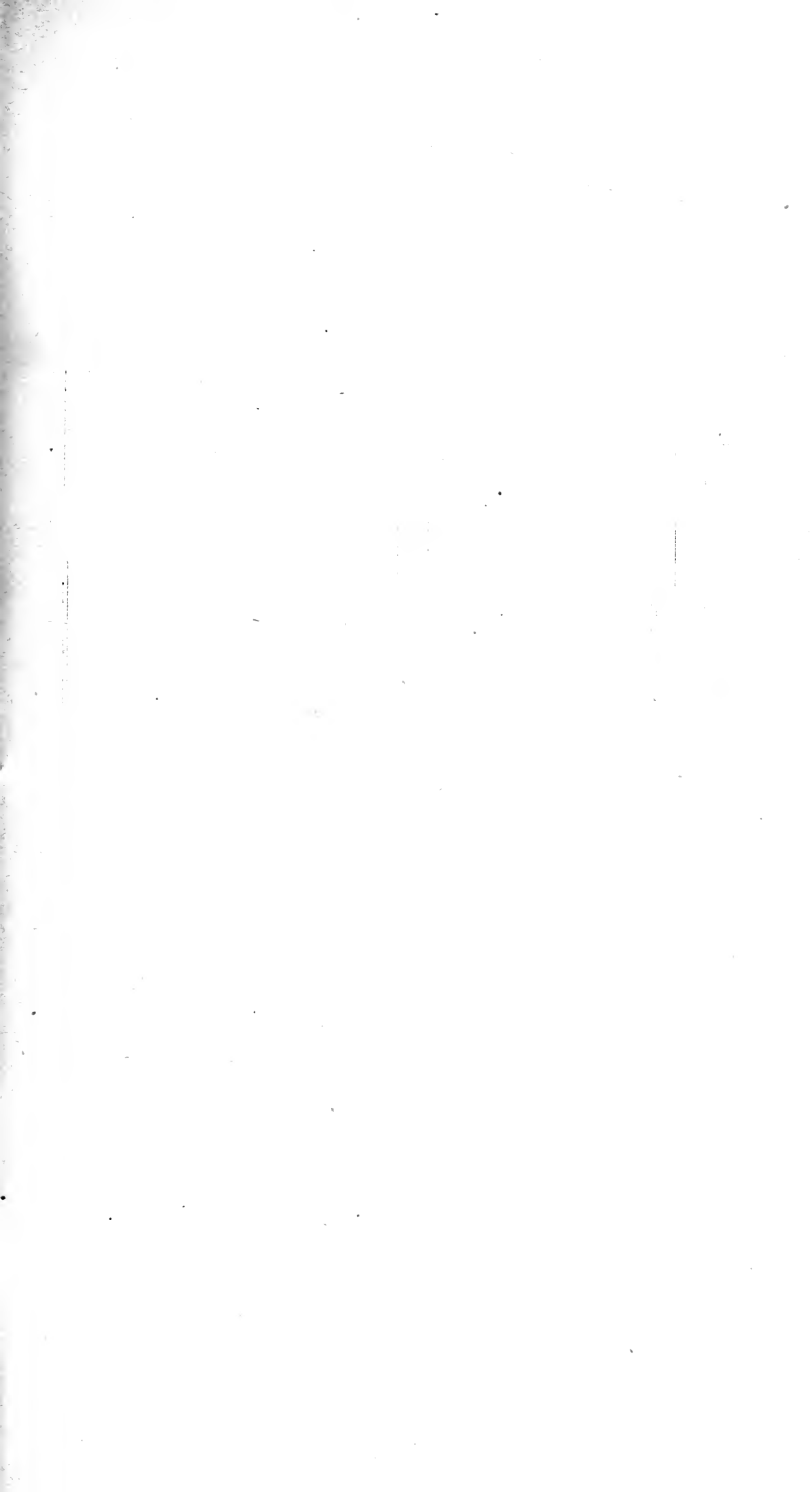
The said parties hereto hereby further agree that wherever the word "Firm" is used in this agreement the same shall be construed and taken to mean the said Hugh Frederick McLachlin and Claude McLachlin, jointly and severally, and their and each of their heirs, executors, administrators, and their and each of their assigns and transferees.

It is further agreed between the parties that this agreement shall not come into operation or take effect until an Act is passed by the Legislature of the Province of Ontario ratifying, confirming and declaring valid the same, and also confirming and declaring valid a by-law of the corporation authorizing the Mayor and Clerk of the town of Arnprior to execute this agreement.

The said firm hereby agrees to pay all costs and expenses in procuring the ratification of this agreement and the said by-law by an Act of the Legislature of the Province of Ontario.

In witness whereof the Mayor and Clerk of the Corporation of the Town of Arnprior have hereunto subscribed their hands and affixed the corporate seal of the said Corporation and the said Hugh Frederick McLachlin and Claude McLachlin have set their hands and seals the day and year first above written.

| | | | |
|--|---|-----------------|---------|
| Signed, sealed and delivered in presence of : RICHARD MACNAMARA. | } | W. M. HOWE, | |
| | | Mayor. | (Seal.) |
| | | GEO. E. NELSON, | |
| | | Town Clerk. | |
| | | McLACHLIN BROS. | (Seal.) |



No. 56.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to Confirm a certain Bylaw and Agreement of the Corporation of the Town of Amnrior.

First Reading, _____, 1900.

Mr. LUSMDEN.

TORONTO:

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act to confirm a certain By-law and Agreement
of the Municipal Corporation of the Town of
Arnprior.

WHEREAS the *Municipal Corporation of the Town of* Preamble.
Arnprior has by petition prayed that an Act may be
passed confirming a certain by-law of the said corporation
respecting the partial exemption from assessment for municipal
taxes of part of the property of McLachlin Bros., in the
said Town of Arnprior and a certain agreement made be-
tween the said corporation and Hugh Frederick McLachlin and
Claude McLachlin, carrying on business under the name of
McLachlin Brothers, which said by-law and agreement are
fully set out in Schedules A and B to this Act; and whereas the
said by-law was unanimously passed by the municipal council
of the *corporation of the Town of Arnprior* and the said agree-
ment was entered into pursuant to the authority of the said
by-law, and duly executed by the said parties thereto;
and whereas no opposition has been offered to the said
petition; and whereas it is expedient to grant the prayer
of the said petition;

Therefore Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. By-law number 138 of the *Municipal Corporation of the*
Town of Arnprior, which is set out in Schedule A to this Act, is
hereby confirmed and declared to be *legal, valid and binding*
upon the said corporation and the ratepayers thereof, and
the agreement set out in Schedule B to this Act is
hereby ratified and confirmed and declared to be valid and
binding upon the respective parties thereto. Provided,
however, that nothing in the said by-law or in the said agree-
ment contained shall affect the assessment of the lands, build-
ings, premises, machinery, appurtenances and stock in the
said agreement described for school purposes, and the said
lands, buildings, premises, machinery, appurtenances and stock
shall in all respects be assessed for, and be liable to, taxes for
school purposes in the same manner and to the same extent as
if the said by-law had not been passed and the said agree-
ment had not been entered into.

By-law No.
138, exemp-
tion of Mc-
Lachlin Bros.
confirmed.

SCHEDULE A.

BY-LAW No. 138 OF THE CORPORATION OF THE TOWN OF ARNPRIOR, IN THE COUNTY OF RENFREW, RESPECTING THE PARTIAL EXEMPTION FROM ASSESSMENT FOR MUNICIPAL AND SCHOOL TAXES OF PART OF THE PROPERTY OF MESSRS. McLACHLIN BROS., IN THE TOWN OF ARNPRIOR, FOR A PERIOD OF TWENTY YEARS FROM THE FIRST DAY OF JULY, 1900.

Whereas the corporation of the town of Arnprior have entered into an agreement bearing even date herewith with the firm of McLachlin Bros. to exempt from taxation from all municipal rates and taxes, including school taxes, the aggregate value of the real estate, buildings and other property mentioned and described in the said agreement, and the income of the said firm from the business, for so much of the value thereof as shall be in excess of the sum of \$100,000 for a period of ten years from the first day of July, 1900, and further to exempt from all municipal rates and taxes, including school taxes, the aggregate value of the aforesaid property and income for so much of the value thereof as shall be in excess of the sum of \$125,000 for a further period of ten years from the first day of July, 1910, upon the terms and conditions in the said agreement contained.

And whereas it is necessary to authorize the mayor and clerk of the corporation of the town of Arnprior to execute the said agreement and attach the corporate seal thereto, it is, therefore, hereby enacted by the said corporation of the town of Arnprior that the mayor and clerk be and they are hereby authorized and empowered to sign and seal with the corporate seal of the town of Arnprior the said agreement with the said firm of McLachlin Bros., bearing date the seventh day of February, A.D. 1900.

And it is further enacted that the said agreement with the said firm of McLachlin Bros. shall not come into operation or take effect until an Act is passed by the Legislature of the Province of Ontario ratifying, confirming and declaring valid the said agreement, together with this by-law.

Passed, signed and sealed this seventh day of February, in the year of Our Lord 1900.

{ Seal. }

W. M. HOWE,
Mayor.
GEO. E. NEILSON,
Town Clerk.

SCHEDULE B.

This agreement made in duplicate this seventh day of February, in the year of our Lord nineteen hundred, between the corporation of the town of Arnprior, in the county of Renfrew, in the Province of Ontario (hereinafter called the "corporation"), of the first part; and Hugh Frederick McLachlin and Claude McLachlin, both of the said town of Arnprior, carrying on business under the firm name of "McLachlin Brothers," manufacturers (hereinafter called the "firm"), of the second part.

Whereas the corporation of the village of Arnprior (now the town of Arnprior) did, by by-law passed on the twenty-sixth day of April, A.D. 1881, exempt property as therein described, being part of the property of the said firm of McLachlin Bros., from taxation for a period of ten years from the date of the said by-law:

And whereas the said corporation afterwards, by by-law passed on the sixteenth day of March, A.D. 1891, did renew such exemption for a period of ten years from the twenty-sixth day of April, 1891, upon terms and conditions therein set forth:

And whereas the said term of exemption created by the last-mentioned by-law will expire on the twenty-sixth day of April, 1901:

And whereas the said firm are the only manufacturers of sawn lumber within the limits of the said corporation :

And whereas the said firm have for many years carried on a very large manufacturing business, producing sawn lumber of all kinds and other products of lumber, including lath, shingles, etc., etc., and have now in active operation within the limits of the said corporation and upon the property hereinafter described two saw mills driven by water power and two steam mills, with the machinery and appurtenances thereunto belonging and used in connection therewith, and have necessarily expended very large sums of money in erecting, enlarging and maintaining the said mills and appurtenances and equipping the same, and have a large quantity of lumber in stock, varying from time to time, which is piled upon said property, for seasoning and awaiting shipment :

And whereas the said firm constantly give employment to a very large number of men, mechanics, engineers and other employees, in connection with their said manufacturing establishments, who reside in the said town of Arnprior, and the said firm expend, directly and indirectly, a very large sum of money in the said town for wages and other expenses and outgoings of the business :

And whereas the said firm are desirous of further extending and improving their facilities for manufacturing and purpose making further improvements to their dams and mills and of making additions to their manufacturing establishments of a permanent character, and desire to be assured, before making further expenditure upon such improvements and additions, that the charges which the business of the firm will have to bear for municipal taxes and school rates will not exceed a certain limit :

And whereas the property, in respect of which partial exemption is asked by the said firm, and which is owned and occupied by them as a manufacturing establishment for the storage of the stock or product of their mills and factories, consists of a large block of land on the eastern side of the river Madawaska, separated by the said river from the rest of the town of Arnprior, and the said property is wholly used for the purposes of the business of the firm :

And whereas the said firm have in use on the east side of the said river only a small number of dwellings which are occupied by a few of the men in their employment, whose occupation requires them to live close to their work, not exceeding at the present, seven such dwelling houses :

And whereas the said firm have iron water pipes laid through the piling ground and to the mills for supplying water for fire protection to the piling ground and to the mills, which pipes are supplied by pumps worked by steam and water power machinery, all which were provided by the said firm at their own cost, and are maintained by them at their own expense :

And whereas, in connection with the said pumps, the said firm have always, at their own expense, supplied and maintained a large quantity of fire hose ready for use in case of fire, which has frequently been used, and is always in readiness for use, for the protection of the principal part of the business portion of the said town of Arnprior, being the part in which the most valuable and important buildings are situated, as well as for the protection in part of the property of the firm :

And whereas the said firm have always supplied and paid watchmen, and, thereby, indirectly, have provided further protection of their property and the property of the neighboring ratepayers of the said town, and have supplied the services of their men in working the said fire appliances free of all charge or expense to the corporation.

And whereas the firm have railway sidings into their yard from both the Canada Atlantic Railway and the Canadian Pacific Railway and make very little use of the public roads intersecting the said property, and very little money has been expended by the corporation upon the said roads, and any money so expended was in reality expended for the benefit of the general public, and not of the said firm :

And whereas no money has been spent by the corporation for the benefit of the said property and all the taxes paid upon the said property are expended by the corporation for the benefit of the town on the west side

of the said Madawaska river, except the small amount expended on the said roads :

And whereas the members of the said firm are the largest taxpayers in the town of Arnprior upon other property in the said town situated on the west side of the said Madawaska river and upon which no exemption is asked.

And whereas the said firm have presented a petition to the council of the said corporation, asking them to enter into this agreement for the partial exemption of the property of the said firm, above referred to and hereinafter more particularly described, from taxation for the period of twenty years from the first day of July, A. D. 1900.

And whereas, in consideration of the expenditure of the large sums of money and the employment of the large number of men in the mills, factories and yard of the said firm, as aforesaid, and the benefit accruing to the said town from such expenditure, and the increased value of the taxable property therein by reason thereof, the corporation deem it advisable to enter into this agreement with the said firm for the purpose of granting partial exemption from taxation in respect of the property hereinafter described for the period and upon the terms and conditions hereinafter set forth, and of fixing the amount of the exemption from taxes to be levied for municipal and school purposes on all the firm's real estate, hereinafter mentioned and described, and upon the stock of lumber and other products of the said mills and factories piled upon the said land, and upon the income of said firm arising from the said business ;

Therefore, in consideration of the premises, the said corporation hereby agrees with the said firm to exempt, and doth hereby exempt, from taxation the real estate hereinafter described, and all buildings, premises, machinery, appurtenances and stock of lumber and other products of the mills and factories piled or stored upon the real estate of the said firm east of the west bank of the Madawaska river, as hereinafter described, in excess of the value of \$100,000, and that such excess above the value of \$100,000 so exempted shall be free from all taxation for municipal or school purposes for the period of ten years from the said first day of July, A.D. 1900.

And the said corporation hereby further agrees with the said firm to exempt, and doth hereby exempt, from taxation the real estate hereinafter described, and all buildings, premises, machinery, appurtenances and stock of lumber and other products of the mills and factories piled and stored upon the real estate of the said firm east of the west bank of the Madawaska river, as hereinafter described, in excess of the value of \$125,000, and that such excess above the value of \$125,000 so exempted shall be free from all taxation for municipal or school purposes for the further period of ten years from the first day of July, A. D. 1910.

The said real estate intended to be in part exempted from taxation, as aforesaid, may be more fully described, as follows : Being composed of parts of lots two (2) and three (3) in the thirteenth concession of the township of McNab, in the said county of Renfrew, lot two (2) and parts of lots three (3), four (4) and five (5) in the fourteenth concession of the said township, part of lot three (3) and part of lot four (4) in the fifteenth concession of the said township, all now within the limits of the corporation of the town of Arnprior, and included in the following description, that is to say, commencing at a point where the east side of Carss street in the said town intersects a small arm or bay of the Madawaska River on the north side of said bay ; thence following the northern bank of said bay and the western bank of said Madawaska river as the same appears at high water mark with the stream following the turnings and windings of the shore to the point where the said west bank intersects the south shore or bank of the Ottawa river, thence south-easterly across the Madawaska River and along the south shore of the Ottawa river at low water mark to the side line between lots numbers two (2) and three (3) in the said fifteenth concession ; thence south-westerly along said line and said line produced to the northern angle of said lot number two (2) in the said fourteenth concession ; thence south-easterly along the north-east boundary of said lot number two (2) in the fourteenth concession to the side line between lots one (1) and two (2) in the fourteenth concession ; thence following the

easterly boundary of said lot two (2) in the fourteenth concession and the easterly boundary of lot number two (2) in the thirteenth concession across all public highways and across the right-of-way [of the Canada Atlantic Railway and of the Canadian Pacific Railway respectively to the point where said side line intersects the east side of the Madawaska river; thence northerly following the windings and turnings of the east bank of the said Madawaska river down the stream to the point where the side line between lots two (2) and three (3) in the thirteenth concession intersects the said east side of the Madawaska river; thence westerly across the Madawaska river to the place of beginning, excepting out of the foregoing description those parts of the said lands above described owned by the Canadian Pacific Railway Company and the Canada Atlantic Railway Company, comprising the right-of-way of the said companies respectively and all public highways crossing the said property.

The said parties hereto further agree that, for and during the said period of ten years from the first day of July next, the aggregate value of the said land and of all the buildings, plant and machinery erected or being thereon, and of all the stock and products of the mills, factories and manufacturing establishments, together with the income of the firm, and of each of the members thereof, derived from the said business, in excess of the said sum of \$100,000, shall, to the extent of the excess of the said aggregate value thereof over the said sum of \$100,000, be exempt from all taxation for municipal or school purposes, as aforesaid; and that, during the said period of ten years from the first day of July, A.D. 1910, the aggregate value of the said land and of all the buildings, plant and machinery erected or being thereon, and of all stock and products of the mills, factories and manufacturing establishments, together with the income of the firm, and of each of the members thereof, derived from the said business in excess of the said sum of \$125,000 shall, to the extent of the excess of the said aggregate value thereof over the said sum of \$125,000, be exempt from all taxation for municipal or school purposes, as aforesaid, notwithstanding any changes, substitutions, alterations or additions to or in the said mills or manufacturing establishments, or to or in the number or character thereof.

The said parties hereto hereby further agree that wherever the word "Firm" is used in this agreement the same shall be construed and taken to mean the said Hugh Frederick McLachlin and Claude McLachlin, jointly and severally, and their and each of their heirs, executors, administrators, and their and each of their assigns and transferees.

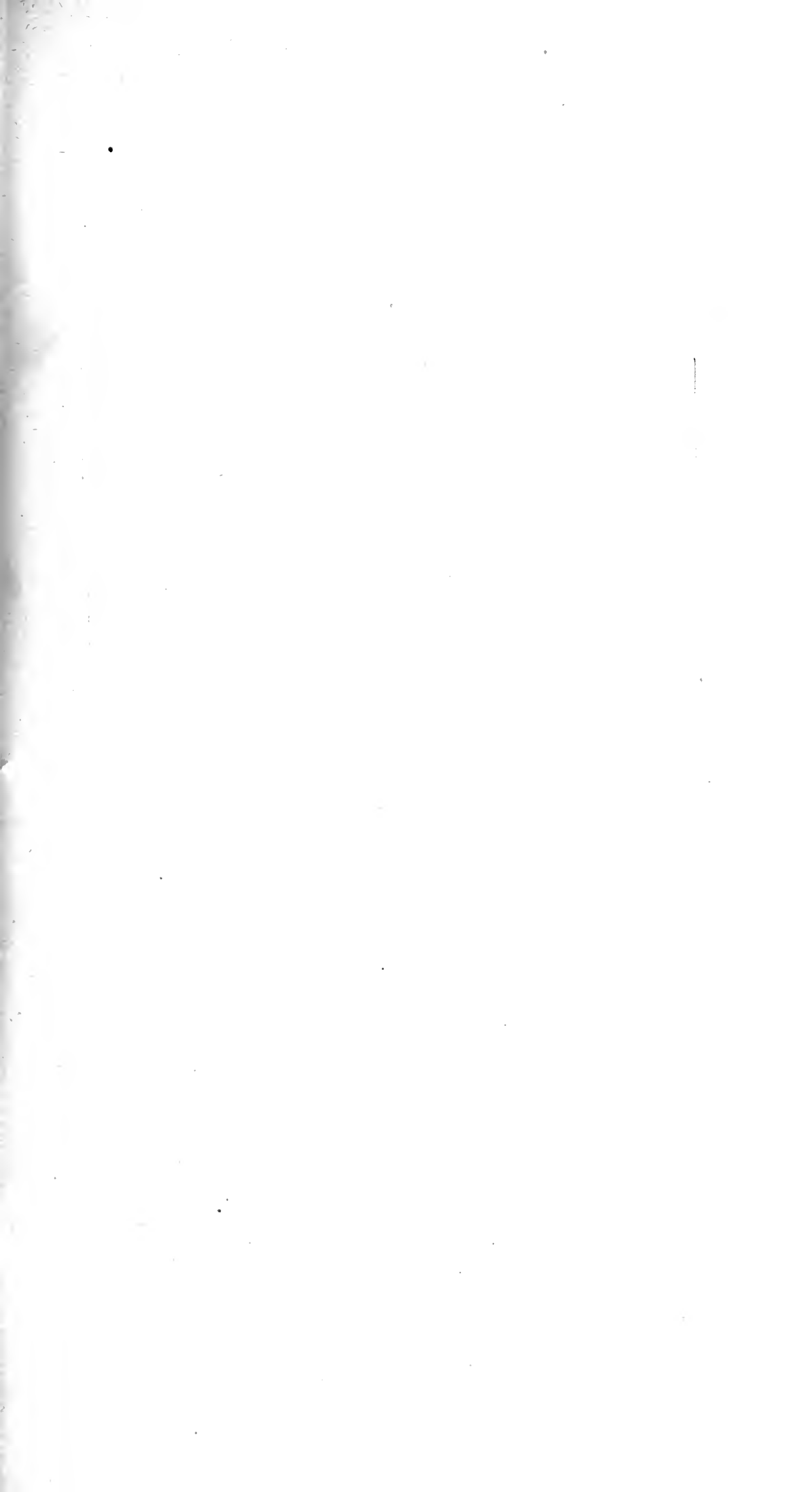
It is further agreed between the parties that this agreement shall not come into operation or take effect until an Act is passed by the Legislature of the Province of Ontario ratifying, confirming and declaring valid the same, and also confirming and declaring valid a by-law of the corporation authorizing the Mayor and Clerk of the town of Arnprior to execute this agreement.

The said firm hereby agrees to pay all costs and expenses in procuring the ratification of this agreement and the said by-law by an Act of the Legislature of the Province of Ontario.

In witness whereof the Mayor and Clerk of the Corporation of the Town of Arnprior have hereunto subscribed their hands and affixed the corporate seal of the said Corporation and the said Hugh Frederick McLachlin and Claude McLachlin have set their hands and seals the day and year first above written.

Signed, sealed and delivered in
presence of :
RICHARD MACNAMARA.

W. M. HOWE,
Mayor. (Seal.)
GEO. E. NEILSON,
Town Clerk.
MCLACHLIN BROS. (Seal.)



No. 56.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to confirm a certain Bylaw and Agreement of the Corporation of the Town of Arnprior.

First Reading, 14th March, 1900.

(Reprinted as amended in the Private Bills Committee.)

(Private Bill.)

Mr. LUSMDEN.

TORONTO:

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act to confirm a certain By-law and Agreement
of the Municipal Corporation of the Town of
Arnprior.

WHEREAS^{as} the Corporation of the Village of Arnprior, Preamble.
now the Town of Arnprior, did by by-law passed on
the 26th day of April, 1881, exempt certain property of the
firm of McLachlin Bros. for all the value thereof in excess of
the sum of fifty thousand dollars from taxation for a period
of ten years from the date of the said by-law; and whereas,
the said Corporation afterwards, by by-law passed on the 16th
day of May, 1891, did renew such exemption to the extent of
the value in excess of the sum of seventy-five thousand dollars
for a further period of ten years from the date of the said by-
law; and whereas the present assessment of all the property
of the said firm within the limits of the said town east of the
Madawaska river is \$77,500; and whereas the said firm are the
only manufacturers of sawn lumber within the limits of the
said Corporation; and whereas the property, in respect of
which partial exemption is provided for by the agreement
hereinafter referred to, is owned and occupied by the said firm
solely as the site of its manufacturing establishments and fac-
tories, and for piling and storage of the stock or product of
its mills and factories, and for other purposes in connection
with the business of the firm, and consists of a block of land
containing about four hundred and fifty acres, situated wholly
on the eastern side of the River Madawaska, cut off and sep-
arated by the said river from the rest of the said Town of
Arnprior, and is the only land within the limits of the said
Corporation on the eastern side of the said river, and has not
been subdivided into lots, and has no street improvements
except two township roads which intersect the property; and
whereas no money has been spent by the Corporation for the
benefit of the said property except the small amount expended
upon the said roads; and whereas there is no population resi-
dent upon the said property except certain families of watch-
men and other employees whose occupation requires them to
live close to the mills; and whereas the members of the firm
and several hundred of their employees reside elsewhere in the
Town of Arnprior; and whereas^{as} the said Corporation has by
its petition prayed that an Act may be passed confirming a
certain by-law of the said Corporation and a certain agree-
ment made between the said Corporation and Hugh Frederick

McLachlin and Claude McLachlin, carrying on business under the name of McLachlin Brothers, which said by-law and agreement are fully set forth in Schedules A and B to this Act; and whereas the said by-law was unanimously passed by the municipal council of the Town of Arnprior and the said agreement was entered into pursuant to the authority of the said by-law, and duly executed by the said parties thereto; and whereas it is expedient to grant the prayer of the said petition;

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

By-law No. 138, exemption of McLachlin Bros. confirmed.

1. By-law number 138 of the *Municipal Corporation* of the Town of Arnprior, which is set forth in Schedule A to this Act, is hereby ratified and confirmed and declared to be *legal, valid and binding*, and within the powers of the said the corporation of the Town of Arnprior, and to be binding upon the said town⁴²⁷ and the ratepayers thereof, ⁶³and the agreement set forth in Schedule B to this Act is hereby ratified and confirmed and declared to be valid and binding upon the respective parties thereto.

SCHEDULE A.

BY-LAW NO. 138 OF THE CORPORATION OF THE TOWN OF ARNPRIOR, IN THE COUNTY OF RENFREW, RESPECTING THE PARTIAL EXEMPTION FROM ASSESSMENT FOR MUNICIPAL AND SCHOOL TAXES OF PART OF THE PROPERTY OF MESSRS. MCLACHLIN BROS., IN THE TOWN OF ARNPRIOR, FOR A PERIOD OF TWENTY YEARS FROM THE FIRST DAY OF JULY, 1900.

Whereas the corporation of the town of Arnprior have entered into an agreement bearing even date herewith with the firm of McLachlin Bros. to exempt from taxation from all municipal rates and taxes, including school taxes, the aggregate value of the real estate, buildings and other property mentioned and described in the said agreement, and the income of the said firm from the business, for so much of the value thereof as shall be in excess of the sum of \$100,000 for a period of ten years from the first day of July, 1900, and further to exempt from all municipal rates and taxes, including school taxes, the aggregate value of the aforesaid property and income for so much of the value thereof as shall be in excess of the sum of \$125,000 for a further period of ten years from the first day of July, 1910, upon the terms and conditions in the said agreement contained.

And whereas it is necessary to authorize the mayor and clerk of the corporation of the town of Arnprior to execute the said agreement and attach the corporate seal thereto, it is, therefore, hereby enacted by the said corporation of the town of Arnprior that the mayor and clerk be and they are hereby authorized and empowered to sign and seal with the corporate seal of the town of Arnprior the said agreement with the said firm of McLachlin Bros., bearing date the seventh day of February, A.D. 1900.

And it is further enacted that the said agreement with the said firm of McLachlin Bros. shall not come into operation or take effect until an Act

is passed by the Legislature of the Province of Ontario ratifying, confirming and declaring valid the said agreement, together with this by-law.

Passed, signed and sealed this seventh day of February, in the year of Our Lord 1900.

{ Seal. }

W. M. HOWE,
Mayor.
GEO. E. NEILSON,
Town Clerk.

SCHEDULE B.

This agreement made in duplicate this seventh day of February, in the year of our Lord nineteen hundred, between the corporation of the town of Arnprior, in the county of Renfrew, in the Province of Ontario (hereinafter called the "corporation"), of the first part; and Hugh Frederick McLachlin and Claude McLachlin, both of the said town of Arnprior, carrying on business under the firm name of "McLachlin Brothers," manufacturers (hereinafter called the "firm"), of the second part.

Whereas the corporation of the village of Arnprior (now the town of Arnprior) did, by by-law passed on the twenty-sixth day of April, A. D. 1881, exempt property as therein described, being part of the property of the said firm of McLachlin Bros., from taxation for a period of ten years from the date of the said by-law :

And whereas the said corporation afterwards, by by-law passed on the sixteenth day of March, A. D. 1891, did renew such exemption for a period of ten years from the twenty-sixth day of April, 1891, upon terms and conditions therein set forth :

And whereas the said term of exemption created by the last-mentioned by-law will expire on the twenty-sixth day of April, 1901 :

And whereas the said firm are the only manufacturers of sawn lumber within the limits of the said corporation :

And whereas the said firm have for many years carried on a very large manufacturing business, producing sawn lumber of all kinds and other products of lumber, including lath, shingles, etc., etc., and have now in active operation within the limits of the said corporation and upon the property hereinafter described two saw mills driven by water power and two steam mills, with the machinery and appurtenances thereunto belonging and used in connection therewith, and have necessarily expended very large sums of money in erecting, enlarging and maintaining the said mills and appurtenances and equipping the same, and have a large quantity of lumber in stock, varying from time to time, which is piled upon said property, for seasoning and awaiting shipment :

And whereas the said firm constantly give employment to a very large number of men, mechanics, engineers and other employees, in connection with their said manufacturing establishments, who reside in the said town of Arnprior, and the said firm expend, directly and indirectly, a very large sum of money in the said town for wages and other expenses and outgoings of the business :

And whereas the said firm are desirous of further extending and improving their facilities for manufacturing and purpose making further improvements to their dams and mills and of making additions to their manufacturing establishments of a permanent character, and desire to be assured, before making further expenditure upon such improvements and additions, that the charges which the business of the firm will have to bear for municipal taxes and school rates will not exceed a certain limit :

And whereas the property, in respect of which partial exemption is asked by the said firm, and which is owned and occupied by them as a manufacturing establishment for the storage of the stock or product of their mills and factories, consists of a large block of land on the eastern side of the river Madawaska, separated by the said river from the rest of the town of Arnprior, and the said property is wholly used for the purposes of the business of the firm :

And whereas the said firm have in use on the east side of the said river only a small number of dwellings which are occupied by a few of the men in their employment, whose occupation requires them to live close to their work, not exceeding at the present, seven such dwelling houses :

And whereas the said firm have iron water pipes laid through the piling ground and to the mills for supplying water for fire protection to the piling ground and to the mills, which pipes are supplied by pumps worked by steam and water power machinery, all which were provided by the said firm at their own cost, and are maintained by them at their own expense :

And whereas, in connection with the said pumps, the said firm have always, at their own expense, supplied and maintained a large quantity of fire hose ready for use in case of fire, which has frequently been used, and is always in readiness for use, for the protection of the principal part of the business portion of the said town of Arnprior, being the part in which the most valuable and important buildings are situated, as well as for the protection in part of the property of the firm :

And whereas the said firm have always supplied and paid watchmen, and, thereby, indirectly, have provided further protection of their property and the property of the neighboring ratepayers of the said town, and have supplied the services of their men in working the said fire appliances free of all charge or expense to the corporation.

And whereas the firm have railway sidings into their yard from both the Canada Atlantic Railway and the Canadian Pacific Railway and make very little use of the public roads intersecting the said property, and very little money has been expended by the corporation upon the said roads, and any money so expended was in reality expended for the benefit of the general public, and not of the said firm :

And whereas no money has been spent by the corporation for the benefit of the said property and all the taxes paid upon the said property are expended by the corporation for the benefit of the town on the west side of the said Madawaska river, except the small amount expended on the said roads :

And whereas the members of the said firm are the largest taxpayers in the town of Arnprior upon other property in the said town situated on the west side of the said Madawaska river and upon which no exemption is asked.

And whereas the said firm have presented a petition to the council of the said corporation, asking them to enter into this agreement for the partial exemption of the property of the said firm, above referred to and hereinafter more particularly described, from taxation for the period of twenty years from the first day of July, A. D. 1900.

And whereas, in consideration of the expenditure of the large sums of money and the employment of the large number of men in the mills, factories and yard of the said firm, as aforesaid, and the benefit accruing to the said town from such expenditure, and the increased value of the taxable property therein by reason thereof, the corporation deem it advisable to enter into this agreement with the said firm for the purpose of granting partial exemption from taxation in respect of the property hereinafter described for the period and upon the terms and conditions hereinafter set forth, and of fixing the amount of the exemption from taxes to be levied for municipal and school purposes on all the firm's real estate, hereinafter mentioned and described, and upon the stock of lumber and other products of the said mills and factories piled upon the said land, and upon the income of said firm arising from the said business ;

Therefore, in consideration of the premises, the said corporation hereby agrees with the said firm to exempt, and doth hereby exempt, from taxation the real estate hereinafter described, and all buildings, premises, machinery, appurtenances and stock of lumber and other products of the mills and factories piled or stored upon the real estate of the said firm east of the west bank of the Madawaska river, as hereinafter described, in excess of the value of \$100,000, and that such excess above the value of \$100,000 so exempted shall be free from all taxation for municipal or school purposes for the period of ten years from the said first day of July, A. D. 1900.

And the said corporation hereby further agrees with the said firm to exempt, and doth hereby exempt, from taxation the real estate herein-after described, and all buildings, premises, machinery, appurtenances and stock of lumber and other products of the mills and factories piled and stored upon the real estate of the said firm east of the west bank of the Madawaska river, as hereinafter described, in excess of the value of \$125,000, and that such excess above the value of \$125,000 so exempted shall be free from all taxation for municipal or school purposes for the further period of ten years from the first day of July, A.D. 1910.

The said real estate intended to be in part exempted from taxation, as aforesaid, may be more fully described, as follows: Being composed of parts of lots two (2) and three (3) in the thirteenth concession of the township of McNab, in the said county of Renfrew, lot two (2) and parts of lots three (3), four (4) and five (5) in the fourteenth concession of the said township, part of lot three (3) and part of lot four (4) in the fifteenth concession of the said township, all now within the limits of the corporation of the town of Arnprior, and included in the following description, that is to say, commencing at a point where the east side of Carss street in the said town intersects a small arm or bay of the Madawaska River on the north side of said bay; thence following the northern bank of said bay and the western bank of said Madawaska river as the same appears at high water mark with the stream following the turnings and windings of the shore to the point where the said west bank intersects the south shore or bank of the Ottawa river, thence south-easterly across the Madawaska River and along the south shore of the Ottawa river at low water mark to the side line between lots numbers two (2) and three (3) in the said fifteenth concession; thence south-westerly along said line and said line produced to the northern angle of said lot number two (2) in the said fourteenth concession; thence south-easterly along the north-east boundary of said lot number two (2) in the fourteenth concession to the side line between lots one (1) and two (2) in the fourteenth concession; thence following the easterly boundary of said lot two (2) in the fourteenth concession and the easterly boundary of lot number two (2) in the thirteenth concession across all public highways and across the right-of-way of the Canada Atlantic Railway and of the Canadian Pacific Railway respectively to the point where said side line intersects the east side of the Madawaska river; thence northerly following the windings and turnings of the east bank of the said Madawaska river down the stream to the point where the side line between lots two (2) and three (3) in the thirteenth concession intersects the said east side of the Madawaska river; thence westerly across the Madawaska river to the place of beginning, excepting out of the foregoing description those parts of the said lands above described owned by the Canadian Pacific Railway Company and the Canada Atlantic Railway Company, comprising the right-of-way of the said companies respectively and all public highways crossing the said property.

The said parties hereto further agree that, for and during the said period of ten years from the first day of July next, the aggregate value of the said land and of all the buildings, plant and machinery erected or being thereon, and of all the stock and products of the mills, factories and manufacturing establishments, together with the income of the firm, and of each of the members thereof, derived from the said business, in excess of the said sum of \$100,000, shall, to the extent of the excess of the said aggregate value thereof over the said sum of \$100,000, be exempt from all taxation for municipal or school purposes, as aforesaid; and that, during the said period of ten years from the first day of July, A.D. 1910, the aggregate value of the said land and of all the buildings, plant and machinery erected or being thereon, and of all stock and products of the mills, factories and manufacturing establishments, together with the income of the firm, and of each of the members thereof, derived from the said business in excess of the said sum of \$125,000 shall, to the extent of the excess of the said aggregate value thereof over the said sum of \$125,000, be exempt from all taxation for municipal or school purposes, as aforesaid, notwithstanding any changes, substitutions, alterations or additions to or in the said mills or manufacturing establishments, or to or in the number or character thereof.

The said parties hereto hereby further agree that wherever the word "Firm" is used in this agreement the same shall be construed and taken to mean the said Hugh Frederick McLachlin and Claude McLachlin, jointly and severally, and their and each of their heirs, executors, administrators, and their and each of their assigns and transferees.

It is further agreed between the parties that this agreement shall not come into operation or take effect until an Act is passed by the Legislature of the Province of Ontario ratifying, confirming and declaring valid the same, and also confirming and declaring valid a by-law of the corporation authorizing the Mayor and Clerk of the town of Arnprior to execute this agreement.

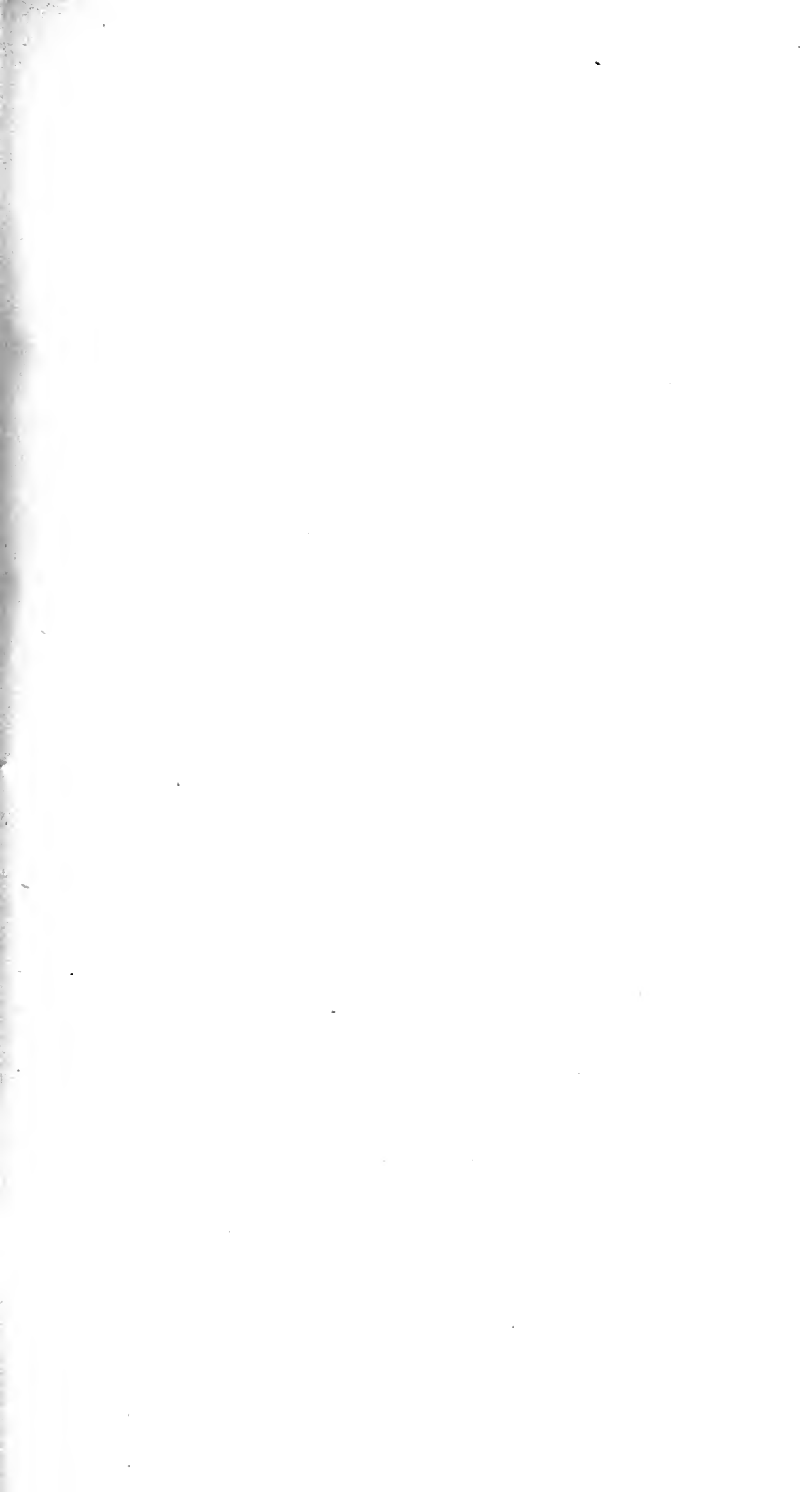
The said firm hereby agrees to pay all costs and expenses in procuring the ratification of this agreement and the said by-law by an Act of the Legislature of the Province of Ontario.

In witness whereof the Mayor and Clerk of the Corporation of the Town of Arnprior have hereto subscribed their hands and affixed the corporate seal of the said Corporation and the said Hugh Frederick McLachlin and Claude McLachlin have set their hands and seals the day and year first above written.

Signed, sealed and delivered in
presence of :

RICHARD MACNAMARA.

W. M. HOWE,
Mayor. (Seal.)
GEO. E. NEILSON,
Town Clerk.
MCLACHLIN BROS. (Seal.)



No. 56.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to confirm a certain Bylaw and Agreement of the Corporation of the Town of Arnprior.

First Reading, 14th March, 1900.

Second Reading, 2nd April, 1900.

(Reprinted as amended by Private Bills Committee.)

MR. LUMSDEN.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting By-Laws Nos. 1458, 1628, 1707
and 1973, of the City of Ottawa.

WHEREAS the Pontiac Pacific Junction Railway Company, hereinafter called "the company," and the municipal corporation of the City of Ottawa, hereinafter called "the corporation," have by their petition prayed that an Act may be passed to ratify, confirm and legalize a by-law of the municipal corporation of the city of Ottawa, passed on the 19th day of February, 1900, intituled 'By-law No. 1973, to extend the time for compliance by the Pontiac Pacific Junction Railway company with the conditions contained in a by-law of the municipal corporation of the city of Ottawa intituled 'By-law No. 1458' a by-law to provide for aiding and assisting the Pontiac Pacific Junction Railway company by granting to the said company the sum of one hundred and fifty thousand dollars by way of a bonus in debentures, of the corporation of the city of Ottawa, and to authorize the levying of a special rate by the said corporation for the payment of the said debentures and interest," and for other purposes; and whereas it is expedient to grant the prayer of the said petition :

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. The said by-law numbered 1973, of the municipal corporation of the city of Ottawa, intituled as in the preamble to this Act is recited, and a true copy of which said by-law is set forth in the Schedule A to this Act, is hereby declared to be valid, legal and binding upon the said municipal corporation and the ratepayers of the said city to all intents and purposes although the assent of the ratepayers of the said city has not been obtained thereto, and it is hereby declared and enacted that the said municipal council had at the time of the passing of said by-law numbered 1973, full power and authority to extend by by-law the period within which the bridge works mentioned in the said by-law numbered 1973 were to be completed, as in the said by-law numbered 1973 mentioned, to the 9th day of March, 1901, and had also full power and authority to substitute by by-law the other date and otherwise to enact as is set forth in the said by-law numbered 1973.

By-law 1973
confirmed
Pontiac Pacific
Junction
bonus.

Extension of
time for com-
pletion of
bridge works.

2. Notwithstanding anything contained in any Act of the Legislature of the Province of Ontario or in the said by-law numbered 1458, set out in Schedule B to the Act of the Legislature of the Province of Ontario passed in the 59th year of Her Majesty's reign, chaptered 87, or in another by-law of the municipal corporation of the said city of Ottawa numbered 1628 and set out in Schedule A to said last-mentioned Act, or in another by-law of the municipal corporation of the said city of Ottawa, numbered 1707, and set out in Schedule A to the Act of the Legislature of the Province of Ontario passed in the 60th year of Her Majesty's reign, chaptered 72, or in any other by-law of the said city of Ottawa, or in a certain agreement set out in Schedule C to said Act passed in the 59th year of Her Majesty's reign, chaptered 87, between the company and the corporation, dated 14th day of December, 1893, respecting said bonus, the periods limited in said by-laws numbers 1458, 1628 and 1707, and in said agreement for the completion of said bridge works are hereby declared to be duly extended until the 9th day of March, 1901; and any debentures that may be issued pursuant to the said four by-laws, or any of them, and to said agreement are, as provided in said by-law numbered 1973, to bear date the 8th of January, 1900, instead of the 8th day of January, 1894, as in said by-law 1458, and said agreement is provided, and instead of the 8th day of January, 1896, as in said by-law numbered 1628, and said Act passed in the 59th year of Her Majesty's reign, chaptered 87, is provided, and instead of the 8th day of January, 1898, as in said by-law numbered 1707 and said Act passed in the 60th year of Her Majesty's reign, chaptered 72, is provided.

By-laws Nos.
1458, 1628 and
1707 confirmed
subject to
extension of
time for
completion.

3. Subject to the extension of time and the change of dates in the foregoing section of this Act, and of said by-law numbered 1973, provided for, the said by-laws, numbers 1458, 1628 and 1707 and the said agreement, are hereby declared to be in full force and effect and binding to all intents and purposes upon the said city and the said corporation, and upon all the ratepayers of the said city, and in the same manner and with the same effect as if the said extended period and substituted dates had been contained in the said by-law numbered 1458 and the said agreement respectively when they were enacted or entered into respectively instead of those actually mentioned therein.

SCHEDULE A.

(Section 1.)

By-LAW No. 1973.

To extend the time for compliance by the Pontiac Pacific Junction Railway Company with the conditions contained in a by-law of the Municipal corporation of the city of Ottawa entitled "By-law No. 1458

—A By-law to provide for aiding and assisting the Pontiac Pacific Junction Railway Company by granting to the said company the sum of one hundred and fifty thousand dollars by way of a bonus in debentures of the corporation of the city of Ottawa, and to authorize the levying of a special rate by the said corporation for the payment of the said debentures and interest.”

Whereas, By-law No. 1458 of this municipality was passed on the 8th day of January, 1894, providing that the said municipal corporation might grant by way of bonus to the Pontiac Pacific Junction Railway Company towards the construction of its railway between the city of Ottawa and the town of Pembroke \$150,000 in debentures upon the conditions mentioned in said by-law and in an agreement in writing dated 14th December, 1893, made between said municipality and the said railway company.

And, whereas, amongst other conditions in the said by-law and agreement, or in one or other of them contained, it is provided that said railway company should only be entitled to said bonus and debentures upon the completion of an interprovincial railway and highway bridge including a carriage and footway across the Ottawa river, connecting the city of Hull with Nepean Point in the city of Ottawa with proper approaches thereto on or before the 9th day of July, 1897, to the satisfaction of the engineers mentioned in the said by-law; and also that the said company should within six months from 1st January, 1894, submit to the chief engineer of the city of Ottawa, and to the chief engineer of railways of the Government of the Dominion of Canada, as well as the chief engineers of the Governments of Ontario and Quebec respectively for approval plans, specifications and designs providing for the erection of said bridge.

And, whereas, it was also a condition of the granting of said bonus that the said company should and would on or before the 15th October, 1895, expend the sum of \$50,000 on the actual construction of the said bridge and approaches and in supplying the material therefor at the works; also that a strict compliance with the provisions of said by-law and said agreement, should be a condition precedent to the right of said company to said debentures, and that in the event of said company failing to comply with said provisions, the said company should become disentitled to said debentures and said by-law should become null and void and of no force or effect.

And, whereas, the said company in order to assist it in raising the necessary capital to construct said bridge applied after the passing of said by-law to the Governments of the Dominion and of the Provinces of Ontario and Quebec for financial aid.

And, whereas, the Government of the Dominion, whilst encouraging the company to renew its application therefor, had not prior to the 3rd December, 1895, promised to recommend the granting of any such subsidy, and it appearing that without substantial aid from the Dominion Government it would be impracticable to secure the construction of said bridge, the council of the corporation of the city of Ottawa, on the application of the company, in so far as said council had power so to do, by its by-law No. 1628, passed on the 3rd day of December, 1895, extended the time limited in said by-law No. 1458, and in said agreement of 14th December, 1893, for the expenditure by the said railway company of the sum of \$50,000 in the actual construction of the said bridge and approaches and supplying materials therefor at the works to the 15th day of December, 1896, and extended the period limited in said by-law and agreement for the construction of said bridge works to the 9th day of September, 1898, and changed the date which said debentures were to bear from 8th January, 1894, under the said by-law No. 1458 to 8th January, 1886, and declared said by-law last mentioned and said agreement subject to said changes of dates to be in full force and as binding as if said new dates had been those mentioned in said by-law No. 1458 and said agreement.

And, whereas, the said by-law No. 1628 and the provisions thereof were duly ratified and confirmed by an Act of the Legislature of the Province of Ontario, being chapter 87 of 59 Victoria, entitled “An Act respecting by-laws No. 1458 and 1628 of the city of Ottawa.”

And, whereas, the council of the corporation of the city of Ottawa on the application of the company by its by-law No. 1707 passed on the 21st day of December, 1896, extended the time limited in the said by-laws 1458 and 1628 and in the said agreement of the 14th December, 1893, for the expenditure by the said railway company of the said sum of \$50,000 in the actual construction of the said bridge and approaches and supplying materials therefor at the works to the 15th March, 1898, and extended the period limited in said by-laws and agreement for the completion of said bridge works to the 9th September, 1900, and changed the date which said debentures were to bear to the 8th January, 1898, and declared said by-law No. 1458 and said agreement subject to said changes of date and extensions of time to be in full force and effect as if said new dates had been those mentioned in said by-law No. 1458 and said agreement.

And, whereas, said by-law No. 1707 and the provisions thereof were duly ratified and confirmed by an Act of the Legislature of the Province of Ontario, being chapter 72 of 60 Victoria, entitled 'An Act respecting by-laws No. 1458, 1628 and 1707 of the city of Ottawa.'

And, whereas, the said railway company has long since duly complied with the conditions above recited as to the plans and expenditures and the actual construction of said bridge has been and is now being duly proceeded with and a very large sum of money has been expended thereon, but owing to unexpected difficulties experienced by the contractors for the metal work for the bridge in procuring the iron and steel materials therefor by reason of the congested state of the iron market it is doubtful if the bridge can be completed by the 9th September, 1900, the time limited for the completion thereof under the said by-laws Nos. 1458, 1628 and 1707 and said agreement.

And whereas the said company has duly applied to the municipal council of the city of Ottawa to have it declared that the said by-law No. 1458 and said agreement are still in force and to extend the period limited in said by-laws and agreement for the purpose of completing the said bridge until the 9th day of March, 1901.

And whereas the said municipal council has consented to grant such application in so far as it has power to do so.

Therefore the municipal council of the city of Ottawa enacts as follows:—

Notwithstanding any thing contained in said by-law No. 1458, or in said by-law No. 1628, or in said by-law No. 1707, or in the said agreement dated 14 December, 1893, or in said Acts of the Legislature of the Province of Ontario, 59 Victoria, chapter 87, and 60 Victoria, chapter 72, but so far only as this council has power so to do, the period limited in said by-laws and agreement for the completion of said bridge works is hereby extended to the 9th day of March, 1901, and the date which the said debentures are to bear is hereby changed to the 8th day of January, 1900, and subject to such changes of dates and extensions of time the said by-law No. 1458 and the said agreement dated the 14th day of December, 1893, are and each of them is hereby declared to be in full force and effect and binding upon the municipality of the city of Ottawa and upon the said company, and in the same way and to the same extent as if the said dates, 9th March, 1901, and 8th January, 1900, for the completion of said works and for the date of said debentures respectively, had been specified in said by-law No. 1458 and in said agreement respectively, instead of the dates actually specified therein for the said purposes.

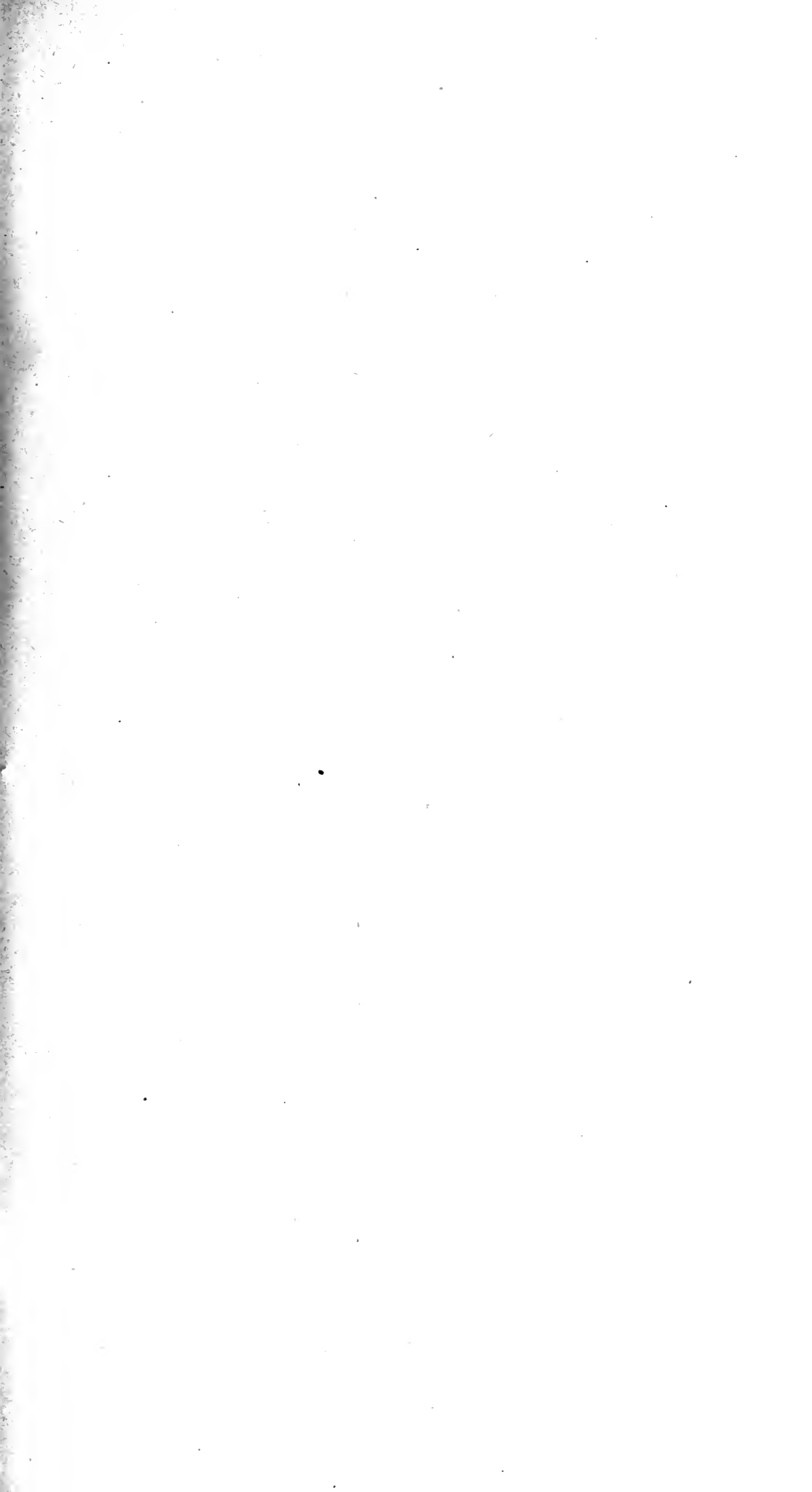
Given under the corporate seal of the city of Ottawa this 19th day of February, 1900.

Certified,

JOHN HENDERSON,
City Clerk.

T. PAYMENT,
Mayor.





BILL.

An Act respecting By-Laws Nos. 1458, 1628,
1707 and 1973 of the City of Ottawa.

| | |
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| First Reading | 1900. |
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(Private Bill.)

Mr. LUMSDEN.

TORONTO:

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act respecting By-Laws Nos. 1458, 1628, 1707
and 1973 of the City of Ottawa.

WHEREAS the Pontiac Pacific Junction Railway Com- Preamble.
pany, hereinafter called "the company," and the municipal corporation of the City of Ottawa, hereinafter called "the corporation," have by their petition prayed that an Act may be passed to ratify, confirm and legalize a by-law of the municipal corporation of the city of Ottawa, passed on the 19th day of February, 1900, intituled 'By-law No. 1973, to extend the time for compliance by the Pontiac Pacific Junction Railway company with the conditions contained in a by-law of the municipal corporation of the city of Ottawa intituled 'By-law No. 1458 a by-law to provide for aiding and assisting the Pontiac Pacific Junction Railway company by granting to the said company the sum of one hundred and fifty thousand dollars by way of a bonus in debentures, of the corporation of the city of Ottawa, and to authorize the levying of a special rate by the said corporation for the payment of the said debentures and interest," and for other purposes; ~~and~~ and whereas no opposition has been offered to the said petition by or on behalf of any ratepayer of the said city of Ottawa or otherwise ~~to~~; and whereas it is expedient to grant the prayer of the said petition :

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. The said by-law numbered 1973, of the municipal corporation of the city of Ottawa, intituled as in the preamble to this Act is recited, a true copy of which said by-law is set out in the Schedule A to this Act, is hereby *confirmed and* declared to be legal, valid and binding upon the said municipal corporation and the ratepayers of the said city to all intents and purposes although the assent of the ratepayers of the said city has not been obtained thereto. By-law 1973 confirmed Pontiac Pacific Junction bonus.

2. Notwithstanding anything contained in any Act of the Legislature or in the said by-law numbered 1458, set out in Schedule B to the Act of the Legislature passed in the 59th year of Her Majesty's reign, chaptered 87, or in another by-law of the municipal corporation of the said city of Ottawa numbered 1628 and set out in Schedule A to said last-mentioned Act, or Extension of time for completion of bridge works.

in another by-law of the municipal corporation of the said city of Ottawa, numbered 1707, and set out in Schedule A to the Act of the Legislature passed in the 60th year of Her Majesty's reign, chaptered 72, or in any other by-law of the said city of Ottawa, or in a certain agreement set out in Schedule C to said Act passed in the 59th year of Her Majesty's reign, chaptered 87, between the company and the corporation, dated 14th day of December, 1893, respecting said bonus, the periods limited in said by-laws numbers 1458, 1628 and 1707, and in said agreement for the completion of said bridge works are hereby declared to be duly extended until the 9th day of March, 1901; and any debentures that may be issued pursuant to the said four by-laws, or any of them, and to said agreement are, as provided in said by-law numbered 1973, to bear date the 8th of January, 1900, instead of the 8th day of January, 1894, as in said by-law 1458, and said agreement is provided, and instead of the 8th day of January, 1896, as in said by-law numbered 1628, and said Act passed in the 59th year of Her Majesty's reign, chaptered 87, is provided, and instead of the 8th day of January, 1898, as in said by-law numbered 1707 and said Act passed in the 60th year of Her Majesty's reign, chaptered 72, is provided.

By-laws Nos.
1458, 1628 and
1707 confirmed
subject to
extension of
time for
completion.

3. Subject to the extension of time and the change of dates in the foregoing section of this Act, and of said by-law numbered 1973, provided for, the said by-laws, numbers 1458, 1628 and 1707 and the said agreement, are hereby declared to be in full force and effect and binding to all intents and purposes upon the said city and the said corporation, and upon all the ratepayers of the said city, and in the same manner and with the same effect as if the said extended period and substituted dates had been contained in the said by-law numbered 1458 and the said agreement respectively when they were enacted or entered into respectively instead of those actually mentioned therein.

SCHEDULE A.

(Section 1.)

BY-LAW No. 1973.

To extend the time for compliance by the Pontiac Pacific Junction Railway Company with the conditions contained in a by-law of the Municipal corporation of the city of Ottawa entitled "By-law No. 1458 —A By-law to provide for aiding and assisting the Pontiac Pacific Junction Railway Company by granting to the said company the sum of one hundred and fifty thousand dollars by way of a bonus in debentures of the corporation of the city of Ottawa, and to authorize the levying of a special rate by the said corporation for the payment of the said debentures and interest."

Whereas, By-law No. 1458 of this municipality was passed on the 8th day of January, 1894, providing that the said municipal corporation might grant by way of bonus to the Pontiac Pacific Junction Railway Company towards the construction of its railway between the city of Ottawa and the town of Pembroke \$150,000 in debentures upon the conditions mentioned in said by-law and in an agreement in writing dated 14th December, 1893, made between said municipality and the said railway company.

And, whereas, amongst other conditions in the said by-law and agreement, or in one or other of them contained, it is provided that said railway company should only be entitled to said bonus and debentures upon the completion of an interprovincial railway and highway bridge including a carriage and footway across the Ottawa river, connecting the city of Hull with Nepean Point in the city of Ottawa with proper approaches thereto on or before the 9th day of July, 1897, to the satisfaction of the engineers mentioned in the said by-law; and also that the said company should within six months from 1st January, 1894, submit to the chief engineer of the city of Ottawa, and to the chief engineer of railways of the Government of the Dominion of Canada, as well as the chief engineers of the Governments of Ontario and Quebec respectively for approval plans, specifications and designs providing for the erection of said bridge.

And, whereas, it was also a condition of the granting of said bonus that the said company should and would on or before the 15th October, 1895, expend the sum of \$50,000 on the actual construction of the said bridge and approaches and in supplying the material therefor at the works; also that a strict compliance with the provisions of said by-law and said agreement, should be a condition precedent to the right of said company to said debentures, and that in the event of said company failing to comply with said provisions, the said company should become disentitled to said debentures and said by-law should become null and void and of no force or effect.

And, whereas, the said company in order to assist it in raising the necessary capital to construct said bridge applied after the passing of said by-law to the Governments of the Dominion and of the Provinces of Ontario and Quebec for financial aid.

And, whereas, the Government of the Dominion, whilst encouraging the company to renew its application therefor, had not prior to the 3rd December, 1895, promised to recommend the granting of any such subsidy, and it appearing that without substantial aid from the Dominion Government it would be impracticable to secure the construction of said bridge, the council of the corporation of the city of Ottawa, on the application of the company, in so far as said council had power so to do, by its by-law No. 1628, passed on the 3rd day of December, 1895, extended the time limited in said by-law No. 1458, and in said agreement of 14th December, 1893, for the expenditure by the said railway company of the sum of \$50,000 in the actual construction of the said bridge and approaches and supplying materials therefor at the works to the 15th day of December, 1896, and extended the period limited in said by-law and agreement for the construction of said bridge works to the 9th day of September, 1898, and changed the date which said debentures were to bear from 8th January, 1894, under the said by-law No. 1458 to 8th January, 1896, and declared said by-law last mentioned and said agreement subject to said changes of dates to be in full force and as binding as if said new dates had been those mentioned in said by-law No. 1458 and said agreement.

And, whereas, the said by-law No. 1628 and the provisions thereof were duly ratified and confirmed by an Act of the Legislature of the Province of Ontario, being chapter 87 of 59 Victoria, entitled "An Act respecting by-laws No. 1458 and 1628 of the city of Ottawa."

And, whereas, the council of the corporation of the city of Ottawa on the application of the company by its by-law No. 1707 passed on the 21st day of December, 1896, extended the time limited in the said by-laws 1458 and 1628 and in the said agreement of the 14th December, 1893, for the expenditure by the said railway company of the said sum of \$50,000 in the actual construction of the said bridge and approaches and supplying

materials therefor at the works to the 15th March, 1898, and extended the period limited in said by-laws and agreement for the completion of said bridge works to the 9th September, 1900, and changed the date which said debentures were to bear to the 8th January, 1898, and declared said by-law No. 1458 and said agreement subject to said changes of date and extensions of time to be in full force and effect as if said new dates had been those mentioned in said by-law No. 1458 and said agreement.

And, whereas, said by-law No. 1707 and the provisions thereof were duly ratified and confirmed by an Act of the Legislature of the Province of Ontario, being chapter 72 of 60 Victoria, entitled "An Act respecting by-laws No. 1458, 1628 and 1707 of the city of Ottawa."

And, whereas, the said railway company has long since duly complied with the conditions above recited as to the plans and expenditures and the actual construction of said bridge has been and is now being duly proceeded with and a very large sum of money has been expended thereon, but owing to unexpected difficulties experienced by the contractors for the metal work for the bridge in procuring the iron and steel materials therefor by reason of the congested state of the iron market it is doubtful if the bridge can be completed by the 9th September, 1900, the time limited for the completion thereof under the said by-laws Nos. 1458, 1628 and 1707 and said agreement.

And whereas the said company has duly applied to the municipal council of the city of Ottawa to have it declared that the said by-law No. 1458 and said agreement are still in force and to extend the period limited in said by-laws and agreement for the purpose of completing the said bridge until the 9th day of March, 1901.

And whereas the said municipal council has consented to grant such application in so far as it has power to do so.

Therefore the municipal council of the city of Ottawa enacts as follows:—

Notwithstanding any thing contained in said by-law No. 1458, or in said by-law No. 1628, or in said by-law No. 1707, or in the said agreement dated 14 December, 1893, or in said Acts of the Legislature of the Province of Ontario, 59 Victoria, chapter 87, and 60 Victoria, chapter 72, but so far only as this council has power so to do, the period limited in said by-laws and agreement for the completion of said bridge works is hereby extended to the 9th day of March, 1901, and the date which the said debentures are to bear is hereby changed to the 8th day of January, 1900, and subject to such changes of dates and extensions of time the said by-law No. 1458 and the said agreement dated the 14th day of December, 1893, are and each of them is hereby declared to be in full force and effect and binding upon the municipality of the city of Ottawa and upon the said company, and in the same way and to the same extent as if the said dates, 9th March, 1901, and 8th January, 1900, for the completion of said works and for the date of said debentures respectively, had been specified in said by-law No. 1458 and in said agreement respectively, instead of the dates actually specified therein for the said purposes.

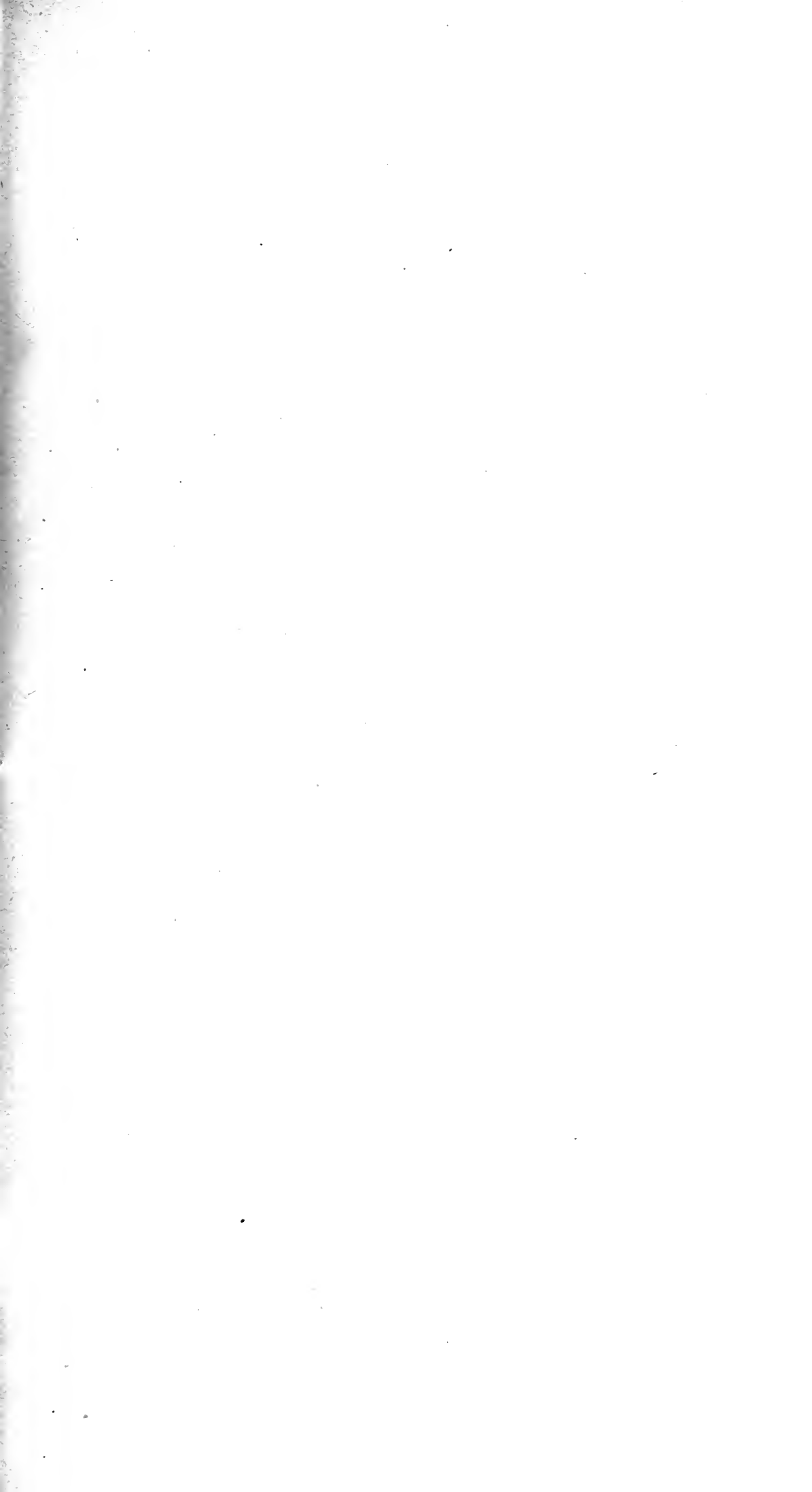
Given under the corporate seal of the city of Ottawa this 19th day of February, 1900.

Certified,

JOHN HENDERSON,
City Clerk.

T. PAYMENT,
Mayor.





3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting By-Laws Nos. 1458, 1628
1707 and 1973 of the City of Ottawa.

First Reading, 29th March, 1900.

*(Reprinted as amended by the Private Bills
Committee.)*

(Private Bill.)

Mr. LUMSDEN.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting an agreement between the City of Stratford and the Grand Trunk Railway Company of Canada.

WHEREAS the city of Stratford and the Grand Trunk Railway Company of Canada have by their respective petitions prayed that an Act may be passed confirming and declaring legal and valid a certain agreement made the twenty-seventh day of February, A.D. 1900, by and between the corporation of the city of Stratford and the Grand Trunk Railway Company of Canada, which agreement is set forth in schedule A to this Act; and whereas it is expedient to grant the prayer of the said petitions;

Preamble

10 Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. The agreement set out in the schedule A to this Act is hereby confirmed and declared legal and valid for all purposes, and it shall be lawful for the corporation of the city of Stratford and the Grand Trunk Railway Company of Canada to do any and all acts necessary to carry out and give full effect to the said agreement in all respects and according to the spirit, true intent and meaning thereof.

Agreement confirmed.

SCHEDULE A.

This Agreement made this twenty-seventh day of February, in the year of our Lord, one thousand nine hundred. By and between, the Corporation of the City of Stratford, hereinafter called the city, of the first part, and the Grand Trunk Railway Company of Canada, hereinafter called the company, of the second part.

Whereas for the purpose of avoiding continuous dispute and litigation over the question of what is the proper assessable value of the property of the company situated in the city of Stratford under the provisions of *The Assessment Act* and amendments thereto the parties hereto have by way of mutual concession agreed that for the next ten years from and inclusive of the year 1900, the sum to be paid yearly by the said company in full for all taxes, rates and assessments that may be levied upon their property in the said city of Stratford shall be the sum of eight thousand dollars, save for local or frontage taxes, rates or assessments where the company's property is benefited in its use for the business and purposes of the railway, but this does not include street watering.

Therefore this agreement witnesseth that the said parties hereto have and they hereby do covenant, promise and agree each with the other in manner following, that is to say :

1. The city covenants and agrees with the company that they will commute and fix for the next ten years (inclusive of the year 1900) the rates and taxes to be paid by the said company to the said city save for local or frontage rates, taxes, or assessments where the company's property is benefited thereby in its for the business and purposes of the railway (but this does not include street watering), for and in respect of all assessable property now owned and occupied by the said company or which may be acquired and occupied by the said company for railway purposes during the next ten years within the limits of said city at the sum of eight thousand dollars to be paid at the same time and upon the same terms as the taxes of the other ratepayers and to be subject in case of default to the same provisions and remedies for the collection thereof provided by *The Assessment Act* and any amendments thereto or any other Act or Acts now or to be in force with regard thereto. And the said city further agrees that the assessor or assessors appointed in any of the said ten years shall be relieved from the necessity or making the declaration or oath with regard to the assessable value of the said company's property on his assessment roll for any of the said ten years as required by the provisions of *The Assessment Act* or any similar provision in any amending Act.

2. The company covenants and agrees with the city that they accept the commutation of the rates and taxes, save for local or frontage rates, taxes or assessments where the company's property is benefited thereby in its for the business and purposes of the railway (but this does not include street watering), on all their assessable property now owned or occupied within the limits of the said city, or that may be acquired, owned or occupied therein by the company for railway purposes within the said ten years at the sum of eight thousand dollars per year for the next ten years, from and inclusive of the year 1900, and the said company agrees to pay the said sum of eight thousand dollars at the times and upon and subject to the same conditions as the taxes of other ratepayers are payable, and that in case of default their property shall be subject to all the provisions and remedies for the collection of taxes as provided by *The Assessment Act* or any other Acts or Act now or to be in force with regard thereto. And the said company further agrees that notwithstanding any changes that may be made in the assessment laws of the Province or in the event of any judicial decision being given which would make it clear that the machinery and other fixtures and appliances used in the company's works at Stratford are not liable to assessment they, the said company, will continue to pay the commuted rate of eight thousand dollars per year for the next ten years, and covenant not to take any legal proceedings against the city or any of its officers or make any appeal against the assessment of their property in any one of said ten years.

3. The parties further covenant and agree each with the other to join in any application to the Legislative Assembly of the Province of Ontario for an Act to be passed to ratify, confirm and legalize this agreement; the expense in obtaining said Act to be paid by the company.

4. It is also agreed that this agreement shall not after said ten years be used to the prejudice of either party in any question which may then be raised (if any) as to the assessable value of said property or any part thereof.

In witness whereof, the parties hereto affixed their respective corporate seals the day and year first above written.

Signed, sealed and delivered
in the presence of
FRANK A. COPUS,
As to the Execution by the
City of Stratford.

JAS. TODD,
Mayor.

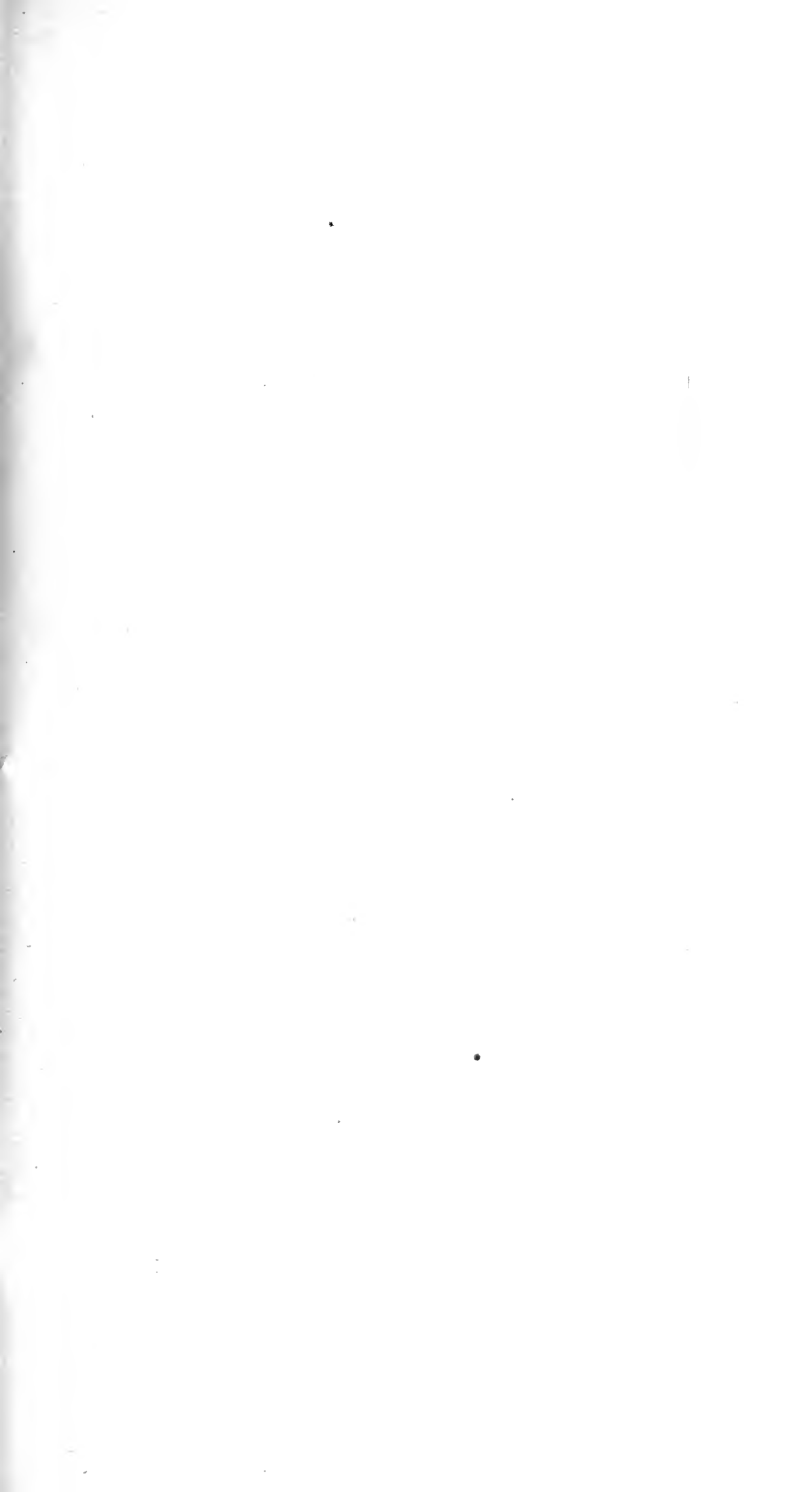
R. R. LANG,
City Clerk.

{ City
Seal. }

As to the Execution by
The Grand Trunk Rail-
way Company of
Canada.

THE GRAND TRUNK RAILWAY
COMPANY OF CANADA.
CHAS. M. HAYS,
General Manager.

{ Seal }



No. 58.

3rd Session, 9th Legislature, 62 Vic., 1900.

BILL.

An Act respecting an agreement between
the City of Stratford and the Grand
Trunk Railway Company of Canada.

First Reading, 1900.

(Private Bill.)

Mr. BROWN.

FOR ONTARIO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting an agreement between the City of Stratford and the Grand Trunk Railway Company of Canada.

WHEREAS the city of Stratford and the Grand Trunk Railway Company of Canada have by their respective petitions prayed that an Act may be passed confirming and declaring legal and valid a certain agreement made the twenty-seventh day of February, A.D. 1900, by and between the corporation of the city of Stratford and the Grand Trunk Railway Company of Canada, which agreement is set forth in schedule A to this Act; *and whereas no opposition has been offered to the said petition*; and whereas it is expedient to grant the prayer of the said petitions;

Preamble.

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. The agreement set out in the schedule A to this Act is hereby confirmed and declared legal and valid for all purposes, and it shall be lawful for the corporation of the city of Stratford and the Grand Trunk Railway Company of Canada to do any and all acts necessary to carry out and give full effect to the said agreement in all respects and according to the spirit, true intent and meaning thereof.

Agreement confirmed.

SCHEDULE A.

This Agreement made this twenty-seventh day of February, in the year of our Lord, one thousand nine hundred. By and between, the Corporation of the City of Stratford, hereinafter called the city, of the first part, and the Grand Trunk Railway Company of Canada, hereinafter called the company, of the second part.

Whereas for the purpose of avoiding continuous dispute and litigation over the question of what is the proper assessable value of the property of the company situated in the city of Stratford under the provisions of *The Assessment Act* and amendments thereto the parties hereto have by way of mutual concession agreed that for the next ten years from and inclusive of the year 1900, the sum to be paid yearly by the said company in full for all taxes, rates and assessments that may be levied upon their property in the said city of Stratford shall be the sum of eight thousand dollars, save for local or frontage taxes, rates or assessments where the company's property is benefited in its use for the business and purposes of the railway, but this does not include street watering ;

Therefore this agreement witnesseth that the said parties hereto have and they hereby do covenant, promise and agree each with the other in manner following, that is to say :

1. The city covenants and agrees with the company that they will commute and fix for the next ten years (inclusive of the year 1900) the rates and taxes to be paid by the said company to the said city save for local or frontage rates, taxes, or assessments where the company's property is benefited thereby in its use for the business and purposes of the railway (but this does not include street watering), for and in respect of all assessable property now owned and occupied by the said company or which may be acquired and occupied by the said company for railway purposes during the next ten years within the limits of said city at the sum of eight thousand dollars to be paid at the same time and upon the same terms as the taxes of the other ratepayers and to be subject in case of default to the same provisions and remedies for the collection thereof provided by *The Assessment Act* and any amendments thereto or any other Act or Acts now or to be in force with regard thereto. And the said city further agrees that the assessor or assessors appointed in any of the said ten years shall be relieved from the necessity or making the declaration or oath with regard to the assessable value of the said company's property on his assessment roll for any of the said ten years as required by the provisions of *The Assessment Act* or any similar provision in any amending Act.

2. The company covenants and agrees with the city that they accept the commutation of the rates and taxes, save for local or frontage rates, taxes or assessments where the company's property is benefited thereby in its use for the business and purposes of the railway (but this does not include street watering), on all their assessable property now owned or occupied within the limits of the said city, or that may be acquired, owned or occupied therein by the company for railway purposes within the said ten years at the sum of eight thousand dollars per year for the next ten years, from and inclusive of the year 1900, and the said company agrees to pay the said sum of eight thousand dollars at the times and upon and subject to the same conditions as the taxes of other ratepayers are payable, and that in case of default their property shall be subject to all the provisions and remedies for the collection of taxes as provided by *The Assessment Act* or any other Acts or Act now or to be in force with regard thereto. And the said company further agrees that notwithstanding any changes that may be made in the assessment laws of the Province or in the event of any judicial decision being given which would make it clear that the machinery and other fixtures and appliances used in the company's works at Stratford are not liable to assessment they, the said company, will continue to pay the commuted rate of eight thousand dollars per year for the next ten years, and covenant not to take any legal proceedings against the city or any of its officers or make any appeal against the assessment of their property in any one of said ten years.

3. The parties further covenant and agree each with the other to join in any application to the Legislative Assembly of the Province of Ontario for an Act to be passed to ratify, confirm and legalize this agreement; the expense in obtaining said Act to be paid by the company.

4. It is also agreed that this agreement shall not after said ten years be used to the prejudice of either party in any question which may then be raised (if any) as to the assessable value of said property or any part thereof.

In witness whereof, the parties hereto affixed their respective corporate seals on the day and year first above written.

Signed, sealed and delivered
in the presence of
FRANK A. COPUS,
As to the Execution by the
City of Stratford.

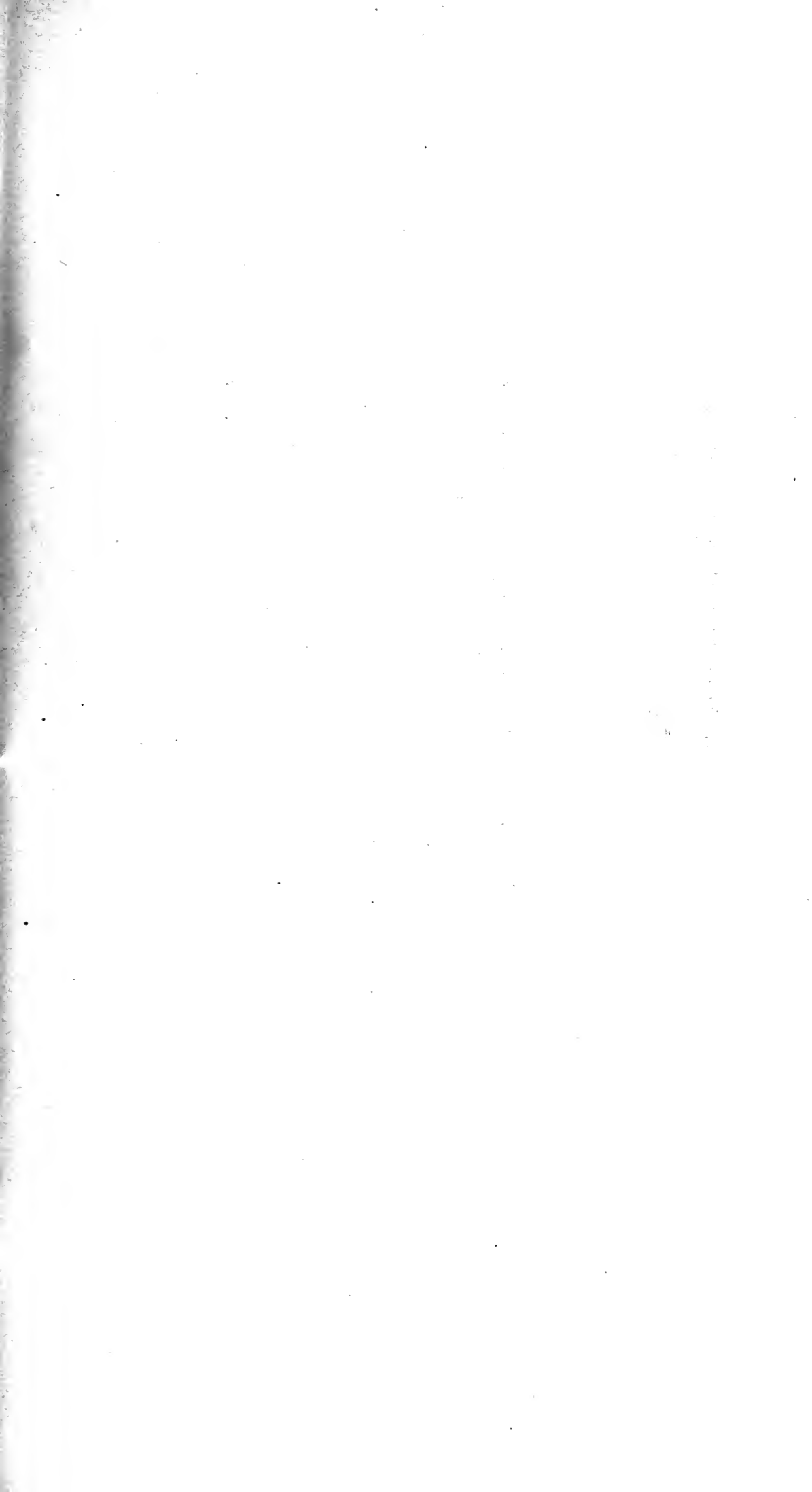
JAS. HODD,
Mayor.
R. R. LANG,
City Clerk.

{ City
Seal. }

R. S. LOGAN.

{ THE GRAND TRUNK RAILWAY
COMPANY OF CANADA.
By CHAS. M. HAYS,
General Manager.

{ Company's
Seal }



BILL.

An Act respecting an agreement between
the City of Stratford and the Grand
Trunk Railway Company of Canada.

First Reading, 14th March, 1900.

*(Reprinted as amended by Private Bills
Committee.)*

Mr. BROWN.

TORONTO:

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act respecting the Hamilton Radial Electric
Railway Company.

WHEREAS the Hamilton Radial Electric Railway Company Preamble.
have by their petition prayed that an Act may be passed
extending the time for the building and completion of the
company's railway and amending the provisions of the com-
pany's Act of Incorporation respecting the calling of general
meetings of shareholders, and whereas it is expedient to grant
the prayers of the said petition :

Therefore Her Majesty by and with the advice and consent
of the Legislative Assembly of the Province of Ontario enacts
as follows:—

1. The time for building and completion of the said com-
pany's lines of railway and branches or extensions is hereby
extended to the first day of January, 1907. Extension of
time for com-
pletion of line.

2. Section 11 of the *Act to Incorporate the Hamilton
Radial Electric Railway Company* passed the fifty-seventh
year of Her Majesty's reign, chaptered 88, is hereby amended
by striking out all the words after the word "company" in
the sixth line of said section and substituting therefor the
words "and notice of such meetings shall be given at least ten
days previously by a registered letter addressed to each
shareholder." 57 V. c. 88
s. 11 amended.
Notice of
meetings.

No. 59.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting The Hamilton Radial
Electric Railway Company.

| | |
|----------------|-------|
| First Reading, | 1900. |
|----------------|-------|

(Private Bill.)

Mr. CARSCALLEN.

TORONTO:
PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act respecting The Nickel Copper Company of
Ontario, Limited

WHEREAS the said company was incorporated by letters Preamble.
patent granted by the Lieutenant-Governor-in-Council
of the Province of Ontario, bearing date the twenty-seventh
day of December, 1899; and whereas the said company has
5 completed arrangements for the refining of nickel at the city
of Hamilton, in the Province of Ontario, and has also made
arrangements for a large and continuous supply of nickel ore
and nickel matte for the purpose of refinement, and the
further important industry of the manufacture of nickel steel
10 is under consideration and arrangements are already in pro-
gress in connection therewith, and whereas a considerable
increase of the capital stock of the company will be necessary
as well as the further powers hereinafter set forth to enable
the company to advantageously carry out its proposed opera-
15 tions; and whereas it is expedient to grant the prayer of said
petition;

Therefore Her Majesty by and with the advice and consent
of the Legislative Assembly of the Province of Ontario enacts
as follows:—

20

1. The letters patent of incorporation of the said company Letters patent con-
firmed.
bearing date the twenty-seventh day of December, 1899, are
hereby ratified and confirmed.

2. The capital stock of the said company is hereby increased Capital stock.
25 to the sum of ten million dollars in one hundred thousand
shares of one hundred dollars each.

3. The said company is hereby authorized and empowered Authority to
amalgamate
and enter into
agreements
with other
companies.
30 to amalgamate and enter into agreements with and to purchase
or acquire the shares, bonds, securities and assets of any other
company or companies having objects altogether or in part
similar to those of the Nickel Copper Company of Ontario,
Limited, and any such other company not possessing powers
sufficient for the purpose is hereby by this Act empowered to
enter into any such special agreement, and to amalgamate
35 with and to sell and convey its shares, bonds, securities and
assets to the Nickel Copper Company of Ontario, Limited.

Certain sections of R.S.O. c. 207 incorporated here-with.

4. For the purpose of acquiring the necessary lands required by the company in constructing and establishing railway switches, sidings and spur lines for connecting the works of the company with any railway or railways, and the necessary yard room for the operations of the company in connection therewith, the company shall, in respect of the said lands possess the powers conferred on railway companies under sections 11 to 20 inclusive of *The Railway Act of Ontario* in so far as such sections are applicable and when not inconsistent with this Act or the powers conferred by the letters patent of incorporation of the company, but it shall not be necessary for the company to comply with the provisions of section 19 of *The Railway Act of Ontario*; and (a) whenever in the said sections the word "company" occurs it shall mean the company referred to in this Act; (b) whenever in the said sections the word "railway" occurs it shall, unless the context otherwise requires, in so far as it applies to the provisions of this Act or the company mean the railway switches, sidings and spur lines for connecting the works of the company with any railway or railways and the yard room required for the operations of the company in connection therewith.

No. 60.

3rd Session, 9th Legislature, 63 Vic., 1900.

BILL.

An Act respecting the Nickel Copper
Company of Ontario, Limited.

First Reading. 1900.

(Private Bill.)

MR. DICKENSON.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting The Nickel Copper Company of
Ontario, Limited.

WHEREAS the said company was incorporated by letters ^{Preamble.}
patent granted by the Lieutenant-Governor-in-Council
of the Province of Ontario, bearing date the twenty-seventh
day of December, 1899; and whereas the said company has
completed arrangements for the refining of nickel at the city
of Hamilton, in the Province of Ontario, and has also made
arrangements for a large and continuous supply of nickel ore
and nickel matte for the purpose of refinement, and the
further important industry of the manufacture of nickel steel
is under consideration and arrangements are already in pro-
gress in connection therewith; and whereas a considerable
increase of the capital stock of the company will be necessary
as well as the further powers hereinafter set forth to enable
the company to advantageously carry out its proposed opera-
tions; and whereas it is expedient to grant the prayer of said
petition;


Therefore Her Majesty by and with the advice and consent
of the Legislative Assembly of the Province of Ontario enacts
as follows:—

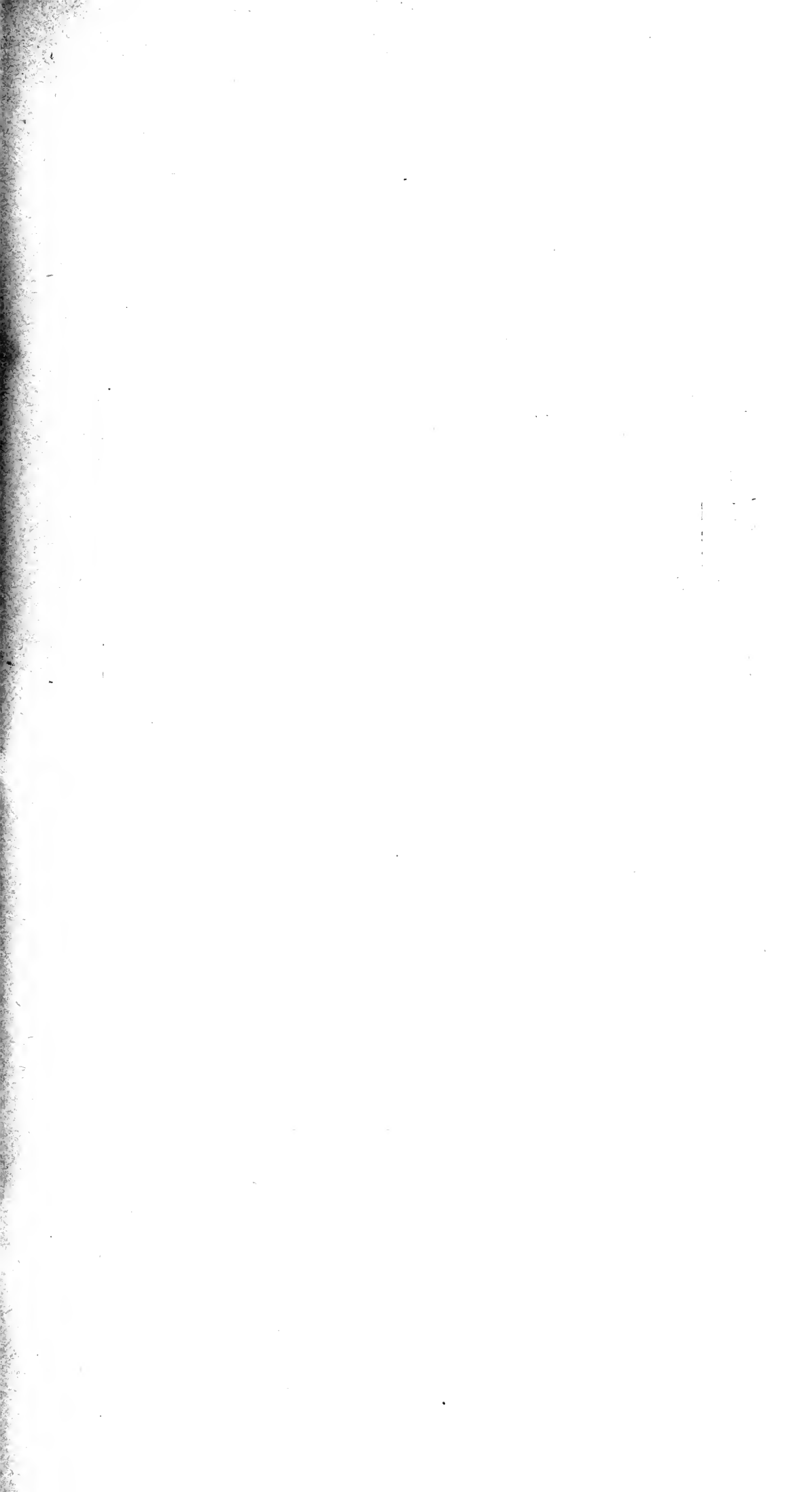
1. The letters patent of incorporation of the said company ^{Letters}
bearing date the twenty-seventh day of December, 1899, are ^{patent con-}
hereby ratified and confirmed. ^{firmed.}

2. The capital stock of the said company is hereby increased ^{Capital stock}
to the sum of ten million dollars in one hundred thousand
shares of one hundred dollars each.

3. The said company is hereby authorized and empowered ^{Authority to}
to amalgamate and enter into agreements with and to purchase ^{amalgamate}
or acquire the shares, bonds, securities and assets of any other ^{and enter into}
company or companies having objects altogether or in part ^{agreements}
similar to those of the Nickel Copper Company of Ontario, ^{with other}
Limited, and any such other company not possessing powers ^{companies.}
sufficient for the purpose is hereby by this Act empowered to
enter into any such special agreement, and to amalgamate
with and to sell and convey its shares, bonds, securities and
assets to the Nickel Copper Company of Ontario, Limited.

Certain sections of R.S.O. c. 207 incorporated here-with.

4. For the purpose of acquiring the necessary lands required by the company in constructing and establishing railway switches, sidings and spur lines for connecting the works of the company with any railway or railways, and the necessary yard room for the operations of the company in connection therewith, the company shall, in respect of the said lands, possess the powers conferred on railway companies under sections 11 to 20 inclusive of *The Railway Act of Ontario* in so far as such sections are applicable and when not inconsistent with this Act or the powers conferred by the letters patent of incorporation of the company; and (a) whenever in the said sections the word "company" occurs it shall mean the company referred to in this Act; (b) whenever in the said sections the word "railway" occurs it shall, unless the context otherwise requires, in so far as it applies to the provisions of this Act or the company mean the railway switches, sidings and spur lines for connecting the works of the company with any railway or railways and the yard room required for the operations of the company in connection therewith. ⁴²⁷ Provided that whenever the amount of compensation to be paid by the company for the lands taken or injured under the powers hereby conferred is fixed by arbitration the amount of such compensation shall be fixed by the arbitrators at 20 per cent. over and above the amount of the value of the lands or damages as determined by them. 



No. 60.

3rd Session, 9th Legislature, 63 Vic, 1900.

BILL.

An Act respecting the Nickel Copper
Company of Ontario, Limited.

First Reading, 21st March, 1900.

*(Reprinted as amended by the Private Bills
Committee.)*

MR. DICKENSON.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting St. James' Cathedral.

WHEREAS the churchwardens of St. James' Cathedral, Preamble.
 Toronto, have petitioned that the true meaning of section three of the Act passed in the forty-first year of Her Majesty's reign, being *An Act to amend the Synod and Rectory*

5 *Sales Acts*, affecting the diocese of Toronto, as affecting the rectory of St. James, may be declared to be that during the period between the occurrence of a vacancy in the incumbency of the rectory of St. James, from whatever cause arising, and the induction of a new rector, the sum of five thousand dollars
 10 a year therein mentioned, should, during every such period, be payable to the churchwardens of St. James' Cathedral, or that the said Act should be amended to make the same so payable; and whereas it is expedient to grant the prayer of the said petition:

15 Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Notwithstanding anything contained in the Act passed in the forty-first year of Her Majesty's reign, chapter 69, or any
 20 other Act, the sum of five thousand dollars a year mentioned in the third section of the said Act, or other sum to which the same may at any time be increased by the incorporated Synod of the Diocese of Toronto under the powers conferred on the said Synod in that behalf by the said Act, or a proportionate
 25 part thereof, was heretofore and shall hereafter be payable to the churchwardens of St. James' Cathedral, Toronto, during the period between the date of a vacancy occurring in the incumbency of the Rectory of St. James, from any cause, and the appointment of a new incumbent of the rectory.

Certain funds payable to churchwardens during vacancy.

No. 61.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting St. James' Cathedral.

First Reading, _____, 1900.

[Private Bill.]

Mr. PYNE.

TORONTO:

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

²³An Act respecting the Rectory of St. James' Cathedral in the City of Toronto. ²³

WHEREAS the Churchwardens of St. James' Cathedral, ^{Preamble.}
 Toronto, have petitioned that the true meaning of section 2 of the Act passed in the 41st year of Her Majesty's reign, being *An Act to amend the Synod and Rectory Sales Acts, affecting the Diocese of Toronto*, as affecting the Rectory of St. James, may be declared to be that during the period between the occurrence of a vacancy in the incumbency of the Rectory of St. James, from whatever cause arising, and the induction of a new Rector, the sum of \$5,000 a year therein mentioned, should, during every such period, be payable to the Churchwardens of St. James' Cathedral, or that the said Act should be amended to make the same so payable; and whereas it is expedient to ²³make the provisions hereinafter contained in respect of the matters aforesaid: ²³

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Notwithstanding anything contained in the Act passed in the 41st year of Her Majesty's reign, chapter 69, or any other Act, the sum of \$5,000 a year mentioned in section 2 of the said Act, or other sum to which the same may at any time be increased by the Incorporated Synod of the Diocese of Toronto under the powers conferred upon the said Synod in that behalf by the said Act, or a proportionate part thereof for the period between the date of a vacancy occurring in the incumbency of the Rectory of St. James, from any cause, and the appointment of a new incumbent of the Rectory ²³shall hereafter be payable and paid to the incoming Rector after such vacancy upon his induction to the Rectory, provided always that all expenses which shall or may be incurred in maintaining the ministrations of the church and parish in consequence of there being no incumbent of the Rectory at any time are hereby charged upon and shall first be paid by the Incorporated Synod of the Diocese of Toronto out of the amount of the said annual sum accruing during such vacancy to the Churchwardens of St. James' Cathedral Toronto or to any person with authority in that behalf, who shall have incurred or paid such expenses. ²³

Certain funds payable to churchwardens during vacancy.

No. 61.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting the Rectory of St. James' Cathedral in the City of Toronto.

First Reading, 21st March, 1900.

*(Reprinted as amended by Private Bills
Committee.)*

(Private Bill.)

Mr. PYNE.

TORONTO:

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act to incorporate the Victoria Mines Railway Company.

WHEREAS Ludwig Mond of the City of London, England, Preamble.

Chemical Manufacturer ; Walter Hague Holland, of the Township of Denison in the District of Algoma, Manager ; D. Gilbert Gordon, of the City of Toronto in the County of York, Doctor of Medicine, and John Murray Clark, of the said City of Toronto, one of Her Majesty's Counsel, have by their petition prayed for an Act of incorporation under the name of "The Victoria Mines Railway Company" for the purpose of constructing, maintaining and operating a steam railway from a point at or near lot twelve in concession four in the Township of Denison, in the District of Algoma, in an easterly and southerly direction through said township to the Sault branch of the Canadian Pacific Railway about midway between Whitefish and Worthington, also from a point at or near lots four and five in concession three in the Township of Garson in the District of Nipissing through the Townships of Blezard and McKim to the Stobie branch of the Canadian Pacific Railway together with power to construct branch lines ; and whereas it is expedient to grant the prayer of the said petition ;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. The said Ludwig Mond, Walter Hague Holland, D. Gilbert Gordon and John Murray Clark and such other persons and corporations as shall hereafter become shareholders in the said Company are hereby constituted a body corporate and politic under the name of "The Victoria Mines Railway Company" hereinafter called the "Company." Incorporation.

2. The said company is hereby authorized and empowered to survey, lay out, construct, complete, equip, maintain and operate a steam railway with double or single iron or steel tracks with full power to pass over any portion of the country between the points aforesaid and to carry the said railway through the Crown lands, if any, lying between the points aforesaid and with such powers as under *The Railway Act of Ontario* and any other law in force in Ontario may be vested in any railway company from a point at or near lot twelve in Location of line.

concession four in the Township of Denison in the District of Algoma in an easterly and southerly direction through said township to the Sault branch of the Canadian Pacific Railway about midway between Whitefish and Worthington, also from a point at or near lots four and five in concession three in the Township of Garson in the District of Nipissing through said township and McKim and Blezard Townships to the Stobie branch of the Canadian Pacific Railway. 5

Gauge. 3. The gauge of the said railway shall be four feet eight and one-half inches. 10

Provisional directors. 4. The said Ludwig Mond, Walter Hague Holland, D. Gilbert Gordon and John Murray Clark with power to add to their number shall be and are hereby constituted a Board of Provisional Directors of the said company, of whom a majority shall be a quorum, and shall hold office as such until other directors shall be appointed under the provisions of this Act. 15

Powers of provisional directors. 5. The said Board of Provisional Directors shall have power forthwith to open stock books and procure subscriptions of stock for the undertaking, and to allot the stock and to receive payments on account of stock subscribed, and to make calls upon subscribers in respect to their stock, and to sue for and recover the same; and to cause plans and surveys to be made and to receive for the company any grant, loan, bonus or gift made to it, or in aid of the undertaking and to enter into any agreement respecting the conditions or disposition of any gift or bonus in aid of the railway, and with all such other powers as, under *The Railway Act of Ontario*, are vested in ordinary directors. The said directors, or a majority of them, or the board of directors to be elected as hereinafter mentioned, may, in their discretion exclude anyone from subscribing for stock who, in their judgment, would hinder, delay or prevent the company from proceeding with and completing their undertaking under the provisions of this Act, and if at any time a portion or more than the whole stock shall have been subscribed, the said provisional directors, or board of directors, shall allocate and apportion it amongst the subscribers as they shall deem most advantageous and conducive to the furtherance of the undertaking; and in such allocation the said directors may in their discretion, exclude any one or more of the said subscribers if, in their judgment, such exclusion will best secure the building of the said railway; and all meetings of the provisional board of directors shall be held at the City of Toronto, in the County of York, or at such other place as may best suit the interest of the said company. 20
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Rev. Stat. c. 207. 6. The said company shall, in addition to their other powers to take or purchase lands, have power to take, purchase, and hold such land as may be required at each extremity of the said railway, for the purpose of building thereon elevators, 45

Power to take or purchase lands for elevators, etc.

storehouses, warehouses, engine-houses, docks, and other erections for the uses of the said company, and the same or or portion thereof, in their discretion to sell or convey, and also to make use for the purposes of the said railway of the
 5 water of any stream or water-course, at or near which the said railway passes, doing, however, no unnecessary damage thereto and not impairing the usefulness of such stream or water-course.

7. Conveyances of lands to the said company for the purposes of and powers given by this Act, made in the form set forth in Schedule A, hereunder written, or to the like effect,
 10 shall be sufficient conveyance to the said company, their successors and assigns, of the estate or interest therein mentioned and sufficient bar of dower, respectively, of all persons execut-
 15 ing the same; and such conveyances shall be registered in the same manner and upon such proof of execution as is required under the laws of Ontario, and no Registrar or Master of Titles shall be entitled to demand more than seventy-five cents for registering the same, including all entries and certificates
 20 thereof, and certificates endorsed on the duplicates thereof.

Form of conveyance of lands to company.

8. No subscription for stock in the capital of the company shall be binding on the said company unless it shall be approved by resolution of the directors, nor unless ten per centum of the amount subscribed has been actually paid there-
 25 on within one month after subscription.

Subscriptions for stock not binding until approved.

9. The said company may receive from any government, or from any persons or bodies corporate, municipal or politic,
 30 who may have power to make or grant the same aid towards the construction, equipment or maintenance of the said railway by way of gift, bonus or loan of money or debentures or other securities for money, or by way of guarantee upon such terms and conditions as may be agreed upon.

Aid to company.

10. Any municipality through which the said railway passes, may pass a by-law or by-laws empowering the said
 35 company to make their road and lay their rails along any of the highways within such municipality, and whether or not the same be in the possession or under the control of any joint stock company, and if such highway be either in the possession or under the control of any joint stock company,
 40 then with the assent of such company, and it shall and may be lawful for the said company to enter into and perform any such agreements as they may from time to time deem expedient, with any municipality, corporation or person, for the construction or for the maintenance and repair of gravel or other
 45 public roads leading to the said railway.

Carrying line over highways.

11. The capital stock of the company hereby incorporated shall be \$200,000 (with power to increase the same in the manner provided by *The Railway Act of Ontario*), to be
 C apital stock.

divided into two thousand shares of \$100 each, and shall be raised by the persons and corporations who may become shareholders in such company, and the money so raised shall be applied, in the first place, to the payment of all fees, expenses and disbursements of, and incidental to the passing of this Act, and for making the surveys, plans and estimates connected with the works hereby authorized; and the remainder of said money shall be applied to the making, equipping, completing and maintaining of the said railway, and to the other purposes of this Act.

First general meeting.

12. When and as soon as shares to the amount of \$20,000 of capital stock in the said company shall have been subscribed and ten per centum paid thereon into some chartered bank of the Dominion, having an office in the Province of Ontario, to the credit of the company, and which shall on no account be withdrawn therefrom unless for the services of the company, the said provisional directors or a majority of them shall call a general meeting of the shareholders for the purpose of electing directors of the said company, giving at least four weeks' notice of such meeting by advertisement in *The Ontario Gazette* and in at least one newspaper published in the said City of Toronto of the time, place and purpose of the said meeting

Directors, election of.

13. At such general meeting the shareholders present in person or by proxy, who shall at the opening of such meeting have paid up ten per centum on the stock subscribed by them, shall elect five persons or such other number as may be determined by by-law to be directors of the said company in manner and qualified as hereinafter mentioned, who shall constitute a board of directors and shall hold office until the next general annual meeting, and a majority of the directors shall form a quorum of the board, and may pass such rules, regulations and by-laws as may be deemed expedient and are not inconsistent with this Act and *The Railway Act of Ontario*; and the said board may employ and pay one of their number as managing director.

Qualifications of directors.

14. No person shall be qualified to be elected as such director by the shareholders unless he be a shareholder holding at least ten shares of stock in the said company, and unless he has paid up all calls thereon.

Construction of line by sections.

15. The company is hereby authorized and empowered to take and make the surveys and levels of the lands through which the said railway is to pass, together with the map or plan thereof, and of their course and direction, and of the lands intended to be passed over and taken therefor so far as then ascertained, and also the book of reference for the railway, and to deposit the same, as required by the clauses of *The Railway Act of Ontario*, and the amendments thereto with respect to plans and surveys, by sections or portions less

Rev. Stat. c. 207.

than the length of the whole railway authorized, of such length as the company may from time to time see fit so that no one of such sections or portions shall be less than ten miles in length; and upon such deposit as aforesaid of the
 5 map or plan and book of reference of any and each of such sections or portions of the said railway, all and every of the clauses of the said *Railway Act* and the amendments thereof applied to, included in or incorporated with this Act shall apply and extend to any and each of such sections or portions of
 10 the said railway as fully and effectually as if the surveys and levels had been taken and made of the lands through which the whole of the said railway is to pass, together with the map or plan of the whole thereof, and of their whole course and direction, and of the lands intended to be passed over and
 15 taken, and the book of reference of the whole of the said railways had been taken, made, examined, certified and deposited according to the said clauses of the said *Railway Act* and the amendments thereof with respect to "plans and surveys."

16. Aliens and companies incorporated abroad, as well as
 20 British subjects and corporations, may be shareholders in the said company, and all such shareholders, whether resident in this province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible for office as directors in the said company. Right of
aliens.

17. The directors may from time to time, make calls as
 25 they shall think fit, provided that no call shall be made at any one time of more than ten per centum of the amount subscribed by each shareholder, and thirty days' notice shall be given of each call, as hereinafter provided in section 19 of this
 30 Act. Calls.

18. The provisional directors or the elected directors may
 35 pay, or agree to pay, in paid up stock or in the bonds of the said company, such sums as they may deem expedient, to engineers or contractors, or for right away, or material, plant or rolling stock, and also, when sanctioned by a vote of the
 40 shareholders at any general meeting, for the services of the promoters or other persons who may be employed by the directors in furthering the undertaking, or for the purchase of right of way, material, plant, or rolling stock, whether such promoters or other persons be provisional or elected directors or not, and any agreement so made shall be binding on the company. Payments in
paid up stock
or bonds.

19. The head office of the said company shall be at the said
 45 City of Toronto, and the general annual meeting of the shareholders of the said company shall be held in such place in the
 said City of Toronto, on such days and at such hours as may
 be directed by the by-laws of the company; and public notice
 thereof shall be given at least four weeks previously in *The* Head office.
General
annual meet-
ing.

Ontario Gazette, and once a week in one newspaper published in the said City of Toronto during the four weeks immediately preceding the week in which such meeting is to take place.

Special general meeting 20. Special general meetings of the shareholders of the said company may be held at such places and at such times and in such manner and for such purposes as may be provided by the by-laws of said company, upon such notice as is provided in the last preceding section 5

Bonding powers. 21. The directors of the company shall have power to issue bonds of the company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all the sum of \$20,000, for each mile of the said railway, and the provisions of sub-sections 19, 20, 21, 22 and 23 of section 9 of *The Railway Act of Ontario*, shall apply to all such bonds and the issue thereof, and such bonds shall be issued subject and accorded to, and in conformity with the provisions of the said sub-sections. 10 15

Rev. Stat. c. 207.

Bonds transfer of. 22. All such bonds, debentures and other securities and coupons and interest warrants thereon respectively, may be made payable to bearer and transferable by delivery, and any holder of any such securities so made payable to bearer, may sue at law thereon in his own name. 20

Negotiable instrument.

23. The said company shall have power and authority to become parties to promissory notes and bill of exchange for sums not less than \$100, and any such promissory note or bill of exchange made, accepted or endorsed by the president or vice-president of the company, and countersigned by the secretary of the said company and under the authority of a quorum of the directors, shall be binding on the said company, and every such promissory note or bill of exchange so made shall be presumed to have been made with proper authority until the contrary be shown, and in no case shall it be necessary to have the seal of the said company affixed to such promissory note or bill of exchange, nor shall the president, vice-president or the secretary be individually responsible for the same unless the said promissory notes or bills of exchange have been issued without the sanction and authority of the directors as herein provided and enacted; provided, however, that nothing in this section shall be construed to authorize the said company to issue any promissory note or bill of exchange payable to bearer, or intended to be circulated as money, or as the notes or bills of a bank. 25 30 35 40

Mortgaging or pledging bonds.

24. The said company may, from time to time, for advances of money to be made thereon, mortgage or pledge any bonds which they may be enabled, under the powers of this Act to issue for the construction of the said railway. 45

25. It shall be lawful for the directors of the company to enter upon an agreement or agreements with any other company or companies, if lawfully authorized to enter into such agreements, or with any person or persons, for leasing, hiring, 5 or use of any locomotives, carriages, rolling stock and other movable property from such companies or persons for such time or times and on such terms as may be agreed on; and also to enter into agreements with any railway company or companies, if so lawfully authorized, for the use by one or 10 more of such contracting companies of the locomotives, carriages, rolling stock and other moveable property of the other or others of them on such terms as to compensation and otherwise as may be agreed on. Acquiring rolling stock.

26. The said company may also construct an electric tele- 15 graph line and a telephone line in connection with their railway, and for the purpose of constructing, working and protecting the said telegraph and telephone lines, the powers conferred upon telegraph companies by *The Act respecting Telegraph Companies* being chapter 192 of the Revised Statutes 20 of Ontario, 1897, are hereby conferred upon the said company; provided, that no poles shall be erected in the construction of either of the said lines in or through any city, town or incorporated village without the consent of the council of such city, town or village being first obtained by the said company; 25 vided also, that such telegraph and telephone lines shall be used exclusively for the purposes of the business of the said mines and of the said company. Telegraph and telephone

27. Any municipality, or any portion of a township municipality, which may be interested in securing the construction of 30 the said railway, or through any part of which, or near which the railway or works of the said company shall pass or be situated may aid the said company, by giving money or debentures, by way of bonus, gift or loan, or by the guarantee of the municipal corporation, under and subject to the provisions hereinafter con- 35 tained; provided always, that such aid shall not be given except after the passing of a by-law for the purpose, and the adoption of such by-law by the qualified ratepayers of the municipality or portion of the municipality (as the case may be) in accordance with and as provided by law in respect to granting aid, by way 40 of bonuses to railways. Bonuses from municipalities

28. The corporation of any municipality, through any part of which the railway of the said company passes or is situated 45 may, by by-law specially passed for that purpose, exempt the said company and its property within such municipality, either in whole or in part, from municipal assessment or taxation, or may agree to a certain sum per annum or otherwise, in gross, or by way of commutation or composition for payment, or in lieu of all or any municipal rates or assessments to be imposed by such municipal corporation may deem expedient, not Exemptions from taxation.

exceeding twenty-one years, and no such by-law shall be repealed unless in conformity with a condition contained therein.

Submitting bonus by-laws to ratepayers. **29.** Such by-law shall be submitted by the municipal council, to the vote of the ratepayers, in manner following, namely: 5

(1) The proper petition shall first be presented to the council, expressing the desire to aid the railway, and stating in what way and for what amount; and the council shall, within six weeks after the receipt of such petition by the clerk of the municipality, introduce a by-law to the effect petitioned for, 10 and submit the same to the approval of the qualified voters.

(2) The petition shall be that of a majority of the members of the municipal council, or of twenty resident freeholders, who are qualified voters under *The Municipal Act* and the amendments thereto. 15

Terms of by-laws. **30.** Such by-law shall in each instance provide:

(1) For raising the amount petitioned for in the municipality, mentioned in the petition, by the issue of debentures of the municipality, and shall also provide for the delivery of the said debentures, or the application of the amount to be raised 20 thereby, as may be expressed in the said by-law;

(2) For assessing and levying upon all ratable property lying within the municipality, an annual special rate, sufficient to include a sinking fund for the repayment of the said debentures within twenty years, with interest thereon, payable 25 yearly or half-yearly, which debentures the respective municipal councils, wardens, mayors, Reeves and other officers thereof, are hereby authorized to execute and issue in such cases respectively.

Petition against submitting by-law.

31. In case of aid from a municipality, twenty resident 30 freeholders thereof may petition the municipal council against submitting the said by-law, upon the ground that certain minor municipalities or portions thereof, comprised in the said by-law, would be injuriously affected thereby, or upon any other ground ought not to be included therein, and upon de- 35 posit by the petitioners, with the treasurer of the municipality, of a sum sufficient to defray the expenses of such reference, the said council shall forthwith refer the said petition to three arbitrators, one being the judge of the county court or district 40 objecting, one being the registrar of the county or of the riding in which the county town is situate, and one being an engineer appointed by the Commissiouer of Public Works for Ontario, who shall have power to confirm or amend the said by-law, by excluding any minor municipality or any section thereof therefrom, and the decision of any two of them shall 45 be final, and the by-law so confirmed or amended shall thereupon, at the option of the railway company, be submitted by the council to the duly qualified voters, and in case the by-law

is confirmed by the arbitrators, the expense of the reference shall be borne by the petitioners against the same, but if amended, then by the railway company or the county, as the arbitrators may order.

5 **32.** The term "minor municipality" shall be construed to mean any town not separated from the municipal county, township or incorporated village, situate in the county or district municipality. "Minor municipality." Meaning of.

10 **33.** Before any such by-law is submitted, the railway company shall, if required, deposit with the treasurer of the municipality, a sum sufficient to pay the expenses to be incurred in submitting said by-law. Deposit for expenses before by-law submitted.

15 **34.** In case the by-law submitted be approved of and carried, in accordance with the provisions of the law in that behalf, then within four weeks after the date of such voting, the municipal council which submitted the same shall read the said by-law a third time and pass the same. Council to pass by-law when approved.

20 **35.** Within one month after the passing of such by-law the said council and the mayor, warden, reeve or other head, or other officers thereof, shall issue or dispose of the debentures provided for by the by-law, and deliver the same, duly executed, to the trustees appointed, or to be appointed, under this Act. Issue of debentures.

25 **36.** In case any such loan, guarantee or bonus, be so granted by a portion of a township municipality, the rate to be levied for the payment of the debentures issued therefor, and the interest thereon, shall be assessed and levied upon such portion only of such municipality. Rate on portion of municipality.

30 **37.** The provisions of *The Municipal Act* and the amendments thereto, so far as the same are not inconsistent with this Act, shall apply to any by-law so passed by or for a portion of a township municipality, to the same extent as if the same had been passed by or for the whole municipality. Application of Rev. Stat., c. 223, to bonus by-laws.

35 **38.** The councils for all corporations that may grant aid by way of bonus to the said company may, by resolution or by-law, extend the time for the commencement of the work beyond that stipulated for in the by-law or by-laws granting such aid, from time to time; provided, that no such extension shall be for a longer period than one year. By-laws extending time for commencing work.

40 **39.** It shall and may be lawful for the council of any municipality that may grant aid by way of bonus to the said company, by resolution or by-law, to extend the time for the completion of the works (on the completion of which the said company would be entitled to such bonus) from time to time, Extending time for completion of work.

provided that no such extension shall be for a longer period than one year at a time.

Limit of
municipal
rate.
Provided.

40. Any municipality, or portion of a municipality interested in the construction of the railway of the said company, may grant aid by way of bonus to the said company towards the construction of such railway, notwithstanding that such aid may increase the municipal taxation of such municipality, or portion thereof, beyond what is allowed by law; provided that such aid shall not require the levying of a greater aggregate annual rate for all purposes than three cents in the dollar upon the value of the rateable property therein. 5 10

Exemption
from
taxation.

41. It shall be lawful for the corporation of any municipality through any part of which the railway of the said company passes, or in which it is situate, by by-law especially passed for that purpose, to exempt the said company and its property within such municipality, either in whole or in part, from municipal or school assessment or taxation, or to agree to a certain sum per annum, or otherwise in gross, by way of commutation or composition for payment, or in lieu of all or any municipal or school rates or assessments to be imposed by any corporation, and for such term of years as such municipal corporation may deem expedient, not exceeding twenty-one years, and no such by-law shall be repealed unless in conformity with a condition contained therein. 15 20

Grants of
land to
company.

42. Any municipality through which the said railway may pass or is situate is empowered to grant, by way of gift to the said company, any lands belonging to such municipality, or over which it may have control, which may be required for right of way, station grounds or other purposes connected with the running or traffic of the said railway; and the said railway company shall have power to accept gifts of land from any Government, or any person or body, corporate or politic, and shall have power to sell or otherwise dispose of the same for the benefit of the said company. 25 30

Trustees of
municipal
debentures.

43. Whenever any municipality or portion of a municipality shall grant aid by way of a bonus or gift to the railway company, the debentures therefor shall, within six months after the passing of the by-law authorizing the same, be delivered to three trustees to be named, one by the Lieutenant-Governor in Council, one by the said company, and one by the majority of the heads of the municipalities which have granted bonuses, all of the trustees to be residents of the Province of Ontario; provided that if the said heads of the municipalities shall refuse or neglect to name such trustee within one month after notice in writing of the appointment of the company's trustee, or if the Lieutenant-Governor in Council shall omit to name such trustee within one month after notice in writing to him of the appointment of the other 35 40 45

trustees, then in either case the company shall be at liberty to name such other trustee or other trustees; any of the said trustees may be removed and a new trustee appointed in his place at any time by the Lieutenant-Governor in Council. 5 and in case any trustee dies or resigns his trust, or goes to live out of the Province of Ontario, or otherwise becomes incapable of acting, his trusteeship shall become vacant and a new trustee may be appointed by the Lieutenant-Governor in Council.

10 **44.** The said trustees shall receive the said debentures or Trusts of pro-
ceeds of
debentures. bonds in trust, firstly, under the directions of the company, but subject to the conditions of the by-laws in relation thereto as to time or manner, to convert the same into money or otherwise dispose of them; secondly, to deposit the debentures or amount realized from the sale in some chartered bank 15 having an office in the Province of Ontario, in the name of "The Victoria Mines Railway Company, Municipal Trust Account," and to pay the same out to the said company from time to time, as the said company becomes entitled thereto, 20 under the conditions of the by-law granting the said bonus, and on the certificate of the chief engineer of the said railway for the time being, in the form set out in Schedule B, hereto or to the like effect, which certificate shall set forth that the conditions of the by-law have been complied with 25 and is to be attached to the cheque or order drawn by the said trustees for such payment or delivery of debentures, and such engineer shall not wrongfully grant any such certificate under a penalty of \$500, recoverable in any court of competent jurisdiction by any person who may sue therefor.

30 **45.** The trustees shall be entitled to their reasonable fees Fees of
trustees. and charges from the said trust fund, and the act of any two of such trustees shall be as valid and binding as if the three had agreed.

46. Whenever it shall be necessary for the purpose of 35 procuring sufficient land for stations or gravel pits, or for constructing, maintaining and using the said railway, and in case, by purchasing the whole of any lot or parcel of land over which the railway is to run, the company can obtain the same at a more reasonable price, or to greater advantage than by 40 purchasing the railway line only, the company may purchase, hold, use and enjoy such lands, and also the right-of-way thereto, if the same be separated from their railway, and may sell and convey the same, or any part thereof, from time to time as they may deem expedient; but the compulsory 45 clauses of *The Railway Act of Ontario* shall not apply to this section.

47. When stone, gravel, earth or sand is or are required for Rev. Stat.
c. 207. the construction or maintenance of said railway or any part

Taking material for construction of line.

thereof, the company may, in case they cannot agree with the owner of the lands on which the same are situate for the purchase thereof, cause an Ontario land surveyor to make a map and description of the property so required, and they shall serve a copy thereof, with their notice of arbitration, as in case of acquiring the roadway, and the notice of arbitration, the award and the tender of compensation, shall have the same effect as in case of arbitration for the roadway; and all the provisions of *The Railway Act of Ontario*, and of this Act, as to the service of the said notice, arbitration, compensation, deeds, payment of money into court, the right to sell, the right to convey, and the parties from whom land may be taken, or who may sell, shall apply to the subject matter of this section, as to the obtaining materials as aforesaid; and such proceedings may be had by the said company either for the right to the fee simple in the land from which said materials shall be taken, or for the right to take materials for any time they shall think necessary: the notice of arbitration, in case arbitration is resorted to, to state the interest required.

Rev. Stat. c. 207.

Sidings to gravel pits.

48.—(1) When said gravel, stone, earth or sand shall be taken under the preceding section of this Act, at a distance from the line of the railway, the company may lay down the necessary sidings and tracks over any lands on which may intervene between the railway and the lands which said material shall be found, whatever the distance may be; and all the provisions of *The Railway Act of Ontario* and of this Act, except such as relate to filing plans and publications of notice, shall apply and may be used and exercised to obtain the right of way from the railway to the land on which such materials are situated; and such right may be so acquired for a term of years or permanently, as the company may think proper; and the powers in this and the preceding section may at all times be exercised and used in all respects after the railway is constructed for the purposes of repairing and maintaining the said railway.

Rev. Stat. c. 207.

Rev. Stat. c. 207.

(2) When estimating the damages for the taking of gravel, stone, earth or sand, subsection 9 of section 20 of *The Railway Act of Ontario* shall not apply.

Warehouses, docks, etc.

49. The said company shall have full power to purchase land for, and erect warehouses, elevators, docks, stations, workshops and offices, and to sell and convey such land as may be found superfluous for any such purpose; and the company shall have power to hold as part of the property of the said company, as many steam or other vessels as the directors of the company may deem requisite from time to time.

Snow fences.

50. The said company shall have the right on and after the 1st day of November in each year to enter into and upon any lands of Her Majesty, or into and upon any lands of any corporation or persons whatsoever, lying along the route or line

of said railway, and to erect and maintain snow fences thereon, subject to the payment of such damages (if any) as may be hereafter established in the manner provided by law in respect of such railway, to have been actually suffered provided always that any such snow fences so erected shall be removed on or before the first day of April next following.

51. The said company shall have power to agree for connections and make running arrangements with the Canadian Pacific Railway Company, upon terms to be approved by two-thirds in value of the shareholders at a special general meeting to be held for that purpose, and it shall also be lawful for the said company to enter into an agreement with any other railway companies, if lawfully authorized to enter into such an agreement, for the sale or leasing or hiring of the whole or any portion of the railway herein authorized or the use thereof or for the sale or lease or hiring any locomotives, tenders, plant or rolling stock or other property or of any part thereof or touching any service to be rendered by the one company to the other and the compensation therefor, if the arrangements and agreements shall be approved of by two-thirds in value of the shareholders voting in person or by proxy at a special general meeting to be called for that purpose, and every such agreement shall be valid and binding according to the terms and tenor thereof, and the company purchasing, leasing or entering into such an agreement for using the said railway, may and are hereby authorized to work the said railway and in the same manner as if incorporated with their own line; but this section shall not be construed as purporting or intending to confer rights or powers upon any company which is not within the legislative authority of the Province of Ontario.

Running
arrangements
with C.P.R.
Ry. Co.

52. Shares in the capital stock of the said company may be transferred by any form of instrument in writing, but no transfer shall become effectual unless the stock or scrip certificates issued in respect of shares intended to be transferred are surrendered to the company, or the surrender thereof dispensed with by the company.

Shares, transfer of.

53. The said company shall have power to collect and receive all charges subject to which goods or commodities may come into their possession, and on payment of such back charges, and without any formal transfer, shall have the same lien for the amount thereof upon such goods and commodities as the person to whom such charges were originally due, and shall be subrogated by such payment in all the rights and remedies of such persons for such charges.

Collecting
back charges
on goods.

54. The several clauses of *The Railway Act of Ontario*, and of every Act in amendment thereof shall be incorporated with, and be deemed to be part of this Act, and shall apply to the said company and to the railway to be constructed by them, except only so far as they may be inconsistent with the express

Application of
provisions of
Rev. Stat.
c. 207.

enactments hereof; and the expression "this Act," when used herein, shall be understood to include the clauses of the said *Railway Act* and of every Act in amendment thereof so incorporated with this Act.

Time for commencement and completion.

55. The railway shall be commenced within three years, and finally completed within ten years after the passing of this Act. 5

SCHEDULE A.

(Section 6.)

Know all men by these presents, that I (or we) (insert the name or names of the vendor or vendors), in consideration of dollars paid to me (or us) by The Victoria Mines Railway Company, the receipt whereof is hereby acknowledged, do grant and convey unto the said company, and I (or we) (insert the name or names of any other party or parties). in consideration of dollars paid to me (or us) by the said company, the receipt whereof is hereby acknowledged, do grant and release all that certain parcel (or those certain parcels, as the case may be) of land (describe the land), the same having been selected and laid out by the said company for the purposes of its railway, to hold with the appurtenances unto the said The Victoria Mine Railway Company, their successors and assigns, forever (here insert any other clauses, covenants and conditions required), and I (or we), the wife (or wives) of the said do hereby bar my (or our) dower in the said lands.

As witness my (or our) hand and seal (or hands and seals) this day of one thousand nine hundred

Signed, sealed and delivered }
in the presence of }

[L.S.]

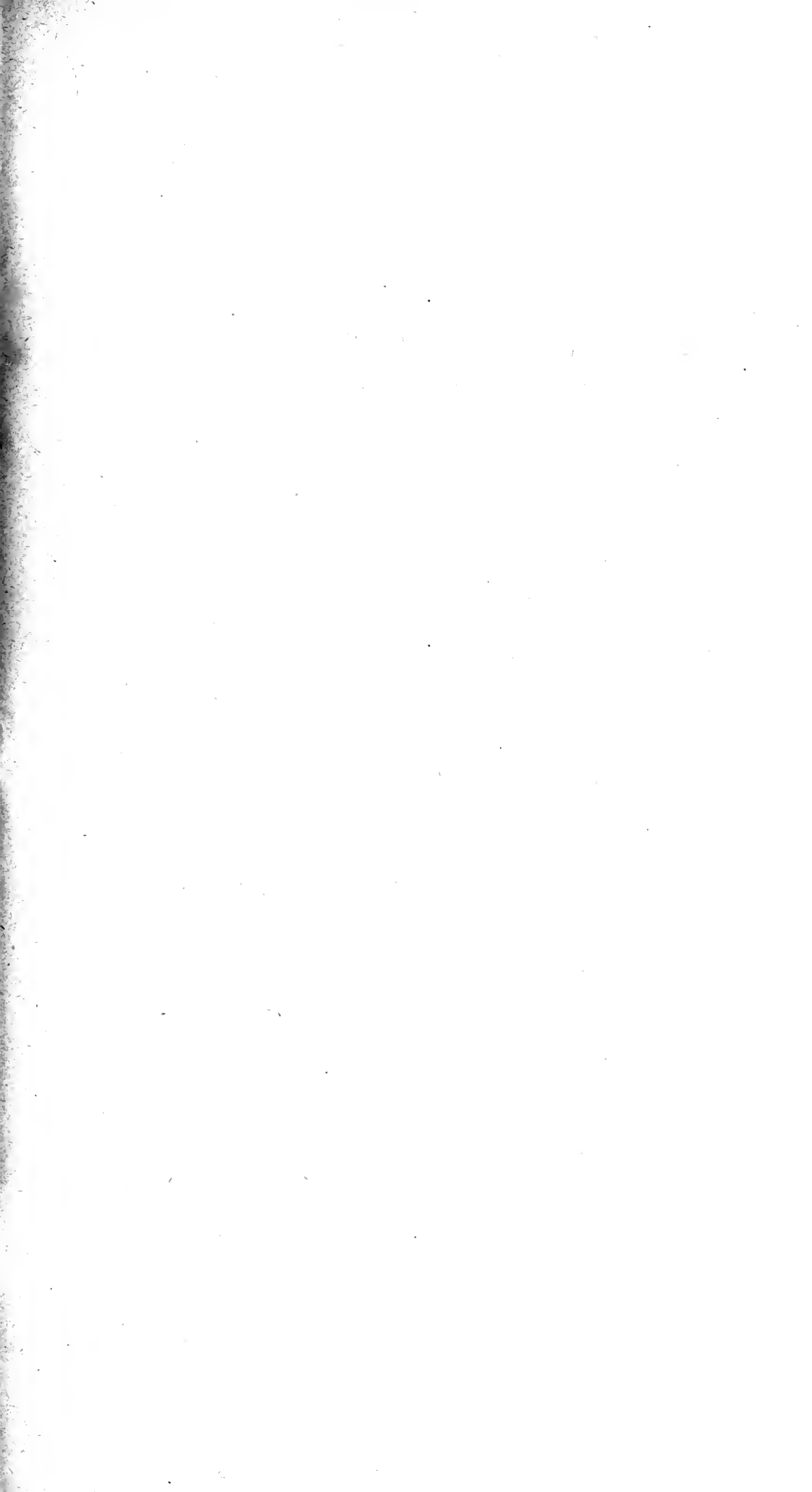
SCHEDULE B.

(Section 41.)

CHIEF ENGINEER'S CERTIFICATE, THE VICTORIA MINES RAILWAY COMPANY'S OFFICE, No. A.D. 1900, ENGINEER'S DEPARTMENT.

Certificates to be attached to cheques drawn on The Victoria Mines Railway Municipal Trust Account, given under section , chapter , of the Acts of the Legislature of Ontario, passed in the year of Her Majesty's reign.

I, Chief Engineer of the Victoria Mines Railway Company, do hereby certify that the said company has fulfilled the terms and conditions necessary to be fulfilled under the by-law No. of the township of (or under the agreement dated the day of 19 , between the corporation of and the said company), to entitle the said company to receive from the said trust the sum of (here set out the terms and conditions, if any, which have been fulfilled).



No. 62.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to Incorporate the Victoria Mines
Railway Company.

| | |
|---------------|-------|
| First Reading | 1900. |
|---------------|-------|

(Private Bill).

Mr. LOGGHEIN.

TORONTO :

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty

An Act to incorporate the Victoria Mines Railway Company.

WHEREAS Ludwig Mond of the City of London, England, Preamble.
 Chemical Manufacturer ; Walter Hague Holland, of the
 Township of Denison in the District of Algoma, Manager ; D.
 Gilbert Gordon, of the City of Toronto in the County of York,
 Doctor of Medicine, and John Murray Clark, of the said City
 of Toronto, one of Her Majesty's Counsel, have by their peti-
 tion prayed for an Act of incorporation under the name of
 "The Victoria Mines Railway Company" for the purpose of
 constructing, maintaining and operating a steam railway from
 a point at or near lot twelve in concession four in the Town-
 ship of Denison, in the District of Algoma, in an easterly and
 southerly direction through said township to the Sault branch
 of the Canadian Pacific Railway about midway between
 Whitefish and Worthington, also from a point at or near lots
 four and five in concession three in the Township of Garson in
 the District of Nipissing through the Townships of Blezard
 and McKim to the Stobie branch of the Canadian Pacific Rail-
 way together with power to construct branch lines ; and
 whereas it is expedient to grant the prayer of the said petition ;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows :—

1. The said Ludwig Mond, Walter Hague Holland, D. Gil- Incorpor-
 bert Gordon and John Murray Clark and such other persons ation.
 and corporations as shall hereafter become shareholders in the
 said Company are hereby constituted a body corporate and
 politic under the name of "The Victoria Mines Railway Com-
 pany" hereinafter called the "Company."

2. The said company is hereby authorized and empowered Location of
 to survey, lay out, construct, complete, equip, maintain and line.
 operate a steam railway with double or single iron or steel
 tracks from a point at or near lot twelve in concession
 four in the Township of Denison in the District of
 Algoma in an easterly and southerly direction through said
 township to the Sault branch of the Canadian Pacific Railway
 about midway between Whitefish and Worthington, also from
 a point at or near lots four and five in concession three in the

Township of Garson in the District of Nipissing through said township and McKim and Blezard Townships to the Stobie branch of the Canadian Pacific Railway.

Gauge.

3. The guage of the said railway shall be four feet eight and one-half inches.

Provisional directors.

4. The said Ludwig Mond, Walter Hague Holland, D. Gilbert Gordon and John Murray Clark with power to add to their number shall be and are hereby constituted a board of provisional directors of the said company, of whom a majority shall be a quorum, and shall hold office as such until other directors shall be appointed under the provisions of this Act.

Powers of provisional directors.

5. The said board of provisional directors shall have power forthwith to open stock books and procure subscriptions of stock for the undertaking, and to allot the stock and to receive payments on account of stock subscribed, and to make calls upon subscribers in respect to their stock, and to sue for and recover the same; and to cause plans and surveys to be made and to receive for the company any grant, loan, bonus or gift made to it, or in aid of the undertaking and to enter into any agreement respecting the conditions or disposition of any gift or bonus in aid of the railway, and with all such other powers as, under *The Railway Act of Ontario*, are vested in ordinary directors. The said directors, or a majority of them, or the board of directors to be elected as hereinafter mentioned, may, in their discretion exclude anyone from subscribing for stock who, in their judgment, would hinder, delay or prevent the company from proceeding with and completing their undertaking under the provisions of this Act, and if at any time a portion or more than the whole stock shall have been subscribed, the said provisional directors, or board of directors, shall allocate and apportion it amongst the subscribers as they shall deem most advantageous and conducive to the furtherance of the undertaking; and in such allocation the said directors may in their discretion, exclude any one or more of the said subscribers if, in their judgment, such exclusion will best secure the building of the said railway; and all meetings of the provisional board of directors shall be held at the City of Toronto, in the County of York, or at such other place as may best suit the interest of the said company.

Rev. Stat. c. 207.

Power to take or purchase lands for elevators, etc.

6. The said company shall, in addition to their other powers to take or purchase lands, have power to purchase, and hold such land as may be required at each extremity of the said railway, for the purpose of building thereon elevators, storehouses, warehouses, engine-houses, docks, and other erections for the uses of the said company, and the same or portions thereof, in their discretion to sell or convey, and also to make use for the purposes of the said railway of the water of any stream or water-course, at or near which the said

railway passes, doing, however, no unnecessary damage thereto and not impairing the usefulness of such stream or water-course.

7. Conveyances of lands to the said company for the purposes of and powers given by this Act, made in the form set forth in Schedule A, hereunder written, or to the like effect, shall be sufficient conveyance to the said company, their successors and assigns, of the estate or interest therein mentioned and sufficient bar of dower, respectively, of all persons executing the same; and such conveyances shall be registered in the same manner and upon such proof of execution as is required under the laws of Ontario, and no Registrar or Master of Titles shall be entitled to demand more than seventy-five cents for registering the same, including all entries and certificates thereof, and certificates endorsed on the duplicates thereof.

Form of conveyance of lands to company.

8. No subscription for stock in the capital of the company shall be binding on the said company unless it shall be approved by resolution of the directors, nor unless ten per centum of the amount subscribed has been actually paid thereon within one month after subscription.

Subscriptions for stock not binding until approved.

9. The said company may receive from any government, or from any persons or bodies corporate, municipal or politic, who may have power to make or grant the same, aid towards the construction, equipment or maintenance of the said railway by way of gift, bonus or loan of money or debentures or other securities for money, or by way of guarantee upon such terms and conditions as may be agreed upon.

Aid to company.

10. Any municipality through which the said railway passes and having jurisdiction in the premises, may pass a by-law or by-laws empowering the said company to make their road and lay their rails along any of the highways within such municipality, and whether or not the same be in the possession or under the control of any joint stock company, and if such highway be either in the possession of or under the control of any joint stock company, then with the assent of such company, and it shall and may be lawful for the said company to enter into and perform any such agreements as they may from time to time deem expedient, with any municipality, corporation or person, for the construction or for the maintenance and repair of gravel or other public roads leading to the said railway.

Carrying line over highways

11. The capital stock of the company hereby incorporated shall be \$200,000 (with power to increase the same in the manner provided by *The Railway Act of Ontario*), to be divided into two thousand shares of \$100 each, and shall be raised by the persons and corporations who may become shareholders in such company, and the money so raised shall be applied, in the first place, to the payment of all fees, expenses

Capital stock.

and disbursements of, and incidental to the passing of this Act, and for making the surveys, plans and estimates connected with the works hereby authorized; and the remainder of said money shall be applied to the making, equipping, completing and maintaining of the said railway, and to the other purposes of this Act.

First general meeting.

12. When and as soon as shares to the amount of \$20,000 of capital stock in the said company shall have been subscribed and ten per centum paid thereon into some chartered bank of the Dominion, having an office in the Province of Ontario, to the credit of the company, and which shall on no account be withdrawn therefrom unless for the services of the company, the said provisional directors or a majority of them shall call a general meeting of the shareholders for the purpose of electing directors of the said company, giving at least four weeks' notice of such meeting by advertisement in *The Ontario Gazette* and in at least one newspaper published in the said City of Toronto of the time, place and purpose of the said meeting

Directors, election of.

13. At such general meeting the shareholders present either in person or by proxy, who shall at the opening of such meeting have paid up ten per centum on the stock subscribed by them, shall elect five persons or such other number as may be determined by by-law to be directors of the said company in manner and qualified as hereinafter mentioned, who shall constitute a board of directors and shall hold office until the next general annual meeting, and a majority of the directors shall form a quorum of the board, and may pass such rules, regulations and by-laws as may be deemed expedient and are not inconsistent with this Act and *The Railway Act of Ontario*; and the said board may employ and pay one of their number as managing director.

Rev. Stat. c. 207.

Qualification of directors.

14. No person shall be qualified to be elected as such director by the shareholders unless he be a shareholder holding at least ten shares of stock in the said company, and unless he has paid up all calls thereon.

Construction of line by sections.

15. The company is hereby authorized and empowered to take and make the surveys and levels of the lands through which the said railway is to pass, together with the map or plan thereof, and of their course and direction, and of the lands intended to be passed over and taken therefor so far as then ascertained, and also the book of reference for the railway, and to deposit the same, as required by the clauses of *The Railway Act of Ontario*, and the amendments thereto with respect to plans and surveys, by sections or portions less than the length of the whole railway authorized, of such length as the company may from time to time see fit so that no one of such sections or portions shall be less than ten miles in length; and upon such deposit as aforesaid of the

Rev. Stat. c. 207.

map or plan and book of reference of any and each of such sections or portions of the said railway, all and every of the clauses of the said *Railway Act* and the amendments thereof applied to, included in or incorporated with this Act shall apply and extend to any and each of such sections or portions of the said railway as fully and effectually as if the surveys and levels had been taken and made of the lands through which the whole of the said railway is to pass, together with the map or plan of the whole thereof, and of their whole course and direction, and of the lands intended to be passed over and taken, and the book of reference of the whole of the said railway had been taken, made, examined, certified and deposited according to the said clauses of the said *Railway Act* and the amendments thereof with respect to "plans and surveys."

16. Aliens and companies incorporated abroad, as well as British subjects and corporations, may be shareholders in the said company, and all such shareholders, whether resident in this province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible for office as directors in the said company. Right of
aliens.

17. The directors may from time to time, make calls as they shall think fit, provided that no call shall be made at any one time of more than ten per centum of the amount subscribed by each shareholder, and thirty days' notice shall be given of each call, as hereinafter provided in section 19 of this Act. Calls.

18. The provisional directors or the elected directors may pay, or agree to pay, in paid up stock or in the bonds of the said company, such sums as they may deem expedient, to engineers or contractors, or for right of way, or material, plant or rolling stock, and also, when sanctioned by a vote of the shareholders at any general meeting, for the services of the promoters or other persons who may be employed by the directors in furthering the undertaking, or for the purchase of right of way, material, plant, or rolling stock, whether such promoters or other persons be provisional or elected directors or not, and any agreement so made shall be binding on the company. Payments in
paid up stock
or bonds.

19. The head office of the said company shall be at the said City of Toronto, and the general annual meeting of the shareholders of the said company shall be held in such place in the said City of Toronto, on such days and at such hours as may be directed by the by-laws of the company; and public notice thereof shall be given at least four weeks previously in *The Ontario Gazette*, and once a week in one newspaper published in the said City of Toronto during the four weeks immediately preceding the week in which such meeting is to take place. Head office.
General
annual meet-
ing.

Special general meeting.

20. Special general meetings of the shareholders of the said company may be held at such places and at such times and in such manner and for such purposes as may be provided by the by-laws of said company, upon such notice as is provided in the last preceding section

Bonds powers.

21. The directors of the company shall have power to issue bonds of the company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all the sum of \$20,000, for each mile of the said railway, and the provisions of sub-sections 19, 20, 21, 22 and 23 of section 9 of *The Railway Act of Ontario*, shall apply to all such bonds and the issue thereof, and such bonds shall be issued subject and according to, and in conformity with the provisions of the said sub-sections.

Rev. Stat. c. 207.

Bonds transfer of.

22. All such bonds, debentures and other securities and coupons and interest warrants thereon respectively, may be made payable to bearer and transferable by delivery, and any holder of any such securities so made payable to bearer, may sue at law thereon in his own name.

Negotiable instrument.

23. The said company shall have power and authority to become parties to promissory notes and bill of exchange for sums not less than \$100, and any such promissory note or bill of exchange made, accepted or endorsed by the president or vice-president of the company, and countersigned by the secretary of the said company and under the authority of a quorum of the directors, shall be binding on the said company, and every such promissory note or bill of exchange so made shall be presumed to have been made with proper authority until the contrary be shown, and in no case shall it be necessary to have the seal of the said company affixed to such promissory note or bill of exchange, nor shall the president, vice-president or the secretary be individually responsible for the same unless the said promissory notes or bills of exchange have been issued without the sanction and authority of the directors as herein provided and enacted; provided, however, that nothing in this section shall be construed to authorize the said company to issue any promissory note or bill of exchange payable to bearer, or intended to be circulated as money, or as the notes or bills of a bank.

Mortgaging or pledging bonds.

24. The said company may, from time to time, for advances of money to be made thereon, mortgage or pledge any bonds which they may be enabled, under the powers of this Act, to issue for the construction of the said railway.

Acquiring rolling stock.

25. It shall be lawful for the directors of the company to enter upon an agreement or agreements with any other company or companies, if lawfully authorized to enter into such agreements, or with any person or persons, for leasing, hiring,

or use of any locomotives, carriages, rolling stock and other movable property from such companies or persons for such time or times and on such terms as may be agreed on; and also to enter into agreements with any railway company or companies, if so lawfully authorized, for the use by one or more of such contracting companies of the locomotives, carriages, rolling stock and other moveable property of the other or others of them on such terms as to compensation and otherwise as may be agreed on.

26. The said company may also construct an electric telegraph line and a telephone line in connection with their railway, and for the purpose of constructing, working and protecting the said telegraph and telephone lines, the powers conferred upon telegraph companies by *The Act respecting Telegraph Companies* being chapter 192 of the Revised Statutes of Ontario, 1897, are hereby conferred upon the said company; provided, that no poles shall be erected in the construction of either of the said lines in or through any city, town or incorporated village without the consent of the council of such city, town or village being first obtained by the said company; provided also, that such telegraph and telephone lines shall be used exclusively for the purposes of the business of the said mines and of the said company.

Telegraph
and telephone

27. Any municipality, or any portion of a township municipality, which may be interested in securing the construction of the said railway, or through any part of which, or near which the railway or works of the said company shall pass or be situated may aid the said company, by giving money or debentures, by way of bonus, gift or loan, or by the guarantee of the municipal corporation, under and subject to the provisions hereinafter contained; provided always, that such aid shall not be given except after the passing of a by-law for the purpose, and the adoption of such by-law by the qualified ratepayers of the municipality or portion of the municipality (as the case may be) in accordance with and as provided by law in respect to granting aid, by way of bonuses to railways.

Bonuses from
municipalities

28. Such by-law shall be submitted by the municipal council, to the vote of the ratepayers, in manner following, namely:

Submitting
bonus by-laws
to ratepayers.

(1) The proper petition shall first be presented to the council, expressing the desire to aid the railway, and stating in what way and for what amount; and the council shall, within six weeks after the receipt of such petition by the clerk of the municipality, introduce a by-law to the effect petitioned for, and submit the same to the approval of the qualified voters.

(2) In the case of a county municipality, the petition shall be that of a majority of the members of the county council or of fifty resident freeholders, in each of the minor municipalities

Rev. Stat.
c. 223.

of the county, who are qualified voters under *The Municipal Act* and the amendments thereto. ⁶³

(3) ~~43~~ In the case of other municipalities ⁶³ the petition shall be that of a majority of the members of the municipal council, or of twenty resident freeholders, who are qualified voters under *The Municipal Act* and the amendments thereto *as aforesaid*.

Rev. Stat.
c. 223.

~~43~~ (4) In the case of a section of a township municipality, the petition is to be presented to the council, defining the section by metes and bounds or lots and concessions, and shall be that of a majority of the council of such township municipality or of fifty resident freeholders in such section of the municipality, being duly qualified voters as aforesaid. ⁶³

Terms of
by-laws.

29. Such by-law shall in each instance provide :

(1) For raising the amount petitioned for in the municipality, ~~43~~ or portion of the township municipality (as the case may be) mentioned in the petition, by the issue of debentures of the municipality, and shall also provide for the delivery of the said debentures, or the application of the amount to be raised thereby, as may be expressed in the said by-law ;

(2) For assessing and levying upon all ratable property lying within the municipality, ~~43~~ or portion of the township municipality defined in said by-law (as the case may be) ⁶³ an annual special rate, sufficient to include a sinking fund for the repayment of the said debentures within twenty years, with interest thereon, payable yearly or half-yearly, which debentures the respective municipal councils, wardens, mayors, reeves and other officers hereof, are hereby authorized to execute and issue in such cases respectively.

Petition
against
submitting
by-law.]

30. In case of aid from a municipality, twenty resident freeholders thereof may petition the municipal council against submitting the said by-law, upon the ground that certain minor municipalities or portions thereof, comprised in the said by-law, would be injuriously affected thereby, or upon any other ground ought not to be included therein, and upon deposit by the petitioners, with the treasurer of the municipality, of a sum sufficient to defray the expenses of such reference, the said council shall forthwith refer the said petition to three arbitrators, one being the judge of the county court or district objecting, one being the registrar of the county or of the riding in which the county town is situate, and one being an engineer appointed by the Commissiouer of Public Works for Ontario, who shall have power to confirm or amend the said by-law, by excluding any minor municipality or any section thereof therefrom, and the decision of any two of them shall be final, and the by-law so confirmed or amended shall thereupon, at the option of the railway company, be submitted by the council to the duly qualified voters, and in case the by-law

is confirmed by the arbitrators, the expense of the reference shall be borne by the petitioners against the same, but if amended, then by the railway company or the county, as the arbitrators may order.

31. The term "minor municipality" shall be construed to mean any town not separated from the municipal county, township or incorporated village, situate in the county or district municipality. "Minor municipality." Meaning of.

32. Before any such by-law is submitted, the railway company shall, if required, deposit with the treasurer of the municipality, a sum sufficient to pay the expenses to be incurred in submitting said by-law. Deposit for expenses before by-law submitted.

33. In case the by-law submitted be approved of and carried, in accordance with the provisions of the law in that behalf, then within four weeks after the date of such voting, the municipal council which submitted the same shall read the said by-law a third time and pass the same. Council to pass by-law when approved.

34. Within one month after the passing of such by-law the said council and the mayor, warden, reeve or other head, or other officers thereof, shall issue or dispose of the debentures provided for by the by-law, and deliver the same, duly executed, to the trustees appointed, or to be appointed, under this Act. Issue of debentures.

35. In case any such loan, guarantee or bonus, be so granted by a portion of a township municipality, the rate to be levied for the payment of the debentures issued therefor, and the interest thereon, shall be assessed and levied upon such portion only of such municipality. Rate on portion of municipality.

36. The provisions of *The Municipal Act* and the amendments thereto, so far as the same are not inconsistent with this Act, shall apply to any by-law so passed by or for a portion of a township municipality, to the same extent as if the same had been passed by or for the whole municipality. Application of Rev. Stat., c. 223, to bonus by-laws.

37. The councils for all corporations that may grant aid by way of bonus to the said company may, by resolution or by-law, extend the time for the commencement of the work beyond that stipulated for in the by-law or by-laws granting such aid, from time to time; provided, that no such extension shall be for a longer period than one year. By-laws extending time for commencing work.

38. It shall and may be lawful for the council of any municipality that may grant aid by way of bonus to the said company, by resolution or by-law, to extend the time for the completion of the works (on the completion of which the said company would be entitled to such bonus) from time to time, Extending time for completion of work.

provided that no such extension shall be for a longer period than one year at a time.

Limit of
municipal
rate.
Provided.

39. Any municipality, or portion of a municipality interested in the construction of the railway of the said company, may grant aid by way of bonus to the said company towards the construction of such railway, notwithstanding that such aid may increase the municipal taxation of such municipality, or portion thereof, beyond what is allowed by law; provided that such aid shall not require the levying of a greater aggregate annual rate for all purposes ^{and} exclusive of school rates ^{and} than three cents in the dollar upon the value of the rateable property therein.

Exemptions
from
taxation.

40. The corporation of any municipality, through any part of which the railway of the said company passes or is situated may, by by-law specially passed for that purpose, exempt the said company and its property within such municipality, either in whole or in part, from municipal assessment or taxation, or may agree to a certain sum per annum or otherwise, in gross, or by way of commutation or composition for payment, or in lieu of all or any municipal rates or assessments to be imposed by such municipal corporation ^{and} and for such term of years as such municipal corporation ^{and} may deem expedient, not exceeding twenty-one years, and no such by-law shall be repealed unless in conformity with a condition contained therein.

Grants of
land to
company.

41. Any municipality through which the said railway may pass or is situate is empowered to grant, by way of gift to the said company, any lands belonging to such municipality, or over which it may have control, which may be required for right of way, station grounds or other purposes connected with the running or traffic of the said railway; and the said railway company shall have power to accept gifts of land from any Government, or any person or body, corporate or politic, and shall have power to sell or otherwise dispose of the same for the benefit of the said company.

Trustees of
municipal
debentures.

42. Whenever any municipality or portion of a municipality shall grant aid by way of a bonus or gift to the railway company, the debentures therefor shall, within six months after the passing of the by-law authorizing the same, be delivered to three trustees to be named, one by the Lieutenant-Governor in Council, one by the said company, and one by the majority of the heads of the municipalities which have granted bonuses, all of the trustees to be residents of the Province of Ontario; provided that if the said heads of the municipalities shall refuse or neglect to name such trustee within one month after notice in writing of the appointment of the company's trustee, or if the Lieutenant-Governor in Council shall omit to name such trustee within one month after notice in writing to him of the appointment of the other

trustees, then in either case the company shall be at liberty to name such other trustee or other trustees; any of the said trustees may be removed and a new trustee appointed in his place at any time by the Lieutenant-Governor in Council, and in case any trustee dies or resigns his trust, or goes to live out of the Province of Ontario, or otherwise becomes incapable of acting, his trusteeship shall become vacant and a new trustee may be appointed by the Lieutenant-Governor in Council.

43. The said trustees shall receive the said debentures or bonds in trust, firstly, under the directions of the company, but subject to the conditions of the by-laws in relation thereto as to time or manner, to convert the same into money or otherwise dispose of them; secondly, to deposit the debentures or amount realized from the sale in some chartered bank having an office in the Province of Ontario, in the name of "The Victoria Mines Railway Company Municipal Trust Account," and to pay the same out to the said company from time to time, as the said company becomes entitled thereto, under the conditions of the by-law granting the said bonus, and on the certificate of the chief engineer of the said railway for the time being, in the form set out in Schedule B, hereto or to the like effect, which certificate shall set forth that the conditions of the by-law have been complied with and is to be attached to the cheque or order drawn by the said trustees for such payment or delivery of debentures, and such engineer shall not wrongfully grant any such certificate under a penalty of \$500, recoverable in any court of competent jurisdiction by any person who may sue therefor.

Trusts of proceeds of debentures.

44. The trustees shall be entitled to their reasonable fees and charges from the said trust fund, and the act of any two of such trustees shall be as valid and binding as if the three had agreed.

Fees of trustees.

45. Whenever it shall be necessary for the purpose of procuring sufficient land for stations or gravel pits, or for constructing, maintaining and using the said railway, and in case, by purchasing the whole of any lot or parcel of land over which the railway is to run, the company can obtain the same at a more reasonable price, or to greater advantage than by purchasing the railway line only, the company may purchase, hold, use and enjoy such lands, and also the right of way thereto, if the same be separated from their railway, and may sell and convey the same, or any part thereof, from time to time as they may deem expedient; but the compulsory clauses of *The Railway Act of Ontario* shall not apply to this section.

Power to purchase whole lots.

Rev. Stat. c. 207.

46. When stone, gravel, earth or sand is or are required for the construction or maintenance of said railway or any part

Taking material for construction of line.

thereof, the company may, in case they cannot agree with the owner of the lands on which the same are situate for the purchase thereof, cause an Ontario land surveyor to make a map and description of the property so required, and they shall serve a copy thereof, with their notice of arbitration, as in case of acquiring the roadway, and the notice of arbitration, the award and the tender of compensation, shall have the same effect as in case of arbitration for the roadway; and all the provisions of *The Railway Act of Ontario*, and of this Act, as to the service of the said notice, arbitration, compensation, deeds, payment of money into court, the right to sell, the right to convey, and the parties from whom land may be taken, or who may sell, shall apply to the subject matter of this section, as to the obtaining materials as aforesaid; and such proceedings may be had by the said company either for the right to the fee simple in the land from which said materials shall be taken, or for the right to take materials for any time they shall think necessary; the notice of arbitration, in case arbitration is resorted to, to state the interest required.

Rev. Stat.
c. 207.

Sidings to
gravel pits.

47.—(1) When said gravel, stone, earth or sand shall be taken under the preceding section of this Act, at a distance from the line of the railway, the company may lay down the necessary sidings and tracks over any lands which may intervene between the railway and the lands on which said material shall be found, whatever the distance may be; and all the provisions of *The Railway Act of Ontario* and of this Act, except such as relate to filing plans and publications of notice, shall apply and may be used and exercised to obtain the right of way from the railway to the land on which such materials are situated; and such right may be so acquired for a term of years or permanently, as the company may think proper; and the powers in this and the preceding section may at all times be exercised and used in all respects after the railway is constructed for the purposes of repairing and maintaining the said railway.

Rev. Stat.
c. 207.

Rev. Stat.
c. 207.

(2) When estimating the damages for the taking of gravel, stone, earth or sand, subsection 9 of section 20 of *The Railway Act of Ontario* shall not apply.

Warehouses,
docks, etc.

48. The said company shall have full power to purchase land for, and erect warehouses, elevators, docks, stations, workshops and offices, and to sell and convey such land as may be found superfluous for any such purpose; and the company shall have power to hold as part of the property of the said company, as many steam or other vessels as the directors of the company may deem requisite from time to time to facilitate the carriage of passengers, freight and other traffic in connection with the railway.

Snow fences.

49. The said company shall have the right on and after the 1st day of November in each year to enter into and upon any

lands of Her Majesty, or into and upon any lands of any corporation or persons whatsoever, lying along the route or line of said railway, and to erect and maintain snow fences thereon, subject to the payment of such damages (if any) as may be hereafter established in the manner provided by law in respect of such railway, to have been actually suffered provided always that any such snow fences so erected shall be removed on or before the first day of April next following.

50. The said company shall have power to agree for connections and make running arrangements with the Canadian Pacific Railway Company, ^{the} The Manitoulin and North Shore Railway Company, The Nickel Belt Railway Company, The Sudbury and Nipissing Railway Company and the Grand-Trunk Railway Company of Canada, if lawfully empowered to enter into such agreement ^{with} upon terms to be approved by two-thirds in value of the shareholders at a special general meeting to be held for that purpose, and it shall also be lawful for the said company to enter into an agreement with ^{any} any of the said railway companies, ^{if} if lawfully authorized to enter into such an agreement, for the sale or leasing or hiring of the whole or any portion of the railway herein authorized or the use thereof or for the sale or lease or hiring any locomotives, tenders, plant or rolling stock or other property or of any part thereof or touching any service to be rendered by the one company to the other and the compensation therefor, if the arrangements and agreements shall be approved of by two-thirds in value of the shareholders voting in person or by proxy at a special general meeting to be called for that purpose, and every such agreement shall be valid and binding according to the terms and tenor thereof, and the company purchasing, leasing or entering into such an agreement for using the said railway, may and are hereby authorized to work the said railway and in the same manner as if incorporated with their own line; but this section shall not be construed as purporting or intending to confer rights or powers upon any company which is not within the legislative authority of the Province of Ontario.

Running
arrangements
with C. P. R.
Ry. Co.

51. Shares in the capital stock of the said company may be transferred by any form of instrument in writing, but no transfer shall become effectual unless the stock or scrip certificates issued in respect of shares intended to be transferred are surrendered to the company, or the surrender thereof dispensed with by the company.

Shares, trans-
fer of.

52. The said company shall have power to collect and receive all charges subject to which goods or commodities may come into their possession, and on payment of such back charges, and without any formal transfer, shall have the same lien for the amount thereof upon such goods and commodities as the person to whom such charges were originally due, and shall be subrogated by such payment in all the rights and remedies of such persons for such charges.

Collecting
back charges
on goods.

Application of
provisions of
Rev. Stat.
c. 207.

53. The several clauses of *The Railway Act of Ontario*, and of every Act in amendment thereof shall be incorporated with, and be deemed to be part of this Act, and shall apply to the said company and to the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof; and the expression "this Act," when used herein, shall be understood to include the clauses of the said Railway Act and of every Act in amendment thereof so incorporated with this Act.

Time for com-
mencement
and comple-
tion.

54. The railway shall be commenced within three years, and finally completed within seven years after the passing of this Act.

SCHEDULE A.

(Section 7.)

Know all men by these presents, that I (or we) (insert the name or names of the vendor or vendors), in consideration of dollars paid to me (or us) by The Victoria Mines Railway Company, the receipt whereof is hereby acknowledged, do grant and convey unto the said company, and I (or we) (insert the name or names of any other party or parties), in consideration of dollars paid to me (or us) by the said company, the receipt whereof is hereby acknowledged, do grant and release all that certain parcel (or those certain parcels, as the case may be) of land (describe the land), the same having been selected and laid out by the said company for the purposes of its railway, to hold with the appurtenances unto the said The Victoria Mines Railway Company, their successors and assigns, forever (here insert any other clauses, covenants and conditions required), and I (or we), the wife (or wives) of the said do hereby bar my (or our) dower in the said lands.

As witness my (or our) hand and seal (or hands and seals) this day of one thousand nine hundred

Signed, sealed and delivered }
in the presence of }

[L.S.]

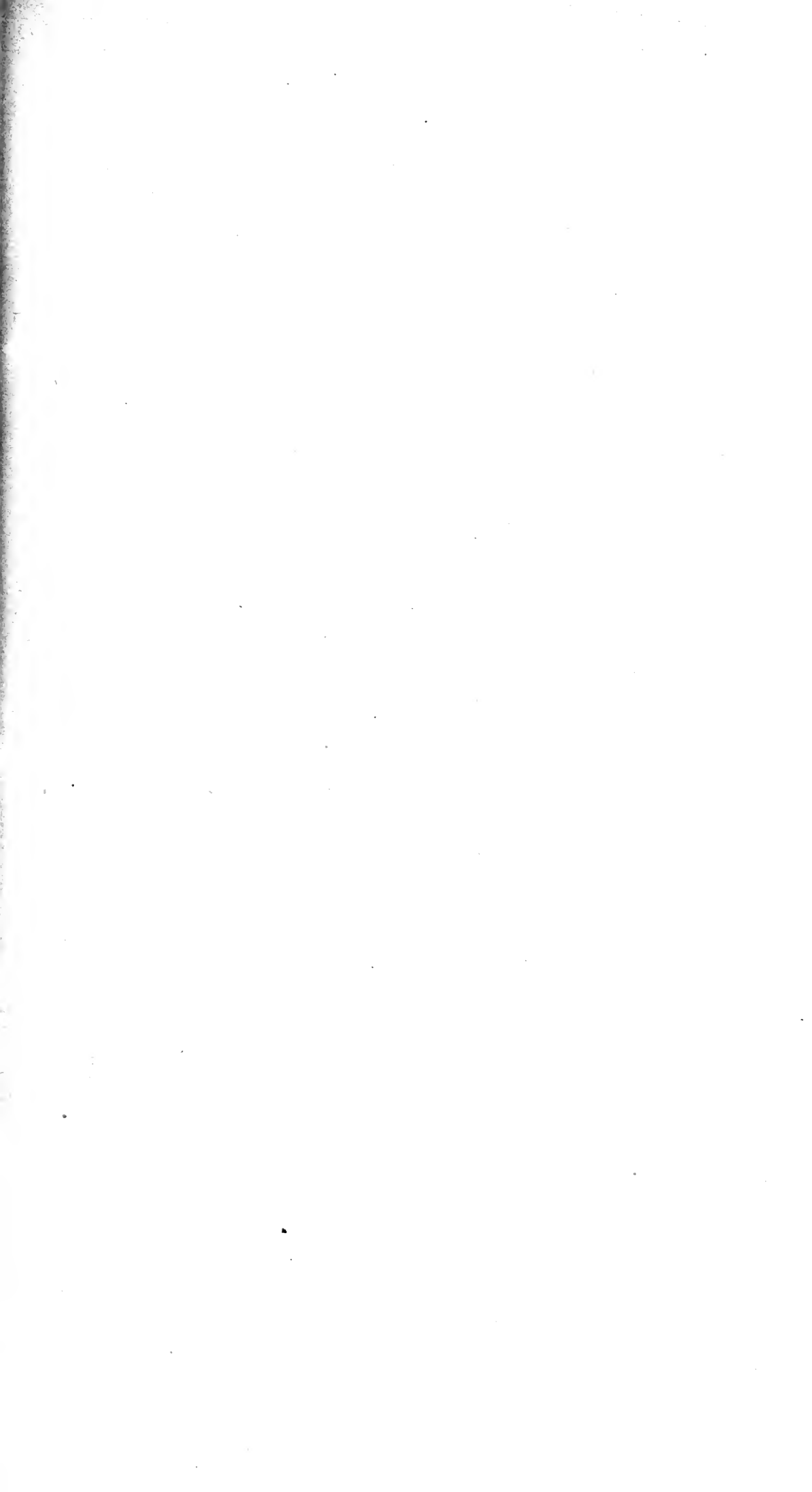
SCHEDULE B.

(Section 43.)

CHIEF ENGINEER'S CERTIFICATE, THE VICTORIA MINES RAILWAY COMPANY'S OFFICE, No. A.D. 19 , ENGINEER'S DEPARTMENT.

Certificates to be attached to cheques drawn on The Victoria Mines Railway Company Municipal Trust Account, given under section , chapter , of the Acts of the Legislature of Ontario, passed in the year of Her Majesty's reign.

I, Chief Engineer of the Victoria Mines Railway Company, do hereby certify that the said company has fulfilled the terms and conditions necessary to be fulfilled under the by-law No. of the township of (or under the agreement dated the day of 19 , between the corporation of and the said company), to entitle the said company to receive from the said trust the sum of (here set out the terms and conditions, if any, which have been fulfilled).



No. 62.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to incorporate the Victoria Mines
Railway Company.

First Reading, 14th March, 1900.

*(Reprinted as amended by Railway
Committee.)*

Mr. LOUGHRIN.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty

An Act respecting The Central Canada Loan and Savings Company.

WHEREAS The Central Canada Loan and Savings Com-^{Preamble.}
pany of Ontario, hereinafter referred to as the "Provin-
cial Company," was incorporated by letters patent under the
great seal of the Province of Ontario, dated 7th day of March,
5 1884, issued under the Revised Statutes of Ontario, 1877, chapter
150, entitled *An Act respecting the Incorporation of Joint
Stock Companies by Letters Patent*; and whereas the said Pro-
vincial Company, by special Act of the said Province, passed
in the fifty-third year of Her Majesty's reign, and chaptered
10 129, obtained further powers and acquired further rights, set
out respectively in the said Act; and whereas supplementary
letters patent under the great seal of the said Province were
issued to the said company, dated respectively 8th June, 1893,
and 6th May, 1897; and whereas The Central Canada Loan
15 and Savings Company, hereinafter referred to as the "Domi-
nion Company," was incorporated by an Act of the Parliament
of Canada, being of the statutes of 1898, chapter 97, entitled
*An Act incorporating the Central Canada Loan and Savings
Company*, whereby it was provided that the said Dominion Com-
20 pany might acquire all the assets, rights, interests, credits, effects
and property, real, personal and mixed, of whatsoever kind
and wheresoever situate, belonging to the said Provincial Com-
pany, or to which it was or might be or become entitled, and
it was further provided that as from a day to be fixed, which
25 day was in the manner provided duly fixed as the first day of
December, A.D. 1898, the said Dominion Company should be
liable for and subject to, and should pay, discharge, carry out
and perform all the debts liabilities, obligations, contracts and
duties of the said Provincial Company; and that any person
30 having any claim, demand, right, cause of action or complaint
against the Provincial Company, or to whom the Provincial
Company was under any liability, obligation, contract or duty,
should have the same rights and powers with respect thereto
and to the collection and enforcement thereof from and
35 against the said Dominion Company, its directors and share-
holders, as such person had against the said Provincial Com-
pany, its directors and shareholders; and it was further pro-
vided that nothing in the said Act of the Parliament of Can-
ada contained or done in pursuance thereof should take away
40 or prejudice any claim, demand, right, security, cause of action
or complaint which any person had against the said Provin-

cial Company or its directors or shareholders, or should relieve the said Provincial Company, its directors or shareholders from the performance of any debt, liability, obligation, contract or duty; and whereas the said Provincial Company duly executed a conveyance and assignment, dated the first day of December, 5 A.D. 1898, granting, assigning, transferring and setting over unto the said Dominion Company, its successors and assigns, all the assets, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate, belonging to the Provincial Company, or to which it was or 10 might become entitled; and whereas the said Dominion Company executed the said conveyance and assignment and therein covenanted with the said Provincial Company, its successors and assigns, to pay, discharge, carry out and perform all debts, liabilities, obligations, contracts and duties for or in respect of 15 which the Provincial Company was then liable or which thereafter it should pay, discharge, carry out or perform, and therein further covenanted to indemnify and save harmless the said Provincial Company in respect thereof; and whereas the said Dominion Company has prayed that the said conveyance and 20 assignment should be confirmed and validated, and that all the property and assets of the said Provincial Company should be vested in the said Dominion Company; and whereas it is expedient to grant the prayer of the said petition;

Therefore Her Majesty, by and with the advice and consent 25 of the Legislative Assembly of the Province of Ontario, enacts as follows:

Conveyance confirmed.

1. The said conveyance and assignment, bearing date the first day of December, 1898, is hereby ratified, confirmed and validated so that the same shall have the effect of granting, 30 assigning, transferring and setting over unto the said Dominion Company, its successors and assigns, all the assets, interests, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate, of or belonging to the said Provincial Company or to which the said 35 Provincial Company is or shall thereafter be or become entitled.

Assets transferred.

2. All the assets, interests, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate, belonging to the said Provincial Company or to 40 which it is or may be or become entitled, shall be and the same are hereby declared to be transferred to and vested in the said Dominion Company, its successors and assigns, for all the estate, right, title, interest, claims, properties and demands which the said Provincial Company had or was entitled to 45 have at the date of the passing of this Act or to which the said Provincial Company may hereafter at any time be or become entitled, and the said Dominion Company shall have and is hereby empowered to exercise all the powers, rights and privileges in relation to the said assets, interests, rights, credits, 50

effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate, as the said Provincial Company had or might have had, and no suit, action or proceeding being carried on or power being exercised shall be discontinued or
 5 abated by or on account of this Act, but the same shall continue in the name of the said Dominion Company, and the said Dominion Company shall have the same rights and remedies and be subject to the same liabilities and duties and shall pay and receive the like costs as if the actions, suits or
 10 proceedings had been commenced or defended in the name of the said Dominion Company.

3. Nothing in this Act shall impair or affect the rights of any creditor of the said Provincial Company or of the said Dominion Company. Rights of creditors not impaired.

15 4. Notwithstanding anything contained in *The Registry Act* or *The Land Titles Act* or any other Act of the Province, the registrars of the several registry divisions and the master of titles and local masters of titles upon receiving a copy of this Act certified to be a true copy by the signature or by writing
 20 purporting to be the signature of the clerk of the Legislative Assembly or the Queen's Printer are hereby authorized and directed to receive, accept and recognize such copy of this Act as a grant, conveyance, transfer and assignment of any lands or interest in lands, or of any mortgages or encum-
 25 brances, or of any other property of any description, or of any instrument respectively included or intended to be included in the aforesaid conveyance and assignment, bearing date the first day of December, 1898, then or thereafter standing in the name or vested in the said Provincial Com-
 30 pany; and in the case of the said registry divisions it shall be necessary only to register a copy of the said Act once for all upon the general register, for which registration the registrar shall be entitled to the fee of one dollar, the fee payable to the master of titles or the local master of titles, as the
 35 case may be, upon the tender of such copy shall be one dollar. The fee for certifying each copy of this Act by the clerk of the Legislative Assembly or by the Queen's Printer shall be fifty cents. Provisions as to registration.

5. This Act shall come into force on the day it is assented to. Commencement of Act.

No. 63.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting The Central Canada Loan
and Savings Company.

First Reading, 1900.

(Private Bill.)

Mr. PARDEE.

TOPONTO :

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting The Central Canada Loan and Savings Company.

WHEREAS The Central Canada Loan and Savings Com-^{Preamble.}
pany of Ontario, hereinafter referred to as the "Provincial Company," was incorporated by letters patent under the great seal of the Province of Ontario, dated 7th day of March, 1884, issued under the Revised Statutes of Ontario, 1877, chapter 150, entitled *An Act respecting the Incorporation of Joint Stock Companies by Letters Patent*; and whereas the said Provincial Company, by special Act of the said Province, passed in the fifty-third year of Her Majesty's reign, and chaptered 129, obtained further powers and acquired further rights, set out respectively in the said Act; and whereas supplementary letters patent under the great seal of the said Province were issued to the said company, dated respectively 8th June, 1893, and 6th May, 1897; and whereas The Central Canada Loan and Savings Company, hereinafter referred to as the "Dominion Company," was incorporated by an Act of the Parliament of Canada, being of the statutes of 1898, chapter 97, entitled *An Act incorporating the Central Canada Loan and Savings Company*, whereby it was provided that the said Dominion Company might acquire all the assets, rights, interests, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate, belonging to the said Provincial Company, or to which it was or might be or become entitled, and it was further provided that as from a day to be fixed, which day was in the manner provided duly fixed as the first day of December, A.D. 1898, the said Dominion Company should be liable for and subject to, and should pay, discharge, carry out and perform all the debts, liabilities, obligations, contracts and duties of the said Provincial Company; and that any person having any claim, demand, right, cause of action or complaint against the Provincial Company, or to whom the Provincial Company was under any liability, obligation, contract or duty, should have the same rights and powers with respect thereto and to the collection and enforcement thereof from and against the said Dominion Company, its directors and shareholders, as such person had against the said Provincial Company, its directors and shareholders; and it was further provided that nothing in the said Act of the Parliament of Canada contained or done in pursuance thereof should take away or prejudice any claim, demand, right, security, cause of action or complaint which any person had against the said Provin-

cial Company or its directors or shareholders, or should relieve the said Provincial Company, its directors or shareholders from the performance of any debt, liability, obligation, contract or duty; and whereas the said Provincial Company duly executed a conveyance and assignment, dated the first day of December, A.D. 1898, granting, assigning, transferring and setting over unto the said Dominion Company, its successors and assigns, all the assets, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate, belonging to the Provincial Company, or to which it was or might become entitled; and whereas the said Dominion Company executed the said conveyance and assignment and therein covenanted with the said Provincial Company, its successors and assigns, to pay, discharge, carry out and perform all debts, liabilities, obligations, contracts and duties for or in respect of which the Provincial Company was then liable or which thereafter it should pay, discharge, carry out or perform, and therein further covenanted to indemnify and save harmless the said Provincial Company in respect thereof; and whereas the said Dominion Company has prayed that the said conveyance and assignment should be confirmed and validated, and that all the property and assets of the said Provincial Company should be vested in the said Dominion Company; and whereas it is expedient to grant the prayer of the said petition;

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Conveyance confirmed.

1. The said conveyance and assignment, bearing date the first day of December, 1898, is hereby ratified, confirmed and validated so that the same shall have the effect of granting, assigning, transferring and setting over unto the said Dominion Company, its successors and assigns, ~~to~~ to its and their own use absolutely, ~~all~~ all the assets, interests, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate, of or belonging to the said Provincial Company or to which the said Provincial Company is or shall hereafter be or become entitled.

Assets transferred.

2. All the assets, interests, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate, belonging to the said Provincial Company or to which it is or may be or become entitled, shall be and the same are hereby declared to be transferred to and vested in the said Dominion Company, its successors and assigns, ~~to~~ to its and their own use absolutely, ~~for~~ for all the estate, right, title, interest, claims, properties and demands which the said Provincial Company had or was entitled to have at the date of the passing of this Act or to which the said Provincial Company may hereafter at any time be or become entitled, and the said Dominion Company shall have and is hereby empowered to exercise all the powers, rights and privileges

in relation to the said assets, interests, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate, as the said Provincial Company had or might have had, and no suit, action or proceeding being carried on or power being exercised shall be discontinued or abated by or on account of this Act, but the same *may* continue in the name of the said *Provincial* Company, and the said Dominion Company shall have the same rights and remedies and be subject to the same liabilities and duties and shall pay and receive the like costs as if the suits, actions or proceedings had been commenced or defended in the name of the said Dominion Company.

3. Nothing in this Act shall impair or affect the rights of any creditor of the said Provincial Company or of the said Dominion Company. Rights of creditors not impaired.

4. Notwithstanding anything contained in *The Registry Act* or *The Land Titles Act* or any other Act of the Province, the registrars of the several registry divisions and the master of titles and local masters of titles upon receiving a copy of this Act certified to be a true copy by the signature or by writing purporting to be the signature of the clerk of the Legislative Assembly or the Queen's Printer are hereby authorized and directed to receive, accept and recognize such copy of this Act as a grant, conveyance, transfer and assignment of any lands or interest in land, or of any mortgages or encumbrances, or of any other property of any description, or of any instrument respectively included or intended to be included in the aforesaid conveyance and assignment, bearing date the first day of December, 1898, then or thereafter standing in the name or vested in the said Provincial Company; and in the case of the said registry divisions it shall be necessary only to register a copy of the said Act once for all upon the general register, for which registration the registrar shall be entitled to the fee of *five* dollars, the fee payable to the master of titles or the local master of titles, as the case may be, upon the tender of such copy shall be *five* dollars; and it shall not be necessary to register or file any further or other instrument or document to show the transmission of title from the Provincial Company to the Dominion Company; and it shall not be necessary in any discharge of mortgage or other instrument to recite or set out such transmission of title; and the fee for certifying each copy of this Act by the clerk of the Legislative Assembly or by the Queen's Printer shall be fifty cents. Provisions as to registration.

5. This Act shall come into force on the day it is assented to. Commencement of Act.

No. 63.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting The Central Canada Loan
and Savings Company.

First Reading, 14th March, 1900.

*(Reprinted as amended by the Private
Bills Committee.)*

Mr. PARDEE.

TOPONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting The Central Canada Loan and Savings Company.

WHEREAS The Central Canada Loan and Savings Company of Ontario, hereinafter referred to as the "Provincial Company," was incorporated by Letters Patent under the Great Seal of the Province of Ontario, dated 7th day of March, 1884, issued under the Revised Statutes of Ontario, 1877, chapter 150, entitled *An Act respecting the Incorporation of Joint Stock Companies by Letters Patent*; and whereas the said Provincial Company, by special Act of the said Province, passed in the fifty-third year of Her Majesty's reign, and chaptered 129, obtained further powers and acquired further rights, set out respectively in the said Act; and whereas supplementary Letters Patent under the Great Seal of the said Province were issued to the said Company, dated respectively 8th June, 1893, and 6th May, 1897; and whereas The Central Canada Loan and Savings Company, hereinafter referred to as the "Dominion Company," was incorporated by an Act of the Parliament of Canada, being of the statutes of 1898, chapter 97, entitled *An Act incorporating the Central Canada Loan and Savings Company*, whereby it was provided that the said Dominion Company might acquire all the assets, rights, interests, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate, belonging to the said Provincial Company, or to which it was or might be or become entitled, and it was further provided that as from a day to be fixed, which day was in the manner provided duly fixed as the first day of December, A.D. 1898, the said Dominion Company should be liable for and subject to, and should pay, discharge, carry out and perform all the debts liabilities, obligations, contracts and duties of the said Provincial Company; and that any person having any claim, demand, right, cause of action or complaint against the Provincial Company, or to whom the Provincial Company was under any liability, obligation, contract or duty, should have the same rights and powers with respect thereto and to the collection and enforcement thereof from and against the said Dominion Company, its directors and shareholders, as such person had against the said Provincial Company, its directors and shareholders; and it was further provided that nothing in the said Act of the Parliament of Canada contained or done in pursuance thereof should take away or prejudice any claim, demand, right, security, cause of action or complaint which any person had against the said Provin-

cial Company or its directors or shareholders, or should relieve the said Provincial Company, its directors or shareholders from the performance of any debt, liability, obligation, contract or duty; and whereas the said Provincial Company duly executed a conveyance and assignment, dated the first day of December, A.D. 1898, granting, assigning, transferring and setting over unto the said Dominion Company, its successors and assigns, all the assets, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate, belonging to the Provincial Company, or to which it was or might become entitled; and whereas the said Dominion Company executed the said conveyance and assignment and therein covenanted with the said Provincial Company, its successors and assigns, to pay, discharge, carry out and perform all debts, liabilities, obligations, contracts and duties for or in respect of which the Provincial Company was then liable or which thereafter it should pay, discharge, carry out or perform, and therein further covenanted to indemnify and save harmless the said Provincial Company in respect thereof; and whereas the said Dominion Company has prayed that the said conveyance and assignment should be confirmed and validated, and that all the property and assets of the said Provincial Company should be vested in the said Dominion Company; and whereas it is expedient to grant the prayer of the said petition;

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Conveyance
confirmed.

1. The said conveyance and assignment, bearing date the first day of December, 1898, is hereby ratified, confirmed and validated so that the same shall have the effect of granting, assigning, transferring and setting over unto the said Dominion Company, its successors and assigns, to its and their own use absolutely, all the assets, interests, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate, of or belonging to the said Provincial Company or to which the said Provincial Company is or shall hereafter be or become entitled.

Assets
transferred.

2. All the assets, interests, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate, belonging to the said Provincial Company or to which it is or may be or become entitled, shall be and the same are hereby declared to be transferred to and vested in the said Dominion Company, its successors and assigns, to its and their own use absolutely for all the estate, right, title, interest, claims, properties and demands which the said Provincial Company had or was entitled to have at the date of the passing of this Act or to which the said Provincial Company may hereafter at any time be or become entitled, and the said Dominion Company shall have and is hereby empowered to exercise all the powers, rights and privileges

in relation to the said assets, interests, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate, as the said Provincial Company had or might have had, and no suit, action or proceeding being carried on or power being exercised shall be discontinued or abated by or on account of this Act, but the same may continue in the name of the said Provincial Company, and the said Dominion Company shall have the same rights and remedies and be subject to the same liabilities and duties and shall pay and receive the like costs as if the suits, actions or proceedings had been commenced or defended in the name of the said Dominion Company.

3. Nothing in this Act shall impair or affect the rights of any creditor of the said Provincial Company or of the said Dominion Company. Rights of creditors not impaired.

4. For the purposes of *The Land Titles Act* or of registration under *The Registry Act* or of *The Bills of Sale and Chattel Mortgage Act* or any other Act of the Province it shall be sufficient in order to shew the transmission of title from the Provincial Company to the Dominion Company if any instrument affecting lands or interests in lands or personal property or interests in personal property included or intended to be included in the aforesaid conveyance and assignment recite or mention the title of this Act and the Chapter and Statute year in which this Act was passed. Registration of instruments

No. 63.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting The Central Canada Loan
and Savings Company.

First Reading, 14th March, 1900.
Second Reading, 23rd March, 1900.

*(Reprinted as amended by Committee of
the Whole House.)*

Mr. PARDEE.

TOPONTO :

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act to Incorporate The Mineral Railway
Company.

WHEREAS Samuel Mather, Henry George Dalton and Preamble.

William Parmelee Murray, all of the city of Cleveland, in the State of Ohio, U.S.A., mine owners; Arthur Courtland Ely of Wheaton, in the State of Illinois, U.S.A., explorer; and
5 James H. Hoyt of the city of Cleveland, aforesaid, counsellor-at-law, have by their petition prayed for an Act of Incorporation under the name of "The Mineral Railway Company," for the purpose of constructing, equipping and operating a railway from a point at or near Gros Cap Harbor on the north shore
10 of Lake Superior in a north-easterly direction to a point on the Canadian Pacific railway; and it has been represented that the line of railway of the company so to be incorporated will be constructed entirely in an unorganized part of the Province; and it is proposed to operate the same by steam or
15 electricity; and whereas, owing to the location of the line of the said railway, the provisions of the *Electric Railway Act* are not applicable to the company so to be incorporated, and the said petitioners have prayed that there may be conferred upon them the powers ordinarily given upon the incor-
20 poration of a railway to be operated by steam; and whereas for the reasons aforesaid the circumstances of the said proposed line of railway are exceptional; and whereas it is expedient to grant the prayer of the said petition;

25 Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Samuel Mather, George Dalton, William Parmelee Mur- Incorporation.
ray, Arthur Courtland Ely and James H. Hoyt, and such other
30 persons and corporations as shall hereafter become shareholders in the said company are hereby constituted a body corporate and politic under the name of "The Mineral Railway Company," hereinafter called the "company."

2. The head office of the company shall be in the city of Head office.
35 Toronto, in the county of York, in the Province of Ontario, or at such other place in the Province of Ontario as may be fixed by a by-law of the company.

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

- Capital stock.** 4. The capital stock of the company shall be \$1,000,000, divided into 10,000 shares of \$100 each, and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent. on the shares subscribed. 5
- Annual meeting.** 5. The annual meeting of the shareholders shall be held on the second Tuesday in October in each year, or on such other day as may be fixed by the by-laws of the company.
- First general meeting—election of directors.** 6. When and so soon as shares to the amount of \$70,000 of capital stock in said company shall have been subscribed 10 and ten per centum paid thereon into some chartered bank of the Dominion, having an office in the Province of Ontario, to the credit of the company, and which shall on no account be withdrawn therefrom unless for the services of the company, the said provisional directors or a majority of them shall call a 15 general meeting of the shareholders for the purpose of electing directors of the said company, giving at least four weeks notice of such meeting by advertisement in *The Ontario Gazette* and in at least one newspaper published in the said city of Toronto of the time, place and purpose of the said 20 meeting.
- Qualification of directors.** 7. At such meeting the subscribers for the capital stock assembled who have paid all calls due on their shares shall choose not less than five, nor more than nine persons to be directors of the company, one or more of whom may be paid 25 directors.
- Special general meeting.** 8. Special general meetings of the company may be held at such places and at such times and in such manner and for such purposes as may be provided for by the by-laws of the company upon such notice as is provided in section 6 hereof. 30
- Location of line.** 9. The company may lay out, construct, equip and operate by steam or electricity a railway with double or single tracks of the gauge of four feet eight and one-half inches from a point at or near Gros Cap Harbor on the north shore of Lake Superior in a north-easterly direction to a point on the main 35 line of the Canadian Pacific Railway; and to construct branch railways, none of which are to exceed twelve miles in length, and to exercise all the powers, rights and privileges required therefor in as full and ample a manner as for the railway
- Powers of provisional directors.** 10. The said board of provisional directors shall have power 40 forthwith to open stock-books and procure subscriptions of stock for the undertaking, and to allot the stock and to receive payments on account of stock subscribed, and to make calls upon subscribers in respect to their stock, and to sue for and recover the same; and to cause plans and surveys to be made, 45 and to receive for the company any grant, loan, bonus or gift made to it, or in aid of the undertaking, and to enter into any

agreement respecting the conditions or disposition of any gift or bonus in aid of the railway; and with all such other powers as, under *The Railway Act of Ontario*, are vested in ordinary directors. The said directors, or a majority of them, or the
 5 board of directors to be elected as hereinafter mentioned, may, in their discretion, exclude any one from subscribing for stock, who, in their judgment, would hinder, delay or prevent the company from proceeding with and completing their undertaking under the provisions of this Act; and if at any time a
 10 portion or more than the whole stock shall have been subscribed, the said provisional directors, or board of directors shall allocate and apportion it amongst the subscribers as they shall deem most advantageous and conducive to the furtherance of the undertaking; and in such allocation the said direc-
 15 tors may, in their discretion, exclude any one or more of the said subscribers, if, in their judgment, such exclusion will best secure the building of the said railway; and all meetings of the provisional board of directors shall be held at the City of Toronto, in the County of York, or at such other place as may
 20 best suit the interest of the said company.

Rev. Stat.
c. 170.

11. Conveyance of lands to the said company for the purposes of and powers given by this Act, made in the form set forth in Schedule A hereunder written, or to the like effect, shall be sufficient conveyance to the said company, their suc-
 25 cessors and assigns, of the estate or interest therein mentioned and sufficient bar of dower, respectively, of all persons executing the same; and such conveyances shall be registered in the same manner and upon such proof of execution as is required under the registry laws of Ontario, and no registrar
 30 shall be entitled to demand more than seventy-five cents for registering the same, including all entries and certificates thereof and certificates endorsed on the duplicates thereof.

Conveyance
of land to
company.

12. No subscription for stock in the capital of the company shall be binding on the said company unless it shall be ap-
 35 proved by resolution of the directors, nor unless ten per centum of the amount subscribed has been actually paid thereon within one month after subscription.

Subscriptions
for stock
when binding.

13. The said company may receive from any government, or from any persons or bodies corporate, municipal or politic,
 40 who may have power to make or grant the same, aid towards the construction, equipment or maintenance of the said railway, by way of gift, bonus or loan of money or debentures or other securities for money, or by way of guarantee upon such terms and conditions as may be agreed upon.

Aid to com-
pany.

14. The company is hereby authorized and empowered to
 45 take and make the surveys and levels of the lands through which the said railway is to pass, together with the map or plan thereof, and of their course and direction and of the lands intended to be passed over and taken therefor, so far as then

Power to con-
struct line in
sections.

ascertained, and also the book of reference for the railway, and to deposit the same, as required by the clauses of *The Railway Act of Ontario* and the amendments thereto with respect to plans and surveys, by sections or portions less than the length of the whole railway authorized, of such length as the company may from time to time see fit, so that no one of such sections or portions shall be less than ten miles in length: and upon such deposit, as aforesaid, of the map or plan and book of reference of any and each of such sections or portions of the said railway, all and every of the clauses of the said *Railway Act* and the amendments thereof applied to, included in or incorporated with this Act shall apply and extend to any and each of such sections or portions of the said railway as fully and effectually as if the surveys and levels had been taken and made of the lands through which the whole of the said railway is to pass, together with the map or plan of the whole thereof, and of their whole course and direction, and of the lands intended to be passed over and taken, and the book of reference of the whole of said railways had been taken, made, examined, certified and deposited according to the said clauses of the said *Railway Act* and the amendments thereof with respect to "plans and surveys."

Rights of
aliens.

15. Aliens, and companies incorporated abroad, as well as British subjects and corporations, may be shareholders in the said company and all such shareholders, whether resident in this province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible for office as directors in the said company.

Payments in
paid up stock
or bonds.

16. The provisional directors, or the elected directors, may pay, or agree to pay, in paid up stock or in the bonds of the said company, such sums as they may deem expedient, to engineers or contractors, or for right of way, or material, plant or rolling stock, and also, when sanctioned by a vote of the shareholders at any general meeting, for the services of the promoters or other persons who may be employed by the directors in furthering the undertaking, or for the purchase of right of way, material, plant, or rolling stock, whether such promoters or other persons be provisional or elected directors or not, and any agreement so made shall be binding on the company.

Issue of
bonds.

17. The directors of the company shall have power to issue bonds of the company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all the sum of \$20,000 for each mile of the said railway, and the provisions of sections 20, 21, 22, 23 and 24 of section 9, of *The Railway Act of Ontario*, as said section is amended by chapter of the statutes passed in the 53rd year of the reign of Her Majesty Queen Victoria shall apply to all such bonds and the issue thereof, and such bonds shall be issued subject and according

to, and in conformity with the provisions of the said subsections.

18. All such bonds, debentures and other securities and coupons and interest warrants thereon respectively, may be made payable to bearer and transferable by delivery, and any holder of any such securities so made payable to bearer, may sue at law thereon in his own name.

Bond, etc.,
how payable.

19. The said company shall have power and authority to become parties to promissory notes and bills of exchange for sums not less than \$100, and any such promissory note or bill of exchange made, accepted or endorsed by the president or vice-president of the company, and countersigned by the secretary of the said company, and under the authority of a quorum of the directors, shall be binding on the said company, and every such promissory note or bill of exchange so made shall be presumed to have been made with proper authority until the contrary be shown, and in no case shall it be necessary to have the seal of the said company affixed to such promissory note or bill of exchange, nor shall the president, vice-president or the secretary be individually responsible for the same unless the said promissory notes or bills of exchange have been issued without the sanction and authority of the directors as herein provided and enacted; provided, however, that nothing in this section shall be construed to authorize the said company to issue any promissory note or bill of exchange payable to bearer, or intended to be circulated as money, or as the notes or bills of a bank.

Transfer of
bonds.

Negotiable
instruments.

20. The said company may, from time to time, for advances of money to be made thereon, mortgage or pledge any bonds which they may be enabled, under the powers of this Act, to issue for the construction of the said railway.

Mortgaging
or pledging
bonds.

21. It shall be lawful for the directors of the company to enter upon an agreement or agreement with any other company or companies, if lawfully authorized to enter into such agreements, or with any person or persons, for leasing, hiring, or use of any locomotives, carriages, rolling stock and other movable property from such companies or persons for such time or times and on such terms as may be agreed on; and also to enter into agreements with any railway company or companies, if so lawfully authorized, for the use by one or more of such contracting companies, of the locomotives, carriages, rolling stock and other moveable property of the other or others of them on such terms as to compensation and otherwise as may be agreed upon.

Agreements
with other
companies for
leasing or hir-
ing rolling
stock.

22. The said company may also construct an electric telegraph line and telephone line in connection with their railway, and for the purpose of constructing, working and protecting the said telegraph and telephone lines, the powers conferred upon

Telegraph and
telephone
lines.

telegraph companies by *The Act Respecting Telegraph Companies*, being chapter 158 of the Revised Statutes of Ontario, 1887, are hereby conferred upon the said company; provided that no poles shall be erected in the construction of either of the said lines in or through any city, town or incorporated village without the consent of the council of such city, town or village being first obtained by the said company; and the company may undertake the transmission of messages for the public by said line or lines of telegraph or telephone and collect tolls for so doing. 5 10

Gifts of lands. 23. Any municipality through which the said railway may pass or is situate is empowered to grant, by way of gift to the said company, any lands belonging to such municipality, or over which it may have control, which may be required for right of way, station grounds or other purposes connected with the running or traffic of the said railway; and the said railway company shall have power to accept gifts of land from any government, or any person or body, corporate or politic, and shall have power to sell or otherwise dispose of the same for the benefit of the said company. 15 20

Power to purchase whole lots. 24. Whenever it shall be necessary for the purpose of procuring sufficient land for stations, or gravel pits, or for constructing, maintaining and using the said railway, and in case, by purchasing the whole of any lot or parcel of land over which the railway is to run, the company can obtain the same at a more reasonable price or to greater advantage than by purchasing the railway line only, the company may purchase, hold, use and enjoy such lands, and also the right of way thereto, if the same be separated from their railway, and may sell and convey the same, or any part thereof, from time to time as they may deem expedient; but the compulsory clauses of *The Railway Act of Ontario* shall not apply to this section. 25 30

Rev. Stat., c. 207.

Acquiring material for construction.

25. When stone, gravel, earth or sand is or are required for the construction or maintenance of said railway or any part thereof, the company may, in case they cannot agree with the owner of the lands on which the same are situate for the purchase thereof, cause an Ontario land surveyor to make a map and description of the property so required, and they shall serve a copy thereof, with their notice of arbitration, as in case of acquiring the roadway, and the notice of arbitration, the award and the tender of the compensation, shall have the same effect as in case of arbitration for the roadway; and all the provisions of *The Railway Act of Ontario*, and of this Act, as to the service of the said notice, arbitration, compensation, deeds, payment of money into court, the right to sell, the right to convey, and the parties from whom land may be taken, or who may sell, shall apply to the subject matter of this section, as to the obtaining materials as aforesaid; and such proceedings may be had by the said company either for the right to the fee simple in the land from which said materials shall be 35 40 45 50

taken, or for the right to take materials for any time they shall think necessary; the notice of arbitration, in case arbitration is resorted to, to state the interest required.

- 26.**—(1) When said gravel, stone, earth or sand shall be taken under the preceding section of this Act, at a distance from the line of the railway, the company may lay down the necessary sidings and tracks over any lands which may intervene between the railway and the lands on which said material shall be found, whatever the distance may be; and all the provisions of *The Railway Act of Ontario* and of this Act, except such as relate to filing plans and publications of notice, shall apply and may be used and exercised to obtain the right of way from the railway to the land on which such materials are situated; and such right may be so acquired for a term of 15 years or permanently, as the company may think proper; and the powers in this and the preceding section may at all times be exercised and used in all respects after the railway is constructed for the purpose of repairing and maintaining the said railway.
- 20 (2) When estimating the damages for the taking of gravel, stone, earth or sand sub-section 9 of section 20 of *The Railway Act of Ontario* shall not apply.

Sidings to gravel pits.

Rev. Stat., c. 207.

Rev. Stat., c. 707.

27. The company shall have power and authority:

Powers.

- (1) To purchase land for and erect power-houses, warehouses, elevators, docks, stations, workshops, foundries and offices, and to sell and convey such land as may be found superfluous for any such purpose, and the company shall have power to build, own, operate and hold as part of the property of the said company, as many steam or other vessels as the directors of the company may deem requisite from time to time to facilitate the carriage of passengers, freight and other traffic in connection with the railway.
- (2) To erect and maintain all necessary and convenient buildings, stations, depots, wharves and fixtures, and from time to time to alter, repair or enlarge the same, and to build purchase and acquire motors, engines, carriages, waggons and other machinery and contrivances necessary or convenient for the working of the railway and the accommodation and use of the passengers, freight and business of the railway;
- (3) To construct, maintain and operate works for the production of electricity for the motive power of the said railway, and for the lighting and heating the rolling stock and other property of the company;
- (4) To sell or lease any such electricity not required for the purposes aforesaid to any person or corporation, and the company in that behalf shall, subject to the provisions and restrictions of this Act, possess the powers, rights and privileges, and be subject to all the obligations and restrictions of joint stock

Warehouses, docks, stations etc.

Buildings, stations, etc.

Works for production of electricity.

Disposal of surplus electricity.

companies incorporated under *The Act respecting Companies for supplying Steam, Heat, Electricity or Natural Gas for Heat, Light or Power* and to acquire and hold any property necessary for the purposes mentioned in this sub-section ;

Carrying wires, etc., over other lands.

(5) To purchase the right to convey electricity required for 5 the working of the railway and lighting or heating the same over, through or under lands other than the lands of the said railway, and with the consent of the councils of the municipalities affected, to purchase the right to lay conduits under, or erect poles and wires on or over such lands as may be 10 determined by the company, and along and upon any of the public highways or across any of the waters in this Province by the erection of the necessary fixtures, including posts, piers or abutments for sustaining the cords or wires of such lines, or the conduits for such electricity, upon and subject to such 15 agreement in respect thereof as shall first be made between the company and any private owners of the land affected, and between the company and any municipality in which such works or any part thereof or of the railway may be situate, and under and subject to any by-law or by-laws of the council 20 of such municipality passed in pursuance thereof.

Carrying works along highways.

28.—(1) The railway of the company shall not be constructed or operated on, upon or along any street, highway or public place of any municipality until first authorized by an agreement in respect thereto made between the company and such 25 municipality, and under and subject to the terms of such agreement and of this Act and of any by-law or by-laws of the council of said municipality to be passed in pursuance thereof ; and in all such cases any and every work, matter or thing in connection with electricity or other motor power, and 30 the application and using thereof in so constructing, operating and working such railway, or the cars, carriages, engines, motors or machines aforesaid shall be so constructed, erected, laid down and arranged as to impede or incommode the public use of such street, highway or public place as little as possible, 35 and so as not to be a nuisance thereto nor to interfere with the free access to any house or other building erected in the vicinity of the same, and the electric and other appliances shall be of such an improved manufacture and so placed as to avoid so far as possible any danger to buildings or other property, and 40 provided that none of the works or property of the company shall be so constructed or placed as to injuriously interrupt navigation in any navigable water.

Rev. Stat. c. 223.

(2) The by-laws mentioned in section 2, sub-section 5, of the preceding section, and in this section shall be subject to the 45 conditions and provisions of section 632 of *The Municipal Act*.

Snow fences.

29. The company shall have the right on and after the first day of November in each year to enter into and upon any lands of Her Majesty, or into or upon any lands of any cor- 50

poration or persons whatsoever, lying along the route or line of said railway, and to erect and maintain snow fences thereon, subject to the payment of such damages (if any) as may be hereafter established in the manner provided by law in
 5 respect of such railway, to have been actually suffered, provided always that any such snow fences so erected shall be removed on or before the first day of April next following.

1 30. The company shall have power to agree for connections
 10 and make running arrangements with the Canadian Pacific Railway, The Algoma Central Railway Company, The Ontario Hudson's Bay and Western Railway Company, if lawfully empowered to enter into such agreements, upon terms to be approved by two-thirds in value of the shareholders at a special
 15 general meeting to be held for that purpose, and it shall also be lawful for the said company to enter into an agreement with any or either of the said railway companies, if lawfully authorized to enter into such an agreement, for the sale or leasing or hiring of the whole or any portion of the railway herein
 20 authorized or the use thereof or for the sale or lease or hiring any locomotives, tenders, plant or rolling stock or other property or of any part thereof or touching any service to be rendered by the one company to the other and the compensation therefor, if the arrangements and agreements shall be approved
 25 of by two-thirds in value of the shareholders voting in person or by proxy at a special general meeting to be called for that purpose, and every such agreement shall be valid and binding according to the terms and tenor thereof, and the company purchasing, leasing or entering into such an agreement for using
 30 the said railway, may and are hereby authorized to work the said railway, and in the same manner as if incorporated with their own line; but nothing in this or the preceding section shall be construed as purporting or intending to confer rights or powers upon any company which is not within the
 35 legislative authority of the Province of Ontario.

Running arrangements with certain other Co's.

31. Shares in the capital stock of the company may be transferred by any form of instrument in writing, but no transfer shall become effectual unless the stock or scrip certificates issued in respect of shares intended to be transferred are surrendered to the company, or the surrender thereof dispensed with by the company.

Transfer of shares.

32. The company shall have power to collect and receive all charges subject to which goods or commodities may come into their possession, and on payment of such back charges,
 45 and without any formal transfer, shall have the same lien for the amount thereof upon such goods and commodities as the person to whom such charges were originally due, and shall be subrogated by such payment in all the rights and remedies of such persons for such charges.

Collecting back charges on goods.

Application of Rev. Stat. c. 209.

33. The provisions of *The Electric Railway Act*, shall not apply to the company hereby incorporated but the several clauses of *The Railway Act of Ontario*, and of every Act in amendment thereof shall be incorporated with, and be deemed to be part of this Act, and shall apply to the said company and to the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof; and the expression "this Act," when used herein, shall be understood to include the clauses of the said Railway Act and of every Act in amendment thereof so incorporated with this Act. 5 10

Time for commencement and completion.

34. The railway hereby authorized shall be commenced within three years and finished and put in operation within six years after the passing of this Act, and in default thereof the powers hereby conferred shall absolutely cease with respect to so much of the railway as then remains incomplete. 15

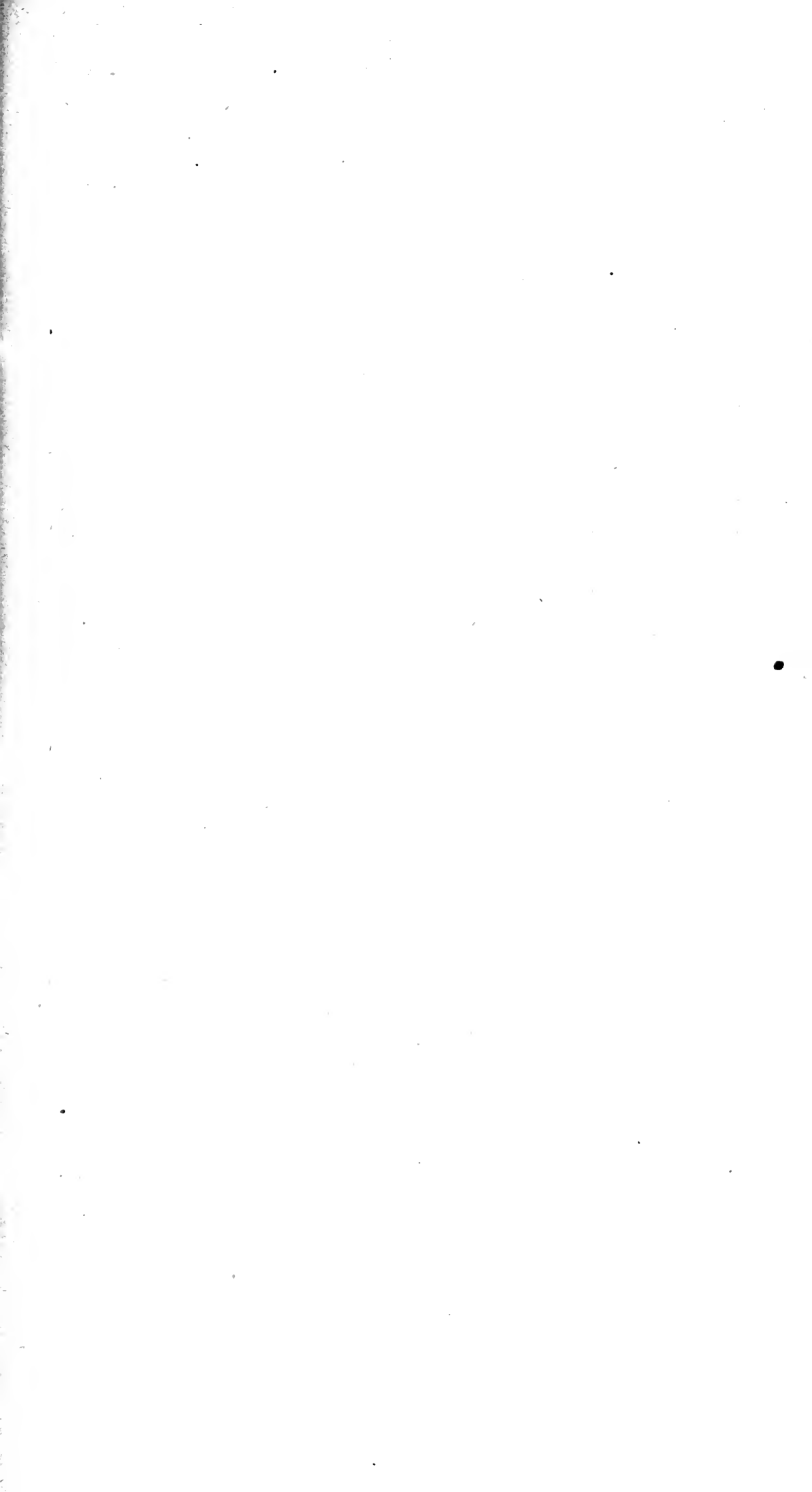
SCHEDULE A.

Section 6.

Know all men by these presents that I (or we) (*insert the name or names of the vendor or vendors*) in consideration of dollars paid to me (or us) by The Mineral Railway Company, the receipt whereof is hereby acknowledged, do grant and convey unto the said company, and I (or we) (*insert the name or names of any other party or parties*) in consideration of dollars paid to me (or us) by the said company, the receipt whereof is hereby acknowledged, do grant and release all that certain parcel (or those certain parcels, *as the case may be*) of land (*describe the land*) the same having been selected and laid out by the said company for the purposes of its railway, to hold with the appurtenances unto the said The Mineral Railway Company, their successors and assigns for ever (*here insert any other clauses, covenants and conditions required*) and I (or we) the wife (or wives) of the said do hereby bar my (or our) dower in the said lands.

As witness my (or our) hand and seal (or hands and seals) this day of one thousand nine hundred

Signed, sealed and delivered }
in the presence of } [L.S.]



No. 64.

3rd Session, 9th Legislature, 63 Vict. 1900.

BILL.

An Act to incorporate the Mineral Railway
Company.

| | |
|---------------|-------|
| First Reading | 1899. |
|---------------|-------|

(Private Bill.)

Mr. BEATTY
(Parry Sound).

TORONTO :

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act respecting By-law No. 248 of the Town of
Rat Portage.

WHEREAS the corporation of the municipality of the town of Rat Portage have petitioned praying that an Act may be passed to confirm and legalize a by-law of the said corporation passed on the 1st day of May, 1899, entitled "By-law No. 248, a by-law to raise the sum of \$75,000, upon the credit of the municipality of the town of Rat Portage, for the completion of the construction of the system of waterworks therein, a copy of which said by-law is contained in the schedule to this Act; and whereas the said corporation of the said municipality of the town of Rat Portage by their petition have represented that it is necessary and expedient, and of advantage to the said municipality, that the said By-law No. 248 should be ratified and declared legal, valid and binding upon the said municipality; and whereas it is expedient to grant the prayer of the said petition;

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. By-law No. 248 of the municipal corporation of the town of Rat Portage, set forth in Schedule A to this Act, is hereby confirmed and declared legal, valid and binding upon the said municipal corporation and the ratepayers thereof, notwithstanding any want of jurisdiction on the part of the said municipality to pass the said by-law, and notwithstanding any defect in substance or in form of the said by-law or in the manner of passing same, and the said corporation of the town of Rat Portage is hereby authorized and empowered to issue debentures as provided by the said by-law, and the said debentures so issued under the said by-law are hereby declared legal and binding upon the said municipality, and the said corporation are hereby authorized and empowered to do all necessary acts for the full and proper carrying out of the said By-law No. 248.

SCHEDULE A.

By-law No. 248.

A by-law to raise the sum of seventy five thousand dollars upon the credit of the municipality of the town of Rat Portage, for the completion of the construction of the system of waterworks therein.

Whereas it is necessary and expedient to raise a further sum to complete the construction of a system of waterworks and to erect a stand pipe in the town of Rat Portage, and it will be necessary to borrow on the credit of the municipality of the town of Rat Portage the sum of seventy-five thousand dollars therefor, said sum to be repayable with interest at the rate of four per centum per annum, in thirty annual instalments ;

And whereas, owing to the separated portion of the west ward of the town of Rat Portage and its physical features, it is impracticable to construct waterworks in that ward without very great expense, said works will serve only the centre, north and south wards of the said municipality ;

And whereas chapter 62 of 50 Victoria, amended by 55 Victoria, chapter 83, section 20, provides for exemption under certain conditions for property in the municipality west of the second outlet of the Lake of the Woods, which comprises the west ward of the town of Rat Portage, as defined by 55 Victoria, chapter 83, from assessment for any rate for the purpose of raising money for the payment of debentures which may be issued by the municipality ;

And whereas the total amount that will be required to be raised by special rate on all the rateable property in the centre, north and south wards in the municipality in each year during the currency of the said debt, to discharge the several instalments and interest respectively as the same becomes due according to the terms of this by-law, is the sum of \$4,337.26 ;

And whereas the whole amount of the rateable property of the said municipality, according to the last revised assessment roll, is \$1,432,035, and the amount of the rateable property in the centre, north and south wards is \$1,354,985 ;

And whereas the total amount that will be required to be raised annually during the said period of thirty years by special rate for paying the said sum and interest will be the sum of \$4,337.26 ;

And whereas the amount of the existing debt of the said municipality is \$182,480.41, of which the proportion to be paid by the centre, north and south wards is \$177,783.95, and no part of the principal and interest is in arrears ;

Therefore the mayor and municipal council of the corporation of the town of Rat Portage, in council assembled, enacts as follows :—

1. That it shall be lawful for the mayor of the said town of Rat Portage, and he is hereby authorized, to raise by way of loan from any person, firm or company, or corporation, who may be willing to advance the same upon the credit of the debentures to be issued under this by-law, the sum of seventy-five thousand dollars, for the purposes and objects recited in this by-law.

2. That it shall be lawful for the mayor of the town of Rat Portage, and he is hereby authorized and required, to issue debentures of the municipal corporation to the amount of seventy-five thousand dollars, for the purpose aforesaid, which debentures shall be for the several amounts in the next clause hereof, and shall be sealed with the seal of the said corporation and signed by the mayor or head thereof for the time being, and countersigned by the treasurer thereof.

3. The said debentures shall be made payable at the offices of the Imperial Bank of Canada, in the town of Rat Portage, and shall bear interest at the rate of four per centum per annum from the first day of December in the year of our Lord one thousand eight hundred and ninety-nine, which interest shall be payable at the said bank in the town of Rat Portage, on the first day of December, in each year, which debentures shall have attached to them coupons for the payment of the said interest, and shall be for the amounts and shall be payable on the days and times following, that is to say :

| | |
|---|------------|
| On the first day of December, 1900..... | \$1,337.27 |
| “ “ 1901..... | 1,390.76 |
| “ “ 1902..... | 1,446.39 |
| “ “ 1903..... | 1,504.15 |
| “ “ 1904..... | 1,564.42 |
| “ “ 1905..... | 1,627.00 |

| | |
|---|----------|
| On the first day of December, 1906..... | 1,692.00 |
| “ “ 1907..... | 1,759.70 |
| “ “ 1908..... | 1,830.05 |
| “ “ 1909..... | 1,903.35 |
| “ “ 1910..... | 1,979.48 |
| “ “ 1911..... | 2,058.62 |
| “ “ 1912..... | 2,141.00 |
| “ “ 1913..... | 2,226.64 |
| “ “ 1914..... | 2,315.70 |
| “ “ 1915..... | 2,408.34 |
| “ “ 1916..... | 2,504.67 |
| “ “ 1917..... | 2,604.86 |
| “ “ 1918..... | 2,709.05 |
| “ “ 1919..... | 2,817.40 |
| “ “ 1920..... | 2,930.00 |
| “ “ 1921..... | 3,047.30 |
| “ “ 1922..... | 3,169.20 |
| “ “ 1923..... | 3,295.98 |
| “ “ 1924..... | 3,427.82 |
| “ “ 1925..... | 3,564.93 |
| “ “ 1926..... | 3,707.52 |
| “ “ 1927..... | 3,855.83 |
| “ “ 1928..... | 4,010.00 |
| “ “ 1929..... | 4,170.47 |

4. That the sum of \$4,337.26 shall be raised and leviable on all the rateable property in the centre, north and south wards of the said municipality in each and every year during the currency of the said debt by special rate sufficient to discharge the several instalments and interest accruing due on the said debt as the said instalments and interest become due respectively payable according to the terms of this by-law.

5. That this by-law shall take effect on the first day of December in the year of our Lord one thousand eight hundred and ninety-nine.

6. That the votes of the electors of the centre, north and south wards of the said town of Rat Portage shall be taken on the twenty-ninth day of April, in the year of our Lord one thousand eight hundred and ninety-nine, at polls to be open date the following places and with the following deputy-returning officers :

CENTRE WARD.

Polling sub-division No. 1, at the Town Hall in the said town of Rat Portage, by D. A. Pender, deputy-returning officer.

Polling sub-division No. 2, at the office of the clerk of the First Division Court, Main street, in the town of Rat Portage, by Phineas Hutchins Clark, deputy-returning officer.

NORTH WARD.

Polling sub-division No. 1, at the Court House in the said town of Rat Portage by M. Seegmiller, deputy-returning officer.

Polling sub-division No. 2, at the new Public School, by Archibald Campbell, deputy-returning officer.

SOUTH WARD.

Polling sub-division No. 1, at Edgar Brown's house, by Edgar Brown, deputy-returning officer.

Polling sub-division No. 2, at the School House in the south ward in the said town of Rat Portage, by Jas. Sharman, deputy-returning officer.

And the said poll shall be opened at the hour of nine o'clock in the forenoon and shall be kept open until five o'clock in the afternoon on the same day.

7. That on the twenty-eighth day of April in the year of our Lord one thousand eight hundred and ninety-nine at the hour of eleven o'clock in the

forenoon, the mayor, or the head of the municipality for the time being, shall appoint in writing signed by him two persons to attend at each polling place on behalf of the persons interested in, and desirous of promoting the passing of this by-law, and a like number on behalf of the persons interested in and desirous of opposing the passing of this by-law.

8. That on the first day of May in the year of our Lord one thousand eight hundred and ninety-nine, being the Monday following the said poll, the clerk of the said town of Rat Portage shall at the Town Hall in the said town of Rat Portage, at twelve o'clock noon, attend and shall sum up the number of votes given for and against this by-law and then and there declare to the persons whether the requisite number of electors voted in favor of passing of this by-law or contrary thereto.

9. Estimates of the intended expenditure for the completion and construction of the waterworks, shall be published for one month, and notice of the time appointed for taking a poll of the electors on this by-law shall be published for two months, and a copy of this by-law at length as the same may be ultimately passed, and the notice of the day appointed for finally considering the same in council shall be published for two months in *The News*, one of the newspapers published in the municipality of the town of Rat Portage, before the passing of this by-law.

Done and passed in open council this first day of May, A. D. 1899.

W. McCARTHY,
Mayor.

JOHN KERR BRYDON,
Town Clerk.



No. 65.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting By-law 248 of the Town
of Rat Portage.

| | |
|----------------|-------|
| First Reading, | 1900. |
|----------------|-------|

(Private Bill).

Mr. CONNIE.

TORONTO:

PRINTED BY L. K. CAMERON,

Printed to the Queen's Most Excellent Majesty.

An Act to enable Cyrus Davis Pinel to practise
Dentistry.

WHEREAS Cyrus Davis Pinel, of the town of Bowmanville, Preamble.
in the county of Durham, and province of Ontario, hath
by his petition filed, set forth that he has been engaged in the
practice of dentistry with a number of regular practising
5 licentiate dentists in the province of Ontario since the month
of July, 1881, and that since the 18th day of September, 1890,
has been in the employ of a regular licentiate of the College
of Dental Surgeons for Ontario, and has become perfectly
familiar with the work to be done by a regular dentist and
10 has done such work, and is now well qualified to do all work
to be done by a regular licentiate dentist; that at the time
when he should have passed the examinations of the Dental
College of Surgeons he was in very delicate health and was
prohibited from further prosecuting his studies by his medical
15 adviser, and has prayed that an Act may be passed to authorize
him to practise dentistry, and whereas the circumstances of
the case appear to be exceptional and whereas it is expedient
to grant the prayer of the said petition.

Therefore Her Majesty, by and with the advice and consent
20 of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. It shall be lawful for the Royal College of Dental Sur- Authority to
geons of Ontario to admit the said Cyrus Davis Pinel to practise
practise as a licentiate of dental surgery without passing any dentistry.
25 further examinations, upon payment of the requisite fees in
that behalf, any law, statute or usage to the contrary notwith-
standing.

No. 66.

3rd Session, 9th Legislature, 63 Vic., 1900.

BILL.

An Act to enable Gryus Davis Pinel to practise Dentistry.

| | |
|----------------|-------|
| First Reading, | 1900. |
|----------------|-------|

(Private Bill).

Mr. REID,
(Durham).

TORONTO:
PRINTED BY L. K. CAMERON,
Printed to the Queen's Most Excellent Majesty.

An Act to enable Cyrus Davis Pinel to Practise
Dentistry.

WHEREAS Cyrus Davis Pinel, of the Town of Bowman-^{Preamble.}
ville, in the County of Durham, and Province of Ontario,
has by his petition filed set forth that he has been engaged
in the practice of dentistry with a number of regular practis-
ing licentiate dentists in the Province of Ontario since the
month of July, 1881, and that since the 18th day of Septem-
ber, 1890, has been in the employ of a regular licentiate of the
College of Dental Surgeons for Ontario, and has become per-
fectly familiar with the work to be done by a regular dentist
and has done such work, and is now qualified to do all work
to be done by a regular licentiate dentist; that at the time
when he should have passed the examinations of the Dental
College of Surgeons he was in very delicate health and was
prohibited from further prosecuting his studies by his medical
adviser, and has prayed that an Act may be passed to autho-
rize him to practise dentistry; and whereas the circumstances
of the case appear to be exceptional; and whereas it is expe-
dient to grant the prayer of the said petition;

Therefore Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. It shall be lawful for Cyrus Davis Pinel to practise as a ^{C. D. Pinel}
licentiate of Dental Surgery after passing the Junior Matricu-
lation Examination of the Western University of London, ^{authorized to}
Ontario, and the final examination of the Royal College of ^{practise dental}
Dental Surgery of Ontario, and paying the necessary fees in ^{surgery.}
that behalf, any law, statute or usage to the contrary notwith-
standing.

No. 66.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to enable Cyrus Davis Pinel to
Practise Dentistry.

First Reading, 4th April, 1900.

*(Reprinted as amended by Private Bills
Committee.)*

(Private Bill.)

Mr. REID
(Durham).

TORONTO.

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act respecting the Metropolitan Railway.

WHEREAS the Metropolitan Railway Company, hereinafter called "the company," has, under the various Acts incorporating and relating to the company, constructed and is now operating in the city of Toronto and adjoining municipalities certain portions of the lines of railway by the said Acts authorized; and whereas it is desirable to extend the time limited for the construction of other portions thereof, to authorize further extensions of the company's lines and to facilitate the operation of the railway generally; and whereas certain questions have arisen as to the company's powers of construction and operation, which questions it is desirable to set at rest; and whereas the company by its petition has in effect prayed that it may be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition.

Preamble.

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The company may construct, equip, maintain and operate extensions of its line of railway to the village of Shelburne; and through or near to the village of Stouffville, and thence through the township of Pickering to a point at or near the village of Claremont, and thence through the townships of Pickering, Whitby and East Whitby, to the town of Oshawa, and all the provisions of the various Acts relating to the company which confer any rights, powers and privileges upon the company shall apply to such extensions.

Extensions to
Shelburne
Stouffville,
Claremont
and Oshawa.

2.—(1) The company and the Toronto Railway Company, if respectively authorized thereto by resolution of their respective shareholders passed at special general meetings called for that purpose, at which meetings shareholders representing at least two-thirds in value of the capital stock are present, may from time to time enter into agreements for any or all of the following purposes, that is to say:—

Agreement
with Toronto
Railway
Company.

(a) For enabling the company to run its cars over the tracks of the Toronto Railway Company in order to convey passenger and freight traffic from the company's line to any point in the city of Toronto reached by the Toronto Railway Company.

- (b) For the making of such connections with and such changes in the tracks of the Toronto Railway Company as are necessary for the purposes aforesaid.
- (c) For the interchange of passenger and freight traffic between the companies; for the use by either company of property, buildings, plant, material, rolling stock, machinery, appliances and facilities of the other; for the supply of motive power, heat and light by either company to the other; and generally for services to be rendered by either company to the other.
- (d) For the making of running arrangements and the conduct of the joint traffic of the two companies.
- (e) Generally for all matters and things incidental or conducive to the purposes mentioned in paragraphs (a), (b), (c) and (d) of this section.

Terms upon which running powers over Toronto lines may be given.

(2) Such agreements may be entered into upon such terms and conditions as may be agreed upon between the companies, and in case of difference between the companies, the Lieutenant Governor in Council shall have power to enquire into and determine upon what terms the Metropolitan Railway Company shall have the right to use and exercise running powers over the tracks of the Toronto Railway Company, for the purpose of running cars and conveying passenger and other traffic to the Union station, the water front, the city markets, the post office and other points in the city of Toronto.

Connecting with C. P. R. Co's. and other lines.

3. The company may connect, join and unite its tracks at the southern terminus of its line of railway with the tracks of the Canadian Pacific Railway Company lying immediately south of the said terminus, and may also at any other points on or near to its line of railway, connect its tracks with the tracks of the Canadian Pacific Railway Company, the Grand Trunk Railway Company of Canada, the James Bay Railway Company, the Schomberg and Aurora Railway Company and the Oshawa Railway Company, or any of the said companies, and for that purpose may construct or enter into an agreement with any of such companies with whose tracks such connection is made, to construct all such works, turnouts, switches and signals as may be necessary for the making and operating of such connection.

Agreements with other companies.

4. The company may from time to time enter into agreements with any of the said railway companies with whose tracks it is by this Act authorized to connect its own tracks, for the following purposes:—

- (a) For the making, maintenance and operation of such connections and of the works necessary therefor.
- (b) For the interchange of passenger and freight traffic between the companies party to the agreement;

5 for the use by either company of property, buildings, plant, material, rolling stock, machinery, appliances and facilities of the other; for the supply of motive power, heat and light by either company to the other: and generally for services to be rendered by either company to the other.

(c) For the making of running arrangements and the conduct of the joint traffic of the two companies.

10 (d) Generally for all matters and things incidental or conducive to the purposes in this section mentioned.

5. The company is hereby declared to have and shall have the right to operate by electricity every part of its line of railway notwithstanding any agreement heretofore entered into with any municipality. Power to operate any part of line by electricity.

15 6. Section 18 of chapter 92 of the statutes of 1897 is hereby repealed. 60 V. c. 92, s. 18 repealed.

7. The company may enter into any agreement with the Toronto and Scarborough Electric Railway Light and Power Company, Limited, or the Toronto and Mimico Electric Railway and Light Company, Limited, or the Toronto Suburban Street Railway Company, Limited, for acquiring by purchase or otherwise, or for taking on lease the railway of any of the said companies, in whole or in part, and the rights, powers, surveys, plans, works, plant, material, machinery, franchises and other property to it belonging, or any portion thereof, on such terms as are agreed upon, and subject to such restrictions as to the directors seem fit, providing that every such agreement shall be first sanctioned by resolution at a special general meeting called for that purpose, at which meeting shareholders representing at least two-thirds in value of the capital stock are present. Agreements with other electric railway companies.

8. The powers of the company for the construction and operation of the railway and extensions authorized by the various Acts relating to the company and by this Act, shall cease and be null and void with respect to any part of such railway and extensions, if Time for commencement and completion of extensions, etc.

(a) The construction of such part is not begun before the first day of May, A.D. 1903, or

40 (b) If such construction is not finished and such part is not put into operation before the first day of May A.D. 1905.

9. Nothing contained in this Act shall be construed to mean that the company is not already possessed of the powers referred to in clauses 3 and 4 of this Act. Saving as to present powers of company.

No. 67.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting the Metropolitan Rail-
way Company.

First Reading, 1900.

(Private Bill)

MR. GERMAN.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting the Metropolitan Railway Company.

Preamble.

WHEREAS the Metropolitan Railway Company, hereinafter called "the company," has, under the various Acts incorporating and relating to the company, constructed and is now operating in the city of Toronto and adjoining municipalities certain portions of the lines of railway by the said Acts authorized; and whereas it is desirable to extend the time limited for the construction of other portions thereof, to authorize further extensions of the company's lines and to facilitate the operation of the railway generally; and whereas the company by its petition has in effect prayed that it may be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition.

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The company may construct, equip, maintain and operate extensions of its line of railway to the village of Shelburne; and through or near to the village of Stouffville, and thence through the township of Pickering to a point at or near the village of Claremont, and thence through the townships of Pickering, Whitby and East Whitby, to the town of Oshawa, and all the provisions of the various Acts relating to the company which confer any rights, powers and privileges upon the company shall apply to such extensions.

Extensions to Shelburne, Stouffville, Claremont and Oshawa.

2. Section 18 of chapter 92 of the statutes of 1897 is hereby repealed.

3. The company may enter into any agreement with the Toronto and Scarborough Electric Railway Light and Power Company, Limited, or the Toronto and Mimico Electric Railway and Light Company, Limited, or the Toronto Suburban Street Railway Company, Limited, for acquiring by purchase or otherwise, or for taking on lease the railway of any of the said companies, in whole or in part, and the rights, powers, surveys, plans, works, plant, material, machinery, franchises and other property to it belonging, or any portion thereof, on such terms as are agreed upon, and subject to such restrictions as to the directors seem fit, providing that every

60 V. c. 92, s. 18 repealed.

Agreements with other electric railway companies.

such agreement shall be first sanctioned by resolution at a special general meeting called for that purpose, at which meeting shareholders representing at least two-thirds in value of the capital stock are present.

Time for commencement and completion of extensions, etc.

4. The powers of the company for the construction and operation of the railway and extensions authorized by the various Acts relating to the company and by this Act, shall cease and be null and void with respect to any part of such railway and extensions, if

- (a) The construction of such part is not begun before the first day of May, A.D. 1903, or
- (b) If such construction is not finished and such part is not put into operation before the first day of May A.D. 1905.

THE HISTORY OF THE

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No. 67.

3rd Session, 9th Legislature, 63 Vict, 1900.

BILL,
An Act respecting the Metropolitan Rail-
way Company.

First Reading, 14th March, 1900.

*(Reprinted as amended by Railway Com-
mittee.)*

MR. GERMAN.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting the Town of Kincardine.

WHEREAS the municipal corporation of the town of Kincardine has by petition represented that the said corporation being desirous of aiding a packing industry in the said town did approve of and submit to the ratepayers of the said town, a by-law intituled "A by-law to provide for the making of an annual grant of sixty dollars (by way of bonus) to Henry Coleman, of the town of Kincardine, Packer, for the nine years next immediately following the first day of January, 1900, on his extending and maintaining in the said town during each year of said period, an establishment for the curing and packing of pork and meat and for other purposes;" and whereas it is further represented that there is no other similar industry within the limits of the said corporation. And whereas, the said by-law when submitted to a vote of the ratepayers entitled to vote thereon, was approved of by a large majority of the said electors voting thereon, and a majority of those ratepayers (who although entitled) did not vote on said by-law, have since duly declared their assent to and that had they voted at all they would have done so in favour of said by-law, and whereas with the majority of the said ratepayers who voted on said by-law, and those who have since, by their declaration, assented thereto, a majority of two-thirds of all the qualified electors (within the municipality) have assented to the passing of the said by-law. And whereas the said corporation has prayed that power may be given them to pass the said by-law, and that after the same is finally passed by the municipal council of the said corporation, it may be declared to be legal and valid, and it is expedient to grant the prayer of the said petition.

Therefore Her Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. It shall be lawful for the corporation of the town of Kincardine to pass the said by-law, which is set forth in the schedule A to this Act, and upon the said by-law being finally passed by the municipal council of the said corporation, the same shall be legal and valid and binding on the said corporation and the ratepayers thereof, notwithstanding any want of jurisdiction, or defect in form or substance or in the manner of passing the same or any thing in any act to the contrary notwithstanding.

Preamble.

Power to pass by-law granting annual sum to Coleman's packing business.

Power to take
security for
carrying out
of by-law

2. The said corporation shall be and is hereby empowered to enter into such agreement or agreements and to take such securities as may by the said municipal council be deemed advisable, for the due carrying out of the terms and conditions mentioned in said by-law.

5

SCHEDULE A.

By-law No.—.

A By-law to provide for the making of an annual grant of sixty dollars (by way of bonus) to Henry Coleman of the Town of Kincardine, Packer, for nine years next immediately following the first day of January, 1900, on his extending and maintaining in said town during each year of said period, an establishment for the curing and packing of pork and meat and for other purposes.

Whereas, the said Henry Coleman has established on lot number 8, on the south side of Durham Market Square, in said town, an establishment for the purpose of curing and packing pork and other meats, and for the manufacture of fertilizers, and proposes to enlarge and maintain the same, and from time to time and at all proper times during the period of at least nine years from the first day of January, 1900, to employ and keep employed at least five men in carrying on the said business.

And whereas, the municipal council of the corporation of the said town of Kincardine have resolved that for the promotion of the said manufacturing industry within the said town, and that it is advisable and expedient and they have consented (should this by-law be approved of by the Legislature of the Province of Ontario) to grant to the said Henry Coleman, his successors and assigns, the said annual grant of sixty dollars for the purposes aforesaid, and on the express condition that he, or they, do employ, and keep employed, at all reasonable and proper times during the said period at least five men in carrying on the said industry in said town.

And whereas, the whole rateable property of the said municipality according to the last revised assessment roll is \$641,788.00.

And whereas, the existing debenture debt of the said municipality is \$75,210.91, and no part of the principal thereof or of the interest thereon is in arrear.

And whereas, it will be requisite to raise by a special rate on all the rateable property in the municipality the said sum of sixty dollars; be it therefore and it is hereby, by the municipal council of the town of Kincardine, enacted as follows:

(1) That it shall be lawful for the municipal council of the town of Kincardine during and for the years 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907 and 1908 to impose and raise by a special rate sufficient therefor the said sum of sixty dollars, and to pay the same to the said Henry Coleman, or his successors and assigns, annually on the 31st day of December in each of the nine years, commencing on the 31st day of December, 1900; provided, however, and on the express condition that he, or they, do continue and maintain the said industry in said town, and employ, and keep employed, at all reasonable and proper times throughout each year during the said period of nine years at least five men in carrying on said business in the said town of Kincardine.

(2) That this by-law shall take effect on the fifteenth day of January, A. D. 1900.

(3) That the votes of the electors of the municipality shall be taken on this by-law on Monday, the first day of January, 1900, commencing at 9 o'clock in the forenoon and continuing until 5 o'clock in the afternoon of the same day, and at the following places (being the places at which the municipal elections will be held), and the following named persons shall respectively be returning officers to take the said vote, namely: In St.

Andrew's Ward, at the council chamber in the Town Hall, Alexander Campbell, deputy returning officer; St. Patrick's Ward, at Carleton & Baynes' office on the west side of Queen street, H. T. Hurdon, deputy returning officer; St. John's Ward, at the frame building on east side of Queen street, formerly known as the "Albion Hotel," Ira J. Fisher, deputy returning officer; St. George's Ward, in frame office on west side of Queen street, adjoining (on the south side) Russell's livery stable, J. H. Fleming, deputy returning officer.

(4) On Tuesday, the 26th day of December, 1899, the mayor shall attend at the said council chamber, at 12 o'clock noon, for the appointment of persons to attend at the different polling places and at the final summing up of the votes by the town clerk respectively, on behalf of the persons interested in and promoting or opposing the passing of the said by-law.

(5) The clerk of the said town shall attend at the said council chamber on Tuesday, the 2nd day of January, A.D. 1900, at 12 o'clock noon, and sum up the number of votes given for and against the by-law.

Passed in open council this day of A.D. 1900.

Town Clerk.

Mayor.

No. 68.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting the Town of Kincairdine.

| | |
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| First Reading, | 1900. |
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(Private Bill.)

Mr. MALCOLM.

TORONTO :

PRINTED BY L. K. CAMERON,

Printer to the Queen's Most Excellent Majesty.

An Act respecting the Town of Kincardine.

WHEREAS the municipal Corporation of the Town of Kincardine has by petition represented that the said corporation being desirous of aiding a packing industry in the said town did approve of and submit to the ratepayers of the said town, a by-law intituled "A by-law to provide for the making of an annual grant of sixty dollars (by way of bonus) to Henry Coleman, of the town of Kincardine, Packer, for the nine years next immediately following the first day of January, 1900, on his extending and maintaining in the said town during each year of said period, an establishment for the curing and packing of pork and meat and for other purposes;" and whereas it is further represented that there is no other similar industry within the limits of the said corporation. And whereas, the said by-law when submitted to a vote of the ratepayers entitled to vote thereon, was approved of by a large majority of the said electors voting thereon, and a majority of those ratepayers (who although entitled) did not vote on said by-law, have since duly declared their assent to and that had they voted at all they would have done so in favour of said by-law, and whereas with the majority of the said ratepayers who voted on said by-law, and those who have since, by their declaration, assented thereto, a majority of two-thirds of all the qualified electors (within the municipality) have assented to the passing of the said by-law; and whereas the said corporation has prayed that power may be given them to pass the said by-law, and that after the same is finally passed by the municipal council of the said corporation, it may be declared to be legal and valid, and ^{and} whereas no opposition has been offered by or on behalf of any ratepayer or otherwise to the said petition; and whereas ^{it is} it is expedient to grant the prayer of the said petition;

Therefore Her Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. It shall be lawful for the *Municipal* Corporation of the Town of Kincardine to pass the said by-law, which is set out in schedule A to this Act, and upon the said by-law being finally passed by the municipal council of the said corporation, the same shall be *confirmed and declared to be legal, valid and binding* on the said corporation and the ratepayers thereof,

Power to pass by-law granting annual sum to Coleman's packing business.

notwithstanding any want of jurisdiction, or defect in form or substance or in the manner of passing the same or any thing in any act to the contrary notwithstanding.

Power to take security for carrying out of by-law

2. The said corporation shall be and is hereby empowered to enter into such agreement or agreements and to take such securities as may by the said municipal council be deemed advisable, for the due carrying out of the terms and conditions mentioned in said by-law.

SCHEDULE A.

By-law No.—.

A By-law to provide for the making of an annual grant of sixty dollars (by way of bonus) to Henry Coleman of the Town of Kincardine, Packer, for nine years next immediately following the first day of January, 1900, on his extending and maintaining in said town during each year of said period, an establishment for the curing and packing of pork and meat and for other purposes.

Whereas, the said Henry Coleman has established on lot number 8, on the south side of Durham Market Square, in said town, an establishment for the purpose of curing and packing pork and other meats, and for the manufacture of fertilizers, and proposes to enlarge and maintain the same, and from time to time and at all proper times during the period of at least nine years from the first day of January, 1900, to employ and keep employed at least five men in carrying on the said business.

And whereas, the municipal council of the corporation of the said town of Kincardine have resolved that for the promotion of the said manufacturing industry within the said town, and that it is advisable and expedient and they have consented (should this by-law be approved of by the Legislature of the Province of Ontario) to grant to the said Henry Coleman, his successors and assigns, the said annual grant of sixty dollars for the purposes aforesaid, and on the express condition that he, or they, do employ, and keep employed, at all reasonable and proper times during the said period at least five men in carrying on the said industry in said town.

And whereas, the whole rateable property of the said municipality according to the last revised assessment roll is \$641,788.00.

And whereas, the existing debenture debt of the said municipality is \$75,210.91, and no part of the principal thereof or of the interest thereon is in arrear.

And whereas, it will be requisite to raise by a special rate on all the rateable property in the municipality the said sum of sixty dollars; be it therefore and it is hereby, by the municipal council of the town of Kincardine, enacted as follows:

(1) That it shall be lawful for the municipal council of the town of Kincardine during and for the years 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907 and 1908 to impose and raise by a special rate sufficient therefor the said sum of sixty dollars, and to pay the same to the said Henry Coleman, or his successors and assigns, annually on the 31st day of December in each of the nine years, commencing on the 31st day of December, 1900; provided, however, and on the express condition that he, or they, do continue and maintain the said industry in said town, and employ, and keep employed, at all reasonable and proper times throughout each year during the said period of nine years at least five men in carrying on said business in the said town of Kincardine.

(2) That this by-law shall take effect on the fifteenth day of January, A.D. 1900.

(3) That the votes of the electors of the municipality shall be taken on this by-law on Monday, the first day of January, 1900, commencing at 9 o'clock in the forenoon and continuing until 5 o'clock in the afternoon of the same day, and at the following places (being the places at which the municipal elections will be held), and the following named persons shall respectively be returning officers to take the said vote, namely: In St. Andrew's Ward, at the council chamber in the Town Hall, Alexander Campbell, deputy returning officer; St. Patrick's Ward, at Carleton & Baynes' office on the west side of Queen street, H. T. Hurdon, deputy returning officer; St. John's Ward, at the frame building on east side of Queen street, formerly known as the "Albion Hotel," Ira J. Fisher, deputy returning officer; St. George's Ward, in frame office on west side of Queen street, adjoining (on the south side) Russell's livery stable, J. H. Fleming, deputy returning officer.

(4) On Tuesday, the 26th day of December, 1899, the mayor shall attend at the said council chamber, at 12 o'clock noon, for the appointment of persons to attend at the different polling places and at the final summing up of the votes by the town clerk respectively, on behalf of the persons interested in and promoting or opposing the passing of the said by-law.

(5) The clerk of the said town shall attend at the said council chamber on Tuesday, the 2nd day of January, A.D. 1900, at 12 o'clock noon, and sum up the number of votes given for and against the by-law.

Passed in open council this day of A.D. 1900.

Town Clerk.

Mayor.

No. 68.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act respecting the Town of Kincairdine.

First Reading, 21st March, 1900.

*(Reprinted as amended by the Private Bills
Committee.)*

Mr. MALCOLM.

TORONTO:

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act to Incorporate the Nickel Belt Railway.

WHEREAS Rinaldo McConnell, Florence Lucretia McConnell, Preamble.
nell, both of the village of Mattawa in the district of
Nipissing, and John Newton Glidden of the city of Kingston,
in the county of Frontenac, and Foster Shields and Edward
5 H. Dodd, both of the town of Sudbury, in the district of Nip-
issing, have by their petition prayed for an Act of Incorpora-
tion under the name of "The Nickel Belt Railway," for the pur-
pose of constructing and operating a railway from a point in
the district of Nipissing at or near Onaping Station on the
10 main line of the Canadian Pacific Railway; thence northeasterly
through the townships of Dowling, Levack, Morgan, Bow-
ell, Lumsden, Wisner and Norman, and thence southerly and
southeasterly through the townships of Norman, Capreol, Gar-
son, Blezard and McKim to a point on the branch line of the
15 Canadian Pacific Railway Company known as "the Stobie
branch" of the said railway, and for other purposes, and
whereas it is expedient to grant the prayer of the said
petition;

Therefore Her Majesty, by and with the advice and con-
sent of the Legislative Assembly of the Province of Ontario
20 enacts as follows:

1. Rinaldo McConnell, Florence Lucretia McConnell, both Incorpora-
tion.
of the village of Mattawa, in the district of Nipissing and
John Newton Glidden, of the city of Kingston in the county
of Frontenac, and Foster Shields and Edward H. Dodd, both
25 of the town of Sudbury in the district of Nipissing, together
with such other persons and corporations as shall become
shareholders in the company are hereby constituted a body
corporate and politic under the name of "The Nickel Belt
Railway" and hereinafter called "the company."
30

2.—(1) The company is hereby authorized and empowered Location
of line.
to survey, lay out, construct, complete, equip and operate a
railway from a point in the township of Dowling in the dis-
trict of Nipissing at or near Onaping Station on the main line
of the Canadian Pacific Railway; thence northeasterly through
35 the townships of Dowling, Levack, Morgan, Bowell, Lumsden,
Wisner and Norman, and thence southerly and southeasterly
through the townships of Norman, Capreol, Garson, Blezard
and McKim to a point on the branch line of the Canadian Pac-

ific Railway Company known as "the Stobie branch" of the said railway, with power to construct branch lines through the said townships.

(2) The company may operate its railway by steam or electricity. 5

Gauge. 3. The gauge of the said railway shall be four feet eight and one-half inches.

Provisional directors. 4. The said Rinaldo McConnell, John Newton Glidden and Edward H. Dodd with power to add to their number shall be and are hereby constituted a board of provisional directors of the company of whom a majority shall be a quorum and shall hold office as such until other directors shall be appointed under the provisions of this Act by the shareholders. 10

Powers of provisional directors. 5. The said board of provisional directors shall have power forthwith to open stock books and procure subscriptions of stock for the undertaking, and to allot the stock, and to receive payments on account of stock subscribed, and to make calls on subscribers in respect of their stock, and to sue for and recover the same, and to cause plans and surveys to be made, and to receive for the company any grant, loan, bonus or gift made to it on or in aid of the undertaking, and to enter into any agreement respecting the conditions or disposition of any gift or bonus in aid of the company, and with all such other powers as under *The Railway Act of Ontario* are vested in ordinary directors. The said directors, or a majority of them, or the board of directors to be elected as hereinafter mentioned, may in their discretion exclude any one from subscribing for stock, who in their judgment would hinder, delay or prevent the company from proceeding with and completing its undertaking under the provisions of this Act, and if at any time a portion or more than the whole stock shall have been subscribed, the said provisional directors or board of directors shall allocate and apportion it amongst the subscribers as they shall deem most advantageous and conducive to the furtherance of the undertaking, and in such allocation the said directors may in their discretion exclude any one or more of the said subscribers if, in their judgment, such exclusion will best secure the building of the said railway, and all meetings of the provisional board of directors shall be held at the city of Ottawa in the county of Carleton, or at such other place as may best suit the interests of the company. 15 20 25 30 35 40

Subscriptions for stock, when binding. 6. No subscription for stock in the capital of the company shall be binding on the company unless it shall be approved by resolution of the directors and unless ten per centum of the amount subscribed has been actually paid thereon within one month after subscription. 45

Aid to company. 7. The company may receive from any government or from

any person or bodies corporate, municipal, or politic, who may have power to make or grant the same, aid towards the construction, equipment or maintenance of the said railway by way of gift, bonus or loan of money or debentures, or other securities for money, or by way of guaranteed upon such terms and conditions as may be agreed upon.

8. The capital stock of the company hereby incorporated shall be one hundred thousand dollars, with power to increase the same, in the manner provided by *The Railway Act of Ontario*, to be divided into one thousand shares of one hundred dollars each, and shall be raised by the persons and corporations who may become shareholders in such company, and the money so raised shall be applied in the first place to the payment of all fees, expenses, and disbursements of and incidental to the passing of this Act, and for making the surveys, plans and estimates connected with the works hereby authorized, and the remainder of said money shall be applied to the making, equipping, completing and maintaining of the said railway, and to the other purposes of this Act.

9. When and as soon as shares to the amount of ten thousand and dollars of capital stock of the said company shall have been subscribed and ten per centum paid thereon into some chartered bank having an office in the Province of Ontario, to the credit of the company, the said provisional directors or a majority of them shall call a general meeting of the shareholders for the purpose of electing directors of the company, giving at least four weeks' notice by advertisement in *The Ontario Gazette* and in one or more newspapers published in the said county of Carleton of the time, place and purpose of said meeting.

10. At such general meeting the shareholders present either in person or by proxy who have paid up ten per centum on the stock subscribed by them, shall elect five persons to be directors of the company, in manner and qualified as hereinafter mentioned, who shall constitute a board of directors, and shall hold office until the next general annual meeting, and a majority of the directors shall form a quorum of the board, and may pass such rules, regulations and by-laws as may be deemed expedient, provided they be not inconsistent with this Act and *The Railway Act of Ontario*.

11. The directors may from time to time make calls of money upon the respective shareholders in respect of the amount of capital respectively subscribed or owing by them as they shall think fit, provided that no calls shall be made at any one time of more than ten per centum of the amount subscribed and owing by each shareholder, and thirty days' notice shall be given of each call, as provided by section 9 of this Act.

- Qualifications of directors.** **12.** No person shall be qualified to be elected as such director by the shareholders unless he be a shareholder holding at least five shares of stock in the company and unless he has paid up all claims thereon.
- Liability of stockholders.** **13.** No stockholder shall be personally liable for the promises, contracts, debts, undertakings, tolls or liabilities of the company beyond the amount remaining unpaid upon stock held by him and to that extent only after the other assets (if any) of the company shall be realized upon. 5
- Power of aliens.** **14.** Aliens and companies incorporated abroad, as well as British subjects and corporations may be shareholders in the company, and all such shareholders, whether resident in this province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible for office as directors in the company. 10 15
- Transfer of shares.** **15.** Shares in the capital stock of the company may be transferred by any form of instrument in writing, but no transfer shall become effectual unless the stock or scrip certificates issued in respect of shares intended to be transferred are surrendered to the company, or the surrender thereof dispensed with by the company. 20
- Payments in stocks or bonds.** **16.** The provisional directors or the elected directors may pay or agree to pay, in paid up stock, or in the bonds of the company, such sums as they may deem expedient to engineers or contractors or for the right of way or material, plant or rolling stock, and also when sanctioned by a vote of the shareholders at any general meeting, for the services of the promoters or other persons who may be employed by the directors in furthering the undertaking or for purchasing the right of way, material, plant or rolling stock, whether such promoters or other persons be provisional or elected directors or not and any agreement so made shall be binding on the company. 25 30
- General annual meeting.** **17.** The head office of the company shall be at the said city of Ottawa and the general annual meeting of the shareholders of the railway shall be held in such place in the said city of Ottawa or in such other place and on such days and at such hours as may be directed by the by-laws of the company, and public notice thereof shall be given at least two weeks previously in *The Ontario Gazette* and once a week in one newspaper published in the said county of Carleton during the two weeks immediately preceding the week in which such meeting is to be held. 35 40
- General meetings.** **18.** Special general meetings of the shareholders of the company may be held at such place and at such times and in such manner and for such purposes as may be provided by the by-laws of the company, upon such notice as is provided in the last preceding section. 45

19. It shall be lawful for the corporation of any municipality through any part of which the railway of the company passes or in which it is situate, by by-law specially passed for that purpose, to exempt the company and its property within 5 such municipality either in whole or in part, from municipal assessment or taxation, or to agree to a certain sum per annum, or otherwise, in gross, by way of commutation or composition, for payment or in lieu of all or any municipal rates or assessments to be imposed by such municipal corporation, and for 10 such term of years as such municipal corporation may deem expedient, not exceeding twenty-one years, and no such by-law shall be repealed unless in conformity with a condition contained therein.

By-laws granting exemption from taxation.

20 Any municipality through which the said railway may 15 pass or is situate is empowered to grant by way of gift to the company any lands belonging to such municipality or over which it may have control which may be required for right of way, station grounds, or other purposes connected with the running or traffic of the company's railway; and the company 20 shall have power to accept gifts of land from any government or any person or body corporate or politic and shall have power to sell or otherwise dispose of the same for the benefit of the company.

Gifts of lands.

21. Whenever it shall be necessary for the purpose of pro- 25 curing sufficient land for stations or gravel pits or for constructing, maintaining and using the said railway, and in case by purchasing the whole of any lot or parcel of land over which the company's railway is to run, the company can obtain the same at a more reasonable price or to greater advan- 30 tage than by purchasing the railway line only, the company may purchase, hold, use and enjoy such lands, and also the right of way thereto, if the same be separated from its railway, and may sell and convey the same or any part thereof from time to time as the directors of the company may deem 35 expedient, but the compulsory clauses of *The Railway Act of Ontario* shall not apply to this section.

Power to purchase whole lots.

Rev. Stat. c. 207.

22. When stone, gravel, earth or sand is or are required for the construction or maintenance of the company's railway or any part thereof, the company may, in case it cannot agree 40 with the owner of the lands on which the same are situated for the purchase thereof, cause an Ontario land surveyor to make a map and description of the property so required, and a copy thereof with notice of arbitration shall be served as in the case of acquiring the right of way, and the notice of arbi- 45 tration, the award, and the tender of the compensation shall have the same effect as in case of arbitration for the right of way and all the provisions of *The Railway Act of Ontario* and of this Act as to the service of the said notice, arbitration, compensation, deeds, payment of money into court, the right 50 to sell, the right to convey, and the parties from whom the

Acquiring material for construction.

Rev. Stat. c. 207.

lands may be taken or who may sell, shall apply to the subject matter of this section as to the obtaining materials as aforesaid, and such proceedings may be had by the company either for the right to the fee simple in the land from which said materials shall be taken or for the right to take materials for any time the company shall think necessary, the notice of arbitration in case arbitration is resorted to, to state the interest required.

Sidings to
gravel pits.

23.—(1) When said gravel, earth, stone or sand shall be taken under the preceding section of this Act, at a distance from the line of the railway, the company may lay down the necessary sidings and tracks over any lands which may intervene between the railway and the lands on which said material shall be found, whatever the distance may be; and all the provisions of *The Railway Act of Ontario* and of this Act, except such as relate to filing plans and publications of notice shall apply and may be used and exercised to obtain the right of way from the railway to the land on which such materials are situated; and such right may be so acquired for a term of years or permanently, as the company may think proper, and the powers in this and the preceding section may at all times be exercised and used in all respects after the railway is constructed for the purpose of repairing and maintaining the said railway.

Rev. Stat.
c. 207.

(2) When estimating the damages for the taking of gravel stone, earth or sand, sub-section 9 of section 20 of *The Railway Act of Ontario* shall not apply.

Power to
erect snow
fences.

24. The company shall have the right, on and after the 1st day of November in each year, to enter into and upon any lands of Her Majesty, or into or upon any lands of any corporation or persons whatsoever, lying along the route of line of said railway, and to erect and maintain snow fences thereon, subject to the payment of such damages (if any) as may be hereafter established in the manner provided by law in respect of such railway, to have been actually suffered, provided always that any such snow fences so erected shall be removed on or before the first day of April next following.

General
powers.

25. The company shall have power and authority:—

(1) To receive, hold and take all voluntary grants and donations of land or other property made to it to aid in the construction, maintenance and accommodation of the railway, but the same shall be held and used for the purpose of such grants or donations only.

(2) To purchase land for and erect warehouses, elevators docks, stations, workshops, power-houses and offices, and to sell and convey such land as may be found superfluous for any such purpose, and the company shall have power to hold as part of the property of the said company as many steam or

other vessels as the directors of the company may deem requisite from time to time to facilitate the carriage of passengers, freight and other traffic in connection with the railway.

(3) To erect and maintain all necessary and convenient buildings, stations, depots, wharves and fixtures, and from time to time to alter, repair or enlarge the same, and to purchase and acquire engines, motors, carriages, wagons and other machinery and contrivances necessary for the working of the railway and the accommodation and use of the passengers, freight and business of the company.

(4) To construct, maintain and operate works for the production of electricity for the motive power of the said railways and the company may sell or lease the electricity and power so produced to any person or corporation and for such purposes, the company shall possess the powers, rights and privileges conferred upon joint stock companies incorporated under *The Act respecting Companies for Supplying Electricity, Steam, Heat and Natural Gas for Heat, Light or Power*, and the company may acquire and hold any property necessary for the purposes mentioned in this sub-section.

(5) To enter into an agreement or agreements with any other company or companies, if lawfully authorized to enter into such agreements, or with any person or persons, for leasing, hiring or use of any engines, motors, carriages, cars, rolling stock, and other moveable property from such companies or persons for such time or times and on such terms as may be agreed on; and also to enter into agreements with any railway company or companies, if so lawfully authorized, for the use by one or more of such contracting companies, of the engines, motors, carriages, cars, rolling stock and other moveable property of the other or others of them for the running of the cars or carriages of the company over the track of any other railway company, with the consent of such company, on such terms as to compensation and otherwise as may be agreed upon.

(6) To construct an electric telegraph line and a telephone line in connection with its railway, and for the purpose of constructing, working and protecting the said telegraph and telephone lines, the power conferred upon telegraph companies by *The Act respecting Telegraph Companies*, being chapter 192 of the Revised Statutes of Ontario, 1897, is hereby conferred upon the company; provided that such telegraph and telephone lines shall be used exclusively for the purposes of the business of the company.

(7) To construct, erect, and make all other matters and things necessary and convenient for the making, extending and using of the railway in pursuance of and according to the meaning of this Act.

26. The company may enter into agreements with the Canadian Pacific Railway Company, The Holland and Emery

Interchange
of traffic with
other com-
panies.

Company's Railway, and with any other railway that now is or may hereafter be authorized to run through the district where the said company is to operate or any of them, if lawfully empowered to enter into such agreement, for the interchange of cars and traffic and for connections and running arrangements upon terms to be approved of by two-thirds in value of the shareholders of the company at a special general meeting to be held for that purpose and every such agreement shall be valid and binding according to the terms and tenor thereof.

Bonding
powers.

27.—(1) The directors of the company under the authority of the shareholders to them given at any special general meeting called for the purpose, at which meeting shareholders representing at least two-thirds in value of the subscribed stock of the company who have paid all calls due thereon are present in person or represented by proxy may, subject to the provisions in the Act contained, issue bonds, debentures or other securities to the extent limited by this Act for each and every mile of single track of the said railway and extensions and branches; such bonds, debentures, or other securities shall be signed by the president or other presiding officer and countersigned by the secretary which counter-signature and the signature of the coupons attached to the same may be engraved; and such bonds, debentures or other securities may be made payable at such time and in such manner and at such place or places in Canada or elsewhere and may bear such rate of interest not exceeding six per cent. per annum as the directors may think proper:

- (a) The directors shall issue and sell or pledge all or any of the said bonds, debentures or other securities at the best price and upon the best terms and conditions which at the time they may be able to obtain for the purposes of raising money for prosecuting the said undertaking, or they may pledge the said bonds, debentures or other securities for the purpose of procuring the rails, fish plates and electric plant necessary for the undertaking.
- (b) No such bond, debenture, or other security shall be for a less sum than one hundred dollars.
- (c) The power of issuing bonds by this Act conferred upon the company hereby, shall not be construed as being exhausted by such issue, but such power may be exercised from time to time upon the bonds constituting such or any issue being withdrawn or paid off and duly cancelled, but no bond or debenture shall be issued until twenty per centum of the subscribed capital has been actually expended on the work.
- (d) The whole amount of the issue of such bonds shall not exceed in all the sum of \$14,000 for each and

every mile of single track of the company's railway and extensions and branches.

(e) Such bonds shall be issued only in proportion to the length of the railway constructed or under contract to be constructed.

(2) The company may secure such bonds, debentures or other securities by a mortgage deed, creating such mortgages, charges and encumbrances upon the whole of such property, assets, rents, and revenues of the company, present or future or both, as are described in the said deed; but such rents and revenues shall be subject in the first instance to the payment of any penalty imposed for the non-compliance with the requirements of this Act, respecting returns to be made under this Act, and next to the payment of the working expenses of the railway, as in this Act defined, other than the interest on mortgage or debenture indebtedness.

(a) By the said deed the company may grant to the holders of such bonds, debentures or other securities, or the trustee named in such deed, all and every the powers, rights and remedies granted by this Act in respect of the said bonds, debentures or other securities, and all other powers, rights and remedies not inconsistent with this Act, or may restrict the said holders in the exercise of any power, privilege or remedy granted by this Act, as the case may be; and all the powers, rights and remedies so provided for in such mortgage deed shall be valid and binding, and available to the said holders in manner and form therein provided.

(b) Every such mortgage deed shall be deposited in the office of the Provincial Secretary, of which deposit notice shall be given by the company in *The Ontario Gazette*.

(c) It shall not be necessary in the exercise of the powers as to mortgaging and in order to preserve the priority, lien, charge, mortgage or privilege purporting to appertain to or be created by any bond, debenture or other security issued, or mortgage deed executed under the authority of this Act, that such bond or deed should be registered in any manner or in any place whatsoever except at the office of the Provincial Secretary as aforesaid, nor shall it be necessary to comply with the provisions of *The Bills of Sale and Chattel Mortgage Act*, or any Act requiring the registration or renewal of mortgages of chattels, but any mortgage which may be executed by the company under the powers conferred upon it, shall, upon the same being deposited in the office of the Provincial Secretary, have full force and effect and priority according to the time of deposit, and shall form a lien and encumbrance upon any personal property or chattels

therein embraced, to all intents and purposes, as therein expressed and set forth, as if the provisions of the said *Bills of Sale and Chattel Mortgage Act* or any Act requiring registration or renewal of mortgages of chattels have been fully complied 5 with.

(3) Until they have been surrendered and lawfully cancelled, the bonds, debentures or other securities hereby authorized to be issued, shall be taken and considered to be the first preferential claim and charge upon the company and the privileges 10 acquired under this Act, and the franchise and undertaking, tolls and income, rents and revenues, and real and personal property thereof at any time acquired, save and except as provided for in the next preceding sub-section.

(a) Each holder of the said bonds, debentures or other 15 securities shall, until they have been surrendered and lawfully cancelled, be deemed to be a mortgagee or encumbrancer upon the said securities pro rata with all other holders and no proceedings authorized by law or by this Act shall be taken to enforce 20 payment of the said bonds, debentures, or other securities, or of the interest thereon, except through the trustee or trustees appointed by or under such mortgage deed.

(4) If the company makes default in paying the principal or 25 interest on any of the bonds, debentures or other securities hereby authorized at the time when the same by the terms of the bond, debenture or other security becomes due and payable then at all subsequent meetings, all holders of bonds, debentures or other securities, so being and remaining in default, 30 shall in respect thereof, have and possess the same rights and privileges and qualifications for being elected directors and for voting at general meetings as would attach to them as shareholders if they held fully paid up shares of the company to a corresponding amount. 35

(a) The rights given by this sub-section shall not be exercised by any such holder unless it is so provided by the mortgage deed nor unless the bond, debenture or other security in respect of which he claims to exercise such rights has been registered in his 40 name in the same manner as the shares of the company are registered, at least ten days before he attempts to exercise the right of voting thereon; and the company shall be bound on demand to register such bonds, debentures or other securities 45 and any transfers thereof thereafter in the same manner as shares or transfers of shares.

(b) The exercise of the rights given by this sub-section shall not take away, limit or restrain any other of the rights or remedies to which the holders of the said bonds, debentures or other securities are en-

titled under the provisions of any such mortgage deed.

(5) All bonds, debentures, or other securities hereby authorized may be made payable to bearer, and shall in that case be transferable by delivery until registration thereof as hereinbefore provided, and while so registered they shall be transferable by written transfers registered in the same manner as in the case of transfer of shares.

(6) Any lands or chattel property which have become no longer useful or necessary for the purposes of the company may be released by the trustees of any mortgage securing the bonds of the company if a provision for such release is contained in the mortgage and thereafter such released lands or chattel property shall be held freed and discharged from any lien created by the said mortgage or by any of the Acts relation to the company in favour of the said bondholders.

28. The company may become parties to promissory notes and bills of exchange for sums not less than one hundred dollars, and any such promissory note or bill of exchange made, drawn, accepted or endorsed by the president or vice-president of the company and countersigned by the secretary of the company or other officer authorized by the by-laws of the company shall be binding on the company; and every such promissory note or bill of exchange so made, drawn, accepted or endorsed shall be presumed to have been made, drawn, accepted or endorsed with proper authority, until the contrary be shown, and in no case shall it be necessary to have the seal of the company affixed to such promissory note or bill of exchange; nor shall the president, vice president or the secretary or other officer so authorized be individually responsible for the same, unless the said promissory notes or bills of exchange have been issued without proper authority; provided, however, that nothing in this section shall be construed to authorize the company to issue any promissory note or bill of exchange payable to bearer or intended to be circulated as money or as the notes or bills of a bank.

Negotiable instruments.

29. The company shall have power to collect and receive all charges subject to which goods or commodities may come into their possession, and on payment of such back charges and without any formal transfer shall have the same lien for the amount thereof upon such goods and commodities as the person to whom such charges were originally due and shall be subrogated by such payment in all the rights and remedies of such persons for such charges.

Collection of back charges.

30. The said railway shall be commenced within three years and completed within six years from the passing of this Act.

Time of commencement and completion.

No. 69.

3rd Session, 9th Legislature, 63 Vict., 1900.

BILL.

An Act to Incorporate The Nickel Belt
Railway.

| | |
|----------------|-------|
| First Reading, | 1900. |
|----------------|-------|

(Private Bill).

Mr. LOUGHRIN.

TORONTO:

PRINTED BY L. K. CAMERON,
Printer to the Queen's Most Excellent Majesty.

An Act to Incorporate the Nickel Belt Railway
Company.

WHEREAS Rinaldo McConnell, Florence Lucretia McConnell, both of the village of Mattawa in the district of Nipissing, and John Newton Glidden of the city of Kingston, in the county of Frontenac, and Foster Shields and Edward H. Dodd, both of the town of Sudbury, in the district of Nipissing, have by their petition prayed for an Act of Incorporation under the name of "The Nickel Belt Railway *Company*," for the purpose of constructing and operating a railway from a point in the district of Nipissing at or near Onaping Station on the main line of the Canadian Pacific Railway; thence northeasterly through the townships of Dowling, Levack, Morgan, Howell, Lumsden, Wisner and Norman, and thence southerly and southeasterly through the townships of Norman, Capreol, Garson, Blezard and McKim to a point on the branch line of the Canadian Pacific Railway Company known as "the Stobie branch" of the said railway, and it has been represented that the line of the railway of the company so to be incorporated will, for the most part, be constructed in the unorganized part of the Province; and it is proposed to operate the same by steam or electricity; and whereas, owing to the location of the line of the said railway, the provisions of *The Electric Railway Act* are not applicable to the company so to be incorporated, and the said petitioners have prayed that there may be conferred upon them the powers ordinarily given upon the incorporation of a railway to be operated by steam; and whereas for the reasons aforesaid the circumstances of the said proposed line of railway are exceptional; and whereas it is expedient to grant the prayer of the said petition;

Preamble.

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

1. Rinaldo McConnell, Florence Lucretia McConnell, both of the village of Mattawa, in the district of Nipissing and John Newton Glidden, of the city of Kingston in the county of Frontenac, and Foster Shields and Edward H. Dodd, both of the town of Sudbury in the district of Nipissing, together with such other persons and corporations as shall become shareholders in the company are hereby constituted a body

Incorporation.

corporate and politic under the name of "The Nickel Belt Railway Company" and hereinafter called "the company."

Location
of line.

2 The company is hereby authorized and empowered to survey, lay out, construct, complete, equip and *maintain* a railway^{§ 27} to be operated by steam or electricity^{§ 28} from a point in the township of Dowling in the district of Nipissing at or near Onaping Station on the main line of the Canadian Pacific Railway: thence northeasterly through the townships of Dowling, Levack, Morgan, Bowell, Lumsden, Wisner and Norman, and thence southerly and southeasterly through the townships of Norman, Caprol, Garson, Blezard and McKim to a point on the branch line of the Canadian Pacific Railway Company known as "the Stobie branch" of the said railway, with power to construct branch lines^{§ 29} none of which are to exceed six miles in length^{§ 30} through the said townships^{§ 31} and to exercise all the powers, rights and privileges required therefor in as full and ample a manner as for the railway, and the said railway, or any part thereof, so far as the same may be operated by electricity, may be carried along and upon such public highways as may be authorized by the by-laws of the respective corporations having jurisdiction over the same and subject to the restrictions and provisions therein and in this Act contained, and under and subject to any agreements between the company and the councils of any of the said corporations and between the company and the road companies (if any) interested in such highways; and the company may make and enter into any agreements with any municipal corporation or road company as to the terms of occupancy of any street or highway subject to the provisions and conditions contained in this Act and in *The Municipal Act* and any Act or Acts amending the same.^{§ 32}

Rev. Stat.
c. 223.

Gauge.

3. The gauge of the said railway shall be four feet eight and one-half inches.

Provisional
directors.

4. The said Rinaldo McConnell, John Newton Glidden and Edward H. Dodd with power to add to their number shall be and are hereby constituted a board of provisional directors of the company of whom a majority shall be a quorum and shall hold office as such until other directors shall be appointed under the provisions of this Act by the shareholders.

Powers of
provisional
directors.

5. The said board of provisional directors shall have power forthwith to open stock books and procure subscriptions of stock for the undertaking, and to allot the stock, and to receive payments on account of stock subscribed, and to make calls on subscribers in respect of their stock, and to sue for and recover the same, and to cause plans and surveys to be made, and to receive for the company any grant, loan, bonus or gift made to it on or in aid of the undertaking, and to enter into any agreement respecting the conditions or disposition of any gift or bonus in aid of the company, and with all such other powers as under *The Railway Act of Ontario* are vested in

Rev. Stat.
c. 207.

ordinary directors. The said directors, or a majority of them, or the board of directors to be elected as hereinafter mentioned, may in their discretion exclude any one from subscribing for stock, who in their judgment would hinder, delay or prevent the company from proceeding with and completing its undertaking under the provisions of this Act, and if at any time a portion or more than the whole stock shall have been subscribed, the said provisional directors or board of directors shall allocate and apportion it amongst the subscribers as they shall deem most advantageous and conducive to the furtherance of the undertaking, and in such allocation the said directors may in their discretion exclude any one or more of the said subscribers if, in their judgment, such exclusion will best secure the building of the said railway, and all meetings of the provisional board of directors shall be held at the city of Ottawa in the county of Carleton, or at such other place as may best suit the interests of the company.

6. No subscription for stock in the capital of the company shall be binding on the company unless it shall be approved by resolution of the directors and unless ten per centum of the amount subscribed has been actually paid thereon within one month after subscription. Subscriptions for stock, when binding.

7. The company may receive from any government or from any persons or bodies corporate, municipal, or politic, who may have power to make or grant the same, aid towards the construction, equipment or maintenance of the said railway by way of gift, bonus or loan of money or debentures, or other securities for money, or by way of guarantee upon such terms and conditions as may be agreed upon. Aid to company.

8. The capital stock of the company hereby incorporated shall be one hundred thousand dollars, with power to increase the same, in the manner provided by *The Railway Act of Ontario*, to be divided into one thousand shares of one hundred dollars each, and shall be raised by the persons and corporations who may become shareholders in such company, and the money so raised shall be applied in the first place to the payment of all fees, expenses, and disbursements of and incidental to the passing of this Act, and for making the surveys, plans and estimates connected with the works hereby authorized, and the remainder of said money shall be applied to the making, equipping, completing and maintaining of the said railway, and to the other purposes of this Act. Capital stock. Rev. Stat. c. 207.

9. When and as soon as shares to the amount of ten thousand dollars of capital stock of the said company shall have been subscribed and ten per centum paid thereon into some chartered bank ~~of~~ of the Dominion ~~in~~ having an office in the Province of Ontario, to the credit of the company, ~~and~~ and which shall on no account be withdrawn therefrom unless for the First election of directors.

services of the company, the said provisional directors or a majority of them shall call a general meeting of the shareholders for the purpose of electing directors of the company, giving at least four weeks' notice of such meeting by advertisement in *The Ontario Gazette* and in one or more newspapers published in the said city of Ottawa of the time, place and purpose of said meeting.

Number of directors and quorum.

10. At such general meeting the shareholders present either in person or by proxy who shall at the opening of such meeting have paid up ten per centum on the stock subscribed by them, shall elect five persons to be directors of the company, in manner and qualified as hereinafter mentioned, who shall constitute a board of directors, and shall hold office until the next general annual meeting, and a majority of the directors shall form a quorum of the board, and may pass such rules, regulations and by-laws as may be deemed expedient, provided they be not inconsistent with this Act and *The Railway Act of Ontario*; and the said board may employ and pay one of their number as managing director.

Rev. Stat. c 207.

When calls may be made.

11. The directors may from time to time make calls of money upon the respective shareholders in respect of the amount of capital respectively subscribed or owing by them as they shall think fit, provided that no calls shall be made at any one time of more than ten per centum of the amount subscribed and owing by each shareholder, and thirty days' notice shall be given of each call, as provided by section 9 of this Act.

Qualifications of directors.

12. No person shall be qualified to be elected as such director by the shareholders unless he be a shareholder holding at least ten shares of stock in the company and unless he has paid up all claims thereon.

Power of aliens.

13. Aliens and companies incorporated abroad, as well as British subjects and corporations may be shareholders in the company, and all such shareholders, whether resident in this province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible for office as directors in the company.

Transfer of shares.

14. Shares in the capital stock of the company may be transferred by any form of instrument in writing, but no transfer shall become effectual unless the stock or scrip certificates issued in respect of shares intended to be transferred are surrendered to the company, or the surrender thereof dispensed with by the company.

Payments in stocks or bonds.

15. The provisional directors or the elected directors may pay or agree to pay, in paid up stock, or in the bonds of the company, such sums as they may deem expedient, to engin-

eers or contractors or for the right of way or material, plant or rolling stock, and also when sanctioned by a vote of the shareholders at any general meeting, for the services of the promoters or other persons who may be employed by the directors in furthering the undertaking or for purchasing the right of way, material, plant or rolling stock, whether such promoters or other persons be provisional or elected directors or not and any agreement so made shall be binding on the company.

16. The head office of the company shall be at the said city of Ottawa and the general annual meeting of the shareholders of the *company* shall be held in such place in the said city of Ottawa or in such other place and on such days and at such hours as may be directed by the by-laws of the company, and public notice thereof shall be given at least *four* weeks previously in *The Ontario Gazette* and once a week in one newspaper published in the said ~~city~~ city of Ottawa ~~and~~ during the *four* weeks immediately preceding the week in which such meeting is to be held. General annual meeting.

17. Special general meetings of the shareholders of the company may be held at such places and at such times and in such manner and for such purposes as may be provided by the by-laws of the company, upon such notice as is provided in the last preceding section. General meetings.

18. Conveyances of lands to the company for the purposes of and powers given by this Act, made in the form set forth in Schedule A., hereunder written, or to the like effect, shall be sufficient conveyance to the company, their successors and assigns, of the estate or interest therein mentioned and sufficient bar of dower, respectively, of all persons executing the same; and such conveyances shall be registered in the same manner and upon such proof of execution as is required under the registry laws of Ontario, and no registrar shall be entitled to demand more than seventy-five cents for registering the same, including all entries and certificates thereof, and certificates endorsed on the duplicates thereof. Conveyance of land to company.

19. It shall be lawful for the corporation of any municipality through any part of which the railway of the company passes or in which it is situate, by by-law specially passed for that purpose, to exempt the company and its property within such municipality either in whole or in part, from municipal assessment or taxation, or to agree to a certain sum per annum, or otherwise, in gross, by way of commutation or composition, for payment or in lieu of all or any municipal rates or assessments to be imposed by such municipal corporation, and for such term of years as such municipal corporation may deem expedient, not exceeding twenty-one years, and no such by-law shall be repealed unless in conformity with a condition contained therein. By-laws granting exemption from taxation.

Gifts of lands. **20** Any municipality through which the said railway may pass or is situate is empowered to grant by way of gift to the company any lands belonging to such municipality or over which it may have control which may be required for right of way, station grounds, or other purposes connected with the running or traffic of the company's railway; and the company shall have power to accept gifts of land from any government or any person or body corporate or politic and shall have power to sell or otherwise dispose of the same for the benefit of the company.

Power to purchase whole lots.

21. Whenever it shall be necessary for the purpose of procuring sufficient land for stations or gravel pits or for constructing, maintaining and using the said railway, and in case by purchasing the whole of any lot or parcel of land over which the railway is to run, the company can obtain the same at a more reasonable price or to greater advantage than by purchasing the railway line only, the company may purchase, hold, use and enjoy such lands, and also the right of way thereto, if the same be separated from its railway, and may sell and convey the same or any part thereof from time to time as the directors of the company may deem expedient, but the compulsory clauses of *The Railway Act of Ontario* shall not apply to this section.

Rev. Stat. c. 207.

Acquiring material for construction.

22. When stone, gravel, earth or sand is or are required for the construction or maintenance of the railway or any part thereof, the company may, in case it cannot agree with the owner of the lands on which the same are situated for the purchase thereof, cause an Ontario land surveyor to make a map and description of the property so required, and a copy thereof with notice of arbitration shall be served as in the case of acquiring the right of way, and the notice of arbitration, the award, and the tender of the compensation shall have the same effect as in case of arbitration for the right of way and all the provisions of *The Railway Act of Ontario* and of this Act as to the service of the said notice, arbitration, compensation, deeds, payment of money into court, the right to sell, the right to convey, and the parties from whom the lands may be taken or who may sell, shall apply to the subject matter of this section as to the obtaining materials as aforesaid, and such proceedings may be had by the company either for the right to the fee simple in the land from which said materials shall be taken or for the right to take materials for any time the company shall think necessary, the notice of arbitration in case arbitration is resorted to, to state the interest required.

Rev. Stat. c. 207.

Sidings to gravel pits.

23.—(1) When said gravel, earth, stone or sand shall be taken under the preceding section of this Act, at a distance from the line of the railway, the company may lay down the necessary sidings and tracks over any lands which may inter-

vene between the railway and the lands on which said material shall be found, whatever the distance may be ; and all the provisions of *The Railway Act of Ontario* and of this Act, except such as relate to filing plans and publications of notice shall apply and may be used and exercised to obtain the right of way from the railway to the land on which such materials are situated : and such right may be so acquired for a term of years or permanently, as the company may think proper, and the powers in this and the preceding section may at all times be exercised and used in all respects after the railway is constructed for the purpose of repairing and maintaining the said railway.

Rev. Stat.
c. 207.

(2) When estimating the damages for the taking of gravel stone, earth or sand, sub-section 9 of section 20 of *The Railway Act of Ontario* shall not apply.

24. The company shall have the right, on and after the 1st day of November in each year, to enter into and upon any lands of Her Majesty, or into or upon any lands of any corporation or persons whatsoever, lying along the route or line of said railway, and to erect and maintain snow fences thereon, subject to the payment of such damages (if any) as may be hereafter established in the manner provided by law in respect of such railway, to have been actually suffered, provided always that any such snow fences so erected shall be removed on or before the first day of April next following.

Power to
erect snow
fence.

25. The company shall have power and authority :—

General
powers.

(1) To receive, hold and take all voluntary grants and donations of land or other property made to it to aid in the construction, maintenance and accommodation of the railway, but the same shall be held and used for the purpose of such grants or donations only.

(2) To purchase land for and erect warehouses, elevators docks, stations, workshops, power-houses and offices, and to sell and convey such land as may be found superfluous for any such purpose, and the company shall have power to hold as part of the property of the said company as many steam or other vessels as the directors of the company may deem requisite from time to time to facilitate the carriage of passengers, freight and other traffic in connection with the railway.

(3) To erect and maintain all necessary and convenient buildings, stations, depots, wharves and fixtures, and from time to time to alter, repair or enlarge the same, and to *build*, purchase and acquire engines, motors, carriages, wagons and other machinery and contrivances necessary or convenient for the working of the railway and the accommodation and use of the passengers, freight and business of the company.

~~23~~(4) To construct, maintain and operate works for the production of electricity for the motive power of the said railways

Powers as to
production
and use of

electricity. and for the lighting and heating the rolling stock and other property of the company ;²⁶

Lease or sell electricity not required for railway. ²⁷(5) To sell or lease any such electricity not required for the purposes aforesaid to any person or corporation, and the company in that behalf shall, subject to the provisions and restrictions of this Act, possess the powers, rights and privileges, and be subject to all the obligations and restrictions of joint stock companies incorporated under *The Act respecting Companies for supplying Steam, Heat, Electricity or Natural Gas for Heat, Light or Power*, and to acquire and hold any property necessary for the purposes mentioned in this subsection ;²⁸

Rev. Stat. c. 200.

Acquiring rights for conveying electricity. ²⁷(6) To purchase the right to convey electricity required for the working of the railway and lighting or heating the same over, through or under lands other than the lands of the said railway, and with the consent of the councils of the municipalities affected, to purchase the right to lay conduits under, or erect poles and wires on or over such lands as may be determined by the company, and along and upon any of the public highways, or across any of the waters in this Province by the erection of the necessary fixtures, including posts, piers or abutments for sustaining the cords or wires of such lines, or the conduits for such electricity, upon and subject to such agreement in respect thereof as shall first be made between the company and any private owners of the land affected, and between the company and any municipality in which such works or any part thereof or of the railway may be situate, and under and subject to any by-law or by-laws of the council of such municipality passed in pursuance thereof.²⁸

(7) To construct, erect, and make all other matters and things necessary and convenient for the making, extending and using of the railway in pursuance of and according to the meaning of this Act.

Construction on streets, etc.

²⁶26.—(1) The railway of the company shall not be constructed or operated on, upon or along any street, highway or public place of any municipality until first authorized by an agreement in respect thereto made between the company and such municipality, and under and subject to the terms of such agreement and of this Act and of any by-law or by-laws of the council of said municipality to be passed in pursuance thereof ; and in all such cases any and every work, matter or thing in connection with electricity or other motor power, and the application and using thereof in so constructing, operating and working such railway, or the cars, carriages, engines, motors or machines aforesaid shall be so constructed, erected, laid down and arranged as to impede or incommode the public use of such street, highway or public place as little as possible, and so as not to be a nuisance thereto, nor to interfere with the free access to any house or other building erected in the vicinity of the same, and the electric and other appliances shall be of such an improved manufacture and so placed as to avoid

so far as possible any danger to buildings or other property, and provided that none of the works or property of the company shall be so constructed or placed as to injuriously interrupt navigation in any navigable water. ⁶²

⁶²(2) The by-laws mentioned in section 2, sub-section 6 of the preceding section and in this section shall be subject to the conditions and provisions of section 632 of *The Municipal Act*. ⁶² Rev. Stat.
c. 223, s. 632.

27. *The company may enter into an agreement or agreements with any other company or companies, if lawfully authorized to enter into such agreements, or with any person or persons, for leasing, hiring or use of any engines, motors, carriages, cars, rolling stock, and other moveable property from such companies or persons for such time or times and on such terms as may be agreed on ; and also to enter into agreements with any railway company or companies, if so lawfully authorized, for the use by one or more of such contracting companies, of the engines, motors, carriages, cars, rolling stock and other moveable property of the other or others of them on such terms as to compensation and otherwise as may be agreed upon.*

⁶²**28.** *The company may also construct an electric telegraph line and a telephone line throughout and along the whole line of their railway and the branches thereof or any part of the said railway or branches and for the purpose of constructing, working and protecting the said telegraph and telephone lines, the powers conferred upon telegraph companies by *The Act respecting Telegraph Companies* being chapter 192 of the Revised Statutes of Ontario, 1897, are hereby conferred upon the company ; provided, that no poles shall be erected in the construction of either of the said lines in or through any city, town or incorporated village without the consent of the council of such city, town or village being first obtained by the company ; and the company may undertake the transmission of messages for the public by such line or lines of telegraph or telephone and collect tolls for so doing.* ⁶² Telegraph
and tele-
phone lines.

29. *The company may enter into agreements with the Canadian Pacific Railway Company and The Holland and Emery Company's Railway, if lawfully empowered to enter into such agreement, for the interchange of cars and traffic and for connections and running arrangements upon terms to be approved of by two-thirds in value of the shareholders of the company at a special general meeting to be held for that purpose and every such agreement shall be valid and binding according to the terms and tenor thereof ;⁶² but this section shall not be construed as purporting or intending to confer rights or powers upon any company which is not within the legislative authority of this Province.* ⁶² Interchange
of traffic with
other com-
panies.

Bonding
powers.

30.—(1) The directors of the company under the authority of the shareholders to them given at any special general meeting called for the purpose, at which meeting shareholders representing at least two-thirds in value of the subscribed stock of the company who have paid all calls due thereon are present in person or represented by proxy may, subject to the provisions in *this* Act contained, issue bonds, debentures or other securities to the extent limited by this Act for each and every mile of single track of the said railway and extensions and branches; such bonds, debentures, or other securities shall be signed by the president or other presiding officer and counter-signed by the secretary which counter-signature and the signature of the coupons attached to the same may be engraved; and such bonds, debentures or other securities may be made payable at such time and in such manner and at such place or places in Canada or elsewhere and may bear such rate of interest not exceeding six per cent. per annum as the directors may think proper:

- (a) The directors shall issue and sell or pledge all or any of the said bonds, debentures or other securities at the best price and upon the best terms and conditions which at the time they may be able to obtain for the purposes of raising money for prosecuting the said undertaking, or they may pledge the said bonds, debentures or other securities for the purpose of procuring the rails, fish plates and electric plant necessary for the undertaking.
- (b) No such bond, debenture, or other security shall be for a less sum than one hundred dollars.
- (c) The power of issuing bonds by this Act conferred upon the company hereby, shall not be construed as being exhausted by such issue, but such power may be exercised from time to time upon the bonds constituting such or any issue being withdrawn or paid off and duly cancelled, but no bond or debenture shall be issued until twenty per centum of the subscribed capital has been actually expended on the work.
- (d) The whole amount of the issue of such bonds shall not exceed in all the sum of \$14,000 for each and every mile of single track of the company's railway and extensions and branches.
- (e) Such bonds shall be issued only in proportion to the length of the railway constructed or under contract to be constructed.

(2) The company may secure such bonds, debentures or other securities by a mortgage deed, creating such mortgages, charges and encumbrances upon the whole of such property, assets, rents, and revenues of the company, present or future or both, as are described in the said deed; but such rents and

revenues shall be subject in the first instance to the payment of any penalty imposed for the non-compliance with the requirements of this Act, respecting returns to be made under this Act, and next to the payment of the working expenses of the railway, as in this Act defined, other than the interest on mortgage or debenture indebtedness.

- (a) By the said deed the company may grant to the holders of such bonds, debentures or other securities, or the trustees named in such deed, all and every the powers, rights and remedies granted by this Act in respect of the said bonds, debentures or other securities, and all other powers, rights and remedies not inconsistent with this Act, or may restrict the said holders in the exercise of any power, privilege or remedy granted by this Act, as the case may be; and all the powers, rights and remedies so provided for in such mortgage deed shall be valid and binding, and available to the said holders in manner and form as therein provided.
- (b) Every such mortgage deed shall be deposited in the office of the Provincial Secretary, of which deposit notice shall be given by the company in *The Ontario Gazette*.
- (c) It shall not be necessary in the exercise of the powers as to mortgaging and in order to preserve the priority, lien, charge, mortgage or privilege purporting to appertain to or be created by any bond, debenture or other security issued, or mortgage deed executed under the authority of this Act, that such bond or deed should be registered in any manner or in any place whatsoever except at the office of the Provincial Secretary as aforesaid, nor shall it be necessary to comply with the provisions of *The Bills of Sale and Chattel Mortgage Act*, or any Act requiring the registration or renewal of mortgages of chattels, but any mortgage which may be executed by the company under the powers conferred upon it, shall, upon the same being deposited in the office of the Provincial Secretary, have full force and effect and priority according to the time of deposit, and shall form a lien and encumbrance upon any personal property or chattels therein embraced, to all intents and purposes, as therein expressed and set forth, as if the provisions of the said *Bills of Sale and Chattel Mortgage Act* or any Act requiring registration or renewal of mortgages of chattels have been fully complied with.
- (3) Until they have been surrendered and lawfully cancelled, the bonds, debentures or other securities hereby authorized to be issued, shall be taken and considered to be the first prefer-

Rev. Stat.
c. 148.

ential claim and charge upon the company and the privileges acquired under this Act, and the franchise and undertaking, tolls and income, rents and revenues, and real and personal property thereof at any time acquired, save and except as provided for in the next preceding sub-section.

(a) Each holder of the said bonds, debentures or other securities shall, until they have been surrendered and lawfully cancelled, be deemed to be a mortgagee or encumbrancer upon the said securities pro rata with all other holders and no proceedings authorized by law or by this Act shall be taken to enforce payment of the said bonds, debentures, or other securities, or of the interest thereon, except through the trustee or trustees appointed by or under such mortgage deed.

(4) If the company makes default in paying the principal or interest on any of the bonds, debentures or other securities hereby authorized at the time when the same by the terms of the bond, debenture or other security becomes due and payable then~~at~~ at the next annual general meeting of the company and~~at~~ at all subsequent meetings, all holders of bonds, debentures or other securities, so being and remaining in default, shall in respect thereof, have and possess the same rights and privileges and qualifications for being elected directors and for voting at general meetings as would attach to them as shareholders if they held fully paid up shares of the company to a corresponding amount.

(a) The rights given by this sub-section shall not be exercised by any such holder unless it is so provided by the mortgage deed nor unless the bond, debenture or other security in respect of which he claims to exercise such rights has been registered in his name in the same manner as the shares of the company are registered, at least ten days before he attempts to exercise the right of voting thereon; and the company shall be bound on demand to register such bonds, debentures or other securities and any transfers thereof thereafter in the same manner as shares or transfers of shares.

(b) The exercise of the rights given by this sub-section shall not take away, limit or restrain any other of the rights or remedies to which the holders of the said bonds, debentures or other securities are entitled under the provisions of any such mortgage deed.

(5) All bonds, debentures, or other securities hereby authorized may be made payable to bearer, and shall in that case be transferable by delivery until registration thereof as hereinbefore provided, and while so registered they shall be transferable by written transfers registered in the same manner as in the case of *the* transfer of shares.

(6) Any lands or chattel property which have become no longer useful or necessary for the purposes of the company may be released by the trustees of any mortgage securing the bonds of the company if a provision for such release is contained in the mortgage and thereafter such released lands or chattel property shall be held freed and discharged from any lien created by the said mortgage or by any of the Acts relating to the company in favour of the said bondholders

31. The company shall have power and authority to become parties to promissory notes and bills of exchange for sums not less than one hundred dollars, and any such promissory note or bill of exchange made, accepted or endorsed by the president or vice-president of the company and countersigned by the secretary or treasurer of the company and under the authority of a quorum of the directors shall be binding on the company; and every such promissory note or bill of exchange so made, accepted or endorsed shall be presumed to have been made, accepted or endorsed with proper authority, until the contrary be shown, and in no case shall it be necessary to have the seal of the company affixed to such promissory note or bill of exchange; nor shall the president, vice-president or the secretary or *treasurer* be individually responsible for the same, unless the said promissory notes or bills of exchange have been issued without the sanction and authority of the directors as herein provided and enacted; provided, however, that nothing in this section shall be construed to authorize the company to issue any promissory note or bill of exchange payable to bearer or intended to be circulated as money or as the notes or bills of a bank.

Negotiable instruments.

32. The company shall have power to collect and receive all charges subject to which goods or commodities may come into their possession, and on payment of such back charges and without any formal transfer shall have the same lien for the amount thereof upon such goods and commodities as the person to whom such charges were originally due and shall be subrogated by such payment in all the rights and remedies of such persons for such charges.

Collection of back charges

33. The provisions of *The Electric Railway Act* shall not apply to the company hereby incorporated but the several clauses of *The Railway Act of Ontario*, and of every Act in amendment thereof shall be incorporated with, and be deemed to be part of this Act, and shall apply to the company and to the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof; and the expression "this Act," when used herein shall be understood to include the clauses of the said *Railway Act* and of every Act in amendment thereof so incorporated with this Act.

Incorporation of provisions of Rev. Stat. c. 207.

34. The said railway shall be commenced within three

Time of commencement.

ment and completion.

years and completed within six years from the passing of this Act.

SCHEDULE A:

(Section 18.)

Know all men by these presents that I (or we) (insert the name or names of the vendor or vendors) in consideration of dollars paid to me (or us) by the Nickel Belt Railway Company, the receipt whereof is hereby acknowledged, do grant and convey unto the said company, and I (or we) insert the name or names of any other party or parties) in consideration of dollars paid to me (or us) by the said company, the receipt whereof is hereby acknowledged, do grant and release all that certain parcel (or those certain parcels, as the case may be) of land (describe the land) the same having been selected and laid out by the said company for the purposes of its railway, to hold with the appurtenances unto the said The Nickel Belt Railway Company, their successors and assigns forever (here insert any other clauses, covenants and conditions required), and I (or we) the wife (or wives) of the said do hereby bar my (or our) dower in the said lands.

As WITNESS my (or our) hand and seal (or hands and seals) this day of , one thousand nine hundred Signed, sealed and delivered in the presence of

}

(L.S.)

BILL.

An Act to incorporate The Nickel Belt
Railway Company.

First Reading, 14th March, 1900.

*(Reprinted as amended by Railway
Committee.)*

(Private Bill).

Mr. LOUGHRIN.

TORONTO:

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Printer to the Queen's Most Excellent Majesty.

