

Fine Binding

THE CARSWELL COMPANY LIMITED



July 16 1901

8425

~~7109~~

No. 1.]

BILL.

[1901.

An Act respecting the Town of Petrolea.

WHEREAS the Municipal Corporation of the Town of Petrolea has petitioned praying that an Act may be passed to ratify, confirm and legalize By-law No. 605, of the said town, intituled "A By-law of the Corporation of the Town of Petrolea to raise the sum of \$18,000 to repay temporary loans obtained for the purpose of meeting the amount required to secure a release from the judgment obtained in the action brought by Thomas Johnston against the Corporation in respect of sewage discharged into Bear Creek and for other purposes and to issue debentures therefor to the said amount, and to authorize the levying of a special rate for the payment of such debentures and interest," a copy of which said By law is set out in Schedule "A" to this Act: and whereas before the final passing thereof the said By-law was duly submitted to a vote of the ratepayers in accordance with the provisions of *The Municipal Act* and was approved by a large majority of the ratepayers voting thereon, and was finally passed by the Council of the said Town on the 21st day of May, 1900; and whereas the said By-law was duly registered in the Registry Office for the County of Lambton, on the 28th day of May, 1900, being within four weeks of the final passing thereof; and whereas no application has been made to any court to set aside or quash the said By-law, nor has any action been brought whereby the validity of the said By-law has been or is likely to be brought in question; and whereas one year has nearly expired since the passing of the said By-law and no debentures have yet been issued thereunder; and whereas the said Corporation has represented that it is necessary and expedient and of advantage to said Municipality as well as just and right that the said By-law No. 605 should be ratified and declared legal, valid and binding on said Municipality; and whereas it is expedient to grant the prayer of the said petition.

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

1. The said By-law Number 605 of the Municipal Corporation of the Town of Petrolea set forth in Schedule "A" to this Act is hereby confirmed and declared legal, valid and binding to all intents and purposes; and the said Municipal

By-law No. 605 confirmed and debentures authorized.

Corporation is hereby authorized and empowered, either before or after the expiration of one year from the passing of said by-law to issue the debentures mentioned in the said By-law, and the debentures to be so issued under the said By-law when issued shall be legal, valid, and binding upon the said Municipal Corporation of the Town of Petrolea and the ratepayers thereof notwithstanding anything in any Act to the contrary. 5

SCHEDULE A.

BY-LAW No. 605.

A By-law of the Corporation of the Town of Petrolea to raise the sum of \$18,000.00 to repay temporary loans obtained for the purpose of meeting the amount required to secure a release from the Judgment obtained in the action brought by Thomas Johnson against the Corporation in respect of sewage discharged into Bear Creek, and for other purposes, and to issue Debentures therefor to the said amount, and to authorize the levying of a special rate for the payment of such debentures and interest.

Provisionally passed this Ninth day of April A.D. 1900.

Whereas, in order to secure a full discharge and release from the Judgment obtained in the said action brought in the High Court of Justice for Ontario by Thomas Johnston against this Municipality in respect of the Town sewage discharged into Bear Creek, and also from the injunction decreed against this Corporation in said action: and to cover the balance of the costs of said action and of the defence thereof this Corporation has paid the sum of \$5,763.84, which amount the Corporation procured by means of temporary loans;

And, whereas, the Corporation has purchased from some of the proprietors of lands through which Bear Creek flows rights for all time to come to discharge certain town sewage into said stream at an expenditure of \$960.00, which amount was also secured by means of a temporary loan;

And whereas it has been deemed advisable to procure further permanent rights of way for town sewage into said stream, which it is estimated will cost \$500;

And whereas the sum of \$3,594.77 has been expended in the construction of the water-works system of the town, and in the extensions thereof recently made, in excess of the amount realized on the sale of the Debentures for the original construction of the works and for interest on such moneys while on deposit: which said amount of \$3,594.77 has also been procured by means of temporary loans;

And whereas, in addition to the foregoing, the Corporation has also procured temporary loans to the extent of \$7,181.39 to meet certain general expenditures of the Corporation, largely of a permanent character and, which, but for the rates necessarily raised to meet the payment of the waterworks Debentures might readily have been paid out of the ordinary annual revenues of the Corporation raised by taxation:

And whereas, in the opinion of the Council of said Corporation the revenue to be derived from the waterworks, including a reasonable allowance for hydrant rental for fire purposes, will in the future be sufficient not only to meet the annual expenses connected with operating the works, but will also be sufficient to redeem the Debentures hereafter falling due, which were issued for the original construction of the works, together with the interest accruing thereon;

And whereas, the total amount required to repay the said several tem-

porary loans and to purchase the additional rights of way for sewage heretofore referred to is \$18,000.00 ;

And whereas, it has been deemed advisable that the said sum of \$18,000.00 instead of being raised by taxation during the present year should be raised on the credit of the Municipality by the issue of Debentures to the said amount ; bearing interest at the rate of 4½ per centum per annum, payable as hereinafter provided ;

And whereas the Corporation has resolved that the said Debentures shall be payable in annual instalments within twenty years from the day on which this By-law takes effect, said instalments to be of such amounts that the aggregate amount payable for principal and interest in any one year shall be equal as nearly as may be to what is paid for principal and interest during each of the other years of such period ; and that the first of such annual instalments shall be payable on the 31st day of December, A. D. 1900 :

And whereas the whole amount of the ratable property of the Municipality according to the last Revised Assessment Roll of said Town is \$1,195,510 :

And whereas the existing debenture debt of the said Town is \$209,609.04, and no part of the principal or interest is in arrears :

And whereas for paying off the said debentures and interest there will require to be raised the several sums in each year respectively set forth in the following schedule :

SCHEDULE B.

In the Year	Principal.	Interest.	Total.
1900.....	\$573 77	\$810 00	\$1,383 77
1901.....	599 59	784 18	1,383 77
1902.....	626 57	757 20	1,383 77
1903.....	654 77	729 00	1,383 77
1904.....	684 23	699 54	1,383 77
1905.....	715 02	668 75	1,383 77
1906.....	747 20	636 57	1,383 77
1907.....	780 82	602 95	1,383 77
1908.....	815 96	567 81	1,383 77
1909.....	852 68	531 09	1,383 77
1910.....	891 05	492 72	1,383 77
1911.....	931 15	452 62	1,383 77
1912.....	973 05	410 72	1,383 77
1913.....	1,016 84	366 93	1,383 77
1914.....	1,062 59	321 18	1,383 77
1915.....	1,110 41	273 36	1,383 77
1916.....	1,160 38	223 39	1,383 77
1917.....	1,212 60	171 17	1,383 77
1918.....	1,267 15	116 62	1,383 77
1919.....	1,324 17	59 60	1,383 77
Total.....	\$18,000 00	\$9,675 40	\$27,675 40

Being the aggregate amount payable for principal and interest equalized as nearly as may be in each year according to the Statute in such cases made and provided.

Therefore the Corporation of the Town of Petrolea enacts as follows :—

1. That it shall be lawful for the Mayor of said Town to borrow the said sum of eighteen thousand dollars, and to issue the debentures of the said Corporation to the said amount in sums of not less than \$100.00 each, and not exceeding in the aggregate the said sum of \$18,000.00 ; which said debentures shall be under the Corporate seal of the said Town and be signed by the Mayor and Treasurer thereof, and shall be payable at the office of the said Treasurer in the said Town of Petrolea.

2. The said Debentures shall be made to secure payment in each of the several years in said Schedule mentioned of the respective sums of

principal and interest so hereinbefore set forth, and they shall have attached to them coupons for the payment of interest.

3. That the said debentures be payable on the 31st day of December in each of the said 20 years mentioned in said Schedule, and shall bear interest at the rate of four and one-half per cent. per annum from the date hereof, and such interest shall be payable annually on the 31st day of December in each of said years.

4. There shall be raised and levied annually in each year of said 20 years in said Schedule mentioned over and above and in addition to all other rates the sum of \$1383.77 by a special rate on all of the rateable property in the Town of Petrolea, the same being a sum sufficient to discharge the several instalments of principal and interest accruing due on said Debentures as the same respectively become payable as hereinbefore recited and mentioned.

5. That the said \$18,000.00, when obtained, shall be applied for the purposes before mentioned according to the true intent and meaning of this By-law.

6. That this By-law shall take effect from and after the day of the final passing thereof.

7. That the votes of the electors of the said Town will be taken on this By-law by the Deputy Returning Officers hereinafter named, on Thursday, the Third day of May, A.D. 1900, commencing at the hour of nine o'clock in the forenoon and continuing until five o'clock in the afternoon of the same day at the following places:—

Polling Sub-division Number One, at Room over John Marks' tailor shop, being the old Council Chamber, by James Falconer, Dy. R. O.

Polling Sub-division Number Two, at the Council Chamber, Town Hall, by John Sinclair, Dy. R. O.

Polling Sub-division Number Three, at the East End Fire Hall, by Hiram Cooley, Dy. R. O.

Polling Sub-division Number Four, at the residence of Alexander Robins, on Main Street, by James L. Simpson, Dy. R. O.

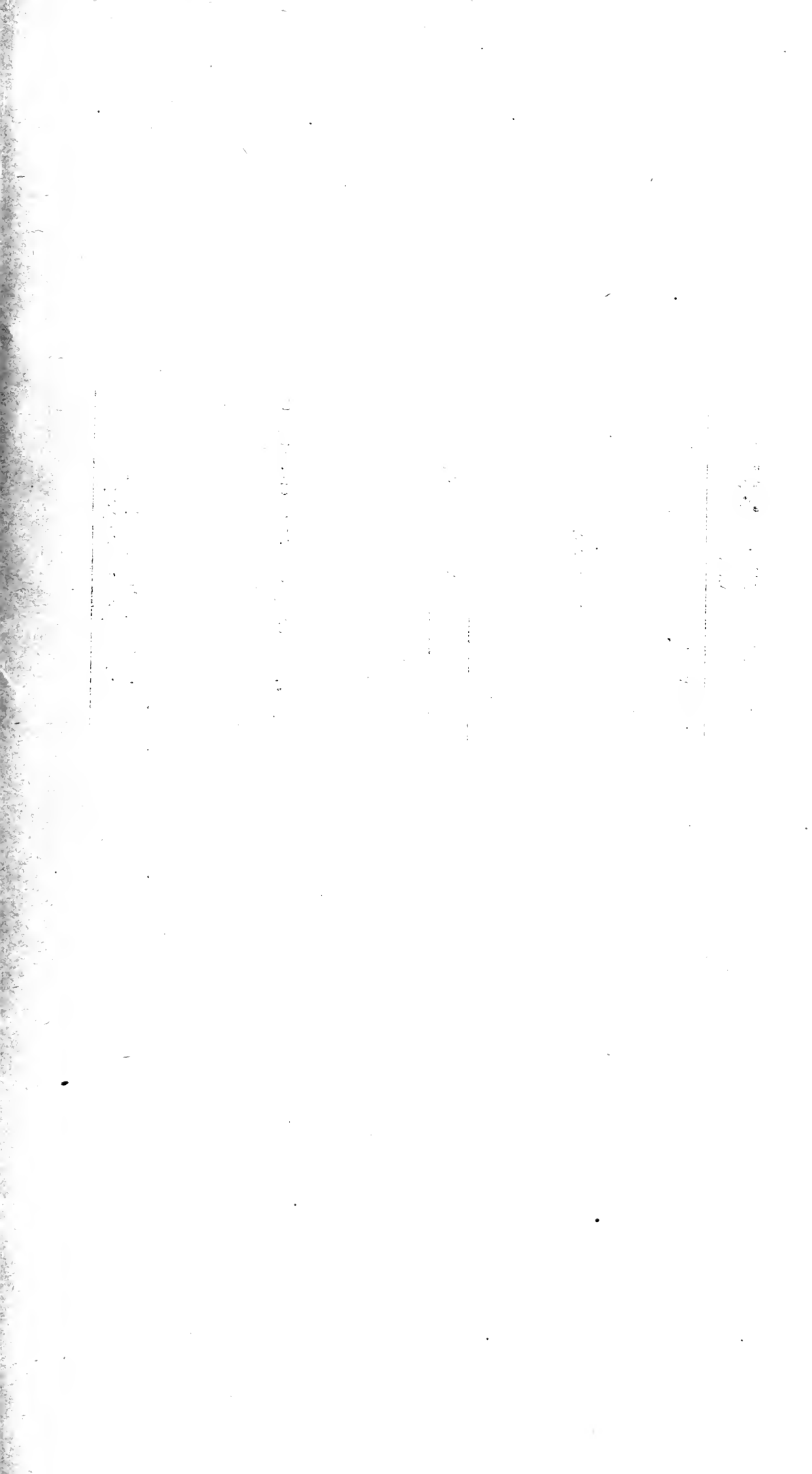
8. On Monday, the 30th day of April, 1900, at his office in Victoria Hall, Petrolea, at ten o'clock in the forenoon the Mayor shall appoint in writing, signed by himself, two persons to attend to the final summing up of the votes by the Clerk of the said Corporation and one person to attend at each of said polling places 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.

The said Clerk shall attend at the Council Chamber of said Municipality in Victoria Hall, at the hour of ten of the Clock in the forenoon, on Friday, the Fourth day of May, A.D. 1900, to sum up the number of votes given for and against this By-law.

Finally passed, this twenty-first day of May, one thousand nine hundred.

(Sgd.) JOHN MCHATTIE, JAS. W. McCUTCHEON,
Town Clerk. Mayor.

Seal.



No. 1.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act respecting the Town of Petrolea.

First Reading, 1901.

(Private Bill.)

Mr. PARDEE.

TORONTO

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

An Act respecting the Town of Petrolea.

WHEREAS the Municipal Corporation of the Town of Preamble. Petrolea has petitioned praying that an Act may be passed to ratify, confirm and legalize By-law No. 605, of the said town, intituled "A By-law of the Corporation of the Town of Petrolea to raise the sum of \$18,000 to repay temporary loans obtained for the purpose of meeting the amount required to secure a release from the judgment obtained in the action brought by Thomas Johnston against the Corporation in respect of sewage discharged into Bear Creek and for other purposes and to issue debentures therefor to the said amount, and to authorize the levying of a special rate for the payment of such debentures and interest," a copy of which said By law is set out in Schedule "A" to this Act; and whereas before the final passing thereof the said By-law was duly submitted to a vote of the ratepayers in accordance with the provisions of *The Municipal Act* and was approved by a large majority of the ratepayers voting thereon, and was finally passed by the Council of the said Town on the 21st day of May, 1900; and whereas the said By-law was duly registered in the Registry Office for the County of Lambton, on the 28th day of May, 1900, being within four weeks of the final passing thereof; and whereas no application has been made to any court to set aside or quash the said By-law, nor has any action been brought whereby the validity of the said By-law has been or is likely to be brought in question; and whereas one year has nearly expired since the passing of the said By-law and no debentures have yet been issued thereunder; and whereas the said Corporation has represented that ^{the} the sale of the debentures to be issued under the said By-law would be greatly facilitated and their commercial value enhanced were ^{the} the said By-law No. 605 ratified and declared legal, valid and binding on the said Municipality; and whereas it is expedient to grant the prayer of the said petition.

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

1. The said By-law Number 605 of the Municipal Corporation of the Town of Petrolea set forth in Schedule "A" to this Act is hereby confirmed and declared legal, valid and binding to all intents and purposes and the said Municipal By-law No. 605 confirmed and debentures authorized.

Corporation is hereby authorized and empowered, either before after the expiration of one year from the passing of said by-law to issue the debentures mentioned in the said By-law, and the debentures to be so issued under the said By-law when issued shall be legal, valid, and binding upon the said Municipal Corporation of the Town of Petrolea and the ratepayers thereof notwithstanding anything in any Act to the contrary.

SCHEDULE A.

BY-LAW No. 605.

A By-law of the Corporation of the Town of Petrolea to raise the sum of \$18,000.00 to repay temporary loans obtained for the purpose of meeting the amount required to secure a release from the Judgment obtained in the action brought by Thomas Johnson against the Corporation in respect of sewage discharged into Bear Creek, and for other purposes, and to issue Debentures therefor to the said amount, and to authorize the levying of a special rate for the payment of such debentures and interest.

Provisionally passed this Ninth day of April A.D. 1900.

Whereas, in order to secure a full discharge and release from the Judgment obtained in the said action brought in the High Court of Justice for Ontario by Thomas Johnston against this Municipality in respect of the Town sewage discharged into Bear Creek, and also from the injunction decreed against this Corporation in said action: and to cover the balance of the costs of said action and of the defence thereof this Corporation has paid the sum of \$5,763.84, which amount the Corporation procured by means of temporary loans;

And, whereas, the Corporation has purchased from some of the proprietors of lands through which Bear Creek flows rights for all time to come to discharge certain town sewage into said stream at an expenditure of \$960.00, which amount was also secured by means of a temporary loan;

And whereas it has been deemed advisable to procure further permanent rights of way for town sewage into said stream, which it is estimated will cost \$500;

And whereas the sum of \$3,594.77 has been expended in the construction of the water-works system of the town, and in the extensions thereof recently made, in excess of the amount realized on the sale of the Debentures for the original construction of the works and for interest on such moneys while on deposit: which said amount of \$3,594.77 has also been procured by means of temporary loans;

And whereas, in addition to the foregoing, the Corporation has also procured temporary loans to the extent of \$7,181.39 to meet certain general expenditures of the Corporation, largely of a permanent character and, which, but for the rates necessarily raised to meet the payment of the waterworks Debentures might readily have been paid out of the ordinary annual revenues of the Corporation raised by taxation;

And whereas, in the opinion of the Council of said Corporation the revenue to be derived from the waterworks, including a reasonable allowance for hydrant rental for fire purposes, will in the future be sufficient not only to meet the annual expenses connected with operating the works, but will also be sufficient to redeem the Debentures hereafter falling due, which were issued for the original construction of the works, together with the interest accruing thereon;

And whereas, the total amount required to repay the said several tem-

porary loans and to purchase the additional rights of way for sewage hereinafter referred to is \$18,000.00 ;

And whereas, it has been deemed advisable that the said sum of \$18,000.00 instead of being raised by taxation during the present year should be raised on the credit of the Municipality by the issue of Debentures to the said amount ; bearing interest at the rate of 4½ per centum per annum, payable as hereinafter provided ;

And whereas the Corporation has resolved that the said Debentures shall be payable in annual instalments within twenty years from the day on which this By-law takes effect, said instalments to be of such amounts that the aggregate amount payable for principal and interest in any one year shall be equal as nearly as may be to what is paid for principal and interest during each of the other years of such period ; and that the first of such annual instalments shall be payable on the 31st day of December, A. D. 1900 :

And whereas the whole amount of the ratable property of the Municipality according to the last Revised Assessment Roll of said Town is \$1,195,510 :

And whereas the existing debenture debt of the said Town is \$209,609.04, and no part of the principal or interest is in arrears :

And whereas for paying off the said debentures and interest there will require to be raised the several sums in each year respectively set forth in the following schedule :

SCHEDULE B.

In the Year	Principal.	Interest.	Total.
1900.....	\$573 77	\$810 00	\$1,383 77
1901.....	599 59	784 18	1,383 77
1902.....	626 57	757 20	1,383 77
1903.....	654 77	729 00	1,383 77
1904.....	684 23	699 54	1,383 77
1905.....	715 02	668 75	1,383 77
1906.....	747 20	636 57	1,383 77
1907.....	780 82	602 95	1,383 77
1908.....	815 96	567 81	1,383 77
1909.....	852 68	531 09	1,383 77
1910.....	891 05	492 72	1,383 77
1911.....	931 15	452 62	1,383 77
1912.....	973 05	410 72	1,383 77
1913.....	1,016 84	366 93	1,383 77
1914.....	1,062 59	321 18	1,383 77
1915.....	1,110 41	273 36	1,383 77
1916.....	1,160 38	223 39	1,383 77
1917.....	1,212 60	171 17	1,383 77
1918.....	1,267 15	116 62	1,383 77
1919.....	1,324 17	59 60	1,383 77
Total.....	\$18,000 00	\$9,675 40	\$27,675 40

Being the aggregate amount payable for principal and interest equalized as nearly as may be in each year according to the Statute in such cases made and provided.

Therefore the Corporation of the Town of Petrolea enacts as follows :—

1. That it shall be lawful for the Mayor of said Town to borrow the said sum of eighteen thousand dollars, and to issue the debentures of the said Corporation to the said amount in sums of not less than \$100.00 each, and not exceeding in the aggregate the said sum of \$18,000.00 ; which said debentures shall be under the Corporate seal of the said Town and be signed by the Mayor and Treasurer thereof, and shall be payable the office of the said Treasurer in the said Town of Petrolea.

2. The said Debentures shall be made to secure payment in each of the several years in said Schedule mentioned of the respective sums of

principal and interest so hereinbefore set forth, and they shall have attached to them coupons for the payment of interest.

3. That the said debentures be payable on the 31st day of December in each of the said 20 years mentioned in said Schedule, and shall bear interest at the rate of four and one-half per cent. per annum from the date hereof, and such interest shall be payable annually on the 31st day of December in each of said years.

4. There shall be raised and levied annually in each year of said 20 years in said Schedule mentioned over and above and in addition to all other rates the sum of \$1383.77 by a special rate on all of the rateable property in the Town of Petrolea, the same being a sum sufficient to discharge the several instalments of principal and interest accruing due on said Debentures as the same respectively become payable as hereinbefore recited and mentioned.

5. That the said \$18,000.00, when obtained, shall be applied for the purposes before mentioned according to the true intent and meaning of this By-law.

6. That this By-law shall take effect from and after the day of the final passing thereof.

7. That the votes of the electors of the said Town will be taken on this By-law by the Deputy Returning Officers hereinafter named, on Thursday, the Third day of May, A.D. 1900, commencing at the hour of nine o'clock in the forenoon and continuing until five o'clock in the afternoon of the same day at the following places:—

Polling Sub-division Number One, at Room over John Marks' tailor shop, being the old Council Chamber, by James Falconer, Dy. R. O.

Polling Sub-division Number Two, at the Council Chamber, Town Hall, by John Sinclair, Dy. R. O.

Polling Sub-division Number Three, at the East End Fire Hall, by Hiram Cooley, Dy. R. O.

Polling Sub-division Number Four, at the residence of Alexander Robins, on Main Street, by James L. Simpson, Dy. R. O.

8. On Monday, the 30th day of April, 1900, at his office in Victoria Hall, Petrolea, at ten o'clock in the forenoon the Mayor shall appoint in writing, signed by himself, two persons to attend to the final summing up of the votes by the Clerk of the said Corporation and one person to attend at each of said polling places 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.

The said Clerk shall attend at the Council Chamber of said Municipality in Victoria Hall, at the hour of ten of the Clock in the forenoon, on Friday, the Fourth day of May, A.D. 1900, to sum up the number of votes given for and against this By-law.

Finally passed, this twenty-first day of May, one thousand nine hundred.

(Sgd.). JOHN MCHATTIE,
Town Clerk.

JAS. W. McCUTCHEON,
Mayor.

Seal.

No. 1.

4th Session, 9th Legislature.
1 Edward VII, 1901.

BILL.
An Act respecting the Town of Petrolia.

First Reading, 1901.

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

MR. PARDEE.

TORONTO
PRINTED BY T. K. CAMERON,
Printer to the King's Most Excellent Majesty.

An Act respecting The Supreme Court of the
Independent Order of Foresters.

WHEREAS the Corporation known as The Supreme Court ^{Preamble}
of the Independent Order of Foresters, hereinafter re-
ferred to as the Provincial Corporation, was originally
incorporated under Chapter 167 of the Revised Statutes of
5 Ontario, 1877 ; and whereas The Supreme Court of the Inde-
pendent Order of Foresters, hereinafter called the Dominion
Corporation, was incorporated by an Act of the Parliament of
Canada, being Chapter 104 of the Statutes of 1889 which was
amended by Chapter 51 of the Statutes of 1896, and the said
10 Chapter 104 of the Statutes of 1889 received the Royal Assent
on the second day of May, 1889 ; and whereas the said Pro-
vincial Corporation on, from and after the said second day of
May, 1889, ceased to use or exercise any of its corpor-
ate powers ; and whereas on, from and after the said second
15 day of May, 1889, the Dominion Corporation assumed all the
contracts and liabilities and has paid all the debts, and has
performed and fulfilled all the duties and obligations of the
said Provincial Corporation as the same have matured, and
there are no debts of the said Provincial Corporation remaining
20 now undischarged ; and whereas the said Dominion Corpora-
tion has by petition prayed that it may be enacted that all the
assets, interests, rights, credits, effects and property, real, per-
sonal and mixed, of whatsoever kind and wheresoever situate,
belonging to the said Provincial Corporation or to which
25 the said Provincial Corporation was or might become
entitled, shall be deemed to have been as from the said
second day of May, 1889, transferred to and vested in
the said Dominion Corporation ; and whereas the said
Dominion Corporation has by its petition further prayed
30 that it may be enacted that all persons holding contracts of
insurance or otherwise entitled to claim against the said Pro-
vincial Corporation shall be deemed to have become entitled
as from the said date to claim against the said Dominion Cor-
poration subject to the provisions of the Constitution and
35 Laws of the said Dominion Corporation from time to time in
force ; and whereas it is expedient to grant the prayer of the
said petition :

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

Provincial Corporation deemed to have transferred assets.

1. The said Provincial Corporation shall be deemed to have on the said second day of May, 1889, granted, assigned, transferred and set over unto the said Dominion Corporation, 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 Corporation, or to which the said Provincial Corporation was, is, or shall hereafter be or become entitled. 5

Assets of Provincial Corporation vested in Dominion Corporation.

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 Corporation or to which the said Provincial Corporation was, is, or shall hereafter be or become entitled, shall be deemed as on, from and after the said second day of May, 1889, to have been and to be transferred to and vested in the said Dominion Corporation its successors and assigns to its and their own use absolutely for all the estate, right, title, interest, claim, property and demand which the said Provincial Corporation had or was entitled to have on the said second day of May, 1889, or to which the said Provincial Corporation was, is or shall hereafter be entitled, and it shall be deemed that as from the said day the said Dominion Corporation was and is 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 that the said Provincial Corporation had, has 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 Corporation, and the said Dominion Corporation 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 Corporation. 10 15 20 25 30 35

Rights of members, etc., not impaired.

3. All persons holding contracts of insurance or otherwise entitled to claim against the Provincial Corporation, shall be deemed to have become entitled as from the said second day of May, 1889 to claim against the Dominion Corporation subject to the provisions of the Constitution and Laws of the said Dominion Corporation from time to time in force, and a release, discharge or surrender given on, from and after the said date to or by the said Dominion Corporation of any debt, liability, right or interest of the said Provincial Corporation shall be deemed to have been and to be a sufficient release, discharge or surrender of such debt, liability, right or interest. 40 45

Registration of Instruments.

4. For the purpose 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 50

sufficient in order to show the transmission of title from the Provincial Corporation to the Dominion Corporation if any instrument affecting lands or any interest in lands or personal property or any interest in personal property included or intended to be included in the aforesaid transfer from the said Provincial Corporation to the said Dominion Corporation recite or mention the title of this Act and the Chapter and statute year in which this Act was passed.

Rev. Stat.

c. 138.

Rev. Stat.

c. 136.

Rev. Stat.

c. 148.

No. 2.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting the Supreme Court of
the Independent Order of Foresters.

First Reading,	1901.
----------------	-------

(Private Bill.)

Mr. BARBER.

TORONTO:

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

An Act respecting The Supreme Court of the
Independent Order of Foresters.

WHEREAS the Corporation known as The Supreme Court ^{Preamble}
of the Independent Order of Foresters, hereinafter referred to as the Provincial Corporation, was originally incorporated under Chapter 167 of the Revised Statutes of Ontario, 1877; and whereas The Supreme Court of the Independent Order of Foresters, hereinafter called the Dominion Corporation, was incorporated by an Act of the Parliament of Canada, being Chapter 101 of the Statutes of 1889 which was amended by Chapter 51 of the Statutes of 1896, and the said Chapter 104 of the Statutes of 1889 received the Royal Assent on the second day of May, 1889; and whereas the said Provincial Corporation on, from and after the said second day of May, 1889, ceased to use or exercise any of its corporate powers; and whereas on, from and after the said second day of May, 1889, the Dominion Corporation assumed all the contracts and liabilities and has paid all the debts, and has performed and fulfilled all the duties and obligations of the said Provincial Corporation as the same have matured, and there are no debts of the said Provincial Corporation remaining now undischarged; and whereas the said Dominion Corporation has by petition prayed that it may be enacted that all the assets, interests, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate, belonging to the said Provincial Corporation or to which the said Provincial Corporation was or might become entitled, shall be deemed to have been as from the said second day of May, 1889, transferred to and vested in the said Dominion Corporation; and whereas the said Dominion Corporation has by its petition further prayed that it may be enacted that all persons holding contracts of insurance or otherwise entitled to claim against the said Provincial Corporation shall be deemed to have become entitled as from the said date to claim against the said Dominion Corporation subject to the provisions of the Constitution and Laws of the said Dominion Corporation from time to time in force; and whereas it is expedient to grant the prayer of the said petition:

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

Provincial
Corporation
deemed to
have trans-
ferred assets.

1. The said Provincial Corporation shall be deemed to have on the said second day of May, 1889, granted, assigned, transferred and set over unto the said Dominion Corporation, 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 Corporation, or to which the said Provincial Corporation was, is, or shall hereafter be or become entitled.

Assets of
Provincial
Corporation
vested in
Dominion
Corporation.

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 Corporation or to which the said Provincial Corporation was, is, or shall hereafter be or become entitled, shall be deemed as on, from and after the said second day of May, 1889, to have been and to be transferred to and vested in the said Dominion Corporation its successors and assigns to its and their own use absolutely for all the estate, right, title, interest, claim, property and demand which the said Provincial Corporation had or was entitled to have on the said second day of May, 1889, or to which the said Provincial Corporation was, is or shall hereafter be entitled, and it shall be deemed that as from the said day the said Dominion Corporation was and is 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 that the said Provincial Corporation had, has 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 Corporation, and the said Dominion Corporation 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 Corporation.

Rights of
members, etc.,
not impaired.

3. All persons holding contracts of insurance or otherwise entitled to claim against the Provincial Corporation, shall be deemed to have become entitled as from the said second day of May, 1889 to claim against the Dominion Corporation subject to the provisions of the Constitution and Laws of the said Dominion Corporation from time to time in force, and a release, discharge or surrender given on, from and after the said date to or by the said Dominion Corporation of any debt, liability, right or interest of the said Provincial Corporation shall be deemed to have been and to be a sufficient release, discharge or surrender of such debt, liability, right or interest.

Registration
of
Instruments.

4. For the purpose 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 show the transmission of title from the Provincial Corporation to the Dominion Corporation if any instrument affecting lands or any interest in lands or personal property or any interest in personal property included or intended to be included in the aforesaid transfer from the said Provincial Corporation to the said Dominion Corporation recite or mention the title of this Act and the Chapter and statute year in which this Act was passed.

Rev. Stat.
c. 138.
Rev. Stat.
c. 136.
Rev. Stat.
c. 148.

~~42~~ 5. Section 1 of the Act passed in the 59th year of the reign of Her Late Majesty Queen Victoria, chaptered 120, is hereby amended by striking out, in the last line of the said section, the sum "\$20,000" and substituting in lieu thereof the sum "\$30,000."

No. 2.

4th Session, 9th Legislature,
I Edward VII., 1901.

BILL.

An Act respecting the Supreme Court of
the Independent Order of Foresters.

First Reading, 1901.

*(Reprinted with amendments by Private
Bills Committee.)*

Mr. BARBER.

TORONTO:

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

An Act respecting the Water Works Debentures of
the City of Belleville.

WHEREAS the Municipal Corporation of the City of Belleville has by petition represented that under the authority of By-Law No. 925 of the City of Belleville passed on the 12th day of June, 1899, which By-Law received the assent of the duly qualified ratepayers of the said Municipality as required by law, the said Corporation has issued Debentures to the amount of \$182,000 bearing interest at the rate of three and one-half per cent. per annum, payable half-yearly for the purchase of the Belleville Waterworks, and that the said Corporation purchased and took possession of the said Waterworks on the 1st day of July, 1899, and has since been operating the same but has been unable to dispose of the said debentures at par or realize upon them except at considerable sacrifice owing to the low rate of interest which they bear; and whereas the said Corporation has borrowed the amount required to pay for the said waterworks from bankers on the ordinary credit of the Municipality and the said waterworks and not on the security of the said debentures and the said Corporation is paying therefor a much higher rate of interest than if the amount required were to be raised by the sale or hypothecation of debentures of the said Corporation repayable in thirty years; and whereas the said Corporation has by the said petition prayed that an Act may be passed authorizing the cancelling and destruction of the said issue of \$182,000 of three and one-half per cent. debentures and the amendment of the said By-Law No. 925 by striking out sections 2 to 6 inclusive thereof and that the said Corporation may be further authorized to issue debentures to an amount not exceeding in the whole \$182,000 bearing interest at a rate not exceeding four and one-half per cent. per annum payable half-yearly and with the money obtained therefrom to repay the sum borrowed for the purchase of the said waterworks and the improvement of the said waterworks by putting another main across the river Moira in the said City and in other respects to repay the Corporation the expenses attending the purchase of the said waterworks as set out in the recital in the said By-Law No. 925; and whereas no opposition has been made to the said petition; and whereas it is expedient to grant the prayer of the said petition;

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

Power to amend By-Law No. 925. Rev. Stat. c. 223.

1. The Corporation of the City of Belleville may by By-Law passed in open Council without the assent of the rate-payers, as required by *The Municipal Act*, repeal sections 2 to 6 of the above mentioned By-Law No. 925. 5

Debentures to be destroyed.

2. The said Corporation shall forthwith after the repeal of the said sections cancel and destroy the debentures issued under the authority of the said By-Law No. 925. 10

Power to issue new debentures for water works.

3. It shall be lawful for the said Corporation of the City of Belleville to pass a By-Law or By-Laws providing for the issue of debentures under their Corporate Seal signed by the Mayor and countersigned by the Treasurer for the time being in sums of not less than \$100 each and not exceeding in the whole \$182,000 being the amount authorized by the said By-Law No. 925 and the principal and interest accruing thereon may be made payable either in Canada or Great Britain or elsewhere and either in sterling money of Great Britain or in lawful money of Canada as the said Council of the said Corporation may direct. 15 20

Payment of debentures and interest.

4. The said debentures shall be payable at such time not more than thirty years from the date thereof as the said Corporation may direct. Coupons for the amount of the interest thereon shall be attached to the said debentures and be signed by the Treasurer of the said Corporation and said interest shall be payable half-yearly ; such debentures may bear interest at any rate not exceeding four and one-half per cent. per annum and may be known and described as "The Water Works Debentures" of the Corporation of the City of Belleville. 25 30

Special rate.

5. The said Corporation shall annually during the currency of the said debentures levy in addition to all other rates to be levied in each year a special rate on all taxable property within the Municipality sufficient to pay the amount falling due annually for interest and also to provide a sum to form a sinking fund for the payment of the said debt which sum will be sufficient with the interest estimated at a rate not exceeding four per cent. per annum on the investment thereof to discharge the said debt when payable. 35 40

Power to raise money on debentures.

6. The said Corporation may raise money by the sale or hypothecation of the said debentures as they may deem expedient and all moneys to be derived from such sale or hypothecation shall be applied for the payment of such debt now owing to their bankers in respect of the purchase of the said waterworks, the improvements of the said waterworks above mentioned and the expenses incurred in connection with the 45

purchase thereof and the submission to the ratepayers of the said By-Law No. 925 and to and for no other purpose.

7. The holders of such debentures shall have a preferential charge on the lands, waterworks and property appertaining thereto for securing the payment of the debentures and the interest thereon. Lien of debenture holders.

8. It shall not be necessary to obtain the assent of the ratepayers of the said City of Belleville to the issue of the said debentures or to the passing of any By-Law relating thereto or to observe the formalities in relation thereto prescribed by *The Municipal Act* or amendments thereto. Assent of electors not required.
Rev. Stat. c. 223.

9. No irregularity in form either of the said debentures or of any By-Law 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. Informalities not to invalidate debentures.

No. 3.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act respecting By-Law No. 925 of the
City of Belleville.

First Reading,	1901.
----------------	-------

(Private Bill.)

Mr. RUSSELL.

TORONTO

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting the Water Works Debentures of
the City of Belleville.

WHEREAS the Municipal Corporation of the City of Belleville has by petition represented that under the authority of By-Law No. 925 of the City of Belleville passed on the 12th day of June, 1899, which by-Law received the assent of the duly qualified ratepayers of the said Municipality as required by law, the said corporation has issued debentures to the amount of \$182,000 bearing interest at the rate of three and one-half per cent. per annum, payable half-yearly for the purchase of the Belleville Waterworks, and that the said corporation purchased and took possession of the said waterworks on the 1st day of July, 1899, and has since been operating the same but has been unable to dispose of the said debentures at par or realize upon them except at considerable sacrifice owing to the low rate of interest which they bear; and whereas the said corporation has borrowed the amount required to pay for the said waterworks from bankers on the ordinary credit of the municipality and the said waterworks and not on the security of the said debentures and the said corporation is paying therefor a much higher rate of interest than if the amount required were to be raised by the sale or hypothecation of debentures of the said corporation repayable in thirty years; and whereas the said corporation has by the said petition prayed that an Act may be passed authorizing the cancelling and destruction of the said issue of \$182,000 of three and one-half per cent. debentures and the amendment of the said By-Law No. 925 by striking out sections 2 to 6 inclusive thereof and that the said corporation may be further authorized to issue debentures to an amount not exceeding in the whole \$182,000 bearing interest at a rate not exceeding four and one-half per cent. per annum payable half-yearly, ^{and} and to devote the proceeds arising from the sale of the said debentures, to repay the sum borrowed as aforesaid; and whereas it has been made to appear that all the members of the council of the said city for the year 1900 were in favor of the said petition and that notice of the said petition was advertised in a newspaper published in the said city, during the months of December, 1900, and January, 1901, during which time the municipal elections for the said city were held and the council of the year 1901 elected, and that the members

Preamble.

of the council for the said city for the year 1901 were also all in favor of the said petition, and it appearing that no objection has been made to the council of the said corporation to the presentation of the said petition and the passing of this Act, and the said corporation having represented that it will be less expensive to obtain an Act than to pass a by-law with the assent of the ratepayers under the provisions of *The Municipal Act* for the purpose of amending the said By-law No. 925, and further that such an Act would facilitate the sale of the said debentures and would greatly enhance their commercial value; and, whereas the said corporation has further represented that it might be impossible to dispose of the said debentures at par, if issued at a 4 per cent. rate of interest and has prayed for the privilege of issuing the said debentures at a rate not to exceed 4½ per cent. per annum; and whereas no opposition has been made to the said petition; and whereas it is expedient to grant the prayer of the said petition; ~~and~~

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

Power to
amend By-
Law
No. 925.
Rev. Stat.
c. 223.

1. The Corporation of the City of Belleville may by by-Law passed in open council without the assent of the ratepayers, as required by *The Municipal Act*, repeal sections 2 to 6 ~~and~~ inclusive, of the said ~~and~~ By-Law No. 925, ~~and~~ printed as Schedule "A" to this Act. ~~and~~

Debentures
to be
destroyed.

2. The said corporation shall forthwith after the repeal of the said sections cancel and destroy the debentures issued under the authority of the said By-Law No. 925.

Power to
issue new
debentures
for water
works.

3. ~~and~~ After the cancellation and destruction of the said debentures it ~~and~~ shall be lawful for the said Corporation of the City of Belleville to pass a by-law or by-laws providing for the issue of debentures under their corporate seal signed by the mayor and countersigned by the treasurer for the time being in sums of not less than \$100 each and not exceeding in the whole \$182,000 being the amount authorized by the said By-Law No. 925 and the principal and interest accruing thereon may be made payable either in Canada or Great Britain or elsewhere and either in sterling money of Great Britain or in lawful money of Canada as the Council of the said corporation may direct.

Payment of
debentures
and interest.

4. The said debentures shall be payable at such time not more than thirty years from the date thereof as the said corporation may direct. Coupons for the amount of the interest thereon shall be attached to the said debentures and be signed by the treasurer of the said corporation and said interest shall be payable half-yearly; such debentures may bear interest at any rate not exceeding four and one-half per cent. per

annum and may be known and described as The Water Works Debentures of the Corporation of the City of Belleville.

5. The said corporation shall annually during the currency of the said debentures levy in addition to all other rates to be levied in each year a special rate on all taxable property within the municipality sufficient to pay the amount falling due annually for interest and also to provide a sum to form a sinking fund for the payment of the said debt which sum will be sufficient with the interest estimated at a rate not exceeding four per cent. per annum on the investment thereof to discharge the said debt when payable.

6. The said corporation may raise money by the sale or hypothecation of the said debentures as they may deem expedient and all moneys to be derived from such sale or hypothecation shall be applied for the payment of such debt now owing to their bankers in respect of the purchase of the said waterworks, the improvements of the said waterworks as mentioned in the said by-law and the expenses incurred in connection with the purchase thereof and the submission to the ratepayers of the said By-Law No. 925 and to and for no other purpose.

7. The holders of such debentures shall have a preferential charge on the said waterworks and the lands and other property appertaining thereto for securing the payment of the debentures and the interest thereon.

8. It shall not be necessary to obtain the assent of the ratepayers of the said City of Belleville to the issue of the said debentures or to the passing of any by-Law relating thereto or to observe the formalities in relation thereto prescribed by *The Municipal Act* or amendments thereto.

9. No irregularity in form either of the said debentures or of any by-Law 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.

SCHEDULE "A."

BY-LAW No. 925.

A By-law of the corporation of the City of Belleville to raise the sum of one hundred and eighty two thousand dollars for the purchase of the Belleville Water Works. Passed 12th June, 1899.

Whereas, the said Water-Works were constructed in the years 1887 and 1888 under a contract bearing date the 12th day of October, 1886, between the Belleville Water-Works Company and the corporation of the City of Belleville.

And whereas, the Belleville Water-Works Company have agreed with the corporation of the City of Belleville to sell and convey to the said corporation the works and property of the said company within and without the municipality of the City of Belleville for the price or sum of \$179,644.78.

And whereas, it is expedient in the interest of the corporation of the City of Belleville to acquire the works of the Belleville Water-Works Company and all property used in connection therewith both within and without the Municipality of the City of Belleville.

And whereas, in order to pay the amount as agreed upon as aforesaid, and the costs and expenses of the Corporation of the City of Belleville of and incidental to obtaining proper information as to the value of the said Water-Works and plant to enable them to agree with the company as to the value thereof, and for the purpose of improving the said water-works by putting another main across the river, and of and incidental to submitting this by-law to the electors, it is necessary to raise the sum of one hundred and eighty-two thousand dollars (\$182,000) upon the credit of the Corporation of the City of Belleville, and to issue debentures of the said corporation to provide therefor.

And whereas, the sum of six thousand, three hundred and seventy dollars will require to be raised annually during the currency of the debentures by this by-law authorized to be issued to pay the interest on the said sum of \$182,000, at the rate of three and one-half per cent. per annum, and the sum of three thousand two hundred and forty-five dollars and eight cents will require to be raised annually to discharge the said principal sum of \$182,000, when payable, making together the sum of \$9,615.08. which said sum of \$3,245.08 will be sufficient with the estimated interest on the investment thereof to discharge the said debt when payable.

And whereas, the whole ratable property of the said municipality, according to the last revised assessment roll of the municipality, being for the year 1898, amounts to \$3,862,126.00.

And whereas, the existing debenture debt of the said municipality (including local improvement debentures and school debentures) is the sum of \$447,163.68, and no part of the same nor of the interest thereon is in arrears.

And whereas, for paying the said debt hereby created, and the interest thereon at the rate aforesaid an annual special rate, sufficient therefor on the dollar must be levied in addition to all other rates to be levied in each year.

Be it therefore enacted by the municipal council of the corporation of the City of Belleville as follows:—

1. That it is expedient in the interest of the said City of Belleville to acquire the works and property of the Belleville Water-Works Company both within and without the municipality of the City of Belleville.

2. That it shall be lawful for the mayor of the said city for the purposes aforesaid to borrow upon the credit of the debentures hereafter mentioned a sum not exceeding the said one hundred and eighty-two thousand dollars, and to issue debentures bearing date the 20th day of June, 1899, of the said municipality to an amount not exceeding \$182,000 in sums of not less than one hundred dollars each, payable at the end of thirty years from the 20th day of June, 1899, and to bear interest at a rate not exceeding three and one half per cent. per annum payable half-

yearly, on the 20th days of December and June, in each and every year during the currency of the said debentures.

3. That the said debentures as to principal and interest shall be payable in lawful money of the Dominion of Canada at the office of the treasurer of the municipality of the City of Belleville.

4. That it shall be lawful for the mayor of said municipality for the purposes aforesaid, and he is hereby authorized and instructed to sign and issue the said debentures and the said coupons attached thereto hereby authorized to be issued and to cause the said debentures 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.

5. That for the payment of the said debenture or debentures and interest thereon as aforesaid, the said annual sums of six thousand three hundred and seventy dollars for the payment of interest, and the sum of three thousand two hundred and forty-five dollars and eight cents to form a sinking fund for the payment of the said principal, which make together the sum of nine thousand six hundred and fifteen dollars and eight cents, shall be raised and levied in each and every year during the currency of the said debentures, by a special rate sufficient therefor on all the rateable property in the said municipality over and above and in addition to all other rates whatsoever, which said special rate shall be levied in each and every year during the currency of the said debenture or debentures until the said debenture or debentures and interest thereon are fully paid or provided for; and the said annual rate shall begin from the date the said debentures are hereby authorized to be issued.

6. The said special rate shall be annually inserted on the collector's rolls for the said municipality in each year for the said thirty years, and shall be payable to and collected by him in the same way as other rates on said rolls.

7. The said water-works shall be managed by a board of three commissioners, one of whom shall be the head of the council ex-officio, and the remainder of whom shall be elected annually at the same time and in the same manner as the head of the council, except where a vacancy from any cause occurs on the board, when a commissioner who shall hold office during the remainder of the term for which his predecessor was appointed, shall be immediately appointed by the council as provided by the Municipal Waterworks Act, but nothing in this by-law contained shall or shall be held to prevent the council of the said corporation of the City of Belleville from entering into or carrying out a contract for the purchase and improvement of the said water-works as hereinbefore recited before the said commissioners are elected.

8. This by-law shall come into force and take effect immediately on its final passing.

And whereas this by-law requires the assent of the electors of the City of Belleville aforesaid before the final passing thereof.

And whereas, it is necessary to appoint a time and place for the taking of a poll of the electors aforesaid on this proposed by-law.

Be it therefore enacted that the votes of the qualified electors of the said City of Belleville (in accordance with the statutes in that behalf) shall be taken upon this by-law on Tuesday, the 30th day of May, A. D. 1899, commencing at the hour of nine o'clock in the forenoon and continuing until five o'clock in the afternoon of the same day at the following places in the said municipality by the following deputy-returning officers, namely:—

In Foster Ward, in the building occupied by William Blaind on West John street, in said ward, and that the said William Blaind be, and he is hereby appointed deputy returning officer for said Foster Ward.

In Samson Ward, in the police court room in the market building, and that Charles Herring be, and he is hereby appointed deputy returning officer for said Samson Ward.

In Ketcheson Ward, in the building on the southwest corner of Pinnacle and Campbell streets in said ward, and that Alexander R. Walker be, and he is hereby appointed deputy returning officer for said Ketcheson Ward.

In Baldwin Ward, in number two fire engine shed on the west side of Front street, in the City of Belleville, and that James Macoun be, and he is hereby appointed deputy returning officer for said Baldwin Ward.

In Bleecker Ward, in the building next north of McGinnis' store, and that William A. Lott be, and he is hereby appointed deputy returning officer for said Bleecker Ward.

In Coleman Ward, in the building occupied by Henderson Brown as a shoe shop, on the east side of North Front street, and that William A. Pringle be, and he is hereby appointed deputy returning officer for said Coleman Ward.

In number seven division of Murney ward, in the building occupied by James McCarty as a shoe shop, on the north side of Bridge street in the said ward, and that J. Charles Panter be, and he is hereby appointed deputy returning officer for said number seven division of said Murney ward.

In number eight division of Murney ward, in the building occupied by Harry Geary as a butcher shop, on the south-east corner of Coleman and Bridge streets in the said ward, and that Nicholas W. Lazier be, and he is hereby appointed deputy returning officer for the said number eight division of said Murney ward.

Be it further enacted that the clerk of the council for the corporation of the City of Belleville shall attend at the City Hall in the City of Belleville on Thursday, the first day of June, 1899, at the hour of ten o'clock in the forenoon to proceed to sum up the number of votes given for and against this by-law in accordance with the provisions of the Statute in that behalf.

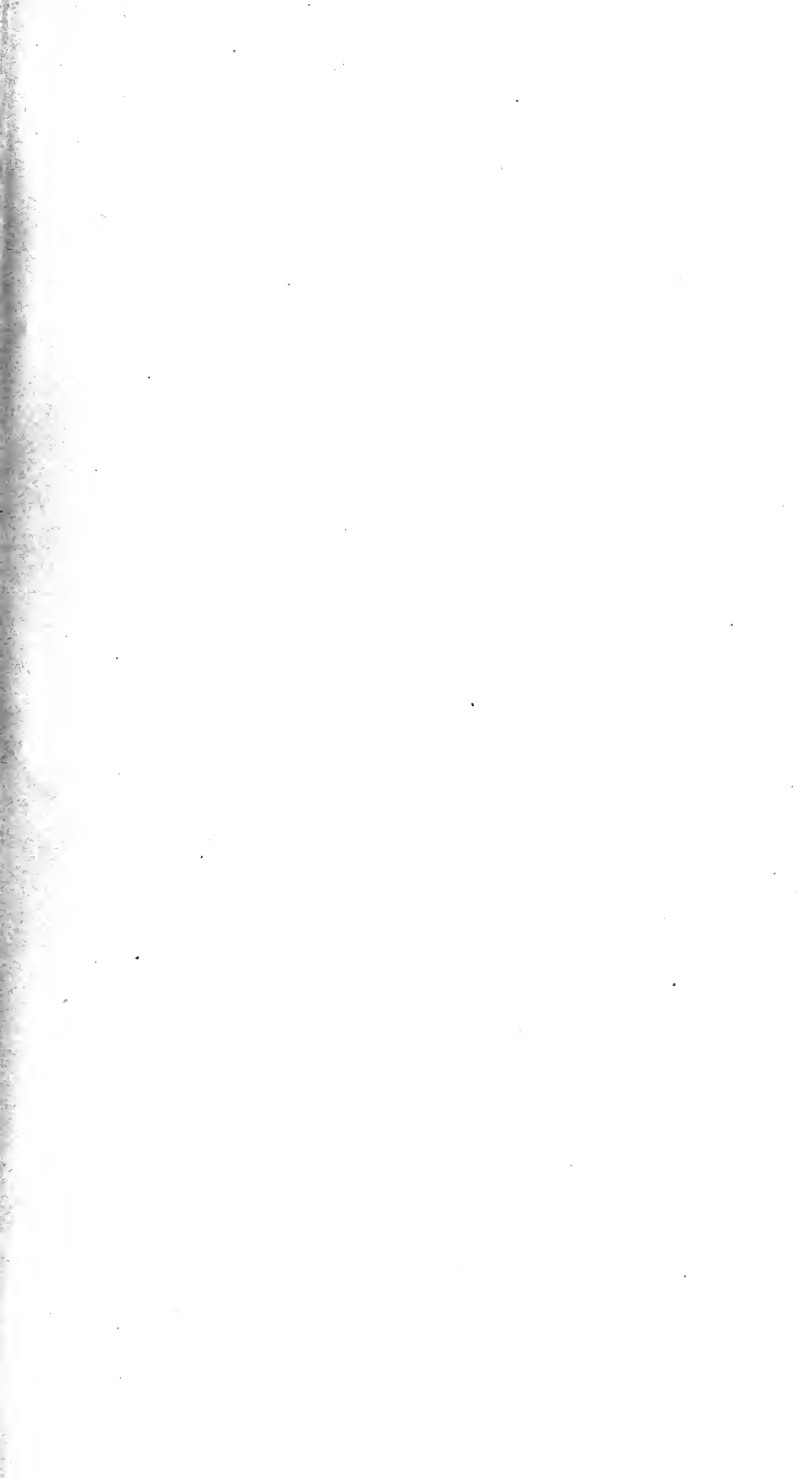
Be it further enacted that the mayor of the corporation of the City of Belleville shall attend at the City Hall in the said city on Friday, the 26th day of May, 1899, at the hour of twelve o'clock noon for the purpose of appointing and shall appoint in writing signed by him two persons to attend the final summing up of the votes given for and against this by-law, and for the purpose of appointing one person to attend at each polling place upon the day of the polling of the said votes 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, which place, date and hour are hereby fixed for said purpose.

Read a first time in open council this seventeenth day of April, A.D. 1899.

J. W. JOHNSON,
Mayor.

Read a second and third time in open council this 12th day of June, A.D. 1899.

J. W. JOHNSON,
Mayor.



No. 3.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting By-Law No. 925 of the
City of Belleville.

First Reading, 21st February, 1901.

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

Mr. RUSSELL.

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

An Act to amend the Act incorporating The Midland
Land Company.

WHEREAS The Midland Land Company have petitioned Preamble.
that an Act may be passed to amend the Act incorporat-
ing the said company and the Act amending the same, to ex-
tend the powers conferred upon the said company and for
5 other purposes and it is expedient to grant the prayer of the
said petition;

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

- 10 **1.** The period at which the portion of the lands of the Com- Extension
pany not actually sold or disposed of shall revert to and be- period for
come the property of His Majesty and his successors is hereby which lands
extended for fifteen years from the passing of this Act. may be held.
- 15 **2.** All sales of any portion of the lands of the company Sale since 9th
made by them since 9th March, 1897, shall be as valid and March, 1897,
effectual in all respects as if they had been made before the confirmed.
said date.

No. 4.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act to amend the Act incorporating
The Midland Land Company.

First Reading, 1901.

Private Bill.)

Mr. FALLIS.

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

An Act to amend the Act incorporating The Midland
Land Company.

WHEREAS The Midland Land Company has petitioned Preamble.
that an Act may be passed to amend the Act incorporat-
ing the said company, ^{42^d} being the Act passed in the 35th year
of the reign of Her late Majesty Queen Victoria chaptered
97, ^{63^d} and the Act amending the same, ^{42^d} being the Act passed
in the 45th year of the reign of Her late Majesty Queen
Victoria, chaptered 77, so as to extend the period for which
lands may be held by ^{63^d} the said company; and *whereas* and it
is expedient to grant the prayer of the said petition;

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

1. The period at ^{42^d} the expiration of ^{63^d} which the portion of Extension
period for
which lands
may be held.
the lands of the *said* company not actually sold or disposed of
shall revert to and become the property of His Majesty and his
successors is extended for fifteen years from the passing of
this Act.

2. All sales of any portion of the lands of the company Sale since 9th
March, 1897,
confirmed.
made by them since 9th March, 1897, shall be as valid and
effectual in all respects as if they had been made before the
said date.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act to amend the Act incorporating
The Midland Land Company.

First Reading, 13th March, 1901.

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

Mr. FALLIS.

TORONTO:

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

An Act respecting the Town of Ingersoll.

WHEREAS the Corporation of the Town of Ingersoll have Preamble.
 by petition represented that the said Corporation
 on the 14th day of September, 1899, entered into an agree-
 ment with the St. Charles Condensing Company, a manufac-
 5 turing establishment doing business at the said Town of
 Ingersoll; and whereas the said Corporation, in order to carry
 out the said agreement, purchased certain lands from Hugh
 McNiven and Margaret McNiven upon a stream known as
 "Marsden's Stream," a stream within three miles of the said
 10 Town of Ingersoll, and diverted two-thirds of the water in
 said stream into a system of water pipes for supplying the
 same to the said St. Charles Condensing Company, and whereas
 the said Corporation passed a By-law numbered 557, being a
 By-law confirming the purchase of the said lands and certain
 15 rights in and to a certain stream of water thereon, diverted
 for the purposes of the Corporation, as aforesaid; and whereas
 the said Corporation by the said petition have prayed that
 the said agreement, By-law and conveyances, may be confirmed
 and declared legal and valid; and whereas it is expedient to
 20 grant the prayer of the said petition;

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

1. The agreement made between the St. Charles Condensing
 25 Company and the Corporation of the Town of Ingersoll, dated
 the 14th day of September, 1899, and set out in Schedule A
 to this Act, is hereby legalized and declared to be valid and
 to be binding upon the parties thereto, their successors and
 assigns and upon all other parties interested therein, and the
 30 said Corporation is hereby declared to have full power to
 enter into said agreement, notwithstanding anything to the
 contrary in *The Municipal Act* contained, and the said parties
 thereto are hereby empowered to do all acts necessary to give
 effect to the same, and the said Corporation is hereby em-
 35 powered to take possession of, acquire, hold, use and expropri-
 ate two-thirds of the water in the Marsden Stream, or such
 interests therein up to that amount as they may deem neces-
 sary to carry out the terms of the said agreement, making such
 compensation therefor as the lower riparian owners upon said
 40 stream may be entitled to, upon the same being determined

Agreement
with St.
Charles
Condensing
Co. confirmed.

Rev. Stat.
c. 223.

under the arbitration clauses of *The Municipal Act* and all the sections of the said Act relating to expropriation and arbitration, and also the provisions of *The Municipal Arbitration Act* shall apply in determining the said compensation.

By-law 557 confirmed.

2. The By-law of the Corporation of the Town of Ingersoll passed on the 7th day of July, 1900, and intituled By-law 557 and which By-law is set out in Schedule "B" to this Act, is hereby confirmed and ratified and declared legal and valid, and the acquiring, expropriation and use by the said Corporation of two-thirds of the water in said Marsden Creek for the purpose of supplying water to the St. Charles Condensing Company, pursuant to the said agreement is hereby confirmed and declared to be legal. 5 10

Conveyances from Hugh and Margaret McNiven confirmed.

3. The conveyance from Hugh McNiven dated the 12th day of October, 1899, and the conveyance from Margaret McNiven dated the 18th day of October, 1899, set out in Schedule "C" to this Act, are hereby declared to be valid and binding upon the parties thereto, their heirs, successors and assigns. 15

Costs of pending actions not affected.

4. Nothing in this Act contained shall prejudice or affect the question of costs in any action or proceeding, now pending. 20

Differences to be settled by arbitration.

5. In case of any difference arising as to the construction of said agreement or By-law or to any matter or thing to be done under the terms or conditions thereof, such difference shall be determined by arbitrators to be appointed under and as provided by the arbitration clauses of *The Municipal Act*. 25

Rev. Stat. c. 223.

SCHEDULE A.

Memorandum of agreement, made this 14th day of September, 1899, between the Municipal Corporation of the Town of Ingersoll, of the first part, and the St. Charles Condensing Company, of the second part.

Whereas the parties of the second part have decided to erect a Factory at the Town of Ingersoll and have chosen as a site, five and one-half acres of land at the corner of King and Whiting street, being West of Whiting and North of King street in the said Town of Ingersoll,

And whereas the parties of the first part have agreed to give the said site to the said parties of the second part, free of expenses and also to supply them with water free of expense, and to pipe the same from the springs known as the McNiven springs to a reservoir, situate at or near the buildings of the said company on above named site.

And whereas the said party of the second part in consideration of the above, have agreed to build a factory on the said site as proposed,

Now this indenture witnesseth that in consideration of the premises and of the sum of one dollar now paid by the parties of the second part to the parties of the first part, the said parties of the first part, the Municipal Corporation of the Town of Ingersoll, hereby covenant and agree that the said site being five and a half acres situate at the corner of

Whiting and King street in the said Town of Ingersoll, being West of Whiting and North of King street, being part of Lot number twenty-two in the broken front concession of the Township of West Oxford, shall be deeded to the said party of the second part, or to whomsoever they may direct, free of all incumbrances, and that they will also have deeded to the parties of the second part, free water for the use of the said parties of the second part, to use at their factory, up to two-thirds of the amount of water issuing from the McNiven springs, and that they will have the said water piped from the said springs to a reservoir at or near the buildings of the said factory, the location of which is to be decided upon by the parties of the second part, and shall at said point construct a concrete reservoir fifteen feet deep and forty feet square or of equal capacity, and hand the same over in good condition to the said parties of the second part; the parties of the second part, thereafter to keep the same in repair; the said line of pipes to be laid down, and the reservoir to be constructed under the supervision of the engineer of the parties of the second part; the parties of the first part, the said Town of Ingersoll, hereby covenant and agree to indemnify and save harmless the said party of the second part, or their assigns of and from any and all actions, claims and demands which may be made by any of the riparian owners on the said stream below the lands of the said McNiven, who may be damaged or injured by reason of the diversion of the said water as aforesaid, and that if necessary the said parties of the first part, at their own expense, will pipe the water back from the said Factory to the said creek, and deposit it therein, on, or immediately to the North of the said McNiven property; the said parties of the first part, also hereby agree to have a hydrant placed on the line of the Ingersoll Waterworks on King street opposite to the said Factory, and that they will also lay down for the use of the parties of the second part, at least ten inch pipe from said factory building to connect with the River Thames for the purpose of a sewer.

And the parties of the second part hereby agree in consideration of the above, and the sum of one dollar, to immediately erect their factory at the town of Ingersoll on the said site as proposed.

As witness the hands and seals of the parties hereto and the corporate seal of the parties of the first part the Municipal Corporation of the Town of Ingersoll,

Signed, sealed and delivered,
in the presence of,

JOHN J. JACKSON.

WALTER MILLS, Mayor [Seal]
W. R. SMITH, Clerk
ST CHARLES CONDENSING Co. [Seal]
HERBERT NICHOLSON, Mgr. [Seal]

SCHEDULE B.

By-law No. 557 of the Municipal Council of the corporation of the Town of Ingersoll in the County of Oxford.

Whereas it was deemed expedient and necessary for the said municipal council of the corporation of the Town of Ingersoll to acquire by purchase certain lands hereinafter described, and certain rights in and to a certain stream of water thereon for the purposes which the said corporation may from time to time determine, which said lands are hereinafter described, and which lands and stream are situate within three miles of the Town of Ingersoll aforesaid.

And whereas in pursuance of the same, the said corporation purchased from one Hugh McNiven, on the 12th day of October, 1899, certain lands, rights and privileges, which said lands are described as follows:

All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of West Oxford, in the County of Oxford, and being composed of part of park lot number one, on the east-

erly side of West street in Macklin and streets survey of part of lot number twenty three in the broken front concession of the Township of West Oxford, in the County of Oxford, which may be described as follows:

Commencing on the centre of the creek running north and south through said lands one hundred and fifteen feet, southerly following the creek from where the southerly limit of the Canadian Pacific Railway's lands on said lot number twenty-three, cross said creek; thence easterly two and one half rods; thence southerly parallel to said creek or spring, eight rods; thence westerly two and one half rods to the post planted in the centre of the said creek or spring; thence westerly on the same course two and one half rods to a post; thence northerly at a distance of two and one half rods from the said creek, eight rods to a post; thence easterly two and one half rods to the place of beginning, containing one quarter of an acre of land more or less, together with the right of way of ingress and egress to the said land from Ingersoll street in the said survey, along the line of covered pipes as shown on the annexed plan across said park lot number one and number two, and also the right and privilege of entering upon said lands, and laying and keeping in repairs a line of covered pipes through and across the said lands as shown on the annexed plan, with full power to enter upon said right of way at any time, to build or repair the said pipes, or for the purpose of communication between the said street and the lands hereby purchased.

And also purchased on the eighteenth day of October, 1899, from Margaret McNiven, certain lands, rights and privileges, which said lands, rights and privileges are described as follows:

The right of way through and over part of park lot number two on the west side of Ingersoll street and south of the London gravel road in Macklin and Streets survey of part of farm lot number twenty-three in the broken front concession of the Township of West Oxford in the County of Oxford, and Province of Ontario.

Which right of way is five feet wide on each side of the red line on the plan of said property hereto annexed, and extending from the westerly limit of said park lot number two to Ingersoll street; together with the right of ingress and egress to and from the said strip of land; also the right and privilege of entering upon the said strip of land and laying and keeping in repair the line line of covered water pipes, to and across the said strip of land as shown on the annexed plan, with full power to enter upon the said right of way at any time to build or repair the said water pipes or for the purpose of communication between Ingersoll street aforesaid and the strip of land hereby granted.

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

1. That the purchase of the above mentioned lands, water rights and privileges by the said the municipal council of the Town of Ingersoll, from the said Hugh McNiven and Margaret McNiven above recited be and the same is hereby confirmed.

2. That the said corporation do acquire for such purposes as the said corporation may from time to time determine by purchase from the persons (if any) entitled to object thereto the right to divert and take from the stream running through the said lands, and flowing thence northerly into the River Thames so much, not exceeding at any time two-thirds of the waters thereof as the said corporation, its successors or assigns shall from time to time require. And that if any money (if any) to be paid as compensation therefor, when determined in accordance with the Municipal Act or by-law of said corporation, be paid by the treasurer of the said corporation to the person or persons entitled thereto.

Passed in open council this seventh day of July, A.D. 1900.

(Sgd.) JUSTUS MILLER,
Mayor

(Sgd.) W. R. SMITH,
Clerk,

SCHEDULE C.

This Indenture made in duplicate the twelfth day of October, in the year of our Lord one thousand eight hundred and ninety-nine, in pursuance of *The Act respecting Short Forms of Conveyances*: between Hugh McNiven, of the Township of West Oxford, in the County of Oxford, farmer, of the first part. Edith McNiven, his wife, of the second part and the Corporation of the Town of Ingersoll, of the third part.

Whereas the said corporation are desirous of furnishing to the St. Charles Condensing Company free water for the use of the factory of the company to be established at the said Town of Ingersoll, and have agreed to purchase from the party of the first part the lands, rights and privileges hereinafter mentioned.

This Indenture, witnesseth that in consideration of two hundred and fifty of lawful money of Canada, now paid by the said party of the third part to the said party of the first part (the receipt whereof is here by him acknowledged). He, the said party of the first part doth grant unto the said parties third of the in fee simple.

All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of West Oxford, in the County of Oxford, and being composed of part of park lot number one on the easterly side of West street in Macklin and street survey of part of lot number twenty-three in the broken front concession of the Township of West Oxford, in the County of Oxford, which may be described as follows: Commencing in the centre of the creek running north and south through said lands, one hundred and fifteen feet southerly following the creek from where the southerly limit of the Canadian Pacific Railway's lands on said lot number twenty-three cross said creek; thence easterly two and one-half rods; thence southerly parallel to said creek or spring, eight rods; thence westerly two and one-half rods, to the post planted in the centre of the said creek or spring; thence westerly on the same course two and one-half rods to a post; thence northerly to a distance of two and one-half rods from the same creek; eight rods to a post; thence easterly two and one-half rods to the place of beginning; containing one-quarter of an acre of land more or less; together with a right of way of ingress and egress to the said lands from Ingersoll street in the said survey along the line of covered pipes as shown on the annexed plan across said park lot number one and number two and also the right and privilege of entering upon said lands and laying and keeping in repair a line of covered pipes through and across the said lands, as shown on the annexed plan with full power to enter upon the said right of way at any time to build or repair the said pipes, or for the purpose of communication between the said street and the lands hereby purchased.

To have and to hold unto the said parties of the third part their successors and assigns to and for their sole and only use for ever, subject nevertheless to the reservations, limitations, provisoes and conditions expressed in the original grant thereof from the Crown.

The said party of the first part covenants with the said parties of the third part that he has the right to convey the said lands and privileges to the said parties of the third part notwithstanding any act of the said party of the first part.

And that the said parties of the third part shall have quiet possession of the said lands and privileges free from all incumbrances.

And the said party of the first part covenants with the said parties of the third part that he will execute such further assurances of the said lands as may be requisite.

And the said party of the first part covenants with the said parties of the third part that he has done no act to encumber the said lands and privileges.

And the said party of the first part releases to the said parties of the

third part all his claims upon the said lands and privileges. And the party of the first part in consideration of the above and of the sum of one dollar now paid to him doth hereby grant, release and quit claim unto the said corporation, their successors and assigns, all his estate, right, title and interest claim and demand whatsoever, both at law and in equity or otherwise howsoever, to the free and uninterrupted use of two-thirds of the water in said creek upon the said lands, situate on lot number twenty-three in the broken front concession in the township of West Oxford, whether the said water issues above or below the lands hereby purchased, and the said party of the first part also hereby releases to the said corporation all claims for damages or otherwise which he, the said party of the first part, his heirs, executors or assigns, may have on account of any damages accruing to him upon the land now owned by him by reason of the diversion of two-thirds of the water in the said creek, which water is to be diverted by the said corporation to the factory of the said St. Charles Condensing Company or their assigns. The party of the second part hereby bars her dower in the said lands.

In witness whereof the said parties hereto have hereunto set their hands and seals.

Signed, sealed and delivered in the presence of GEORGE A. COURT.	}	HUGH McNIVEN, [Seal.] EDITH McNIVEN, [Seal.]
--	---	---

This indenture, made in duplicate the eighteenth day of October, in the year of our Lord one thousand eight hundred and ninety-nine, in pursuance of the Act respecting short forms of conveyances, between Margaret McNiven, of the Township of West Oxford, in the County of Oxford, Ontario, of the first part, and the corporation of the Town of Ingersoll, of the second part.

Witnesseth that the said party of the first part, for and in consideration of ten dollars of lawful money of Canada to her in hand paid by the said parties of the second part, at or before the sealing and delivery of these presents (the receipt whereof is hereby acknowledged) hath granted, released and quitted claim and by these presents doth grant, release and quit claim unto the said parties of the second part, their successors and assigns forever.

The right of way through and over part of park lot number two on the west side of Ingersoll street and south of the London gravel road in Macklin and streets survey, of part of park lot number twenty-three in the broken front concession of the Township of West Oxford, in the County of Oxford and Province of Ontario; which right of way is five feet wide, on each side of the red line of the plan of the said property, hereto annexed, and extending from the westerly limit of said park lot number two, to Ingersoll street. Together with the right of ingress and egress to and from the said strip of land; also the right and privilege of entering upon the said strip of land and laying and keeping in repair the line of covered pipes to and across the said strip of land as shown on the annexed plan; with full power to enter upon the said right of way at any time to build or repair the said water pipes or for the purpose of communicating between Ingersoll street aforesaid, and the strip of land hereby granted.

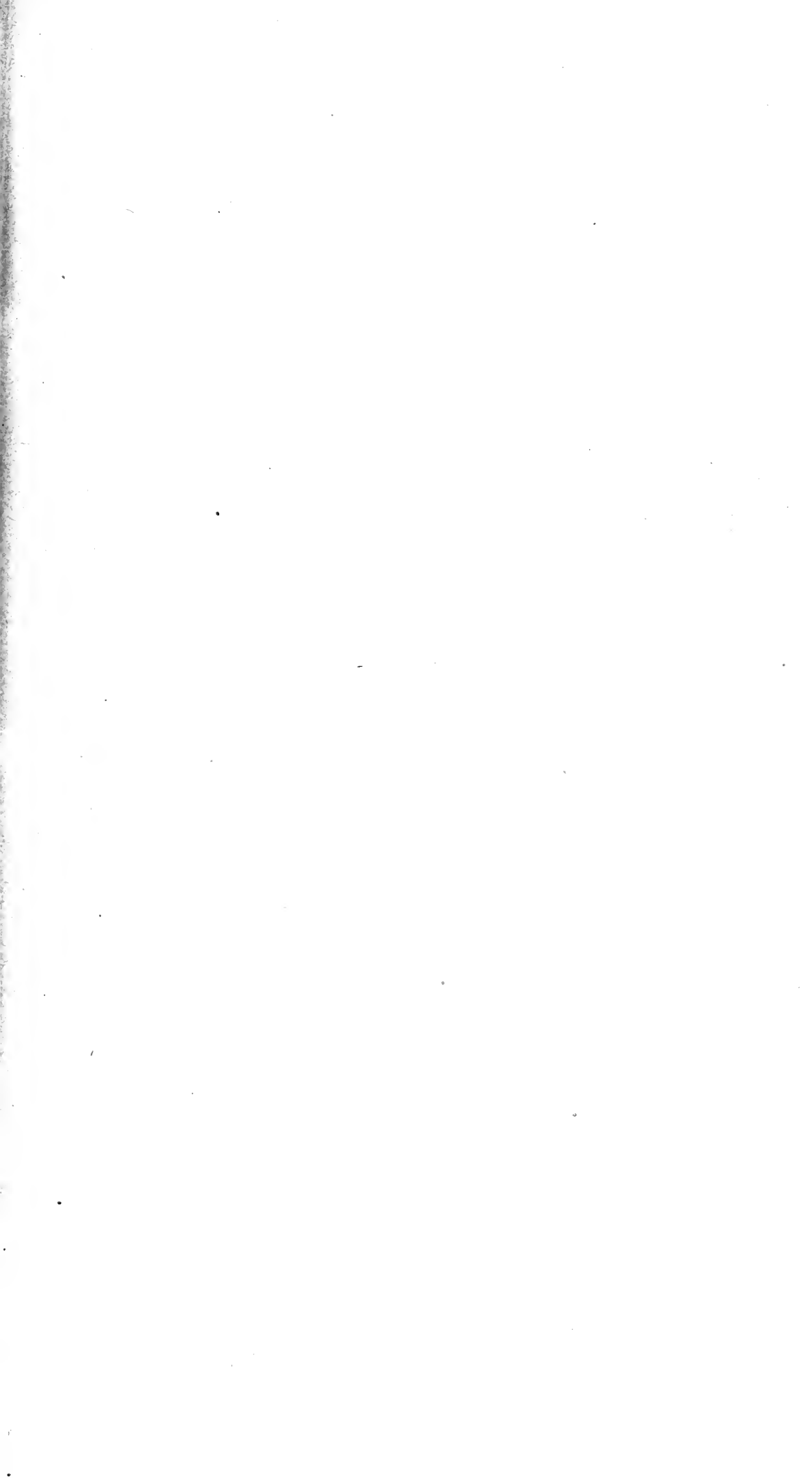
Together with the appurtenances thereto belonging or appertaining.

To have and to hold the aforesaid right of way with all and singular the appurtenances thereto belonging and appertaining unto and to the use of the said parties of the second part, their successors and assigns forever; subject nevertheless to the reservations, limitations and provisoes and conditions expressed in the original grant thereof from the Crown.

And the said party of the first part covenants with the said parties of the second part that she has done no act to encumber the said right of way.

In witness whereof the said parties to these presents have hereunto set their hands and seals.

Signed, sealed and delivered in the presence of GEORGE A. COURT.	}	Her MARGARET X McNIVEN. Mark.
--	---	-------------------------------------



No. 5.

4rd Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting the Town of Ingersoll.

First Reading, , 1901.

(Private Bill.)

Mr. MCKAY.

TORONTO :

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting the Town of Ingersoll.

⁴²⁷ WHEREAS, the Municipal Corporation of the Town of Preamble.
Ingersoll has represented that on the 14th day of September, 1899, the said municipal corporation and the St. Charles Condensing Company, entered into the agreement which is set out as Schedule "A" to this Act; that in order to raise the money required by the said municipal corporation to carry out its part of the said agreement, a by-law, being By-law No. 549 of the said municipal corporation was duly submitted to the ratepayers on the first day of January, 1900, and that the said by-law received a large majority of the votes of the ratepayers of the said corporation entitled to vote on money by-laws and was finally passed by the council of the said municipal corporation on the 5th day of January, 1900; that pursuant to the said agreement and to the intent of the said by-law the said municipal corporation purchased for the said company the factory site described in the said agreement and also purchased certain other lands from one Hugh McNiven and one Margaret McNiven upon a stream known as Marsden's Creek and which issues from the McNiven Springs referred to in the said agreement; that on the 7th day of August, 1900, the said municipal corporation passed a by-law, being By-law No. 557 of the said municipal corporation, confirming the purchase of the said last mentioned lands and authorizing the acquiring by the said municipal corporation of two-thirds of the water in the said stream; that the said municipal corporation has diverted the said stream to the said extent into a system of pipes for supplying the same to the said company; that the said company, pursuant to the said agreement, located their factory upon the said factory site, and expended about \$100,000 in permanent improvements within the said town, and all the terms of the said agreement have been carried out by both the parties thereto; that doubts have arisen as to the validity of the said agreement and of the said by-laws, by reason of the form in which the said By-law No. 549 was passed; and whereas the said municipal corporation has by petition prayed that an Act may be passed validating and confirming the said agreement and the said by-law No. 557; and whereas there is no opposition to the said petition; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent

of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Agreement
with St.
Charles
Condensing
Co. confirmed.

1. The agreement made between the St. Charles Condensing Company and the Corporation of the Town of Ingersoll, dated the 14th day of September, 1899, and set out *as* Schedule A to this Act, is hereby legalized and declared to be valid and to be binding upon the parties thereto, their successors and assigns and upon all other parties interested therein, and the said corporation is hereby declared to have full power to enter into said agreement, notwithstanding anything to the contrary in *The Municipal Act* contained, and the said parties thereto are hereby empowered to do all acts necessary to give effect to the same, and the said Corporation is hereby empowered to take possession of, acquire, hold, use and expropriate two-thirds of the water in the Marsden Creek, or such interests therein up to that amount as they may deem necessary to carry out the terms of the said agreement, making such compensation therefor as the lower riparian owners upon said stream may be entitled to, upon the same being determined under the arbitration clauses of *The Municipal Act* and all the sections of the said Act relating to expropriation and arbitration, and also the provisions of *The Municipal Arbitration Act* shall apply in determining the said compensation.

Rev. Stat.
c. 223.

By-law 557
confirmed.

2. The By-law of the Corporation of the Town of Ingersoll passed on the 7th day of July, 1900, and intituled By-law 557 and which By-law is set out *as* Schedule "B" to this Act, is hereby confirmed and ratified and declared legal and valid, and the acquiring, expropriation and use by the said Corporation of two-thirds of the water in said Marsden Creek for the purpose of supplying water to the St. Charles Condensing Company, pursuant to the said agreement, is hereby confirmed and declared to be legal.

Differences to
be settled by
arbitration.

3. In case of any difference arising as to the construction of said agreement or by-law or as to any matter or thing to be done under the terms or conditions thereof, such difference shall be determined by arbitrators to be appointed under and as provided by the arbitration clauses of *The Municipal Act*.

Rev. Stat.
c. 223.

4. Nothing in this Act contained shall affect the agreement between the Corporation of the Town of Ingersoll and one C. N. Harris dated the 16th day of February, 1901.

SCHEDULE A.

Memorandum of agreement, made this 14th day of September, 1899, between the Municipal Corporation of the Town of Ingersoll, of the first part, and the St. Charles Condensing Company, of the second part.

Whereas the parties of the second part have decided to erect a Factory at the Town of Ingersoll and have chosen as a site, five and one-half acres of land at the corner of King and Whiting street, being West of Whiting and North of King street in the said Town of Ingersoll,

And whereas the parties of the first part have agreed to give the said site to the said parties of the second part, free of expenses and also to supply them with water free of expense, and to pipe the same from the springs known as the McNiven springs to a reservoir, situate at or near the buildings of the said company on above named site.

And whereas the said party of the second part in consideration of the above, have agreed to build a factory on the said site as proposed,

Now this indenture witnesseth that in consideration of the premises and of the sum of one dollar now paid by the parties of the second part to the parties of the first part, the said parties of the first part, the Municipal Corporation of the Town of Ingersoll, hereby covenant and agree that the said site being five and a half acres situate at the corner of Whiting and King street in the said Town of Ingersoll, being West of Whiting and North of King street, and being part of Lot number twenty-two in the broken front concession of the Township of West Oxford, shall be deeded to the said party of the second part, or to whomsoever they may direct, free of all incumbrances, and that they will also have deeded to of the parties of the second part, free water for the use of the said parties the second part, to use at their said factory, up to two-thirds of the amount of water issuing from the McNiven springs, and that they will have the said water piped from the said springs to a reservoir at or near the buildings of the said factory, the location of which is to be decided upon by the parties of the second part, and shall at said point construct a concrete reservoir fifteen feet deep and forty feet square or of equal capacity, and hand the same over in good condition to the said parties of the second part; the parties of the second part, thereafter to keep the same in repair; the said line of pipes to be laid down, and the reservoir to be constructed under the supervision of the engineer of the parties of the second part; the parties of the first part, the said Town of Ingersoll, hereby covenant and agree to indemnify and save harmless the said party of the second part, or their assigns of and from any and all actions, claims or demands which may be made by any of the riparian owners on the said stream below the lands of the said McNiven, who may be damaged or injured by reason of the diversion of the said water as afore said, and that if necessary the said parties of the first part, at their own expense, will pipe the water back from the said Factory to the said creek, and deposit it therein, on, or immediately to the North of the said McNiven property; the said parties of the first part, also hereby agree to have a hydrant placed on the line of the Ingersoll Waterworks on King street opposite to the said Factory, and that they will also lay down for the use of the parties of the second part, at least ten inch pipe from said factory building to connect with the River Thames for the purpose of a sewer.

And the said parties of the second part hereby agree in consideration of the above, and the sum of one dollar, to immediately erect their factory at the town of Ingersoll on the said site as proposed.

As witness the hands and seals of the parties hereto and the corporate seal of the parties of the first part the Municipal Corporation of the Town of Ingersoll,

Signed, sealed and delivered,
in the presence of,

JNO. B. JACKSON.

WALTER MILLS, Mayor [Seal]
W. R. SMITH, Clerk
ST CHARLES CONDENSING Co. [Seal]
HERBERT NICHOLSON, Mgr. [Seal]

SCHEDULE B.

By-law No. 557 of the Municipal Council of the corporation of the Town of Ingersoll in the County of Oxford.

Whereas it was deemed expedient and necessary for the said municipal council of the corporation of the Town of Ingersoll to acquire by purchase certain lands hereinafter described, and certain rights in and to a certain stream of water thereon for the purposes which the said corporation may from time to time determine, which said lands are hereinafter described, and which lands and stream are situate within three miles of the Town of Ingersoll aforesaid.

And whereas in pursuance of the same, the said corporation purchased from one Hugh McNiven, on the 12th day of October, 1899, certain lands, rights and privileges, which said lands are described as follows:

All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of West Oxford, in the County of Oxford, and being composed of part of park lot number one, on the easterly side of West street in Macklin and streets survey of part of lot number twenty three in the broken front concession of the Township of West Oxford, in the County of Oxford, which may be described as follows:

Commencing on the centre of the creek running north and south through said lands one hundred and fifteen feet, southerly following the creek from where the southerly limit of the Canadian Pacific Railway's lands on said lot number twenty-three, cross said creek; thence easterly two and one half rods; thence southerly parallel to said creek or spring, eight rods; thence westerly two and one half rods to the post planted in the centre of the said creek or spring; thence westerly on the same course two and one half rods to a post; thence northerly at a distance of two and one half rods from the said creek, eight rods to a post; thence easterly two and one half rods to the place of beginning, containing one quarter of an acre of land more or less, together with the right of way of ingress and egress to the said land from Ingersoll street in the said survey, along the line of covered pipes as shown on the annexed plan across said park lot number one and number two, and also the right and privilege of entering upon said lands, and laying and keeping in repair a line of covered pipes through and across the said lands as shown on the annexed plan, with full power to enter upon said right of way at any time, to build or repair the said pipes, or for the purpose of communication between the said street and the lands hereby purchased.

And also purchased on the eighteenth day of October, 1899, from Margaret McNiven, certain lands, rights and privileges, which said lands, rights and privileges are described as follows:

The right of way through and over part of park lot number two on the west side of Ingersoll street and south of the London gravel road in Macklin and Street's, survey of part of farm lot number twenty-three in the broken front concession of the Township of West Oxford in the County of Oxford, and Province of Ontario.

Which right of way is five feet wide on each side of the red line on the plan of said property hereto annexed, and extending from the westerly limit of said park lot number two to Ingersoll street; together with the right of ingress and egress to and from the said strip of land; also the right and privilege of entering upon the said strip of land and laying and keeping in repair the line of covered water pipes, to and across the said strip of land as shown on the annexed plan, with full power to enter upon the said right of way at any time to build or repair the said water pipes or for the purpose of communication between Ingersoll street aforesaid and the strip of land hereby granted.

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

1. That the purchase of the above mentioned lands, waters-rights and privileges by the said the municipal council of the Corporation of the Town of Ingersoll from the said Hugh McNiven and Margaret McNiven above recited be and the same is hereby confirmed.

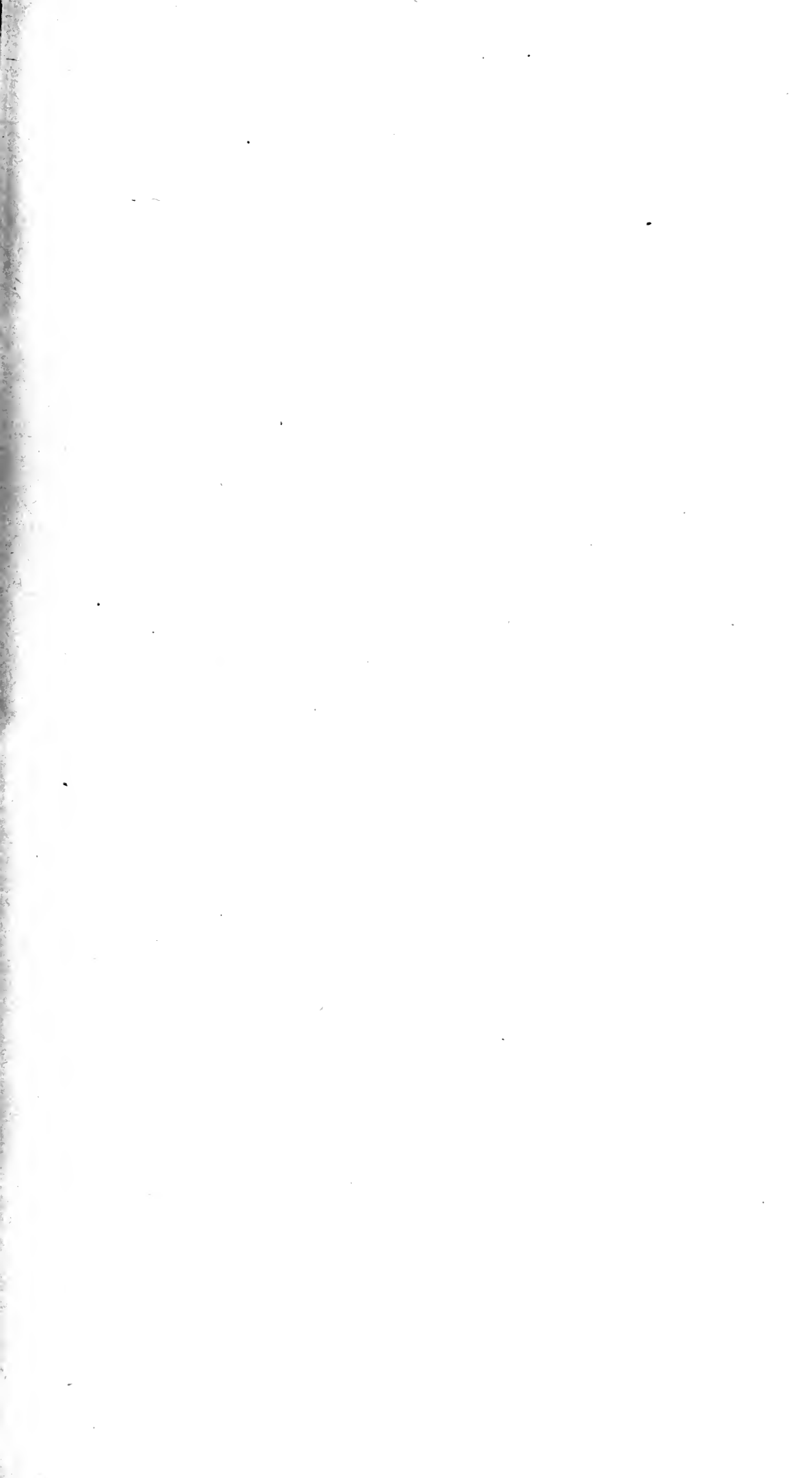
2. That the said corporation do acquire for such purposes as the said corporation may from time to time determine by purchase from the persons (if any) entitled to object thereto the right to divert and take from the stream running through the said lands, and flowing thence northerly into the River Thames so much, not exceeding at any time two-thirds of the waters thereof as the said corporation, its successors or assigns shall from time to time require. And that any moneys (if any) to be paid as compensation therefor, when determined in accordance with the Municipal Act or by-law of said corporation, be paid by the treasurer of the said corporation to the person or persons entitled thereto.

Passed in open council this seventh day of July, A.D. 1900.

(Sgd.) JUSTUS MILLER,
Mayor.

(Sgd) W. R. SMITH,
Clerk,





No. 5.

4rd Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting the Town of Ingersoll.

First Reading, 14th February, 1901.

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

Mr. MCKAY.

TORONTO :

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

An Act respecting The Windsor Bent Goods Company, Limited.

WHEREAS The Windsor Bent Goods Company, Limited. **Preamble.**
 has by its petition prayed that an Act may be passed to enable the said The Windsor Bent Goods Company, Limited, to sell and convey to the Windsor Turned Goods Company, Limited, all their property and assets, rights and credits, including the good will, and the rights, benefits and privileges granted to them the said The Windsor Bent Goods Company, Limited, by the Municipal Corporation of the City of Windsor under By-Law No. 1002 of the said City, and to confirm an agreement for said purposes made between the said companies, and to permit the said Windsor Turned Goods Company, Limited, to take over the said property, assets, good will and benefits under said By-Law and assume all the liabilities and obligations of the said The Windsor Bent Goods Company, Limited, and whereas it is expedient to grant the prayer of the petition ;

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

1. The said The Windsor Bent Goods Company, Limited, is thereby authorized and empowered to sell, assign, transfer and convey to the Windsor Turned Goods Company, Limited, their successors and assigns, all their property, assets, rights and credits, including the good will, and the benefits granted to them the said The Windsor Bent Goods Company, Limited, by the corporation of the said City of Windsor, under the By-Law aforesaid.

Transfer to Windsor Turned Goods Co. authorized

2. The agreement entered into by and between The Windsor Bent Goods Company, Limited, and the Windsor Turned Goods Company, Limited, and dated the second day of January, 1901, is hereby ratified and confirmed and held to be binding upon the parties thereto, their successors and assigns.

Agreement between the companies confirmed.

3. The said Windsor Turned Goods Company, Limited, their successors and assigns, are hereby authorized and empowered to accept such transfer and to take over and enjoy the said property, assets, good will, and the rights, benefits and privileges granted by said By-Law No. 1002, of the said City of

Turned Goods Co. authorized to accept transfer.

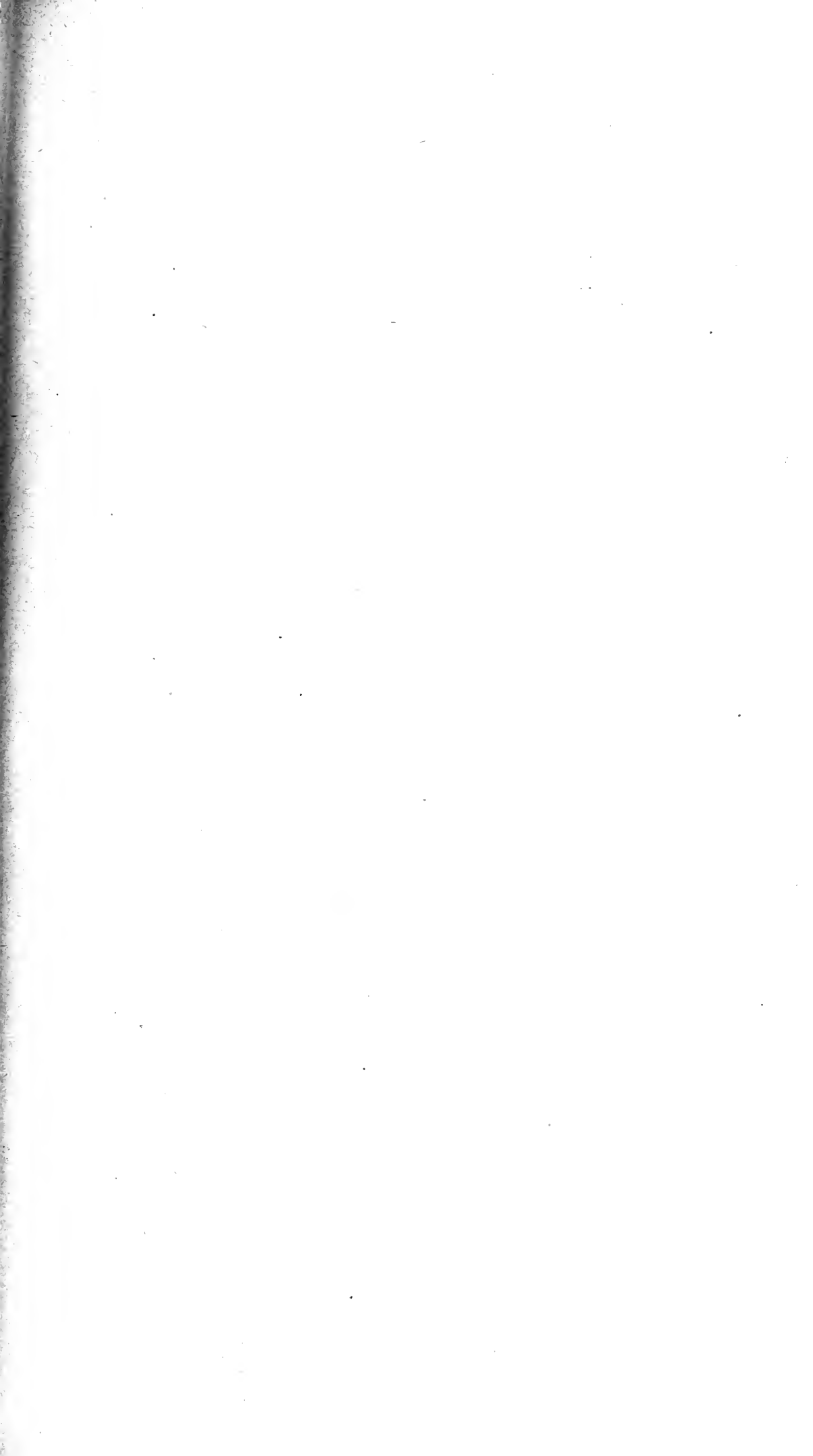
Windsor, and assume all the liabilities and obligations of the said The Windsor Bent Goods Company, Limited.

Substitution
of new com-
pany in by-law
of City of
Windsor.

4. Upon such transfer being made to the said the Windsor Turned Goods Company, Limited, the said Company, its successors and assigns shall enjoy such rights, benefits and privileges granted by said By-Law as fully and effectually as if they had been originally named therein, and in the same manner be bound to perform and observe all the conditions and obligations imposed by the said By-Law upon The Windsor Bent Goods Company, Limited. 5 10

Commence-
ment of Act.

5. This Act shall come into force and take effect from and after the



No. 6.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act respecting The Windsor Bent Goods
Company, Limited.

First Reading, 1901.

(Private Bill)

Mr. MCKEE.

TORONTO :

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

An Act respecting The Windsor Bent Goods Company, Limited.

WHEREAS The Windsor Bent Goods Company, Limited. Preamble.
 has by its petition prayed that an Act may be passed to enable the said The Windsor Bent Goods Company, Limited, to sell and convey to the Windsor Turned Goods Company, Limited, all their property and assets, rights and credits, including the good will, and the rights, benefits and privileges granted to them the said The Windsor Bent Goods Company, Limited, by the Municipal Corporation of the City of Windsor under By-Law No. 1002 of the said City, and to confirm an agreement for said purposes made between the said companies, and to permit the said Windsor Turned Goods Company, Limited, to take over the said property, assets, good will and benefits under said By-Law and assume all the liabilities and obligations of the said The Windsor Bent Goods Company, Limited, ~~and~~; and whereas the corporation of the city of Windsor has not objected to the granting of the prayer of the said petition; ~~and~~ and whereas it is expedient to grant the prayer of the petition;

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

1. The said The Windsor Bent Goods Company, Limited, is thereby authorized and empowered to sell, assign, transfer and convey to the Windsor Turned Goods Company, Limited, their successors and assigns, all their property, assets, rights and credits, including the good will, and the benefits granted to them the said The Windsor Bent Goods Company, Limited, by the corporation of the said City of Windsor, under the By-Law aforesaid. Transfer to Windsor Turned Goods Co. authorized

2. The agreement entered into by and between The Windsor Bent Goods Company, Limited, and the Windsor Turned Goods Company, Limited, dated the second day of January, 1901, ~~and~~ and set forth as Schedule "A" to this act, ~~is~~ is ratified and confirmed and *declared* to be binding upon the parties thereto, their successors and assigns. Agreement between the companies confirmed.

3. The said Windsor Turned Goods Company, Limited, their successors and assigns, are authorized and empowered to accept such transfer and to take over and enjoy the said Turned Goods Co. authorized to accept transfer.

property, assets, good will, and the rights, benefits and privileges granted by said By-Law No. 1002, of the said City of Windsor, and assume all the liabilities and obligations of the said The Windsor Bent Goods Company, Limited, ~~as~~ between The Windsor Bent Goods Company, Limited, and Windsor Turned Goods Company, Limited. ~~as~~

Substitution
of new com-
pany in by-law
of City of
Windsor.

4. Upon such transfer being made to the said the Windsor Turned Goods Company, Limited, the said Company, its successors and assigns shall enjoy such rights, benefits and privileges granted by said By-Law as fully and effectually as if they had been originally named therein, and in the same manner *shall* be bound to perform and observe all the conditions and obligations imposed by the said By-Law *or otherwise* upon The Windsor Bent Goods Company, Limited.

Commence-
ment of Act.

5. ~~as~~ Notwithstanding anything in this act contained the rights of the Corporation of the City of Windsor under *the* said By-law No. 1002 or otherwise shall be in no way affected or prejudiced. ~~as~~

~~as~~ SCHEDULE A.

This agreement made in triplicate this second day of January, one thousand nine hundred and one, between The Windsor Bent Goods Company Limited, and Joseph Findlay, James Samson, Thomas Watson, Robert Pinchin, A. W. Davidson and Oscar E. Fleming, of the first part, and Windsor Turned Goods Company, Limited, of the second part.

Whereas the said The Windsor Bent Goods Company, Limited, was duly incorporated under *The Ontario Companies' Act* by Letters Patent bearing date the 11th day of May A.D. 1899, for the purposes following, to wit:—To manufacture and deal in bent goods, hubs, spokes, wheels, lumber and wood turning, and immediately thereafter began to carry on and have *since* carried on such business in the City of Windsor in the County of Essex.

And whereas by reason of the growth of the said business it became necessary to enlarge the plant and premises of the said company, but the capital stock having been by the said letters patent fixed at the sum of \$80,000 only, it was insufficient for such purposes and the said company concluded to increase its capital stock so as to make the necessary enlargement and extension.

And whereas subsequent to the decision to increase the capital stock as aforesaid, and prior to the making of this agreement the said enlargement and extension have been proceeded with and large sums expended, but by reason of such insufficiency of capital the money required for such enlargement and extension has been advanced to the said company by the individuals named with the said company as parties of the first part hereto.

And whereas the Windsor Turned Goods Company, Limited, of the second part hereto is a company duly incorporated under the said *Ontario Companies' Act* by letters patent bearing date the thirtieth day of November A.D. 1900, for purposes similar to the said The Windsor Bent Goods Company, Limited.

And whereas instead of applying for the increase of its capital stock as aforesaid the said The Windsor Bent Goods Company, Limited, for the consideration hereinafter named has agreed to enter into this contract for the sale to the Windsor Turned Goods Company, Limited, its plant, machinery, stock in trade, good will, rights, credits and property of every kind and description together with its rights, benefits and privileges granted by the corporation of the City of Windsor under By-law number 1002 finally passed the 27th day of June A.D. 1900.

And whereas doubts have arisen as to the power of the said The Windsor Bent Goods Company, Limited, to transfer such rights, benefits and privileges so granted to it by virtue of such by-law, it has been agreed by the said company to apply as soon as may be to the Legislature of the Province of Ontario for such power, and in the meantime it has been agreed by the parties hereto that the Windsor Turned Goods Company, Limited, shall immediately after the execution hereof take possession of the said plant and property and carry on the said business as agents for The Windsor Bent Goods Company, Limited.

Now therefore this agreement witnesseth that in consideration of the premises and of the sum of \$60,000 of lawful money of Canada and the delivery of \$80,000 worth of paid up common stock in the said Windsor Turned Goods Company, Limited, at the times and in the manner hereinafter provided for, and the assumption by the parties of the second part of all the liabilities and obligations of the parties of the first part in connection with said business, and the said parties of the first part hereby covenant and agree to sell, assign, transfer and set over unto the said party, of the second part, their successors or assigns all their real estate, plant, machinery, stock in trade, rights, credits and other property of every kind and description together with its rights, benefits and privileges granted by the Corporation of the City of Windsor under By-law number 1002 finally passed the 27th day of June A.D., 1900.

The said parties of the first part further covenant and agree as aforesaid, that they will, as soon as may be hereafter, make application to the Legislature of the Province of Ontario for an enabling Act, giving them power to effectually make the transfer as agreed upon in the preceding paragraph.

And it is hereby further covenanted and agreed by the parties hereto, that the parties of the second part shall in the meantime, and until such sale and transfer is completed, or this agreement terminated, as hereinafter provided for, take possession of the said plant and property and operate and carry on such business as agents for the parties of the first part, and to have the full management and control thereof, but all profits thereof are to be paid to the parties of the first part subject to the payment to the parties of the second part of such remuneration as may be agreed upon between them, and in default of agreement, may be determined by arbitration. The parties of the second part, however, hereby covenanting and agreeing to indemnify and save the parties of the first part harmless of and from all actions, claims, demands and liabilities of whatsoever kind or nature now existing or hereafter to be incurred.

It is further covenanted and agreed by the parties hereto that the sale and transfer hereinbefore agreed to shall within one month from the time of such enabling Act, if any, comes into force, be completed by the parties of the first part absolutely conveying to the parties of the second part of that agreed to be sold, the said parties of the second part having first paid and delivered to the parties of the first part the consideration therefor, hereinbefore set forth.

It is further covenanted and agreed by the parties hereto that in case of failure to obtain the enabling Act hereinbefore referred to this agreement may be terminated by any of the parties hereto on giving one month's notice in writing.

In witness whereof the parties hereto have hereunto set their hands and seals.

Signed, sealed and delivered
in the presence of

THE WINDSOR BENT GOODS Co., LIMITED.
JAMES SAMSON, [Seal.]
President.

R. McBRIDE,
Secretary-Treasurer.

J. FINDLAY. [Seal.]

JAMES SAMSON. [Seal.]

T. WATSON. [Seal.]

R. PINCHIN. [Seal.]

A. W. DAVIDSON. [Seal.]


O. E. FLEMING, [Seal.]

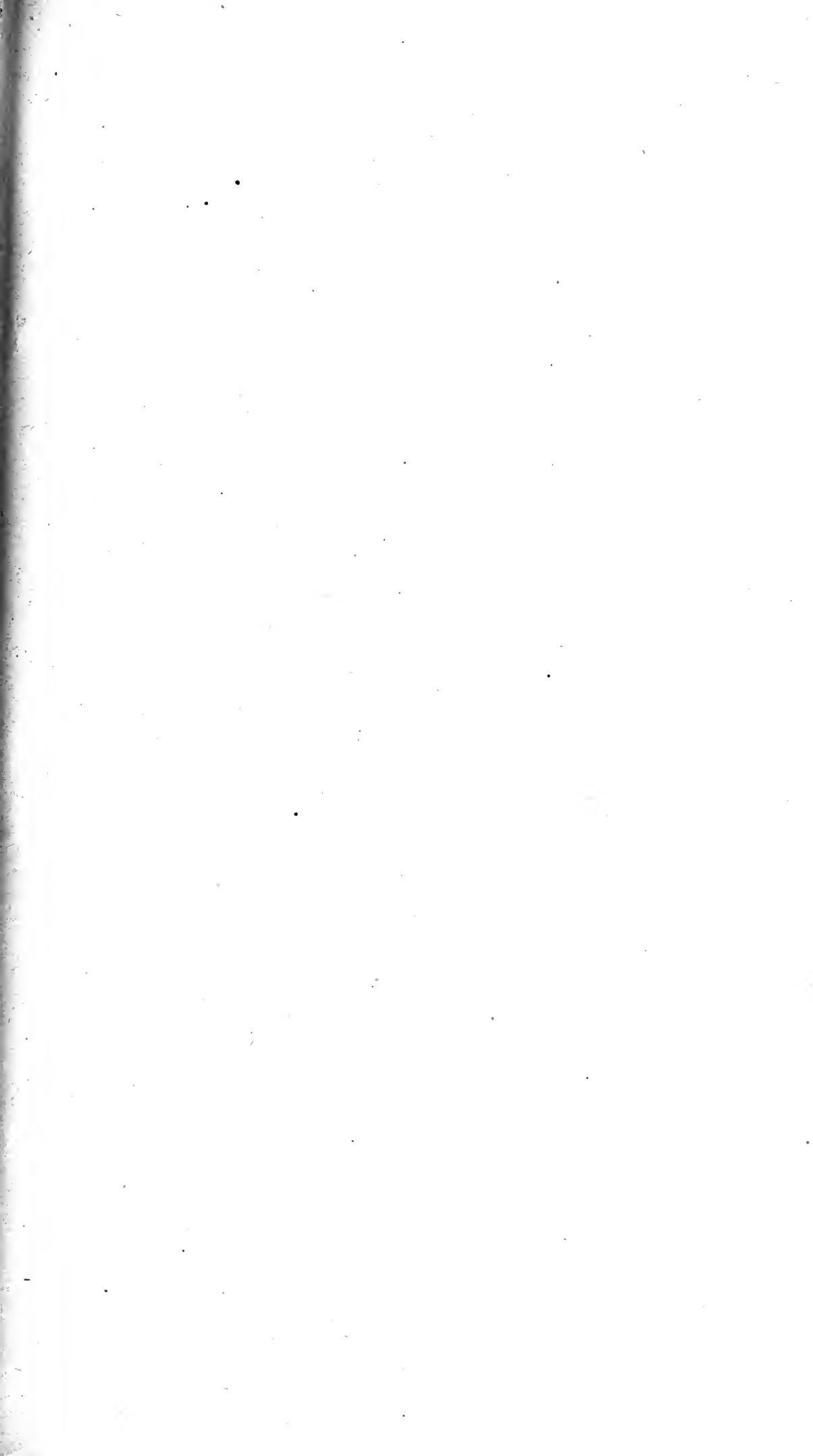
WINDSOR TURNED GOODS Co., LIMITED.

A. W. DAVIDSON, Prov'l Director.

WINDSOR TURNED GOODS Co., LIMITED.

JAMES SAMSON,
President.

R. McBRIDE,
Secretary. 



No. 6.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting The Windsor Bent Goods
Company, Limited.

First Reading, 21st Feb., 1901.

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

Mr. MCKEE.

TORONTO :

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

An Act to incorporate The Norwood and Apsley
Railway Company.

WHEREAS Joseph Burgess Pearce, Thomas George Eastland, Paton W. C. Shaven, William Gallon, William Ewing Roxburgh, Samuel Payne Ford, M.D., Peter Weese Reynolds, John Finley, Thomas Rork, John Bannon McWilliams, Edward Hawthorne, Thomas James Drain, James Andrews, John Monogue, J. W. Ratcliff, John A. Sexsmith and William Thomas Buck, have by their petition prayed for incorporation under the name of "The Norwood and Apsley Railway Company," for the purpose of constructing, maintaining and operating a steam railway from the station on the Ontario and Quebec Division of the Canadian Pacific Railway, at the Village of Norwood, in the Township of Asphodel and County of Peterborough, and thence northerly to a point at or near the Village of Apsley, in the Township of Anstruther, in the County of Peterborough, with power to build, own and operate vessels on Stony Lake and other lakes on the line thereof, and also to build, own and manage hotels in the vicinity of said lakes, in connection with the said railway, and whereas it is expedient to grant the prayer of the said petition ;

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

1. Joseph Burgess Pearce, Thomas George Eastland, Paton W. C. Shaven, William Gallon, William Ewing Roxburgh, Samuel Payne Ford, M.D., Peter Weese Reynolds, John Finley, Thomas Rork, John Bannon McWilliams, Edward Hawthorne, Thomas James Drain, James Andrews, John Monogue, J. W. Ratcliffe, John A. Sexsmith and William Thomas Buck, 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 Norwood and Apsley Railway Company," hereinafter called "the Company."

2. The 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, from the station on the Ontario and Quebec Division of the Canadian Pacific Railway at Norwood, to a point at or near Apsley, in the County of Peterborough.

Gauge. **3.** The gauge of the said railway shall be four feet eight and one-half inches.

Provisional directors. **4.** The said Joseph Burgess Pearce, Thomas George Eastland, Paton W. C. Shaven, William Gallon, William Ewing Roxburgh, John Finley, Thomas Rork, John Bannon McWilliams, Edward Hawthorne, Thomas James Drain, James Andrews, John Monogue, J. W. Ratcliffe, John A. Sexsmith and William Thomas Buck, 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 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 Village of Norwood, in the County of Peterborough, or at such other place as may best suit the interest of the said company.

Rev. Stat c. 207. **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 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

Conveyance of land to company.

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 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 debenture or other securities for money, or by way of guarantee upon such terms and conditions as may be agreed upon. Aid to railway.

9. 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 five 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; Capital stock. Rev. Stat. c. 207.

10. When and as soon as shares to the amount of \$50,000 of capital stock in 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 Village of Norwood of the time, place and purpose of the said meeting. First 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 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 direc- Number of directors and quorum.

Rev. Stat.
c. 267.

tors 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

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 therefore, 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."

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 for office as directors in the company.

Calls on stock.

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 hereinafter provided in section 17 of this Act.

Payments in
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 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.

17. The head office of the company shall be at the said Village of Norwood, and the general annual meeting of the shareholders of the company shall be held in such place in the said Village of Norwood, 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 Village of Norwood during the four weeks immediately preceding the week in which such meeting is to take place.

Head office.
General Annual meeting.

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 said company, upon such notice as is provided in the last preceding section.

Special general meetings.

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. 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 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 section.

Issue of bonds

R. S. O.
c 207

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.

Bonds, etc how payable.

Transfer of bonds.

22. The company shall have power and authority to become parties to promissory notes and bills of exchange for

Negotiable instruments.

sums not less than \$100, and any such promissory note or bill of exchange made, accepted or indorsed 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, 5 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, 10 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 15 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 20 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 hir-
ing rolling
stock.

24. It shall be lawful for the directors of the company to enter upon an agreement or agreements with any other com- 25 pany 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 30 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. 35

Telegraph and
telephone
lines.

25. The company may also construct an electric telegraph line and a telephone line in connection with their rail- way, and for the purpose of constructing, working and pro- 40 tecting 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 con- 45 struction 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 tele- phone lines shall be used exclusively for the purposes of the business of the company.

26. 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.

By-laws granting exemption from taxation.

27. 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 company.

Gifts of lands.

28. 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 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.

Power to purchase whole lots.

Rev. Stat. c. 207.

29. 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 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,

Acquiring material for construction.

Rev. Stat. c. 207.

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. 5

Sidings to
gravel pits.

30.—(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 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. 10 15 20

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. 25

Power to hold
additional
property.

31. The 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, on Stony Lake and other lakes on the line of the said railway, and the company shall also have power to build, own and manage hotels for the accommodation of tourists and the general public in the vicinity of said lakes, and also to make use, for the purposes of the said railway, of the water of any lake, 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. 30 35 40

Power to erect
snow fences.

32. 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 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 45

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.

33. The company shall have power to agree for connections and make running arrangements with the Canadian Pacific Railway Company, 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 company, 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 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 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 way 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.

Arrangements
with other
companies.

34. 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.

35. 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.

Payment of
back charges
on goods.

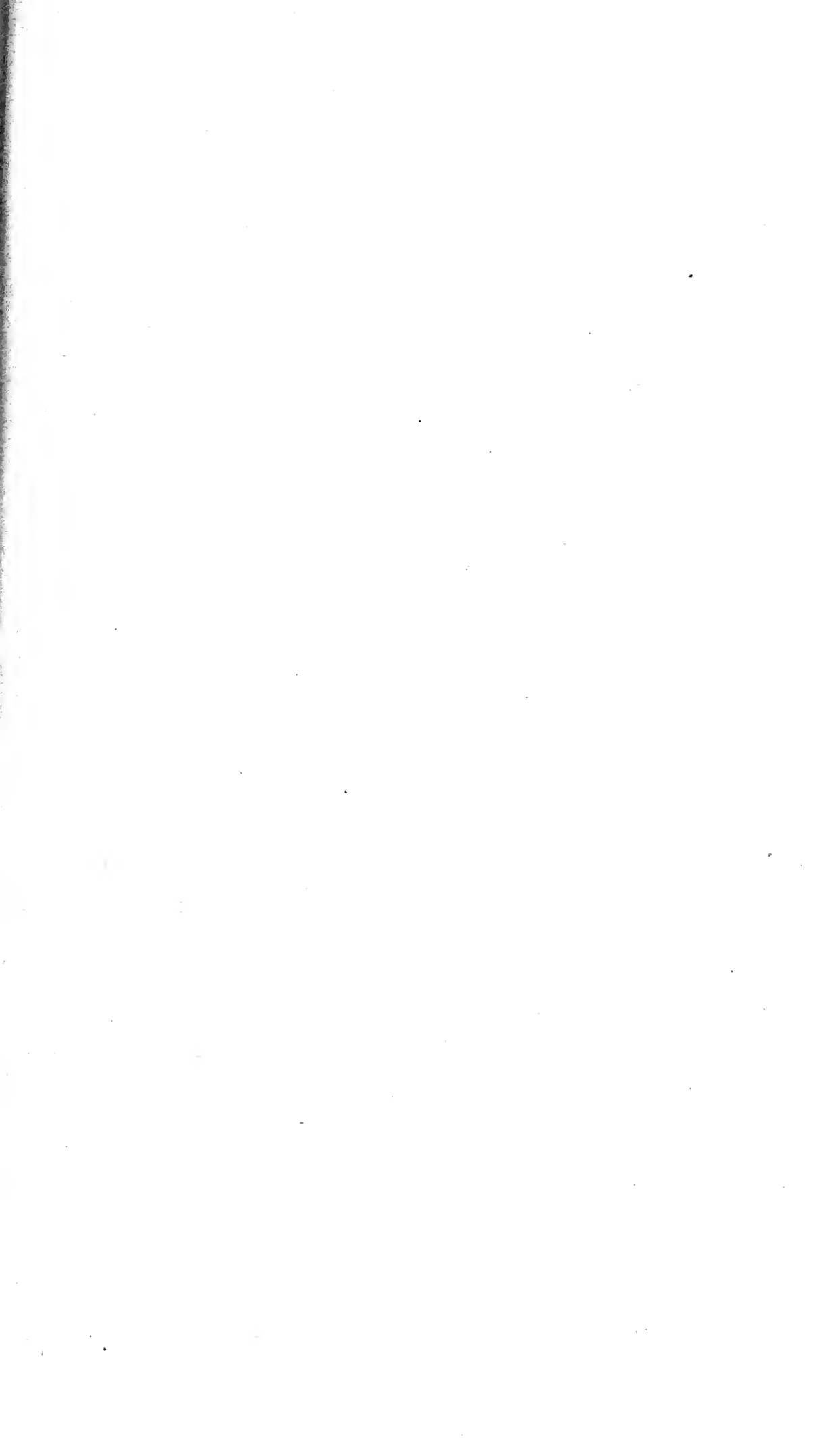
36. The several clauses of *The Railway Act of Ontario* and of every Act in amendment thereof shall be incorporated with, and be deemed to be part of this Act, and shall apply to the said company and to the railway to be constructed by them, except only so far as they may be inconsistent with the ex-

Incorporation
of provisions
of Rev. Stat.,
c. 207.

press 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.

37. The railway shall be commenced within three years 5
and finally completed within five years after the passing of
this Act.



No. 7.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act to incorporate the Norwood and
Apsley Railway Company.

First Reading. 1901.

(Private Bill.)

Mr. BIEZARD.

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

An Act to incorporate The Norwood and Apsley
Railway Company.

WHEREAS Joseph Burgess Pearce, William Ewing Roxburgh, Samuel Payne Ford, M.D., Peter Weese Reynolds, John Finley, Thomas James Drain, James Andrews and William Thomas Buck, all of the Village of Norwood; Thomas George Eastland, Paton W. C. Shewen and William Gallon, all of the Township of Anstruther, Thomas Rork and John Bannon McWilliams, both of the Town of Peterborough, Edward Hawthorne and Henry Alexander Moore, both of the Township of Dummer, John William Rateliff and John Monogue, both of the Township of Chandos, and John Albert Sexsmith, of the Township of Belmont, all in the County of Peterborough, ^{Preamble.} have by their petition prayed for incorporation under the name of "The Norwood and Apsley Railway Company," for the purpose of constructing, maintaining and operating a steam railway from the station on the Ontario and Quebec Division of the Canadian Pacific Railway, at the Village of Norwood, in the Township of Asphodel and County of Peterborough, and thence northerly to a point at or near the *unincorporated* Village of Apsley, in the Township of Anstruther, in the *said* County of Peterborough, with power to build, own and operate vessels on Stony Lake and other lakes on the line thereof, in connection with the said railway, and whereas it is expedient to grant the prayer of the said petition;

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

1. Joseph Burgess Pearce, Thomas George Eastland, Paton W. C. Shewen, William Gallon, William Ewing Roxburgh, Samuel Payne Ford, M.D., Peter Weese Reynolds, John Finley, Thomas Rork, John Bannon McWilliams, Edward Hawthorne, Thomas James Drain, James Andrews, John Monogue, J. W. Rateliff, John A. Sexsmith, *Henry Alexander Moore* and William Thomas Buck, and such other persons and corporations as shall hereafter become shareholders in the company ^{Incorporation} *hereby incorporated*, are hereby constituted a body corporate and politic under the name of "The Norwood and Apsley Railway Company," hereinafter called "the Company."

2. The 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, from the station on the Ontario and Quebec Division of the Canadian Pacific Railway at *the Village of Norwood*, in the Township of Asphodel, in the County of Peterborough, and thence northerly to a point at or near the unincorporated Village of Apsley, in the Township of Anstruther in the said County of Peterborough.

3. The gauge of the said railway shall be four feet eight and one-half inches.

4. The said Joseph Burgess Pearce, Thomas George Eastland, Paton W.C. Shewen, William Gallon, William Ewing Roxburgh, John Finley, Thomas Rork, John Bannon McWilliams, Edward Hawthorne, Thomas James Drain, James Andrews, John Monogue, John William Ratcliff, John Albert Sexsmith, William Thomas Buck, Henry Alexander Moore *Peter Weese Reynolds* and Samuel Payne Ford, M.D., 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.

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 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 Village of Norwood, in the County of Peterborough, or at such other place as may best suit the interest of the company.

Location of line.

Gauge.

Provisional directors.

Powers of provisional directors.

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 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.

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 political, 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.

9. 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 five 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.

Capital stock.
R.-v. Stat. c.
207.

10. When and as soon as shares to the amount of \$50,000 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 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 Village of Norwood of the time, place and purpose of the said meeting.

First election
of directors.

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 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 emp'oy 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 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 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."

Rev. Stat.
c. 207.

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 for office as directors in the company.

15. The directors may, from time to time, make calls as Calls on stock. 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.

16. The provisional directors, or the elected directors, may Payments in stock or bonds 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.

17. The head office of the company shall be at the said Head office, general annual meeting. Village of Norwood, and the general annual meeting of the shareholders of the company shall be held in such place in the said Village of Norwood, 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 Village of Norwood during the four weeks immediately preceding the week in which such meeting is to take place.

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, 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.

20. The directors of the company shall have power to issue Issue of bonds 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 ^{the} sections 19, 20, 21, 22 and 23 of ^{the} 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. R. S. O. c 207.

Bonds, etc.
how payable

Transfer of
bonds.

Negotiable in-
struments.

Mortgaging
or pledging
bonds.

Agreements
with other
companies for
leasing or hir-
ing rolling
stock.

Telegraph and
telephone
lines.

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.

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 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 the notes or bills of a bank.

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.

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 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 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; provided also that such telegraph and telephone lines shall be used exclusively for the purposes of the business of the company.

26. 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.

By-laws granting exemption from taxation.

27. 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.

Gifts of lands.

28. 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 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.

29. 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

Acquiring material for construction.

Rev. Stat. c.
207.

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.

30.—(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, subsection 9 of section 20 of *The Railway Act of Ontario*, shall not apply.

Power to hold
additional
property.

31 The 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, on Stony Lake and other lakes on the line of the said railway.

Power to erect
snow fences.

32. 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 His 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

thercon, 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.

33. The company shall have power to agree for connections and making running arrangements with the Canadian Pacific 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 general meeting to be held for that purpose, and it shall also be lawful for the said company *hereby incorporated* to enter into an agreement with the said railway company, 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 leasing 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 is hereby authorized to work the said railway and in the same manner as if incorporated with its 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.

Arrangements
with other
companies.

34. 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.

35. 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.

36. 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

Incorporation
of provisions
of Rev. Stat.,
c. 207.

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.

Commence-
ment and
completion of
line.

37. 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 Norwood and Apsley 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 Norwood and Apsley 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 and _____

Signed, sealed and delivered }
in the presence of }

[L.S.] 

No. 7.

4th Session, 9th Legislature,
1 Edward VII. 1901.

BILL.

An Act to incorporate The Norwood and
Apsley Railway Company.

First Reading, 21st February, 1901.

*(Reprinted as amended by Railway
Committee.)*

Mr. BIEZARD.

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

An Act to enable the Incorporated Synod of the Diocese of Huron to provide for the Election of Select Vestries or Boards of Management.

WHEREAS the Incorporated Synod of the Diocese of Huron has by petition prayed, that an Act may be passed, conferring upon the said Synod certain powers as to the formation of Select Vestries, or Boards of Management, and 5 whereas it is expedient to grant the prayer of the said petition,

Preamble.

Therefore His 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 the Act passed 10 in the thirty-eighth year of the reign of Her late Majesty Queen Victoria, chapter seventy-four and intituled "*An Act to incorporate the Synod of the Diocese of Huron and to unite the Church Society of the Diocese of Huron therewith,*" or in chapter 307 of the Revised Statutes of Ontario, or in any 15 other Act inconsistent herewith, the said Synod shall have power and authority to provide by Canon of such Synod, for the election by the vestry of any or every church, within the said Diocese, from the members of such vestry of a select vestry or Board of Management, which shall possess all the 20 rights, powers and privileges possessed or exercised by the Church Wardens or by the vestry thereof, or any portion of such rights, powers and privileges, and that the said churchwardens shall be subject to the direction and control of the Select Vestry or Board of Management of their Church, 25 as regards the administration of the temporal affairs of such church, and by the same Canon to define or limit the duties of such Select Vestry or Board of Management and of the churchwardens respectively.

Power to provide for select vestries or boards of management.

2. The operation of such Canon may in the discretion of 30 said Synod be made applicable only to churches whose vestries may declare themselves by resolution desirous of adopting the same, or to a defined class or number of churches only and the said Canon may from time to time be amended or repealed by the said Synod and a new Canon or Canons enacted 35 ed within the powers hereinbefore conferred.

Canon may be general or restricted in application.

Titles to
church pro-
perty not
affected.

3. Nothing in this Act shall be construed as authorizing a change in the title or tenure of property belonging to or held in trust for any church or churches within the said diocese.

as shall be
hereby consti
of "The M

No. 8.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act to enable the Incorporated Synod
of the Diocese of Huron to provide for
the Election of Select Vestries or Boards
of Management.

First Reading. 1901.

(Private Bill.)

Mr. LEYS.

TOPONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act to incorporate the Windsor, Essex, and Lake
Shore Rapid Railway Company.

WHEREAS William G. Curry, William Newman, P. H. Fauquier, Charles F. Curry, all of the City of Windsor in the County of Essex and James Brien of the Town of Essex in the said County of Essex, have by their petition prayed for an Act of incorporation under the name of The Windsor, Essex and Lake Shore Rapid Railway Company, for the purpose of constructing and operating an electric railway from some point in or near the City of Windsor in the County of Essex passing through the Townships of Sandwich West, Sandwich East, Sandwich South, Maidstone, Gosfield North, Gosfield South, and Mersea, the Towns of Essex and Leamington and the Village of Kingsville to a point in or near the unincorporated Village of Wheatley in the said Township of Mersea all in the County of Essex; and whereas it is expedient to grant the prayer of the said petition:—

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

1. William G. Curry, William Newman, P. H. Fauquier, Charles F. Curry, all of the said City of Windsor, and James Brien of the said Town of Essex and such other persons and corporations as shall hereafter become shareholders in said company are hereby constituted a body corporate and politic under the name of "The Windsor, Essex and Lake Shore Rapid Railway Company."

2. The said company is hereby authorized and empowered 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 or steam or partly by electricity and partly by steam from some point in or near the City of Windsor through the Townships of Sandwich West, Sandwich East, Sandwich South, Maidstone, Gosfield North, Gosfield South and Mersea, the Towns of Essex and Leamington and the Village of Kingsville to a point in or near the unincorporated Village of Wheatley in the said Township of Mersea all in the County of Essex or along highways separating any of said municipalities and upon such other public highways as

may be authorized by the by-laws of the respective corporations having jurisdiction over the same and subject to the provisions and restrictions therein and in the said Act contained and under and subject to any agreements made or hereinafter to be made by or on behalf of the said company and the councils of any of the said municipalities. 5

Provisional directors.

3. The said William G. Curry, William Newman, P. H. Fauquier, Charles F. Curry all of the said City of Windsor, and James Brien of the said Town of Essex 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. 10

Meetings of company.

4. All meetings of the board shall be held in the City of Windsor in the County of Essex, or at such other place as may best suit the interests of the said company. 15

Capital stock.

5. The capital stock of the company hereby incorporated shall be five hundred thousand dollars to be divided into five thousand shares of one hundred dollars each.

Directors.

6. The board of directors of the said company shall consist of not less than five and not more than nine directors who shall be elected in the manner and possess the qualifications prescribed by *The Electric Railway Act*. 20

Head office.

7. The head office of the company shall be at the city of Windsor. 25

Annual meetings.

8. The date of the annual meeting of the shareholders shall be fixed by the by-laws of the said company.

Payments in stock or bonds.

9. 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. 30 35

Tolls on fruit, milk, etc.

10. The company may make special rates for the carriage of fruit, milk and other perishable goods. And if the rates are not paid within a reasonable time, or if the goods remain in the possession of the company unclaimed for such a time that a longer retention of them by the company would render 45

them liable to destruction or decay, the company may take such steps to dispose of them as are reasonable, either by public or private sale, and account for and dispose of the proceeds as in sub-sections 3, 4 and 5 of section 48 of *The Electric Railway Act* mentioned.

11. Notwithstanding section 38 of *The Electric Railway Act*, the railway of the company may cross the railway of the Canadian Pacific Railway Company at grade at a point at or near the town line between the township of Sandwich West and Sandwich East and the railway of the Lake Erie and Detroit River Railway Company at grade at or near a point where the line of the Lake Erie and Detroit River Railway Company crosses the line of the Canada Southern Railway Company in the township of Sandwich South and known as Pelton Station.

12. 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.

Crossing certain lines at grade.

Incorporation of certain provisions of Rev Stat. c.

No. 9.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act to incorporate the Windsor, Essex
and Lake Shore Rapid Railway
Company.

First Reading,

(Private Bill.)

Mr. MCKEE.

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

An Act to incorporate the Windsor, Essex, and Lake
Shore Rapid Railway Company.

WHEREAS William G. Curry, William Newman, P. H. Fauquier, Charles F. Curry, all of the City of Windsor in the County of Essex and James Brien of the Town of Essex in the said County of Essex, have by their petition prayed for an Act of incorporation under the name of "The Windsor, Essex and Lake Shore Rapid Railway Company," for the purpose of constructing and operating an electric railway from some point in or near the City of Windsor in the County of Essex passing through the Townships of Sandwich West, Sandwich East, Sandwich South, Maidstone, Gosfield North, Gosfield South, and Mersea, the Towns of Essex and Leamington and the Village of Kingsville to a point in or near the unincorporated Village of Wheatley in the said Township of Mersea all in the County of Essex; and whereas it is expedient to grant the prayer of the said petition:—

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

1. William G. Curry, William Newman, P. H. Fauquier, Charles F. Curry, all of the said City of Windsor, and James Brien of the said Town of Essex and such other persons and corporations as shall hereafter become shareholders in said company are hereby constituted a body corporate and politic under the name of "The Windsor, Essex and Lake Shore Rapid Railway Company." Incorporation.

2. The said company is hereby authorized and empowered 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 or near the City of Windsor through the Townships of Sandwich West, Sandwich East, Sandwich South, Maidstone, Gosfield North, Gosfield South and Mersea, the Towns of Essex and Leamington and the Village of Kingsville to a point in or near the unincorporated Village of Wheatley in the said Township of Mersea all in the County of Essex or along highways separating any of said municipalities and upon such other public highways as may be authorized by the by-laws of the respective corpora- Location of line.

tions having jurisdiction over the same and subject to the provisions and restrictions therein and in this Act contained and under and subject to any agreements made or hereafter to be made ~~between~~ between the said 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 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 this Act and in *The Municipal Act*, and any Act or Acts amending the same. ~~§7~~

Provisional directors.

3. The said William G. Curry, William Newman, P. H. Fauquier, Charles F. Curry all of the said City of Windsor, and James Brien of the said Town of Essex 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.

Meetings of company.

4. All meetings of the ~~the~~ provisional board of directors ~~§7~~ shall be held in the City of Windsor in the County of Essex, 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 five hundred thousand dollars to be divided into five thousand shares of one hundred dollars each.

Directors.

6. The board of directors of the said company shall consist of not less than five and not more than nine directors 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 company shall be at the city of Windsor.

Annual meetings.

8. The date of the annual meeting of the shareholders shall be fixed by the by-laws of the said company.

Payments in stock or bonds.

9. 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.

10. The company may make special rates for the carriage of fruit, milk and other perishable goods. Tolls on fruit, milk, etc.

11. 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. Crossing certain lines at grade.

12. 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. Incorporation of certain provisions of Rev Stat. c.

No. 9.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act to incorporate the Windsor, Essex
and Lake Shore Rapid Railway
Company.

First Reading, 27th February, 1901.

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

Mr. MCKEE.

TORONTO :

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

An Act to amend The Act incorporating the Hamilton, Grimsby and Beamsville Electric Railway Company.

WHEREAS the Hamilton, Grimsby and Beamsville Electric Railway Company hereinafter called "the Company" having by their petition represented that they have constructed a railway from the City of Hamilton to the Village of Beamsville and are now operating the same; that the capital stock of the Company is \$400,000.00 of which \$153,700 has been subscribed for, issued and fully paid up and that the amount of bonds authorized is \$230,000.00 of which \$85,000 have been issued and disposed of, and have prayed for power to extend their line of railway from its present terminus in the Village of Beamsville to a point in or near the City of St. Catharines, and to further extend the same to a point in or near Niagara-on-the-Lake, and to further extend the same to a point in or near the Town of Niagara Falls with power to construct, equip, maintain and operate the said extension in the same manner as their present line of railway is operated; that their powers to issue bonds be increased, and for other powers; and whereas it is expedient to grant the prayer of the said petition.

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

1. The Company is hereby authorized and empowered to construct, equip, maintain and operate an extension of its existing line of railway from a point at or near its present terminus in the Village of Beamsville through the townships of Clinton, Louth and Grantham to a point in or near the City of St. Catharines, and to extend the same from a point in or near the said City of St. Catharines through the townships of Grantham and Niagara to a point in or near Niagara-on-the-Lake, and to further extend the same from a point in or near the said City of St. Catharines through the townships of Grantham, Niagara, Thorold and Stamford to a point in or near the Town of Niagara Falls, with single or double track, and with all necessary branches, side tracks and turn outs for the passage of cars, carriages and other vehicles: Provided that the

Preamble.

Extension of line to St. Catharines, to Niagara Falls and Niagara-on-the-Lake.

Proviso.

said railway may be carried along and upon such streets and highways as may be authorized by by-laws of the respective corporations having jurisdiction over the same and subject to any agreements hereafter to be made between the Council of any of said corporations and the Company; and the Company may take, transport and carry passengers, freight, express, mail or other matter upon the same, and construct and maintain all necessary works, buildings, appliances and conveniences connected therewith; and the Company may make and enter into any agreement with any municipality, council or road company as to the terms of occupancy of any street or highway.

Powers of Company with regard to extension.

2. The Company shall have and enjoy and be entitled to all the rights, powers, privileges and advantages of every nature and kind whether had under their said Act of Incorporation or otherwise with reference to all matters necessary for the construction, equipment, maintenance and operation of the said extension in as full and ample a manner as if said extension had been a part of the original undertaking of the Company.

Provisions as to original line to apply.

3. All persons, firms or corporations given rights, powers, privileges or advantages under the said Act of Incorporation of the Company are entitled to the same rights, privileges and advantages and to exercise the same powers with reference to said extension.

Powers of municipalities.

4. All municipalities in which the railway of the Company is now situated or through which the said extension is to be constructed, or which may be benefited thereby shall have and enjoy all the rights and powers conferred upon municipalities by the said Act of Incorporation of the Company subject to the conditions therein contained.

Bonds.

5. The directors of the Company shall have power to issue bonds of the Company for the purpose of raising money for prosecuting the said extension which bonds shall be a first charge upon the said extension to be made hereunder and upon all franchises, lands, buildings, material, plant and assets obtained for or used in connection with the said extension and be also a charge upon the present franchises, lands, buildings, material, plant and assets of the Company, subject to a charge now existing thereon of \$85,000.00 represented by bonds of the Company; provided that the whole amount of the new issue of bonds when added to the amount of \$85,000.00 of bonds already issued shall not exceed in all the sum of \$10,000 for each mile of said railway and extension, and the provisions of sub-sections 19, 20, 21, 22 and 23 of section 9 of *The Railway Act* 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.

6. The extensions shall be commenced within two years and completed to a point in or near the City of St. Catharines within five years and to a point in or near Niagara-on-the-Lake within seven years and to a point in or near the Town of Niagara Falls within ten years from the passing of this Act. Time for commencement and completion of line.

7. *The Electric Railway Act* being chapter 209 of the Revised Statutes of Ontario 1897 shall not apply to the Company or to the construction, equipment, maintenance or operation of the said extension. Rev. Stat. c. 209 not to apply.

No. 10.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act to amend The Act incorporating
the Hamilton, Grimsby and Beamsville
Electric Railway Company.

First Reading, , 1901.

(Private Bill.)

Mr. CARSCALLEN.

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

An Act to amend The Act incorporating the Hamilton, Grimsby and Beamsville Electric Railway Company.

WHEREAS the Hamilton, Grimsby and Beamsville Electric Railway Company hereinafter called "the Company" having by their petition represented that they have constructed a railway from the City of Hamilton to the Village of Beamsville and are now operating the same; that the capital stock of the Company is \$400,000.00 of which \$153,700 has been subscribed for, issued and fully paid up and that the amount of bonds authorized is \$230,000.00 of which \$85,000 have been issued and disposed of, and have prayed for power to extend their line of railway from its present terminus in the Village of Beamsville to a point in or near the City of St. Catharines, and to further extend the same to a point in or near Niagara-on-the-Lake, and to further extend the same to a point in or near the Town of Niagara Falls with power to construct, equip, maintain and operate the said extension in the same manner as their present line of railway is operated; that their powers to issue bonds be increased, and for other powers; and whereas it is expedient to grant the prayer of the said petition.

Preamble.

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

1. The Company is hereby authorized and empowered to construct, equip, maintain and operate an extension of its existing line of railway from a point at or near its present terminus in the Village of Beamsville through the townships of Clinton, Louth and Grantham to a point in or near the City of St. Catharines, and to extend the same from a point in or near the said City of St. Catharines through the townships of Grantham and Niagara to a point in or near Niagara-on-the-Lake, and to further extend the same from a point in or near the said City of St. Catharines through the townships of Grantham, Niagara, Thorold and Stamford to a point in or near the Town of Niagara Falls, with single or double track, and with all necessary branches, side tracks and turn outs for the passage of cars, carriages and other vehicles: Provided that the

Extension of line to St. Catharines, to Niagara Falls and Niagara-on-the-Lake.

Proviso.

said railway may be carried along and upon such streets and highways as may be authorized by by-laws of the respective corporations having jurisdiction over the same and subject to any agreements hereafter to be made between the Council of any of said corporations and the Company; and the Company may take, transport and carry passengers, freight, express, mail or other matter upon the same, and construct and maintain all necessary works, buildings, appliances and conveniences connected therewith; and the Company may make and enter into any agreement with any municipality, council or road company as to the terms of occupancy of any street or highway.

Powers of Company with regard to extension.

2. ~~2.~~ Subject to the provisions of this Act, the Company shall have and enjoy and be entitled to all the rights, powers, privileges and advantages of every nature and kind whether had under their Act of Incorporation or otherwise with reference to all matters necessary for the construction, equipment, maintenance and operation of the said extension in as full and ample a manner as if said extension had been a part of the original undertaking of the Company.

Provisions as to original line to apply.

3. All persons, firms or corporations given rights, powers, privileges or advantages under the said Act of Incorporation of the Company are entitled to the same rights, privileges and advantages and to exercise the same powers with reference to said extension.

Powers of municipalities.

4. All municipalities in which the railway of the Company is now situated or through which the said extension is to be constructed, or which may be benefited thereby shall have and enjoy all the rights and powers conferred upon municipalities by the said Act of Incorporation of the Company subject to the conditions therein contained.

Bonds.

5. The directors of the Company shall have power to issue bonds of the Company for the purpose of raising money for prosecuting the said extension which bonds shall be a first charge upon the said extension to be made hereunder and upon all franchises, lands, buildings, material, plant and assets obtained for or used in connection with the said extension and be also a charge upon the present franchises, lands, buildings, material, plant and assets of the Company, subject to a charge now existing thereon of \$85,000.00 represented by bonds of the Company; provided that the whole amount of the new issue of bonds when added to the amount of \$85,000.00 of bonds already issued shall not exceed in all the sum of \$10,000 for each mile of said railway and extension, 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 said sub-sections.

6. The extensions shall be commenced within two years and completed within five years from the passing of this Act.

Time for commencement and completion of line.

7. Section 136 of *The Electric Railway Act* shall apply to the operation of the extension of the line of the said company authorized by this Act, but save as aforesaid *The Electric Railway Act* shall not apply to the company or to the construction, equipment, maintenance or operation of the said extension.

Rev. Stat. c. 209, s. 136, to apply.

8. The said company shall not run or operate freight cars or trains over the said extension so far as the same is carried along any public highway unless and until the consent of the corporation controlling such highway shall have been first obtained, nor until the size and number of cars and motors to be used, and the hours of running the same have been first approved by the Commissioner of Public Works of the Province of Ontario.

Carriage of freight on highways.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act to amend The Act incorporating
the Hamilton, Grimsby and Beamsville
Electric Railway Company.

First Reading, 5th March, 1901.

*(Reprinted as amended by Railway Com-
mittee.)*

Mr. CARSCALLEN.

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

An Act to authorize the Rector and Church Wardens of Christ's Church Cathedral, Hamilton, to sell a portion of the land adjoining the Church, formerly used as a cemetery.

WHEREAS the Rector and Church Wardens of Christ's Church Cathedral in the City of Hamilton have by their petition represented that they own lots numbers 18, 19 and 20 fronting on James street and lots numbers 18, 19 and 20 fronting on Hughson street in the block bounded by James, Barton, Hughson and Robert streets in the City of Hamilton; that upon the James street frontage there has been erected a church and school house and other buildings, which are now used and occupied by the congregation of Christ's Church Cathedral; that a portion of the lots fronting on Hughson street was many years ago used as a burying ground; that for nearly fifty years the said ground has not been used for the purposes of burial; that 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, and that from the location of the said property in the centre of the said city it would be improper to use the same for burial purposes now, and they have prayed that they may be authorized to remove the bodies and monuments from the said burying ground and be permitted to sell the said lands fronting on Hughson street or so much thereof as they may deem proper;

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

1. The Rector and Church Wardens of Christ's Church Cathedral in the City of Hamilton may during the period of one month publish a notice in the *Ontario Gazette* and twice a week in one daily newspaper published in the City of Hamilton, to the friends or relatives of the dead interred in the said burying ground stating their intention after a day named in said notice, which day shall not be less than six weeks after the first publication of such notice, to remove the remains (if any) therefrom and the monuments erected thereon.

Notice to
relatives of
dead.

Removal of
remains after
notice.

2. Upon and after the expiration of the said period of six weeks the said Rector and Church Wardens and their successors are hereby authorized and empowered to remove in a decent and orderly manner from the portion of the said burying ground which they may desire to sell, to another portion of the lands adjoining the said church, the remains of any bodies that may not have been removed by friends or relatives, and to inter them there, re-erecting any monuments that may mark the places of burial of the said remains. 5

Power to sell
after notice
and removal.

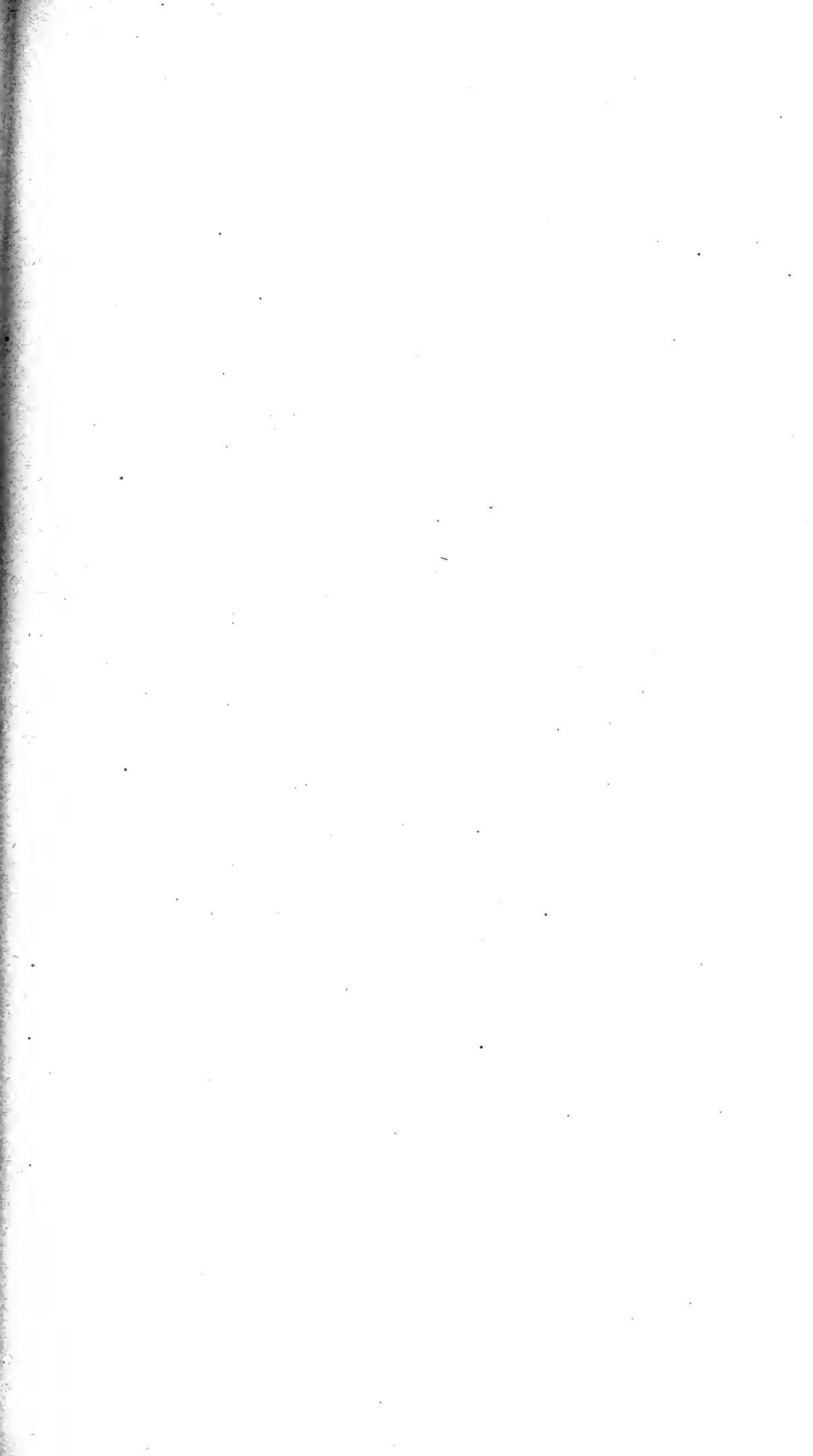
3. After the giving of such notice as aforesaid and after the expiration of the said period of six weeks and after the removal of any remains and of any monuments and the re-erection of such monuments, the Rector and Church Wardens of Christ's Church Cathedral shall hold the said lots numbers 18, 19 and 20 fronting on Hughson street freed and discharged of and from all claims and demands of any person or persons whomsoever and trusts of any description by reason of the same having been used as such burial ground saving and excepting any existing encumbrance by way of mortgage created by the Rector and Church Wardens, and subject to any such encumbrance they are hereby authorized to sell and convey in fee simple or for any less estate the said lots numbers 18, 19 and 20 fronting on Hughson street or any parts thereof upon such terms and conditions and for such price or prices as shall by them be deemed proper, and such sales may be either by public auction or private contract, and for cash or on time, or partly for cash and partly on time, and the said Rector and Church Wardens may take, accept and hold any mortgage or other security for any balance of such purchase money. 15 20 25

Application
of proceeds
of sale.

4. The moneys arising from the sale of the said land after payment of the expenses connected with the passing of this Act and the carrying out of the provisions thereof shall be applied in or towards payment of any such encumbrances upon the said lands, and so far as not so applied or required shall be used for the purposes of the said church. 30 35

Certificate of
County Judge
as to removal
of remains.

5. It shall be the duty of the said Rector and Church Wardens to use due care and diligence that all the remains of the dead have been removed from the said burying ground before they sell as aforesaid, but the title of any purchaser shall not be affected or prejudiced by reason only of the non-removal of any remains of the dead from the portion or portions so sold, if it shall be made to appear to the Judge of the County Court of the County of Wentworth for the time being, and if he shall so certify under his hand, that all the remains of the dead, so far as the same could be discovered, have been removed from the said portion or portions so sold, and such certificate shall be registered in the Registry Office for the County of Wentworth on the production thereof to the said Registrar, and the payment to him of \$1.00 as a fee for such registration. 40 45



BILL.

An Act to authorize the Rector and Church-wardens of Christ's Church Cathedral, Hamilton, to sell a portion of the land adjoining the Church, formerly used as a cemetery.

First Reading,	1901.
----------------	-------

(Private Bill.)

MR. CARSCALLEN.

TORONTO:

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

An Act respecting the City of London.

WHEREAS the municipal corporation of the City of Preamble.
London has by petition prayed for special legislation
in respect of the matters hereinafter set forth ; and whereas
it is expedient to grant the prayer of the said petition ;

5 Therefore His 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 By-laws
London, specified in Schedule A hereto, and all debentures confirmed.
10 issued or to be issued thereunder and all assessments made or
to be made for payment thereof are hereby confirmed and de-
clared to be legal, valid and binding.

SCHEDULE A.

List of By-laws providing for the issue of debentures passed by the Council of the Corporation of the City of London on the seventeenth day of December, A.D. 1900, the particulars of which are set out below :

No. of By-law.	Nature of work under By-law.	Amount of debentured.		Amount to be borne by City.		Amount to be borne by ratepayers.		Period of Payments.	Rate of Interest.
		\$	c.	\$	c.	\$	c.			Yrs	%
1634	Cement sidewalk on the west side of Clarence Street, between York and Horton streets	568	07	353	21	214	86	10	4
1635	Cement sidewalk on the east side of Richmond street, between York and Bathurst streets	381	98	200	58	181	40	10	4
1636	Cement sidewalk on the east side of Clarence street, between York and Simcoe streets	867	68	612	16	365	52	10	4
1637	Cement sidewalk on the east side of Ridout street, between Fullerton and Albert streets	855	76	464	23	391	53	10	4
1638	Cement sidewalk on the south side of Central avenue, between Richmond street and a point 340 feet west of Talbot street	1,045	56	629	12	419	44	10	4
1639	Cement sidewalk on the south side of York street, between Richmond street and 200 feet easterly therefrom	199	62	117	94	81	68	10	4
1640	Cement sidewalk on the south side of King street, between Talbot street and a point 78 feet west of Richmond street	465	12	237	14	227	98	10	4
1641	Cement sidewalk on the south side of Horton street, between Talbot and Richmond streets	359	12	212	22	146	90	10	4
1642	Cement sidewalk on the west side of Richmond street, between Simcoe and Gray streets	259	28	136	14	123	14	10	4
1643	Cement sidewalk on the north side of Horton street, between Ridout and Thames street	357	12	183	82	173	30	10	4
1644	Cement sidewalk on the north side of South street, between Clarence and Wellington streets	353	07	193	04	160	03	10	4
1645	Cement sidewalk on the west side of Clarence street, between Gray and South streets	522	62	282	25	240	37	10	4
1646	Cement sidewalk on the north side of Queen's avenue, between Picton and Waterloo streets	337	08	208	20	128	88	10	4
1647	Cement side on the south side of Queen's avenue, between Colborne and Maitland streets	529	07	351	49	117	58	10	4
1648	Cement sidewalk on the north side of Queen's avenue, between Wellington and Picton streets	318	37	191	02	127	35	10	4
1649	Cement sidewalk on the south side of King street, between Wellington and Waterloo streets	570	59	343	14	227	45	10	4
1650	Cement sidewalk on the east side of Wellington street, between Wellington and Princess avenues	337	43	205	11	132	32	10	4
1651	Cement sidewalk on the east side of Ridout street south, between Carfrae street and Victoria Bridge	562	78	293	68	269	10	10	4
1652	Cement sidewalk on the north side of Colborne street, between South street and 160 feet southerly east of Talbot street	630	93	426	28	204	65	10	4
1653	Cement sidewalk on the north side of Carling street, between Talbot street and a point 48 feet east of Talbot street	148	48	148	48	.....	.....	10	4
1654	Cement sidewalk on the south side of Dundas street, between Kensington Bridge and the west	422	60	215	36	207	24	10	4

1656	limit of lot 6 south of Dundas street	146 03	73 02	73 01	10	4
1657	Cement sidewalk on the north side of Simcoe street, between William and Maitland streets.	431 38	243 57	188 01	10	4
1658	Cement sidewalk on the west side of Talbot street, between Carling and Fullarton streets.	375 56	217 97	157 59	10	4
	Cement sidewalk on the west side of William street, between the Hamilton road and Simcoe street.	90 14	55 57	34 57	10	4
1659	Cement sidewalk on the west side of Waterloo street, between Dundas and King streets	309 31	203 81	105 50	10	4
1660	Cement sidewalk on the north side Maple street, between Talbot and Richmond streets	506 01	283 06	222 95	10	4
1661	Cement sidewalk on the north side of Oxford street, between Waterloo and Colborne streets	520 37	310 34	210 03	10	4
1662	Cement sidewalk on the east side of St. George street, between College avenue and Grosvenor street	209 11	118 09	91 02	10	4
1663	Cement sidewalk on the east side of St. George street, between St. James street and College avenue	216 24	123 60	92 64	10	4
1664	Cement sidewalk on the north side of Ann street, between St. George and Talbot streets.	356 02	187 53	168 49	10	4
1665	Cement sidewalk on the north side of Queen's avenue, between Park avenue and the Custom House lands	382 22	215 17	167 05	10	4
1666	Cement sidewalk on the east side of Waterloo street, between Piccadilly and Oxford street.	285 58	183 08	102 50	10	4
1667	Cement sidewalk on the east side of Waterloo street, between Oxford and St. James streets.	485 46	315 96	169 50	10	4
1668	Cement sidewalk on the south side of Cavendish street (otherwise Beach) between the Wharncliffe road and the easterly limit of lot 7, south of Cavendish (otherwise Beach) street.	263 46	133 86	129 60	10	4
1669	Cement sidewalk on the east side of High street, between Maryboro' Place and Tecumseh avenue.	176 65	89 06	87 58	10	4
1670	Cement sidewalk on the north side of Cavendish street (otherwise Beach), between the Warncliffe road and the westerly limit of lot 5 north of Cavendish (otherwise Beach) street.	207 01	103 75	103 26	10	4
1671	Cement sidewalk on the north side of St. James street, between William and Maitland streets	534 90	333 68	201 22	10	4
1672	Cement sidewalk on the north side of Grosvenor street, between Colborne and Adelaide streets	421 38	223 15	198 23	10	4
1673	Cement sidewalk on the east side of High street, between Grand avenue and Maryboro' Place.	332 29	166 15	166 14	10	4
1674	Cement sidewalk on the south side of York street, between Thames street and the River Thames.	148 72	79 67	69 05	10	4
1675	Cement sidewalk on the north side of Horton street, between Talbot and Ridout streets.	424 62	235 12	189 50	10	4
1676	Cement sidewalk on the east side of Ridout street, between Dundas and King streets	314 10	182 82	131 28	10	4
1677	Cement sidewalk on the east side of Talbot street, between G.T. Ry. and York street.	210 15	123 10	87 05	10	4
1678	Cement sidewalk on the east side of Ridout street, between King and York streets.	306 72	156 17	150 55	10	4
1679	Cement sidewalk on the east side of Clarence street, between Dundas and King streets.	397 15	227 76	169 39	10	4
1680	Cement sidewalk on the south side of King street, between Clarence street and 310 8 inches westerly therefrom.	290 92	151 36	139 56	10	4
1681	Cement sidewalk on the south side of Ridgeway street, between Beecher street and the west limit of lot 52, south of Ridgeway street	371 73	217 54	154 19	10	4
1682	Cement sidewalk on the east side of Richmond street, between Horton and Simcoe streets	320 31	172 05	148 26	10	4
1683	Cement sidewalk on the east side of Talbot street, between Bathurst and Horton streets	321 86	173 31	148 55	10	4
1684	Cement sidewalk on the west side of Talbot street, between Bathurst and Horton streets.	315 48	167 48	148 00	10	4
1685	Cement sidewalk on the west side of Maitland street, between Dundas street and Queen's avenue.	282 83	165 84	116 99	10	4

SCHEDULE A.—Continued.

No. of By-law.	Nature of work under By-law.	Amount of debt created.	Amount to be borne by City.	Amount to be borne by ratepayers.	Periods of payments.	Rate of Interest.
1686	Cement sidewalk on the north side of Askin street, between the Wharncliffe Road and Cynthia street	338 22	223 70	114 52	10	4
1687	Cement sidewalk on the west side of the Wortley Road, between Beaconsfield avenue and Askin street	1,082 94	572 88	510 06	10	4
1688	Cement sidewalk on the north side of Tecumseh avenue, between Cathcart street and the Wortley Road	526 36	288 48	237 88	10	4
1689	Cement sidewalk on the north side of Arthur street, between William and Alfred streets	168 78	105 53	63 25	10	4
1690	Cement sidewalk on the west side of Cartwright street, between Princess and Dufferin avenues	204 85	121 95	82 90	10	4
1691	Cement sidewalk on the east side of Hellmuth avenue, between St. James and Grosvenor streets	386 57	215 91	170 66	10	4
1692	Cement sidewalk on the east side of Waterloo street, between Dundas street and Dufferin avenue	631 03	398 68	232 35	10	4
1693	Cement sidewalk on the north side of Queen's avenue, between English and Ontario streets	801 83	412 75	389 08	10	4
1694	Cement sidewalk on the south side of St. Patrick street, between Argyle street and 90 feet easterly therefrom	60 27	32 31	27 96	10	4
1695	Cement sidewalk on the west side of Prospect avenue, between Princess and Dufferin avenues	475 56	302 26	173 30	10	4
1696	Cement sidewalk on the north side of Oxford street and the west side of Wellington street, between College avenue and Wellington street and Oxford and St. James streets	984 20	609 14	375 06	10	4
1697	Cement sidewalk on the east side of Prospect avenue, between Princess and Dufferin avenues	418 03	254 51	163 52	10	4
1698	Cement sidewalk on the west side of Waterloo street, between Picadilly street and 274 feet southerly therefrom	203 81	123 72	80 09	10	4
1699	Cement sidewalk on the east side of English street, between Dundas street and Dufferin avenue	426 79	252 82	173 97	10	4
1700	Cement sidewalk on the south side of Beaconsfield avenue, between the Wortley road and the westerly limit of lot 22 north of Victor street and south of Beaconsfield avenue	625 11	351 73	273 38	10	4
1701	Cement sidewalk on the west side of Wharncliffe road, between Oxford street and the C. P. R. lands	297 58	156 84	140 74	10	4
1702	Cement sidewalk on the north side of Cheapside street, between Richmond and St. George streets	400 91	268 12	132 79	10	4
1703	Cement sidewalk on the east side of St. George street, between Oxford and St. James streets	466 46	332 84	133 62	10	4
1704	Cement sidewalk on the north side of Princess avenue, between Cartwright and Adelaide streets	1,385 65	842 12	543 53	10	4
1705	Cement sidewalk on the south side of Elias street, between Adelaide and English streets	767 78	414 94	352 84	10	4
1706	Cement sidewalk on the south side of Pall Mall street, between Maitland and William streets	521 80	327 09	194 71	10	4
1707	Cement sidewalk on the south side of Maple street, between Tabbot and Ridout streets	315 44	182 04	133 40	10	4

1708	Cement sidewalk on the west side of Ontario street, between Queen's and Lorne avenues.	401 54	224 66	176 88	10	4
1709	Cement sidewalk on the south side of Railway street, between the Wharnclyffe road and a point 465 feet westerly therefrom	235 05	132 05	103 00	10	4
1710	Cement sidewalk on the north side of Bruce street, between Ridout and Teresa streets.	1,383 44	773 93	609 51	10	4
1711	Cement sidewalk on the east side of Richmond street, between Pall Mall and Piccadilly streets.	347 04	284 56	62 48	10	4
1712	Cement sidewalk on the east side of Maitland street, between Central avenue and Pall Mall street.	561 16	336 60	224 56	10	4
1713	Cement sidewalk on the east side of Rectory street, between the Hamilton road and the G. T. Railway tracks	1,091 12	602 24	488 88	10	4
1714	Cement sidewalk on the north side of Horton street, between Clarence and Wellington street s.	377 29	194 19	183 10	10	4
1715	Cement sidewalk on the east side of William street between Dundas street and Queen's avenue.	374 85	231 30	143 55	10	4
1716	Cement sidewalk on the west side of Adelaide street, between the Hamilton Road and South street	674 89	434 60	240 29	10	4
1717	Cement sidewalk on the south side of King street, between Burwell and Maitland streets.	308 68	172 25	136 43	10	4
1718	Cement sidewalk on the east side of William streets, between Dundas and King streets.	382 82	253 95	128 87	10	4
1719	Cement sidewalk on the south side of Euclid avenue, between the Wharnclyffe Highway and Birch street	550 41	277 18	273 23	10	4
1720	Cement sidewalk on the east side of Waterloo street, between St. James and Cheapside streets	853 30	492 12	361 18	10	4
1721	Cement sidewalk on the east side of Waterloo street, between Central avenue and Pall Mall street	547 71	326 37	221 34	10	4
1722	Cement sidewalk on the north side of Central avenue, between Richmond and Talbot streets.	803 58	441 10	359 48	10	4
1723	Cement sidewalk on the east side of Lyle street, between Dundas and York streets.	654 21	384 84	269 37	10	4
1724	Cement sidewalk on the east side of Colborne street, between Hill and South Streets.	314 25	188 47	125 78	10	4
1725	Cement sidewalk on the south side of Piccadilly street, between Waterloo and Colborne streets.	500 54	337 86	162 68	10	4
1726	Cement sidewalk on the west side of Ontario street, between Dundas street and Queen's avenue.	222 91	129 28	93 63	10	4
1727	Cement sidewalk on the west side of Maitland street, between Hill and Gray streets.	252 92	131 69	121 23	10	4
1728	Cement sidewalk on the north side of Central avenue, between Waterloo and Colborne streets.	493 43	291 82	201 61	10	4
1729	Cement sidewalk on the north side of Briscoe street, between the Wortley Road and Cathcart street	618 87	337 86	281 01	10	4
1730	Cement sidewalk on the west side of Teresa street, between Askin street and Byron avenue.	231 24	157 61	73 63	10	4
1731	Cement sidewalk on the west side of English street, between Lorne avenue and Dundas street.	623 71	345 68	278 03	10	4
1732	Cement sidewalk on the south side of Carling street, between Richmond and Ridout streets.	1,548 05	914 51	633 54	10	4
1733	Cement sidewalk on the north side of Pall Mall street, between Colborne and William streets.	1,049 58	623 50	426 08	10	4
1734	Cement sidewalk on the west side of Edward street, between Elmwood and Duchess avenues.	295 40	203 72	91 68	10	4
1735	Cement sidewalk on the south side of Lorne avenue, between Elizabeth and English streets.	384 28	267 00	117 28	10	4
1736	Cement sidewalk on the east side of Cathcart street, between Elmwood and Duchess avenues	280 28	187 21	93 07	10	4
1737	Cement sidewalk on the east side of Marley place, between Bruce street and Elmwood avenue	380 19	203 35	176 84	10	4
1738	Cement sidewalk on the west side of Quebec street, between Dufferin avenue and Elias street.	651 64	381 65	269 99	10	4
1739	Cement sidewalk on the west side of Rectory street, between Dundas and King streets.	331 93	236 17	95 76	10	4
1740	Cement sidewalk on the north side of Queen's avenue, between Elizabeth and English streets	472 13	249 25	222 84	10	4
1741	Cement sidewalk on the east side of Elizabeth street, between Dundas street and Queen's avenue.	246 80	160 66	86 14	10	4
1742	Cement sidewalk on the east side of Wellington street, between Hyman street and Central avenue.	257 31	176 71	80 60	10	4

SCHEDULE A.—Continued.

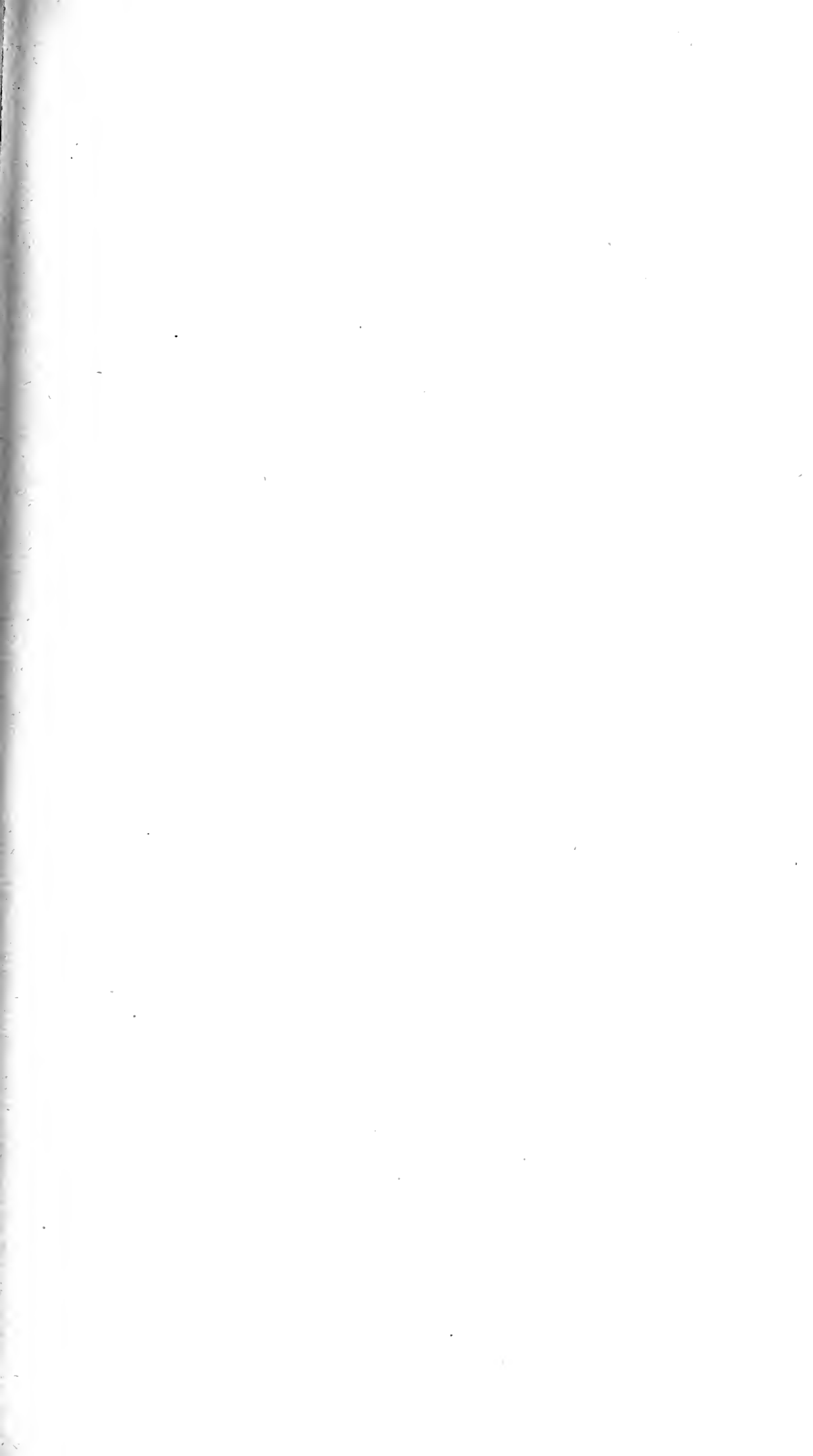
No. of By-law.	Nature of Work under By-law.	Amount of debt created	Amount to be borne by City.	Amount to be borne by ratepayers.	Period of Payments.	Rates of Interest.
1743	Cement sidewalk on the south side of Dundas street, between Ontario street and 291 ⁹ / ₁₂ feet easterly therefrom	230 69	174 92	55 77	10	4
1744	Cement sidewalk on the north side of Dufferin avenue, between Park avenue and Wellington street	376 85	376 85		10	4
1745	Cement sidewalk on the south side of Hyman street, between Richmond and Wellington streets	401 92	242 04	159 88	10	4
1746	Cement sidewalk on the north side of Maple street, between Tallot and Ridout streets	302 98	183 40	119 58	10	4
1747	Cement sidewalk on the south side of Saunby street, between the Wharncliffe Highway and Gunn street	471 00	294 16	176 84	10	4
1748	Cement sidewalk on the north side of Empress avenue, between the Wharncliffe Highway and St. Andrew's street	202 87	155 40	47 47	10	4
1749	Cement sidewalk on the south side of Sydenham street, between Talbot and St. George streets	340 20	195 74	144 46	10	4
1750	Cement sidewalk on the east side of Talbot street, between Carling street and Queen's avenue	157 82	93 47	64 35	10	4
1751	Cement sidewalk on the north side of Dufferin avenue, between Waterloo and Cartwright streets	786 46	470 30	316 16	10	4
1752	Cement sidewalk on the west side of Park avenue, between Dufferin and Princess avenues	325 83	267 53	58 30	10	4
1753	Cement sidewalk on the south side of King street, between Rectory and Ontario streets	476 93	351 31	125 62	10	4
1754	Cement sidewalk on the west side of Wellington street, between Dufferin avenue and the southerly limit of Lot 16 west of Wellington street	180 70	121 17	59 53	10	4
1755	Cement sidewalk on the south side of John street, between Talbot and St. George streets	386 81	226 69	160 12	10	4
1756	Cement sidewalk on the west side of Colborne street, between Queen's and Dufferin avenues	304 40	183 43	120 97	10	4
1757	Cement sidewalk on the north side of Oxford street, between Talbot street and the westerly limit of lot 12, north of Oxford street	364 28	189 21	175 07	10	4
1758	Cement sidewalk on the north side of Bruce street, between Cynthia street and the Wharncliffe road	348 17	200 04	148 13	10	4
1759	Cement sidewalk on the east side of Adelaide street, between Hamilton road and Layard street	574 95	319 94	264 01	10	4
1760	Cement sidewalk on the north side of Central avenue, between William and Maitland streets	535 13	304 97	230 16	10	4
1761	Cement sidewalk on the north side of Grey street, between Wellington and Colborne streets	1,076 56	618 94	457 62	10	4
1762	Cement sidewalk on the east side of St. George street, between Piccadilly and Oxford streets	232 95	153 66	79 29	10	4
1763	Cement sidewalk on the south side of Fullerton street, between Ridout street and 83 feet west of Richmond street	718 76	419 43	299 33	10	4

1764	Cement sidewalk on the north side of Queen's avenue, between Talbot street and 72½ feet west of Richmond street	340 01	203 87	136 14	10	4
1765	Cement sidewalk on the west side of Wellington street, between Dundas street and Queen's avenue	436 26	307 63	128 63	10	4
1766	Cement sidewalk on the north side of Fullarton street, between Ridout street and 96 feet west of Richmond street	732 36	409 07	323 29	10	4
1767	Cement sidewalk on the south side of King street, between William and Adelaide streets	538 51	282 14	256 37	10	4
1768	Cement sidewalk on the west side of Colborne street, between Hill and South streets	257 27	166 99	90 38	10	4
1769	Cement sidewalk on the west side of Colborne street, between York street and the G.T.R. tracks	133 28	71 85	61 43	10	4
1770	Cement sidewalk on the east side of Waterloo street, between Queen's avenue and Dundas street	269 45	176 55	92 90	10	4
1771	Cement sidewalk on the east side of Wellington street, between Piccadilly and Oxford streets	276 64	200 92	75 72	10	4
1772	Cement sidewalk on the south side of Dufferin avenue, between Waterloo and Picton streets	247 64	162 83	84 81	10	4
1773	Cement sidewalk on the east side of Wellington street, between Grey and Hill streets	416 05	258 03	158 02	10	4
1774	Cement sidewalk on the east side of Argyle street, between Blackfriars and St. Patrick's streets	507 05	354 41	152 64	10	4
1775	Cement sidewalk on the south side of York street, between Maitland and Adelaide streets	1,018 61	533 97	484 64	10	4
1776	Cement sidewalk on the north side of the Hamilton road, between Maitland and Horton streets	262 81	149 49	103 32	10	4
1777	Cement sidewalk on the south side of Grey street, between Waterloo and Colborne streets	539 18	299 46	239 72	10	4
1778	Cement sidewalk on the north side of King street, between Colborne and Burwell streets	273 79	177 65	96 14	10	4
1779	Cement sidewalk on the south side of Horton street, between Waterloo and Colborne streets	535 98	314 84	221 85	10	4
1780	Cement sidewalk on the west side of Talbot street, between Simcoe and Horton streets	345 16	175 51	169 65	10	4
1781	Tar Macadam pavement and concrete kerbing on Queen's avenue, between Maitland and Adelaide streets	6,085 56	1,332 50	4,753 06	10	4
1782	Tile sewer on Piccadilly street, between Richmond and Waterloo streets	2,184 23	433 40	1,750 83	10	4
1783	Tile sewer on Colborne street, between York and King streets	497 50	404 11	63 39	10	4
1784	Tile sewer on Adelaide street, between Lorne avenue and 100 feet south of Dundas street	2,144 94	446 36	1,698 58	10	4
1785	Tile sewer on Waterloo street, between Pall Mall and Grosvenor streets, and on St. James street, between Waterloo street and Hellmuth avenue, and on Hellmuth avenue, between St. James and Grosvenor streets	6,312 96	1,279 26	5,033 70	10	4
1786	Tile sewer on Central avenue, between Wellington and Waterloo streets	866 21	355 27	510 94	10	4
1787	Tile sewer on Queen's avenue, between William and Adelaide streets	799 55	127 87	672 18	10	4
1788	Tile sewer on College street, between Oxford and St. James street	767 62	81 55	686 07	10	4
1789	Tile sewer on Colborne street, between Dundas and King streets	390 45	235 09	155 40	10	4
1790	Tile sewer on York street, between Burwell and Colborne streets	462 03	.....	462 03	10	4
1791	Tile sewer on St. James street, between Hellmuth avenue and Richmond street	902 47	214 68	687 79	10	4
1792	Trunk sewer on Pall Mall street, between Richmond and Wellington streets	851 31	197 50	653 81	10	4
1793	Trunk sewer on Pall Mall street, between Wellington and Maitland streets	2,935 61	448 28	2,487 33	10	4
1794	Trunk sewer on Maitland street, between Pall Mall street and Central avenue	1,049 86	876 47	173 39	10	4
1795	Trunk sewer on Central avenue, between Maitland and William streets	1,463 87	162 53	1,301 34	10	4
1796	Trunk sewer on William street, between Central and Princess avenues	1,175 86	412 68	763 18	10	4
1797	Trunk sewer on Princess avenue, between William and Adelaide streets	1,283 86	115 63	1,168 23	10	4

SCHEDULE A.—Continued.

No. of by-law.	Nature of work under by-law.	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.	Yrs.	d.	p.c.	d.
1798	Trunk sewer on Adelaide street, between Princess and Lorne avenues.....	510	00	156	27	353	73	10	4		4
1799	Trunk sewer on Lorne avenue, between Adelaide and Ontario streets.....	3,762	20	815	84	2,946	36	10	4		4
1800	Trunk sewer on Ontario street, between Lorne and Queen's avenues.....	974	60	442	79	531	81	10	4		4
1801	Trunk sewer on Queen's avenue, between Ontario and Quebec streets.....	1,315	30	266	74	1,048	56	10	4		4
1802	Trunk sewer on Quebec street, between Queen's avenue and Dundas street.....	663	00	90	81	572	19	10	4		4
1803	Trunk sewer on Dundas street, between Quebec and Egerton streets.....	364	70	184	23	180	47	10	4		4
1804	Consolidating the broken amounts in the above by-laws numbered 1634 to 1803 inclusive.....	99,721	88	44,104	71	55,617	17	*			4

* Various times.



No. 12.

4th Session, 6th Legislature,
1 Edward VII, 1901.

BILL.

An Act respecting the City of London.

First Reading, _____, 1901.

(Private Bill.)

Mr. LEYS.

TORONTO:

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

No. 12.]

BILL.

[1901.

An Act respecting the City of London.

⁴² **W**HEREAS the municipal corporation of the City of ^{Preamble.}
London in order to enhance the value of the debentures hereinafter referred to has, by petition, prayed for special legislation confirming the by-laws, debentures, and assessments hereinafter referred to ; and whereas no objections have been raised to any of the said by-laws, and the time for moving against them has expired ; and whereas it is expedient to grant the prayer of the said petition ; ⁴³

Therefore His 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 ^{By-laws confirmed.}
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.

SCHEDULE A.

List of By-laws providing for the issue of debentures passed by the Council of the Corporation of the City of London on the seventeenth day of December, A.D. 1900, the particulars of which are set out below :

No. of By-law.	Nature of work under By-law.	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.	Y	rs	
1634	Cement sidewalk on the west side of Clarence Street, between York and Horton streets	568	07	353	21	214	86	10	4	4
1635	Cement sidewalk on the east side of Richmond street, between York and Bathurst streets	381	98	200	58	181	40	10	4	4
1636	Cement sidewalk on the east side of Clarence street, between York and Simcoe streets	867	68	512	16	355	52	10	4	4
1637	Cement sidewalk on the east side of Ridout street, between Fullerton and Albert streets	855	76	464	23	391	53	10	4	4
1638	Cement sidewalk on the south side of Central avenue, between Richmond street and a point 340 feet west of Talbot street	1,045	56	629	12	419	44	10	4	4
1639	Cement sidewalk on the south side of York street, between Richmond street and 200 feet easterly therefrom	199	62	117	94	81	68	10	4	4
1640	Cement sidewalk on the south side of King street, between Talbot street and a point 78 feet west of Richmond street	465	12	237	14	227	98	10	4	4
1641	Cement sidewalk on the south side of Horton street, between Talbot and Richmond streets	359	12	212	22	145	90	10	4	4
1642	Cement sidewalk on the west side of Richmond street, between Simcoe and Gray streets	259	28	136	14	123	14	10	4	4
1643	Cement sidewalk on the north side of Horton street, between Ridout and Thames street	357	12	183	82	173	30	10	4	4
1644	Cement sidewalk on the north side of South street, between Clarence and Wellington streets	353	07	193	04	160	03	10	4	4
1645	Cement sidewalk on the west side of Clarence street, between Gray and South streets	522	62	282	25	240	37	10	4	4
1646	Cement sidewalk on the north side of Queen's avenue, between Picton and Waterloo streets	337	08	208	20	128	88	10	4	4
1647	Cement side on the south side of Queen's avenue, between Colborne and Maitland streets	529	07	351	49	177	58	10	4	4
1648	Cement sidewalk on the north side of Queen's avenue, between Wellington and Picton streets	318	37	191	02	127	35	10	4	4
1649	Cement sidewalk on the south side of King street, between Wellington and Waterloo streets	570	59	343	14	227	45	10	4	4
1650	Cement sidewalk on the east side of Wellington street, between Dufferin and Princess avenues	337	43	205	11	132	32	10	4	4
1651	Cement sidewalk on the south side of King street, between Maitland and William streets	630	93	426	28	293	68	10	4	4
1652	Cement sidewalk on the east side of Ridout street south, between Carfrae street and Victoria Bridge	630	93	426	28	293	68	10	4	4
1653	Cement sidewalk on the west side of Colborne street, between South street and 160 feet southerly east of Ridout street	148	48	148	48	204	65	10	4	4
1654	Cement sidewalk on the north side of Carling street, between Talbot street and a point 48 feet east of Ridout street	422	60	215	36	207	24	10	4	4
1655	Cement sidewalk on the south side of Dundas street, between Kensington Bridge and the west									

1656	limit of lot 6 south of Dundas street	146 03	73 02	73 01	10	4
1657	Cement sidewalk on the north side of Simcoe street, between William and Maitland streets	431 38	243 37	188 01	10	4
1658	Cement sidewalk on the west side of Talbot street, between Carling and Fullarton streets	375 56	217 97	157 59	10	4
1659	Cement sidewalk on the west side of William street, between the Hamilton road and Simcoe street	90 14	55 57	34 57	10	4
1660	Cement sidewalk on the west side of Waterloo street, between Dundas and King streets	309 31	203 81	105 50	10	4
1661	Cement sidewalk on the north side of Maple street, between Talbot and Richmond streets	506 01	283 06	222 95	10	4
1662	Cement sidewalk on the north side of Oxford street, between Waterloo and Colborne streets	520 37	310 34	210 03	10	4
1663	Cement sidewalk on the east side of St. George street, between College avenue and Grosvenor street	209 11	118 09	91 02	10	4
1664	Cement sidewalk on the east side of St. George street, between St. James street and College avenue	216 24	123 60	92 64	10	4
1665	Cement sidewalk on the north side of Ann street, between St. George and Talbot streets	356 02	187 53	168 49	10	4
1666	Cement sidewalk on the north side of Queen's avenue, between Park avenue and the Custom House lands	382 22	215 17	167 05	10	4
1667	Cement sidewalk on the east side of Waterloo street, between Piccadilly and Oxford street	285 58	183 08	102 50	10	4
1668	Cement sidewalk on the east side of Waterloo street, between Oxford and St. James streets	485 46	315 96	169 50	10	4
1669	Cement sidewalk on the south side of Cavendish street (otherwise Beach) between the Wharcliffe road and the easterly limit of lot 7, south of Cavendish (otherwise Beach) street	263 46	133 86	129 60	10	4
1670	Cement sidewalk on the north side of High street, between Maryboro' Place and Tecumseh avenue	176 64	89 06	87 58	10	4
1671	Cement sidewalk on the north side of Cavendish street (otherwise Beach), between the Warncliffe road and the westerly limit of lot 5 north of Cavendish (otherwise Beach) street	207 01	103 75	103 26	10	4
1672	Cement sidewalk on the north side of St. James street, between Colborne and Maitland streets	534 90	333 68	201 22	10	4
1673	Cement sidewalk on the north side of Grosvenor street, between William and Adelaide streets	421 38	223 15	198 23	10	4
1674	Cement sidewalk on the east side of High street, between Grand avenue and Maryboro' Place	332 29	166 15	166 14	10	4
1675	Cement sidewalk on the south side of York street, between Thames street and the River Thames	148 72	79 67	69 05	10	4
1676	Cement sidewalk on the north side of Horton street, between Talbot and Ridout streets	424 62	235 12	189 50	10	4
1677	Cement sidewalk on the east side of Ridout street, between Dundas and King streets	314 10	182 82	131 28	10	4
1678	Cement sidewalk on the east side of Talbot street, between G.T. Ry. and York street	210 15	123 10	87 05	10	4
1679	Cement sidewalk on the east side of Ridout street, between King and York streets	306 72	156 17	150 55	10	4
1680	Cement sidewalk on the east side of Clarence street, between Dundas and King streets	397 15	227 76	169 39	10	4
1681	Cement sidewalk on the south side of King street, between Clarence street and 30½ inches westerly therefrom	290 92	151 36	139 56	10	4
1682	Cement sidewalk on the south side of Ridgeway street, between Beecher street and the west limit of lot 52, south of Ridgeway street	371 73	217 54	154 19	10	4
1683	Cement sidewalk on the east side of Richmond street, between Horton and Simcoe streets	320 31	172 05	148 26	10	4
1684	Cement sidewalk on the west side of Talbot street, between Bathurst and Horton streets	321 86	173 31	148 55	10	4
1685	Cement sidewalk on the west side of Talbot street, between Bathurst and Horton streets	315 48	167 48	148 00	10	4
1686	Cement sidewalk on the west side of Maitland street, between Dundas street and Queen's avenue	282 83	165 84	116 99	10	4

SCHEDULE A.—Continued.

No. of By-law.	Nature of work under By-law.	Amount of debt created	Amount to be borne by City.	Amount to be borne by ratepayers.	Periods of payments.	Rate of Interest.
1686	Cement sidewalk on the north side of Askin street, between the Wharncliffe Road and Cynthia street	338 22	223 70	114 52	10	4
1687	Cement sidewalk on the west side of the Wortley Road, between Beaconsfield avenue and Askin street	1,082 94	572 88	510 06	10	4
1688	Cement sidewalk on the north side of Tecumseh avenue, between Cathcart street and the Wortley Road	526 36	288 48	237 88	10	4
1689	Cement sidewalk on the north side of Arthur street, between William and Alfred streets	168 78	105 53	63 25	10	4
1690	Cement sidewalk on the west side of Cartwright street, between Princess and Dufferin avenues	204 85	121 95	82 90	10	4
1691	Cement sidewalk on the east side of Hellmuth avenue, between St. James and Grosvenor streets	386 57	215 91	170 66	10	4
1692	Cement sidewalk on the east side of Waterloo street, between Dundas street and Dufferin avenue	631 03	398 68	232 35	10	4
1693	Cement sidewalk on the north side of Queen's avenue, between English and Ontario streets	801 83	412 75	389 08	10	4
1694	Cement sidewalk on the south side of St. Patrick street, between Argyle street and 90 feet easterly therefrom	60 27	32 31	27 96	10	4
1695	Cement sidewalk on the west side of Prospect avenue, between Princess and Dufferin avenues	475 56	302 26	173 30	10	4
1696	Cement sidewalk on the north side of Oxford street and the west side of Wellington street, between College avenue and Wellington street and Oxford and St. James streets	984 20	609 14	375 06	10	4
1697	Cement sidewalk on the east side of Prospect avenue, between Princess and Dufferin avenues	418 03	254 51	163 52	10	4
1698	Cement sidewalk on the west side of Waterloo street, between Picadilly street and 274 feet southerly therefrom	203 81	123 72	80 09	10	4
1699	Cement sidewalk on the east side of English street, between Dundas street and Dufferin avenue	426 79	252 82	173 97	10	4
1700	Cement sidewalk on the south side of Beaconsfield avenue, between the Wortley road and the westerly limit of lot 22 north of Victor street and south of Beaconsfield avenue	625 11	351 73	273 38	10	4
1701	Cement sidewalk on the west side of Wharncliffe road, between Oxford street and the C.P.R. lands	297 58	156 84	140 74	10	4
1702	Cement sidewalk on the north side of Cheapside street, between Richmond and St. George streets	400 91	268 12	132 79	10	4
1703	Cement sidewalk on the east side of St. George street, between Oxford and St. James streets	466 46	332 84	133 62	10	4
1704	Cement sidewalk on the north side of Princess avenue, between Cartwright and Adelaide streets	1,385 65	842 12	543 53	10	4
1705	Cement sidewalk on the south side of Elias street, between Adelaide and English streets	767 78	414 94	352 84	10	4
1706	Cement sidewalk on the south side of Pall Mall street, between Maitland and William streets	521 80	327 09	194 71	10	4
1707	Cement sidewalk on the south side of Maple street, between Talbot and Ridout streets	315 44	182 04	133 40	10	4

1708	Cement sidewalk on the west side of Ontario street, between Queen's and Lorne avenues	401 54	224 66	176 88	10	4
1709	Cement sidewalk on the south side of Railway street, between the Wharncliffe road and a point 465 feet westerly therefrom	235 05	132 05	103 00	10	4
1710	Cement sidewalk on the north side of Bruce street, between Ridout and Teresa streets	1,383 44	773 93	609 51	10	4
1711	Cement sidewalk on the east side of Richmond street, between Pall Mall and Piccadilly streets	347 04	284 56	62 48	10	4
1712	Cement sidewalk on the east side of Maitland street, between Central avenue and Pall Mall street	561 16	336 60	224 56	10	4
1713	Cement sidewalk on the east side of Rectory street, between the Hamilton road and the G. T. Railway tracks	1,091 12	602 24	488 88	10	4
1714	Cement sidewalk on the north side of Horton street, between Clarence and Wellington streets	377 29	194 19	183 10	10	4
1715	Cement sidewalk on the east side of William street, between Dundas street and Queen's avenue	374 85	231 30	143 55	10	4
1716	Cement sidewalk on the west side of Adelaide street, between the Hamilton Road and South street	674 89	434 60	240 29	10	4
1717	Cement sidewalk on the south side of King street, between Burwell and Maitland streets	308 68	172 25	136 43	10	4
1718	Cement sidewalk on the east side of William streets, between Dundas and King streets	382 82	253 95	128 87	10	4
1719	Cement sidewalk on the south side of Euclid avenue, between the Wharncliffe Highway and Birch street	550 41	277 18	273 23	10	4
1720	Cement sidewalk on the east side of Waterloo street, between St. James and Cheapside streets	853 30	492 12	361 18	10	4
1721	Cement sidewalk on the east side of Waterloo street, between Central avenue and Pall Mall street	547 71	326 37	221 34	10	4
1722	Cement sidewalk on the north side of Central avenue, between Richmond and Talbot streets	803 58	444 10	359 48	10	4
1723	Cement sidewalk on the east side of Lytle street, between Dundas and York streets	654 21	384 84	269 37	10	4
1724	Cement sidewalk on the east side of Colborne street, between Hill and South Streets	314 25	188 47	125 78	10	4
1725	Cement sidewalk on the south side of Piccadilly street, between Waterloo and Colborne streets	500 54	337 86	162 68	10	4
1726	Cement sidewalk on the west side of Ontario street, between Dundas street and Queen's avenue	222 91	129 28	93 63	10	4
1727	Cement sidewalk on the west side of Maitland street, between Hill and Gray streets	252 92	131 69	121 23	10	4
1728	Cement sidewalk on the north side of Central avenue, between Waterloo and Colborne streets	493 43	291 82	201 61	10	4
1729	Cement sidewalk on the north side of Briscoe street, between the Wortley Road and Cathcart street	618 87	337 86	281 01	10	4
1730	Cement sidewalk on the west side of Teresa street, between Askin street and Byron avenue	231 24	157 61	73 63	10	4
1731	Cement sidewalk on the west side of English street, between Lorne avenue and Dundas street	623 71	345 68	278 03	10	4
1732	Cement sidewalk on the south side of Carling street, between Kichmond and Ridout streets	1,548 05	914 51	633 54	10	4
1733	Cement sidewalk on the north side of Pall Mall street, between Colborne and William streets	1,049 58	623 50	426 08	10	4
1734	Cement sidewalk on the west side of Edward street, between Elmwood and Duchess avenues	295 40	203 72	91 68	10	4
1735	Cement sidewalk on the south side of Lorne avenue, between Elizabeth and English streets	384 28	267 00	117 28	10	4
1736	Cement sidewalk on the east side of Cathcart street, between Elmwood and Duchess avenues	280 28	187 21	93 07	10	4
1737	Cement sidewalk on the east side of Marley place, between Bruce street and Elmwood avenue	380 19	203 35	176 84	10	4
1738	Cement sidewalk on the west side of Quebec street, between Dufferin avenue and Elias street	651 64	381 65	269 99	10	4
1739	Cement sidewalk on the west side of Rectory street, between Dundas and King streets	331 93	236 17	95 76	10	4
1740	Cement sidewalk on the north side of Queen's avenue, between Elizabeth and English streets	472 13	249 25	222 88	10	4
1741	Cement sidewalk on the east side of Elizabeth street, between Dundas street and Queen's avenue	246 80	160 66	86 14	10	4
1742	Cement sidewalk on the east side of Wellington street, between Hyman street and Central avenue	257 31	176 71	80 60	10	4

SCHEDULE A.—Continued.

No. of By-law.	Nature of Work under By-law.	Amount of debt created	Amount to be borne by City.	Amount to be borne by ratepayers.	Period of Payments.	Rates of Interest.
1743	Cement sidewalk on the south side of Dundas street, between Ontario street and 291 $\frac{1}{2}$ feet easterly therefrom	230 69	174 92	55 77	10	4
1744	Cement sidewalk on the north side of Dufferin avenue, between Park avenue and Wellington street	376 85	376 85		10	4
1745	Cement sidewalk on the south side of Hyman street, between Richmond and Wellington streets.	401 92	242 04	159 88	10	4
1746	Cement sidewalk on the north side of Maple street, between Talbot and Ridout streets	302 98	183 40	119 58	10	4
1747	Cement sidewalk on the south side of Saunby street, between the Wharncliffe Highway and Gunn street	471 00	294 16	176 84	10	4
1748	Cement sidewalk on the north side of Empress avenue, between the Wharncliffe Highway and St. Andrew's street	202 87	155 40	47 47	10	4
1749	Cement sidewalk on the south side of Sydenham street, between Talbot and St. George streets	340 20	195 74	144 46	10	4
1750	Cement sidewalk on the east side of Talbot street, between Carling street and Queen's avenue	157 82	93 47	64 35	10	4
1751	Cement sidewalk on the north side of Dufferin avenue, between Waterloo and Cartwright streets.	786 46	470 30	316 16	10	4
1752	Cement sidewalk on the west side of Park avenue, between Dufferin and Princess avenues	325 83	267 53	58 30	10	4
1753	Cement sidewalk on the south side of King street, between Rectory and Ontario streets	476 93	351 31	125 62	10	4
1754	Cement sidewalk on the west side of Wellington street, between Dufferin avenue and the southerly limit of Lot 16 west of Wellington street	180 70	121 17	59 53	10	4
1755	Cement sidewalk on the south side of John street, between Talbot and St. George streets	386 81	226 69	160 12	10	4
1756	Cement sidewalk on the west side of Colborne street, between Queen's and Dufferin avenues	304 40	183 43	120 97	10	4
1757	Cement sidewalk on the north side of Oxford street, between Talbot street and the westerly limit of lot 12, north of Oxford street	364 28	189 21	175 07	10	4
1758	Cement sidewalk on the north side of Bruce street, between Cynthia street and the Wharncliffe road	348 17	200 04	148 13	10	4
1759	Cement sidewalk on the east side of Adelaide street, between Hamilton road and Layard street	574 95	310 94	264 01	10	4
1760	Cement sidewalk on the north side of Central avenue, between William and Maitland streets	535 13	304 97	230 16	10	4
1761	Cement sidewalk on the north side of Grey street, between Wellington and Colborne streets	1,076 56	618 94	457 62	10	4
1762	Cement sidewalk on the east side of St. George street, between Piccadilly and Oxford streets	232 95	153 66	79 29	10	4
1763	Cement sidewalk on the south side of Fullerton street, between Ridout street and 83 feet west of Richmond street	718 76	419 43	299 33	10	4

1764	Cement sidewalk on the north side of Queen's avenue, between Talbot street and 72½ feet west of Richmond street	340 01	203 87	136 14	10	4
1765	Cement sidewalk on the west side of Wellington street, between Dundas street and Queen's avenue	436 26	307 63	128 63	10	4
1766	Cement sidewalk on the north side of Fullarton street, between Ridout street and 69 feet west of Richmond street	732 36	409 07	323 29	10	4
1767	Cement sidewalk on the south side of King street, between William and Adelaide streets	538 51	252 14	256 37	10	4
1768	Cement sidewalk on the west side of Colborne street, between Hill and South streets	237 27	166 99	90 38	10	4
1769	Cement sidewalk on the west side of Colborne street, between York street and the G.T.R. tracks	133 28	71 85	61 43	10	4
1770	Cement sidewalk on the west side of Waterloo street, between Queen's avenue and Dundas street	269 45	176 55	92 90	10	4
1771	Cement sidewalk on the east side of Wellington street, between Piccadilly and Oxford streets	276 64	200 92	75 72	10	4
1772	Cement sidewalk on the south side of Dufferin avenue, between Waterloo and Picton streets	247 64	162 83	84 81	10	4
1773	Cement sidewalk on the east side of Wellington street, between Grey and Hill streets	416 05	258 03	158 02	10	4
1774	Cement sidewalk on the east side of Argyle street, between Blackfriars and St. Patrick's streets	507 05	354 41	152 64	10	4
1775	Cement sidewalk on the south side of York street, between Maitland and Adelaide streets	1,018 61	533 97	484 64	10	4
1776	Cement sidewalk on the north side of the Hamilton road, between Maitland and Horton streets	252 81	149 49	103 32	10	4
1777	Cement sidewalk on the south side of Grey street, between Waterloo and Colborne streets	539 18	299 46	239 72	10	4
1778	Cement sidewalk on the north side of King street, between Colborne and Burwell streets	273 79	177 65	96 14	10	4
1779	Cement sidewalk on the south side of Horton street, between Waterloo and Colborne streets	535 98	314 84	221 14	10	4
1780	Cement sidewalk on the west side of Talbot street, between Simcoe and Horton streets	345 16	175 51	169 65	10	4
1781	Tar Macadam pavement and concrete kerbing on Queen's avenue, between Maitland and Adelaide streets	6,085 56	1,332 50	4,753 06	10	4
1782	Tile sewer on Piccadilly street, between Richmond and Waterloo streets	2,184 23	433 40	1,750 83	10	4
1783	Tile sewer on Colborne street, between York and King streets	467 50	404 11	63 39	10	4
1784	Tile sewer on Adelaide street, between Lorne avenue and 100 feet south of Dundas street	2,144 94	446 36	1,698 58	10	4
1785	Tile sewer on Waterloo street, between Pall Mall and Grosvenor streets, and on St. James street, between Waterloo street and Hellmuth avenue, and on Hellmuth avenue, between St. James and Grosvenor streets	6,312 96	1,279 26	5,033 70	10	4
1786	Tile sewer on Central avenue, between Wellington and Waterloo streets	866 21	355 27	510 94	10	4
1787	Tile sewer on Queen's avenue, between William and Adelaide streets	799 55	127 37	672 18	10	4
1788	Tile sewer on College street, between Oxford and St. James street	767 62	81 55	686 07	10	4
1789	Tile sewer on Colborne street, between Dundas and King streets	390 45	235 06	155 40	10	4
1790	Tile sewer on York street, between Burwell and Colborne streets	462 03	.....	462 03	10	4
1791	Tile sewer on St. James street, between Hellmuth avenue and Richmond street	902 47	214 68	687 79	10	4
1792	Trunk sewer on Pall Mall street, between Richmond and Wellington streets	851 31	197 50	653 81	10	4
1793	Trunk sewer on Pall Mall street, between Wellington and Maitland streets	2,935 61	448 28	2,487 33	10	4
1794	Trunk sewer on Maitland street, between Pall Mall street and Central avenue	1,049 86	876 47	173 39	10	4
1795	Trunk sewer on Central avenue, between Maitland and William streets	1,463 87	162 53	1,301 34	10	4
1796	Trunk sewer on William street, between Central and Princess avenues	1,175 86	412 68	763 18	10	4
1797	Trunk sewer on Princess avenue, between William and Adelaide streets	1,283 86	115 63	1,168 23	10	4

SCHEDULE A.—Continued.

No. of by-law.	Nature of work under by-law.	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.	yrs.	p. c.
1798	Trunk sewer on Adelaide street, between Princess and Lorne avenues.....	510 00	156 27	353 73	10	4
1799	Trunk sewer on Lorne avenue, between Adelaide and Ontario streets.....	3,762 20	815 84	2,946 36	10	4
1800	Trunk sewer on Ontario street, between Lorne and Queen's avenues.....	974 60	442 79	531 81	10	4
1801	Trunk sewer on Queen's avenue, between Ontario and Quebec streets.....	1,315 30	266 74	1,048 56	10	4
1802	Trunk sewer on Quebec street, between Queen's avenue and Dundas street.....	663 00	90 81	572 19	10	4
1803	Trunk sewer on Dundas street, between Quebec and Egerton streets.....	364 70	184 23	180 47	10	4
1804	Consolidating the broken amounts in the above by-laws numbered 1634 to 1803 inclusive.....	99 721 88	44 104 71	55 617 17	*	4

* Various times.

No. 12.

4th Session, 6th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting the City of London.

First Reading, 27th February, 1901.

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

Mr. LEYS.

TORONTO:

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

An Act to incorporate The Ottawa Young Women's
Christian Association

WHEREAS an association under the name of "The Ottawa Preamble.
Young Women's Christian Association" has existed for
several years in the City of Ottawa, having for its object the
promotion of the spiritual, intellectual, social and physical wel-
5 fare of young women, without reference to social or denomina-
tional distinction, under the constitution and by-laws of the
said Association, with power to amend or repeal the same, and
is governed by a constitution and by-laws which have received
the assent of the members of the said Association; and where-
10 as the members of the said Association have by petition prayed
to be incorporated as hereinafter provided; and whereas it is
expedient to grant the prayer of the said petition;

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

1. Editha P. Bronson, Mary McKay Scott, Charlotte Ross, Incorpora-
Georgiana M. Perley, Flora S. MacTavish, Catharine Tracy, tion.
Emma B. Whitley, Lizzie J. Parson, Margaret Cole, Lydia M.
Whelen, Annie H. Durie, Susanna B. Seybold, Annie E.
20 Douglas, Amelia E. Gordon, Caroline S. Donaldson, Mary L.
Blackburn, Margaret Lumsden, Jennie G. H. Eddy, Emily N.
Sherwood, Jane A. Christie, Abby Maria Harmon, Elizabeth J.
Butterworth, Anna S. McLean, Isabella Borbridge, Katie Mac-
Donald, Elizabeth H. A. Watson, Margaret Maud Matthews,
25 and such other persons as now are or hereafter shall become
members of the said Association, shall be and they are hereby
constituted a body politic and corporate, under the name of
"The Ottawa Young Women's Christian Association," and
shall have power to acquire and hold real estate in the said
30 City of Ottawa, provided the annual value of real estate so
held and not actually used for the work of the said Association
shall not exceed at any one time \$10,000, and the same, or any
part thereof, to alienate, exchange, mortgage, lease, or other-
wise charge or dispose of as occasion may require; and may
35 also acquire any other real estate or interest therein (so long
as the annual value of the same shall not at any one time ex-
ceed \$5,000) by gift, devise or bequest, if made at least six
months before the death of the party making the same; and

may hold such estate or interest therein for a period of not more than seven years, and may within that time alienate or dispose of the same, and the proceeds of such estate or interest therein as shall have been so disposed of shall be invested in public securities for the use of the said corporation; and such estate or interest therein as may not within the said period be alienated or disposed of shall revert to the party from whom the same was acquired, his heirs and representatives. 5

Personal property now held vested in corporation. 2. The personal property of the said Association shall become the property of, and is hereby vested in, the said corporation. 10

Objects of corporation. 3. The object of the said corporation shall be the promotion of the spiritual, intellectual, social and physical welfare of young women by the maintenance and support of meetings, lectures, classes, reading rooms, library and such other means as may from time to time be determined upon. 15

Constitution and by-laws. 4. The constitution and by-laws by which the said Association is now governed shall be the constitution and by-laws of the said corporation; but they, or any of them, may be added to, amended or repealed and others substituted therefor in the manner and subject to the conditions and provisions therein stated. 20

Officers and members of present Association continued. 5. The officers and members of the Board of Directors of the Association at the time of the passing of this Act shall be the officers and members of the Board of Directors of the said corporation, and shall retain their respective offices and positions until others shall be elected in their place. 25

Annual return of property. 6. The said corporation shall at all times when required by the Lieutenant-Governor of the Province make an annual return of all property held by it with such details and other information as the Lieutenant Governor may require. 30

Funds, application of. 7. The funds of the said corporation shall be used for the purposes authorized by this Act, and nothing herein contained shall authorize the said corporation to engage in the business of trading in real estate. 35

Real estate, how held, management. 8. The real estate of the said corporation shall become the property of, and is hereby vested in, the said corporation, subject to existing encumbrances thereon, and shall be managed and controlled by the Board of Directors, who shall be elected in accordance with the constitution and by-laws of the corporation, and the real estate shall not, nor shall any part thereof, be liable for any future debts or obligations, unless the debt or obligation shall have been contracted with the consent of the Board of Directors, expressed by resolution duly passed and recorded. 40 45

9. The corporation may by by-law increase or decrease the number of directors and provide as to their qualification, mode of election, and the time for which they shall hold office. Increasing or decreasing number of directors.

10. The said corporation shall have power to establish a system of technical education, including such branches of science and the development of such of the industrial arts as the Board of Directors of the said corporation may from time to time determine. Technical education.

11. The buildings of the Young Women's Christian Association of the City of Ottawa and the land whereon the same are erected, except any portion of the said buildings from time to time used as a boarding or lodging house, shall, so long as the same are occupied by, and used for the purposes of, the Association, be and the same are hereby declared to be exempt from taxation. Exemption from taxation.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act to incorporate the Ottawa Young
Women's Christian Association.

First Reading,	1901.
----------------	-------

(Private Bill.)

Mr. LUMSDEN.

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

An Act to incorporate The Ottawa Young Women's
Christian Association.

WHEREAS an association under the name of "The Ottawa Preamble.
Young Women's Christian Association" has existed for several years in the City of Ottawa, having for its object the promotion of the spiritual, intellectual, social and physical welfare of young women, without reference to social or denominational distinction, under the constitution and by-laws of the said Association, with power to amend or repeal the same, and is governed by a constitution and by-laws which have received the assent of the members of the said Association; and whereas the members of the said Association have by petition prayed to be incorporated as hereinafter provided; and whereas it is expedient to grant the prayer of the said petition;

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

1. Editha P. Bronson, Mary McKay Scott, Charlotte Ross, Georgiana M. Perley, Flora S. MacTavish, Catharine Tracy, Emma B. Whitley, Lizzie J. Parson, Margaret Cole, Lydia M. Whelen, Annie H. Durie, Susanna B. Seybold, Annie E. Douglas, Amelia E. Gordon, Caroline S. Donaldson, Mary L. Blackburn, Margaret Lumsden, Jennie G. H. Eddy, Emily N. Sherwood, Jane A. Christie, Abby Maria Harmon, Elizabeth J. Butterworth, Anna S. McLean, Isabella Borbridge, Katie MacDonald, Elizabeth H. A. Watson, Margaret Maud Matthews, and such other persons as now are or hereafter shall become members of the said Association, shall be and they are hereby constituted a body politic and corporate, under the name of "The Ottawa Young Women's Christian Association," and shall have power to acquire and hold real estate in the said City of Ottawa, provided the annual value of real estate so held and not actually used for the work of the said Association shall not exceed at any one time \$10,000, and the same, or any part thereof, to alienate, exchange, mortgage, lease, or otherwise charge or dispose of as occasion may require; and may also acquire any other real estate or interest therein (so long as the annual value of the same shall not at any one time exceed \$5,000) by gift, devise or bequest, if made at least six months before the death of the party making the same; and

may hold such estate or interest therein for a period of not more than seven years, and may within that time alienate or dispose of the same, and the proceeds of such estate or interest therein as shall have been so disposed of shall be invested in public securities for the use of the said corporation; and such estate or interest therein as may not within the said period be alienated or disposed of shall revert to the party from whom the same was acquired, his heirs and representatives.

- Personal property now held vested in corporation.** **2.** The personal property of the said Association shall become the property of, and is hereby vested in, the said corporation.
- Objects of corporation.** **3.** The object of the said corporation shall be the promotion of the spiritual, intellectual, social and physical welfare of young women by the maintenance and support of meetings, lectures, classes, reading rooms, library and such other means as may from time to time be determined upon.
- Constitution and by-laws.** **4.** The constitution and by-laws by which the said Association is now governed shall be the constitution and by-laws of the said corporation; but they, or any of them, may be added to, amended or repealed and others substituted therefor in the manner and subject to the conditions and provisions therein stated.
- Officers and members of present Association continued.** **5.** The officers and members of the Board of Directors of the Association at the time of the passing of this Act shall be the officers and members of the Board of Directors of the said corporation, and shall retain their respective offices and positions until others shall be elected in their place.
- Annual return of property.** **6.** The said corporation shall at all times when required by the Lieutenant-Governor of the Province make an annual return of all property held by it with such details and other information as the Lieutenant-Governor may require.
- Funds, application of.** **7.** The funds of the said corporation shall be used for the purposes authorized by this Act, and nothing herein contained shall authorize the said corporation to engage in the business of trading in real estate.
- Real estate, how held, management.** **8.** The real estate of the said corporation shall become the property of, and is hereby vested in, the said corporation, subject to existing encumbrances thereon, and shall be managed and controlled by the Board of Directors, who shall be elected in accordance with the constitution and by-laws of the corporation, and the real estate shall not, nor shall any part thereof, be liable for any future debts or obligations, unless the debt or obligation shall have been contracted with the consent of the Board of Directors, expressed by resolution duly passed and recorded.

9. The corporation may by by-law increase or decrease the number of directors and provide as to their qualification, mode of election, and the time for which they shall hold office. Increasing or decreasing number of directors.

10. The said corporation shall have power to establish a system of technical education, including such branches of science and the development of such of the industrial arts as the Board of Directors of the said corporation may from time to time determine. Technical education.

11. The buildings of the Young Women's Christian Association of the City of Ottawa and the land whereon the same are erected, shall, so long as the same are occupied by, and used for the purposes of, the Association, be and the same are hereby declared to be exempt from taxation. Exemption from taxation.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act to incorporate the Ottawa Young
Women's Christian Association.

First Reading, 27th February 1901.

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

Mr. LUMSDEN.

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

An Act to amend the Acts respecting the Napawee River Improvement Company, and provide for the Drainage of Lands in the Townships of Portland and Camden.

WHEREAS the Napawee River Improvement Company Preamble. was incorporated in the year of our Lord, 1866, by an Act of the late Parliament of Canada, passed at the Session held in the 29th and 30th years of the reign of Her late Majesty, Queen Victoria, for the purpose of erecting reservoirs and of improving and increasing the supply of water in the Napawee 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 Napawee 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 erection 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, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Township of Portland Drainage Act, 1901.* Short title.

2. Nothing in the Act of the Parliament of Canada passed in the 29th and 30th years of the reign of Her late Majesty Queen Victoria, chaptered 84, intituled *An Act for the Im-* Construction of dam not authorized.

provement 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

Power to take proceedings under Rev. Stat. c. 226.

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 enactments.

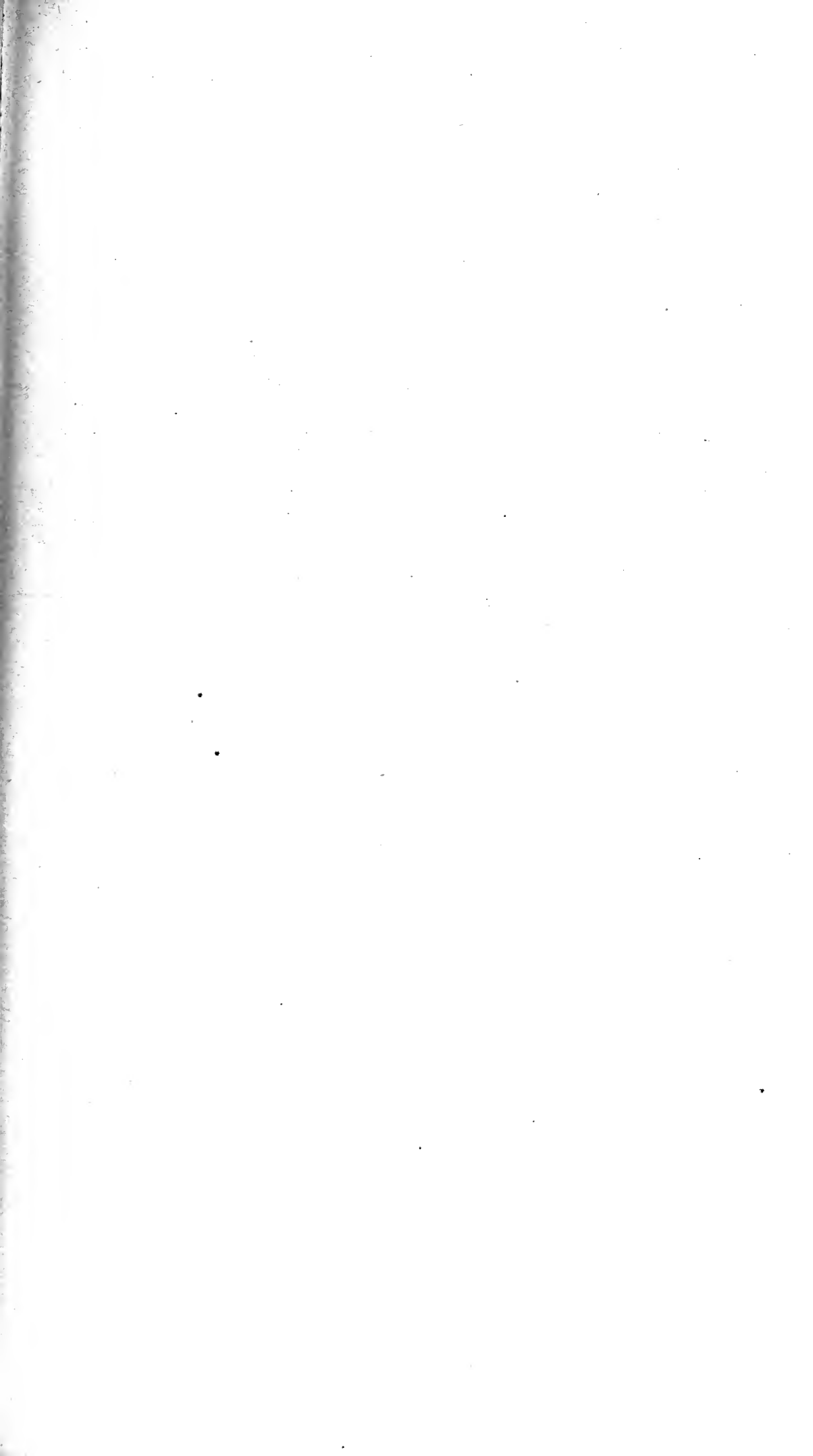
4. Anything in the said Act incorporating "The Napanee River Improvement Company," or in the amendments thereto, inconsistent with the provisions of this Act are hereby repealed. 25

Compensation to Company

5. The compensation to be paid The Napanee River Improvement Company for the removal of said dam and obstructions, shall be determined before the filing of the report, as provided for by section 15 of the said *Municipal Drainage Act*, by the Referee under said Act, in case the said Company and the Township of Portland cannot agree upon the amount which they are hereby empowered to do, if possible, and such amount shall be deemed part of the cost of construction and be provided for in the assessment made by the Engineer or Surveyor under the provisions of said *Drainage Act*. 30 35

Costs of Reference, etc.

6. The Referee shall have power to allow and fix the costs of and incidental to the determination of such amount which, in his opinion, either the said Company or the initiating Township should pay to the other, and the same shall thereupon become a debt due from the one to the other, and any such money paid by the initiating Township may be added to the cost of construction and recovered under section 18 of said *Drainage Act* as part of the expenses incurred by such Municipality in connection with said report. 40



No. 14.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act to amend the Acts respecting the
Napanee River Improvement Com-
pany, and provide for the Drainage of
Lands in the Townships of Portland
and Camden.

First Reading, , 1901.

(Private Bill.)

Mr. GALLAGHER.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act to confirm By-law Number 239 of the Village
of Port Dalhousie.

WHEREAS the Municipal Corporation of the Village of Preamble.
Port Dalhousie has by petition set forth that an agree-
ment was entered into on the seventh day of March, 1899,
between the said Corporation and the Toronto Rubber Shoe
5 Manufacturing Company, Limited, whereby the latter company
agreed among other things to erect a factory within the limits
of the said corporation for the manufacture of rubber goods
and to expend in the erection of such factory and in addi-
tional buildings and in plant and machinery the sum of not
10 less than \$100,000, and to employ in such factory not less than
two hundred employees, and the said corporation agreed
among other things to pass a by-law exempting the said com-
pany from taxation for ten years and has further shewn that
on the thirty-first day of March, 1900, all the assets, rights
15 and privileges of the said company, including their rights
under the said agreement, were vested in the Maple Leaf
Rubber Company, Limited, and that the said last mentioned
company completed the erection of their said factory and
buildings on or about the month of April, 1900, and expended
20 in the erection thereof \$141,836, and are employing in their
said factory 325 employees and that the said municipal cor-
poration on the eighth day of December, 1900, passed a by-law
of the said corporation, numbered 239, to exempt the said last
mentioned company from taxation, except as to school taxes,
25 for the period of ten years from the first day of January,
1900, and has prayed for the passing of an Act to confirm the
said by-law, and whereas it is expedient to grant the prayer
of the said petition.

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

1. By-law number 239 of the Municipal Corporation of the By-law No.
Village of Port Dalhousie, passed on the eighth day of Decem- 239 confirmed.
ber, 1900, entitled "A by-law to exempt the real and personal
35 property of the Maple Leaf Rubber Company, Limited, from
taxation for ten years, from the first day of January, 1900,
which by-law is set out in Schedule "A" hereto, is hereby
confirmed and declared legal, valid and binding according to
the true intent and meaning thereof.

SCHEDULE A.

BY-LAW No. 239.

A by-law to exempt the real and personal property of The Maple Leaf Rubber Company, Limited, from taxation for ten years from the first day of January, 1900.

Whereas by agreement entered into on the seventh day of March, 1899, and made between The Toronto Rubber Shoe Manufacturing Company, Limited, and the Corporation of the Village of Port Dalhousie, it was agreed for the considerations in such agreement set forth, among other things, that the said corporation would pass a by-law exempting the said The Toronto Rubber Shoe Manufacturing Company, Limited, from taxation for ten years.

And whereas by indenture dated the thirty-first day of March, 1900, and made between the said The Toronto Rubber Shoe Manufacturing Company, Limited, and the said The Maple Leaf Rubber Company, Limited, all the assets, rights and privileges of the said The Toronto Rubber Shoe Manufacturing Company, Limited, including all their rights under said in part recited agreement of the seventh day of March, 1899, were transferred to and became vested in the said The Maple Leaf Rubber Company, Limited, and the said last mentioned company have requested the said corporation to comply with the said agreement by exempting them from taxation as aforesaid.

And whereas the said corporation are desirous of complying with such request, but since the said in part recited agreement of the seventh day of March, 1899, was entered into the law has been altered so that the said corporation are not now legally entitled by by-law to exempt the said The Maple Leaf Rubber Company, Limited, from taxation as aforesaid, but it has been agreed that such by-law shall be passed and that the said corporation shall apply to the Legislature of the Province of Ontario at its next session to sanction and confirm same.

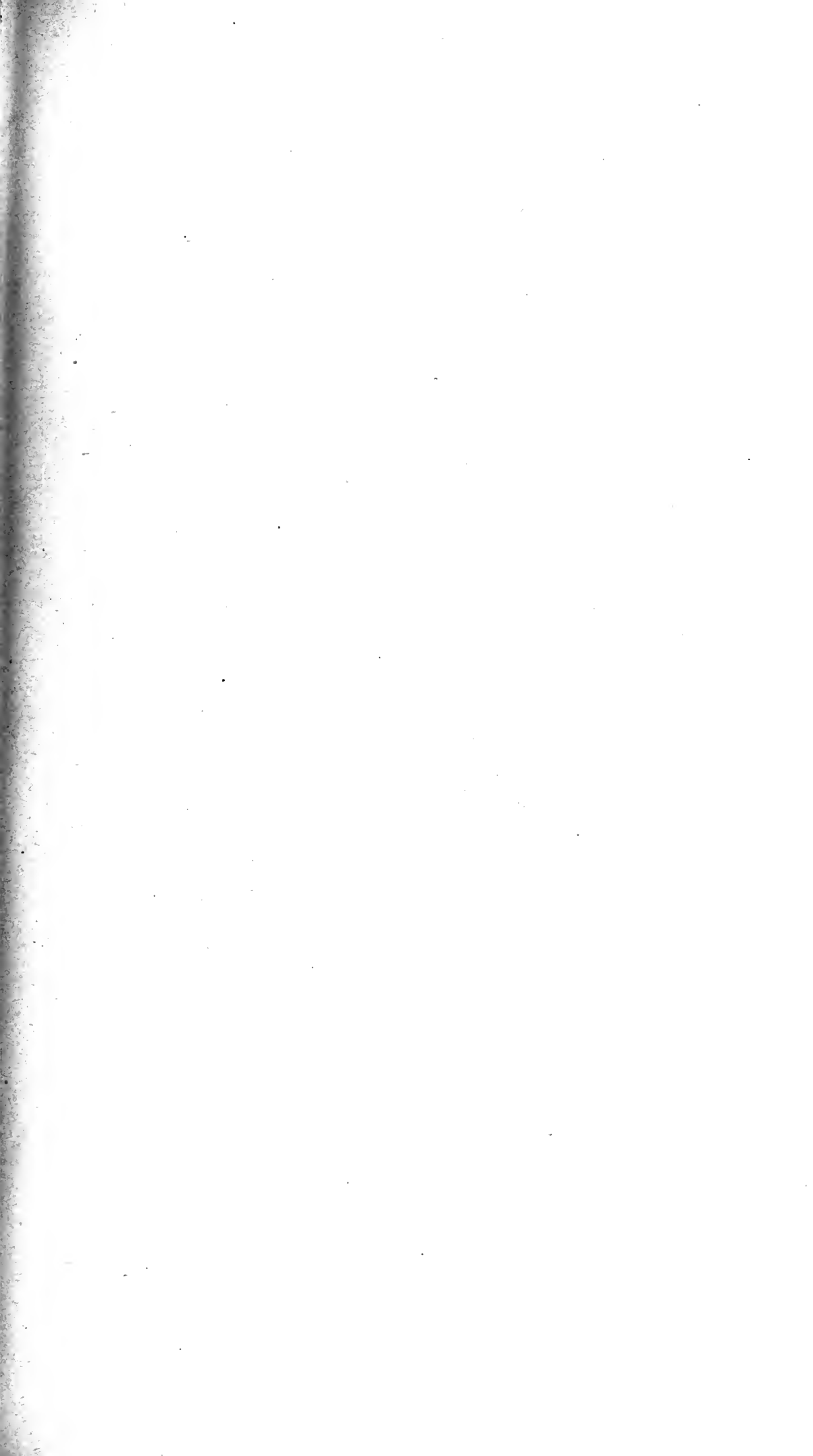
Therefore the Council of the Corporation of the Village of Port Dalhousie enacts as follows :—

1. For a period of ten years to be computed from the first day of January, 1900, or so long during such period as The Maple Leaf Rubber Company, Limited, shall carry out the agreements entered into by and on behalf of The Toronto Rubber Shoe Manufacturing Company, Limited, with the said corporation by the said in part recited agreement of the seventh day of March, 1899, the lands, premises and buildings within the said corporation occupied or owned by the said The Maple Leaf Rubber Company, Limited, for or in connection with their business as manufacturers of rubber shoes and generators and suppliers of electricity and electric light, and also the machinery, plant, tools, material or materials used in and in connection with their factory and situate within the said corporation and all stock manufactured and unmanufactured and other personalty of every kind belonging to or which shall belong to the said The Maple Leaf Rubber Company, Limited, and situate within the said corporation shall be exempt from taxation, but not from taxation for school purposes.

[Seal.]
Municipality of Port Dalhousie, Ontario.

A. N. ZIMMERMAN,
Reeve.
JOHN AYRE CONSIDINE,
Clerk.

Passed in Council, December 8th, 1900.



4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act to confirm By-law No. 239, of the
Village of Port Dalhousie.

First Reading, 1901.

(Private Bill.)

Mr. JESSOP.

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

An Act to confirm By-law Number 239 of the Village
of Port Dalhousie

WHEREAS the Municipal Corporation of the Village of Preamble.
Port Dalhousie has by petition set forth that an agree-
ment was entered into on the seventh day of March, 1899,
between the said Corporation and the Toronto Rubber Shoe
Manufacturing Company, Limited, whereby the latter company
agreed among other things to erect a factory within the limits
of the said corporation for the manufacture of rubber goods
and to expend in the erection of such factory and in addi-
tional buildings and in plant and machinery the sum of not
less than \$100,000, and to employ in such factory not less than
two hundred employees, *that* the said corporation agreed
among other things to pass a by-law exempting the said
company from taxation for ten years; that on the
thirty-first day of March, 1900, all the assets, rights
and privileges of the said company, including their rights
under the said agreement, were vested in the Maple Leaf
Rubber Company, Limited; *that* that the said last mentioned
company completed the erection of their said factory and
buildings on or about the month of April, 1900, and expended
in the erection thereof \$141,836, and are employing in their
said factory 325 employees and that the said municipal cor-
poration on the eighth day of December, 1900, passed a by-law
of the said corporation, numbered 239, to exempt the said last
mentioned company from taxation, except as to school taxes,
for the period of ten years from the first day of January,
1900; and ~~as~~ whereas the said corporation ~~as~~ has prayed for the
passing of an Act to confirm the said by-law, and whereas it
is expedient to grant the prayer of the said petition.

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

1. By-law number 239 of the Municipal Corporation of the
Village of Port Dalhousie, passed on the eighth day of Decem-
ber, 1900, intituled "A By-law to exempt the real and personal
property of the Maple Leaf Rubber Company, Limited, from
taxation for ten years, from the first day of January, 1900,"
which by-law is set out in Schedule "A" hereto, is hereby
confirmed and declared legal, valid and binding according to

By-law No.
239 confirmed.

the true intent and meaning thereof; ~~and~~ provided, however, that in the event of the said company, its successors or assigns, failing to employ at least 200 employees on an average daily in the said village during any years of the said term of exemption provided for in the said by-law, or failing to continue the operation of the plant, machinery and property mentioned in the said agreement, during at least eleven months of any year of the said term, or failing to continue to own and operate property in the said village to the value of at least \$100,000, then the provisions of the said by-law and all exemption from taxation thereunder shall cease during the period of such failure. ~~and~~

SCHEDULE A.

BY-LAW No. 239.

A by-law to exempt the real and personal property of The Maple Leaf Rubber Company, Limited, from taxation for ten years from the first day of January, 1900.

Whereas by agreement entered into on the seventh day of March, 1899, and made between The Toronto Rubber Shoe Manufacturing Company, Limited, and the Corporation of the Village of Port Dalhousie, it was agreed for the considerations in such agreement set forth, among other things, that the said corporation would pass a by-law exempting the said The Toronto Rubber Shoe Manufacturing Company, Limited, from taxation for ten years.

And whereas by indenture dated the thirty-first day of March, 1900, and made between the said The Toronto Rubber Shoe Manufacturing Company, Limited, and the said The Maple Leaf Rubber Company, Limited, all the assets, rights and privileges of the said The Toronto Rubber Shoe Manufacturing Company, Limited, including all their rights under said in part recited agreement of the seventh day of March, 1899, were transferred to and became vested in the said The Maple Leaf Rubber Company, Limited, and the said last mentioned company have requested the said corporation to comply with the said agreement by exempting them from taxation as aforesaid.

And whereas the said corporation are desirous of complying with such request, but since the said in part recited agreement of the seventh day of March, 1899, was entered into the law has been altered so that the said corporation are not now legally entitled by by-law to exempt the said The Maple Leaf Rubber Company, Limited, from taxation as aforesaid, but it has been agreed that such by-law shall be passed and that the said corporation shall apply to the Legislature of the Province of Ontario at its next session to sanction and confirm same.

Therefore the Council of the Corporation of the Village of Port Dalhousie enacts as follows :—

1. For a period of ten years to be computed from the first day of January, 1900, or so long during such period as The Maple Leaf Rubber Company, Limited, shall carry out the agreements entered into by and on behalf of The Toronto Rubber Shoe Manufacturing Company, Limited, with the said corporation by the said in part recited agreement of the seventh day of March, 1899, the lands, premises and buildings within the said corporation occupied or owned by the said The Maple Leaf Rubber Company, Limited, for or in connection with their business as manufacturers of rubber shoes and generators and suppliers of electricity and electric light, and also the machinery, plant, tools, material or materials used in and in connection with their factory and situate within the said corporation and all stock manufactured and unmanufactured and other personalty of every kind belonging to or which shall belong to the said The Maple Leaf Rubber Company, Limited, and situate within the said corporation shall be exempt from taxation, but not from taxation for school purposes.

[Seal.]

Municipality of Port Dalhousie, Ontario.

A. N. ZIMMERMAN,
Reeve.
JOHN AYRE CONSIDINE,
Clerk.

Passed in Council, December 8th, 1900.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act to confirm By-law No. 239, of the
Village of Port Dalhousie.

First Reading, 27th Feb., 1901.

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

Mr. JESSOP.

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

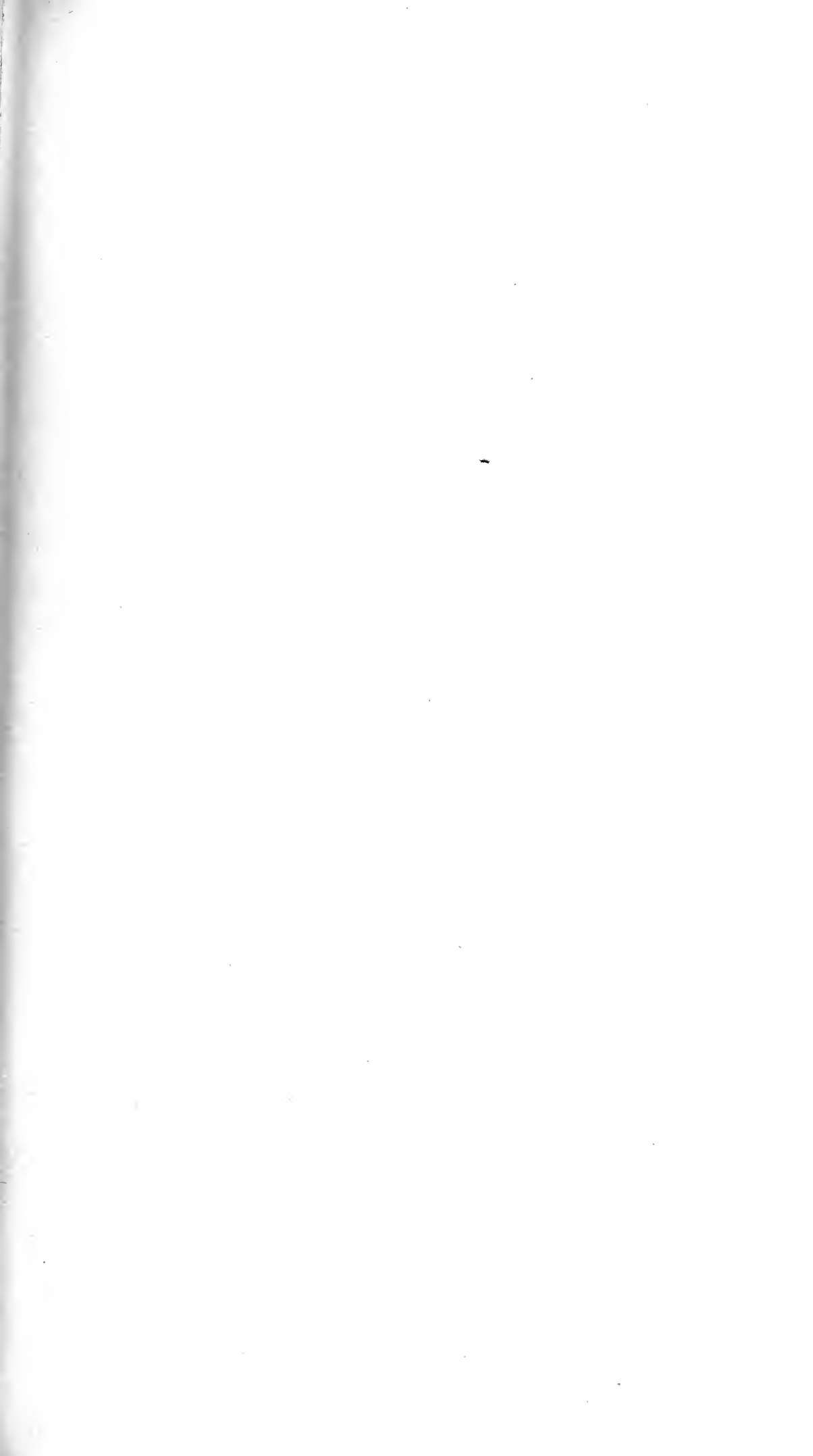
An Act respecting the Sisters of St. Joseph of the
Diocese of Hamilton

- W**HEREAS the Sisters of St Joseph of the Diocese of Preamble.
Hamilton have by their petition set forth that they
were incorporated under the provisions of chapter 167 of the
Revised Statutes of Ontario, 1877, intituled *An Act respecting*
5 *Benevolent, Provident and other Societies*, and have for many
years carried on works and conducted various institutions for
the reception and instruction of orphans and the relief of the
poor, sick and necessitous, and also works and institutions of
education, and that the said works have from time to time
10 become extended and enlarged, and with a view to extending
the sphere of usefulness of the said corporation and to enable
them to more properly and efficiently carry on such works and
institutions as aforesaid, it is desirable that their powers with
respect to acquiring, holding and disposing of real estate should
15 be enlarged; and whereas the said corporation has by petition
prayed that an Act may be passed to remove the restrictions
under which the said corporation labours with respect to such
powers and to enlarge such powers, and whereas it is expedient
to grant the prayer of the said petition.
- 20 Therefore His Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:—
1. Subject to the proviso hereinafter contained *the said Power to hold
corporation may from time to time and at all times hereafter lands to
25 purchase, acquire, hold, possess and enjoy and have, take and annual value
receive to them and their successors to and for the uses and of \$25,000.
purposes of the corporation any lands, tenements, heredita-
ments and real and immovable property not exceeding in the
whole at any one time the annual value of \$25,000 situate
30 within the limits of the Roman Catholic Diocese of Hamilton
occupied or hereafter to be occupied by the said corporation
or any branch thereof for the purposes thereof and subject to
the said proviso the same or any part thereof to sell, mortgage,
lease, alienate or dispose of and purchase other lands in their
35 stead for the same purposes; and the said corporation may
further acquire any other real estate or any interest therein
by purchase, gift, devise or bequest so as the same does not
exceed the like annual value of \$10,000 and may hold such
Further powers as to holding lands.

estate or interest therein for a period of not more than seven years and the same or any portion thereof or interest therein as may not within the said period have been alienated or disposed of shall revert to the party from whom the same was acquired, his heirs or other representatives ; and the proceeds of such property as shall have been disposed of during the said period may be invested in public securities of the Province, stocks of chartered banks, mortgages or other approved securities for the use of the said corporation ; and the powers of purchasing, holding, selling, mortgaging or otherwise acquiring or disposing of real estate given hereby may be exercised on behalf of the corporation by the five following named duly elected officers for the time being thereof, viz. : the Reverend Mother Superior, the Assistant Mother, the Mistress of Novices and any two Councillors without the necessity of any general meeting or resolution of the members and without notice to them. 5 10 15

Proviso.

Provided that no purchase, sale, mortgage, lease, alienation or other disposition of any real estate shall be made by the said corporation without the approval first had and obtained of the Bishop for the time being of the Roman Catholic Diocese of Hamilton or the Spiritual Superior by the said Bishop appointed, expressed in writing and under his signature, and any purchase, sale, mortgage, lease, alienation or other disposition made without such approval shall be invalid. 20 25



No. 16.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL

An Act respecting the Sisters of St. Joseph
of the Diocese of Hamilton.

First Reading, _____, 1901.

(Private Bill)

Mr. J. DICKENSON.

TORONTO.

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

An Act amalgamating The Continental Life Insurance Company and The Farmers' and Traders' Life and Accident Assurance Company, Limited, as "The Continental Life Insurance Company."

WHEREAS the Continental Life Insurance Company and Preamble.
The Farmers' and Traders' Life and Accident Assurance Company, Limited, have by their Petition prayed for an Act amalgamating their companies into one company and corporation with the powers and privileges hereinafter mentioned and whereas it is expedient to grant the prayer of the said Petition ;

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

1. In the interpretation of this Act unless the context shall require a different interpretation the words "The New Company" shall mean the company hereby incorporated. The words "The Companies hereby amalgamated" shall mean The Continental Life Insurance Company (as that Corporation heretofore existed) and The Farmers' and Traders' Life and Accident Assurance Company, Limited. Interpretation

2. The said The Continental Life Insurance Company, and The Farmers' and Traders' Life and Accident Assurance Company, Limited, are hereby amalgamated and united, constituted and declared to be a body corporate and politic under the name of The Continental Life Insurance Company, and from and after the passing of this Act the said new company shall, by virtue hereof, be entitled as from the passing hereof to be licensed and registered under *The Ontario Insurance Act, 1897*, by the said corporate name for the unexpired portion of the then current license year and registry year respectively for the transaction of life insurance; and the companies hereby amalgamated shall as from the passing hereof cease to do business and shall cease to be licensed and registered under the said Act, and each of the companies hereby amalgamated shall be deemed to have been from the passing hereof dissolved, provided nevertheless that Sections 184 to 195, inclusive, of *The Ontario Insurance Act, 1897*, relating to the Liquidation of insurance corporations shall not apply to the companies so dissolved. Companies amalgamated. Rev. Stat. c. 203.

Agreement confirmed.

3. The Indenture of Agreement between the companies hereby amalgamated bearing date the second day of January, 1901, and set out in Schedule "A" to this Act is hereby authorized, ratified and confirmed and the union thereby effected and all the terms thereof are hereby declared to be lawful, valid and operative to the same extent and in the same manner as if the several clauses of the said Indenture of Agreement were set out and enacted as part of this Act. 5

Rights and property of amalgamated companies vested in the new company.

4. All the rights, claims, property, estate and effects of each of the companies hereby amalgamated are hereby vested in the new company subject to the provisions of this Act, and the new company shall be entitled to sue or otherwise proceed for the recovery of such rights, claims, property, estate and effects in the name of the new company as fully as either of the companies hereby amalgamated might do if this Act had not been passed. 10 15

Rights of creditors.

5. The creditors of each of the companies hereby amalgamated shall be to all intents and purposes creditors of the new company and shall have the same rights, privileges and remedies against the new company as they would have had against either of the companies hereby amalgamated had this Act not been passed. 20

Rights of policy holders in Amalgamated Companies.

6. Each holder of a policy or contract of insurance in either of the companies hereby amalgamated shall be to all intents and purposes a holder of such policy or contract of insurance in the new company, and every such holder of or other person entitled under a policy or contract of insurance in either of the Companies hereby amalgamated shall have the same rights, privileges and remedies against the new company thereunder as he would have had against either of the companies hereby amalgamated had this Act not been passed; and every existing policy or contract of insurance heretofore issued by either of the companies hereby amalgamated shall as between the holder thereof or other person entitled thereunder and the new company, be and continue to be subject to the same terms and conditions as would have affected the same had the company by which the same was issued not been amalgamated hereby. 25 30 35

Suits by or against Companies not abated.

7. No suit, action or proceeding by or against either of the Companies hereby amalgamated shall be discontinued or abated by or on account of such amalgamation, but shall continue as if this Act had not been passed, and the new company shall pay or receive like costs as if the action, suit or proceeding had been commenced or been defended in the name of the new company. 40

Directors of the new Company.

8. The directors named in article 9 of the Indenture of Agreement, Schedule "A" hereto who shall be living at the time this Act shall come into force shall be the first directors of the new company. 44

9. The deposit required to be made by the new company ^{Deposit.} under the provisions of *The Ontario Insurance Act, 1897*, shall consist of so much as is necessary of the combined deposits made under the said Act by the companies hereby
 5 amalgamated, and the new company shall be entitled to receive so much of the said combined deposits as shall be in excess of the amount required to be deposited by the new company under the provisions of the said Act, but thereafter the adjustment and amount of the new company's deposit shall from
 10 time to time conform to and be regulated by the provisions of the said Act relating to such deposits or any general insurance law relating to deposits by insurance companies.

10. For the purposes of the *Land Titles Act*⁽¹⁾ or of registration under the *Registry Act*⁽²⁾ or of the *Bills of Sale and*
 15 *Chattel Mortgage Act*⁽³⁾ or any other Act of the Province it shall be sufficient in order to show the transmission of Title from either of the companies hereby amalgamated if any instrument affecting lands or interest in lands or personal property or interests in personal property included or intended to be
 20 included in the amalgamation aforesaid, recite or mention the title of this Act and the chapter and statute year in which this Act was passed.

Registration
of Instru-
ments.

(1) Rev. Stat.

c. 138.

(2) Rev. Stat.

c. 136.

(3) Rev. Stat.

c. 148.

SCHEDULE A.

This indenture made in triplicate this second day of January, 1901.

Between The Continental Life Insurance Company, of the one part, The Farmers' and Traders' Life and Accident Assurance Company, Limited, of the other part. The said companies being hereinafter referred to as the companies hereby amalgamated.

Whereas the companies hereby amalgamated are corporations incorporated, licensed and registered under the provisions of the *Ontario Insurance Act*.

And whereas the companies hereby amalgamated have agreed that the amalgamation of the said corporations is in the best interest of the policy holders of the said corporations as well as of the shareholders of the said corporations.

And whereas the terms and conditions hereinafter set forth have been adopted by the Board of Directors of each of the companies hereby amalgamated and have been approved, ratified and confirmed by a general meeting of the shareholders of each of the companies hereby amalgamated.

And whereas it is necessary that this indenture and the said amalgamation should be authorized, ratified and confirmed by the Legislature of the Province of Ontario;

Now therefore this indenture witnesseth that the parties hereto do hereby agree each with the other as follows, that is to say:

ARTICLE 1.

Upon the authorization and confirmation hereof by the passing of an Act in that behalf by the Legislature of the province of Ontario this indenture shall come into effect and the companies hereby amalgamated shall become united and amalgamated and shall form a new corporation under the name of The Continental Life Insurance Company hereinafter called "The New Company," which company shall have a common seal

and shall possess all rights, privileges and franchises of each of the companies hereby amalgamated.

ARTICLE 2.

All the rights, claims, property, estate and effects of each of the companies hereby amalgamated are hereby vested in the new company subject to the provisions of this indenture, and the new company shall be entitled to sue or otherwise proceed for the recovery of such rights, claims, property, estate and effects in the name of the new company as fully as either of the companies hereby amalgamated might do if this indenture had not been made.

ARTICLE 3.

The creditors of each of the companies hereby amalgamated shall be to all intents and purposes creditors of the new company and shall have the same rights, privileges and remedies against the new company as they would have had against either of the companies hereby amalgamated had this indenture not been made.

ARTICLE 4.

Each holder of a policy or contract of insurance in either of the companies hereby amalgamated shall be to all intents and purposes a holder of such policy or contract of insurance in the new company, and every such holder of or other person entitled under any policy or contract of insurance in either of the companies hereby amalgamated shall have the same rights and privileges and remedies against the new company thereunder as he would have had against either of the companies hereby amalgamated had this indenture not been made; and every existing policy or contract of insurance heretofore issued by either of the companies hereby amalgamated shall as between the holder thereof or other person entitled thereunder and the new company be and continue to be subject to the same terms and conditions as would have affected the same had the company by which the same was issued not been amalgamated hereby.

ARTICLE 5.

No suit, action or proceeding by or against either of the companies hereby amalgamated shall be discontinued or abated by or on account of such amalgamation but shall continue as if this indenture had not been made, and the new company shall pay or receive like costs as if the action, suit or proceeding had been commenced or been defended in the name of The New Company.

ARTICLE 6.

The chief place of business of The New Company shall be in the City of Toronto unless and until changed pursuant to the provisions of the Ontario Insurance Act, 1897.

ARTICLE 7.

The By-laws of the Continental Life Insurance Company heretofore in force shall govern The New Company (except so far as the same may be altered by any of the terms of this indenture and except so far as the same are inconsistent with or repugnant to the provisions of the Ontario Insurance Act 1897) until the said by-laws are altered or changed or new by-laws are passed by the directors of the new company.

ARTICLE 8.

The authorized capital stock of the new company shall be two million dollars divided into twenty thousand shares of one hundred dollars each ; and the paid up capital of the new company as at the date of this indenture has been ascertained and fixed at the sum of dollars and the schedule hereto annexed sealed with the corporate seal and signed by the secretary of each of the companies hereby amalgamated contains the names and addresses of all the shareholders of the new company, the number and amount of shares of capital stock of the new company held by each and the amount paid in thereon by each of the said shareholders. (62 V., 2nd Sess., c. 109, Schedule A, article 6.)

ARTICLE 9.

The first directors of the new company shall be :—

Name.	Address.
Hon. John Dryden, M.P.P.	Toronto, Ont.
Emerson Coatsworth, Jr.	“ “
Henry Cargill, M.P.	Cargill, “
Richard S. Williams	Toronto, “
A. F. Maclaren, M.P.	Stratford, “
J. W. Scott	Listowell, “
W. Vandusen	Tara, “
G. T. Somers.	Beeton, “
John B. Reid.	Toronto, “
Angus McKay, M.D., M.P.P.	Ingersoll, “
H. Wilberforce Aikins, M.D.	Toronto, “

who shall hold office until their successors are elected and qualified pursuant to the by-laws of the new company.

The persons holding the respective offices of president, vice-president, general manager and secretary of the Continental Life Insurance Company at the passing of the Act confirming this indenture shall be the first president, vice-presidents, general manager and secretary respectively of the new company.

ARTICLE 10.

A duplicate original of this indenture, together with the schedule of shareholders of the new company referred to in article 8 hereof, shall be filed by the new company in the office of the inspector of insurance for the Province of Ontario forthwith after the passing of the Act confirming this indenture.

In witness whereof the said companies hereby amalgamating have affixed their respective corporate seals by the hands of the president and secretary of the Continental Life Insurance Company, and the president and managing director of the Farmers' and Traders' Life and Accident Assurance Company, Limited.

Signed, sealed and delivered in
triplicate on the day and year
first above mentioned in the
presence of

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act amalgamating the Continental Life Insurance Company and the Farmers' and Traders' Life and Accident Assurance Company, Limited, as The Continental Life Insurance Company.

First Reading,	1901.
----------------	-------

(Private Bill.)

Mr. MCKAY.

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

An Act to amalgamate The Continental Life Insurance Company and The Farmers' and Traders' Life and Accident Assurance Company, Limited, as "The Continental Life Insurance Company."

WHEREAS the Continental Life Insurance Company and Preamble.
The Farmers' and Traders' Life and Accident Assurance Company, Limited, have by their Petition prayed for an Act amalgamating their companies into one company and corporation with the powers and privileges hereinafter mentioned and whereas it is expedient to grant the prayer of the said Petition ;

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

1. In the interpretation of this Act unless the context shall Interpretation require a different interpretation the words "The New Company" shall mean the company hereby incorporated. The words "The Companies hereby amalgamated" shall mean The Continental Life Insurance Company (as that Corporation heretofore existed) and The Farmers' and Traders' Life and Accident Assurance Company, Limited.

2. The said The Continental Life Insurance Company, and Companies amalgamated.
The Farmers' and Traders' Life and Accident Assurance Company, Limited, are hereby amalgamated and united, constituted and declared to be a body corporate and politic under the name of The Continental Life Insurance Company, and from and after the passing of this Act the said new company shall, by virtue hereof, be entitled as from the passing hereof to be licensed and registered under *The Ontario Insurance Act*, Rev. Stat. c. 203.
1897, by the said corporate name for the unexpired portion of the then current license year and registry year respectively for the transaction of life insurance; and the companies hereby amalgamated shall as from the passing hereof cease to do business and shall cease to be licensed and registered under the said Act, and each of the companies hereby amalgamated shall be deemed to have been from the passing hereof dissolved, provided nevertheless that Sections 184 to 195, inclusive, of *The Ontario Insurance Act*, 1897, relating to the liquidation of insurance corporations shall not apply to the companies so dissolved.

Agreement confirmed.

3. The Indenture of Agreement between the companies hereby amalgamated bearing date the second day of January, 1901, and set out in Schedule "A" to this Act is hereby authorized, ratified and confirmed and the union thereby effected and all the terms thereof are hereby declared to be lawful, valid and operative to the same extent and in the same manner as if the several clauses of the said Indenture of Agreement were set out and enacted as part of this Act, ^{and} save and except that article 8 of the said agreement is hereby amended by changing the capital stock of the new company from two million dollars divided into twenty thousand shares of one hundred dollars each, to one million five hundred thousand dollars divided into fifteen thousand shares of one hundred dollars each. ^{and}

Rights and property of amalgamated companies vested in the new company.

4. All the rights, claims, property, estate and effects of each of the companies hereby amalgamated are hereby vested in the new company subject to the provisions of this Act, and the new company shall be entitled to sue or otherwise proceed for the recovery of such rights, claims, property, estate and effects in the name of the new company as fully as either of the companies hereby amalgamated might do if this Act had not been passed.

Rights of creditors.

5. The creditors of each of the companies hereby amalgamated shall be to all intents and purposes creditors of the new company and shall have the same rights, privileges and remedies against the new company as they would have had against either of the companies hereby amalgamated had this Act not been passed.

Rights of policy holders in Amalgamated Companies.

6. Each holder of a policy or contract of insurance in either of the companies hereby amalgamated shall be to all intents and purposes a holder of such policy or contract of insurance in the new company, and every such holder of or other person entitled under a policy or contract of insurance in either of the Companies hereby amalgamated shall have the same rights, privileges and remedies against the new company thereunder as he would have had against either of the companies hereby amalgamated had this Act not been passed; and every existing policy or contract of insurance heretofore issued by either of the companies hereby amalgamated shall as between the holder thereof or other person entitled thereunder and the new company, be and continue to be subject to the same terms and conditions as would have affected the same had the company by which the same was issued not been amalgamated hereby.

Suits by or against Companies not abated.

7. No suit, action or proceeding by or against either of the Companies hereby amalgamated shall be discontinued or abated by or on account of such amalgamation, but shall continue as if this Act had not been passed, and the new company shall pay or receive like costs as if the action, suit or

proceeding had been commenced or been defended in the name of the new company.

8. The directors named in article 9 of the Indenture of Agreement, Schedule "A" hereto who shall be living at the time this Act shall come into force shall be the first directors of the new company. Directors of
the new
Company.

9. The deposit required to be made by the new company under the provisions of *The Ontario Insurance Act*, shall consist of so much as is necessary of the combined deposits made under the said Act by the companies hereby amalgamated, and the new company shall be entitled to receive so much of the said combined deposits as shall be in excess of the amount required to be deposited by the new company under the provisions of the said Act, but thereafter the adjustment and amount of the new company's deposit shall from time to time conform to and be regulated by the provisions of the said Act relating to such deposits or any general insurance law relating to deposits by insurance companies. Deposit.

10. For the purposes of the *Land Titles Act*⁽¹⁾ or of registration under the *Registry Act*⁽²⁾ or of the *Bills of Sale and Chattel Mortgage Act*⁽³⁾ or any other Act of the Province it shall be sufficient in order to show the transmission of Title from either of the companies hereby amalgamated if any instrument affecting lands or interest in lands or personal property or interests in personal property included or intended to be included in the amalgamation aforesaid, recite or mention the title of this Act and the chapter and statute year in which this Act was passed. Registration
of Instru-
ments.
(1) Rev. Stat.
c. 138.
(2) Rev. Stat.
c. 136.
(3) Rev. Stat.
c. 148.

SCHEDULE A.

This indenture made in triplicate this second day of January, 1901.

Between The Continental Life Insurance Company, of the one part, The Farmers' and Traders' Life and Accident Assurance Company, Limited, of the other part. The said companies being hereinafter referred to as the companies hereby amalgamated.

Whereas the companies hereby amalgamated are corporations incorporated, licensed and registered under the provisions of the *Ontario Insurance Act*.

And whereas the companies hereby amalgamated have agreed that the amalgamation of the said corporations is in the best interest of the policy holders of the said corporations as well as of the shareholders of the said corporations.

And whereas the terms and conditions hereinafter set forth have been adopted by the Board of Directors of each of the companies hereby amalgamated and have been approved, ratified and confirmed by a general meeting of the shareholders of each of the companies hereby amalgamated.

And whereas it is necessary that this indenture and the said amalgamation should be authorized, ratified and confirmed by the Legislature of the Province of Ontario;

Now therefore this indenture witnesseth that the parties hereto do hereby agree each with the other as follows, that is to say:

ARTICLE 1.

Upon the authorization and confirmation hereof by the passing of an Act in that behalf by the Legislature of the Province of Ontario this indenture shall come into effect and the companies hereby amalgamated shall become united and amalgamated and shall form a new corporation under the name of The Continental Life Insurance Company hereinafter called "The New Company," which company shall have a common seal and shall possess all rights, privileges and franchises of each of the companies hereby amalgamated.

ARTICLE 2.

All the rights, claims, property, estate and effects of each of the companies hereby amalgamated are hereby vested in the new company subject to the provisions of this indenture, and the new company shall be entitled to sue or otherwise proceed for the recovery of such rights, claims, property, estate and effects in the name of the new company as fully as either of the companies hereby amalgamated might do if this indenture had not been made.

ARTICLE 3.

The creditors of each of the companies hereby amalgamated shall be to all intents and purposes creditors of the new company and shall have the same rights, and privileges against the new company as they would have had against either of the companies hereby amalgamated had this indenture not been made.

ARTICLE 4.

Each holder of a policy or contract of insurance in either of the companies hereby amalgamated shall be to all intents and purposes a holder of such policy or contract of insurance in the new company, and every such holder of or other person entitled under any policy or contract of insurance in either of the companies hereby amalgamated shall have the same rights and privileges against the new company thereunder as he would have had against either of the companies hereby amalgamated had this indenture not been made; and every existing policy or contract of insurance heretofore issued by either of the companies hereby amalgamated shall as between the holder thereof or other person entitled thereunder and the new company be and continue to be subject to the same terms and conditions as would have affected the same had the company by which the same was issued not been amalgamated hereby.

ARTICLE 5.

No suit, action or proceeding by or against either of the companies hereby amalgamated shall be discontinued or abated by or on account of such amalgamation but shall continue as if this indenture had not been made, and the new company shall pay or receive like costs as if the action, suit or proceeding had been commenced or been defended in the name of the new company.

ARTICLE 6.

The chief place of business of The New Company shall be in the City of Toronto unless and until changed pursuant to the provisions of the Ontario Insurance Act, 1897.

ARTICLE 7.

The By-laws of the Continental Life Insurance Company heretofore in force shall govern The New Company (except so far as the same may be altered by any of the terms of this indenture and except so far as the same are inconsistent with or repugnant to the provisions of the Ontario Insurance Act 1897) until the said by-laws are altered or changed or new by-laws are passed by the directors of the new company.

ARTICLE 8.

The authorized capital stock of the new company shall be two million dollars divided into twenty thousand shares of one hundred dollars each ; and the paid up capital of the new company as at the date of this indenture has been ascertained and fixed at the sum of \$63,891.64, and the schedule hereto annexed sealed with the corporate seal and signed by the secretary of each of the companies hereby amalgamated contains the names and addresses of all the shareholders of the new company, the number and amount of shares of capital stock of the new company held by each and the amount paid in thereon by each of the said shareholders.

ARTICLE 9.

The first directors of the new company shall be :—

Name.	Address.
Hon. John Dryden, M.P.P.	Toronto, Ont.
Emerson Coatsworth, Jr.	“ “
Henry Cargill, M.P.	Cargill, “
Richard S. Williams	Toronto, “
A. F. Maclaren, M.P.	Stratford, “
J. W. Scott	Listowel, “
W. Vandusen	Tara, “
G. T. Somers.	Beeton, “
John B. Reid.	Toronto, “
Angus McKay, M.D., M.P.P.	Ingersoll, “
H. Wilberforce Aikins, M.D.	Toronto, “

who shall hold office until their successors are elected and qualified pursuant to the by-laws of the new company.

The persons holding the respective offices of president, vice-president, general manager and secretary of the Continental Life Insurance Company at the passing of the Act confirming this indenture shall be the first president, vice-presidents, general manager and secretary respectively of the new company.

ARTICLE 10.

A duplicate original of this indenture, together with the schedule of shareholders of the new company referred to in article 8 hereof, shall be filed by the new company in the office of the Inspector of Insurance for the Province of Ontario forthwith after the passing of the Act confirming this indenture.

In witness whereof the said companies hereby amalgamating have affixed their respective corporate seals by the hands of the president and secretary of the Continental Life Insurance Company, and the president and managing director of the Farmers' and Traders' Life and Accident Assurance Company, Limited.

Signed, sealed and delivered in triplicate on the day and year first above mentioned in the presence of

"JNO. DRYDEN,"
President.

Corporate Seal.
The Continental Life Insurance Company.

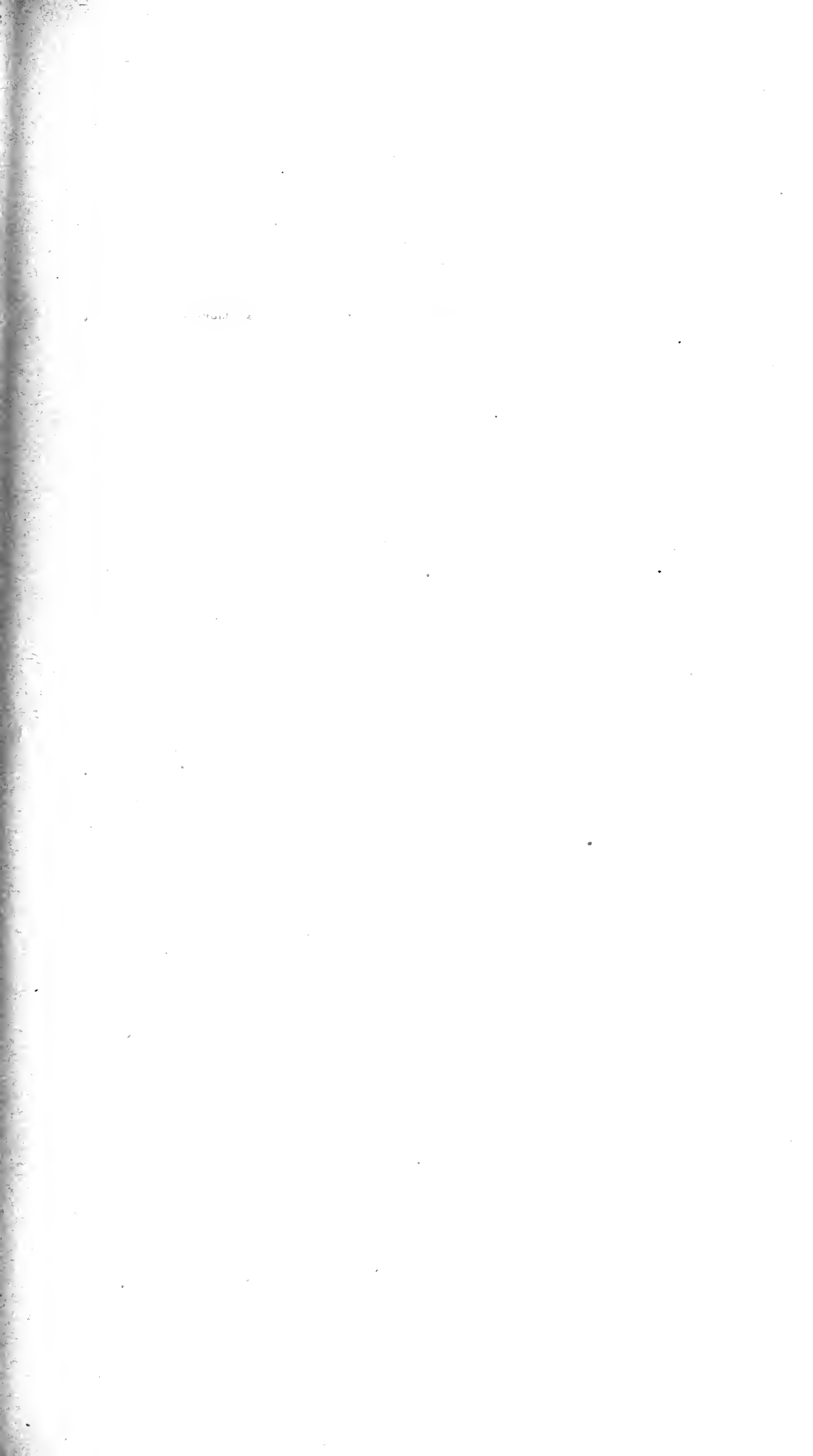
"CHAS. H. FULLER,"
Secretary.

"A. MCKAY,"
President.

Corporate Seal.
The Farmers' and Traders' Life and Accident Assurance Company, Limited.

"F. MCGILL."

"GEO. B. WOODS,"
Man. Director.



BILL.

An Act to amalgamate the Continental Life Insurance Company and the Farmers' and Traders' Life and Accident Assurance Company, Limited, as The Continental Life Insurance Company.

First Reading, 5th March, 1901.

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

Mr. MCKAY.

An Act to amend the Act Incorporating Les Reverends Peres Oblats de L'Immaculee Conception de Marie, commonly known as The Oblates of Mary Immaculate.

WHEREAS the Corporation of Les Reverends Peres Oblats de L'Immaculee Conception of Marie, commonly known as the Oblates of Mary Immaculate have, by their Petition represented that the said Corporation was incorporated on the 5 30th day of May, 1849, under an Act of the late Province of Canada, being Chapter 143 of the Acts passed in the twelfth year of the reign of Her late Majesty, Queen Victoria, and by their said Petition have asked for an Act amending the said Act of Incorporation by empowering
10 the said Corporation to mortgage, hypothecate, sell, lease or otherwise dispose of the real and personal property of the said Corporation, and whereas it is expedient to grant the prayer of the said Petition:—

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

1. The said Corporation shall have power from time to time and so often as they shall deem necessary or expedient, to mortgage, hypothecate, sell, lease or otherwise dispose of
20 the real and personal property of the said Corporation.

Power to sell, mortgage, etc., real and personal property.

No 18.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act to amend the Act Incorporating
Les Reverends Peres Oblats de L'Immac-
ulee Conception de Marie, commonly
known as the Oblates of Mary Immaculate.

First Reading,	1901.
----------------	-------

(Private Bill.)

Mr. LATCHFORD.

TORONTO:

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

An Act respecting the Church of England burying-ground at the Village of Shelburne, in the County of Dufferin.

WHEREAS the Rev. William Hinde, Rector of St. Paul's Church, Shelburne, and R. A. Riky and Morrison Rooney, the Church Wardens of the said St. Paul's Church, have by their petition set forth that the Church of England property upon which the church is built in the said village was at one time used as a burying-ground and that there are some bodies left in the said 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 moved by friends to such other cemeteries; that the said burying-ground is now in the residential portion of the said village, and houses are built on the lots on three sides of the same, and the road is on the fourth side; that the Council of the Village of Shelburne long ago passed a By-law prohibiting further interments within the limits of the said village; that of the few bodies that still remain in the said burying-ground no friends can be found, and the said burying-ground is not kept in repair; 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, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

25 The said Church Wardens and their successors are hereby authorized and empowered to remove in a decent and orderly manner from the 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, 30 in corresponding plots as nearly as may be, re-erecting any monuments that may mark the place of their said remains.

Authority to
remove and re-
inter remains.

4th Session, 9th Legislature
1 Edward VII, 1901.

BILL.

An Act respecting the Church of England
burying-ground at the Village of Shel-
burne, in the County of Dufferin.

First Reading, , 1901.

(Private Bill.)

Mr. BARR.

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

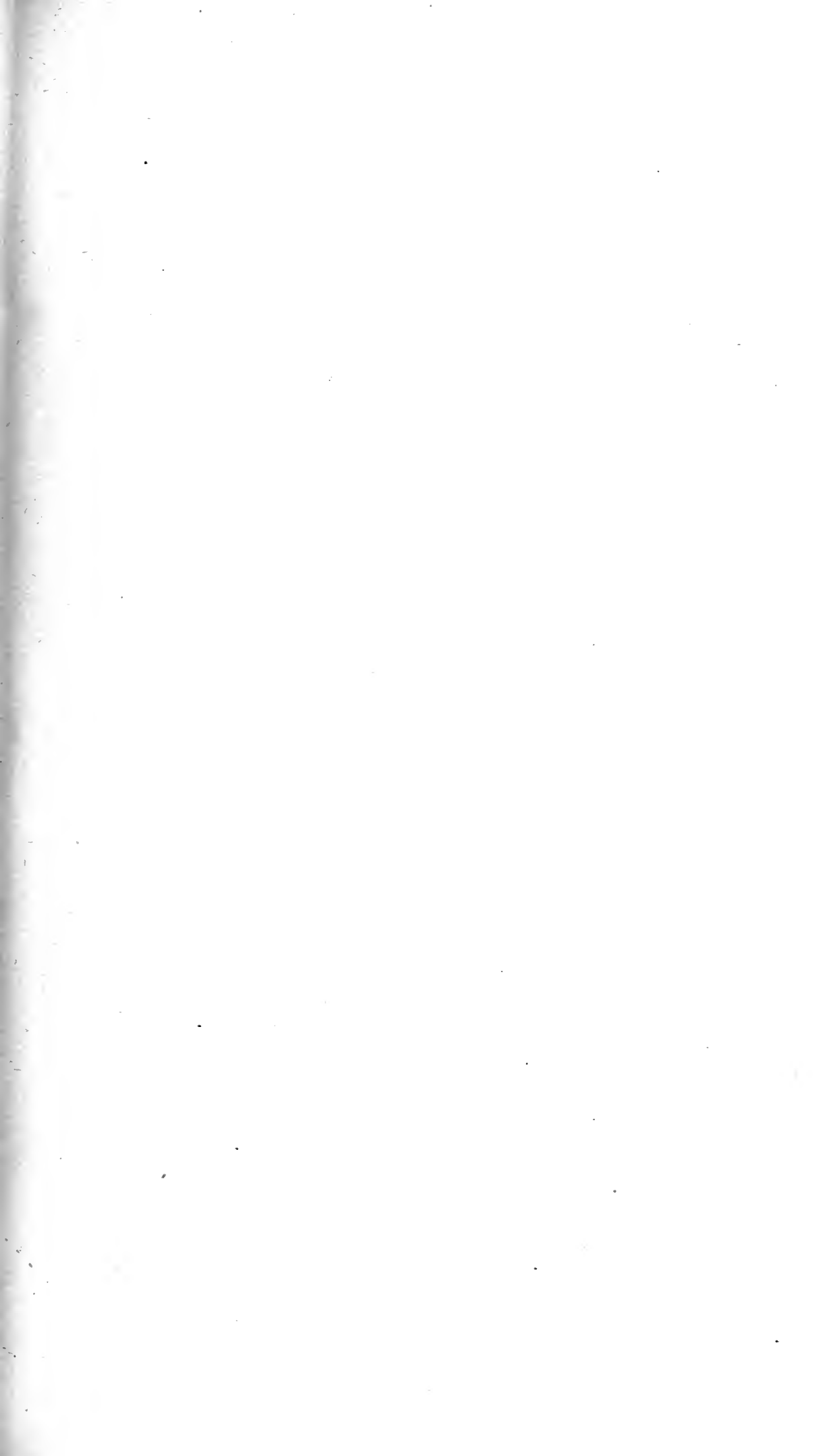
An Act respecting the Church of England burying-ground at the Village of Shelburne, in the County of Dufferin.

WHEREAS the Rev. William Hinde, Rector of St. Paul's Church, Shelburne, and R. A. Riky and Morrison Rooney, the Church Wardens of the said St. Paul's Church, have by their petition set forth that the Church of England property upon which the church is built in the said village was at one time used as a burying-ground and that there are some bodies left in the said 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 moved by friends to such other cemeteries; that the said burying-ground is now in the residential portion of the said village, and houses are built on the lots on three sides of the same, and the road is on the fourth side; that the Council of the Village of Shelburne long ago passed a By-law prohibiting further interments within the limits of the said village; that of the few bodies that still remain in the said burying-ground no friends can be found, and the said burying-ground is not kept in repair; 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, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The Rector and Church Wardens of St. Paul's Church in the Village of Shelburne, may during the period of one month publish a notice in the *Ontario Gazette* and in one weekly newspaper published in the said Village of Shelburne, 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 the said notice and stating their intention after a day named in said notice, which day shall not be less than six months after the first publication of such notice, to remove the remains (if any) then left in the said burying ground and the monuments erected thereon.

2. Upon and after the expiration of the said period of six months the said Rector and Church Wardens and their successors are hereby authorized and empowered to remove in a decent and orderly manner from the 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, re-erecting any monuments that may mark the *places of burial* of the said remains.



No. 19.

4th Session, 9th Legislature
1 Edward VII., 1901.

BILL.

An Act respecting the Church of England
burying-ground at the Village of Shel-
burne, in the County of Dufferin.

First Reading, 27th February, 1901.

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

Mr. BARR.

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

An Act Respecting the Town of Sault Ste. Marie,
the Lake Superior Power Company and certain
other Companies and persons.

WHEREAS, the Corporation of the Town of Sault Ste. Marie and the Lake Superior Power Company, Limited, and certain other companies and persons, have by petition prayed that an Act may be passed to validate a certain agreement entered into between the Corporation of the Town of Sault Ste. Marie, the Lake Superior Power Company, and other companies and Francis Hector Clergue and Edward Varian Douglas, which agreement bears date the sixth day of July, 1900, subject to certain amendments hereinafter made in the said agreement for the purposes of removing ambiguities and making clear the true intent and meanings of the said agreement and to legalize and confirm by-law No. 412 of the said Corporation of the Town of Sault Ste. Marie, authorizing the execution of the said agreement and to validate and confirm certain other agreement dated the sixth day of July 1900, made between the same parties as the said agreement hereinbefore mentioned, and to validate and confirm certain other agreement dated the twenty-sixth day of February, 1901, made between the corporation of the town of Sault Ste. Marie and Francis Hector Clergue and Edward Varian Douglas and the Sault Ste. Marie Electric Light and Transit Company, and have further prayed that the said Corporation of the Town of Sault Ste. Marie and the said companies and individuals, parties to the said agreement, may be respectively authorized and empowered to do all things necessary to carry out the said several agreements according to their true intent and meaning ; and whereas it is expedient to grant the prayer of the said petition ;

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

1. By-law numbered 412, of the Corporation of the Town of Sault Ste. Marie, intituled " A by-law to authorize the execution of a certain proposed agreement between the Corporation of the Town of Sault Ste. Marie and the Lake Superior Power Company, other companies, and Francis Hector Clergue and Edward Varian Douglas " a copy of which by-law is set out as

Preamble.

By-law 412 of
Sault Ste.
Marie
confirmed.

Agreement
between town
and Lake Sup.
Power Co. et
al amended.

Schedule "A" to this Act is confirmed and declared to be legal, valid and binding upon the Corporation of the Town of Sault Ste. Marie and the ratepayers thereof.

2. The agreement made between the Corporation of the Town of Sault Ste. Marie and The Lake Superior Power Company, other companies and Francis Hector Clergue and Edward Varian Douglas and dated the sixth day of July, 1900, a copy of which is set out as Schedule "B" to this Act is amended as follows:—

- (1) By inserting in paragraph numbered 4 of the said agreement between the word "there" and the word "build" the words "as soon as practicable within two years from the date hereof" and by striking out the word "during" where it lastly occurs in the said paragraph and substituting therefor the words "until the expiration of." 10 15
- (2) By striking out the paragraph numbered 7, in the said agreement, and substituting therefore the following "The companies above named jointly and severally covenant with the corporation that the total force employed within and adjacent to the corporate limits by them and by any other companies which may be carrying on operations upon the premises of or in connection with any of the parties to this agreement and in the construction of the said works and the said railway and in the operations of the same after they are constructed shall average at least two thousand men per working day during each year of the said term of twenty-five years." 20 25 30
- (3) By striking out the word "daily" where it occurs in the paragraph numbered 8 of the said agreement.
- (4) By inserting in paragraph numbered 10 after the words "one thousand eight hundred and ninety-nine" and "The Algoma Commercial Company, Limited" and "Algoma Central Railway Company." 35
- (5) By striking out the word "that" after the word "agree" in the paragraph numbered 12 of the said agreement and by inserting after the words "one thousand eight hundred and ninety-nine" where they first occur in the said paragraph the words "that of" and by substituting for the word "lying" in the said paragraph the words "such only as lie" and by striking out the word "alone" where it first occurs in the said paragraph. 40 45
- (6) By striking out in the paragraph numbered 20 in the said agreement the words "in so far as the cor-

poration has power to do so and" at the commencement of the said paragraph.

3. Subject to the amendments made in section 2 of this Act
5 the said agreement dated the sixth day of July, 1900, set out
as Schedule "B" to this Act as modified by the said agree-
ment mentioned in section 3 of this Act is confirmed and
declared to be legal and valid and binding upon the parties
thereto.
- 10 4. The agreement made between the parties mentioned in
section 2 of this Act dated the sixth day of July, 1900, a copy
of which is set out as Schedule "C" to this Act is confirmed
and declared to be legal and valid and binding upon the parties
thereto.
- 15 5. The agreement made between the corporation of the
Town of Sault Ste. Marie, Francis Hector Clergue and Edward
Varian Douglas and The International Transit Company,
Limited, dated the 26th day of February, 1901, a copy of which
is set out as Schedule "D" to this Act is confirmed and
20 declared to be legal and valid and binding upon the said parties
thereto.
6. The Corporation of the Town of Sault Ste. Marie and the
several companies, parties to the said agreements printed as
25 Schedules "B" "C" and "D" to this Act, may respectively
make, construct, perform and do all things and acts agreed to
be made, constructed, performed and done by them respec-
tively, together with all other things and acts necessarily pre-
cedent or consequent or collateral or incidental thereto.
- 30 7. The said companies mentioned in said agreements printed
as Schedules "B" "C" and "D" to this Act, may respec-
tively acquire and hold lands, and lands covered with water,
and all other property, real or personal, and enter into any and
all contracts respecting the same and all other matters and
35 things whatsoever, expedient or necessary to the due con-
struction and performance by them respectively of the works,
things, covenants, agreements and stipulations on their respec-
tive parts contained in the said agreements.
- 40 8. *The Assessment Act* and the amendments thereto, shall
not, during the periods mentioned in said agreement, printed
as Schedule "B" to this Act, be applicable to the property in
respect of which the annual payments mentioned in that
agreement are agreed to be made and accepted in lieu of all
45 taxes.
9. The International Transit Company, Limited, mentioned
in the agreement, a copy of which is printed as Schedule "D"
to this Act, may make, construct, equip and operate the Street
50 Railway mentioned in that agreement and do and perform

Agreement
between town
and company
et al confirmed
as amended.

Agreement of
6th July, 1900
confirmed.

Agreement as
to street rail-
way confirmed

Parties auth-
orized to do
all things
necessary to
carry out
agreements.

Power to
acquire land
&c.

Rev. Stat.
c. 123 not to
apply to com-
panies during
period for
which assess-
ment fixed.

International
Transit Com-
pany empow-
ered to con-
struct street

railway- all acts and things agreed to be done and performed by it, or which may be precedent, consequent, collateral or incidental thereto ; and sections 4, 5, 6, 8, 28 and 36, both inclusive, of *The Street Railway Act*, do not and shall not apply to the said The International Transit Company, Limited. 5

Power to close up certain streets and convey same to companies.

10. The Corporation of the Town of Sault Ste. Marie may by deed or deeds, and without previous by-law or other formalities in that behalf, grant and convey in fee simple to some one or to all of the companies mentioned in said agreement printed as Schedule "B" to this Act, the streets and roads, 10 and any portions thereof mentioned in the said agreement ; and upon delivery of such deed or deeds, the said streets and roads, or portions thereof thereby conveyed shall forthwith be closed as streets or roads and be vested in the grantee or grantees thereof in fee simple. 15

Former agreements continued in force.

11. The former agreements made between the said municipal corporation and persons and some of the said companies, being the agreements set out in the schedules to the Act passed in the 58th year of the reign of Her late Majesty Queen Victoria chaptered 119, and in the schedule to the Act passed in the 62nd year of the said reign, chaptered 77, shall continue in full force and effect except in so far as they, or any of them, may be modified by subsequent agreement, and particularly by the agreements printed as Schedules to this Act. 20

SCHEDULE A.

BY-LAW No. 412.

A By-law to authorize the execution of a certain proposed agreement between the corporation of the Town of Sault Ste. Marie and The Lake Superior Power Company, other companies and Francis Hector Clergue and Edward Varian Douglas.

Whereas the proposed agreement hereto annexed marked "A" has been submitted to the council of the said corporation for execution ;

And whereas the said council deem it expedient to submit the said agreement embodied in a proposed by-law to authorize the execution thereof to a vote of the electors of the said town ;

And whereas according to the last revised assessment roll of the said town, being that for the year 1899, the amount of the whole rateable property of the municipality of the town of Sault Ste. Marie is the sum of \$1,067,577 ;

And whereas the amount of the existing debenture debt of the said municipality is the sum of \$388,312.92 ;

Therefore the municipal council of the corporation of the Town of Sault Ste. Marie enacts as follows :—

It shall and may be lawful for the mayor and the clerk of the town of Sault Ste. Marie and they are hereby authorized and empowered for and on behalf of the corporation of the town of Sault Ste. Marie and under the corporate seal of the said town to execute a certain proposed agreement hereto annexed marked "A" incorporated with and forming part of this by-law.

This by-law shall take effect on and after the final passing thereof.

And it is further enacted by the said council that the votes of the electors of the said town will be taken on this by-law by the returning and deputy-returning officers hereinafter mentioned on the twenty-fifth day of June, 1900, commencing at nine o'clock in the morning and continuing until five o'clock in the afternoon at the undermentioned places :

Ward No. 1—At the council chamber, James Bassingthwaighte, returning officer.

Ward No. 2—At Noble & Co's building, south side of Queen street; James Fraser, deputy returning officer.

Ward No. 3—At Joseph Davieux's house, corner of Taucrad and Queen streets, Charles J. Pin, deputy returning officer.

That on the 23rd day of June, 1900, at the office of the clerk in the town of Sault Ste. Marie, at 11 o'clock in the forenoon, the mayor shall appoint in writing signed by him two persons to attend to the final summing up of the votes by the clerk and one person to attend to each polling place in behalf of the persons interested in and desirous of promoting the passing of this by-law and the like number on behalf of the persons interested in and desirous of opposing the passing of this by-law.

That the clerk of the said corporation shall attend at his office in the town of Sault Ste. Marie at the hour of twelve o'clock noon on the twenty-sixth day of June, A.D., 1900, to sum up the number of votes given for and against this by-law.

By-law read a first time this 23rd day of May, 1900.

J. BASSINGTHWAIGHTE,
Town Clerk.

By-law read a second time this 23rd day of May, 1900.

J. BASSINGTHWAIGHTE,
Town Clerk.

Read a third time, passed, signed and sealed this 6th day of July, 1900.

(Sgd.) W. H. PLUMMER,

(Seal.)

Mayor.

J. BASSINGTHWAIGHTE,
Town Clerk.

SCHEDULE B.

THIS agreement made (in duplicate) this sixth day of July, A.D. 1900, between the corporation of the town of Sault Ste. Marie, hereinafter called "the Corporation," of the first part; the Lake Superior Power Company, hereinafter called "the Power Company," of the second part; the Sault Ste. Marie Pulp and Paper Company, hereinafter called "The Pulp Company," of the third part; Tagona Water and Light Company, hereinafter called "the Water Company," of the fourth part; the Algoma Commercial Company, Limited, hereinafter called "the Commercial Company," of the fifth part; Algoma Central Railway Company, hereinafter called "the Railway Company," of the sixth part, and Francis Hector Clergue, manufacturer, and Edward Varian Douglas, esquire, both of the City of Philadelphia, in the State of Pennsylvania, of the seventh part.

Witnesseth that the parties hereto covenant and agree as follows :—

1. The Power Company, in consideration of the covenants herein contained on behalf of the said corporation, covenants with the said corporation that it or some one or more of the companies above named will build and construct, or where in the course of construction complete, or cause to be built, constructed or completed within the present corporate limits of the town of Sault Ste. Marie, in the province of Ontario, the following works, that is to say :—

- (a) Alkali and chemical works ;
- (b) A sulphite pulp mill having a minimum capacity of thirty-five tons of pulp daily ;
- (c) Smelting and reduction works having a capacity estimated at about five hundred tons of ore daily ;
- (d) Additional water power canal or canals and power house having a capacity of at least double that of the present water power canal owned and operated by the Power Company ;
- (e) A new machine shop of double the size of the present machine shop now operated in the said town by the Algoma Iron Works, to be run and operated in connection therewith.

2. The said Power Company further covenants with the corporation that the said works will be commenced within three months from the date of the ratification of this agreement by the Legislature of Ontario, and will be completed within three years from the said date, subject, however, to the exception hereinafter in this paragraph contained, and that in the meantime the construction thereof will be proceeded with with all convenient speed so that the same may and shall, subject to the said exception, be completed within the time herein limited ; provided always that accidents, labor strikes, and other circumstances beyond the control of the said Power Company shall excuse and release it from the completion of, or causing to be completed, the said works within the time herein specified ; but this proviso shall not excuse and release the said Power Company from finally completing the said works.

3. The Railway Company covenants with the corporation that it will proceed immediately with the construction of its line of railway from the said town of Sault Ste. Marie northerly and that it will complete the same to the Canadian Pacific Railway at as early a date as practicable, the same, however, to be completed within four years from the date hereof.

4. The Railway Company further covenants with the corporation that it will make its terminus for the said town of Sault Ste. Marie, during the period of twenty-five years hereinafter mentioned, near the International Dock at the foot of Bruce street, in the said town of Sault Ste. Marie, and that it will there build, erect and maintain a station and freight sheds and provide station grounds, wharves, docks and docking facilities and there maintain the same when so built, erected and provided during such period of twenty-five years.

5. The companies above named, and each of them, except the Railway Company, covenants with the corporation that an expenditure on the works mentioned in paragraph 1 hereof will be made of, at least, one million dollars.

6. The companies above named covenant with the corporation that an expenditure of, at least, one million dollars will be made in connection with the Railway Company's undertakings and works in and in the neighborhood of the town of Sault Ste. Marie, and in the matter of the construction and equipment of the railway line and the erection of such works as are necessary to place such undertakings and works in a completed state for the full operation of the same, and for other purposes in connection therewith.

7. The companies above named, and each of them, covenants with the corporation that in the construction of the said works and the said railway and in the operation of the same after they are constructed, there will be employed an average force of, at least, two thousand men within and adjacent to the said corporate limits.

8. The companies above named and each of them covenants with the corporation that such average force of two thousand men will be employed daily, except Sundays and holidays, throughout each year during the term of twenty-five years hereinafter mentioned ; provided that accidents in and to the works and railways, labour strikes, inability to obtain such raw materials as are necessary to carry on and operate the said works, or to profitably dispose of the products thereof, or other circumstances beyond the control of the companies shall excuse and release them from the strict

performance of this covenant; provided further that a breach in this covenant shall not be deemed to have taken place by the non-employment of the said average force of two thousand men during the said term of twenty-five years by reason of the temporary closing down of the said works or railway for the purpose of making repairs or alteration therein or thereto.

9. In consideration of the above covenants, the corporation covenants with all the other parties to this agreement and with each of them that the agreement entered into between the corporation and certain of the parties hereto, dated the twenty-fourth day of February, one thousand eight hundred and ninety-nine, (which agreement is set forth in Schedule "A" to the Act passed by the Legislature of Ontario in the sixty-second year of Her Majesty's reign and chaptered seventy-seven), shall be varied and the same is hereby varied so that from and after the first day of January, one thousand nine hundred and two, the annual tax payable thereunder for all the property therein mentioned shall be five thousand five hundred dollars (\$5,500.00) and that such sum of \$5,500.00, to be paid for taxes as aforesaid, shall, in addition to the taxes on all taxable property mentioned in the said agreement, also include all taxes, including school taxes, payable on all the taxable property of the railway company used for or in connection with the purposes of the said railway company, within the said Town of Sault Ste. Marie and the limits thereof hereinafter defined, and also all taxes, including school taxes, payable upon or in respect of the street railway hereinafter mentioned, and all the rolling stock and other property owned or used in connection with the said street railway, until the end of the year one thousand nine hundred and eight; and that until the first day of January, one thousand nine hundred and two, all the taxable property of the railway company within the said limits and of the said street railway and all the rolling stock and other property owned or used in connection therewith shall be included in the property for which the annual tax of five thousand dollars (\$5,000.00) is now payable under the said agreement dated the twenty-fourth day of February, one thousand eight hundred and ninety-nine; and the said agreement shall be read and construed so far as may be as if and as though the railway company had been and was a party thereto and the said street railway had been and was provided for therein.

10. Subject to the provisions of paragraph 12 hereof, the corporation further covenants with all the other parties hereto and with each of them that for and during the term of sixteen years from the first day of January, one thousand nine hundred and nine, the total taxes payable to the said corporation by all the said companies, parties to this agreement, and also all the persons, firms, corporations and companies mentioned and included in the said agreement dated the twenty-fourth day of February, one thousand eight hundred and ninety-nine, and also for and in respect of the street railway hereinafter mentioned, and all the rolling stock and other property owned or used in connection with the said street railway, shall be the sum of seven thousand five hundred dollars (\$7,500.00) per annum; and all the said companies, parties to this agreement, hereby covenant with the corporation that the said sum of \$7,500.00 will be paid on or before the fourteenth day of December in each and every year of the said sixteen years without any abatement or reduction of any kind whatever, the first of such payments to be made on or before the fourteenth day of December, one thousand nine hundred and nine.

11. The said annual sums of five thousand five hundred dollars (\$5,500.00) and seven thousand five hundred dollars (\$7,500.00), payable for taxes as above mentioned, are to include, among other taxes, school taxes and taxes on the income and personal property of all the said companies in the said town, and no particular description in this paragraph is to limit or restrict the generality of the foregoing provisions; provided, however, that the property or income of any employee or employees of said companies or any of them or any property or lands not exempted by the said corporation by this or former agreements shall not be exempt from taxation by reason hereof.

12. It is understood and agreed that notwithstanding the foregoing provisions, or the provisions of the agreement dated the twenty-fourth day of February, one thousand eight hundred and ninety-nine, the lands of the railway company now acquired or hereafter to be acquired lying within the following limits in the said Town of Sault Ste. Marie shall alone be included in the property for which the said sums of \$5,500.00 and \$7,500.00 are payable respectively as an annual tax :

- (a) West of Gore street or Gore street produced.
- (b) South of Queen street from Gore street to Bruce street ;
- (c) South of Bay street from Bruce street to East street ;
- (d) South of a line drawn from East street to the easterly limit of park lot number sixteen in the first concession of park lots adjoining the town plot of Sault Ste. Marie parallel to and south of Queen street and distant therefrom four hundred feet ; and south of a line drawn from the easterly limit of the said park lot number sixteen to the easterly limit of the corporation parallel to and south of Queen street and distant two hundred feet therefrom ;

And all the lands now owned and controlled, or hereafter acquired, owned or controlled by the said railway company within the said Town of Sault Ste. Marie and outside of the limits above defined shall be liable to taxation as if this agreement, and the said agreement, dated the twenty-fourth day of February, one thousand eight hundred and ninety-nine, had not been made ; provided that no land within the said limits above defined now or hereafter acquired, owned or controlled by the said railway company shall be included in the property for which said annual tax is payable hereunder except and until the same is brought into use for railway purposes.

13. The property hereafter acquired or controlled by the railway company within the limits above set out shall, subject to the provisions in the next preceding paragraph hereof contained, be included in the property for which the said annual taxes are payable in the same manner as if it were now acquired, owned or controlled by it, and any land now lying outside the limits of the said town west of Gore street or Gore street produced, but which may hereafter be brought within the said limits, shall be affected by this agreement and in the same manner and as fully as if it were now within the limits of the said town.

14. The corporation covenants and agrees with the railway company to close up and grant to the railway company the portions of Elgin, Bruce, Denis, Tancred, Gore and Andrew streets in the said town which lie south of the southerly limits of Bay and Portage streets, when and so soon as the railway company acquires all the frontage on the south side of Bay street west of Bruce street, the said grant to be made to the said railway company free of charge therefor, and to be made subject to the right of the said corporation to construct sewers thereunder ; and the corporation covenants and agrees with the railway company to close up and grant to the railway company free of charge therefor Portage street from the east limit of Hudson street to the west limit of West street and the portion of lying south of the southerly limit of Superior street and the portion of West street lying south of the southerly limit of Superior street produced west when and so soon as either or any of the said companies acquire the frontage of the lands on the north side of said Portage street lying between Hudson and West streets, except the right of way of the Canadian Pacific Railway and the streets running into and connecting with the said Portage street.

15. The corporation further covenants with the said companies and with each of them to close up as roads the road now leading from the corner of George and Superior streets to Cathcart street, and also the road connecting the same with the present travelled Base Line Road in the Township of Awenge.

16. The said parties of the seventh part covenant and agree with the corporation that within two months from the execution of this agreement by all the parties hereto, a by-law sanctioning it having first been sub-

mitted to a vote of the electors qualified to vote thereon, they will commence to construct and will equip and have completed and ready for operation by the first day of July, one thousand nine hundred and one, a surface street railway to be operated by electricity upon the trolley system from the vicinity of the Power Company's works in the west end of the said town of Sault Ste. Marie to Upton Road in the eastern portion thereof, and that the said street railway will be maintained and kept in operation for a period of twenty-five years from the first day of July, one thousand nine hundred and one, and will be constructed and operated in accordance with the terms, provisions and specifications mentioned and set forth in Schedule "A" hereto annexed.

17. In consideration of the covenant in the last preceding paragraph hereto contained and all the other covenants herein contained on the part of the companies, the corporation doth by these presents grant unto the said parties of the seventh part, their heirs, executors, administrators and assigns, the free and exclusive right, power and authority for a period of twenty-six years from the first day of July, one thousand nine hundred, and no longer, to operate surface street railways in the town of Sault Ste. Marie, in the District of Algoma, including therein all territory which may hereafter be brought within the limits of the said town, but which at present is not therein, upon the terms and conditions and subject to the agreements hereinafter and in said Schedule "A" mentioned and set forth.

18. And the said parties of the seventh part, for themselves, and each of them for himself and for their heir and each of their heirs, executors, administrators and assigns, covenant, promise and agree to and with the corporation, their successors and assigns, that they will fulfil all the conditions, stipulations and undertakings in this agreement and in said Schedule "A" contained; and it is understood, declared and agreed by and between the said corporation and the parties of the seventh part, that if the said parties of the seventh part should form or cause to be formed a joint stock company for the purpose of carrying into effect the provisions of this agreement in regard to the said street railway, or should assign all their rights under this agreement in regard to the said street railway to a company already in existence for the purpose of carrying the said provisions of this agreement into effect, then such company shall, upon executing the necessary contract of substitution, be substituted for the parties of the seventh part in all respects as regards the provisions of this agreement in respect to such street railway, and the said provisions of this agreement shall cease to apply to the said parties of the seventh part individually, who shall thenceforth be discharged from all individual liability in the premises, and the corporation agrees with the parties of the seventh part and each of them to execute the said contract of substitution so soon as such company has executed it.

19. It is understood, declared and agreed that the said parties of the seventh part, their heirs, executors, administrators and assigns, are to have the exclusive right to build and operate the said street railway on any and all the streets of the said town, including all streets which said corporation may hereafter acquire jurisdiction or authority over, free of charge or rental therefor, and they hereby covenant with the corporation to maintain a single or double track, or a single track with switches, side track or turnouts, as to the said parties of the seventh part may from time to time seem proper, along Queen and Superior streets from Upton road to Huron street during the said period of twenty-five years from the first day of July, one thousand nine hundred and one.

20. In so far as the corporation has power to do so, and subject to the undertakings, terms, conditions and agreements entered into and between said corporation and the Government of Canada, the said corporation hereby grants to the Power Company, its successors, lessees and assigns, the right, free of charge or rental therefor, to erect such portions of its works on the portion of Huron street lying south of Superior street as it or they may from time to time require; provided, however, that not less than thirty-six feet in width of said street shall be kept open at all times for the use of the travelling public along said street; and hereby further grants to the Power Company, its successors, lessees and assigns, the

right, free of charge or rental therefor, to bridge or build over the said street and to erect such works or buildings upon or otherwise use such bridge as they may from time to time require ; provided, however, that the lower part of such bridge or building or bridges or buildings be, at least, sixteen feet from the level of said Huron street ; and provided, further, that said Power Company releases, and does hereby release, the said corporation from its obligation and liability to it to erect and build the necessary bridges on the said street and to maintain the same, and that the Power Company shall indemnify and save harmless the corporation from any liability it may be under to construct any bridge or bridges on said Huron street which may be rendered necessary by the works of any of the said companies ; provided, further, that the Power Company, its successors, lessees and assigns, do not assume liability to erect and build the necessary bridges on the said street, notwithstanding anything herein contained, except so far as it is liable to so under its agreement to indemnify the corporation in respect thereof as aforesaid ; provided, further that this grant shall not give to the said Power Company the right to the fee in the said portions of the said street by reason of undisturbed possession thereof, or otherwise ; and provided further that the Power Company shall at all times have the same rights, powers and privileges in, over, upon and with respect to the portion of Huron street lying between Superior street and the former south limit of Portage street for the purpose of constructing and excavating a tail-race or tail-races in, across, over and upon the same and all other purposes as it has in, over, upon and with respect to the road-way granted by it to the corporation and which forms a continuation of Huron street southward.

21. For and during the years one thousand nine hundred and twenty-six and one thousand nine hundred and twenty-seven all the taxes payable in respect of the said street railway and all the rolling stock and other property used or owned in connection therewith shall be five hundred dollars (\$500.00) per annum, and the said sum shall include school taxes as well as municipal and other taxes.

22. That said companies agree with the corporation to pay all the expenses connected with any application to the Legislature of Ontario for an Act to confirm this agreement, and all the expenses in connection with the passing of a by-law by the electors sanctioning this agreement ; and the corporation pledges itself to assist all the companies in procuring the passage of such Act as soon as the same is applied for in the manner in which the said companies may require such assistance.

23. This agreement and all the covenants and conditions herein contained are, in so far as it is beyond the present power of the corporation to enter into it and them, subject to ratification and confirmation by the Legislature of Ontario, and the corporation, if it executes this agreement, incurs no liability hereunder unless and until the same is ratified by the said Legislature, save as to the portions of this agreement which it may now legally make and enter into which are to be binding on the corporation from and after the execution hereof by the corporation.

In witness whereof the parties hereto have duly executed these presents.

Signed, sealed and delivered in the presence of	(Sgd) W. H. PLUMMER, Mayor. [Town Seal.]
	(Sgd) J. BASSINGTHWAIGHTE, Clerk.
	(Sgd) THE LAKE SUPERIOR POWER CO. By F. H. CLERGUE, Vice-President. [Seal.]
(Sgd) N. SIMPSON, as to execution by the corporation, and of	(Sgd) THE SAULT STE. MARIE PULP AND PAPER COMPANY. By F. H. CLERGUE, President. [Seal.]
(Sgd) N. SIMPSON, as to execution by the companies and the parties of the seventh part.	(Sgd) TAGONA WATER AND LIGHT CO. By F. H. CLERGUE, President. [Seal.] (Sgd) THE ALGOMA COMMERCIAL CO., LIMITED. By F. H. CLERGUE,

}	President. [Seal.]
	(Sgd) ALGOMA CENTRAL RAILWAY Co.
	By F. H. CLERGUE,
}	President. [Seal.]
	(Sgd) FRANCIS H. CLERGUE. [Seal.]
	(Sgd) EDWARD VARIAN DOUGLAS. [Seal.]

Schedule A referred to in the annexed agreement between the corporation of the Town of Sault Ste. Marie, the Lake Superior Power Company, the Sault Ste. Marie Pulp and Paper Company, Tagona Water and Light Company, the Algoma Commercial Company, Limited, Algoma Central Railway Company, Francis Hector Clergue and Edward Varian Douglas, dated the sixth day of July, A.D. 1900.

1. The parties of the seventh part mentioned in said agreement shall be permitted, without let or hindrance from the corporation, its successors or assigns, to construct, maintain and operate an iron or steel street railway track or tramway with the necessary culverts, switches and turnouts, for the passage of cars, carriages and other vehicles adapted to the same, in, upon and along any and all of the streets of the town of Sault Ste. Marie, Ontario, including all streets over which said corporation may hereafter acquire jurisdiction or authority.

2. All works necessary for constructing and laying down the said railway or tramway shall be made in a substantial manner suitable to the traffic and with due regard to the growth and requirements of the town.

3. The tracks and turnouts shall conform to the grades of the streets as furnished by the town engineer, and the parties of the seventh part shall not in any way change or alter the same except with the approval of the said engineer; but in all cases where it is found necessary in determining the grades of the said rail or tramway to lay the same at a different grade from the street or road, then in such cases the said parties of the seventh part shall make up or depress the grade of the said street to conform with the grade of the rail or tramway; the top of the rails shall be laid flush with the street as nearly as practicable and the gauge of the said rail or tramway shall be four feet eight and one half inches, or such other gauge as to the parties of the seventh part may from time to time seem proper.

4. The said corporation shall have the right, and it shall be lawful for it after twenty days' written notice of its intention so to do, to take up any part of the streets or highways traversed by the rail or tramway of the said parties of the seventh part for the purpose of altering the grade thereof, constructing or repairing sewers, drains, culverts or street crossings, or for laying down or repairing water pipes, or for any other purpose or purposes within the province or privileges of a municipal corporation, and the parties of the seventh part shall not be entitled to any compensation for damages occasioned thereby to the working of the said rail or tramway or works connected therewith or otherwise howsoever; provided that the corporation shall bear the cost of taking up and replacing the tracks, rails and works and of putting the same in as good a condition as when they were taken up.

5. The cars, teams and vehicles of the said parties of the seventh part shall have the first right of way over the said rail or tramway and all vehicles and persons travelling on that portion of the said highway occupied by the said rail or tramway shall turn out upon meeting or being overtaken by any car or vehicle of the said parties of the seventh part so as to give such car or vehicle free right of way.

6. The parties of the seventh part shall run, at least, one car each way hourly each day on a regular timetable between the hours of 6 a.m. and 10 p.m. except prevented by accident or storms or excessive depth of snow, in any of which cases due diligence shall be exercised to put the line again into operating condition.

7. The speed of the cars shall never exceed ten miles per hour.

8. No higher fare than five cents shall be charged for the conveyance of each passenger for a continuous journey the full distance one way on the line within the present limits of the town.

9. The parties of the seventh part shall be liable for all damages arising out of the improper or negligent construction, repair or operation of the

said rail or tramway, and the said parties of the seventh part shall hold the corporation in all respects harmless in respect thereof, and, upon demand, shall forthwith pay to the corporation all sums payable by or recovered against the said corporation in respect of any such claims arising from the causes above mentioned, together with all costs of or incidental to such claims incurred by the corporation; provided, however, that such claims have in no way arisen from the negligence, omissions or other default or defaults of the said corporation apart from said rail or tramway.

10. Should the parties of the seventh part neglect to keep their track or roadway or crossings or ballasting in good condition according to the terms of this agreement, or to have the necessary repairs according to this agreement made thereon, the said corporation may give written notice requiring such repairs to be forthwith made; and if after such notice the said parties of the seventh part do not within one week begin and carry to completion with all reasonable diligence the necessary repairs then such necessary repairs may be made by the corporation at the expense of the said parties of the seventh part.

11. At the expiration of this franchise, if no renewal for a like period be granted by the corporation on the same terms as above mentioned, the corporation shall take over, and pay the parties of the seventh part for, the property of the said parties of the seventh part at a valuation to be determined by arbitration in the manner provided by *The Arbitration Act*, and in estimating the value of the said street railway and its plant and property the arbitrators shall take into account the earning powers thereof at the date of the arbitration and allow the parties of the seventh part accordingly.

12. It is understood and agreed that wherever the parties of the seventh part are herein referred to such reference shall be to, and shall include, their heirs, executors, administrators and assigns, and the heirs, executors, administrators and assigns of each of them, who shall be affected by the foregoing provision in the same manner as if they were in each case specially mentioned.

In witness whereof the said corporation and the said parties of the seventh part have duly executed these presents the sixth day of July, A.D., 1900.

Signed, sealed and delivered } (Sgd) W. H. PLUMMER, Mayor.
in the presence of .

(Sgd) N. SIMPSON, as to ex- } (Sgd) J. BASSINGTHWAITE, Clerk. [Town Seal.]
ecution by the Corporation, and of
(Sgd) N. SIMPSON, as to ex- } (Sgd) FRANCIS HECTOR CLERGUE. [Seal.]
ecution by the parties of } (Sgd) EDWARD VARIAN DOUGLAS. [Seal.]
seventh part.

SCHEDULE C.

Agreement dated 6th July, A.D. 1900, between the corporation of the Town of Sault Ste. Marie, hereinafter called "the Corporation," of the first part; the Lake Superior Power Company, hereinafter called "the Power Company," of the second part; the Sault Ste. Marie Pulp and Paper Company, hereinafter called "the Pulp Company," of the third part; Tagona Water and Light Company, hereinafter called "the Water Company, of the fourth part; the Algoma Commercial Company, Limited, hereinafter called "the Commercial Company," of the fifth part; Algoma Central Railway Company, hereinafter called "the Railway Company," of the sixth part; and Francis Hector Clergue, manufacturer, and Edward Varian Douglas, Esquire, both of the City of Philadelphia, in the State of Pennsylvania, of the seventh part.

Now this agreement witnesseth that the said agreement which bears even date herewith shall be read and construed as if the following were added to and formed part of paragraph eleven thereof.

Provided also that buildings used as dwellings or for the sale to the public of merchandise other than the products of the said mills and works, shall, during the term of sixteen years mentioned in paragraph ten hereof be taxable while so used as if this agreement had not been made; but this provision is not to apply to or affect the "Block House" or the "Murray House," the last mentioned property being the south one hundred and sixty-five feet of lot number eighteen on the north side of Portage Street in the Town Plot of Sault Ste. Marie, which are to be included in the property for which the said sums are to be payable as aforesaid as an annual tax.

In witness, etc., etc.

SCHEDULE D.

This agreement made (in triplicate) the twenty-sixth day of February, A.D. 1901, between the corporation of the Town of Sault Ste Marie (hereinafter called "the Corporation"), of the first part; Francis Hector Clergue, manufacturer, and Edward Varian Douglas, Esquire, both of the City of Philadelphia, in the State of Pennsylvania, of the second part; and the Sault Sainte Marie Electric Light and Transit Company (hereinafter called "the Company") of the third part.

Whereas the parties of the second part have, in pursuance of provisions contained in a certain agreement dated the 6th day of July, 1900, made between the corporation and the parties of the second part, amongst other parties, acquired the stock and charter of the Sault Sainte Marie Electric Light and Transit Company, caused to be formed a joint stock company, for the purpose of carrying into effect the provisions of said agreement in regard to the street railway therein, and hereinafter, mentioned.

And whereas the parties hereto have, in pursuance of said agreement, agreed that the company shall be substituted for the parties of the second part in all respects as regards the provisions of said agreement in respect to such street railway, and have agreed that the contract of substitution stipulated for in said agreement shall be incorporated in this agreement.

Now therefore this agreement witnesseth that the parties hereto in consideration of the premises, and in pursuance of the terms of said agreement of July 6th, 1900, hereby mutually consent and agree to the following grants, covenants, agreements and stipulations, that is to say:—

1. The parties of the second part hereby grant, transfer, assign and set over to the company all their right, title and interest under and by virtue of the said agreement to the free and exclusive right, power and authority for a period of twenty-six years from the first day of July one thousand nine hundred, and no longer, to operate a surface street railway in the Town of Sault Ste. Marie in the District of Algoma, including therein all territory which may hereafter be brought within the limits of the said town, but which at present is not therein, upon the terms and conditions and subject to the agreements hereinafter mentioned and set forth.

2. The said corporation hereby grants and confirms to the company the free and exclusive right, power and authority for a period of twenty-six years from the first day of July, one thousand nine hundred, and no longer, to operate surface railway in the Town of Sault Ste. Marie in the District of Algoma, as in the next preceding paragraph mentioned.

3. The company covenants and agrees with the corporation that it will construct and equip and have completed and ready for operation by the first day of July, one thousand nine hundred and one, a surface street railway to be operated by electricity upon the trolley system from the vicinity of the works of the Lake Superior Power Company in the west

end of the said town of Sault Ste. Marie to Upton Road in the eastern portion thereof, and that the said street railway will be maintained and kept in operation for a period of twenty-five years from the first day of July, one thousand nine hundred and one, and will be constructed and operated in accordance with the terms, provisions and specifications hereinafter mentioned.

4. It is understood, declared and agreed that the company, its successors and assigns, is to have the exclusive right to build and operate the said street railway in any and all the streets of the said town, including all streets which said corporation may hereafter acquire jurisdiction or authority over, free of charge or rental therefor. And it hereby covenants with the corporation to maintain a single or double, or a single track with switches, side-tracks or turnouts, as to the said company may from time to time seem proper, along Queen and Superior streets from Upton Road to Huron street during the said period of twenty-five years from the first day of July, one thousand nine hundred and one.

5. The company shall be permitted without let or hindrance from the corporation, its successors or assigns, to construct, maintain and operate an iron or steel street railway track or tramway with the necessary culverts, switches and turnouts, for the passage of cars, carriages and other vehicles adapted to the same in, upon and along any and all of the streets of the town of Sault Ste. Marie, Ontario, including all streets over which said corporation may hereafter acquire jurisdiction or authority.

6. All works necessary for constructing and laying down the said railway or tramway shall be made in a substantial manner suitable to the traffic and with due regard to the growth and requirements of the town.

7. The tracks and turnouts shall conform to the grades of the streets as furnished by the town engineer, and the company shall not in any way change or alter the same except with the approval of the said engineer; but in all cases where it is found necessary in determining the grades of the said rail or tramway to lay the same at a different grade from the street or road then in such cases the said party of the third part shall make up or depress the grade of the said street to conform with the grade of the rail or tramway; the top of the rails shall be laid flush with the street as nearly as practicable and the gauge of the said rail or tramway shall be four feet eight and one-half inches, or such other gauge as to the company may from time to time seem proper.

8. The said corporation shall have the right, and it shall be lawful for it after twenty-five days' written notice of the intention so to do, to take up any part of the streets or highways traversed by the rail or tramway of the said company for the purpose of altering the grade thereof, constructing or repairing sewers, drains, culverts or street crossings, or for laying down or repairing water pipes, or for any other purpose or purposes within the province or privileges of a municipal corporation, and the company shall not be entitled to any compensation for damages occasioned thereby to the working of the said rail or tramway or works connected therewith or otherwise howsoever; provided that the corporation shall bear the cost of taking up and replacing the tracks, rails and works and of putting the same in as good a condition as when they were taken up.

9. The cars, teams and vehicles of the said company shall have the first right of way over the said rail or tramway and all vehicles and persons travelling on that portion of the said highway occupied by the said rail or tramway shall turn out upon meeting or being overtaken by any car or vehicle of the said company so as to give such car or vehicle free right of way.

10. The company shall run, at least, one car each way hourly each day on a regular time-table between the hours of 6 a.m. and 10 p.m. except prevented by accident or storms or excessive depth of snow, in any of which cases due diligence shall be exercised to put the line again into operating condition.

11. The speed of the cars shall never exceed ten miles per hour.

12. No higher fare than five cents shall be charged for the conveyance of each passenger for a continuous journey the full distance one way on the line within the present limits of the town.

13. The company shall be liable for all damages arising out of the improper or negligent construction, repair or operation of the said rail or tramway, and the said company shall hold the corporation in all respects harmless in respect thereof, and, upon demand, shall forthwith pay to the corporation all sums payable by or recovered against the said corporation in respect of any such claims arising from the causes above mentioned, together with all costs of or incidental to such claims incurred by the corporation; provided, however, that such claims have in no way arisen from the negligence, omissions or other default or defaults of the said corporation apart from said rail or tramway.

14. Should the company neglect to keep its track or roadway or crossings or ballasting in good condition according to the terms of this agreement or to have the necessary repairs according to this agreement made thereon, the said corporation may give written notice requiring such repairs to be forthwith made; and if after such notice the said company do not within one week begin and carry to completion with all reasonable diligence the necessary repairs then such necessary repairs may be made by the corporation at the expense of the said company.

15. At the expiration of this franchise, if no renewal for a like period be granted by the corporation on the same terms as above mentioned the corporation shall take over and pay the company for the property of the company at a valuation to be determined by arbitration in the manner provided in The Arbitration Act, and in estimating the value of the said street railway and its plant and property the arbitrators shall take into account the earning powers thereof at the date of the arbitration and allow the company accordingly.

16. In witness whereof the said corporation hereunto affixed its seal and caused to be set the hands of its mayor and clerk the parties of the second part have hereunto set their hands and seals and the company has hereunto affixed its seal and caused to be set the hand of its president.

Signed, sealed and delivered in the presence of

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act respecting the Town of Sault Ste.
Marie, the Lake Superior Power Com-
pany and other companies and persons.

First Reading, 14th March, 1901.

(Private Bill).

Mr. FARWELL.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act Respecting the Town of Sault Ste. Marie,
The Lake Superior Power Company and certain
other Companies and persons.

WHEREAS, the Corporation of the Town of Sault Ste. Marie and The Lake Superior Power Company, and certain other companies and persons, have by petition prayed that an Act may be passed to validate a certain agreement entered into between the Corporation of the Town of Sault Ste. Marie, The Lake Superior Power Company, and other companies and Francis Hector Clergue and Edward Varian Douglas, which agreement bears date the sixth day of July, 1900, subject to certain amendments hereinafter made in the said agreement for the purpose of removing ambiguities and making clear the true intent and meanings of the said agreement, and to legalize and confirm By-law No. 412 of the said Corporation of the Town of Sault Ste. Marie, authorizing the execution of the said agreement and to validate and confirm a certain other agreement dated the *fifteenth day of March*, 1901, made between the corporation of the town of Sault Ste. Marie and Francis Hector Clergue and Edward Varian Douglas and the Sault Sainte Marie Electric Light and Transit Company, and have further prayed that the said Corporation of the Town of Sault Ste. Marie and the said companies and individuals, parties to the said agreement, may be respectively authorized and empowered to do all things necessary to carry out the said several agreements according to their true intent and meaning; and whereas no opposition has been offered to said petition; and whereas it is expedient to grant the prayer of the said petition; Preamble.

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

1. By-law numbered 412, of the Corporation of the Town of Sault Ste. Marie, intituled "A by-law to authorize the execution of a certain proposed agreement between the Corporation of the Town of Sault Ste. Marie and The Lake Superior Power Company, other companies, and Francis Hector Clergue and Edward Varian Douglas" a copy of which by-law is set out as Schedule "A" to this Act is confirmed and declared to be legal, By-law 412 of
Sault Ste.
Marie
confirmed.

valid and binding upon the Corporation of the Town of Sault Ste. Marie and the ratepayers thereof.

Agreement
between town
and Lake Sup.
Power Co. et
al amended.

2. The agreement made between the Corporation of the Town of Sault Ste. Marie and The Lake Superior Power Company, other companies and Francis Hector Clergue and Edward Varian Douglas and dated the sixth day of July, 1900, a copy of which is set out as Schedule "B" to this Act is amended as follows:—

- ~~427~~(1) By striking out the paragraph numbered 4 in the said agreement, and substituting therefor the following: "4. The railway company further covenants with the corporation, that it will make its terminus for the said Town of Sault Ste. Marie during the period of twenty-five years hereinafter mentioned near the International Dock at the foot of Bruce street in the said Town of Sault Ste. Marie, and that it will there as soon as practicable within two years from the date hereof, build and erect a station and freight sheds and provide station grounds, wharves, docks and docking facilities, and there maintain the same when so built, erected and provided until the expiration of the said period of twenty-five years."~~428~~
- ~~427~~(2) By striking out the paragraph numbered 7 in the said agreement and substituting therefor the following: "7. The companies above named, jointly and severally covenant with the corporation, that the total force employed within and adjacent to the corporate limits by them and by other persons, companies, firms or corporations, which may become lessees of them, or any of them, or which may erect mills or works of any description on the property of them, or any of them, for manufacturing, milling or other purposes, and in the construction of the said works mentioned in paragraph 1 hereof and the said railway, and in the operation of the same after they are constructed, shall average at least two thousand men per working day during the said term of twenty-five years."~~429~~
- (3) By striking out the words "daily~~30~~ except Sundays and holidays"~~31~~ where *they* occur in the paragraph numbered 8 of the said agreement.
- ~~427~~(4) By adding to the paragraph numbered 11 of the said agreement the following words: "Provided also that the buildings used as dwellings or for the sale to the public of merchandise other than the products of the said mills and works, shall during the term of sixteen years mentioned in paragraph 10 hereof, be taxable while so used as if this agree-

ment had not been made; but this provision is not to apply to or affect the 'Block-House' or the 'Murray House,' the last mentioned property being the south one hundred and sixty-five feet of Lot number Eighteen on the north side of Portage street in the Town Plot of Sault Ste. Marie, which are to be included in the property for which the said sums are payable as aforesaid, as an annual tax."

(5) By striking out the word "that" after the word "agree" in the paragraph numbered 12 of the said agreement and by inserting after the words "one thousand eight hundred and ninety-nine" where they first occur in the said paragraph the words "that of" and by substituting for the word "lying" in the said paragraph the words "such only as lie" and by striking out the word "alone" where it first occurs in the said paragraph.

(6) By inserting in paragraph numbered 14 of the said agreement between the words "West street" and "lying south" the words "and the portion of West street."

(7) By striking out in the paragraph numbered 20 in the said agreement the words "in so far as the corporation has power to do so and" at the commencement of the said paragraph.

3. The said agreement dated the sixth day of July, 1900, set out as Schedule "B" to this Act as amended by section 2 of this Act is confirmed and declared to be legal, valid and binding upon the parties thereto.

Agreement between town and company et al confirmed as amended.

4. The agreement made between the corporation of the Town of Sault Ste. Marie, Francis Hector Clergue and Edward Varian Douglas and The Sault Sainte Marie Electric Light and Transit Company and dated the 15th day of March, 1901, a copy of which is set out as Schedule "C" to this Act is confirmed and declared to be legal, valid and binding upon the said parties thereto.

Agreement as to street railway confirmed

5. The Corporation of the Town of Sault Ste. Marie and the several companies, parties to the said agreements printed as Schedules "B" and "C" to this Act, may respectively make, construct, perform and do all things and acts agreed to be made, constructed, performed and done by them respectively, together with all other things and acts necessarily precedent or consequent or collateral or incidental thereto.

Parties authorized to do all things necessary to carry out agreements.

6. The said companies mentioned in said agreements printed as Schedules "B" and "C" to this Act, may respectively acquire and hold lands, and lands covered with water, and all other property, real or personal, and enter into any and

Power to acquire land etc.

all contracts respecting the same and all other matters and things whatsoever, expedient or necessary to the due construction and performance by them respectively of the works, things, covenants, agreements and stipulations on their respective parts contained in the said agreements.

Rev. Stat. c. 224 not to apply to companies during period for which taxes fixed.

7. *The Assessment Act* and the amendments thereto, shall not, during the periods mentioned in said agreement, printed as Schedule "B" to this Act, be applicable to the property in respect of which the annual payments mentioned in *the said agreement* as amended by this Act are agreed to be made and accepted in lieu of all taxes.

The Sault Sainte Marie Electric Light and Transit Company empowered to construct street railway.

8. The Sault Sainte Marie Electric Light and Transit Company, mentioned in the agreement, a copy of which is printed as Schedule "C" to this Act, may make, construct, equip and operate the Street Railway mentioned in that agreement and do and perform all acts and things agreed to be done and performed by it, or which may be precedent, consequent, collateral or incidental thereto.

Name of the Sault Ste. Marie Electric L. and T. Co. changed.

9. The name of The Sault Sainte Marie Electric Light and Transit Company is hereby changed to "The International Transit Company" and the said company is hereby continued as a body corporate and politic under the said name "The International Transit Company," with power to construct, equip, maintain and operate surface street railways in the Town of Sault Ste. Marie and in any municipality or unorganized township adjoining the said town and upon any bridge or bridges crossing the Sainte Mary's river.

Power to close up certain streets and convey same to companies.

10. The Corporation of the Town of Sault Ste. Marie may by deed or deeds, and without previous by-law or other formalities in that behalf, grant and convey in fee simple to some one or to all of the companies mentioned in said agreement printed as Schedule "B" to this Act, the streets and roads, and any portions thereof mentioned in the said agreement as amended by this Act; and upon delivery of such deed or deeds, the said streets and roads, or portions thereof thereby conveyed shall forthwith be closed as streets or roads and be vested in the grantee or grantees thereof in fee simple.

The Lake Superior Power Co. declared to have the powers mentioned in Rev. Stat. c, 197, sec. 4.

11. For the purpose of removing doubts, it is hereby declared that The Lake Superior Power Company has, and always has had, since the Act passed in the 58th year of the reign of Her late Majesty Queen Victoria, chaptered 119, the powers mentioned and set out in section 4 of *The Ontario Mining Companies Incorporation Act*, and that, save as aforesaid, none of the provisions of the said *The Ontario Mining Companies Incorporation Act* apply to or affect the said Company.

12. The said companies, The Lake Superior Power Company and Tagona Water and Light Company have, and shall have, respectively in addition to their respective other powers the powers set out in clauses (a), (b), (c), (d), (e), (f) and (g) of section 25 of *The Ontario Companies Act*.¹⁸⁹¹ Certain companies to have certain powers under Rev. Stat. c. 191.

13. The former agreements made between the said municipal corporation and persons and some of the said companies, being the agreements set out in the schedules to the Act passed in the 58th year of the reign of Her late Majesty Queen Victoria chaptered 119, and in the schedule to the Act passed in the 62nd year of the said reign, chaptered 77, shall continue in full force and effect except in so far as they, or any of them, may be modified by subsequent agreement, and particularly by the agreements printed as Schedules to this Act. Former agreements continued in force.

14. Nothing in this Act contained respecting the closing of streets or roads or portions thereof shall affect the rights of any person whose lands or lands covered by water are, or may be injuriously affected by such closing, and provided further that compensation shall be, in the first instance, paid by The Algoma Central Railway Company to the owner or owners of such lands or lands covered by water injuriously affected by such closing, subject to the right (if any) of The Algoma Central Railway Company under the agreement set forth as Schedule "A" hereto or otherwise, to recover the amount or amounts so paid by way of compensation, as aforesaid, from the corporation of the Town of Sault Ste. Marie.¹⁸⁹¹ Compensation to owners of certain lands.

15. Nothing in this Act or in any of the schedules thereto contained shall be construed to authorize any of the individuals or companies therein mentioned to operate a street railway, tramway or electric railway, or to run cars or trams on the Lord's Day.¹⁸⁹¹ Street Railway not to be operated on the Lord's Day.

SCHEDULE A.

BY-LAW No. 412.

A By-law to authorize the execution of a certain proposed agreement between the corporation of the Town of Sault Ste. Marie and The Lake Superior Power Company, other companies and Francis Hector Clergue and Edward Varian Douglas.

Whereas the proposed agreement hereto annexed marked "A" has been submitted to the council of the said corporation for execution ;

And whereas the said council deem it expedient to submit the said agreement embodied in a proposed by-law to authorize the execution thereof to a vote of the electors of the said town ;

And whereas according to the last revised assessment roll of the said town, being that for the year 1899, the amount of the whole rateable

property of the municipality of the town of Sault Ste. Marie is the sum of \$1,067,577 ;

And whereas the amount of the existing debenture debt of the said municipality is the sum of \$388,312.92 ;

Therefore the municipal council of the corporation of the Town of Sault Ste. Marie enacts as follows :—

It shall and may be lawful for the mayor and the clerk of the town of Sault Ste. Marie and they are hereby authorized and empowered for and on behalf of the corporation of the town of Sault Ste. Marie and under the corporate seal of the said town to execute a certain proposed agreement hereto annexed marked "A" incorporated with and forming part of this by-law.

This by-law shall take effect on and after the final passing thereof.

And it is further enacted by the said council that the votes of the electors of the said town will be taken on this by-law by the returning and deputy-returning officers hereinafter mentioned on the twenty-fifth day of June, 1900, commencing at nine o'clock in the morning and continuing until five o'clock in the afternoon at the undermentioned places :

Ward No. 1—At the council chamber, James Bassingthwaighte, returning officer.

Ward No. 2—At Noble & Co's building, south side of Queen street; James Fraser, deputy returning officer.

Ward No. 3—At Joseph Davieux's house, corner of Tancred and Queen streets, Charles J. Pim, deputy returning officer.

That on the 23rd day of June, 1900, at the office of the clerk in the town of Sault Ste. Marie, at 11 o'clock in the forenoon, the mayor shall appoint in writing signed by him two persons to attend to the final summing up of the votes by the clerk and one person to attend to each polling place in behalf of the persons interested in and desirous of promoting the passing of this by-law and the like number on behalf of the persons interested in and desirous of opposing the passing of this by-law.

That the clerk of the said corporation shall attend at his office in the town of Sault Ste. Marie at the hour of twelve o'clock noon on the twenty-sixth day of June, A.D., 1900, to sum up the number of votes given for and against this by-law.

By-law read a first time this 23rd day of May, 1900.

(Sgd.) J. BASSINGTHWAIGHTE,
Town Clerk.

By-law read a second time this 23rd day of May, 1900.

(Sgd.) J. BASSINGTHWAIGHTE,
Town Clerk.

Read a third time, passed, signed and sealed this 6th day of July, 1900.

(Sgd.) W. H. PLUMMER,
Mayor.

(Seal.) (Sgd.) J. BASSINGTHWAIGHTE,
Town Clerk.

SCHEDULE B.

THIS agreement made (in duplicate) this sixth day of July, A.D. 1900, between The corporation of the town of Sault Ste. Marie, hereinafter called "the Corporation," of the first part; The Lake Superior Power Company, hereinafter called "the Power Company," of the second part; The Sault Ste. Marie Pulp and Paper Company, hereinafter called "The Pulp Company," of the third part; Tagona Water and Light Company, hereinafter called "the Water Company," of the fourth part; The Algoma Commercial Company, Lim-

ited, hereinafter called "the Commercial Company," of the fifth part; Algoma Central Railway Company, hereinafter called "the Railway Company," of the sixth part, and Francis Hector Clergue, manufacturer, and Edward Varian Douglas, Esquire, both of the City of Philadelphia, in the State of Pennsylvania, of the seventh part.

Witnesseth that the parties hereto covenant and agree as follows :—

1. The Power Company, in consideration of the covenants herein contained on behalf of the said corporation, covenants with the said corporation that it or some one or more of the companies above named will build and construct, or where in the course of construction complete, or cause to be built, constructed or completed within the present corporate limits of the town of Sault Ste. Marie, in the province of Ontario, the following works, that is to say :—

- (a) Alkali and chemical works ;
- (b) A sulphite pulp mill having a minimum capacity of thirty-five tons of pulp daily ;
- (c) Smelting and reduction works having a capacity estimated at about five hundred tons of ore daily ;
- (d) Additional water power canal or canals and power house having a capacity of at least double that of the present water power canal owned and operated by the Power Company ;
- (e) A new machine shop of double the size of the present machine shop now operated in the said town by The Algoma Iron Works, to be run and operated in connection therewith.

2. The said Power Company further covenants with the corporation that the said works will be commenced within three months from the date of the ratification of this agreement by the Legislature of Ontario, and will be completed within three years from the said date, subject, however, to the exception hereinafter in this paragraph contained, and that in the meantime the construction thereof will be proceeded with with all convenient speed so that the same may and shall, subject to the said exception, be completed within the time herein limited ; provided always that accidents, labor strikes, and other circumstances beyond the control of the said Power Company shall excuse and release it from the completion of, or causing to be completed, the said works within the time herein specified ; but this proviso shall not excuse and release the said Power Company from finally completing the said works.

3. The Railway Company covenants with the corporation that it will proceed immediately with the construction of its line of railway from the said town of Sault Ste. Marie northerly and that it will complete the same to the Canadian Pacific Railway at as early a date as practicable, the same, however, to be completed within four years from the date hereof.

4. The Railway Company further covenants with the corporation that it will make its terminus for the said town of Sault Ste. Marie, during the period of twenty-five years hereinafter mentioned, near the International Dock at the foot of Bruce street, in the said town of Sault Ste. Marie, and that it will there build, erect and maintain a station and freight sheds and provide station grounds, wharves, docks and docking facilities and there maintain the same when so built, erected and provided during such period of twenty-five years.

5. The companies above named, and each of them, except the Railway Company, covenants with the corporation that an expenditure on the works mentioned in paragraph 1 hereof will be made of, at least, one million dollars.

6. The companies above named covenant with the corporation that an expenditure of, at least, one million dollars will be made in connection with the Railway Company's undertakings and works in and in the neighborhood of the town of Sault Ste. Marie, and in the matter of the construction and equipment of the railway line and the erection of such works as are necessary to place such undertakings and works in a com-

pleted state for the full operation of the same, and for other purposes in connection therewith.

7. The companies above named, and each of them, covenants with the corporation that in the construction of the said works and the said railway and in the operation of the same after they are constructed, there will be employed an average force of, at least, two thousand men within and adjacent to the said corporate limits.

8. The companies above named and each of them covenants with the corporation that such average force of two thousand men will be employed daily, except Sundays and holidays, throughout each year during the term of twenty-five years hereinafter mentioned; provided that accidents in and to the works and railways, labour strikes, inability to obtain such raw materials as are necessary to carry on and operate the said works, or to profitably dispose of the products thereof, or other circumstances beyond the control of the companies shall excuse and release them from the strict performance of this covenant; provided further that a breach in this covenant shall not be deemed to have taken place by the non-employment of the said average force of two thousand men during the said term of twenty-five years by reason of the temporary closing down of the said works or railway for the purpose of making repairs or alterations therein or thereto.

9. In consideration of the above covenants, the corporation covenants with all the other parties to this agreement and with each of them that the agreement entered into between the corporation and certain of the parties hereto, dated the twenty-fourth day of February, one thousand eight hundred and ninety-nine, (which agreement is set forth in Schedule "A" to the Act passed by the Legislature of Ontario in the sixty-second year of Her Majesty's reign and chaptered seventy-seven), shall be varied and the same is hereby varied so that from and after the first day of January, one thousand nine hundred and two, the annual tax payable thereunder for all the property therein mentioned shall be five thousand five hundred dollars (\$5,500.00) and that such sum of \$5,500.00, to be paid for taxes as aforesaid, shall, in addition to the taxes on all taxable property mentioned in the said agreement, also include all taxes, including school taxes, payable on all the taxable property of the railway company used for or in connection with the purposes of the said railway company, within the said Town of Sault Ste. Marie and the limits thereof hereinafter defined, and also all taxes, including school taxes, payable upon or in respect of the street railway hereinafter mentioned, and all the rolling stock and other property owned or used in connection with the said street railway, until the end of the year one thousand nine hundred and eight; and that until the first day of January, one thousand nine hundred and two, all the taxable property of the railway company within the said limits and of the said street railway and all the rolling stock and other property owned or used in connection therewith shall be included in the property for which the annual tax of five thousand dollars (\$5,000.00) is now payable under the said agreement dated the twenty-fourth day of February, one thousand eight hundred and ninety-nine; and the said agreement shall be read and construed so far as may be as if and as though the railway company had been and was a party thereto and the said street railway had been and was provided for therein.

10. Subject to the provisions of paragraph 12 hereof, the corporation further covenants with all the other parties hereto and with each of them that for and during the term of sixteen years from the first day of January, one thousand nine hundred and nine, the total taxes payable to the said corporation by all the said companies, parties to this agreement, and also all the persons, firms, corporations and companies mentioned and included in the said agreement dated the twenty-fourth day of February, one thousand eight hundred and ninety-nine, and also for and in respect of the street railway hereinafter mentioned, and all the rolling stock and other property owned or used in connection with the said street railway, shall be the sum of seven thousand five hundred dollars (\$7,500.00) per annum; and all the said companies, parties to these presents, hereby covenant with the corporation that the said sum of \$7,500.00 will be paid on or

before the fourteenth day of December in each and every year of the said sixteen years without any abatement or reduction of any kind whatsoever, the first of such payments to be made on or before the fourteenth day of December, one thousand nine hundred and nine.

11. The said annual sums of five thousand five hundred dollars (\$5,500.00) and seven thousand five hundred dollars (\$7,500.00), payable for taxes as above mentioned, are to include, among other taxes, school taxes and taxes on the income and personal property of all the said companies in the said town, and no particular description in this paragraph is to limit or restrict the generality of the foregoing provisions; provided, however, that the property or income of any employee or employees of said companies or any of them or any property or lands not exempted by the said corporation by this or former agreements shall not be exempt from taxation by reason hereof.

12. It is understood and agreed that notwithstanding the foregoing provisions, or the provisions of the agreement dated the twenty-fourth day of February, one thousand eight hundred and ninety-nine, the lands of the railway company now acquired or hereafter to be acquired lying within the following limits in the said Town of Sault Ste. Marie shall alone be included in the property for which the said sums of \$5,500.00 and \$7,500.00 are payable respectively as an annual tax:

- (a) West of Gore street or Gore street produced.
- (b) South of Queen street from Gore street to Bruce street;
- (c) South of Bay street from Bruce street to East street;
- (d) South of a line drawn from East street to the easterly limit of park lot number sixteen in the first concession of park lots adjoining the town plot of Sault Ste. Marie parallel to and south of Queen street and distant therefrom four hundred feet; and south of a line drawn from the easterly limit of the said park lot number sixteen to the easterly limit of the corporation parallel to and south of Queen street and distant two hundred feet therefrom;

And all the lands now owned or controlled, or hereafter acquired owned or controlled by the said railway company within the said Town of Sault Ste. Marie and outside the limits above defined shall be liable to taxation as if this agreement and the said agreement, dated the twenty-fourth day of February, one thousand eight hundred and ninety-nine, had not been made; provided that no land within the said limits above defined now or hereafter acquired, owned or controlled by the said railway company shall be included in the property for which said annual tax is payable hereunder except and until the same is brought into use for railway purposes.

13. The property hereafter acquired or controlled by the railway company within the limits above set out shall, subject to the provisions in the next preceding paragraph hereof contained, be included in the property for which the said annual taxes are payable in the same manner as if it were now acquired, owned or controlled by it, and any land now lying outside the limits of the said town west of Gore street or Gore street produced, but which may hereafter be brought within the said limits, shall be affected by this agreement and in the same manner and as fully as if it were now within the limits of the said town.

14. The corporation covenants and agrees with the railway company to close up and grant to the railway company the portions of Elgin, Bruce, Denis, Tancred, Gore and Andrew streets in the said town which lie south of the southerly limits of Bay and Portage streets, when and so soon as the railway company acquires all the frontage on the south side of Bay street west of Bruce street, the said grant to be made to the said railway company free of charge therefor, and to be made subject to the right of the said corporation to construct sewers thereunder; and the corporation covenants and agrees with the railway company to close up and grant to the railway company free of charge therefor Portage street from the east limit of Hudson street to the west limit of West street lying south of the southerly limit of Superior street produced west

when and so soon as either or any of the said companies acquire the frontage of the lands on the north side of said Portage street lying between Hudson and West streets except the right of way of the Canadian Pacific Railway and the streets running into and connecting with the said Portage street.

15. The corporation further covenants with the said companies and with each of them to close up as roads the road now leading from the corner of George and Superior streets to Cathcart street, and also the road connecting the same with the present travelled Base Line Road in the Township of Awenge.

16. The said parties of the seventh part covenant and agree with the corporation that within two months from the execution of this agreement by all the parties hereto, a by-law sanctioning it having first been submitted to a vote of the electors qualified to vote thereon, they will commence to construct and will equip and have completed and ready for operation by the first day of July, one thousand nine hundred and one, a surface street railway to be operated by electricity upon the trolley system from the vicinity of the Power Company's works in the west end of the said town of Sault Ste. Marie to Upton Road in the eastern portion thereof, and that the said street railway will be maintained and kept in operation for a period of twenty-five years from the first day of July, one thousand nine hundred and one, and will be constructed and operated in accordance with the terms, provisions and specifications mentioned and set forth in Schedule "A" hereto annexed.

17. In consideration of the covenant in the last preceding paragraph hereof contained and all the other covenants herein contained on the part of the companies, the corporation doth by these presents grant unto the said parties of the seventh part, their heirs, executors, administrators and assigns, the free and exclusive right, power and authority for a period of twenty-six years from the first day of July, one thousand nine hundred, and no longer, to operate surface street railways in the town of Sault Ste. Marie, in the District of Algoma, including therein all territory which may hereafter be brought within the limits of the said town, but which at present is not therein, upon the terms and conditions and subject to the agreements hereinafter and in said Schedule "A" mentioned and set forth.

18. And the said parties of the seventh part, for themselves, and each of them for himself and for their and each of their heirs, executors, administrators and assigns, covenant, promise and agree to and with the corporation, their successors and assigns, that they will fulfil all the conditions, stipulations and undertakings in this agreement and in said Schedule "A" contained; and it is understood, declared and agreed by and between the said corporation and the parties of the seventh part, that if the said parties of the seventh part should form or cause to be formed a joint stock company for the purpose of carrying into effect the provisions of this agreement in regard to the said street railway, or should assign all their rights under this agreement in regard to the said street railway to a company already in existence for the purpose of carrying the said provisions of this agreement into effect, then such company shall, upon executing the necessary contract of substitution, be substituted for the parties of the seventh part in all respects as regards the provisions of this agreement in respect to such street railway, and the said provisions of this agreement shall cease to apply to the said parties of the seventh part individually, who shall thenceforth be discharged from all individual liability in the premises, and the corporation agrees with the parties of the seventh part and each of them to execute the said contract of substitution so soon as such company has executed it.

19. It is understood, declared and agreed that the said parties of the seventh part, their heirs, executors, administrators and assigns, are to have the exclusive right to build and operate the said street railway on any and all the streets of the said town, including all streets which said corporation may hereafter acquire jurisdiction or authority over, free of charge or rental therefor, and they hereby covenant with the corporation to maintain a single or double track, or a single track with switches, side

tracks or turnouts, as to the said parties of the seventh part may from time to time seem proper, along Queen and Superior streets from Upton road to Huron street during the said period of twenty-five years from the first day of July, one thousand nine hundred and one.

20. In so far as the corporation has power to do so, and subject to the undertakings, terms, conditions and agreements entered into between said corporation and the Government of Canada, the said corporation hereby grants to the Power Company, its successors, lessees and assigns, the right, free of charge or rental therefor, to erect such portions of its works on the portion of Huron street lying south of Superior street as it or they may from time to time require; provided, however, that not less than thirty-six feet in width of said street shall be kept open at all times for the use of the travelling public along said street; and hereby further grants to the Power Company, its successors, lessees and assigns, the right, free of charge or rental therefor, to bridge or build over the said street and to erect such works or buildings upon or otherwise use such bridge as they may from time to time require; provided, however, that the lower side of such bridge or building or bridges or buildings be, at least, sixteen feet from the level of said Huron street; and provided, further, that said Power Company releases, and it does hereby release, the said corporation from its obligation and liability to it to erect and build the necessary bridges on the said street and to maintain the same, and that the Power Company shall indemnify and save harmless the corporation from any liability it may be under to construct any bridge or bridges on said Huron street which may be rendered necessary by the works of any of the said companies; provided, further, that the Power Company, its successors, lessees and assigns, do not assume liability to erect and build the necessary bridges on the said street, notwithstanding anything herein contained, except so far as it is liable to so under its agreement to indemnify the corporation in respect thereof as aforesaid; provided, further that this grant shall not give to the said Power Company the right to the fee in the said portions of the said street by reason of undisturbed possession thereof, or otherwise; and provided further that the Power Company shall at all times have the same rights, powers and privileges in, over, upon and with respect to the portion of Huron street lying between Superior street and the former south limit of Portage street for the purpose of constructing and excavating a tail-race or tail-races in, across, over and upon the same and all other purposes as it has in, over, upon and with respect to the road-way granted by it to the corporation and which forms a continuation of Huron street southward.

21. For and during the years one thousand nine hundred and twenty-six and one thousand nine hundred and twenty-seven all the taxes payable in respect of the said street railway and all the rolling stock and other property used or owned in connection therewith shall be five hundred dollars (\$500.00) per annum, and the said sum shall include school taxes as well as municipal and other taxes.

22. That said companies agree with the corporation to pay all the expenses connected with any application to the Legislature of Ontario for an Act to confirm this agreement, and all the expenses in connection with the passing of a by-law by the electors sanctioning this agreement; and the corporation pledges itself to assist all the companies in procuring the passage of such Act so soon as the same is applied for in the manner in which the said companies may require such assistance.

23. This agreement and all the covenants and conditions herein contained are, in so far as it is beyond the present power of the corporation to enter into it and them, subject to ratification and confirmation by the Legislature of Ontario, and the corporation, if it executes this agreement, incurs no liability hereunder unless and until the same is ratified by the said Legislature, save as to the portions of this agreement which it may now legally make and enter into which are to be binding on the corporation from and after the execution hereof by the corporation.

In witness whereof the parties hereto have duly executed these presents.

Signed, sealed and delivered in the presence of	(Sgd) W. H. PLUMMER, Mayor. [Town Seal.]
	(Sgd) J. BASSINGTHWAIGITE, Clerk.
	(Sgd) THE LAKE SUPERIOR POWER Co. By F. H. CLERGUE, V. Pres't. [Seal.]
(Sgd) N. SIMPSON, as to execution by the corporation, and of	(Sgd) THE SAULT STE. MARIE PULP AND PAPER COMPANY. By F. H. CLERGUE, Pres't. [Seal.]
(Sgd) N. SIMPSON, as to execution by the companies and the parties of the seventh part.	(Sgd) TAGONA WATER AND LIGHT COMPANY. By F. H. CLERGUE, President. [Seal.]
	(Sgd) THE ALGOMA COMMERCIAL COMPANY, LIMITED. By F. H. CLERGUE, President. [Seal.]
	(Sgd) ALGOMA CENTRAL RAILWAY Co. By F. H. CLERGUE, President. [Seal.]
	(Sgd) FRANCIS H. CLERGUE. [Seal.]
	(Sgd) EDWARD VARIAN DOUGLAS. [Seal.]

Schedule A referred to in the annexed agreement between the corporation of the Town of Sault Ste. Marie, The Lake Superior Power Company, The Sault Ste. Marie Pulp and Paper Company, Tagona Water and Light Company, The Algoma Commercial Company, Limited, Algoma Central Railway Company, Francis Hector Clergue and Edward Varian Douglas, dated the sixth day of July, A.D. 1900.

1. The parties of the seventh part mentioned in said agreement shall be permitted, without let or hindrance from the corporation, its successors or assigns, to construct, maintain and operate an iron or steel railway track or tramway with the necessary culverts, switches and turnouts, for the passage of cars, carriages and other vehicles adapted to the same, in, upon and along any and all of the streets of the town of Sault Ste. Marie, Ontario, including all streets over which said corporation may hereafter acquire jurisdiction or authority.

2. All works necessary for constructing and laying down the said railway or tramway shall be made in a substantial manner suitable to the traffic and with due regard to the growth and requirements of the town.

3. The tracks and turnouts shall conform to the grades of the streets as furnished by the town engineer, and the parties of the seventh part shall not in any way change or alter the same except with the approval of the said engineer; but in all cases where it is found necessary in determining the grades of the said rail or tramway to lay the same at a different grade from the street or road, then in such cases the said parties of the seventh part shall make up or depress the grade of the said street to conform with the grade of the rail or tramway; the top of the rails shall be laid flush with the street as nearly as practicable and the gauge of the said rail or tramway shall be four feet eight and one half inches, or such other gauge as to the parties of the seventh part may from time to time seem proper.

4. The said corporation shall have the right, and it shall be lawful for it after twenty days' written notice of its intention so to do, to take up any parts of the streets or highways traversed by the rail or tramway of the said parties of the seventh part for the purpose of altering the grade thereof, constructing or repairing sewers, drains, culverts or street crossings, or for laying down or repairing water pipes, or for any other purpose or purposes within the province and privileges of a municipal corporation, and the parties of the seventh part shall not be entitled to any compensation for damages occasioned thereby to the working of the said rail or tramway or works connected therewith or otherwise howsoever; provided that the corporation shall bear the cost of taking up and replacing the tracks, rails and works and of putting the same in as good a condition as when they were taken up.

5. The cars, cars and vehicles of the said parties of the seventh part shall have the first right of way over the said rail or tramway and all vehicles and persons travelling on that portion of the said highway occupied by the said rail or tramway shall turn out upon meeting or being overtaken by any car or vehicle of the said parties of the seventh part so as to give such car or vehicle free right of way.

6. The parties of the seventh part shall run, at least, one car each way hourly each day on a regular timetable between the hours of 6 a.m. and 10 p.m. except prevented by accident or storms or excessive depth of snow, in any of which cases due diligence shall be exercised to put the line again into operating condition.

7. The speed of the cars shall never exceed ten miles per hour.

8. No higher fare than five cents shall be charged for the conveyance of each passenger for a continuous journey the full distance one way on the line within the present limits of the town.

9. The parties of the seventh part shall be liable for all damages arising out of the improper or negligent construction, repair or operation of the said rail or tramway, and the said parties of the seventh part shall hold the corporation in all respects harmless in respect thereof, and, upon demand, shall forthwith pay to the corporation all sums payable by or recovered against the said corporation in respect of any such claims arising from the causes above mentioned, together with all costs of or incidental to such claims incurred by the corporation; provided, however, that such claims have in no way arisen from the negligence, omissions or other default or defaults of the said corporation apart from said rail or tramway.

10. Should the parties of the seventh part neglect to keep their track or roadway or crossings or ballasting in good condition according to the terms of this agreement, or to have the necessary repairs according to this agreement made thereon, the said corporation may give written notice requiring such repairs to be forthwith made; and if after such notice the said parties of the seventh part do not within one week begin and carry to completion with all reasonable diligence the necessary repairs then such necessary repairs may be made by the corporation at the expense of the said parties of the seventh part.

11. At the expiration of this franchise, if no renewal for a like period be granted by the corporation on the same terms as above mentioned, the corporation shall take over, and pay the parties of the seventh part for, the property of the said parties of the seventh part at a valuation to be determined by arbitration in the manner provided by *The Arbitration Act*, and in estimating the value of the said street railway and its plant and property the arbitrators shall take into account the earning powers thereof at the date of the arbitration and allow the parties of the seventh part accordingly.

12. It is understood and agreed that wherever the parties of the seventh part are herein referred to such reference shall be to, and shall include, their heirs, executors, administrators and assigns, and the heirs, executors, administrators and assigns of each of them, who shall be affected by the foregoing provision in the same manner as if they were in each case specially mentioned.

In witness whereof the said corporation and the said parties of the seventh part have duly executed these presents the sixth day of July, A.D., 1900.

Signed, sealed and delivered } (Sgd) W. H. PLUMMER, Mayor.
in the presence of

(Sgd) N. SIMPSON, as to execution by the Corporation, and of } (Sgd) J. BASSINGTHWAITE, Clerk. [Town Seal.]
(Sgd) N. SIMPSON, as to execution by the parties of seventh part. } (Sgd) FRANCIS HECTOR CLERGUE. [Seal.]
(Sgd) EDWARD VARIAN DOUGLAS. [Seal.]

SCHEDULE C.

This agreement made (in triplicate) the fifteenth day of March, A.D. 1901, between The corporation of the Town of Sault Ste Marie (hereinafter called "the Corporation"), of the first part; Francis Hector Clergue, manufacturer, and Edward Varian Douglas, Esquire, both of the City of Philadelphia, in the State of Pennsylvania, of the second part; and the Sault Sainte Marie Electric Light and Transit Company (hereinafter called "the Company") of the third part.

Whereas the parties of the second part, in pursuance of provisions contained in a certain agreement dated the 6th day of July, 1900, made between the corporation and the parties of the second part, amongst other parties, have agreed to assign to the Company all their rights under said agreement in regard to the street railway therein mentioned for the purpose of carrying into effect the provisions of said agreement in regard to the *said* street railway.

And whereas the parties hereto have, in pursuance of said agreement, agreed that the company shall be substituted for the parties of the second part in all respects as regards the provisions of said agreement in respect to such street railway, and have agreed that the assignment from the parties of the second part to the company and the contract of substitution stipulated for in said agreement shall be incorporated in this agreement.

Now therefore this agreement witnesseth that the parties hereto in consideration of the premises, and in pursuance of the terms of said agreement of July 6th, 1900, hereby mutually consent and agree to the following grants, covenants, agreements and stipulations, that is to say:—

1. The parties of the second part hereby grant, transfer, assign and set over to the company all their right, title and interest under and by virtue of the said agreement to the free and exclusive right, power and authority for a period of twenty-six years from the first day of July one thousand nine hundred, and no longer, to operate surface street railways in the Town of Sault Ste. Marie in the District of Algoma, including therein all territory which may hereafter be brought within the limits of the said town, but which at present is not therein, upon the terms and conditions and subject to the agreements hereinafter mentioned and set forth.

2. The said corporation hereby grants and confirms to the company the free and exclusive right, power and authority for a period of twenty-six years from the first day of July, one thousand nine hundred, and no longer, to operate surface *street* railways in the Town of Sault Ste. Marie in the District of Algoma, as in the next preceding paragraph mentioned.

3. The company covenants and agrees with the corporation that it will construct and equip and have completed and ready for operation by the first day of July, one thousand nine hundred and one, a surface street railway to be operated by electricity upon the trolley system from the vicinity of the works of The Lake Superior Power Company in the west end of the said town of Sault Ste. Marie to Upton Road in the eastern portion thereof, and that the said street railway will be maintained and kept in operation for a period of twenty-five years from the first day of July, one thousand nine hundred and one, and will be constructed and operated in accordance with the terms, provisions and specifications hereinafter mentioned.

4. It is understood, declared and agreed that the company, its successors and assigns, is to have the exclusive right to build and operate the said street railway in any and all the streets of the said town, including all streets which said corporation may hereafter acquire jurisdiction or authority over, free of charge or rental therefor. And it hereby covenants with the corporation to maintain a single or double *track*, or a single track with switches, side-tracks or turnouts, as to the said company may from time to time seem

proper, along Queen and Superior streets from Upton Road to Huron street during the said period of twenty-five years from the first day of July, one thousand nine hundred and one.

5. The company shall be permitted without let or hindrance from the corporation, its successors or assigns, to construct, maintain and operate an iron or steel street railway track or tramway with the necessary culverts, switches and turnouts, for the passage of cars, carriages and other vehicles adapted to the same in, upon and along any and all of the streets of the town of Sault Ste. Marie, Ontario, including all streets over which said corporation may hereafter acquire jurisdiction or authority.

6. All works necessary for constructing and laying down the said railway or tramway shall be made in a substantial manner suitable to the traffic and with due regard to the growth and requirements of the town.

7. The tracks and turnouts shall conform to the grades of the streets as furnished by the town engineer, and the company shall not in any way change or alter the same except with the approval of the said engineer; but in all cases where it is found necessary in determining the grades of the said railway or tramway to lay the same at a different grade from the street or road then in such cases the company shall make up or depress the grade of the said street to conform with the grade of the railway or tramway; the top of the rails shall be laid flush with the street as nearly as practicable and the gauge of the said railway or tramway shall be four feet eight and one-half inches, or such other gauge as to the company may from time to time seem proper.

8. The said corporation shall have the right, and it shall be lawful for it after twenty days' written notice of its intention so to do, to take up any part of the streets or highways traversed by the railway or tramway of the said company for the purpose of altering the grade thereof, constructing or repairing sewers, drains, culverts or street crossings, or for the laying down or repairing water pipes, or for any other purpose or purposes within the province or privileges of a municipal corporation, and the company shall not be entitled to any compensation for damages occasioned thereby to the working of the said railway or tramway or works connected therewith or otherwise howsoever: provided that the corporation shall bear the cost of taking up and replacing the tracks, rails and works and of putting the same in as good a condition as when they were taken up.

9. The cars, teams and vehicles of the company shall have the first right of way over the said railway or tramway and all vehicles and persons travelling on that portion of the said highway occupied by the said railway or tramway shall turn out upon meeting or being overtaken by any car or vehicle of the company so as to give such car or vehicle free right of way.

10. The company shall run, at least, one car each way hourly each day on a regular time-table between the hours of 6 a.m. and 10 p.m. except prevented by accident or storms or excessive depth of snow, in any of which cases due diligence shall be exercised to put the line again into operating condition.

11. The speed of the cars shall never exceed ten miles per hour.

12. No higher fare than five cents shall be charged for the conveyance of each passenger for a continuous journey the full distance one way on the line within the present limits of the town.

13. The company shall be liable for all damages arising out of the improper or negligent construction, repair or operation of the said railway or tramway, and the company shall hold the corporation in all respects harmless in respect thereof, and, upon demand, shall forthwith pay to the corporation all sums payable by or recovered against the said corporation in respect of any such claims arising from the causes above mentioned together with all costs of or incidental to such claims incurred by the corporation; provided, however, that such claims have in no way arisen from the negligence, omissions or other default or defaults of the said corporation apart from said railway or tramway.

14. Should the company neglect to keep its track or roadway or crossings or ballasting in good condition according to the terms of this agreement or to have the necessary repairs according to this agreement made thereon, the said corporation may give written notice requiring such repairs to be forthwith made; and if after such notice the company do not within one week begin and carry to completion with all reasonable diligence the necessary repairs then such necessary repairs may be made by the corporation at the expense of the company.

15. At the expiration of this franchise, if no renewal for a like period be granted by the corporation on the same terms as above mentioned the corporation shall take over and pay the company for the property of the company at a valuation to be determined by arbitration in the manner provided by The Arbitration Act, and in estimating the value of the said street railway and its plant and property the arbitrators shall take into account the earning powers thereof at the date of the arbitration and allow the company accordingly.

16. The corporation hereby forever releases and acquits the parties of the second part from their covenant and covenants contained in the said agreement respecting the said street railway, and hereby accepts the company in the place and stead of the parties of the second part, and the company is hereby substituted for the parties of the second part, as regards the said street railway and the covenants, agreements and stipulations relating thereto contained in the said agreement of July 6th, 1900, and the parties of the second part are hereby discharged from all individual liability in the premises.

In witness whereof the corporation has hereunto affixed its seal and caused to be set the hands of its mayor and clerk the parties of the second part have hereunto set their hands and seals and the company has hereunto affixed its seal and caused to be set the hand of its president.

Signed, sealed and delivered in the presence of

(Sgd) J. EWART IRVING.

(Sgd) W. J. THOMPSON, Mayor.

[Town Seal.]

(Sgd) J. BASSINGTHWAIGHTE, Clerk.

(Sgd) FRANCIS H. CLERGUE.

[L.S.]

(Sgd) EDWARD V. DOUGLAS.

[L.S.]

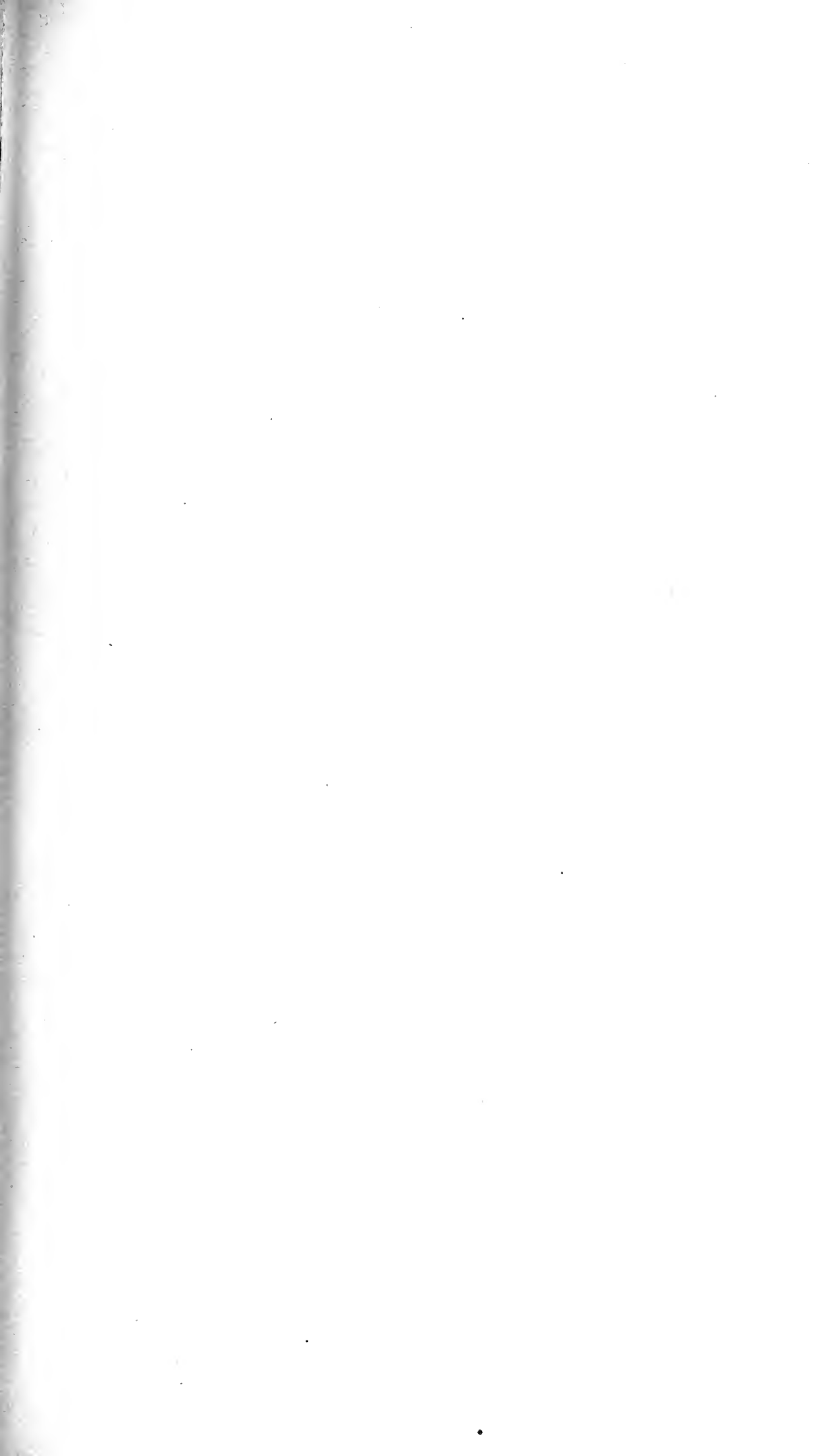
By F. H. CLERGUE,

His Attorney.

(Sgd) THE SAULT SAINT MARIE ELECTRIC
LIGHT AND TRANSIT COMPANY.

By F. H. CLERGUE,

President. [Seal.]



No. 20.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act respecting the Town of Sault Ste Marie, the Lake Superior Power Company and other Companies and Persons.

First Reading, 14th March, 1901.

*Reprinted as amended by Private Bills
Committee.)*

Mr. FARWELL.

TORONTO:

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

An Act respecting the Canadian Electro-Chemical
Company, Limited.

WHEREAS The Canadian Electro-Chemical Company, Preamble,
Limited, was incorporated under the provisions of *The*
Ontario Companies Act by Letters Patent under the Great Rea. Stat.
Seal bearing date the 29th day of December, 1900, with the c. 191.
5 rights, powers and privileges in the said Letters Patent men-
tioned; and whereas for seven months prior to the said date,
but after application for incorporation, the corporators of the
said company were carrying on business under the name of
"The Canadian Electro-Chemical Company, Limited," said
10 business being of the class referred to in the said Letters Pat-
ent; and whereas the said company has by petition prayed
that the acts of the said corporation prior to the said 29th day
of December, 1900, and subsequent to the said 26th day of
May, 1900, in carrying on business as "The Canadian Electro-
15 Chemical Company, Limited, may be confirmed and legalized,
and that the said Letters Patent of the incorporation may be
confirmed and that the said company may be authorized to
engage in mining and other operations incidental thereto with-
out thereby becoming subject to *The Ontario Mining Com-*
20 *panies Incorporation Act*, and the other Acts of the Legisla- Rev. Stat.
ture of Ontario, and that the powers of the said company may c. 197.
be increased as hereinafter provided: And whereas it is
expedient to grant the prayer of the said petition;

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

1. The incorporation of The Canadian Electro-Chemical Incorporation
Company, Limited, on the 29th day of December, 1900, by confirmed.
Letters Patent set out in the schedule to this Act is confirmed,
30 and declared to be legal and valid and shall relate back to the
26th day of May, 1900, and the said company is hereby de-
clared to be and to have been, since the last mentioned date,
a body corporate and politic, duly incorporated under the
provisions of *The Ontario Companies' Act*, with the rights,
35 powers and privileges in the said Letters Patent of incorpor-
ation mentioned.

Carrying on
business be-
fore letters
patent issued
legalized.

2. The carrying on business as "The Canadian Electro Chemical Company, Limited," by the corporators of the said company prior to the issue of the said Letters Patent is, and all acts done by the said corporators in carrying on the said business, are legalized and declared to have been and to be valid and binding upon the said company in the same manner and to the same extent as if the said Letters Patent had been issued and the said company duly incorporated on the 26th day of May, 1900. 5

Corporators
relieved from
penalties.

3. The said corporators shall not be and shall not be, deemed to have been, subject or liable to any penalties imposed or which may be imposed by or under any Act in force in this province by reason of their having carried on business as aforesaid under the name of the said company. 10

Rev. Stat. c.
97 s 4 to apply
to company.

4. In addition to all other rights, powers and privileges conferred on the said company by said Letters Patent of incorporation and by *The Ontario Companies' Act*, and amendments thereto, the said company shall have the powers mentioned and set out in section 4 of *The Ontario Mining Companies' Incorporation Act*, but save as aforesaid none of the provisions of the said *Ontario Mining Companies' Incorporation Act* shall apply to or effect the said company. 15 20

Rev. Stat.
c. 197.

Powers to
subscribe for
shares in other
companies.

5. The company has, and has had, since the 26th day of May, 1900, power to subscribe for, take, hold, purchase or acquire in any manner the shares, stocks, bonds, debentures and other securities of any company heretofore or hereafter incorporated, and the company has, and has had, power to advance money by way of mortgage, or otherwise, thereon, and to sell, assign, transfer, hypothecate or otherwise, dispose of such shares, stock, bonds, debentures or other securities; but nothing in this section contained shall authorize the company to carry on the general business of a Loan Corporation within the meaning of *The Loan Corporations' Act*, and the said Act shall not apply to the company. 25 30

Rev. Stat.
c. 205.

SCHEDULE A.

(Sgd.) O. MOWAT.

(Great Seal)

CANADA.

PROVINCE OF ONTARIO.

(Sgd.) J. M. GIBSON.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, etc., etc., etc.

ATTORNEY-GENERAL.

TO ALL TO WHOM THESE PRESENTS SHALL COME.

GREETING.

Whereas *The Ontario Companies Act* provides that with the exceptions therein mentioned the Lieutenant Governor of our Province of Ontario in Council may by Letters Patent under the Great Seal create and constitute bodies corporate and politic for any of the purposes or objects to which the legislative authority of the Legislature of Ontario extends.

And whereas by their petition in that behalf the persons herein mentioned have prayed for a charter constituting them a body corporate and politic for the due carrying out of the undertaking hereinafter set forth.

And whereas it has been made to appear to the satisfaction of our Lieutenant-Governor in Council that the said persons have complied with the conditions precedent to the grant of the desired charter and that the said undertaking is within the scope of the said Act.

Now therefore know ye that by and with the advice of the Executive Council of our Province of Ontario and under the authority of the herebefore in part recited Statute and of any other power or authority whatsoever in us vested in this behalf.

We do by these our Letters Patent create and constitute the persons hereinafter named, that is to say :

William W. Gibbs and Clayton E. Platt, both of the City of Philadelphia, in the State of Pennsylvania, one of the United States of America, Gentlemen, and Francis Hector Clergue and Bertrand Joseph Clergue, Manufacturers, and Henry Coulthard Hamilton, Barrister-at-Law, all of the Town of Sault Sainte Marie, in the District of Algoma and Province of Ontario and any others who have become subscribers to the Memorandum of Agreement of the Company and their successors respectively a corporation for the purposes and objects following, that is to say,

To manufacture, purchase, acquire, own, lease or hire, use, sell or otherwise dispose of, deal in and carry on a general business in alkalis, chemical and chemical-compounds or combinations of every kind and nature and howsoever produced and any and all electrical, hydraulic, mechanical or automatic machinery and devices and patent articles and also all minerals, metals and metallic-compounds and other articles of a similar nature, and to license and permit others to deal in the same under royalties or otherwise.

The corporate name of the Company to be The Canadian Electro-Chemical Company, Limited.

The share capital of the Company to be one hundred thousand dollars divided into one thousand shares of one hundred dollars each, the head office of the Company to be at the said Town of Sault Sainte Marie and the provisional directors of the Company to be William W. Gibbs, Clayton E. Platt, Francis Hector Clergue, Bertrand Joseph Clergue and Henry Coulthard Hamilton, hereinbefore mentioned.

In testimony whereof we have caused these our letters to be made patent and the Great Seal of our Province of Ontario to be hereunto affixed.

Witness : The Honourable Sir Oliver Mowat, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Member of Our Privy Council for Canada and Lieutenant-Governor of Our Province of Ontario.

At Our Government House, in Our City of Toronto, in Our said Province, this twenty-ninth day of December, in the year of Our Lord one thousand nine hundred and in the sixty-fourth year of our reign.

By Command.

(Sgd.) J. R. STRATTON,
Provincial Secretary.

No. 21.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act respecting the Canadian Electro-
Chemical Company, Limited.

First Reading, 14th March, 1901.

(Private Bill).

Mr. FARWELL.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting the Canadian Electro-Chemical
Company, Limited.

WHEREAS The Canadian Electro-Chemical Company, Limited, was incorporated under the provisions of *The Ontario Companies Act* by Letters Patent under the Great Seal bearing date the 29th day of December, 1900, with the rights, powers and privileges in the said Letters Patent mentioned; and whereas for seven months prior to the said date, but after application for incorporation, the corporators of the said company were carrying on business under the name of The Canadian Electro-Chemical Company, Limited, said business being of the class referred to in the said Letters Patent; and whereas the said company has by petition prayed that the acts of the said corporation prior to the said 29th day of December, 1900, and subsequent to the said 26th day of May, 1900, in carrying on business as The Canadian Electro-Chemical Company, Limited, may be confirmed and legalized, and that the said Letters Patent of the incorporation may be confirmed and that the said company may be authorized to engage in mining and other operations incidental thereto without thereby becoming subject to *The Ontario Mining Companies Incorporation Act*, and the other Acts of the Legislature of Ontario, and that the powers of the said company may be increased as hereinafter provided: and whereas it is expedient to grant the prayer of the said petition;

Preamble.

Rea. Stat.
c. 191.Rev. Stat.
c. 197.

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

1. The incorporation of The Canadian Electro-Chemical Company, Limited, on the 29th day of December, 1900, by Letters Patent set out in the schedule to this Act is confirmed, and declared to be legal and valid.

Incorporation
confirmed.

2. The carrying on business as The Canadian Electro-Chemical Company, Limited, by the corporators of the said company prior to the issue of the said Letters Patent is, and all acts done by the said corporators in carrying on the said business, are, legalized and declared to have been and to

Carrying on
business be-
fore letters
patent issued
legalized.

be valid and binding upon the said company in the same manner and to the same extent as if the same had been carried on or done subsequent to the incorporation of the said company.

Corporators
relieved from
penalties.

3. The said corporators shall not be and shall not be deemed to have been, subject or liable to any penalties imposed or which may be imposed by or under any Act in force in this province by reason of their having carried on business as aforesaid under the name of the said company.

Rev. Stat. c.
97 s 4 to apply
to company.

4. In addition to all other rights, powers and privileges conferred on the said company by said Letters Patent of incorporation and by *The Ontario Companies' Act*, and amendments thereto, the said company shall have the powers mentioned and set out in section 4 of *The Ontario Mining Companies' Incorporation Act*, but save as aforesaid none of the provisions of *The Ontario Mining Companies' Incorporation Act* shall apply to or effect the said company.

Rev. Stat.
c. 197.

Powers to
subscribe for
shares in other
companies.

5. The company has, and has had, from the date of incorporation power to subscribe for, take, hold, or purchase the shares, stocks, bonds and debentures or other securities of any company heretofore or hereafter incorporated, having for its object or any of its objects the promotion of any of the objects which the said The Canadian Electro-Chemical Company, Limited, is authorized to carry out, or any objects ancillary thereto or connected therewith, and the said The Canadian Electro-Chemical Company, Limited, may advance money by way of mortgage, or otherwise, thereon, and may sell, assign, transfer, hypothecate or otherwise, dispose of such shares, stocks, bonds, debentures or other securities; but nothing in this section contained shall authorize the said company to carry on the general business of a loan corporation within the meaning of *The Loan Corporations' Act*, and the said Act shall not apply to the said company.

Rev. Stat.
c. 205.

SCHEDULE A.

(Sgd.) O. MOWAT.

(Great Seal)

CANADA.

PROVINCE OF ONTARIO.

(Sgd.) J. M. GIBSON.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, etc., etc., etc.

ATTORNEY-GENERAL.

TO ALL TO WHOM THESE PRESENTS SHALL COME.

GREETING.

Whereas *The Ontario Companies Act* provides that with the exceptions therein mentioned the Lieutenant Governor of our Province of Ontario in Council may by Letters Patent under the Great Seal create and constitute bodies corporate and politic for any of the purposes or objects to which the legislative authority of the Legislature of Ontario extends.

And whereas by their petition in that behalf the persons herein mentioned have prayed for a charter constituting them a body corporate and politic for the due carrying out of the undertaking hereinafter set forth.

And whereas it has been made to appear to the satisfaction of our Lieutenant-Governor in Council that the said persons have complied with the conditions precedent to the grant of the desired charter and that the said undertaking is within the scope of the said Act.

Now therefore know ye that by and with the advice of the Executive Council of our Province of Ontario and under the authority of the herebefore in part recited Statute and of any other power or authority whatsoever in us vested in this behalf.

We do by these our Letters Patent create and constitute the persons hereinafter named, that is to say :

William W. Gibbs and Clayton E. Platt, both of the City of Philadelphia, in the State of Pennsylvania, one of the United States of America, Gentlemen, and Francis Hector Clergue and Bertrand Joseph Clergue, Manufacturers, and Henry Coulthard Hamilton, Barrister-at-Law, all of the Town of Sault Sainte Marie, in the District of Algoma and Province of Ontario and any others who have become subscribers to the Memorandum of Agreement of the Company and their successors respectively a corporation for the purposes and objects following, that is to say,

To manufacture, purchase, acquire, own, lease or hire, use, sell or otherwise dispose of, deal in and carry on a general business in alkalis, chemical and chemical-compounds or combinations of every kind and nature and howsoever produced and any and all electrical, hydraulic, mechanical or automatic machinery and devices and patent articles and also all minerals, metals and metallic-compounds and other articles of a similar nature, and to license and permit others to deal in the same under royalties or otherwise.

The corporate name of the Company to be The Canadian Electro-Chemical Company, Limited.

The share capital of the Company to be one hundred thousand dollars divided into one thousand shares of one hundred dollars each, the head office of the Company to be at the said Town of Sault Sainte Marie and the provisional directors of the Company to be William W. Gibbs, Clayton E. Platt, Francis Hector Clergue, Bertrand Joseph Clergue and Henry Coulthard Hamilton, hereinbefore mentioned.

In testimony whereof we have caused these our letters to be made patent and the Great Seal of our Province of Ontario to be hereunto affixed.

Witness : The Honourable Sir Oliver Mowat, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Member of Our Privy Council for Canada and Lieutenant-Governor of Our Province of Ontario.

At Our Government House, in Our City of Toronto, in Our said Province, this twenty-ninth day of December, in the year of Our Lord one thousand nine hundred and in the sixty-fourth year of our reign.

By Command.

(Sgd.) J. R. STRATTON,
Provincial Secretary.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting the Canadian Electro-
Chemical Company, Limited.

First Reading, 14th March, 1901.

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

Mr. FARWELL.

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

An Act to incorporate the "Metropolitan Spring Water Company, Limited."

WHEREAS it has been ascertained that there is a large Preamble.
 supply of spring water underlying lands in the Town-
 ship of Whitechurch and surrounding townships; and whereas
 Samuel Casey Wood, gentleman, Thomas Walmsley, under-
 5 writer, Hugh Blain, merchant, and Albert Nieghorn, broker,
 all of the city of Toronto in the county of York, and Warren
 D. Maxson, of the Village of Stouffville in the County of York,
 well-driller, have, by their petition set forth that it is de-
 10 sirable and in the public interest that a waterworks system
 should be established for supplying the residents and munici-
 palities in the County of York with the said water and have
 prayed that an Act may be passed to incorporate the "Metro-
 politan Spring Water Company, Limited," with the objects,
 purposes and powers hereinafter set out; and whereas it is ex-
 15 pedient to grant the prayer of the said petition.

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

1. The said Samuel Casey Wood, Thomas Walmsley, Hugh
 20 Blain, Albert Nieghorn and Warren D. Maxson, together with
 such other persons and corporations as shall, in pursuance of
 this Act, become shareholders of the said company hereby in-
 corporated, are hereby constituted and declared to be a body
 corporate and politic by the name of "Metropolitan Spring
 25 Water Company, Limited." Incorporation

2. The said company shall have power under this Act to
 open, lay down, build, construct and maintain wells and reser-
 30 voirs, sluices, pipes, tunnels and viaducts, to get and keep
 water at any points in the County of York, and to convey
 water from any such points to any other points within the said
 county, and to generate or develop electric energy and to sell
 or otherwise dispose thereof for heat, light, power, or other
 purposes, to carry on the business of cold storage, to manufac-
 35 ture ice, and the same to sell or otherwise dispose of and to
 supply municipalities and the inhabitants thereof with ice and
 water for domestic purposes, fire protection, cold storage and
 other purposes, upon such terms as may be agreed upon and to

Powers of Company.

charge and collect rates and charges from all persons, firms, corporations, or municipalities using the water and other productions of the works of the company.

Capital. **3.** The Capital Stock of the company hereby incorporated shall be \$1,000,000.00 divided into 10,000 shares of \$100 each. 5

Provisional Directors. **4.** The said Samuel Casey Wood, Thomas Walmsley, Hugh Blain, Albert Nieghorn and Warren D. Maxson, shall be and are hereby constituted a Board of Provisional Directors of the said company, of whom a majority shall form a quorum, and shall hold office as such until other directors shall have been 10 elected.

Payments in paidup stock or bonds. **5.** The 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 lands, rights of way, powers, privileges, franchises or materials, and also, when 15 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, whether such promoters or other persons be directors or not, and any agreement so made shall be binding on the com- 20 pany.

Taking lands. **6.** Subject to the provisions of this Act, the company may from time to time, and at such times hereafter as they shall see fit, enter into and upon the lands of any person or persons, bodies politic or corporate, and survey, set out and ascertain 25 such parts thereof as they may require for the purposes of their said undertakings or upon which to build, construct, erect, sink, open, or lay down wells, reservoirs, retaining wells, embankments, stationary engines, boiler and tank houses, water pipes, sluices, viaducts, tunnels and such other works as 30 may be necessary for their undertaking; and also to divert and appropriate any spring, or other source or sources of water supply as they shall judge suitable or proper, and to contract with the owners or occupiers of the said lands, and those hav- 35 ing an interest or right in the said waters for the purchase thereof, or of any part thereof, or of any privilege that may be required for the purposes of the said company, and in case of any disagreement between the said company and the owners or occupiers of such lands, or any person having an interest in the said water or the natural flow thereof or any such priv- 40 ilege as aforesaid respecting the amount of purchase or value thereof, or as to the damage such appropriation shall cause to them or otherwise, the same shall be decided by arbitration, as provided in *The Railway Act of Ontario*.

Rev. Stat.
c. 207.

Power to
purchase
whole lots.

7. Whenever it shall be necessary for the purpose of pro- 45 curing sufficient land for rights of way, reservoirs, etc., and for constructing, maintaining and using the works hereby author-

ized, and in case by purchasing the whole or a portion larger than required of any lot or parcel of land through which the works of the company are to run, the company can obtain the same at a more reasonable price, or to greater advantage
 5 than by purchasing the right of way only, the company may purchase, hold, use, and enjoy such waters and lands and also the right of way thereto, if the same be separate from their works, and may sell, lease and convey the same, or any part thereof, from time to time, as they may deem expedient.

10 8. In case of any accident requiring immediate repair to the tanks, reservoirs, sluices, pipes or conduits of the said company, the said company, their agent or agents, or workmen, may enter upon the adjoining lands, without any previous treaty with the owners or occupiers thereof whenever it shall
 15 be necessary so to do for the more speedily and effectually executing the said repairs, doing as little damage as may be to such land and making compensation therefor within one month next after the same shall have been demanded, and, in case of dispute or difference regarding the amount to be so
 20 paid, the same shall be decided by arbitration as provided in *The Railway Act of Ontario*.

Repair in case of accident.

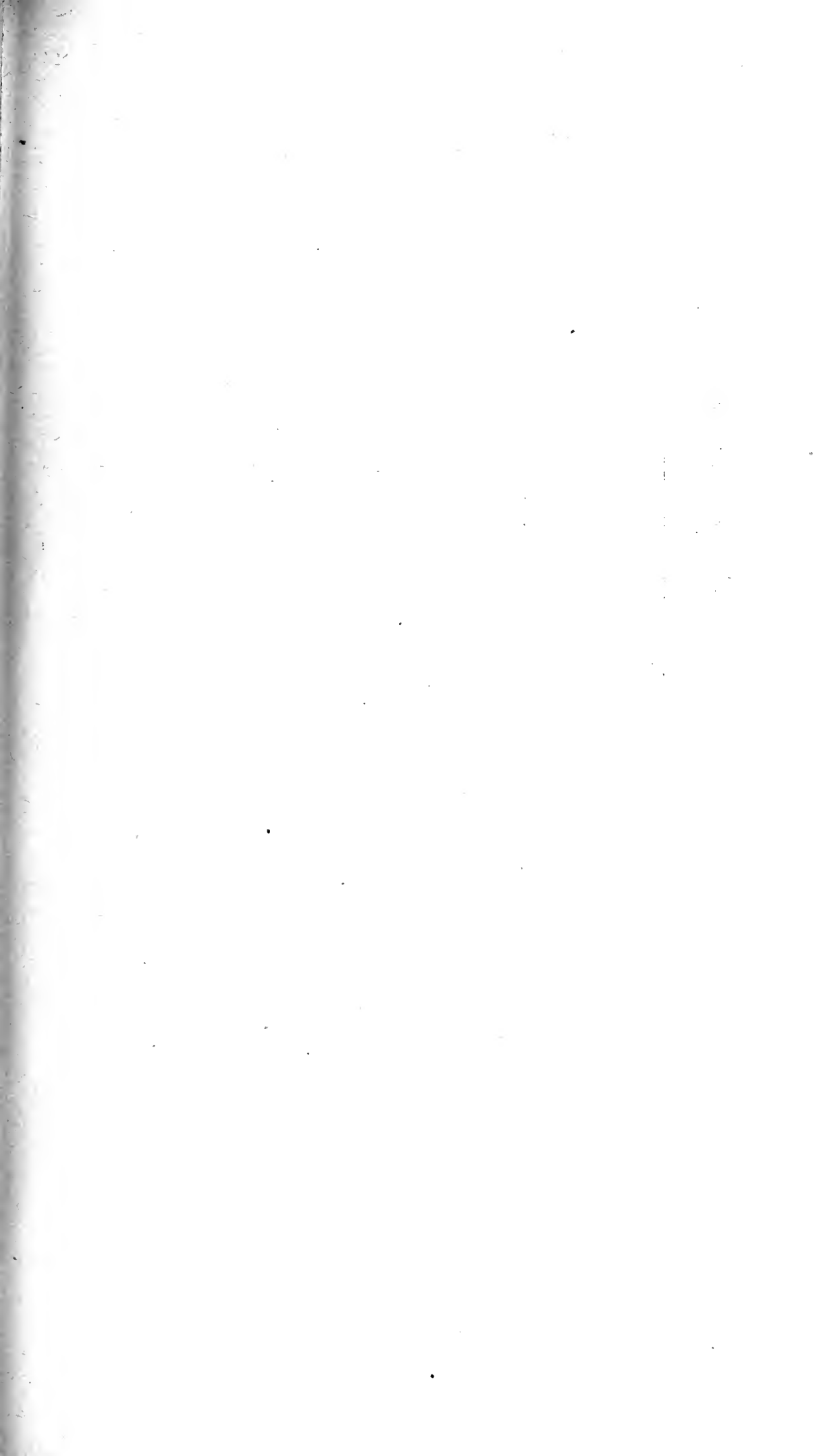
9. When stone, gravel, earth or sand is or are required for the construction, maintenance or operation of the works of the said company, or any part thereof, the company may, in case
 25 they cannot agree with the owners of the lands on which the same are situate for the purchase thereof, cause a provincial 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 a right of way,
 30 and the notice of arbitration, the award and the tender of the compensation, shall have the same effect as in the 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
 35 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 of the fee simple
 40 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.

Taking materials for construction of works.

10. Sections 6, 12, 18, 20, 21, 22, 23, 24, 25, 26, 27, 29, 33,
 45 34, 44, 45, 47, 48, 50, 51, 52, 53, 54, 55, 56, 57, 58 of *The Act respecting Joint Stock Companies supplying Cities, Towns and Villages with Gas and Water*, in so far as they are applicable to the Company hereby incorporated shall be incorporated with and be deemed to be part of this Act.

Right of companies incorporated to supply cities, &c., with water. Rev. Stat. c. 199.

- Right of company to supply light and heat. **11.** Sections 4, 5, 6 and 7 of *The Act respecting Companies for supplying Steam, Heat, Electricity or Natural Gas for Heat, Light or Power* in so far as they are applicable to the company hereby incorporated shall be incorporated with and be deemed to be a part of this Act. 5
- Aid from municipalities. **12.** Any municipality, or any portion of a township municipality, which may be interested in securing the construction of the said works or undertaking, or through any part of which, or near which the works of the said company shall pass or be situate, may aid the said company by giving money 10 or debentures by way of bonus, gift or loan, or by the guarantee of the municipal corporation.
- Right to cross railway lands. **13.** The company shall have power to lay down, or through, across, under or along the railway and lands of any railway company, any main pipe belonging or necessary to 15 their works or system of waterworks which, under this Act, they are authorized to construct, and may enter upon, break up, take and use any such land in any way necessary or convenient for the said purpose, with all the powers, liberties and privileges given to or conferred upon any council in respect to 20 the laying down of any water pipe as aforesaid, but upon, subject to, under, and with terms, restrictions, conditions, liabilities, duties and obligations (in so far as the same are applicable) imposed by *The Railway, Streets and Drains Act* upon any council or municipal corporation or any waterworks 25 commissioners.
- Rev. Stat. c. 241. **14.** All actions for indemnity for damages or injury sustained by reason of anything done in pursuance of this Act, shall be instituted within six months next after the time of the supposed damage sustained, or if there be continuation of 30 damage, then within six months next after the doing or committing such damage ceases and not afterwards; and the defendants may plead not guilty by statute and give this Act and the special matter in evidence at any trial to be had thereupon, and may prove that the same was done in pur- 35 suance of and by authority of this Act.
- Limitation of actions.



4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act to incorporate the Metropolitan
Spring Water Company, Limited.

First Reading, 1901.

(Private Bill.)

Mr. FOY.

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

An Act to incorporate the City of Woodstock, and
for other purposes.

WHEREAS the corporation of the Town of Woodstock has Preamble.
by its petition represented that the said town now contains about ten thousand souls, that the population is steadily increasing, and that by reason of such increase and its extensive
5 railway facilities, its large manufacturing and mercantile interests, and its situation in the midst of a rich agricultural and dairying district the said town now is, and will continue to be, an important commercial center; and whereas at the municipal elections held in the said town on the seventh day of January,
10 1901, the question of incorporating the said Town of Woodstock into a city, to be called the City of Woodstock, and its separation from the county of Oxford for municipal purposes was submitted to the electors of the said town and was carried by a large majority of the votes cast, nearly two-thirds of those
15 voting being in favor thereof; and whereas, in the opinion of the Board of Trade of the said town, the manufacturers and a large majority of the inhabitants of the said town, the incorporation thereof into a city will tend to materially increase its prosperity and importance; and whereas
20 the said Town of Woodstock now owns and operates a system of waterworks in the said town, and since the year 1892 the said waterworks have been managed by boards of commissioners elected under the provisions of *The Municipal Waterworks Act*; and whereas the said town has lately passed a
25 by-law to purchase a lighting system now operated in said town and the same is being acquired by said town; and whereas for the purpose of the more efficient and economical management of said system the council of said town are desirous of having the water, light and heat systems of said corporation
30 managed by joint commissioners; and whereas it is expedient to grant the prayer of the said petition,

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

35 1. On and after the first day of July, 1901, next the said Town of Woodstock shall be and is hereby incorporated as a Incorporation
of City of
Woodstock.
city, and shall be known thereafter as "The Corporation of the City of Woodstock," and as such shall enjoy and possess all the rights, powers and privileges of cities under *The*
40 *Municipal Act*.

Rev. Stat.
c. 223.
Wards.

2. The City of Woodstock shall be divided as the Town of Woodstock has heretofore been divided into five wards, to be named respectively St. Andrew's ward; St. David's ward, St. George's ward, St. John's ward and St. Patrick's ward, and the boundaries or limits of the said wards respectively shall be and remain as they existed prior to the passing of this Act. 5

Council, how
constituted.
Proviso.

3. The council of the said city shall consist of the mayor, who shall be the head thereof, and two aldermen for each ward thereof, provided nevertheless that the present mayor and council of the said town shall be and continue to be the mayor and council of the said city, and shall hold office until the election of their successors, as provided by this Act, and shall exercise all the rights and powers and perform all the duties pertaining to the offices of mayor and aldermen, respectively, of a city, and in the event of death, resignation or dis-qualification of said mayor or any member of said council a new election shall be held to fill the vacancy under the provisions of *The Municipal Act*. 10 15

Rev. Stat.
c. 223.

Assets and li-
abilities of
town trans-
ferred to city.

4. The property, assets and effects of said Town of Woodstock shall belong to the City of Woodstock, all obligations due to the said town shall be obligations due to the said city; all the debts, liabilities and obligations of the said town shall be assumed and paid by the corporation of the said city. 20

Officers and
servants of
town, con-
tinued.

5. The officers and servants of the said town shall, until superseded in or removed from office by the council of the said city, remain the officers and servants of the said city. 25

Application of
Rev. Stat.
c. 223.

6. The provisions of *The Municipal Act* relating to matters consequent on the formation of new municipal corporations and the other provisions of *The Municipal Act* aforesaid shall, except so far as is herein otherwise provided, apply to the said corporation of the City of Woodstock in the same manner as if the said town had been erected into a city under the provisions of *The Municipal Act*. 30

Qualifications
of electors and
officers.

7. At any election in the said city held prior to the first day of February next after the passing of this Act the qualifications of the electors, mayor, aldermen and commissioners shall be the same as required in towns, and at all subsequent elections the qualifications of the electors, mayor, aldermen and commissioners shall be the same as that required in cities. 35

Returning
officer first
election.

8. John Merriman, of the said Town of Woodstock, Esquire, who is now the clerk thereof, or in case of his death or inability to act, such other person as the council of the said city may by by-law to be passed before the last Monday in the month of December next appoint in his stead, is hereby appointed the returning officer for the purpose of holding the nomination meeting for the first election of mayor and commissioners, and 40 45

it shall be the duty of the returning officer to hold such nomination at the City Hall in the City of Woodstock at the hour of ten o'clock in the forenoon of the said last Monday in the month of December.

5 **9.** The said returning officer shall have all the powers and perform all the duties of the said clerk of the said city until the appointment by the council thereof of some other person in his place and stead. Clerk protem

10 **10.** The council of the said city shall have power, by by-law to be passed before the said last Monday in the month of December, to appoint a deputy returning officer for each of the polling sub-divisions of said city, each of whom shall have all the powers and perform all the duties of deputy returning officers in municipal elections for cities, and also by-law to be passed within the time aforesaid to name the places in each of the several wards at which the nomination of aldermen and election of mayor, aldermen and commissioners shall be held in case a poll be demanded. Deputy returning officers, nominations in wards.

20 **11.** The nomination for aldermen shall be held on the last Monday in the month of December, at noon, and if a poll be demanded the same shall be opened on the same day of the following week, and the nomination and election of mayor, aldermen and commissioners shall, except in so far as is herein otherwise provided, be conducted and regulated in the same manner as such nominations and elections are conducted and regulated in municipal elections for cities. Aldermen, nominations, general provisions as to elections.

30 **12.** The last revised assessment roll and the voters' list of the said town shall be taken to be the roll and voters' list for any future election to the municipal council of the said city until another assessment shall be made and the roll thereof shall be finally revised and the voters' lists thereunder shall be duly made and completed. Assessment roll and voters' list.

35 **13.** The said City of Woodstock shall be, remain and form part of the said County of Oxford for judicial purposes, as is provided for in respect of other cities by section 3 of chapter 3 of the Revised Statutes of Ontario, 1897, and the said section 3 is hereby amended by adding below the figures and word "11 Stratford" the following: "12 Woodstock." City to be part of county for judicial purposes.

40 **14.** Notwithstanding any statute to the contrary the said city council shall have power to organize or continue a police force and to regulate and control the same and the members hereof, and to fix the salaries and allowances of said members, and in the said city the provisions of *The Municipal Act* respecting police commissioners shall not apply or be of any effect unless and until adopted by by-law of the said city council and the said city council may by by-law to be passed from Police force.

time to time repeal or re-enact the provisions of such firstly named by-law and the first seven words of section 481 of the said Act shall not apply to said city; but this section shall not apply or have any force or effect after it shall appear from any general census or from any census which may be taken by the assessor or under a by-law of the municipality that said city contains 15,000 inhabitants or more, and the police magistrate of the said City of Woodstock shall not receive a salary exceeding \$1,200 until it shall appear in the manner aforesaid that said city contains 15,000 inhabitants or more. 5

Application
Rev. Stat. c.
223, s. 70.

15. When it shall be made to appear that said city contains 15,000 inhabitants or more in the manner as provided for in the preceding paragraph, section 70 of *The Municipal Act* shall apply to said City of Woodstock. 10

Adjustment
of liabilities
with county.

16. The said city shall be liable for and shall assume the payment to the County of Oxford of such portion (if any) of the debts of the said county as is just, and at such times as shall be mutually agreed upon, or in case of disagreement the same shall be determined by arbitration under *The Municipal Act*, and the said city shall be liable for and shall assume the payment to the said county of its just share or proportion of all charges and expenses from time to time incurred for the purposes set forth in section 509 of *The Municipal Act*, which amount if not settled and agreed upon shall be determined by arbitration as provided in said *Municipal Act*. 15 20

Rev. Stat.
c. 223.

Water, light
and heat Com-
missioners.

17. The council of the said City of Woodstock shall pass a by-law on or before the last Monday in the month of December next (which it shall not be necessary to have assented to by the electors of said city) to constitute a board of five commissioners of whom the mayor shall *ex-officio* be one, to jointly manage the water, light and heat works now owned or hereafter to be acquired by the said city and all the provisions of *The Municipal Light and Heat Act* and *The Municipal Water Works Act* shall apply to said board of commissioners except as is herein otherwise provided. 25 30

Rev. Stat.
c. 234.
Rev. Stat.
c. 235.

Commission-
ers election,
term of office.

18. If the council of the said city pass the said by-law and an election takes place thereunder to elect such commissioners before the last Monday in the month of December, 1901, it shall only be necessary to elect two commissioners, who shall hold office until the last day of December, 1902, (or until their successors are elected) and the present water commissioners of the said corporation shall be the other commissioners under said by law, but they shall only hold office until the last day of December, 1901, (or until their successors are elected) and two commissioners shall at the municipal elections being then held and annually thereafter be elected who shall hold office for two years, the nomination and election for said commissioners after the first election to be held at the same time and in the same manner as the election for mayor. 35 40 45

19. Provided that a by-law has been passed under section 17 of this Act to constitute a board of commissioners and no election having taken place prior to the last Monday in the month of December, 1901, nominations for the election of four
 5 commissioners shall be held on said last Monday in the month of December at the hour of ten o'clock in the forenoon, and if a poll be demanded the same shall be opened on the same day of the following week and the nomination and election of said
 10 commissioners shall, except in so far as is herein otherwise provided for, be conducted and regulated in the same manner as such nominations and elections for mayor are conducted and regulated in cities, the two commissioners polling the
 15 highest number of votes (or in case of an equality of votes or an election by acclamation the two commissioners having the highest assessment in said city) shall hold office for two years and the remaining two commissioners elected shall hold office for one year, and at the annual municipal election to be held after said first election two commissioners shall be elected to
 20 hold office for two years, provided that when a vacancy from any cause occurs on the board the same shall be filled in manner mentioned in section 41 of *The Municipal Water Works Act*.

First election of commissioners.

Rev. Stat. c. 235.

20. The returning officer for the first election of commissioners shall be the clerk for the time being of the said city
 25 or such other person as the council of the said city may by by-law appoint in his stead, and the times and places of holding the nomination meeting and election for said commissioners shall be fixed by by-law of the said city council.

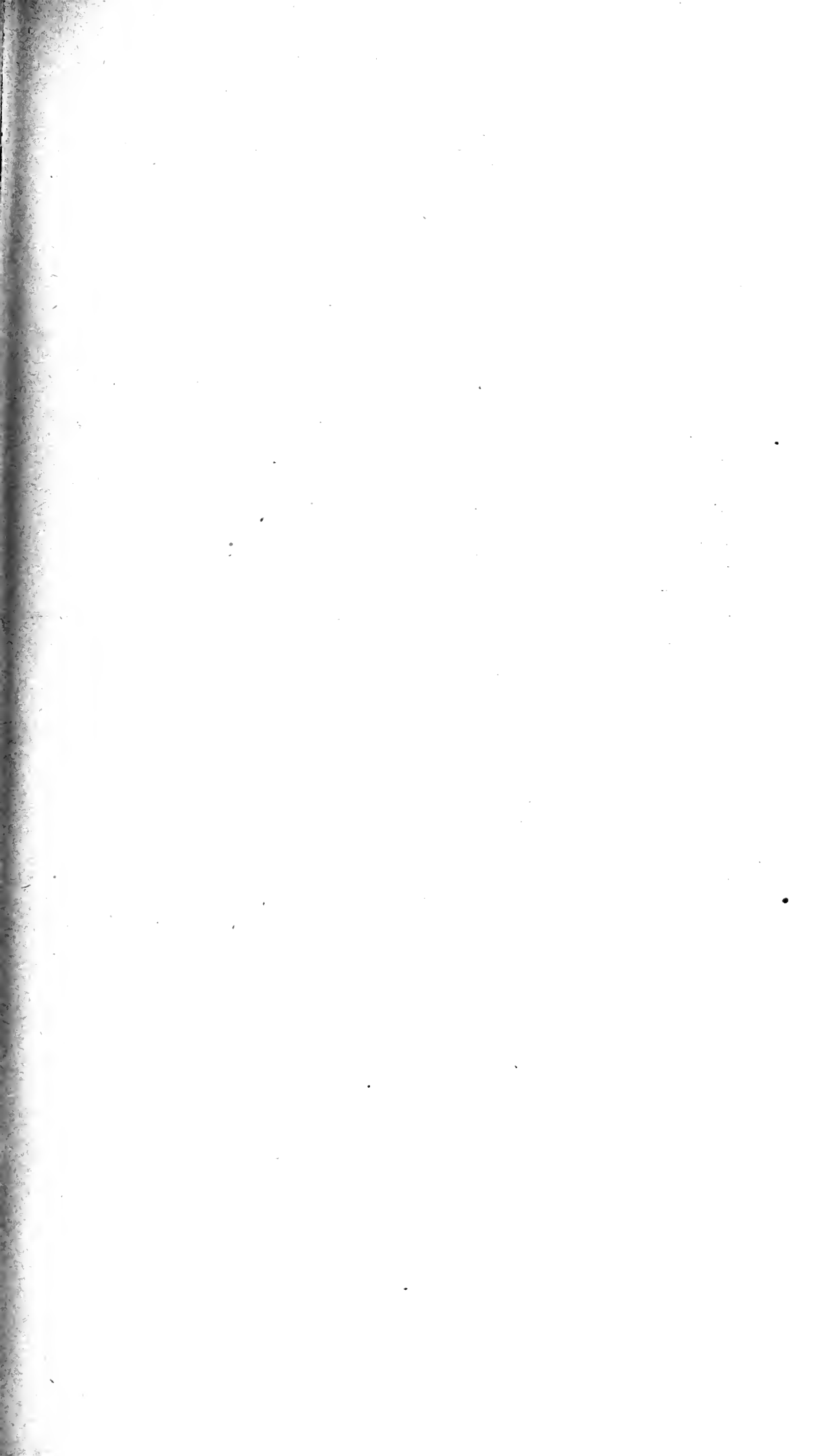
Returning officers at first election of commissioners.

21. The council of the said city may from time to time by
 30 by-law, assented to by the electors of said municipality, reduce or increase the number of said commissioners or repeal or reenact the provisions of such last mentioned by-law to appoint commissioners according to the provisions of *The Municipal Light and Heat Act* and *The Municipal Water Works Act* and
 35 by-law number 750 of the said corporation shall be rescinded where the same conflicts with the provisions of this Act.

Reducing or increasing number of commissioners.

22. Sections 16 to 21 hereof, both inclusive, and this section shall come into force immediately from and after the passing
 40 of this Act and the remaining sections hereof may be read so far as is necessary to explain or construe the said sections now brought into force, and sections 1 to 15 hereof, both inclusive, shall come into force on the first day of July, 1901 next.

Commencement of Act.



No. 23.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act to incorporate the City of Wood-
stock, and for other purposes.

First Reading, , 1901.

(Private Bill.)

Mr. PATTULLO.

TORONTO:

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

An Act to incorporate the City of Woodstock, and
for other purposes.

WHEREAS the Corporation of the Town of Woodstock has Preamble.
by its petition represented that the said town now contains about ten thousand souls, that the population is steadily increasing, and that by reason of such increase and its extensive railway facilities, its large manufacturing and mercantile interests, and its situation in the midst of a rich agricultural and dairying district the said town now is, and will continue to be, an important commercial centre; and whereas at the municipal elections held in the said town on the seventh day of January, 1901, the question of incorporating the said Town of Woodstock into a city, to be called the City of Woodstock, and its separation from the County of Oxford for municipal purposes was submitted to the electors of the said town and was carried by a large majority of the votes cast, nearly two-thirds of those voting being in favour thereof; and whereas, in the opinion of the Board of Trade of the said town, the manufacturers, and a large majority of the inhabitants of the said town, the incorporation thereof into a city will tend to materially increase its prosperity and importance; and whereas the said Town of Woodstock now owns and operates a system of waterworks in the said town, and since the year 1892 the said waterworks have been managed by boards of commissioners elected under the provisions of *The Municipal Water-Works Act*; and whereas the said town has lately passed a by-law to purchase a lighting system now operated in the said town and the same *has been* acquired by the said town; and whereas for the purpose of the more efficient and economical management of said system the council of the said town are desirous of having the water, light and heat systems of the said corporation managed by joint commissioners; and whereas it is expedient to grant the prayer of the said petition,

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

1. On and after the first day of July, 1901, next the said Town of Woodstock shall be and is hereby incorporated as a city, and shall be known thereafter as "The Corporation of the City of Woodstock," and as such shall enjoy and possess all the rights, powers and privileges of cities under *The Municipal Act*. Incorporation of City of Woodstock. Rev. Stat. c. 223.

Rev. Stat.
c. 223.
Wards.

2. The City of Woodstock shall be divided as the Town of Woodstock has heretofore been divided into five wards, to be named respectively St. Andrew's ward, St. David's ward, St. George's ward, St. John's ward and St. Patrick's ward, and the boundaries or limits of the said wards respectively shall be and remain as they existed prior to the passing of this Act.

Council, how
constituted.
Proviso.

3. Subject to the provisions of section 14 of this Act, the council of the said city shall consist of the mayor, who shall be the head thereof, and two aldermen for each ward thereof, provided nevertheless that the present mayor and council of the said town shall be and continue to be the mayor and council of the said city, and shall hold office until the election of their successors, as provided by this Act, and shall exercise all the rights and powers and perform all the duties pertaining to the offices of mayor and aldermen, respectively, of a city, and in the event of the death, resignation or disqualification of said mayor or any member of the said council, the vacancy so created shall be filled in the manner provided in *The Municipal Act*.

Rev. Stat,
c. 223.

Assets and
liabilities of
town to be the
assets and
liabilities of
the city.

4. The said City of Woodstock shall in all matters whatsoever stand and be in the place and stead of the said Town of Woodstock, and all property of every kind and all rights, interests, assets and effects, taxes, rates, dues, revenues, obligations and income now belonging to, or accruing due to, or which may be assessed for by the said town, shall pass, belong to and be the rights, property, assets, effects, taxes, revenues and obligations of the said City of Woodstock; and in the assessment for, and collection of, all the aforesaid property and revenues of every kind the said City of Woodstock shall have as full power in its name to assess for, demand, collect, and receive the same as the said town could have, and the said city shall assume and hereby assumes all bills, debts, debentures and liabilities of any and every kind now due, or contracted, or accruing due, or for which the said town but for the passing, of this Act would be liable, and the same shall and may be collected and sued for, from and against the said City of Woodstock in precisely the same manner, except in the change of the name as against the said Town of Woodstock; and all acts, matters and things whatsoever which might be lawfully done by the said Town of Woodstock shall, and may be done by the said City of Woodstock, and all matters begun or initiated by the said town may be completed by the said city, the meaning and intention hereof being that in all matters and things the said city shall be and stand in the place of the said town.

Officers and
servants of
town, con-
tinued.

5. The officers and servants of the said town shall, until superseded in or removed from office by the council of the said city, remain the officers and servants of the said city.

6. The provisions of *The Municipal Act* relating to matters consequent on the formation of new municipal corporations and the other provisions of *The Municipal Act* aforesaid shall, except so far as is herein otherwise provided, apply to the said corporation of the City of Woodstock in the same manner as if the said town had been erected into a city under the provisions of *The Municipal Act*. Application of Rev. Stat. c. 223.

7. At any election in the said city held prior to the first day of February next after the passing of this Act the qualifications of the electors, mayor, aldermen and commissioners shall be the same as required in towns. Qualifications of electors and officers.

8. John Morrison, of the said Town of Woodstock, Esquire, who is now the clerk thereof, or in case of his death or inability to act, such other person as the council of the said city may by by-law to be passed before the last Monday in the month of December next appoint in his stead, is hereby appointed the returning officer for the purpose of holding the nomination meeting for the first election of mayor and commissioners, and it shall be the duty of the returning officer to hold such nomination at the City Hall in the City of Woodstock at the hour of ten o'clock in the forenoon of the said last Monday in the month of December. Returning officer first election.

9. The said returning officer shall have all the powers and perform all the duties of the said clerk of the said city until the appointment by the council thereof of some other person in his place and stead. Clerk protem.

10. The council of the said city shall have power, by by-law to be passed before the said last Monday in the month of December, to appoint a deputy returning officer for each of the polling sub divisions of the said city, each of whom shall have all the powers and perform all the duties of deputy returning officers in municipal elections for cities, and also by by-law to be passed within the time aforesaid to name the places in each of the several wards at which the nomination of aldermen and election of mayor, aldermen and commissioners shall be held in case a poll be required. Deputy returning officers, nominations in wards.

11. The nomination for aldermen shall be held on the last Monday in the month of December, at noon, and if a poll be demanded the same shall be opened on the same day of the following week, and the nomination and election of mayor, aldermen and commissioners shall, except in so far as is herein otherwise provided, be conducted and regulated in the same manner as such nominations and elections are conducted and regulated in municipal elections for cities. Aldermen. nominations, general provisions as to elections.

12. The last revised assessment roll and the voters' list of the said town shall be taken to be the roll and voters' list for Assessment roll and voters' list.

any future election to the municipal council of the said city until another assessment shall be made and the roll thereof shall be finally revised and the voters' lists thereunder shall be duly made and completed.

City to be part of county for judicial purposes

13. The said City of Woodstock shall be, remain and form part of the said County of Oxford for judicial purposes, as is provided for in respect of other cities by section 3 of Chapter 3 of the Revised Statutes of Ontario, 1897, and the said section 3 is hereby amended by adding below the figures and word "11 Stratford" the following: "12 Woodstock;" and sub-section 27 of section 1 of the said Chapter 3 is hereby amended by striking out the figure and word "3 Woodstock" and by inserting before the words "The Towns of" the following words "The City of Woodstock."

Council, how constituted after population exceeds 15,000.

14. Whenever it shall be ascertained by any general census, or by any census which may be taken by the assessor, or under a by-law of the municipality, that the said city contains over 15,000 inhabitants, then at the next annual municipal election held thereafter, and at each subsequent annual municipal election, three aldermen shall be elected for each ward of the said city, and the council of the said city shall thereafter consist of a mayor, and of three aldermen for every ward as provided by section 70 of *The Municipal Act*.

Police magistrate's salary.

15. The police magistrate of the said city of Woodstock shall not receive a salary exceeding \$1,200 until it shall appear, in the manner aforesaid, that the said city contains over 15,000 inhabitants.

Water, light and heat Commissioners.

16. The council of the said town of Woodstock or of the said City of Woodstock shall pass a by-law on or before the last Monday in the month of December next, to which the assent of the electors of said municipality shall not be necessary, to constitute a board of five commissioners of whom the mayor shall *ex-officio* be one, to jointly manage the water, light and heat works now owned or hereafter to be acquired by the said municipality, and all the provisions of *The Municipal Light and Heat Act* and *The Municipal Water Works Act* shall apply to the said board of commissioners, except as is herein otherwise provided.

Rev. Stat. c. 234.
Rev. Stat. c. 235.

Commissioners' election, and term of office.

17. If the council of the said municipality pass the said by-law and an election takes place thereunder to elect such commissioners before the last Monday in the month of December, 1901, it shall only be necessary to elect two commissioners, who shall hold office until the last day of December, 1902, or until their successors are elected, and the present water commissioners of the said corporation shall be the other commissioners under the said by law, but they shall only hold office until the last day of December, 1901, or until their successors are elected

and two commissioners shall *be elected* at the municipal elections for 1902 and annually thereafter, who shall hold office for two years, the nomination and election for said commissioners after the first election to be held at the same time and in the same manner as the election for mayor.

18. *In case a by-law shall have been passed under section 17 of this Act to constitute a board of commissioners and no election shall have taken place prior to the last Monday in the month of December, 1901, nominations for the election of four commissioners shall be held on the said last Monday in the month of December at the hour of ten o'clock in the forenoon, and if a poll be demanded the same shall be opened on the corresponding day of the following week and the nomination and election of said commissioners shall, except in so far as is herein otherwise provided for, be conducted and regulated in the same manner as nominations and elections for mayor are conducted and regulated in cities, the two commissioners polling the highest number of votes, or in case of an equality of votes or an election by acclamation, the two commissioners having the highest assessment in said city, shall hold office for two years and the remaining two commissioners elected shall hold office for one year, and at the annual municipal election to be held after said first election two commissioners shall be elected to hold office for two years, provided that when a vacancy from any cause occurs on the board the same shall be filled in manner mentioned in section 41 of *The Municipal Water Works Act*.*

First election
of commis-
sioners.

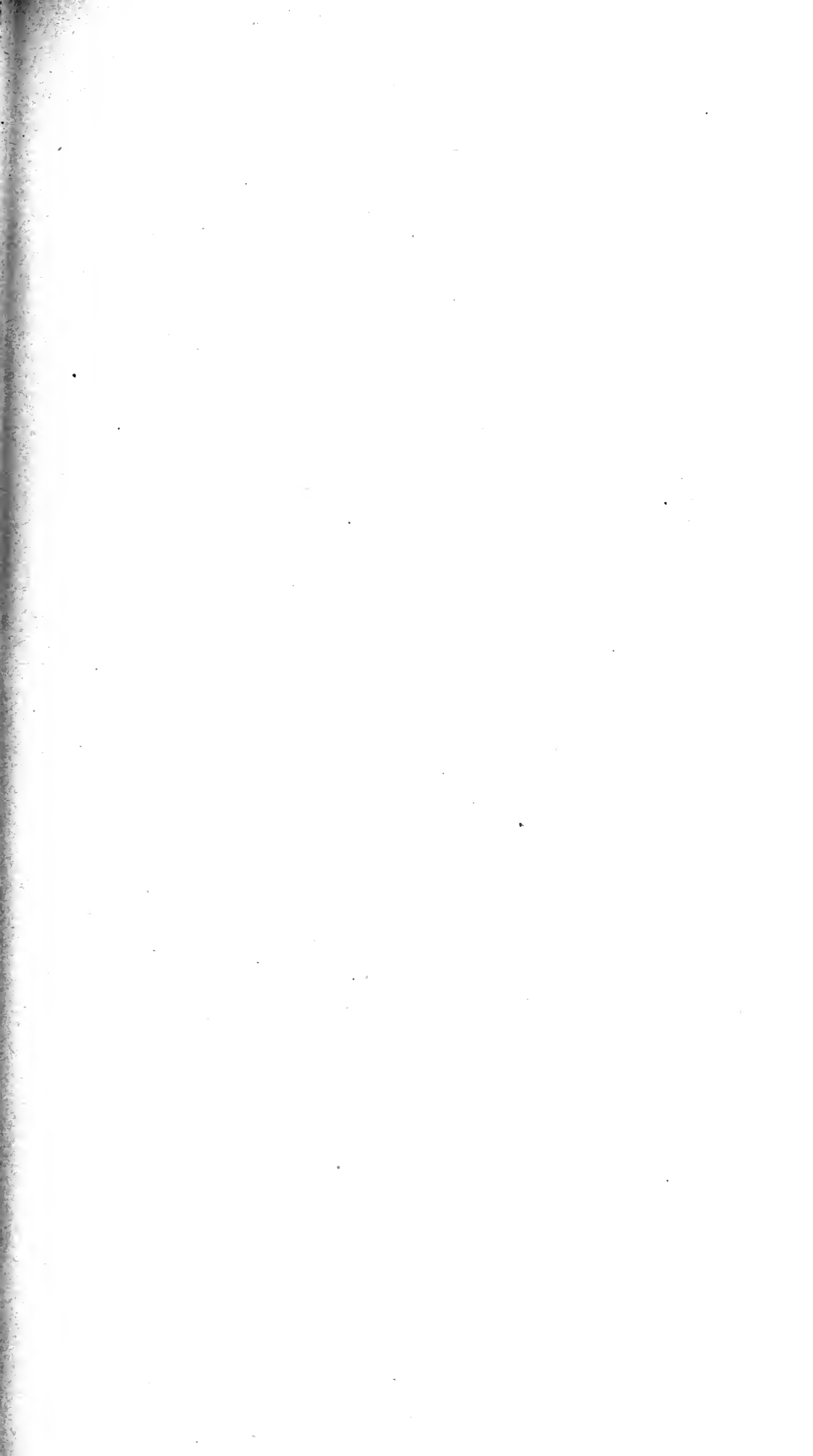
Rev. Stat.
c. 235.

19. The returning officer for the first election of commissioners shall be the clerk for the time being of the said *municipality* or such other person as the *said* council may by by-law appoint in his stead, and the times and places of holding the nomination meeting and election for said commissioners shall be fixed by by-law of the said city council.

Returning
officers at first
election of
commission-
ers.

20. The council of the said *municipality* may from time to time by by-law, assented to by the electors of said *municipality*, reduce or increase the number of said commissioners or repeal or re-enact the provisions of such last mentioned by-law to appoint commissioners according to the provisions of *The Municipal Light and Heat Act* and *The Municipal Water Works Act*.

Reducing or
increasing
number of
commission-
ers.



4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act to incorporate the City of Wood-
stock, and for other purposes.

First Reading, 27th February, 1901.

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

Mr. PATRULLO.

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

- An Act respecting certain by-laws concerning Drainage in the Townships of Tilbury West, Tilbury North, Tilbury East, Romney and Mersea.

WHEREAS the Corporation of the Township of Tilbury West, in the County of Essex, has, by petition, represented that Big Creek Drain and its branches, known as East Branch and West Branch is a drainage work or system partly in the township of Tilbury West and partly in the township of Tilbury North and was constructed in the years 1875, 1876 and 1877 by the Government of the Province of Ontario, at the instance of the township of Tilbury West, which was then comprised of the territory now divided into the townships of Tilbury West and Tilbury North; that the cost of the said work was paid with the money raised by an assessment of the lands and roads in the townships of Tilbury West, Romney and Mersea, liable therefor under the laws then in force in Ontario respecting Drainage and Local Assessment therefor; that the said drainage work as then constructed, in addition to draining large parts of Tilbury West (then including Tilbury North) was the trunk outlet for the drainage for large areas in Romney, Mersea and Tilbury East, some 46,400 acres in all, as more fully appears by the report of Wm. Newman, C.E., set forth in Schedule A hereinafter referred to; that in the year 1896 the said drainage work had become out of repair and was insufficient to retain and carry off the waters brought into it and damages were caused thereby to the lands and roads along the course of the drainage work in Tilbury West and actions and suits-at-law were threatened against the township of Tilbury West for such damages by the owners of the lands so damaged and demands were made upon the said township to improve and repair the said work; that the townships of Romney and Mersea had enlarged the various drains in their respective municipalities bringing waters into said drainage works; and said townships then contemplated and since carried out further extensions of the drains in their respective municipalities conveying waters to the said Big Creek Drain, and necessitating the enlargement thereof; that being advised upon the law that they were legally bound to keep the drain in repair, and knowing that simply restoring it to its original size would leave it wholly inadequate, the township of Tilbury West in the year 1896 began proceedings under *The Drainage Act, 1894*, and amendments, for the repair

and improvement of the said drainage work, and procured an engineer, Wm. Newman, Esq., P.L.S., a person competent for that purpose, to examine and report upon the same and to make an assessment of the lands and roads liable to be assessed as provided for by the said Act and amendments; that the said engineer made such examination and reported thereupon to the Council of the township of Tilbury West by his written report dated the 15th February, 1897, whereby he recommended the repair, extension and improvement of the said work at an estimated cost of \$45,673, and he assessed and charged the said sum against the lands and roads in the townships of Tilbury North, Tilbury West, Tilbury East, Romney and Mersea in the following proportions:—

Tilbury North, the sum of	\$14,730 90	
Tilbury West, “	13,260 70	15
Tilbury East, “	1 911 60	
Romney, “	7,748 20	
Mersea, “	8,021 60	

and the Engineer prepared and submitted to the council plans including profiles of the proposed work; that the said report, estimate and assessment and the plans, and specifications of the work so recommended were received by the council of the township of Tilbury West and were adopted, and pursuant to section 61 of said Drainage Act copies of the said report, plans, specifications, assessment and estimates were served upon the heads of the municipalities of Mersea, Romney, Tilbury East and Tilbury North above mentioned in the months of February or March, 1897; that no appeal was taken from or against the said report, plans, specifications, assessment and estimates by any of the municipalities interested (except by Tilbury East whose appeal was settled) and the township of Tilbury West held a Court of Revision and finally settled the assessments within Tilbury West and on the 3rd day of July, 1897, finally passed their by-law (numbered 45) adopting the same and authorizing the proposed work and the issue and sale of their debentures to pay their portion of the cost of the same and levying the assessment therefor, and a copy of the said by-law containing a true copy of the said report, specifications, estimates and assessments is set forth in the Schedule hereto annexed and marked A; all the other townships interested being Mersea, Romney, Tilbury East and Tilbury North held Courts of Revision and finally settled the assessments within their respective municipalities and finally passed similar by-laws adopting the said report, plans, specifications, assessments and estimates and authorizing the issue and sale of debentures to raise their respective proportions of the cost of said drainage work and authorizing the payment over of the same to the township of Tilbury West; the by-law of the township of Mersea was finally passed on the 31st day of July, 1897, and is by-law number 579 of said Township of Mersea; the by-law of the township of Romney was finally passed on the 11th day of

October, 1897, and is by-law number 601 of the said Township of Romney; the by-law of the township of Tilbury East was finally passed on the 22nd day of November, 1897, and is by-law number 35 of the said Township of Tilbury East; the by-law of the township of Tilbury North was finally passed on the 10th day of July, 1897, and is by-law number 76 of the said Township of Tilbury North; that after the time for appealing against the said report had elapsed and after it was ascertained that there were no appeals the township of Tilbury West issued and sold their debentures and through the Commissioners appointed by their said by-law, advertised for tenders, and on the 3rd day of July, 1897, let the contracts for the said work, and the work was actively and vigorously prosecuted until the same was accepted as complete in the year 1898; that the township of Tilbury West under the provision of section 77 of said Act advanced moneys out of the general funds of the township to expedite and complete said work in anticipation of the levies and collections therefor; the township of Mersea issued and sold its debentures, and on or about the 21st day of June, 1898, paid its proportion of the said costs over to the township of Tilbury West; the township of Tilbury East issued and sold its debentures, and on or about the 31st day of March, 1898, paid its proportion of the said cost over to the township of Tilbury West; the township of Tilbury North issued and sold its debentures, and on or about the 15th day of January, 1898, paid its proportion of the said cost over to the township of Tilbury West, and the township of Tilbury West and all the other municipalities aforesaid including the township of Romney have gone on under their said by-laws and have levied and collected rates that have accrued due since the final passing of their said by-laws, but the township of Romney owing to the legal proceedings hereinafter referred to has not yet paid over its proportion of the cost of the said work nor any portion thereof, although it has negotiated for the sale of its debentures and has collected the rates from the ratepayers assessed within its municipality; that in completing the said work as aforesaid the township of Tilbury West has expended in all the sum of \$47,745.71 being the amount of the sums raised by the sale of their own debentures together with the amounts received from the townships of Mersea, Tilbury East and Tilbury North and the sum of \$9,956.07 advanced by the township of Tilbury West out of their general funds which were raised by special loan on the credit of the general funds of the township of Tilbury West in anticipation of the amount that was charged against lands and roads in Romney being paid over to the township of Tilbury West and trusting implicitly that they would be able to recoup the general funds with the money to be raised by Romney under its said by-law as finally passed; that the said drainage work in its operation since completion has proved to be a most successful and useful work and all the municipalities assessed have derived great advantage therefrom and in the township of Romney particu-

larly the fullest advantage has been taken of the facilities for
 better drainage afforded by the said work ; and since the con-
 struction of the said work Romney and the land owners therein
 have constructed or enlarged drains having outlets directly or
 indirectly into the said Big Creek Drain and have completed a 5
 most efficient system or net work of main drains and lateral
 drains, by means of which thousands of acres in Romney have
 been brought under successful cultivation that could not have
 been successfully cultivated before ; and while the east branch
 of Big Creek was in the course of construction by the town- 10
 ship of Tilbury West, the township of Romney for its own
 purposes let a contract to the contractor upon that portion of
 the work for the further enlargement and improvement of the
 said east branch at a cost of \$1,000 and caused such work to
 be done ; that the township of Romney issued its debentures 15
 and began negotiations for the sale of the same but before the
 same were finally sold and although after the time had elapsed
 in which the said by-law could be moved against, an action
 was begun against Romney at the suit of one of Romney's
 ratepayers assessed for the said work, namely, The Sutherland 20
 Innes Company, Limited, a Joint Stock Company holding
 several hundred acres of land in Romney and not engaged in
 agricultural pursuits but solely in the manufacture of cooper-
 age stock, whereby it was sought to have the said by-law of
 Romney declared ultra vires and void and to have the town- 25
 ship of Romney enjoined from further proceeding with the
 said by-law or disposing of the said debentures ; that the said
 action was tried before the Hon. Mr. Justice Ferguson at Chat-
 ham and on the 6th day of September, 1898, judgment was de-
 livered dismissing the action with costs ; that the said Suther- 30
 land Innes Company, Limited, appealed from the said decision
 to the Court of Appeal and the appeal was heard by the court
 composed of the Hon. Sir George W. Burton, Chief Justice, the
 Hon. Mr. Justice McLennan, the Hon. Mr. Justice Moss and the
 Hon. Mr. Justice Lister, and on the 14th day of November, 1899, 35
 the said court delivered judgment and unanimously concurred
 in dismissing the appeal with costs ; the plaintiffs further
 appealed to the Supreme Court of Canada and their appeal
 was heard before that court composed of the Hon. Mr. Justice
 Taschereau, the Hon. Mr. Justice Gwynne, the Hon. Mr. Jus- 40
 tice Sedgewick and the Hon. Mr. Justice Girouard, the Hon.
 the Chief Justice and the Hon. Mr. Justice King being absent,
 and on the 4th day of October, 1900, judgment was delivered by
 the Supreme Court allowing the appeal and declaring that the
 attempt to impose any charge upon the plaintiffs' lands was 45
 without authority or jurisdiction and enjoining and restrain-
 ing Romney from taking any further steps or proceedings
 under their said by-law No. 601 ; that although the township
 of Tilbury West was not a party to the action of Sutherland
 vs. Romney and although the said report, plans, specifications, 50
 assessment and estimates are not in express terms declared
 invalid by the said judgment of the Supreme Court, yet the
 effect of the said judgment is to cast great doubt upon the

validity of the proceedings of the township of Tilbury West and of the said report and assessment as well as upon the proceedings of all the other municipalities which have passed by-laws and issued and sold debentures and which are and have
 5 been levying rates under their said by-laws, and the township of Romney now finds itself unable to sell its debentures and unable to raise its proportion of the cost of the work to be paid over to the township of Tilbury West and the township
 10 of Tilbury West is unable to recoup its general funds in respect of the moneys advanced and appropriated in anticipation of the receipt from Romney of its portion of the cost of the work; that the council of the township of Romney has all along expressed its willingness to raise and pay over its township's proportion of the cost of the said work and from
 15 the commencement of the work has urged the township of Tilbury West on with the same, and is yet ready and willing to pay so much of their said assessment as can be validly charged against the lands assessed in the said township; that all the other townships interested are desirous of seeing
 20 the proceedings of the township of Tilbury West above referred to confirmed by your honorable body and that such confirmation should extend to the by-laws and assessments and proceedings of such other townships as well.

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

1. The said by-law of the said, the township of Tilbury West, being by-law number 45 of the said township, a copy
 30 of which is set forth in the schedule hereto, marked A, and the report and assessment of Engineer Newman therein set forth are hereby validated and confirmed. By-law of Tilbury West confirmed.

2. The said by-law of the said, the township of Mersea, being by-law number 579 of the said township, subsidiary
 35 to the said by-law of the said township of Tilbury West, finally passed on the 31st day of August, 1897, is also hereby validated and confirmed. By-law of Mer sea confirmed.

3. The said by-law of the said, the township of Romney, being by-law number 601 of the said township, subsidiary to
 40 the said by-law of the said township of Tilbury West, finally passed on the 11th day of October, 1897, is also hereby validated and confirmed. By-law of Romney confirmed.

4. The said by-law of the said, the township of Tilbury East, being by-law number 35 of the said township, subsidiary to
 45 the said by-law of the said township of Tilbury West, finally passed on the 22nd day of November, 1897, is also hereby validated and confirmed. By-law of Tilbury East confirmed.

By-law of
Tilbury North
confirmed.

5. The said by-law of the said, the township of Tilbury North, being by-law number 76 of the said township, subsidiary to the said by-law of the said township of Tilbury West, finally passed on the 10th day of July, 1897, is also hereby validated and confirmed.

5

Debentures
validated.

6. The debentures issued by the said several municipalities to provide the money for the said drainage work shall be valid in the hands of the purchasers and shall be binding upon the corporation issuing them to the extent of the money actually advanced on the security and interest thereon according to the provisions of the same, and the said several by-laws shall not be quashed or set a side on any ground whatever.

10

Application
of provisions
of Rev. Stat.,
c. 226.

7. The provisions of *The Municipal Drainage Act* shall apply to the said drainage work and to the said report and assessment and the said by-laws and the proceedings thereunder and to the future repair and maintenance of the said drainage work.

15

SCHEDULE A.

BY-LAW No.—

A By-Law to provide for extending and for otherwise improving Big Creek, in the Townships of Tilbury North and Tilbury West, and for borrowing on the Credit of the Municipality of Tilbury West, the sum of (\$13,487.30) the proportion to be contributed by said Municipality of Tilbury West for completing the same. Provisionally adopted the fifteenth day of March, A. D., 1897, and amended the tenth day of May, A. D., 1897.

Whereas a drain, known as "Big Creek Drain," was constructed in the Township of Tilbury West, as originally constituted under the authority of the Ontario Drainage Act, and much greater quantities of surface water are collected and drained into it by the Municipality of Romney, in the County of Kent, and the Municipality of Mersea, in the County of Essex, as well as by the said Municipality of Tilbury West, now divided into the Municipalities of Tilbury North and Tilbury West, than the said drain is capable of carrying off, and the said drain is used by the said Municipalities as an outlet for surface water, and the water so brought into the said drain by the Municipalities of Romney and Mersea as well as by the Municipalities of Tilbury North and Tilbury West, cause the said surface water from the Municipalities to flow upon and injure the lands in the Townships of Tilbury North and Tilbury West.

And whereas complaints have been made from time to time to the Municipality of Tilbury West of such overflow and injury to said lands therein, and of the insufficient outlet, and it is necessary to extend and improve the outlet to said drain, and otherwise to improve the drain, in order to provide for such water and prevent such overflow and injury of said lands.

And whereas a drain known as "Trembley Creek Drain," being a branch of Big Creek Drain, was constructed in the original Township of Tilbury West and in Tilbury East, under the authority of the Ontario Drainage Act, at the same time as the Big Creek Drain was constructed, and much greater quantities of surface water are collected and drained into it by the

Township of Tilbury East, in the County of Kent, as well as by the present Municipality of Tilbury North, than the said drain is capable of carrying off, and the water so brought into the said drain cause the surface water to flow upon and injure lands in the Township of Tilbury North.

And whereas complaints have been made to the Municipality of Tilbury West of such overflow and injury to the said lands therein, and of the want of sufficient outlet, and it is necessary to extend and improve the said drain to provide for such water and prevent such overflow and injury of said lands.

And whereas it is necessary to prevent the waters coming down Big Creek proper from overflowing the lands adjacent to Trembly Creek near the junction of Trembly Creek with Big Creek, and it is also necessary to prevent the water coming down Trembly Creek from overflowing the lands near the said junction of the two creeks, that both of the said creeks should be embanked for a sufficient distance to prevent such overflow and that such embankment should be continued northerly a sufficient distance to confine the waters until they reach the Grand Trunk Railway.

And whereas the said council of Tilbury West has procured an examination to be made by Wm. Newman, civil engineer, being a person competent for such purpose, to examine and report on the said drains and the means suggested for the improvement thereof, and procured him to make an examination of the localities affected by said drains and of the outlet proposed to be improved and extended, and of the lands and roads liable to assessment under the Drainage Act, 1894, and amending Acts, and has also procured plans, specifications, and estimates of the drainage work to be made by the said William Newman, and an assessment to be made by him of the lands and roads to be benefitted by such drainage works, and all other lands and roads liable for contribution thereto, stating as nearly as he can the proportion of benefit, outlet liability and injuring liability which in his opinion will be derived or incurred in consequence of such drainage works by every road and lot, or portion of lot, the said assessment so made being the assessment of the lands and roads in the said Municipalities of Tilbury North, Tilbury West, Tilbury East, Romney and Mersea, respectively, as are set out in the report of the said engineer as hereinafter set forth, and the report of the said William Newman, C. E., in respect thereof, and of the said drainage works, being as follows:—

WINDSOR, February 12th, 1897.

To the Reeve, Deputy-Reeve and Council of the Township of Tilbury West :

Gentlemen,—In compliance with instructions received from your honorable body, whereby I was instructed to make an examination, survey, plans, report, etc., of Big Creek Drain and its branches in your township and the Township of Tilbury North, I have made the necessary examination, survey, plans, etc., and now beg to report as follows :

LOCATION OF CREEK.

Big Creek joins the River Thames a short distance easterly of where the river joins Lake St. Clair, thence following the creek up stream it takes a southerly course from its junction with the River Thames for a short distance to where it is crossed by the Grand Trunk Railway, thence it continues in a generally southerly direction for about half a mile where it divides, one branch known as Baptiste Creek, taking a south easterly direction into the township of Tilbury East, in the County of Kent. The main branch or Big Creek, taking a south westerly direction for about a mile and a half, when another branch known as Trembly Creek branches off, taking a southerly direction. The main creek from the junction of Trembly Creek on lot 20, in the 1st concession, of the Township of Tilbury North, takes a south westerly direction to the 2nd concession road on lot 18. Thence it takes a generally southerly course, until the 7th concession road is reached, when it divides on lot 15, in the 7th concession, the westerly branch taking a west and south course, until the townline between Mersea and Tilbury West is reached. On the line between lots 11 and 12 in the

11th concession, of the township of Tilbury West, there connecting with artificial drains from the township of Mersea. The east branch takes a south-easterly direction, until the townline between Tilbury North and Romney is reached, at the north west angle of Romney, there connecting with artificial drains, from the township of Romney, in the County of Kent. The drainage work heretofore constructed in Big Creek and its branches by local assessment, extended as far north as the 4th concession road or thereabouts in Tilbury North. In the Trembly Creek, the drainage work constructed by local assessment extended north to a point in the 2nd concession just north of the Canadian Pacific Railway. The whole work having been originally constructed in one scheme, under the Ontario Drainage Laws :

DRAINAGE AREA OF BIG CREEK PROPER.

In the township of Tilbury North there are about	11500 acres
In the township of Mersea	9800 acres
In the township of Tilbury West	15600 acres
In the township of Romney	9500 acres

Thus making a total of about 46400 acres
of land, the water of which is carried by Big Creek to a point where it is joined by Trembly Creek.

“DRAINAGE AREA OF TREMBLY CREEK.”

There are about 4,500 acres of land in the township of Tilbury North, the waters of which drain into Trembly Creek. In the township of Tilbury East there are about 4,600 acres the waters of which drain into Trembly Creek : thus making a grand total of 55,400 acres of land draining into Trembly Creek, Big Creek and its branches, and thence by the main channel of Big Creek to the River Thames. The present channel of Big Creek being too small to retain and carry off the waters draining into it, and as a large percentage of this enormous area is being rapidly cleared and converted into farming land, it will be seen that a much larger outlet is required than the present channel of Big Creek.

“CONDITION OF DRAINS.”

I find that the Big Creek drainage works in many places are badly in need of repairing and enlarging, so as to enable them to carry the waters off the lands originally intended to be drained, and discharge them beyond the Grand Trunk Railway, and thus prevent damage to the lands in Tilbury West and Tilbury North.

There are a number of places on both the east and west branches of Big Creek, where the sides of the drain have slid in, and trees, brush, etc., have grown up in the sides of the drain, until the capacity of the drain is not much more than half what it was when first constructed.

“PLAINS AND WET WOOD LANDS.”

In the Township of Tilbury North there are about 4,500 acres of open plains and wet wood lands, which are subject to floods at every freshet ; caused by the waters of the Big Creek, including the Trembly Creek branch, overflowing their banks and spreading over the entire district. The greater portion of the plains are from one to three feet above the level of the lake, and will be greatly benefited by the proposed dyking, which is designed to prevent the overflow of the waters.

The lands in the southern part of the Township of Tilbury North, in the south and easterly portions of Tilbury West, in the north and north-easterly portions of Mersea, in the south-easterly part of Tilbury East, and the north and north-westerly parts of Romney, are composed of a large and almost level district with a slight decline in a generally north-westerly and northerly direction.

In the southerly parts of Tilbury North and Tilbury West, the east and west branches of Big Creek take their rise, and flow in a northerly direction, until they reach the River Thames, near Lake St. Clair. The town-

ships whose lands are assessed for the Big Creek drainage work have constructed a regular system of drains in their respective townships for miles, which conduct their waters into the Big Creek drainage works, and thence into the River Thames, and the drains in their system have been enlarged and improved from time to time, conducting greater volumes of water into the Big Creek drain, and thereby causing the overflowing of the banks, and damage to the adjacent lands.

In order to better maintain this drain and its branches, and to prevent damage to lands and roads affected thereby, I recommend that the drain be cleaned out and enlarged, commencing in the west branch at the Mersea and Tilbury West townline, and in the east branch at the Romney and Tilbury North townline, and that the outlet be improved and the drainage works be extended north to a point beyond the Grand Trunk Railway.

I further recommend that a dyke be built on each side of Big Creek from the Grand Trunk Railway to the Canada Southern Railway, and that the Trembly Creek Branch be dyked from its junction with the main channel of Big Creek to the Canadian Pacific Railway lands, all in accordance with the plans, profiles, and specifications of the works submitted herewith.

“ TREMBLY CREEK BRANCH.”

It is necessary in order to protect the lands lying at or near the junction of Trembly Creek Branch with Big Creek proper, to embank both channels, as the waters coming down either would overflow the lands adjoining both the Trembly Creek Branch and Big Creek proper, and a better outlet is provided by my scheme for the waters of Trembly Creek.

I have therefore taken the two creeks up together and assessed all the lands lying north of the 3rd Concession Road in Tilbury North as if they were all in one creek flats, but the lands lying south of the 3rd Concession Road whose waters find an outlet in Trembly Creek. I have assessed with what I consider a fair proportion of the cost of the works on Trembly Creek, and on Big Creek, from where it is joined by Trembly Creek to the Grand Trunk Railway Bridge. All the lands in Tilbury East that are assessed find an outlet for their waters in Trembly Creek, and therefore I have assessed them the same as lands in Tilbury North whose waters find an outlet in Trembly Creek, that is with a fair proportion of the costs of improving Trembly Creek from the Canadian Pacific Railway to its junction with Big Creek and Big Creek from its junction with Trembly Creek to the Grand Trunk Railway.

“ DRAIN OUTLETS.”

In my estimate I have provided for a sufficient number of automatic outlets for all lateral drains entering Big Creek between the Canadian Southern Railway and the Grand Trunk Railway. These outlets are composed of cast iron pipe and vitrified sewer pipe, with automatic valves on the inner end, and arranged in such a manner that they remain closed when the water is high in the creek, and open when the water is low in the creek and high on the adjoining lands.

“ HIGHWAY BRIDGES.”

I have provided in my estimate for the construction of six new Highway Bridges and the repairing of one old Highway Bridge in the Township of Tilbury North, at an estimated cost of \$3,600. In the Township of Tilbury West, I have provided for the construction of three new and the repairing of two old Highway Bridges, at an estimated cost of \$1,700, making a total estimate of \$5,300 for bridges. Of this amount I have assessed the drainage system with \$2,118.75, the Municipality of Tilbury north with \$2,081.75, and the Municipality of Tilbury West with \$1,100, as is provided in Sub-section 1 of section 9 of the Drainage Act of 1894. All the Highway Bridges are to be composed of one single span, set on stone abutments, and built in a first class manner. It is useless to spend large sums of money for drainage works, and allow them to be practically dammed up by improperly constructed bridges. The new Iron Bridge on the 3rd Concession Road is too low, and its abutments should be raised at least two feet, in order to raise the bridge above any possible chance of the waters flowing over it. I have provided for this in my estimate.

"FARM BRIDGES."

In my estimate I have provided for the following Farm Bridges one over main channel of Big Creek on Lot 15 M. R. N. cost \$30, one over East Branch of Big Creek on Lot 16 in the 7th Concession cost \$25, one over East Branch of Big Creek on Lot 17 in the 7th Concession cost \$25, one on Lot 17 in the 8th Concession cost \$25, one over West Branch on Lot 14 in the 7th Concession cost \$50, one over West Branch on Lot 12 in the 9th Concession cost \$25, being a total cost for Farm Bridges of \$180 and I have fixed the said sums as the value to be paid to the respective owners of the said land for the construction and enlargement of the said bridges, as provided in section 9 sub-section three, Drainage Act, 1894.

My estimate of the cost of the whole of the above works, as per plans and specifications is the sum of \$41,521.

To this amount I have added 10 per cent. for incidental expenses making a total estimate of \$45,673.

Of this sum I have assessed the Township of Tilbury North with the sum of \$11,389.15 on lands, the sum of \$761 on roads, the sum of \$2,081.75 for bridges, thus making the total assessment of Tilbury North, \$14,730.90 as set forth in the schedule of assessment hereto annexed.

I have assessed the Township of Tilbury West with the sum of \$11,512.70 on lands, the sum of \$640.00 on roads, the sum of \$1,100.00 for bridges, thus making the total assessments of Tilbury West \$13,260.70 as set forth in the schedule of assessment hereto annexed.

I have assessed the Township of Tilbury East with the sum of \$1,798.80 on lands, the sum of \$112.80 on roads, thus making the total assessment of Tilbury East \$1,911.60 as set forth in the schedule of assessment hereto annexed.

I have assessed the Township of Romney with the sum of \$7,353.20 on lands, and with the sum of \$395.00 on roads, thus making the total assessment of Romney \$7,748.20 as set forth in the schedule of assessment hereto annexed.

I have assessed the Township of Mersea with the sum of \$7,608.80 on lands and the sum of \$412.80 on roads, thus making the total assessment of Mersea \$8,021.60 as set forth in the schedule of assessment hereto annexed.

The material from the drain shall be disposed as shown by the specifications submitted herewith.

I would recommend that this drainage work be carried out in every particular as set forth in this report and as more fully described in the specifications, plans and drawings, which you will find accompanying this my report.

I would further recommend that the drainage work be kept up and maintained at the expense of the lands and roads in the different Municipalities assessed for its repairs and improvements, and in proportion to the assessments herein contained, until otherwise determined by an Engineer under the provisions of the Drainage Act and amendments thereto.

Accompanying this my report you will find copies of this report, specifications plans and drawings, for services upon the Townships of Tilbury North, Tilbury East, Romney and Mersea, as is provided in section 61 of the Drainage Act of 1894.

All of which is respectfully submitted.

WM. NEWMAN.

Engineer for Tilbury West.

DETAILED ESTIMATES.

	Estimated	10% for
	cost of work.	Incidentals.
Dyking main channel of Big Creek from the Grand Trunk Railway bridge to Trembley Creek, a distance of about 9,600 feet (at sixty cents per foot)	\$ 5,760 00	\$ 576 00

From Junction Trembly Creek with Big Creek proper southward on Trembly Creek to the Canadian Pacific Railway, a distance of about 8,000 feet (at 45 cents per foot)	Estimated cost of work.	3,600 00	10% for Incidentals.	360 00
From Junction of Trembly Creek with Big Creek following Big Creek to the Canada Southern Railway Bridge, a distance of about 26,200 feet (at 60 cents per foot)		15,720 00		1,572 00
Total estimate for dredging	\$	25,080 00	\$	2,508 00
From Canada Southern Railway to Concession 7 road, a distance of about 13,800 feet.....	\$	3,650 00	\$	365 00
East Branch of Big Creek from its Junction Main Creek to Townline between Tilbury North and Romney, a distance of 18,600 feet.....		2,281 00		228 00
West Branch of Big Creek from the 7th Concession Road to the 9th Concession Road, a distance of 16,400 feet.....		2200 00		220 00
West Branch of Big Creek from the 9th Concession Road to the Mersea and Tilbury West Townline a distance of 15,200 feet....		2,230 00		223 00
Total for dyking and excavating....	\$	36,041 00	\$	3,604 90
BRIDGES IN TILBURY NORTH.				
New bridge over Trembly Creek on Tecumseh Road	\$	500 00	\$	50 00
Rising abutments of Iron Bridge on 3rd Concession		100 00		10 00
New bridge on Big Creek, on 4th Concession Road		800 00		80 00
New bridge over Big Creek, on 5th Concession Road		700 00		70 00
New bridge over East Branch of Big Creek, on 8th Concession Road.....		500 00		50 00
New bridge on 18 and 19 Sideroad.....		500 00		50 00
New bridge over East Branch of Big Creek, on the 9th Concession Road.....		500 00		50 00
Total for bridges in Tilbury North.....	\$	3600 00	\$	360 00
BRIDGES IN TILBURY WEST.				
Repairing Middle Road Bridge over Big Creek	\$	100 00	\$	10 00
New bridge on 12 and 13 Sideroad, over West Branch of Big Creek.....		500 00		50 00
New bridge on 9th Concession Road, over West Branch of Big Creek.....		500 00		50 00
New bridge on 10th Concession Road over West Branch of Big Creek.....		500 00		50 00
Repairing bridge on 11th Concession Road over West Branch of Big Creek.....		100 00		10 00
Total for bridges in Tilbury West	\$	1700 00	\$	170 00
Seven farm bridges in Tilbury North and West		180 00		18 00
Total for bridges in Tilbury North and West	\$	5480 00	\$	548 00
Total estimate for construction.....	\$	41523 00	\$	4152 00
Total for incidental expenses.....		4152 00		
Total estimate.....	\$	45673 00		
Windsor, Feb. 15th, 1897.			WM. NEWMAN, C. E.	

SCHEDULE A.

SCHEDULE of lands and roads in the Township of Tilbury West assessed for the repairing, improving and extending of Big Creek drain and its branches in the Townships of Tilbury North and Tilbury West, together with the amount which each lot or part of lot and road should bear and pay towards said improvement.

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owner's name.	Value of benefit.	Value of out et liability.	Value of injuring liability.	Total value of improvement.
11	w half 4	100	Cyrus Malett		\$50 00	\$30 00	\$80 00
	w half e half 4	50	Samuel Lynn		25 00	15 00	40 00
	e half e half 4	50	Albert Lynn		25 00	15 00	40 00
	w half 5	100	Wm. Calder		50 00	30 00	80 00
	e half 5	100	David Lynn		50 00	30 00	80 00
	s part 6	99	H. A. Nelson		49 50	29 70	79 20
	s quarter n half 6	25	Samuel Stein		12 50	7 50	20 00
	n three-quarters n half 6	75	Wm. Elliott		37 50	22 50	60 00
	s half 7	100	James McCracken		50 00	30 00	80 00
	n half 7	100	James Vanhorne		50 00	30 00	80 00
	n quarter 8	50	Henry White		25 00	15 00	40 00
	w one-third s three-qrs. 8	50	J. Jerrycery		25 00	15 00	40 00
	middle third s three qsr. 8	50	M. R. Anderson		25 00	15 00	40 00
	e one-third s three-qrs. 8	50	D. Kinsman		25 00	15 00	40 00
	w half s half 9	50	D. Kinsman		25 00	15 00	40 00
	w half n half 9	50	Francis Birce		25 00	15 00	40 00
	w half e h-lf 9	50	R. Kiosman		25 00	15 00	40 00
	e half e half 9	50	John Kinsman		25 00	15 00	40 00
	w half s half 10	50	A. R. Lundergast		25 00	15 00	40 00
	e half s half 10	50	Wm. Hannah		25 00	15 00	40 00
	w h-lf n half 10	50	C. Pett t		25 00	15 00	40 00
	e half n half 10	50	James Lindsay		25 00	15 00	40 00
	e half n half 11	50	S. Reive		25 00	15 00	40 00
	w half n half 11	50	Non resident		25 00	15 00	40 00
	s half 11	100	Non resident		50 00	30 00	80 00

w half s half 12	50	James McIntosh	25 00	15 00	40 00
e half s half 12	50	John Tilson	25 00	15 00	40 00
w half n half 12	10	Charles Mongeon	25 00	15 00	40 00
e half n half n half 12	50	R. Robb	25 00	15 00	40 00
n half 13	100	M. Pendergast	50 00	30 00	80 00
s half 13	100	S. Kitchen	50 00	30 00	80 00
w half 14	100	I. Wilson	50 00	30 00	80 00
e half 14	100	John McIntosh	50 00	30 00	80 00
w half 15	100	John McNarland	50 00	30 00	80 00
e half 15	100	John Thompson	50 00	30 00	80 00
s half 16	100	W. W. Lang	50 00	30 00	80 00
e three quarters n half 16	75	A. Shauffer	37 50	22 50	60 00
e quarter n half 16	25	W. Story	12 50	7 50	20 00
lot 17	200	Cameron estate	100 00	60 00	160 00
w half s half 18	50	Thomas Buchanan	25 00	17 00	40 00
w half n half 18	50	A. Buchanan	25 00	15 00	40 00
e half 18	100	D. Johnston	50 00	30 00	80 00
n quarter w half 19	25	W. Owens	12 50	7 50	20 00
s three-quarters w half 19	75	W. J. Bell	37 50	22 50	60 00
w half e half 19	50	Thomas Bell	25 00	15 00	40 00
e half e half 19	50	David Bell	25 00	15 00	40 00
s half 20	44	H. Powell	22 00	13 20	35 20
n half 20	44	J. T. Gahan	22 00	13 20	35 20
lot 4	200	Cameron estate	100 00	60 00	160 00
w half s half 5	50	D. Chatterton	25 00	15 00	40 00
e half s half 5	50	W. Warren	25 00	15 00	40 00
w half n half 5	50	Mrs. J. Bell	25 00	15 00	40 00
e half n half 5	50	W. Dalgleish	25 00	15 00	40 00
n quarter 6	50	Jane Varnidour	25 00	15 00	40 00
s part n half 6	49	W. M. Goathle	24 50	14 70	39 20
n half s half 6	50	R. McNaughton	25 00	15 00	40 00
s half s half 6	50	James Crozier	25 00	15 00	40 00
w half 7	100	William Ludlam	50 00	30 00	80 00
e half 7	100	J. N. Dutot	50 00	30 00	80 00
w half 8	100	James Dutot	50 00	30 00	80 00
e half n half 8	50	George Taylor	25 00	15 00	40 00
e half s half 8	50	Mrs. J. Truskey	25 00	15 00	40 00
e half n half 9	50	H. Watson	25 00	15 00	40 00
e half s half 9	50	J. E. Manley	25 00	15 00	40 00

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of Acres.	Owner's name	Value of benefit	Value of outlet liability.	Value of injuring liability.	Total value of improvement.
	e half n half w half 9	25	A. Vanidour	.....	12 50	7 50	20 00
	e half s half w half 9	25	N. Ryckman	.....	12 50	7 50	20 00
	w quarter 9	50	G. A. and W. J. Taylor	.....	25 00	15 00	40 00
	w half s half 10	50	Ed. Jory	.....	25 00	15 00	40 00
	w half n half 10	50	Alexander Sova, Jr	.....	25 00	15 00	40 00
	e half 10	100	N. Nelson	.....	50 00	30 00	80 00
	e half n half 11	50	Eli Uleh	.....	25 00	15 00	40 00
	w half n half 11	50	Thomas Uleh	.....	25 00	15 00	40 00
	w half s half 11	50	Wm. Magee	.....	25 00	15 00	40 00
	e half s half 11	50	John Magee	.....	25 00	15 00	40 00
	s half 12	100	William Traquair	.....	50 00	30 00	80 00
	s half n half 12	50	A. Washburn	.....	25 00	15 00	40 00
	n half n half 12	50	James Wilson	.....	25 00	15 00	40 00
	n part 13	99	John Mellow	.....	49 50	29 70	79 20
	n half s half 13	50	D. Strang	.....	25 00	15 00	40 00
	s half s half 13	50	R. Parish	.....	25 00	15 00	40 00
	n half 14	100	John A. Mellow	.....	50 00	30 00	80 00
	s half 14	100	John Traquair	.....	50 00	30 00	80 00
	n three-quarters n half 15	75	George Hobbs	.....	37 50	22 50	60 00
	s quarter n half 15	25	Thomas Dunmore	.....	12 50	7 50	20 00
	w half s half 15	50	Thomas Dunmore	.....	25 00	15 00	40 00
	w half s half 16	50	W. Storey	.....	25 00	15 00	40 00
	e half s half 16	50	P. Donohue	.....	25 00	15 00	40 00
	w half n half 16	50	Ed. Falconer	.....	25 00	15 00	40 00
	e half n half 16	50	Canada Co	.....	25 00	15 00	40 00
	w half n half 17	50	F. Benoit	.....	25 00	15 00	40 00
	e half n half 17	50	R. McKeown	.....	25 00	15 00	40 00

w half s half 17	50	D. Dalgleish	25 00	15 00	40 00
e half s half 17	50	James Gahan	25 00	15 00	40 00
s half n half 18	50	Peter Marchand	25 00	15 00	40 00
n half n half 18	50	W. Glazier	25 00	15 00	40 00
s half s half 18	50	S. Moffatt	25 00	15 00	40 00
n quarter s half 18	25	Peter Marchand	12 50	7 50	20 00
s half n half s half 18	25	Jos. Marchand	12 50	7 50	20 00
s half n half 19	50	Jos. Marchand	25 00	15 00	40 00
n half n half 19	50	Wm. Benoit	25 00	15 00	40 00
n half s half 19	50	Ed. Marchand	25 00	15 00	40 00
s half s half 19	50	O. Aubier	25 00	15 00	40 00
Gore lot 20	84	E. Howland	42 00	25 20	67 20
s half 4	100	H. Lindsay	50 00	30 00	80 00
w part n half 4	50	Jennet Frazer	25 00	15 00	40 00
e half n half 4	50	R. W. Kennedy	25 00	15 00	40 00
n part 5	98 ³ / ₄	J. Corman	49 62	29 38	79 00
s part 5	96 ³ / ₄	John Calder	48 25	28 95	77 20
s half w half 6	50	R. W. Kennedy	25 60	15 00	40 00
n part w half 6	49	M. Lambert	24 50	14 70	39 20
e half 6	100	Andrew Wight	50 60	30 00	80 00
n half 7	100	R. Shanks	50 00	30 00	80 00
s half 7	100	George J. Jones	50 00	30 00	80 00
w half n half 8	50	W. Breen	25 00	15 00	40 00
e half n half 8	50	John Breen	25 00	15 00	40 00
w half s half 8	50	James Dutot	25 00	15 00	40 00
e half s half 8	50	R. Barton	25 00	15 00	40 00
w half n half 9	50	H. Breen	25 00	15 00	40 00
e half n half 9	50	M. A. Cowan	25 00	15 00	40 00
w half s half 9	50	O. Pearsall	25 00	15 00	40 00
e half s half 9	50	W. Henry	25 00	15 00	40 00
n half 10	100	John Shanks	50 00	30 00	80 00
e half s half 10	50	R. W. Kennedy	25 00	15 00	40 00
w half s half 10	50	R. W. Kennedy	25 00	15 00	40 00
w half n half 11	50	Lunday Sova	25 00	15 00	40 00
e half n half 11	50	Alexander Sova	25 00	15 00	40 00
w half s half 11	50	George Walker	25 00	15 00	40 00
w half e half s half 11	25	W. G. Stephenson	12 50	7 50	20 00
e quarter s half 11	25	John Beacom	12 50	7 50	20 00
n three-quarters 12	150	W. A. Mellow	75 00	45 00	120 00

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of Acres.	Owner's name.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of unproven ents.
	s quarter 12.....	50	D. Armstrong.....	.....	25 00	15 00	40 00
	lot 13.....	200	John Mellow.....	.....	100 00	60 00	160 00
	n hf 14.....	100	J. Storey.....	.....	50 00	30 00	80 00
	e hf s hf 14.....	50	J. Storey.....	.....	25 00	15 00	40 00
	w half s hf 14.....	50	M. Bould.....	.....	25 00	15 00	40 00
	w half s hf 15.....	50	C. Pettit.....	.....	25 00	15 00	40 00
	c half s hf 15.....	50	D. Straug.....	.....	25 00	15 00	40 00
	w half n hf 15.....	50	A. Pearson.....	.....	25 00	15 00	40 00
	c half n hf 15.....	50	A. Trudell.....	.....	25 00	15 00	40 00
	gore 4.....	20	R. Jackson.....	.....	10 00	6 00	16 00
8	gore 5.....	70	R. Jackson.....	.....	35 00	21 00	56 00
	n part 6.....	73	E. Heiser.....	.....	36 50	21 90	58 40
	s part 6.....	49	M. Lambert.....	.....	24 50	14 70	39 20
	n part 7.....	77	Agnes Harkness.....	.....	38 50	23 10	61 60
	s leaf s hf 7.....	50	R. M. Quech.....	.....	25 00	15 00	40 00
	n half s half 7.....	50	Non resident.....	.....	25 00	15 00	40 00
	w half n hf 8.....	50	E. Hillman.....	.....	25 00	15 00	40 00
	e leaf n half 8.....	50	J. McFadden.....	.....	25 00	15 00	40 00
	w half s half 8.....	50	W. Lindsay.....	.....	25 00	15 00	40 00
	e half s half 8.....	50	Jones Green.....	.....	25 00	15 00	40 00
	lot 9.....	200	C. Frankfurth.....	.....	100 00	60 00	160 00
	n hf 10.....	100	C. Thornton.....	.....	50 00	30 00	80 00
	s half 10.....	100	John Ford.....	.....	50 00	30 00	80 00
	w hf n hf 11.....	50	Thomas Lavitt.....	.....	25 00	15 00	40 00
	e hf n hf 11.....	50	Ed. Mitchell.....	.....	25 00	15 00	40 00
	s hf 11.....	100	H. Pettit.....	.....	50 00	30 00	80 00
	lot 12.....	200	R. Keith.....	.....	100 00	60 00	160 00
	s hf 13.....	100	C. Marchand.....	.....	60 00	30 00	90 00

e hf n hf 13.....	50 S. Hillman.....	25 00	15 00	40 00
n hf w hf n hf 13.....	25 A. Kendrick.....	12 50	7 50	20 00
s hf w hf n hf 13.....	25 C. Thornton.....	12 50	7 50	20 00
w hf n hf 14.....	50 E. Pearson.....	25 00	15 00	40 00
w hf n hf e hf 14.....	25 E. Pearson.....	12 50	7 50	20 00
w qr s hf 14.....	25 S. Hillman.....	12 50	7 50	20 00
centre pt s hf 14.....	50 M. J. Hillman.....	25 00	15 00	40 00
e qr 14.....	50 Jos. Thibert.....	25 00	15 00	40 00
n e cor w hf 15.....	4 S. Wymer.....	25	15	40
w pt n hf 15.....	49½ A. Pearson.....	24 75	14 85	39 60
e hf n hf 15.....	50 Jas Cotr. r.....	25 00	15 00	40 00
e lfs hf 15.....	50 H. Trudell.....	25 00	15 00	40 00
w qr s hf 15.....	25 Jos Thibert.....	12 50	7 50	20 00
e hf w hf s hf 15.....	25 A. Pearson.....	12 50	7 50	20 00
7 gore 8.....	27 C. MacDermott.....	13 50	8 10	21 60
w hf gore 9.....	40 R. Jackson.....	20 00	12 00	32 00
e hf gore 9.....	40 S. Jackson.....	20 00	12 00	32 00
w three-qr s hf 10.....	75 Wm. Brown.....	37 50	22 50	60 00
e qr s hf 10.....	25 Non-resident.....	12 00	7 50	20 00
n pt 10.....	30 Jno. Crauston.....	15 00	9 00	24 00
s hf 11.....	100 Jas Sellers.....	50 00	30 00	80 00
n hf 11.....	80 R. E. Dodson.....	40 00	20 00	64 00
w hf 12.....	100 R. Ford.....	50 00	30 00	80 00
e hf 12.....	100 A. Kendrick.....	50 00	30 00	80 00
n pt 13.....	90 J. McDowall.....	49 50	29 70	79 20
n hf s hf 13.....	50 S. McDowall.....	25 00	15 00	40 00
s hf s hf 13.....	50 Wm. McDowall.....	25 00	15 00	40 00
w hf n hf 14.....	50 Jno. McDowall.....	25 00	15 00	40 00
e hf n hf 14.....	50 S. Weymer.....	25 00	15 00	40 00
w hf s hf 14.....	50 A. Coulter.....	25 00	15 00	40 00
e hf s hf 14.....	50 R. J. Coulter.....	25 00	15 00	40 00
s hf 25.....	100 S. Palmer.....	50 00	30 00	80 00
w hf n hf 15.....	50 Geo. Wylie.....	25 00	15 00	40 00
e hf n hf 15.....	50 C. Wylie.....	25 00	15 00	40 00
w pt 5.....	110 George Buchanan.....	43 75	26 25	70 00
w pt e hf 5.....	85 Maggre Buchanan.....	42 50	25 50	68 00
w pt n hf 6.....	49 Geo-1 rankfurth.....	24 50	14 70	39 20
n e cor w hf n hf 6.....	1 Ed. Rathley.....	50	30	80
w hf s hf 6.....	50 E. H. ser.....	25 00	15 00	40 00

MRS

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of Acres.	Owner's name.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvements.
	pt e hf 6.....	97	Cameron estate.....	.....	48 50	29 10	77 60
	v lots 3, 4, 5, 6, 7, 8, 9, n hf 6.	14	Cameron estate.....	.....	62	38	1 00
	v lot 11 on n hf 6.....	1	H. Prov'd't & Loan Co.....	.....	25	15	40
	v lots 1 and 2 on n hf 6.....	1	Wm. Taylor.....	.....	25	15	40
	v lots 10, 11, 12 on n hf 6.....	3	Cameron Estate.....	.....	38	22	60
	s hf 7.....	100	D. McAllister.....	.....	50 00	30 00	80 00
	w pt n w qr 7.....	7	D. McAllister.....	.....	3 50	2 10	5 60
	e pt n hf 7.....	45	W. Burnard.....	.....	6 25	3 75	10 00
	v lots 7, 8, and 9 on 7.....	34	W. Harman.....	.....	12 50	7 50	20 00
	v lots 11 and 12 on 7.....	1	I. Ward.....	.....	25	15	40
	v lot 13 on 7.....	1-5	W. A. McIntosh.....	.....	10	06	16
	v lot 14 on 7.....	1-5	D. Enricken.....	.....	10	06	16
	v lots 15 and 16 on 7.....	2-5	Jas. Whales.....	.....	10	06	16
	v lot 17 on 7.....	1-4	C P. Coulson.....	.....	20	12	32
	v lot 21 on 7.....	1-5	Mann Estate.....	.....	10	06	16
	v lot 23 on 7.....	1-5	I. Ward.....	.....	10	06	16
	v lot 25 on 7.....	1-5	J. Goatbe.....	.....	09	05	14
	v lot 26 on 7.....	3	Augusta Fenner.....	.....	10	06	16
	v lot 27 on 7.....	1-5	F. Shultz.....	.....	12	08	20
	v lot 28 on 7.....	1-5	D. Voakes.....	.....	10	06	16
	v lot 29 on 7.....	1-5	D. McAllister.....	.....	10	06	16
	v lot 29 on 7.....	1	D. Voakes.....	.....	88	52	1 40
	s hf lot 8.....	100	John White.....	.....	25	15	40
	e hf 9.....	100	A. Halliday.....	.....	50 00	30 00	80 00
	w hf 9.....	100	W. Elliott.....	.....	12 50	7 50	20 00
	w half 10.....	100	J. S. Ainslie.....	.....	12 50	7 50	20 00
	e half 10.....	100	B. Roadhouse.....	.....	12 50	7 50	20 00
		100	W. Wallace.....	.....	12 50	7 50	20 00

s half 11.....	100	R. Shanks	25 00	15 00	40 00
s half 12.....	100	F. Lickman	31 25	18 75	50 00
w part n hf 13.....	49	R. E. Dodson	24 50	14 70	39 20
e pt n hf 13.....	50	Wm. Dodson	25 00	15 00	40 00
s hf 13.....	100	Geo. Wiley.....	50 00	30 00	80 00
s hf 14.....	100	S. Alexander.....	50 00	30 00	80 00
n hf 14.....	100	A. Holmes.....	50 00	30 00	80 00
n hf 15.....	100	Harry Rowson	50 00	30 00	80 00
n hf 15.....	100	A. Holmes.....	50 00	30 00	80 00
s pt 5.....	97	A. Fenner.....	48 50	29 10	77 60
s e cor 6.....	1	E. Lindsay.....	50 50	30	80
w pt s hf 6.....	46	S. Taylor.....	23 00	13 80	36 80
v lot 1 & 2 on 6.....	1	Jas. Kerr.....	50	30	80
v lot 3 on 6.....	1-5	Butler Estate.....	10	06	16
v lot 4 on 6.....	1-5	S. J. Hughes.....	10	06	16
v lot 5 on 6.....	1-5	S. Whatley.....	10	06	16
v lot 6 on 6.....	1-5	S. Whatley.....	10	06	16
v lot 7 on 6.....	1-5	A. Taim.....	10	06	16
v lot 8 on 6.....	1-5	M. Kingswell.....	10	06	16
v lot s hf 9 on 6.....	1-8	Amy Hatcher.....	06	04	10
v lot n hf 9 on 6.....	1-8	John Lefavre.....	06	04	10
v lot 10 on 6.....	1-5	R. Buckley.....	10	06	16
v lot 11 on 6.....	1-5	Jas. Sellars.....	10	06	16
v lot n hf 12 on 6.....	1-10	R. H. Abbott.....	05	03	08
v lot s hf 12 on 6.....	1-10	E. Whatley.....	05	03	08
v lot s hf 13 on 6.....	1-10	A. J. Brown.....	05	03	08
v lot n hf 13 on 6.....	1-10	R. Riley.....	05	03	08
v lot 14 on 6.....	1-5	R. Kenyon.....	10	06	16
v lot 15 on 6.....	1-5	C. Frankfurth.....	10	06	16
v lot 16 on 6.....	1-5	D. McAlister.....	10	06	16
v lot 17 on 6.....	1-5	C. Clark.....	10	06	16
v lot 18 on 6.....	1-5	M. J. Roadhouse.....	10	06	16
v lot 19 on 6.....	1-5	J. T. Jordan.....	10	06	16
v lot 20 on 6.....	1-5	Pres. Manse.....	10	06	16
v lot 21 on 6.....	1-5	John Mellow.....	10	06	16
v lot 22 on 6.....	1-5	R. Anderson.....	10	06	16
v lot 23 on 6.....	1-5	M. Pendergast.....	10	06	16
v lot 24 on 6.....	1-5	J. J. Frankfurth.....	10	06	16
v lot 25 on 6.....	1-5	D. Baldwin.....	10	06	16

M R N

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owner's name.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvement.
	v lot 26 on 6	1-5	M. J. Hillman	.....	10	06	16
	v lot 27 on 6	1-5	John Moody	.....	10	06	16
	v lot 28 on 6	1-5	P. McNaughton	.....	10	06	16
	v lot 29 on 6	1-5	A. McKenzie	.....	10	06	16
	v lot 30 on 6	1-5	W. Armitage	.....	10	06	16
	v lot 31 on 6	1-5	R. O. Y. Ainslie	.....	10	06	16
	v lot 32 on 6	1-5	T. Beattie	.....	10	06	16
	v lots 33 and 34 on 6	2-5	Geo. Ainslie	.....	20	12	32
	v lot 35 on 6	1-5	A. T. Allen	.....	10	06	16
	v lot 36 on 6	1-5	A. F. Allen	.....	10	06	16
	v lot 43 on 6	1-5	C. Blim	.....	10	06	16
	v lot 44 on 6	1-5	C. Dugas	.....	10	06	16
	v lot 47 on 6	1-5	Jas. Sellars	.....	10	06	16
	v lot 51, 52, 53 on 6	3-5	S. Whatley	.....	30	18	48
	v lot 54, 55, 56, 57 on 6	4-5	Jas. Kerr	.....	40	24	64
	v lot 58 on 6	1-8	W. Dalton	.....	06	04	10
	v lot 61 on 6	1-5	W. Taylor	.....	10	05	16
	v lot 62 on 6	1	Alice Allen	.....	50	30	80
	v lot 19 on 6	1-5	T. Beattie	.....	10	06	16
	park lots A & B on 6	1	F. F. Jones	.....	50	30	80
	park lot C on 6	1-2	H. Howe	.....	25	15	40
	park lots D & E on 6	1-2	Geo. Ainslie	.....	25	15	40
	se pt 6	22	W. Taylor	.....	11	6	17
	v lot 20 on n hf 6	1-5	Alex. Wards	.....	10	06	16
	v lots 2 and 3 on 7	1-2	Geo. Millar	.....	25	15	40
	v lots 4 and 5 on n hf 7	1-2	D. Dewhurst	.....	25	15	40
	v lot s hf 32 on n hf 7	1-8	H. Hallet	.....	06	04	10
	v lot n hf 32 on n hf 7	1-8	Thos. Beattie	.....	06	04	10

v lot n hf 33 on 7	1-2	W. Harmer	25	15	40
v lots 6, 7, 8 on 7	1	M. Creighton	50	30	80
v lot 26 on 7	3-4	C. Ford	38	22	60
v lot 27 on 7	1-2	I. H. Ainslie	25	15	40
v lot 28 on 7	2-5	Alex. Ainslie	20	12	32
v lot S.R.R. s pt 7	1-5	M. Laporte	10	06	16
v lot S.R.R. s pt 7	3 $\frac{1}{2}$	W. Warr n, sr.	10	00	20
v lot S.R.R. 2 on s hf 7	1-5	C. Frankfurth	10	06	16
v lot S.R.R. 3 on s hf 7	1-5	C. Frankfurth	10	06	16
v lots 4 and 5 on 7	1-2	J. E. Hull	25	15	40
v lot 7 on 7	1-5	A. Buchanan	10	06	16
v lot 8 on 7	1-5	V. Elliott	10	06	16
v lot 9 on 7	1-5	Jno. McKeown	10	06	16
v lot 10 on 7	1-5	C. McDermott	10	06	16
v lot 11 on 7	1-5	J. Storey	10	06	16
v lot 12 on 7	1-5	C. N. Anderson	10	06	16
v lot 13 on 7	1-5	A. J. Brown	10	06	16
v lot 14 on 7	1-5	Jas. Lewis	10	06	16
v lots 15, 16 and 20 on 7	2-5	P. A. Faherty	20	12	32
v lot 17 on 7	1-5	D. Shanks	10	06	16
v lot 18 on 7	1-5	S. Whatley	10	06	16
v lot 19 on 7	1-5	Jno. Elliott	10	06	16
v lot 22 on 7	1-8	Jno. Gee	05	04	10
v lot 23 on 7	1-8	W. Harmer	05	04	10
v lot 24 on 7	1-8	T. Anderson	06	04	10
v lot 21 on 7	1-8	Louis Robbins	06	04	10
v lot 42 on 7	1-5	John Elliott	10	06	16
v lot 43 on 7	1-5	N. Leclair	10	06	16
v lots 45 and 46 on 7	2-5	M. and C. McDowall	20	12	32
v lots 74, n hf 73 on 7	3-10	W. Chatterton	15	09	24
v lots 72, s hf 73 on 7	3-10	A. Peauchene	15	09	24
v lots 61 and 62 on 7	2-5	W. Joynt	20	12	32
v lot 38 on 7	1-5	M. Coutier	10	06	16
v lot pt s hf 7	2 $\frac{1}{2}$	J. W. Sifton	1	25	50
v lot s w corner 7	1-2	Jas. Logan	25	15	40
v lot 59 s hf 7	1-5	N. Selkirk	10	06	16
v lot 25 on 7	1-5	H. Wright	10	06	16
v lot 26 on 7	1-5	E. Thompson	10	06	16
v lots 27 and 28 on 7	2-5	E. Johnston	20	12	32

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owner's name.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvement.
	v lot 29 on 7	1-5	J. D. and G. A. Ainslie	.....	10	90	16
	v lot 31 on 7	1-2	Jas. Sellais	.....	25	15	40
	s e pt 7	60	Robt. Jackson	.....	6 25	3 75	10 00
	s pt 13	96	R. E. Dodson	.....	48 00	28 80	75 80
	n pt 13	93	Mrs. E. Johnston	.....	46 50	27 90	74 40
	s hf 14	100	Wm. Holmes	.....	50 00	30 00	80 00
	w pt n hf 14	28	F. Thomas	.....	14 00	8 40	22 40
	e pt n hf 14	67	F. Shultz	.....	33 0	20 20	53 60
	w pt n hf 15	47	T. Jackson	.....	23 50	14 10	37 60
	e pt n hf 15	47	F. Morris	.....	23 50	14 10	37 60
	w hf s hf 15	50	M. Grimshaw	.....	25 00	15 00	40 00
	e hf s hf 15	50	P. Sartigny	.....	25 00	15 00	40 00
		14,892 $\frac{2}{3}$	Total assessment on lands	.....	7,195 72	4,316 98	11,512 70
			ASSESSMENT ON ROADS.				
	lots road in rear	10	Tilbury W. & N., $\frac{1}{2}$ each	.....	5 00	3 00	8 00
	Middle road	35		.....	35 00	21 00	56 00
	lots road in rear	40		.....	40 00	24 00	64 00
	road between	25	7 and 8 concessions	.....	25 00	15 00	40 00
	road between	35	8 and 9 concessions	.....	35 00	21 00	56 00
	road between	50	9 and 10 concessions	.....	50 00	30 00	80 00
	road between	50	10 and 11 concessions	.....	50 00	30 00	80 00
	Townline between Mersea	50	& Tilbury E., $\frac{1}{2}$ each	.....	25 00	15 00	40 00
		20	Comber streets	.....	20 00	12 00	32 00
		30	6 and 7 side road	.....	30 00	18 00	48 00
		45	12 and 13 side road	.....	45 00	27 00	72 00

M R S

Townline between Tilbury	15	18 and 19 side road	15 00	9 00	24 00
	15	West & Romney $\frac{1}{2}$ each	7 50	4 50	12 00
	16	M. C. R. R.	7 50	4 50	12 00
	30	L. and St. C. R. R.	15 00	9 00	24 00
Total acreage	15,357 $\frac{2}{3}$	Total assessment on roads	405 00	243 00	648 00
		Total ass't, lands br'gt dwn			11,512 70
		Total ass't, lands and roads			12,160 70
		Total for outlet	7,600 72		
		Total for injuring	4,559 98		
		Bridges	12,100 70		
		Total assessment	1,100 00		
			13,260 70		

WM. NEWMAN, C.E.

Windsor, Feb. 15th, 1897.

SPECIFICATIONS.

Specifications for repairing, improving and extending Big creek drain and its branches and the several works connected therewith, in the Townships of Tilbury West and Tilbury North.

CLEARING OF GROUNDS.

All along both Trembly creek and Big creek where there is dredging to be done the contractor for the dredging shall clear the site of the channels, dykes, banks, etc. of all trees, logs, brushwood, rubbish, etc., before the excavated earth is thrown out, all such rubbish, brushwood, etc., to be piled up and burned in a thorough and workmanlike manner, and to the full satisfaction of the engineer.

DREDGING.

The dredge cuts shall be made of at least the size, depth, etc., as shown on the respective profiles, and shall when completed present a uniform and even bottom, and in no place shall the bottom project above the grade lines as shown on profiles, and as will be staked out on grounds by the Engineer.

The excavated earth shall be placed to either or both sides of the cut, as shown on plan or as may be directed from time to time by the engineer, and in no case shall the inside edge of the dyke or bank be within five (5) feet of the outside of the cut or channel.

DYKES.

From the Grand Trunk Railway bridge to the junction of Big creek with Baptiste or Champlain creek, there shall be only one dyke and it shall be on the westerly side of Big creek.

From the junction of Baptiste creek with Big creek to the highway bridge over Baptiste creek, and on the Tecumseh road, there shall be only one dyke, and it shall be on the southerly side of Baptiste creek.

From the junction of Baptiste creek with Big creek to the junction of Big creek with Trembly creek there shall be two dykes, one on each side of Big creek.

From the junction of Trembly creek with Big creek, southward along Trembly creek to the Canadian Pacific Railway Company's lands, there shall be two dykes, one on each side of Trembly creek.

All of the aforesaid dykes shall have a perpendicular height of at least five (5) feet above the average surface of the marsh through which they pass, a bottom width of at least twenty-five (25) feet, and a top width of at least six (6) feet.

From the junction of Trembly creek with Big creek, along Big creek to the 3rd Concession Road, there shall be two dykes, one on each side of Big Creek. These dykes are to have a perpendicular height of at least six (6) feet above the general surface of the ground through which they pass, a bottom width of at least thirty (30) feet, and a top width of at least six (6) feet.

From the 3rd Concession Road along Big creek to the 5th Concession Road there shall be a channel cut of the size, depth etc., as shown on the profile. The excavated earth shall be thrown evenly on both sides of the drain, and formed into a regular bank or dyke.

The top of all dykes shall be perfectly uniform, and shall conform to the lines shown on profiles and cross sections of the work.

The dyking along Big Creek the dredge cut shall be made such a distance from the main channel of the creek as the Engineer may direct.

CROSSING COULEES, CHANNELS, ETC.

If in the performance of any of the above dredging and dyking any old channels, bogs, coulees, etc., should be encountered which are not solid enough to hold up the weight of the dyke, the contractor shall make such piling, sheet piling, or other works as the nature of the work may require, so as to have a permanent dyke or bank of the size and height as shown on profiles and above specified.

Materials used in such piling, sheet piling, tierods, etc., and also the labor of placing the same in position, shall be furnished by the dredging contractor at his own expense, and he shall in no case be entitled to any

extras on his contract price, for the performance of such work or the furnishing of such materials.

DRAIN OUTLETS.

The dredging contractor shall furnish and place in position all such materials as shown on detail plans for the construction of automatic outlets under the dykes at such points as may be directed by the Engineer. Such outlets to be composed of ten (10) feet of cast iron pipe, with an iron flap valve on one end, and at least twenty (20) feet of the best quality of sewer pipe of size shown on detail plans.

All outlets to be laid to the grade, depth, etc., as shown on plans or as may be directed by the engineer.

The valve on the inner end of the cast iron pipe, to be made in such a way as to work perfectly automatically.

PASSING BRIDGES.

When any highway or railway bridges are encountered by the dredge in the constructing of the dykes or channels, the dredging contractor shall open up and pass through all such bridges at his own expense, and shall replace such bridges in a first-class manner unless it should be at such points where new Highway bridges are to be built, and in case a new bridge is to be built the dredging contractor shall build and maintain a temporary bridge over the creek or channel until the new bridge is built. The dredging contractor shall be responsible for all damages, caused by the tearing up of any of the bridges, and shall erect and maintain such barriers, lights, watchmen, etc., as the engineer may direct.

In the case of railway bridges the contractor shall obtain from the different railway companies their consent to pass through or under the different bridges. Should any of the railway companies refuse to allow the dredge to pass through or under their bridges, the dredging contractor shall build a new hull or move his machinery to the other side of the railway bridge in any way he may choose.

But it is distinctly understood that the contractor shall not be entitled to any extras on his contract price owing to, or arising out of any delay, expense or trouble there may be caused by any of the different railway companies refusing to allow the dredge to pass through or under their bridges.

CROSSING RAILWAY LANDS.

Should any of the railway companies through or across whose lands the channels are to be cut or the dykes are to be made, refuse to allow the dredge on their lands the contractor shall by hand labor or any other means make such channels and dykes across the lands of the railway company or companies so refusing.

For such hand work as he may have to perform the contractor shall not be entitled to any extras on his contract price.

TEAM AND SCRAPER WORK.

From the head of the dredging contract to the townline between the Township of Mersea and Tilbury West, also on the east branch from its junction with the main creek on lot 15, in the 7th concession, to the Romney and Tilbury North townline, the drain shall be improved so as to conform to the size, depth, etc., as shown on the profiles, all short crooks or beads shall be cut across, and all projecting points shall be cut off where ordered by the engineer, all trees, stumps, etc., that project over the edge of the drain shall be taken out by the contractor.

CLEARING OF BRUSHWOOD.

The contractor shall, before he commences excavating, clear a strip on both sides of the drain, at least forty (40) feet wide, of old logs, brush and rubbish, and shall pile up and burn the same in a workmanlike manner and to the full satisfaction of the engineer.

GRADING OF EARTH.

The excavated earth may be cast to either or both sides of the drain, and kept at least five (5) feet clear of the edge of the drain, and shall be well and evenly spread over a space of at least forty (40) feet in width.

DAMAGE TO PROPERTY.

In constructing the drain above the head of the dredge work, the contractor shall exercise great care, and do no unnecessary damage to any of the farms through which the drain passes. Should the contractor do any damage to any of the property which could have been avoided, he shall be held responsible for the same.

The engineer shall be the sole judge of whether or not the damage, if any has been done, was avoidable or not, and if, in the opinion of the engineer, the damage could have been avoided the contractor shall pay to the owner so damaged such sum the engineer may think right and just in the matter, and from his decision there can be no appeal.

NEW HIGHWAY BRIDGES.

New bridges are to be built at the following places: Over Trembly creek on Tecumseh road, over Big creek on the 4th and 5th concession roads, over east branch of Big creek on 8th and 9th concession, and 18 and 19 sideroads, over west branch of Big creek on 12 and 13 sideroad, and 9th and 10th concession road, all the other points where the drain is crossed by a bridge the bridge shall be given such repairs as the engineer may deem necessary in order to put them in first-class condition.

STONEMWORK.

The masonry of all the bridges shall be composed of first-class rubble masonry, no stone to be less than seven (7) inches in thickness, and to be well bedded in rough courses, no spawls, no chips, are to be used in the levelling up of any stonework, all joints are to be well filled and flushed with Portland cement mortar in a first-class and workmanlike manner and to the full satisfaction of the Engineer.

MORTAR.

All mortar used on bridges to be composed of three parts by volume of good sharp clean sand and one part by volume of good live Portland cement of some brand to be approved of by the engineer, no mortar shall be used in the work which had been mixed more than 30 minutes before the time of using.

POINTING.

The outer face of all abutments to be well and properly flush pointed with the best quality of Portland cement mortar, said mortar to be composed of two parts by volume of good, sharp, clean sand, and one part by volume of good, live Portland cement of some brand to be approved of by the engineer.

WOOD WORK.

All wood work to be composed of good sound white oak or pine free from knots, sapwood and all other defects, to be well and carefully put together as shown on the plan, all joints, etc., to be made in a workmanlike manner, and to the full satisfaction of the engineer.

IRON WORK.

All iron rods, bolts, washers, etc., to be put in as shown on the plan and detail drawings, or as may be directed from time to time by the engineer, the iron used in all bolts, washers, rods, etc., shall be of the very best material of their respective classes, and to be made in a neat and workmanlike manner, and to the full satisfaction of the engineer.

EXCAVATING FOUNDATIONS.

All the necessary excavating for foundations of abutments, etc., for bridge shall be done by the bridge contractor and at his own expense.

REPAIRING BRIDGES.

The Bridges over Big creek and on the 2nd and 3rd concession roads. Middle road, and 7th concession road, and 11th concession road over west branch of Big creek, shall receive such repairs as the engineer may deem necessary after the proper excavations have been made so that the exact condition of the foundation of the different bridges may be seen.

All masonry, timber and iron work used in repairing bridges shall conform to the above specifications for such material to be used in the construction of new bridges.

OLD BRIDGES.

The contractor for the new bridges may use any of the timbers, planks, stone or iron work that may be found in the old bridges at the same point where bridges are proposed to be built, provided that such timber, planks, etc., conform to the foregoing specifications for new bridges. But before any of the materials taken out of the old bridges can be used in the new bridges they must be approved of by the engineer.

GENERAL CONDITIONS.

1. The contract is to comprise the formation and completion of the several branches of work completed in the foregoing specification, and in strict accordance with said specifications, plans and drawings.

2. Contractors must satisfy themselves of the nature and the location of the work they bid for, of the general form and surface of the ground, of the quantity and quality of the materials to be furnished or removed or other work to be done, and all other matters and things which can in any way influence their contract, and no information upon such matters derived from maps, plans, profiles, drawings or specifications, or from the engineer, will relieve the contractor from any risk he may run as to the nature of the soil, etc., or from fulfilling the terms of his contract.

3. The whole of the work will be executed under the direction and supervision of the engineer, and no change in the contract or extra on the contract price will be allowed unless the contractor can produce a written order from the engineer ordering such change or extra.

4. Monthly estimates will be given by the engineer which estimate shall not be more than 80 per cent. on the price of the work actually performed, but the paying of the full 80 per cent. of the work done does not imply that any portion of the work has been accepted.

5. The engineer shall have full power to reject any or all work or materials which in his opinion does not conform to the spirit of the foregoing specifications and shall have power to direct the application of forces to any part of the work which in his judgment requires it most, also to order an increase or decrease of the forces at any point he may direct, and shall decide all questions that may arise between parties relative to the execution of the work and his decision shall be final and binding on all parties concerned.

6. The contractor shall remove at his own expense any work or materials condemned by the engineer and must re-execute any work so condemned without extra charge and in default of the contractor in re-executing such work when ordered to do so by the engineer the same will be done by the Council and the cost of the same will be deducted from moneys due or coming due to the contractor.

7. Should the contractor at any time fail to conform to the foregoing specifications, general conditions, etc., the Council may take the work out of his hands and re-let or complete the same in any way, and the contractor shall forfeit any money due or falling due on his contract, should the monies due or falling due the contractor be insufficient to complete the work the sureties are to pay the balance, but before the Council can take the work out of the contractor's hands they must give him written notice to that effect at least five (5) clear days before taking over the work.

8. Disorderly, quarrelsome, incompetent or unskilled employees of the contractor must be discharged at once on the demand of the engineer and must not be employed again on the work without the permission of the engineer in writing.

9. In the absence of the contractor from the works the foreman or other person in charge of the work shall be taken to represent the contractor, and any orders given such foreman or other person in charge of the work shall be as binding on the contractor as though given to him in person.

10. The contractor whose tender is accepted shall forthwith enter into a further agreement and bond with the Township of Tilbury West giving satisfactory sureties for the faithful carrying out of the above specification and the completion of the work undertaken by him.

Windsor, February 15th, 1897.

WM. NEWMAN,
Engineer of Tilbury West.

SCHEDULE of lands and roads in the Township of Romney, assessed for the repairing, improving and enlarging of Big Creek drain and its branches in the Townships of Tilbury North and Tilbury West, together with the amount which each lot or part of lot and road should bear and pay toward said improvement.

Con. or plan No.	Lot or part of lot.	Area acres.	Owner's name.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvement.
3	lot 30	200	George Church		160 00	60 00	160 00
	e hf 29	100	George E. Pinfold		50 00	30 00	80 00
	w hf 29	98	Wm. Pinfold		49 00	29 40	78 40
	s e qr 28	50	Herbert Freeland		25 00	15 00	40 00
	n hf and s w qr 28	150	Non resident		75 00	45 00	120 00
	lot 27	197	Moffatt & McGregor		98 50	59 10	157 60
	lot 26	197	Moffatt & McGregor		98 50	59 10	157 60
	s hf n hf 25	50	John C. Dawson		25 00	15 00	40 00
	n hf n hf 25	50	Jeremiah Vipond		25 00	15 00	40 00
	s hf s e qr 24	25	Wellington Franklin		12 50	7 50	20 00
	n hf e pt n w qr 24	25	Henry Brando		12 50	7 50	20 00
	n hf e qr 24	25	John Franklin		12 50	7 50	20 00
	n hf e hf 24	50	James Franklin		25 00	15 00	40 00
	e pt n w hf 24	25	Bert Franklin		12 50	7 50	20 00
	n qr 24	50	Morris Edmunds		25 00	15 00	40 00
	s e qr 23	50	W. L. Williams		25 00	15 00	40 00
	n e qr and w hf 23	150	Sutherland, Innes & Co		75 00	45 00	120 00
	s hf 22	100	W. F. Armstrong		50 00	30 00	80 00
	n hf 22	100	Sutherland, Innes & Co		50 00	30 00	80 00
	s e qr 21	50	W. E. Ridges		25 00	15 00	40 00
	n qr and s w hf 21	150	Sutherland, Innes & Co		75 00	45 00	120 00
	s hf 20	100	Hial Wilcox		50 00	30 00	80 00
	n hf 20	100	W. Goodison		50 00	30 00	80 00
	s e pt 19	25	Robert Warnick		12 50	7 50	20 00
	c hf s hf 19	50	Alonzo Collison		25 00	15 00	40 00
	s qr n hf 19	25	Robert Warnick		12 50	7 50	20 00
	n qr s hf 19	25	Robert Warnick		12 50	7 50	20 00

c hf n hf 19	50	L. H. A right	25 00	15 00	40 00
n qr n hf 19	25	Thomas Higgins	12 50	7 50	20 00
s hf 18	100	Wm. Heatherington	50 00	30 00	80 00
s hf n hf 18	50	Augustus Foster	25 00	15 00	40 00
n hf n hf 18	50	Philip Malott	25 00	15 00	40 00
e qr 17	50	Thomas Carriek	25 00	15 00	40 00
s qr 17	50	Joseph Middle	25 00	15 00	40 00
s hf n hf 17	50	Augustus Foster	25 00	15 00	40 00
n hf n hf 17	50	George Goodison	25 00	15 00	40 00
n e qr 16	50		25 00	15 00	40 00
e hf 30	48	Josiah Coatsworth	25 00	15 00	40 00
w hf 30	58	John Adair	29 00	17 40	38 40
lot 29	165	Non resident	82 50	49 50	132 00
s hf 28	100	Ed. Smith	50 00	30 00	80 00
n pt 28	90	Non resident	45 00	27 00	72 00
lot 27	200	W. N Hastings	100 00	60 00	160 00
lot 26	200	Sutherland, Innes & Co	100 00	60 00	160 00
s hf 25	100	Thomas Levy	50 00	30 00	80 00
s hf n hf 25	50	James Foster	25 00	15 00	40 00
n hf n hf	50	John Foster	25 00	15 00	40 00
s e f 24	150	Hiram Pettit	75 00	45 00	120 00
n w qr 24	50	Henry Clarkson	25 00	15 00	40 00
lot 23	200	Sutherland, Innes & Co	100 00	60 00	160 00
lot 22	200	Sutherland, Innes & Co	100 00	60 00	160 00
s hf 21	100	Sutherland, Innes & Co	50 00	30 00	80 00
n e qr 21	50	H. J. Mills	25 00	15 00	40 00
n w qr 21	50	Wm. Pully	25 00	15 00	40 00
lot 20	200	McMackon Bros	100 00	60 00	160 00
s hf s hf 19	50	W. H. Tully	25 00	15 00	40 00
n hf s hf 19	50	Peter Featherston	25 00	15 00	40 00
s hf n hf 19	50	Henry Whittal	25 00	15 00	40 00
n qr 19	50	Thomas Hustler	25 00	15 00	40 00
s e pt s hf 18	25	Mrs. Jane Getty	12 50	7 50	20 00
centre part s hf 18	45	Wm. Baker	22 50	13 50	36 00
n pt s hf 18	30	Alf. Baker	15 00	9 00	24 00
s hf n hf 18	50	Joseph C. Hyatt	25 00	15 00	40 00
n hf n hf 18	50	Henry Getty	25 00	15 00	40 00
s qr 17	50	Harry Goodison	25 00	15 00	40 00
s w hf 17	100	McMackon Bros	50 00	30 00	80 00

SCHEDULE A.—Continued.

Com. or Plan No.	Lot or part of lot.	Area of acres.	Owners' Names.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvement.
5	n qr 17	50	Nelson Getty	.....	25 00	15 00	40 00
	s e hf 16	100	John Holland	.....	50 00	30 00	80 00
	w qr 16	50	F. Overholt	.....	25 00	15 00	40 00
	n qr 16	50	Thomas Markle	.....	25 00	15 00	40 00
	lot 28	5	Non resident	.....	2 50	1 50	4 00
	lot 27	30	Ed. Smith	.....	15 00	9 00	24 00
	lot 26	70	Ed. Smith	.....	35 00	21 00	56 00
	lot 25	112	Joseph Hopkins	.....	56 00	33 60	89 60
	lot 24	57	Levi Coatsworth	.....	28 50	17 10	45 60
	lot 23	125	Sutherland, Immes & Co.	.....	62 50	37 50	100 00
	lot 22	185	Sutherland, Immes & Co.	.....	92 50	55 50	148 00
	lot 21	200	Sutherland, Immes & Co.	.....	100 00	60 00	160 00
	s hf 20	100	Non resident	.....	50 00	30 00	80 00
	n hf 20	100	Harry Dawson	.....	50 00	30 00	80 00
	s pt 19	3	McMackon Bros.	.....	1 50	90	2 40
	s qr 19	47	Ambrose Foster	.....	23 50	14 10	37 60
	n hf s hf 19	50	Thomas Jones	.....	25 00	15 00	40 00
	n hf 19	100	Matthew Minehan	.....	50 00	30 00	80 00
	e qr 18	50	J. C. Kennedy	.....	25 00	15 00	40 00
	s qr 18	50	C. Dawson	.....	25 00	15 00	40 00
	s hf n hf 18	50	McMackon Bros.	.....	25 00	15 00	40 00
	n hf n hf 18	50	Mathias Foley	.....	25 00	15 00	40 00
	e hf e qr 17	25	Willard Getty	.....	12 50	7 50	20 00
	w hf e qr 17	25	Alexander Marvin	.....	12 50	7 50	20 00
	s qr 17	50	Oliver Hyatt	.....	25 00	15 00	40 00
	n qr 17	50	Wm. Cottingham, Sr.	.....	25 00	15 00	40 00
	w qr 17	50	Gaines Graham	.....	25 00	15 00	40 00
	s hf 16	100	J. W. Hodgson	.....	50 00	30 00	80 00

n qr 16	50	Wm. Graham	25 00	15 00	40 00
w qr 16	50	Morris Edwards	25 00	15 00	40 00
lot 22	40	Moses Laboute	20 00	12 00	32 00
e pt n w pt 21	37½	Joseph St. Denis	18 75	11 25	30 00
e pt 21	37½	Frank Labonte	18 75	11 25	30 00
n w pt 21	37½	Levi St. Denis	18 75	11 25	30 00
lot 20	185	Non resident	92 50	55 50	148 00
s qr 19	50	John Featherston	25 00	15 00	40 00
n hf s hf 19	50	Henry Cottingham	25 00	15 00	40 00
s hf n hf 19	50	Robert Goodison	25 00	15 00	40 00
n hf n hf 19	50	Richard Blair	25 00	15 00	40 00
s e pt 18	25	John Featherston	12 50	7 50	20 00
centre pt 18	125	Thos Cottingham	62 50	37 50	100 00
n qr 18	50	Wm. Cottingham, Jr.	25 00	15 00	40 00
e qr 17	50	Joseph Shafer	25 00	15 00	40 00
s qr 17	50	Harry Green	25 00	15 00	40 00
n qr 17	50	Wm. Couture	25 00	15 00	40 00
w qr 17	50	Frederick Richase	25 00	15 00	40 00
e qr 16	50	Moffatt & McGregor	25 00	15 00	40 00
e hf s qr 16	25	James Hodgson	12 50	7 50	20 00
w hf s qr 16	25	John Hyatt	12 50	7 50	20 00
n qr 16	50	Wm. Dancy	25 00	15 00	40 00
w qr 16	50	Samuel Graham	25 00	15 00	40 00
e pt 15	35	John Hyatt	17 50	10 50	28 00
s pt 15	35	James Hodgson	17 50	10 50	28 00
n hf 15	85	Samuel Graham	42 50	25 50	68 00
lot 20	15	Noe Phaneuf	7 50	4 50	12 00
lot 19	102	Non resident	51 00	30 60	81 60
e qr 18	50	George Glazier	25 00	15 00	40 00
n qr 18	50	John Imeson	25 00	15 00	40 00
s w pt 18	85	Charles Quinn	42 50	25 50	68 00
s pt 17	50	Albert Regnier	25 00	15 00	40 00
n e pt 17	50	Simie Regnier	25 00	15 00	40 00
n w pt 17	50	Ozias Regnier	25 00	15 00	40 00
lot 16	60	Wm. Dancy	30 00	18 00	48 00
	9,191½	Total assessment on lands	4,595 75	2,757 45	7,353 20

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owners' names.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvement.
	Road between	18	L. E. & D. R. R.	.....	9 37	5 63	15 00
	Road between	40	2nd, 3rd concessions	.....	40 00	24 00	64 00
	Road between	40	3rd, 4th concessions	.....	40 00	24 00	64 00
	Road between	40	4th, 5th concessions	.....	40 00	24 00	64 00
	Road between	20	5th, 6th concessions	.....	20 00	12 00	32 00
	Road between	15	6th, 7th concessions	.....	15 00	9 00	24 00
		15	24 and 25 side road	.....	15 00	9 00	24 00
		30	18 and 19 side road	.....	30 00	18 00	48 00
	Town line between Romney	50	& Tilbury E. pay $\frac{1}{3}$ each	.....	25 00	15 00	48 00
	Town line between Romney	15	& Tilbury W. pay $\frac{1}{3}$ each	.....	7 50	4 50	12 00
	Town line between Romney	10	& Tilbury N. pay $\frac{1}{3}$ each	.....	5 00	3 00	8 00
	Total acreage	9,484 $\frac{1}{2}$	Total assessment on roads	.....	246 87	148 13	395 00
			Total assess't lands br'g't down	.....	.....	.....	7,553 20
			Total ass't lands and roads	.....	.....	.....	7,748 20
			Total for outlet	4,842 62	.....	.....	.....
			Total for injuring	2,905 58	.....	.....	.....
				7,748 20	.....	.....	.....

SCHEDULE of lands and roads in the Township of Tilbury East assessed for the repairing, improving and extending of Big Creek drain and its branches in the Townships of Tilbury North and Tilbury West, together with the amount which each lot or part of lot and road should bear and pay towards said improvement.

6	Lot —	105	Samuel Warnock	.....	26 25	15 75	42 00
6	Lot —	130	Henry Wilson	.....	32 50	19 50	52 00
6	pt 22	33	Henry Wilson	.....	8 25	4 95	13 20
6	n w pt 22	37	Mrs. C. Dupuis	.....	9 25	5 55	14 80
6	w pt 22	37	Joseph St. Denis	.....	9 25	5 55	14 80
6	Lot 23	30	Joseph St. Denis	.....	7 50	4 50	12 00

7	n half 20	100	John and Albert Hodgins	25 00	15 00	40 00
7	s e quarter 20	50	Richard Patrick	12 50	7 50	20 00
7	s w quarter 20	50	Wm. Ingram	12 50	7 50	20 00
7	s e quarter 21	50	Alex. Hornick	12 50	7 50	20 00
7	s w quarter 21	50	Harwood White	12 f 0	7 00	20 00
7	n half 21	98	Mrs. Beno	24 50	14 70	39 20
7	s e eighth 22	23	Edmund Beno	5 75	3 45	9 20
7	w half s e quarter 22	25	Mrs. St. Denis	6 25	3 75	10 00
7	n e quarter 22	50	Maxime Dupuis	12 50	7 50	20 00
7	n w quarter 22	50	S. Burgoyne	12 50	7 50	20 00
7	s w quarter 22	50	Herbert Hornick	12 50	7 50	20 00
7	s w quarter 23	50	Levi Thibet	12 50	7 50	20 00
7	s e quarter 23	50	Wm. Walker	12 50	7 50	20 00
7	n half 23	96	Frank Marchand	24 00	14 40	38 40
7	n part 24	45	Mrs. J. B. Marchand	11 25	6 75	18 00
7	s half 24	100	John A. McGregor	25 00	15 00	40 00
7	lot 25	49	Alfred Blair	12 25	7 35	19 60
8	s e quarter 20	50	Wm. N. Brunt	12 50	7 50	20 00
8	s w quarter 20	50	J. and W. Putt	12 50	7 50	20 00
8	n e quarter 20	50	Wm. Patrick	12 50	7 50	20 00
8	n w quarter 20	50	John Burgess	12 50	7 50	20 00
8	n half 21	100	Gideon Smith	25 00	15 00	40 00
8	e half s half s half 21	25	A. Hornick	6 25	3 75	10 00
8	e half n half s half 21	25	H. White	6 25	3 75	10 00
8	s w quarter 21	48	Joseph Beno	12 00	7 20	19 20
8	n w quarter 22	50	James Burgess	12 50	7 50	20 00
8	e half 22	96	Henry Burgess	24 00	14 40	38 40
8	s w quarter 22	50	John Burgess	12 50	7 50	20 00
8	part n e quarter 23	36	Wm. Walker	9 00	5 40	14 40
8	s part n e quarter 23	14	Geo. Walker	3 50	2 10	6 60
8	s e quarter 23	50	Geo. Walker	12 50	7 50	20 00
8	w half 23	100	C. Walker and S. Robertson	25 00	15 00	40 00
8	e half 24	100	Richard and Geo. Carlless	25 00	16 00	40 00
8	w half 24	100	Richard Carlless, Jr.	25 00	15 00	40 00
8	s w quarter 25	50	Geo. Walker	12 50	7 50	20 00
8	s e quarter 25	50	Chas. Hartley	12 50	7 50	20 00
8	n w eighth 25	25	Robert Davidson	6 25	3 75	10 00
8	e half n w quarter 25	25	Robert Davidson	6 25	3 75	10 00
8	n e quarter 25	50	Jacob Dalton	12 50	7 50	20 00

SCHEDULE of lands and roads in the Township of Tilbury East assessed for the repairing, improving and extending of Big Creek drain and its branches in the Townships of Tilbury North and Tilbury West, together with the amount which each lot or part of lot and road should bear and pay towards said improvement.

Con. or Plan No.	Lot or Part of Lot.	Area of Acres.	Owners' Names.	Value of benefit	Value of out-let liability.	Value of in-jur'g liability	Total value of improvement.
8	s part n part 26	57	Wm. Blair	.....	14 25	8 55	22 80
8	n part 26	19	Robert Davidson	.....	4 75	2 85	7 60
8	n part s part 26	26	Bernard Thibert	.....	6 25	3 75	10 00
8	s part 26	50	Napoleon Donais	.....	12 50	7 50	20 00
8	s e part 26	19	Robert Hartly	.....	4 75	2 85	7 60
9	n half 20	100	Bristol Smith	.....	25 00	15 00	40 00
9	s half 20	100	Non. Resident	.....	25 00	15 00	40 00
9	n e quarter 21	50	Joseph Atkmsn	.....	12 50	7 50	20 00
9	n w quarter 21	50	Amos Kelly	.....	12 50	7 50	20 00
9	s e quarter 21	50	Bernard Kelly	.....	12 50	7 50	20 00
9	s w quarter 21	50	Martin McMahon	.....	12 50	7 50	20 00
9	lot 22	200	Cyrus F. Smith	.....	50 00	30 00	80 00
9	s w quarter 23	50	John Kelly "et al"	.....	12 50	7 50	20 00
9	w half s e quarter 23	25	Wm. Courrier	.....	6 25	3 75	10 00
9	w 3/4 n half 23	75	Edward Hornick	.....	18 75	11 25	30 00
9	n e eighth 23	25	George Kerr	.....	6 25	3 75	10 00
9	e half s e quarter 23	25	George Kerr	.....	6 25	3 75	10 00
9	s part 24	100	Edward Segum	.....	25 00	15 00	40 00
9	n part 24	63	John Atkinson	.....	15 75	9 45	25 20
9	lots 25 and 26	72	Thos. McMahon	.....	18 00	10 80	28 80
10	s w quarter 20	50	Dexter Dandy	.....	12 50	7 50	20 00
10	s e quarter 20	50	Henry Burke	.....	12 50	7 50	20 00
10	n half 20	100	Wm. R. Davidson	.....	25 00	15 00	40 00
10	n e quarter 21	50	Robert Challis	.....	12 50	7 50	20 00
10	s half 21	100	Non. Resident	.....	25 00	15 00	40 00
10	n w quarter 21	50	Herbert Hornick	.....	12 50	7 50	20 00
10	lot 22	145	Non. Resident	.....	35 25	22 75	58 00
10	lots 23 and 24	50	John Cartwright	.....	12 50	7 50	20 00

11	s w 44 acres 20.....	44	Hiram Pettit.....	11 00	6 60	17 60
11	n e part 20.....	63	Sydney Malott.....	15 75	9 45	25 20
11	lot 21.....	38	Hiram Pettit.....	9 60	5 70	15 20
		4,397	Total assessment on lands.....	\$1,123 25	\$675 55	\$1,798 80
	Road in rear of.....	7	Middle road lots.....	3 50	2 10	5 60
	“ between.....	12	6th and 7th concessions.....	6 00	3 60	9 60
	“ “.....	19	“ “.....	9 50	5 70	15 20
	“ “.....	20	7th and 8th.....	10 00	6 00	16 00
	“ “.....	12	“ “.....	6 00	3 60	9 60
	“ “.....	6	“ “.....	3 00	1 80	4 80
	Townline, Tilbury North.....	40	“ “.....	7 50	4 50	12 00
	Townline between Romney.....	50	& Tilbury East (pays $\frac{1}{2}$).....	25 00	15 00	40 00
	Total acreage.....	4,563	(Tilbury North pays $\frac{1}{2}$ —\$36) and Tilbury East each pays $\frac{1}{2}$	\$1,193 75	\$717 85	\$1,911 60
			Total assess't on lands & roads.....	1,193 75		
			Total for outlet.....	717 85		
			“ injuring.....	\$1,911 60		

SCHEDULE of lands and roads in the Township of Mersea assessed for the repairing, improving and extending of Big Creek drain and its branches in the Townships of Tilbury North and Tilbury West, together with the amount which each lot or part of lot and road should bear and pay towards said improvement.

8	w quarter 7.....	50	John Thompson.....	25 00	15 00	40 00
	s e corner w half 7.....	2/5	George Beacom.....	20	12	32
	e three-quarters 7.....	149 3/5	Phillip Stotts.....	74 80	44 88	119 68
	w quarter 8.....	50	Robert Beacom.....	25 00	15 00	40 00
	e half w half 8.....	50	Albert T. Beacom.....	25 00	15 00	40 00
	w half e half 8.....	50	Wesley Reid.....	25 00	15 00	40 00
	e quarter 8.....	50	Thomas H. Armstrong.....	25 00	15 00	40 00
	west half 9.....	100	John Bryden.....	50 00	30 00	80 00
	w half e half 9.....	50	William D. McMullen.....	25 00	15 00	40 00
	e quarter 9.....	50	E. A. Reid.....	25 00	15 00	40 00
	w half 10.....	100	John McMullen.....	50 00	30 00	80 00
	e half 10.....	100	W. R. Reid.....	50 00	30 00	80 00
	w half 11.....	100	Thomas Armstrong.....	50 00	30 00	80 00
	e half 11.....	100	Benson H. Reid.....	50 00	30 00	80 00
	w quarter 12.....	50	Leslie McMullen.....	25 00	15 00	40 00

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or Part of Lot.	Area acres.	Owners' Names.	Value of benefit.	Value of out-let liability.	Value of in-juring liability.	Total value of improvement
	e half w half 12.....	50	Robert H. Reid.....		25 00	15 00	40 00
	e half 12.....	100	W. S. Robinson.....		50 00	30 00	80 00
	n w quarter 13.....	50	John Ogle.....		25 00	15 00	40 00
	n e quarter 13.....	50	William Armstrong.....		25 00	15 00	40 00
	n half w part 14.....	25	Christopher Ogle.....		12 50	7 50	20 00
	n half center part 14.....	37½	Christopher Ogle.....		18 75	11 25	30 00
	n half e part 14.....	37½	James Reid, Jr.....		18 75	11 25	30 00
	n w quarter 15.....	50	David Reid, Jr.....		25 00	15 00	40 00
	n half w half e half 15.....	25	John Hooker.....		12 50	7 50	20 00
	n half e quarter 15.....	25	William J. Ogle.....		12 50	7 50	20 00
	n w quarter 16.....	50	Francis Hooker.....		25 00	15 00	40 00
	n half w half e half 16.....	25	James Coulter, Sr.....		12 50	7 50	20 00
	n w quarter 16.....	25	John Coulter.....		12 50	7 50	20 00
	n half e quarter 16.....	25	William Robinson.....		12 50	7 50	20 00
	n half w quarter 17.....	25	Charles Coulter.....		12 20	7 50	20 00
	n half e half w half 17.....	25	Charles Coulter.....		12 50	7 50	20 00
	n half w half e half 17.....	25	Henry Tufflemire.....		12 50	7 50	20 00
	n half e quarter 17.....	25	Francis Dundas.....		25 00	15 00	40 00
	n w quarter 18.....	50	George Bullock.....		25 00	15 00	40 00
	n e quarter 18.....	50	William Gillanders.....		25 00	15 00	40 00
	s quarter 7.....	50	James E. Gillanders.....		25 00	15 00	40 00
	n half s half 7.....	100	John M. Reid.....		50 00	30 00	80 00
	n half 7.....	25	William Gillanders.....		12 50	7 50	20 00
	s half s w quarter 8.....	75	Harvey Lundy.....		37 50	22 50	60 00
	n three quarters w half 8.....	50	Scott Foster.....		25 00	15 00	40 00
	s e quarter 8.....	50	M. W. Smith.....		25 00	15 00	40 00
	n e quarter 8.....	50	David O. Smith.....		25 00	15 00	40 00
	s w quarter 9.....	50	George F. Douglas.....		25 00	15 00	40 00
	n w quarter 9.....	100	William Judd.....		50 00	30 00	80 00
	e half 9.....	100	William Griffin.....		50 00	30 00	80 00
	w half 10.....	75	Elam E. Kimball.....		37 50	22 50	60 00
	n three-quarters e half 10.....						

w half s quarter e half 10	12½	Robert Cowan	6 25	3 75	10 00
e half s quarter e half 10	12½	Joseph Cowan	6 25	3 75	10 00
w half 11	100	Aldolphus Armstrong	50 00	30 00	80 00
w three-quarters e half 11	75	J. W. Stevenson	37 50	22 50	60 00
e half e quarter 11	25	Samuel Stevenson	12 50	7 50	20 00
w quarter 12	50	Samuel Stevenson	25 00	15 00	40 00
e three-quarters 12	150	David B. Reid	75 00	45 00	120 00
s w quarter 13	50	Robert Stevenson	25 00	15 00	40 00
n w quarter 13	50	James Stevenson	25 00	15 00	40 00
e half 13	100	John Robinson	50 00	30 00	80 00
w half 14	100	Thomas Robinson	50 00	30 00	80 00
s e quarter 14	50	George Knox	25 00	15 00	40 00
n e quarter 14	50	John Dick	25 00	15 00	40 00
n half 15	100	John T. Ray	50 00	30 00	80 00
s half 15	100	John Reid, Jr.	50 00	30 00	80 00
w half 16	100	George B. Reid	50 00	30 00	80 00
w half e half 16	50	Joseph Reid	25 00	15 00	40 00
e quarter 16	50	Thomas Brown	25 00	15 00	40 00
w half 17	100	Wm. R. Coulter	50 00	30 00	80 00
e half 17	100	Leonard Coulter	50 00	30 00	80 00
n w quarter 18	50	William H. Beattie	25 00	15 00	40 00
s w quarter 18	50	Francis Dundas	25 00	15 00	40 00
e half 18	100	F. H. Creighton	50 00	30 00	80 00
w half 10	100	R. O. Y. Ainslie	50 00	30 00	80 00
s e quarter 10	50	Aldolphus Baker	25 00	15 00	40 00
n e quarter 10	50	Arthur Anderson	25 00	15 00	40 00
Lot 11	100	Cameron Estate	100 00	60 00	160 00
w half 12	100	Cameron Estate	50 00	30 00	80 00
e half 12	100	Toby Kimball	50 00	30 00	80 00
s w quarter 13	50	William Stevenson	25 00	15 00	40 00
n half 13	100	Chris. Stevenson	50 00	30 00	80 00
s e quarter 13	50	Frank Armstrong	25 00	15 00	40 00
s w quarter 14	50	Frank Armstrong	25 00	15 00	40 00
n w quarter 14	50	Thomas Buchanan	25 00	15 00	40 00
s e quarter 14	50	John Dick	25 00	15 00	40 00
n e quarter 14	50	Galvin Buchanan	25 00	15 00	40 00
s half 15	100	J. G. Buekham	50 00	30 00	80 00
n half 15	100	Alexander Buchanan	50 00	30 00	80 00
s w quarter 16	50	Thomas Robinson	25 00	15 00	40 00

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owners' names.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvement.
	s e quarter 16	50	William Hooker	.....	25 00	15 00	40 00
	n w quarter 16	50	Alexander Campbell	.....	25 00	15 00	40 00
	n e quarter 16	50	William Sinclair	.....	25 00	15 00	40 00
	w half 17	100	Philip McIntosh	.....	50 00	30 00	80 00
	e half 17	100	Francis Dundas	.....	50 00	30 00	80 00
	s w quarter 18	50	Thomas Beattie	.....	25 00	15 00	40 00
	n w quarter 18	50	George Beattie	.....	25 00	15 00	40 00
	e half 18	100	John R. Douglas	.....	50 00	30 00	80 00
	s w quarter 19	50	Christopher Ineson	.....	25 00	15 00	40 00
	n w quarter 19	50	J. R. Mosgrove	.....	25 00	15 00	40 00
	s e quarter 19	50	W. S. Ineson	.....	25 00	15 00	40 00
	n e quarter 19	50	Wm. Brown	.....	25 00	15 00	40 00
	s w quarter 20	50	Joseph Ineson	.....	25 00	15 00	40 00
	s e quarter 20	50	David H. Ineson	.....	25 00	15 00	40 00
	n half 20	100	Henry Davies	.....	50 00	30 00	80 00
	w half 21	100	John Ineson	.....	50 00	30 00	80 00
	s e quarter 21	50	Francis Whittal	.....	25 00	15 00	40 00
	n e quarter 21	50	James Ineson	.....	25 00	15 00	40 00
	s w quarter 22	50	Robert Dales	.....	25 00	15 00	40 00
	n w quarter 22	50	David Ineson	.....	25 00	15 00	40 00
	s e quarter 22	50	Thomas Mosey	.....	25 00	15 00	40 00
	n e quarter 22	50	Frank Thompson	.....	25 00	15 00	40 00
	s w quarter 23	50	Frank Thompson	.....	25 00	15 00	40 00
	n w quarter 23	50	David Mosey	.....	25 00	15 00	40 00
	n e quarter 23	50	James Latimore	.....	25 00	15 00	40 00
	s e quarter 23	50	George Walker	.....	25 00	15 00	40 00
	n e part 9	50	Mrs. Mary Robinson	.....	25 00	15 00	40 00
	s e part 9	25	John A. McGregor	.....	12 50	7 50	20 00

n w quarter 10.....	42	Albert E. Cader.....	21 00	12 60	33 60
s w quarter 10.....	42	John A. McGregor.....	21 00	12 60	33 60
e part 10.....	84	John McKean.....	42 00	25 20	67 20
w part 11.....	68	Frelick Bell.....	34 00	20 40	54 40
e part 11.....	100	Frank Anderson.....	50 00	30 00	80 00
w part 12.....	100	James McCracken.....	50 00	30 00	80 00
e part 12.....	68	Daniel Berney.....	34 00	20 40	54 40
n w part 13.....	34	Andrew Kenyon.....	17 00	10 20	27 20
s w part 13.....	34	John W. Kenyon.....	17 00	10 20	27 20
e part 13.....	100	Non-resident.....	50 00	30 00	80 00
n part 14.....	118	Non-resident.....	59 00	35 40	94 40
s e pt 14.....	50	Daniel Baldwin.....	25 00	15 00	40 00
s w pt 15.....	50	Angus Campbell.....	25 00	15 00	40 00
s e pt 15.....	50	Edward Millar.....	25 00	15 00	40 00
n pt 15.....	68	Non-Resident.....	34 00	20 40	54 40
s w part 16.....	50	Robt. J. Cathers.....	25 00	15 00	40 00
n w part 16.....	50	James W. Coulter.....	25 00	15 00	40 00
s e pt 16.....	34	Abraham McKinney.....	17 00	10 20	27 20
n e pt 16.....	34	Albert Luchia.....	17 00	10 20	27 20
n w pt 17.....	14	Albert Luchia.....	7 00	4 20	11 20
s e pt 17.....	154	Non-resident.....	78 00	45 20	123 20
s w quat. r 18.....	42	Non-resident.....	21 00	12 60	33 60
w half s e quarter 18.....	21	George Brown.....	10 50	6 30	16 30
e half s e quarter 18.....	21	R. J. Terry.....	10 50	6 30	16 30
n half 18.....	84	George W. Cates.....	42 00	25 20	67 20
s w part 19.....	56	Stewart Mosgrove.....	28 00	16 80	44 80
s e part 19.....	56	Wm. M. Mosgrove.....	28 00	16 80	44 80
n part 19.....	56	Thos. G. Mosgrove.....	28 00	16 80	44 80
s hf 20.....	84	Henry Davis.....	42 00	25 20	67 20
n w qr 20.....	42	William Ski lung.....	21 00	12 60	33 60
n e qr 20.....	42	James McIntosh.....	21 00	12 60	33 60
Lot 21.....	128	William E. Whaley.....	84 00	50 40	134 40
s w qr 22.....	42	Wm. Thompson.....	21 00	12 60	33 60
s e qr 22.....	42	Isaac Thompson.....	21 00	12 60	33 60
n hf 22.....	84	Cameron estate.....	42 00	25 20	67 20
n w qr 23.....	42	Cameron estate.....	21 00	12 60	33 60
n e qr 23.....	42	William R. Scott.....	21 00	12 60	33 60
s hf 23.....	84	Gaines Imeson.....	42 00	25 20	67 20
n hf 24.....	84	Mrs. Abigail Dancy.....	42 00	25 20	67 20

SCHEDULE A.—Continued.

Con. or plan No.	Lot or part of lot.	Area of acres.	Owners' name.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total Value of im- provement.
	.....	9511	Total assessment on on lands.....	.....	4756 50	2852 30	7608 80
	.....	18	8th concession road.....	.....	18 00	10 80	28 80
	.....	36	9th concession road.....	.....	36 00	21 60	57 60
	.....	54	10th concession road.....	.....	54 00	32 40	86 40
	.....	50	11th concession road.....	.....	50 00	30 00	80 00
	Townline bet. Mersea	50	& Tilbury W. $\frac{1}{2}$ to each.....	.....	25 00	15 00	40 00
	.....	15	6 and 7 side road.....	.....	15 00	9 00	24 00
	.....	30	12 and 13 side road.....	.....	30 00	18 00	48 00
	.....	30	18 and 19 side road.....	.....	30 00	18 00	48 00
	Total acreage.....	9794	Total assessment on roads.....	.....	258 00	154 80	412 80
			Total assessment on lands.....	.....			7608 80
			Total assess'm't on lands & roads.....	.....			8021 60
			Total for outlet.....	5014 50			
			Total for injuring.....	3007 10			
				\$8021.60			

Windsor, Feb. 15th, 1897.

WM. NEWMAN, C. E.

And whereas the said Council of Tilbury West are of opinion that it is desirable to so improve and extend the said outlets of the Big Creek and Trembly Creek Drains, and to carry out the works proposed by the said engineer.

And whereas copies of the said engineer's report, plans, specifications, assessments and estimates of the said engineer have been served upon the respective heads of the said Municipalities of Tilbury North, Tilbury East, Romney and Mersea.

And whereas the Council of the Municipality of Tilbury East appealed to the drainage referee from the said report, plans, specifications, assessments and estimates, and the councils of the said other municipalities have not appealed and the time for so appealing has elapsed.

And whereas upon the appeal of the said council of Tilbury East, the said referee has made his report in the following words:—

IN THE HIGH COURT OF JUSTICE.

BEFORE THE REFEREE UNDER THE DRAINAGE LAWS.

In the matter of the appeal by the Township of Tilbury East, in the County of Kent, from the report and assessment of William Newman, O. L. S., engineer for the Township of Tilbury West, for the proposed cleaning out, improving and dyking of Big Creek and its branches in the Township of Tilbury North and Tilbury West.

WEDNESDAY, THE 5TH DAY OF MAY, 1897.

Pursuant to the Drainage Act, 1894; and the Amendments thereto and upon reading the notice of appeal by the Council of the Township of Tilbury East, from the report of William Newman, O. L. S., Engineer for the Township of Tilbury West, and from the assessment made by him upon the said Township of Tilbury East, for the proposed cleaning out of Big Creek and its branches. And upon reading the agreement made between the respective townships and signed by their respective counsel, and the respective Reeves of their municipal councils, and also the consent of the said William Newman, as such engineer.

It is ordered that the aggregate assessment placed upon the lands and roads of the said Township of Tilbury East, by the report of the said engineer for the said proposed drainage work, be and the same is hereby reduced from the sum of \$1,911.60 to the sum of \$1685.00.

And that the difference and reduction of the said assessment, being the sum of \$226.60 be adjusted over the lands and roads in the Township of Tilbury East chargeable with the said drainage work by the municipal council and Court of Revision of the said township as authorized, and according to the procedure prescribed by the Statutes in that behalf.

And it is further ordered that the amount of the said reduction, being the sum of \$226.60 be added to the assessment of the roads in the Town-

ship of Tilbury West for the proposed drainage work, and that the aggregate assessment of the said Township for lands and roads be increased and made the sum of \$13,487 30, instead of the amount set out in the said report. And that such addition to and increase of the assessment of the roads in the said Township of Tilbury West, be adjusted and assessed over the roads in the said township chargeable with the said drainage work by the municipal council and Court of Revision of the said township as authorized and according to the procedure prescribed by the Statutes in that behalf.

And it is further ordered that all necessary amendments be made and proceedings be taken by the respective Municipal Councils aforesaid to carry out this order.

And that the said municipalities do pay in law stamps the sum of one dollar each, and also all proper charges of the clerk of the County Court of the County of Essex, and, save as aforesaid, each municipality do bear and pay its own costs of these proceedings.

THEREFORE, the said municipal council of the said Township of Tilbury West, pursuant to the provisions of the Drainage Act, 1894, enact as follows:—

First:—The said report, plans, specifications, assessments and estimates, as amended by the said referee, are hereby adopted, and the drainage works are therein indicated and set forth shall be made and constituted in accordance therewith.

Second:—The Reeve of the said Township of Tilbury West may borrow on the credit of the corporation of the said Township of Tilbury West the sum of thirteen thousand four hundred and eighty-seven and 30/100 dollars (\$13,487.30), the said municipality's proportion of the funds necessary for the work, and may issue debentures of the corporation to that amount in sums of not less than \$50 each, and payable within ten years from that date thereof, with interest at the rate of five per centum per annum, that is to say, in ten equal annual payments of principal money and interest combined, such debentures to be payable at the Merchant's Bank in the City of Windsor, Ontario, and to have attached to them coupons for the payment of interest, viz.:

SCHEDULE.

Deb. No.	Year Due.	Price.	Interest.	Debenture.
1	1898	\$ 1072 30	\$ 674 37	\$ 1746 67
2	1899	1125 92	620 75	1746 67
3	1900	1182 21	564 46	1746 67
4	1901	1241 32	505 35	1746 67
5	1902	1303 39	443 28	1746 67
6	1903	1368 56	378 11	1746 67
7	1904	1436 99	309 68	1746 67
8	1905	1508 84	237 83	1746 67
9	1906	1584 28	162 39	1746 67
10	1907	1663 49	83 18	1746 67
		<hr/>	<hr/>	<hr/>
		\$13487 30	\$3979 40	\$17466 70

Third : For paying the sum of \$7,195.72 the amount charged against the said lands and roads for outlet liability, and the sum of \$4,316.98 the amount charged against said lands and roads for injuring liability apart from lands belonging to or controlled by the Municipality of Tilbury West, and for covering interest thereon for ten years at the rate of five per centum per annum, the following total special rates, over and above all other rates, shall be assessed, levied and collected in the same manner and at the same time as other taxes are levied and collected upon and from the undermentioned lots and parts of lots and roads, and the amount of the said total special rates and interest against each lot or part of lot respectively shall be divided into ten equal parts and one such part shall be assessed, levied and collected as aforesaid in each year for ten years after the final passing of this By-law during which the said debentures have to run :—

SCHEDULE A.

SCHEDULE of lands and roads in the Township of Tilbury West assessed for the repairing, improving and extending of Big Creek drain and its branches in the Townships of Tilbury North and Tilbury West, together with the amount which each lot or part of lot and road should bear and pay toward said improvement.

Con. or Plan No.	Lot or part of lot.	Area acres.	Owners' names.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvt.	Total in't for 10 yrs 5 per cent.	Total special rate.	Annual profit each yr fr 10 yrs
11	w hf 4.....	100	Cyrus Malott.....	.....	50 00	30 00	80 00	23 60	103 60	10 36
	w hf e hf 4.....	50	Samuel Lynn.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e hf e hf 4.....	50	Albert Lynn.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf 5.....	100	Wm. Calder.....	.....	50 00	30 80	80 00	23 61	103 61	10 36
	e hf 5.....	100	David Lynn.....	.....	50 00	30 00	80 00	23 60	103 60	10 36
	s pt 6.....	99	H. A. Nelson.....	.....	49 50	29 70	79 20	23 38	102 58	10 26
	s quar n hf 6.....	25	Samuel Stein.....	.....	12 50	7 50	20 00	5 91	25 91	2 59
	n three-qr s n hf 6.....	75	Wm. Elliott.....	.....	37 50	22 50	60 00	17 71	17 71	7 77
	s hf 7.....	100	James McCracken.....	.....	50 00	30 00	80 00	23 60	103 60	10 36
	n hf 7.....	100	Jas. Vanhorne.....	.....	50 00	30 00	80 00	23 60	103 60	10 36
	n quar 8.....	50	Henry White.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w one-third s three-qr s 8.....	50	J. Terry berry.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	middle one-third s three-qr s 8.....	50	M. R. Anderson.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e one-third s three-qr s 8.....	50	D. Kinsman.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf s hf 9.....	50	D. Kinsman.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf n hf 9.....	50	Francis Biree.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf e hf 9.....	50	R. Kinsman.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e hf e hf 9.....	50	John Kinsman.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf s hf 10.....	50	A. R. Prendergast.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e hf s hf 10.....	50	Wm. Hannah.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf n hf 10.....	50	C. Pettit.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e hf n hf 10.....	50	James Lindsay.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e hf n hf 11.....	50	S. Reave.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf n hf 11.....	50	Non resident.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	s hf 11.....	100	Non resident.....	.....	50 00	30 00	80 00	23 60	103 60	10 36

w hf s hf 12	50	James McIntosh	25 00	15 00	40 00	11 80	51 80	5 18
e hf s hf 12	50	John Tilson	25 00	15 00	40 00	11 80	51 80	5 18
w hf n hf 12	50	Charles Mongeon	25 00	15 00	40 00	11 80	51 80	5 18
e hf n hf 12	50	R. Robb	25 00	15 00	40 00	11 80	51 80	5 18
n hf 13	100	M. Prendergast	50 00	30 00	80 00	23 60	103 60	10 36
s hf 13	100	S. Kitchen	50 00	30 00	80 00	23 60	103 60	10 36
w hf 14	100	I. Wilson	50 00	30 00	80 00	23 60	103 60	10 36
e hf 14	100	John McIntosh	50 00	30 00	80 00	23 60	103 60	10 36
w hf 15	100	John McNarland	50 00	30 00	80 00	23 60	103 60	10 36
e hf 15	100	John Thompson	50 00	30 00	80 00	23 60	103 60	10 36
s hf 16	100	W. G. Lang	50 00	30 00	80 00	23 60	103 60	10 36
e three-qls n hf 16	75	A. Shauler	37 50	22 50	60 00	17 71	77 71	7 77
w quar n hf 16	25	W. Storey	12 50	7 50	20 00	5 91	25 91	2 59
lot 17	200	Cameron Estate	100 00	60 00	160 00	47 22	207 22	20 72
w hf s hf 18	50	Thomas Buchanan	25 00	17 00	40 00	11 80	51 80	5 18
w hf n hf 18	50	A. Buchanan	25 00	15 00	40 00	11 80	51 80	5 18
e hf 18	100	D. Johnston	50 00	30 00	80 00	23 61	103 61	10 36
n quar w hf 19	25	W. Owens	12 50	7 50	20 00	5 91	25 91	2 52
s three qls w hf 19	75	W. J. Bell	37 50	22 50	60 00	17 70	77 79	7 77
w hf e hf 19	50	Thomas Bell	25 00	15 00	40 00	11 80	51 80	5 18
e hf e hf 19	50	David Bell	25 00	15 00	40 00	11 80	51 80	5 18
s hf 20	44	H. Powell	22 00	13 20	35 20	10 39	45 59	4 56
n hf 20	44	J. T. Gahan	22 00	13 20	35 20	10 39	45 59	4 56
lot 4	200	Cameron Estate	100 00	60 00	160 00	47 21	207 21	23 72
w hf s hf 5	50	D. Chatterton	25 00	15 00	40 00	11 80	51 80	5 18
e hf s hf 5	50	W. Warren	25 00	15 00	40 00	11 80	51 80	5 18
w hf n hf 5	50	Mrs. J. Bell	25 00	15 00	40 00	11 80	51 80	5 18
e hf n hf 5	50	W. Dalgleish	25 00	15 00	40 00	11 80	51 80	5 18
n quar 6	50	Jane Vanidour	25 00	15 00	40 00	11 80	51 80	5 18
s pt n hf 6	49	W. M. Goatbe	24 50	14 70	39 20	11 56	50 76	5 07
n hf s hf 6	50	R. McNaughton	25 00	15 00	40 00	11 80	51 80	5 18
s hf s hf 6	50	James Crozier	25 00	15 00	40 00	11 80	51 80	5 18
w hf 7	100	William Ludlam	50 00	30 00	80 00	23 60	103 60	10 36
e hf 7	100	J. N. Dutot	50 00	30 00	80 00	23 60	103 60	10 36
w hf 8	100	James Dutot	50 00	30 00	80 00	23 60	103 60	10 36
e hf n hf 8	50	George Taylor	25 00	15 00	40 00	11 80	51 80	5 18
e hf s hf 8	50	Mrs. J. Truskey	25 00	15 00	40 00	11 80	51 80	5 18
e hf n hf 9	50	J. H. Watson	25 00	15 00	40 00	11 80	51 80	5 18
e hf s hf 9	50	J. E. Manley	25 00	15 00	40 00	11 80	51 80	5 18

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area acres.	Owners' names.	Value of outlet liability.	Value of Value of injuring liability.	Total value of improvt.	Total int for 10 y's 5 per cent.	Total special rate.	Annual p't each yr fr 10 y's
	e hf n hf w hf 9	25	A. Vanidour	12 50	7 50	20 00	5 91	25 91	2 59
	e hf s hf w hf 9	25	N. Ryckman	12 50	7 50	20 00	5 91	25 91	2 59
	w quar 9	50	G. A. & W. J. Taylor	25 00	15 00	40 00	11 80	51 80	5 18
	w hf s hf 10	50	Ed. Jory	25 00	15 00	40 00	11 80	51 80	5 18
	w hf n hf 10	50	Alexander Sova, Jr.	25 00	15 00	40 00	11 80	51 80	5 18
	e hf 10	100	N. Nelson	50 00	30 00	80 00	23 60	103 60	10 36
	e hf n hf 11	50	Eli Ulch	25 00	15 00	40 00	11 80	51 80	5 18
	w hf n hf 11	50	Thos. Ulch	25 00	15 00	40 00	11 80	51 80	5 18
	w hf s hf 11	50	Win. Magee	25 00	15 00	40 00	11 80	51 80	5 18
	e hf s hf 11	50	John Magee	25 00	15 00	40 00	11 80	51 80	5 18
	s hf 12	100	William Traquair	50 00	30 00	80 00	23 60	103 60	10 36
	s hf n hf 12	50	A. Washburn	25 00	15 00	40 00	11 80	51 80	5 18
	n hf n hf 12	50	James Wilson	25 00	15 00	40 00	11 80	51 80	5 18
	n pt 13	99	John Mellow	49 50	29 70	79 20	23 37	102 57	10 27
	n hf s hf 13	50	D. Strang	25 00	15 00	40 00	11 80	51 80	5 18
	s hf s hf 13	50	R. Parish	25 00	15 00	40 00	11 80	51 80	5 18
	s hf 14	100	John A. Mellow	50 00	30 00	80 00	23 61	103 61	10 36
	n three-qr s n hf 15	75	John Traquair	37 50	22 50	60 00	17 72	77 72	7 77
	s quar n hf 15	25	George Robb	12 50	7 50	20 00	5 91	25 91	2 59
	w hf s hf 15	50	Thomas Dunmore	25 00	15 00	40 00	11 80	51 80	5 18
	e hf s hf 15	50	Wm. Storey	25 00	15 00	40 00	11 80	51 80	5 18
	w hf s hf 16	50	P. Donohue	25 00	15 00	40 00	11 80	51 80	5 18
	e hf s hf 16	50	Ed Falconer	25 00	15 00	40 00	11 80	51 80	5 18
	w hf n hf 16	50	Canada Co.	24 00	15 00	40 00	11 80	51 80	5 18
	e hf n hf 16	50	Canada Co.	25 00	15 00	40 00	11 80	51 80	5 18
	w hf n hf 17	50	F. Benoit	25 00	15 00	40 00	11 80	51 80	5 18
	e hf n hf 17	50	R. McKeown	25 00	15 00	40 00	11 30	51 80	5 18
	w hf s hf 17	70	D. Dalglish	25 00	15 00	40 00	11 80	51 80	5 18

e hf s hf 17	50	James Gahan	25 00	15 00	40 00	11 80	51 80	5 18
s hf n hf 18	50	Peter Marchand	25 00	15 00	40 00	11 80	51 80	5 18
n hf n hf 18	50	W. Glazier	25 00	15 00	40 00	11 80	51 80	5 18
s hf s hf 18	50	S. Moffatt	25 00	15 00	40 00	11 80	51 80	5 18
n quar s hf 18	25	Peter Marchand	12 50	7 50	20 00	5 91	25 91	2 59
s hf n hf s hf 18	25	Jos. Marchand	12 50	7 50	20 00	5 91	25 91	2 59
s hf n hf 19	50	Jos. Marchand	25 00	15 00	40 00	11 80	51 80	5 18
n hf n hf 19	50	Wm. Benoit	25 00	15 00	40 00	11 80	51 80	5 18
n hf s hf 19	50	Ed. Marchand	25 00	15 00	40 00	11 80	51 83	5 18
s hf s hf 19	50	O. Authier	25 00	15 00	40 00	11 80	51 80	5 18
Gore lot 20	84	E. Haviland	42 00	25 20	67 20	19 82	87 02	8 70
9 s hf 4	100	H. Lindsay	50 00	30 00	80 00	23 61	103 61	10 36
w pt n hf 4	50	Jennet Frazer	25 00	15 00	40 00	11 80	51 88	5 18
centre part s half 14	50	M. J. Hillman	25 00	15 00	40 00	11 80	51 80	5 18
e quarter 14	50	Jos. Thibert	25 00	15 00	40 00	11 80	51 80	5 18
n e corner w half 15	49½	S. Wymer	25	15	40	12	52	05
w part n half 15	50	A. Pearson	24 75	14 85	39 60	11 69	51 29	5 13
e half n half 15	50	Jas. Cotter	25 00	15 00	40 00	11 80	51 80	5 18
e half s half 15	50	H. Trudell	25 00	15 00	40 00	11 80	51 80	5 18
w quarter s half 15	25	Jos. Thibert	12 50	7 50	20 00	5 91	25 91	2 59
e half w half s half 15	25	A. Pearson	12 50	7 50	20 00	5 91	25 91	2 59
gore 8	27	C. MacDermott	13 50	8 10	21 60	6 37	27 97	2 80
w half gore 9	40	R. Jackson	20 00	12 00	32 00	9 44	41 44	4 14
e half gore 9	40	S. Jackson	20 00	12 00	32 00	9 44	41 44	4 14
w three-quarters s half 10	75	Wm. Brown	37 50	22 50	60 00	17 70	77 70	7 77
e quarter s half 10	25	Non-resident	12 50	7 50	20 00	5 91	25 91	2 59
n part 10	30	Jno. Cranston	15 00	9 00	24 00	7 08	31 08	3 11
s half 11	100	Jas. Sellars	50 00	30 00	80 00	23 60	103 60	10 36
n part 11	80	R. E. Dodson	40 00	20 00	64 00	18 89	82 89	8 29
w half 12	100	R. Ford	50 00	30 00	80 00	23 60	103 60	10 36
e half 12	100	A. Kendrick	50 00	30 00	80 00	23 60	103 60	10 36
n part 13	99	J. McDowall	49 50	29 70	79 20	23 38	102 58	10 26
n half s half 13	50	S. McDowall	25 00	15 00	40 00	11 80	51 80	5 18
s half s half 13	50	Wm. McDowall	25 00	15 00	40 00	11 80	51 80	5 18
w half n half 14	50	Jno. McDowall	25 00	15 00	40 00	11 80	51 80	5 18
e half n half 14	50	S. Wymer	25 00	15 00	40 00	11 80	51 80	5 18
w half s half 14	50	A. Coulter	25 00	15 00	40 00	11 80	51 80	5 18
e half s half 14	50	R. J. Coulter	25 00	15 00	40 00	11 80	51 80	5 18
s half 15	100	S. Palmer	50 00	30 00	80 00	23 60	103 60	10 36

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area acres.	Owners' names.	Value of benefit.	Value of outlet liability.	Value of Value of injuring liability.	Total value of improvement.	Total co'r in't for 10 yrs 5 per cent.	Total special rate.	Annual p't each year for 10 yrs
MRS	w half n half 15	50	Geo. Wylie	25 00	15 00	40 00	11 80	51 80	5 18	
	e half n half 15	50	C. Wylie	25 00	15 00	40 00	11 80	51 80	5 18	
	w part 5	110	George Buchanan	43 75	26 25	70 00	20 65	90 65	9 06	
	w part e half 5	85	Magge Buchanan	42 00	25 50	68 00	20 06	88 06	8 81	
	w part n half 6	49	Geo. Fran-furth	24 50	14 70	39 20	11 56	50 76	5 08	
	n e corner w half n half 6	1	Ed. Whitley	50	30	80	24	1 04	10	
	w half s half 6	50	E. Heiser	25 00	15 00	40 00	11 80	51 80	5 18	
	part e half 6	97	Cameron Estate	48 50	29 10	77 60	22 90	100 50	10 05	
	v lots 3, 4, 5, 6, 7, 8, 9, n hf 6	1 1/4	Cameron Estate	62	38	1 00	29	1 29	13	
	v lot 11 on n half 6	1/2	H. Prov'd't & Loan Co	25	15	40	12	52	05	
	v lots 1 and 2 on n half 6	1/2	Wm Taylor	25	15	40	12	52	05	
	v lots 10, 11, 12, on n half 6	1 1/4	Cameron Estate	38	22	60	17	77	08	
	s half 7	100	Cameron Estate	50 00	30 00	80 00	23 60	103 60	10 36	
	w part n w quarter 7	7	D. McAllister	3 50	2 10	5 60	1 65	7 25	73	
	e part n half 7	45	W. Burnard	6 25	3 75	10 00	2 95	12 95	1 30	
	e part n w quarter 7	34	W. Harnan	12 50	7 50	20 00	5 91	25 91	2 59	
	v lots 7, 8 and 9 on 7	1 1/2	I. Ward	25	15	40	12	52	05	
	v lots 11 and 12 on 7	1 1/2	W. A. McIntosh	10	06	16	04	20	02	
	village lot 13 on 7	1 1/2	D. Intricken	10	06	16	04	20	02	
	village lot 14 on 7	1 1/2	Jas. Whales	10	06	16	04	20	02	
v Lots 15 and 16 on 7	2 1/2	C. P. Coulson	20	12	32	10	42	04		
v Lot 17 on 7	1 1/2	Mann Estate	10	06	16	04	20	02		
v Lot 21 on 7	1 1/2	I. Ward	10	06	16	04	20	02		
v Lot 23 on 7	1 1/2	J. Goatbe	09	05	14	04	18	02		
v Lot 25 on 7	1 1/2	Augusta Fenner	10	06	16	04	20	02		
v Lot 26 on 7	1 1/2	F. Shultz	12	08	20	06	26	03		
v Lot 27 on 7	1 1/2	D. Vokes	10	06	16	04	20	02		
v Lot 26 on 7	1 1/2	D. McAllister	10	06	16	04	20	02		
34, 35, 36, 37, 38, 39, on 7	1 1/4	D. Vokes	88	52	1 40	41	1 81	18		

	1/2	25	15	40	12	52	05
Lot 29 on 7.....	100	50 00	30 00	80 00	23 60	103 60	10 36
s half lot 8.....	100	12 50	7 50	20 00	5 93	25 93	2 59
e half 9.....	100	12 50	7 50	20 00	5 93	25 93	2 59
w half 9.....	100	25 00	15 00	40 00	11 80	51 80	5 18
e half n half 9.....	50	25 00	15 00	40 00	11 80	51 80	5 18
n part 5.....	98 1/2	49 62	29 38	79 00	23 31	102 31	10 23
s part 5.....	96 1/2	48 25	28 95	77 20	22 78	99 98	10 00
s half w half 6.....	50	25 00	15 00	40 00	11 80	51 80	5 18
n part w half 6.....	49	24 50	14 70	39 20	11 57	50 77	5 08
e half 6.....	100	50 00	30 00	80 00	23 61	103 61	10 36
n half 7.....	100	50 00	30 00	80 00	23 61	103 61	10 36
s half 7.....	100	50 00	30 00	80 00	23 61	103 61	10 36
w half n half 8.....	50	25 00	15 00	40 00	11 80	51 80	5 18
e half n half 8.....	50	25 00	15 00	40 00	11 80	51 80	5 18
w half s half 8.....	50	25 00	15 00	40 00	11 80	51 80	5 18
e half s half 8.....	50	25 00	15 00	40 00	11 80	51 80	5 18
w half n half 9.....	50	25 00	15 00	40 00	11 80	51 80	5 18
e half n half 9.....	50	25 00	15 00	40 00	11 80	51 80	5 18
w half s half 9.....	50	25 00	15 00	40 00	11 80	51 80	5 18
e half s half 9.....	50	25 00	15 00	40 00	11 80	51 80	5 18
w half s half 9.....	50	25 00	15 00	40 00	11 80	51 80	5 18
e half s half 9.....	50	25 00	15 00	40 00	11 80	51 80	5 18
n half 10.....	100	50 00	30 00	80 00	23 61	103 61	10 36
e half s half 10.....	50	25 00	15 00	40 00	11 80	51 80	5 18
w half s half 10.....	50	25 00	15 00	40 00	11 80	51 80	5 18
w half n half 11.....	50	25 00	15 00	40 00	11 80	51 80	5 18
e half n half 11.....	50	25 00	15 00	40 00	11 80	51 80	5 18
w half s half 11.....	50	25 00	15 00	40 00	11 80	51 80	5 18
w half e half s half 11.....	50	25 00	15 00	40 00	11 80	51 80	5 18
e quarter s half 11.....	25	12 50	7 50	20 00	5 90	25 90	2 59
n three-quarters 12.....	150	75 00	45 00	120 00	35 41	155 41	15 54
s quarter 12.....	50	25 00	15 00	40 00	11 80	51 80	5 18
lot 13.....	200	100 00	60 00	160 00	47 21	207 21	22 72
n half 14.....	100	50 00	30 00	80 00	23 60	103 60	10 36
e half s half 14.....	50	25 00	15 00	40 00	11 80	51 80	5 18
w half s half 14.....	50	25 00	15 00	40 00	11 80	51 80	5 18
w half s half 15.....	50	25 00	15 00	40 00	11 80	51 80	5 18
e half s half 15.....	50	25 00	15 00	40 00	11 80	51 80	5 18
w half n half 15.....	50	25 00	15 00	40 00	11 80	51 80	5 18
e half n half 15.....	50	25 00	15 00	40 00	11 80	51 80	5 18
gore 4.....	20	10 00	6 00	16 00	4 72	20 72	2 07

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of Acres.	Owners' Names.	Value of benefit.	Value of outlet liability.	Value of Value of injuring liability.	Total value of improve- ment.	Tot'l cor' in't for 10 yrs 5 per cent.	Total special rate.	Annual pt each yr fr 10 yrs
	gore 5.....	70	R. Jackson.....	35 00	21 00	21 00	56 00	16 53	72 53	7 25
	n part 6.....	73	E. Heiser.....	36 50	21 90	21 90	58 40	17 24	75 64	7 57
	s part 6.....	49	M. Lambert.....	24 50	14 70	14 70	39 20	11 57	50 77	5 08
	n part 7.....	77	Agnes Harkness.....	38 50	23 10	23 10	61 60	18 18	79 78	7 98
	s half s half 7.....	50	R. McQueen.....	25 00	15 00	15 00	40 00	11 80	51 80	5 18
	n half s half 7.....	50	Non resident.....	25 00	15 00	15 00	40 00	11 80	51 80	5 18
	w half n half 8.....	50	E. Hillman.....	25 00	15 00	15 00	40 00	11 80	51 80	5 18
	e half n half 8.....	50	J. McFadden.....	25 00	15 00	15 00	40 00	11 80	51 80	5 18
	w half s half 8.....	50	W. Lindsay.....	25 00	15 00	15 00	40 00	11 80	51 80	5 18
	e half s half 8.....	50	Jones Breen.....	25 00	15 00	15 00	40 00	11 80	51 80	5 18
	lot 9.....	200	C. Frankfurth.....	100 00	60 00	60 00	160 00	47 22	207 22	20 72
	n half 10.....	100	C. Thornnton.....	50 00	30 00	30 00	80 00	23 60	103 60	10 36
	w half n half 11.....	50	John Ford.....	25 00	15 00	15 00	40 00	11 80	51 80	5 18
	e half n half 11.....	50	Thomas Leavitt.....	25 00	15 00	15 00	40 00	11 80	51 80	5 18
	s half 11.....	100	H. Pettit.....	50 00	30 00	30 00	80 00	23 60	103 60	10 36
	lot 12.....	200	R. Keith.....	100 00	60 00	60 00	160 00	47 22	207 22	20 72
	s half 13.....	100	C. Marchand.....	50 00	30 00	30 00	80 00	23 60	103 60	10 36
	n half n half 13.....	50	S. Hillman.....	25 00	15 00	15 00	40 00	11 80	51 80	5 18
	n half w half n half 13.....	25	A. Kendrick.....	12 10	7 50	7 50	20 00	5 90	25 90	2 59
	s half w half n half 13.....	25	C. Thornnton.....	12 50	7 50	7 50	20 00	5 90	25 90	2 59
	w half n half 14.....	50	E. Pearson.....	25 00	15 00	15 00	40 00	11 80	51 80	5 18
	w half n half e half 14.....	25	E. Pearson.....	12 50	7 50	7 50	20 00	5 90	25 90	2 59
	w quarter s half 14.....	25	S. Hillman.....	12 50	7 50	7 50	20 00	5 90	25 90	2 59
	w hf 10.....	100	B. Roadhouse.....	12 50	7 50	7 50	20 00	5 93	25 93	2 59
	e hf 10.....	100	W. Wallace.....	12 50	7 50	7 50	20 00	5 93	25 93	2 59
	s hf 11.....	100	R. Shanks.....	25 00	15 00	15 00	40 00	11 80	51 80	5 18
	s hf 12.....	100	F. Lickman.....	31 25	18 75	18 75	50 00	14 76	64 76	6 48
	w pt n hf 13.....	49	R. E. Dodson.....	24 50	14 70	14 70	39 20	11 58	50 78	5 08

e hf n hf 13	50	Wm. Dodson	25 00	15 00	40 00	11 80	51 80	5 18
s hf 13	100	Geo. Wiley	50 00	30 00	80 00	23 60	103 60	10 36
s hf 14	100	S. Alexander	50 00	30 00	80 00	23 60	103 60	10 36
n hf 14	100	A. Holmes	50 00	30 00	80 00	23 60	103 60	10 36
n hf 15	100	Harry Rowson	50 00	30 00	80 00	23 60	103 60	10 36
s hf 15	100	A. Holmes	50 00	30 00	80 00	23 60	103 60	10 36
s pt 5	97	A. Fenner	48 50	29 10	77 60	22 90	100 50	10 05
s e cor 6	1	E. Lindsay	23 00	13 80	86 80	10 87	47 67	4 77
w pt s hf 6	46	S. Taylor	50	30	80	23	1 03	11
v lot 1 and 2 on 6	1	Jas. Kerr	10	06	16	04	20	02
v lot 3 on 6	1-5	Butler Estate	10	06	16	04	20	02
v lot 4 on 6	1-5	S. J. Hughes	10	06	16	04	20	02
v lot 5 on 6	1-5	S. Whatley	10	06	16	04	20	02
v lot 6 on 6	1-5	S. Whatley	10	06	16	04	20	02
v lot 7 on 6	1-5	A. Taim	10	06	16	04	20	02
v lot 8 on 6	1-5	M. Kingswell	10	06	16	04	20	02
v lot s hf 9 on 6	1-8	Amy Hatcher	06	04	10	03	13	02
v lot n hf 9 on 6	1-8	John Lefavre	06	04	10	03	13	02
v lot 10 on 6	1-5	R. Buckley	10	06	16	04	20	02
v lot 11 on 6	1-5	Jas Sellars	10	06	16	04	20	02
v lot n hf 12 on 6	1-10	R. H. Abbott	05	03	08	02	10	01
v lot s hf 12 on 6	1-10	E. Whatley	05	03	08	02	10	01
v lot s hf 13 on 6	1-10	A. J. Brown	05	03	08	02	10	01
v lot n hf 13 on 6	1-10	R. Riley	05	03	08	02	10	01
v lot 14 on 6	1-5	R. Kenyon	10	06	16	05	21	02
v lot 15 on 6	1-5	C. Frankfurth	10	06	16	05	21	02
v lot 16 on 6	1-5	D. McAlister	10	06	16	05	21	02
v lot 17 on 6	1-5	C. Clark	10	06	16	05	21	02
v lot 18 on 6	1-5	M. J. Roadhouse	10	06	16	05	21	02
v lot 19 on 6	1-5	J. T. Jordan	10	06	16	05	21	02
v lot 20 on 6	1-5	Pres. Manse	10	06	16	05	21	02
v lot 21 on 6	1-5	John Mellow	10	06	16	05	21	02
v lot 22 on 6	1-5	R. Anderson	10	06	16	05	21	02
v lot 23 on 6	1-5	M. Prendergast	10	06	16	05	21	02
v lot 24 on 6	1-5	J. J. Frankfurth	10	06	16	05	21	02
v lot 25 on 6	1-5	D. Baldwin	10	06	16	05	21	02
v lot 26 on 6	1-5	M. J. Hillman	10	06	16	05	21	02
v lot 27 on 6	1-5	John Moody	10	06	16	05	21	02
v lot 28 on 6	1-5	P. McNaughton	10	06	16	05	21	02

M.R.N.

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area Acres.	Owners' names.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvement.	Tot'l co'r in't for 10 yr's 5 per cent.	Total special rate.	Annual p't each yr fr 10 yrs
	v lot 29 on 6	1-5	A. McKenzie		10	06	16	05	21	02
	v lot 30 on 6	1-5	W. Armitage		10	06	16	05	21	02
	v lot 31 on 6	1-5	R. O. Y. Ainslie		10	06	16	05	21	02
	v lot 32 on 6	1-5	T. Beattie		10	06	16	05	21	02
	v lots 33 and 34 on 6	2-5	Geo. Ainslie		20	12	32	08	40	04
	v lot 35 on 6	1-5	A. T. Allen		10	06	16	05	21	02
	v lot 36 on 6	1-5	A. F. Allen		10	06	16	05	21	02
	v lot 43 on 6	1-5	C. Blim		10	06	16	05	21	02
	v lot 44 on 6	1-5	C. Douglas		10	06	16	05	21	02
	v lot 47 on 6	1-5	Jas. Sellars		10	06	16	05	21	02
	v lot 51, 52, 53 on 6	3-5	S. Whatley		30	18	48	12	60	06
	v lot 54, 55, 56, 57 on 6	4-5	Jas. Kerr		40	24	64	16	80	08
	v lot 58 on 6	1-8	W. Dalton		06	04	10	03	13	02
	v lot 61 on 6	1-5	W. Taylor		10	06	16	05	21	02
	v lot 62 on 6	1-5	Alice Allen		50	30	80	24	104	11
	v lot 19 on 6	1-5	T. Beattie		10	06	16	05	21	02
	park lots A and B on 6	1	F. F. Jones		50	30	80	24	104	11
	park lot C on 6	1	H. Howe		25	15	40	12	52	05
	park lots D and E on 6	2	Geo. Ainslie		25	15	40	12	52	05
	see part 6	22	W. Taylor		11 00	6 60	17 60	5 19	22 79	2 28
	v lot 20 on n hf 6	1-5	Alex. Wards		10	06	16	05	21	02
	v lots 2 and 3 on 7	1	Geo. Millar		25	15	40	12	52	05
	v lots 4 and 5 on n hf 7	1	D. Dewhirst		25	15	40	11	51	05
	v lot s hf 32 on n hf 7	1-8	H. Hallett		06	04	10	03	13	02
	v lot n hf 32 on n hf 7	1-8	Thos. Beattie		06	04	10	03	13	02
	v lot n hf 33 on 7	1	W. Harmer		25	15	40	11	51	05
	v lots 6, 7, 8 on 7	1	M. Creighton		50	30	80	24	104	11
	v lot 26 on 7	1	C. Ford		38	22	60	18	78	08
	v lot 27 on 7	1	I. H. Ainslie		35	22	57	18	71	07
	v lot 28 on 7	2-5	Alex. Ainslie		20	12	32	09	41	04

v lot S.R.R. s part 7	1-5	M. Laporte	10	06	16	05	21	02
v lot S.R.R. s part 7	3½	W. Warren, sr	1 80	1 00	2 80	83	3 63	37
v lot S.R.R. 2 on s hf 7	1-5	C. Frankfurth	10	06	16	05	21	02
v lot S.R.R. 3 on s hf 7	1-5	C. Frankfurth	10	06	16	05	21	02
v lots 4 and 5 on 7	½	J. E. Hull	25	15	40	11	51	05
v lot 7 on 7	1-5	A. Buchanan	10	06	16	05	21	02
v lot 8 on 7	1-5	W. Elliott	10	06	16	05	21	02
v lot 9 on 7	1-5	Jno. McKeown	10	06	16	05	21	02
v lot 10 on 7	1-5	C. Macdormott	10	06	16	05	21	02
v lot 11 on 7	1-5	J. Storey	10	06	16	05	21	02
v lot 12 on 7	1-5	C. N. Anderson	10	06	16	05	21	02
v lot 13 on 7	1-5	A. J. Brown	10	06	16	05	21	02
v lot 14 on 7	1-5	Jas. Lewis	10	06	16	05	21	02
v lots 15, 16 and 20 on 7	2-5	P. A. Flaherty	20	12	32	09	41	04
v lot 17 on 7	1-5	D. Shanks	10	06	16	05	21	02
v lot 18 on 7	1-5	S. Whatley	10	06	16	05	21	02
v lot 19 on 7	1-5	Jno Elliott	10	06	16	05	21	02
v lot 22 on 7	1-8	Jno. Gee	06	04	10	03	13	02
v lot 23 on 7	1-5	W. Hermer	10	06	16	05	21	02
v lot 24 on 7	1-8	T. Anderson	06	04	10	03	13	02
v lot 21 on 7	1-8	Louis Robbins	06	04	10	03	13	02
v lot 42 on 7	1-5	John Elliott	10	06	16	05	21	02
v lot 43 on 7	1-5	N. Leclaire	10	06	16	05	21	02
v lots 45 and 46 on 7	2-5	M. and C. McDowall	20	12	32	09	41	04
v lots 74, n hf 73 on 7	3-10	W. Chatterton	15	09	24	07	31	03
v lots 72, s hf 73 on 7	3-10	A. Beauchene	15	09	24	07	31	03
v lots 61 and 62 on 7	2-5	W. Joynt	20	12	32	09	41	04
v lot 33 on 7	1-5	M. Coutier	10	06	16	05	21	02
v lot part s half 7	2½	J. W. Sifton	1	25	2 00	59	2 59	26
v lot s w corner 7	1-2	Jas. Logan	25	15	40	11	51	05
v lot 59 s hf 7	1-5	N. Selink	10	06	16	05	21	02
v lot 25 on 7	1-5	H. Wright	10	06	16	05	21	02
v lot 26 on 7	1-5	H. Thompson	10	06	16	05	21	02
v lots 27 and 28 on 7	2-5	E. Johnston	20	12	32	10	42	04
v lot 29 on 7	1-5	J. D. and G. A. Ainslie	10	06	16	05	21	02
v lot 31 on 7	½	Jas. Sellars	26	15	40	12	52	05
s e part 7	60	Robt. Jackson	6 25	3 75	10 00	2 95	12 95	1 09
s part 13	96	R. E. Dodson	48 00	28 80	76 80	22 67	99 47	9 05
n part 13	93	Mrs. E. Johnston	46 50	27 90	74 40	21 96	96 36	9 64

SCHEDULE A.—Concluded.

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owners' Name.	Value of benefit.	Value of outlet liability.	Value of Value of injuring liability.	Total value of improve- ment.	Tot'l co'r in't for 10 yrs 5 per cent.	Total special rate.	Annual profit each ye's fr 10 yrs
				\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.
	s hf 14.....	100	Wm. Holmes.....	50 00	30 00	80 00	23 60	103 60	10 36	
	w pt n hf 14.....	28	E. Thomas.....	14 00	8 40	22 40	6 60	29 00	2 90	
	e pt n hf 14.....	67	F. Shultz.....	33 50	20 10	53 60	15 80	69 40	6 94	
	w pt n hf 15.....	47	T. Jackson.....	23 50	14 10	37 60	11 10	48 70	4 87	
	e pt n hf 15.....	47	F. Morris.....	23 50	14 10	37 60	11 10	48 70	4 87	
	w hf s hf 15.....	50	M. Grimshaw.....	25 00	15 00	40 00	11 80	51 80	5 18	
	e hf s hf 15.....	50	P. Sartegny.....	25 00	15 00	40 00	11 80	51 80	5 18	
		14892 ² / ₃	Total ass'm't on lands.....	7195 72	4316 98	11512 70	3396 80	14909 50	1490 95	
			ASSESSM'T ON ROADS.							
M.R.S...	lots road in rear.....	10	Tilbury W. & N., $\frac{1}{2}$ each.....	5 00	3 00	8 00	2 36	10 36	1 04	
	Middle road.....	35		35 00	21 00	56 00	16 52	72 52	7 25	
	lots road in rear.....	40		40 00	24 00	64 00	18 88	82 88	8 29	
	road between.....	25		25 00	15 00	40 00	11 80	51 80	5 18	
	road between.....	35	7 and 8 concessions.....	35 00	21 00	56 00	16 52	72 52	7 25	
	road between.....	50	8 and 9 concessions.....	50 00	30 00	80 00	23 61	103 61	10 36	
	road between.....	50	9 and 10 concessions.....	50 00	30 00	80 00	23 61	103 61	10 36	
	T'line between Mersea.....	20	10 and 11 concessions & Tilbury E. $\frac{1}{2}$ each.....	25 00	15 00	40 00	11 80	51 80	5 18	
		30	Comber streets.....	20 00	12 00	32 00	9 44	41 44	4 15	
		45	6 and 7 side road.....	30 00	18 00	48 00	14 16	62 16	6 22	
		15	12 and 13 side road.....	45 00	27 00	72 00	21 24	93 24	9 33	
		15	18 and 19 side road.....	15 00	9 00	24 00	7 08	31 08	3 11	
		15	West & Romney $\frac{1}{2}$ each.....	7 50	4 50	12 00	3 54	15 54	1 55	
		30	M. C. R. R.....	7 50	4 50	12 00	3 54	15 54	1 54	
			L. and St. C. R. R.....	15 00	9 00	24 00	7 09	31 09	3 11	

Total assessment on roads in Tilbury West by engineer.....	405 00	243 00	648 00	191 19	839 19	83 92
Total amount added to roads in Tilbury West by referee.....	.....	.....	226 60	66 85	293 45	29 35
Total on roads.....	405 00	243 00	874 60	258 04	1132 64	113 27
Bridges in Tilbury West.....	.....	.....	1100 00	324 56	1424 56	142 46
Total on lands.....	7195 72	4316 98	11512 70	3396 80	14909 59	1490 95
Total on roads.....	405 00	243 00	874 60	258 04	1132 64	113 27
Total assessment.....	7600 72	4559 98	13487 30	3979 40	17466 70	1746 58

Fourth :—For paying the sum of \$648.00 the amount assessed against the said roads and lands of the municipality of Tilbury West, and further the sum of \$226.60 as required by the report of the said referee, and the further sum of \$1100.00 the proportion of the cost of bridges and culverts over the drainage works payable by the municipality of Tilbury West and for covering interest on the said sums of \$648.00, \$226.60, and \$1100.00 respectively, for ten years at the rate of five per centum per annum a special rate on the dollar sufficient to produce the required yearly amount therefor shall over and above all other rates be levied and collected in the same manner and at the same time as taxes are levied and collected upon and from the whole rateable property in the said municipality of Tilbury West in each year for ten years after the final passing of this by-law, during which the said debentures have to run.

Fifth :—So far as this Council has authority to enact and subject to such alterations as may be made by the proper Court of Revision, or on appeal therefrom to the Judge for paying the sum of \$4086.38 the amount charged against the lands and roads in the township of Tilbury North, for benefit and the sum of \$5,223.83 the amount charged against said lands and roads for outlet liability, and the sum of \$2,578.94, the amount charged against said lands and roads for injuring liability, apart from lands and roads belonging to or controlled by the municipality of Tilbury North, and for covering interest thereon for twenty years at the rate of five per centum per annum the following total special rate with interest added over and above all other rates shall be assessed, levied and collected in the same manner and at the same time as other taxes are levied and collected upon and from the undermentioned lots and parts of lots and roads, and the amount of the said total special rates against each lot or part of lot respectively shall be divided into twenty equal parts, and one such part shall be assessed, levied and collected as aforesaid in each year for twenty years after the final passing of this By-law, during which the said debentures have to run.

SCHEDULE of lands and roads in the Township of Tilbury North, assessed for the repairing, improving and extending of Big Creek drain and its branches in the Townships of Tilbury North and Tilbury West, together with the amount which each lot or parcel of lot and road should bear and pay toward said improvement.

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owners' Names.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of im-provement.
				\$ c.	\$ c.	\$ c.	\$ c.
B. F	w pt 13	40	Fred. Maclean	24 00			24 00
	pt 14	12½	M. McCuaig	7 50			7 50
	pt 14	45	Fred. Lee	27 00			27 00
	pt 15	40	George Morris	24 00			24 00
	s w e r 16	2¾	Adolphus Brown	3 20			3 20
	pt 16	68	Non-resident	40 00			40 00
	pt 16 and 17	85 22	Grand Trunk Railway				
		100					
	w pt 17	16	Non-resident	10 80			10 80
	lot 18	184	Cameron, Curry estate	110 00			110 00
	lot 19	270	Johns on Orr	160 00			160 00
	s pt 20	79	P. F. Strong	94 80			94 80
	middle pt 20	71	P. F. Strong	85 20			85 20
	s w pt 21	70	Pierre Lesperance	84 00			84 00
	pt 21	30	Francis Girard	36 00			36 00
	n pt 21	50	Aaron Strong	60 00			60 00
	s pt 22	25	P. F. Strong	30 00			30 00
1	w hf 13	100	Chris McKeown	100 00			100 00
	e hf 13	100	M. W. Thorne	120 00			120 00
	w hf 14	100	Fred. Lee	120 00			120 00
	e hf 14	100	Murray Hill	120 00			120 00
	w hf 15	100	George Morris	120 00			120 00
	e hf 15	100	Wm. Pendergast	120 00			120 00
	w hf s hf 16	50	Wm. Holland	60 00			60 00
	e hf s hf 16	50	George Sheldon	60 00			60 00
	n hf 16	100	Adam Roszel	120 00			120 00

w hf s hf 17	50	Hugh Holland, sr.	60 00	60 00
w hf n hf 17	50	John S. Holland	60 00	60 00
e pt 17	100	Hugh Holland, sr.	120 00	120 00
pt 18	180	Arthur Harvey	216 00	216 00
s e cor 18	20	Anthony Chauvin	24 00	24 00
s hf 19	100	Wm. Welsh	120 00	120 00
n hf 19	100	Non-resident	120 00	120 00
w pt 20	170	Jeremie Mailloux	204 00	204 00
n e c r 20	30	F. X. Mailloux	36 00	36 00
lot 21	200	Hilaire Mailloux	240 00	240 00
s w qr 22	50	Thomas Strong	60 00	60 00
s e qr 22	50	Alexander Strong	40 00	40 00
n hf 22	100	P. F. Strong	80 00	80 00
n hf 13	100	George Morris	50 00	100 00
s hf 13	95½	Pierre Peltier	28 65	76 40
n hf 14	100	George Morris	50 00	100 00
n hf s hf 14	100	Pierre Peltier	25 00	50 00
s pt 14	45½	Albert Macklem	22 75	45 50
w hf n hf 15	50	Josiah Marshall	25 00	50 00
w pt s hf 15	47¾	Murray Hill	21 00	45 00
e hf n hf 15	50	David Thomas	25 00	50 00
e hf s hf 15	47½	Albert Macklem	21 00	45 00
w hf n hf 16	50	John Warnock	30 00	55 00
e hf n hf 16	50	David Henderson, sr	30 00	55 00
s hf 16	95½	Adam Koszel	28 65	76 40
w hf n hf 17	50	Xavier Reaume	30 00	55 00
w pt s hf 17	70¾	John H. Macklem	29 50	65 00
e hf n hf 17	50	Anthony Chauvin	30 00	55 00
e pt s hf 17	23¾	Ebenezer Kelley	11 75	23 75
w qr 18	48 82	Ebenezer Kelley	25 50	50 00
middle part 18	96 35	Claude Labute	52 00	100 00
e qr 18	41	Martin Welsh	24 50	45 00
lot 19	195 35	Martin Welsh	102 20	200 00
w hf 20	97	John Sooper	51 50	100 00
e hf 20	97	Paul Desnaire	51 50	100 00

SCHEDULE.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of Acres.	Owners' Names.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvement.
				\$ c.	\$ c.	\$ c.	\$ c.
2	n qr 21	48½	Paul Besinaire	33 50	24 50	.....	58 00
	e hf w hf 21	48½	Pierre Blais	25 75	24 25	.....	50 00
	e hf w hf 21	48½	Noel Carrier	25 75	24 25	.....	50 00
	n hf e qr 21	25	Louis Sauve	12 50	12 50	.....	25 00
	s hf e qr 21	23½	Moise Lenoue	10 00	10 00	.....	20 00
	w qr 22	48½	J. Bpti Lenoue	25 75	24 25	.....	50 00
	e pt w hf 22	47	Alfred Bruie	20 00	20 00	.....	40 00
	e pt 22	94	Alfred Bruie	20 00	20 00	.....	40 00
	n pt 13	49½	H. Holland, sr	.....	25 00	.....	40 00
	n hf s hf 13	50	Wm. Keith	.....	25 00	.....	40 00
	s hf n hf 13	50	Andrew Holland	.....	25 00	.....	40 00
	s qr 13	50	Hugh Holland	.....	25 00	.....	40 00
	n hf 14	100	Ernest Gremer	.....	50 00	.....	80 00
	w hf s hf 14	50	Joseph Millar	.....	25 00	.....	40 00
w hf e hf s hf 14	25	Francis Mailloux, sr	.....	12 50	.....	20 00	
e qr s hf 14	25	Frank Mailloux	.....	12 50	.....	20 00	
w hf n hf 15	50	Robert Ladouceur	5 00	25 00	.....	45 00	
w hf s hf 15	50	Nolas Bornais	.....	25 00	.....	40 00	
e hf n hf 15	50	Josiah Marshall	5 00	25 00	.....	45 00	
w hf e hf s hf 15	25	Joseph Mailloux	.....	12 50	.....	20 00	
e qr s hf 15	33½	Lucien Mailloux	.....	12 50	.....	20 00	
w ½ n hf 16	66½	Peter Runelle	3 33	13 32	.....	26 65	
e ½ w hf 16	66½	John Palmer	6 80	26 50	.....	53 30	
w hf s hf 16	50	James Thomas	.....	25 00	.....	40 00	
e hf s hf 16	50	John Stratford	.....	25 00	.....	40 00	
w pt n hf 17	55	John H. Macklem	11 00	27 50	.....	55 00	
w pt s hf 17	75	John Wilcox	.....	37 50	.....	60 00	
e pt n hf 17	45	Henry Marshall	.....	22 50	.....	36 00	

e pt s hf 17	25	John Palmer	12 50	7 50	20 00
w hf 18	100	John Palmer	50 00	30 00	80 00
n hf e hf 18	50	John Walker	25 00	15 00	40 00
s hf s hf 18	50	Albert Tourangeau	25 00	15 00	40 00
n hf 19	100	Narcesse Trotter	50 00	30 00	80 00
s hf 19	100	John J. Jackson	50 00	30 00	80 00
w pt n hf 20	55	Chas. Beaugrand	13 75	8 25	22 00
w qr s hf 20	25	Wm. Marchand	6 25	3 75	10 00
e pt n hf 20	45	Amabel Roi	11 25	6 75	18 00
w hf s hf s hf 20	25	Oliver Larsh	6 25	3 75	10 00
e qr s hf 20	25	Francis Marchand	6 25	3 75	10 00
e hf w hf s hf 20	25	Pierre Marchand	6 25	3 75	10 00
n hf w qr 21	25	Amable Roi	6 25	3 75	10 00
w qr s hf 21	25	Camille Lefebvre	6 26	3 75	10 00
w hf e hf 21	50	Joseph Peltier	12 50	7 50	20 00
e hf w hf 21	50	Camille Lefebvre	12 50	7 50	20 00
e qr 21	50	Joseph Lefebvre	12 50	7 50	20 00
w pt n qr n hf 22	18½	J. S. Richardson	4 70	2 80	7 50
w pt s hf n qr 22	18½	Julien Bourdeau	4 70	2 80	7 50
w pt s hf n hf 22	37½	Joseph Ruiz	9 40	5 80	15 00
w pt n hf e hf 22	37½	J. B. Marchand	9 40	5 80	15 00
n hf 13	100	Robert Vinters	50 00	30 00	80 00
n hf s hf 13	50	Elizabeth Manning	25 00	15 00	40 00
s qr 13	50	Sarah Stratford	25 00	15 00	40 00
w hf n hf 14	50	Theo Ouellette	25 00	15 00	40 00
w qr n hf 14	25	Samuel Ouellette	12 50	7 50	20 00
e qr n hf 14	25	Francis Benoit	12 50	7 50	20 00
w hf s hf 14	50	Chris. Stratford	25 00	15 00	40 00
e hf s hf 14	50	Thos. Vickerman	25 00	15 00	40 00
n hf 15	100	Jos. Peltier	50 00	30 00	80 00
w hf s hf 15	50	D. Henderson, sr	25 00	15 00	40 00
e hf s hf 15	50	John Arnew	25 00	15 00	40 00
n hf 16	100	John Warnock	50 00	30 00	80 00
s hf 16	100	Elizabeth Jackson	50 00	30 00	80 00
n hf 17	100	Samuel Ouellette	50 00	30 80	80 00
n hf s hf 17	50	Alex. Trudelle	25 00	15 00	40 00
s pt s hf 17	40½	J. M. Vickerman	20 25	12 15	32 40
pt s hf 17	3	John Trease	2 50	1 50	4 00

SCHEDULE.—Continued.

	Lot or part of lot.	Area of acres.	Owners' Names.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvement.
				\$ c.	\$ c.	\$ c.	\$ c.
4	w qr n hf 18	25	Alex. Cassidy	.....	12 50	7 50	20 00
	e qr n hf 18	25	Bridget Palmer	.....	12 50	7 50	20 00
	e hf n hf 18	50	Peter Reynolds	.....	25 00	15 00	40 00
	n hf s hf 18	46	Henry Rowland	.....	25 00	15 00	40 00
	e pt s hf 18	46	Francis St. Denis	.....	23 00	13 80	36 80
	n qr 19	50	Alex. Trudelle	.....	25 00	15 00	40 00
	s hf n hf 19	50	Clement Therien	.....	25 00	15 00	40 00
	s hf 19	95½	John Jardine	.....	47 75	28 65	76 40
	w pt n hf 20	40	Clement Therien	.....	10 00	6 00	16 00
	n e pt 20	25	Pierre Marchand	.....	6 25	3 75	10 00
	s pt w hf 20	63¾	Moise Verchereau	.....	15 90	9 60	25 50
	e part 20	25	Moise Verchereau	.....	6 25	3 75	10 00
	s e pt 20	¾	Hilaire Morin	.....	20	10	30
	pt 21	121	J. B. Bornais	.....	30 25	18 15	48 40
	w pt n hf 16	54	Mrs. M. Wilson	.....	27 00	16 20	43 20
	n e pt n hf 16	¼	Fred. Schultz	.....	12	08	20
	pt n hf 16	1½	Robert Vickerman	.....	75	45	1 20
	e pt n hf 16	42	Henrietta Manning	.....	21 00	12 60	33 60
	s hf 16	96	Samuel Moffatt	.....	48 00	28 80	76 80
	w pt n hf 17	40	Henrietta Manning	.....	20 00	12 00	32 00
	s hf 17	100	John McDowall	.....	50 00	30 00	80 00
	n qr 18	50	Wm. Dodd	.....	25 00	15 00	40 00
	s hf 18	100	Antoine Dagneau	.....	50 00	30 00	80 00
	s hf n hf 18	50	Wm. Fraine	.....	25 00	15 00	40 00
	w hf 19	100	P. J. Fleming	.....	50 00	30 00	80 00
	e hf 19	100	David Henderson, sr	.....	50 00	30 00	80 00
	w pt 20	49	Joseph Giroux	.....	10 00	6 00	16 00

M. R. N.

3rd pt 20	40	Julien Duquette	10 00	6 00	16 00
2nd pt 20	40	M. Charteris	10 00	6 00	16 00
e pt 0.	80	Felix Couture	20 00	12 00	32 00
n qr 21	50	George Tisdale	12 50	7 50	20 00
w pt 21	1	J. A. Tremblay	15	15	40
n pt s hf 21	44	Edgar Morin	11 00	6 60	17 60
w hf e hf s hf 21	25	Joseph Marchand	6 25	3 75	10 10
s hf n hf 21	50	Emile Marchand	12 50	7 50	20 00
e qr s hf 21	25	M. Champaigne	6 25	3 75	10 00
w hf s hf 22	50	Joseph Marchand	12 50	7 50	20 00
s hf n hf 22	37½	W. Wright	9 37	5 63	15 00
w pt e hf s hf 22	25	Rosalie t. Denis	6 25	3 75	10 00
w hf n hf 16	50	Henry Rowson	25 00	15 00	40 00
s hf n hf 16	50	Sauuel Moffatt	25 00	15 00	40 00
s hf 16	100	Christopher Wylie	50 00	30 00	80 00
w pt 17	170	Aug. Dauphousse	85 00	51 00	136 00
e pt 17	30	George Tisdale	15 00	9 00	24 00
w pt 18	74	George Tisdale	37 00	22 50	59 50
e pt 18	124	David Henderson, sr	62 00	37 20	99 20
w hf n hf 19	50	Thomas Atkinson	12 50	7 50	20 00
s e hf n hf 19	50	Joseph Giroux, sr	12 50	7 50	20 00
w hf s hf 19	50	David Duquette, jr	12 50	7 50	20 00
n hf s hf 19	50	David Duquette, sr	12 50	7 50	20 00
w hf 20	100	Pierre Dozois	25 00	15 00	40 00
w pt s hf 20	11	David Duquette, sr	2 75	1 65	4 40
pt n e cor 20	5	Francis Audet	1 25	75	2 00
middle pt s hf 20	72	Julien Thibault	18 00	10 80	28 80
s e pt 20	12	Camille Dupras	3 00	1 80	4 80
w qr n hf 21	25	Francis Audet	6 25	3 75	10 00
s w pt 21	25	Salomie Labonte	6 25	3 75	10 00
1 pt s hf 21	12½	Francis Audet	3 12	1 88	5 00
2 pt s hf 21	12½	Wm. Chevalier	3 12	1 88	5 00
e pt n hf 21	50	Emellie Marchand	12 50	7 50	20 00
e pt s hf 21	50	Desire Daigneau	12 50	7 50	20 00
e pt w hf n hf 21	24½	Jean M. Dupras	6 20	3 70	9 90
w qr n hf 22	25	Henrietta Duplessis	6 25	3 75	10 00
e hf w hf n hf 22	25	Emellie Marchand	6 25	3 75	10 00
1 pt n hf 22	¼	Mary Carrier	06	04	10

M. R. S.

SCHEDULE — Continued.

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owners' Names.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of im- provement.
				\$ c.	\$ c.	\$ c.	\$ c.
M. R. S.	2 pt n hf 22		Pat. McMahon				
	3 pt n hf 22		John White				
	4 pt n hf 22		Joseph Carrier				
	5 pt n hf 22		Felix Carrier				
	e pt n hf 22	43	Henry Carrier		12 00	7 20	19 20
	s hf n hf 22	50	James Kerr		12 50	7 50	20 00
	s qr 22	50	Julia Kerr		12 50	7 50	20 00
	gore 20	7	Camille Dupras		1 75	1 05	2 80
	gore 21	58	Alfred Marchand		14 50	8 70	23 20
	gore 22	116	Nap. Paquette		29 00	17 40	46 40
7	n hf 16	100	Chris. Wy'ie		50 00	30 00	80 00
	w hf s hf 16	50	P. J. Fleming		25 00	15 00	40 00
	e hf s hf 16	50	Geo. Atkinson		25 00	15 00	40 00
	w hf n hf 17	50	J. B. Bordeaux		25 00	15 00	40 00
	w hf e hf n hf 17	25	Henry Honsberger		12 50	7 50	20 00
	e hf n hf 17	25	Thos. W. Atkinson		12 50	7 50	20 00
	w hf s hf 17	50	Thomas Hillman		25 00	15 00	40 00
	e hf s hf 17	50	George Hillman		25 00	15 00	40 00
	w qr n hf 18	25	Thos. W. Atkinson		12 50	7 50	20 00
	s pt n hf 18	40	Alex. A. Hillman		20 00	12 00	32 00
	n e pt 18	80	Thos. Atkinson		41 25	26 75	68 00
	e hf s hf 18	50	Thos. Atkinson		25 00	15 00	40 00
	w hf n hf 19	48	Euschie Thibadeau		12 00	7 20	19 20
	s w cor n hf 19	2	Annie McKeown		50	30	80
	e hf n hf 19	50	Hermine Cloutier		12 50	7 50	20 00
	n hf s hf 19	50	George McKeown		12 50	7 50	20 00
	s qr 19	50	Herbert Duteau		12 50	7 50	20 00
w hf n hf 20	50	Wm. Dupras		12 50	7 50	20 00	

e hf n hf 20	50	Camile Dupras	12 50	7 50	20 00
s hf 20	100	Antoine Thibert	25 00	15 00	40 00
w hf n hf 21	50	Alex Roi	12 50	7 50	20 00
e hf n hf 21	50	Pierre St. Denis, jr	12 50	7 50	20 00
w hf s hf 21	50	Xavier Veille	12 50	7 50	20 00
e hf s hf 21	50	Narcisse Marchand	12 50	7 50	20 00
n qr n hf 22	25	Pierre St. Denis, sr	6 25	3 75	10 00
s hf n hf 22	50	Pierre St. Denis, sr	12 50	7 50	20 00
n pt s hf 22	40	Francis Phaneuf, sr	10 00	6 00	16 00
s pt n hf s hf 22	10	Thomas Phaneuf	2 50	1 50	4 00
s qr 22	50	Antoine Richard	12 50	7 50	20 00
s qr n hf 22	25	Nap. Paquette	6 25	3 75	10 00
w qr n hf 16	25	James Coulter	12 50	7 50	20 00
e hf w hf n hf 16	25	Camile Bourdeau	12 50	7 50	20 00
e hf n hf 16	50	Joseph Thibert	25 00	15 00	40 00
w hf s hf 16	50	Thos. Marchand	25 00	15 00	40 00
e hf s hf 16	50	Geo. Tisdale	25 00	15 00	40 00
e hf n hf 17	50	Austin Milliken	25 00	15 00	40 00
w qr n hf 17	25	George Hillman	12 50	7 50	20 00
e qr n hf 17	25	Thomas Hillman	12 50	7 50	20 00
s hf 17	100	Timothy Moynaham	50 00	30 00	80 00
n 3 n hf 18	75	Jos Duquette	37 50	22 50	60 00
middle part 18	50	Isaac Brault	25 00	15 00	40 00
n hf s qr 18	25	Nap. Duquette	12 50	7 50	20 00
s hf n hf s hf 18	25	Camile B. ardeau, sr	12 50	7 50	20 00
s qr s hf 18	25	Joseph D. Duquette	12 50	7 50	20 00
n qr 19	50	Frank Marchand	12 50	7 50	20 00
n hf s hf n hf 19	25	Julien Marchand	6 25	3 75	10 00
middle part 19	50	Aug. Damphouse	25 00	15 00	40 00
s hf n hf s hf 19	25	Jos. Duquette	12 50	7 50	20 00
s qr 19	50	J. D. Duquette	25 00	15 00	40 00
w qr 20	50	Thos. Gabrieau	15 63	9 37	25 00
w hf n hf 20	50	Pierre Robert	12 50	7 50	20 00
e hf w hf 20	50	Camile Robert	15 63	9 37	25 00
e hf w hf 20	50	Ven. Gabrieau	12 50	7 50	20 00
w hf n hf 21	50	J. B. Blain	12 50	7 50	20 00
n hf s hf 21	50	Theo. Perisseineault	12 50	7 50	20 00
e hf s hf 21	50	Camile Robert, jr	18 75	11 25	30 00

SCHEDULE... Continued.

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owners' Names.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvement.
				\$ c.	\$ c.	\$ c.	\$ c.
8	w hf e hf n hf 21	25	Camile Robert, jr	.....	9 38	5 62	15 00
	e qr n hf 21	25	Antoine Richard	.....	9 38	5 62	15 00
9	n hf 22	100	Jos. Tremblay	.....	25 00	15 00	40 00
	s hf 22	100	John Burgoyne	.....	37 50	22 50	60 00
	w hf n hf 16	50	F. St. Denis	.....	25 00	15 00	40 00
	e hf n hf 16	50	Jos. Duplessis	.....	25 00	15 00	40 00
	s hf 16	100	Hugh Latimae	.....	50 00	30 00	80 00
	n hf 17	100	John Warnock	.....	50 00	30 00	80 00
	w hf s hf 17	50	John Donohue	.....	25 00	15 00	40 00
	w hf e hf s hf 17	25	Abraham Giroux	.....	12 50	7 50	20 00
	e qr s hf 17	25	F. Breaud	.....	12 50	7 50	20 00
	n pt 18	49½	Aug. Breaud	.....	24 66	14 79	39 45
	n qr s hf 18	25	F. X. Gauthier	.....	12 50	7 50	20 00
	n hf s hf n hf 18	25	Narcisse Thibert, jr	.....	12 50	7 50	20 00
s qr n hf 18	25	Samuel Regnier	.....	12 50	7 50	20 00	
s s hf 18	75	Joseph Protter	.....	37 50	22 50	60 00	
s hf 19	100	Dias Regnier	.....	50 00	30 00	80 00	
s hf n hf 20	100	Hyacinthe Moutpitt	.....	50 00	30 00	80 00	
e hf n hf 20	50	J. D. Duquette	.....	25 00	15 00	40 00	
w pt s hf 20	20	Jos. Peris-senneault	.....	25 00	15 00	40 00	
w pt s hf 20	41	Narcisse Thibert	.....	10 00	6 00	16 00	
w hf n hf 21	50	Henry Duquette	.....	20 50	12 30	32 80	
e pt e hf n hf 21	25	Antoine Blain	.....	25 00	15 00	40 00	
w hf e hf n hf 21	20	Alfred Trudell	.....	12 50	7 50	20 00	
n e pt n hf 21	5	Alfred Blain	.....	10 00	6 00	16 00	
n pt 21	30	Alex. C'outier	.....	25 50	1 50	4 00	
n pt 22	53½	Thaddeus Beno	.....	10 00	9 00	24 00	
			Julien Duquette	.....	26 75	15 25	42 00

middle part 22	53 1/2	J. Bte. Terrault	26 75	15 25	42 00
s pt 22	25	Wm. Moffatt	11 50	6 90	18 40
	15.192 5/8	Total assessment on lands.	5,223 83	2,578 94	11,889 15
Road between B. F.	30	and 1st concession	72 00	.....	72 00
Road between B. F.	30	1st and 2nd concessions	72 00	.....	72 00
Road between B. F.	30	2nd and 3rd concessions	12 00	.....	60 00
Road between B. F.	30	3rd and 4th concessions	30 00	18 00	48 00
Road N. M. R. lots	30	.....	30 00	18 00	48 00
Road Middle Road	20	.....	20 00	12 00	32 00
Road S. M. R. lots	20	.....	20 00	12 00	32 00
Road between	8	6th and 7th concessions	8 00	4 80	12 80
Road between	20	7th and 8th concessions	20 00	12 00	32 00
Road between	20	8th and 9th concessions	20 00	12 00	32 00
Road between	12	9th and 10th con. on south T'line, Tilbury W. pays half	12 00	7 10	19 20
T'line between Romney	10	and Tilbury N., each pays half	5 00	3 00	8 00
	30	12 and 13 side road	30 00	18 00	48 00
	65	18 and 19 side road	65 00	39 00	104 00
T'line between Tilbury E....	40	and Tilbury N., Tilbury E. paying quarter—\$12.00.	20 00	16 00	36 00
	15	Tecumseh road	.....	.....	85 00
	45	Canadian Pacific Railway	25 00	20 00	45 00
	30	Michigan Central Railway	14 00	10 00	24 00
Total acreage	15.957 5/8		191 00	229 00	760 00
			4,086 38	2,578 94	11,880 15
			4,277 38	2,798 94	12,549 15
		Total for benefit	4,277 38	.....	.....
		Total for outlet	5,572 83	.....	.....
		Total for injuring	2,798 94	.....	.....
		Total for bridges	2,081 65	.....	.....
		Total assessment	14,739 90	.....	.....

SCHEDULE.— *Concluded.*

Sixth :—So far as this council has authority to enact, and subject to such alterations as may be made by the proper Court of Revision on appeal therefrom to the Judge, for paying the sum of \$760, the amount assessed against the lands and roads of the municipality of Tilbury North, and the further sum of \$2,081.75, the proportion of the cost of bridges and culverts over the drainage works, payable by the municipality of Tilbury North, and for covering interest on the said sums of \$760.00 and \$2,031.75 for twenty years, at the rate of five per centum per annum, a special rate on the dollar sufficient to produce the required yearly amount therefore, shall, over and above all other rates, be levied and collected in the same manner and at the same time as taxes are levied and collected upon and from the whole rateable property in the said municipality of Tilbury North in each year for twenty years after the final passing of this by-law during which the said debentures have to run.

Seventh :—That the municipal councils of the Townships of Tilbury North, Tilbury East, Romney and Mersea shall provide for the sum of \$32,185.70.

That is :—

Tilbury North for	\$14,730 90
Tilbury East for	1,685 00
Romney for	7,748 24
And Mersea for	8,021 60
Making a total of	\$32,185 70

as per report of the engineer as amended by the said referee, and each council shall pay the same sum to the treasurer of the Township of Tilbury West, within four months after the service of the report, plans, specifications, assessments and estimates of the engineer upon the head of such council.

Eighth :—That William Newman, James H. Ainsley, Thos. Dunmore, A. Damphouse and Camile Robert are hereby appointed Commissioners to let and superintend the contract or contracts for the construction of said works and the works connected therewith according to the said report, plans, specifications, and general conditions expressed in said report, or according to the directions of the said Wm. Newman, Engineer, and the said William Newman, C. E., is hereby further empowered to issue orders upon the treasurer of the municipality of Tilbury West for the payment of the construction of said works, such payments to be made according to the provisions made for such in the engineer's report, and for these and all other duties of engineer on the said works the said William Newman shall receive a commission of four per cent. on the dollar, on the amount of the total estimate of the cost of the said works.

Ninth :—This by-law shall be published once in every week for four consecutive weeks in the *The Comber Herald*, a newspaper published in the Village of Comber, in the said Township of Tilbury West, and shall come into force upon and from the final passing thereof, and may be cited the "Big Creek and Branches By-law of 1897."

S. T. ANDERSON,
Clerk.

JAS. H. AINSLIE,
Reeve.

I hereby certify the foregoing to be a true copy of a by-law provisionally adopted by the municipal council of the Township of Tilbury West, the fifteenth day of March, A.D., 1897, and amended by said Council the 10th day of May, A.D., 1897.

S. T. ANDERSON,
Clerk of Tilbury West.

First published in the *Comber Herald* the 3rd day of June, A.D., 1897.

NOTICE.

Notice is hereby given that a Court of Revision will be held at the Town Hall, at Comber, in said Township of Tilbury West, on Saturday, the 26th day of June, A.D., 1897, at the hour of 10 o'clock in the forenoon, for the hearing and trial of appeals made against the said above assessments, or any part thereof, in the manner prescribed by the Drainage Act, 1894. A notice of such appeal to be served on the clerk of Tilbury West at least ten days before the first sittings of said Court.

And further notice is hereby given that any one attending to apply to have such by-law, or any part thereof, quashed must, not later than ten days after the final passing thereof, serve a notice in writing upon the reeve, or other head officer, and upon the clerk of the municipality, of his intention to make application for that purpose to the High Court of Justice, at Toronto, during the six weeks next ensuing the final passing of this by-law.

Dated this first day of June, 1897.

S. T. ANDERSON,
Clerk of the municipality of Tilbury West.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting certain By-laws concern-
ing drainage in the Townships of Tilbury
West, Tilbury North, Tilbury East, Rom-
ney and Mersea.

First Reading, _____, 1901.

(Private Bill.)

Mr. AULD.

TORONTO :

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

An Act respecting cert. in by-laws concerning Drainage in the Townships of Tilbury West, Tilbury North, Tilbury East, Romney and Mersea.

WHEREAS the Corporation of the Township of Tilbury Preamble.
West, in the County of Essex, has, by petition, represented that Big Creek Drain and its branches, known as East Branch and West Branch is a drainage work or system partly in the Township of Tilbury West and partly in the Township of Tilbury North and was constructed in the years 1875, 1876 and 1877 by the Government of the Province of Ontario. at the instance of the Township of Tilbury West, which was then comprised of the territory now divided into the Townships of Tilbury West and Tilbury North; that the cost of the said work was paid with the money raised by an assessment of the lands and roads in the Townships of Tilbury West, Romney and Mersea, liable therefor under the laws then in force in Ontario respecting Drainage and Local Assessment therefor; that the said drainage work as then constructed, in addition to draining large parts of Tilbury West (then including Tilbury North) was the trunk outlet for the drainage for large areas in Romney, Mersea and Tilbury East, some 46,400 acres in all, as more fully appears by the report of Wm. Newman, C.E., set forth in Schedule 'A' hereinafter referred to; that in the year 1896 the said drainage work had become out of repair and was insufficient to retain and carry off the waters brought into it and damages were caused thereby to the lands and roads along the course of the drainage work in Tilbury West and actions and suits-at-law were threatened against the Township of Tilbury West for such damages by the owners of the lands so damaged and demands were made upon the said township to improve and repair the said work; that the Townships of Romney and Mersea had enlarged the various drains in their respective municipalities bringing waters into said drainage works; that the said townships then contemplated and have since carried out further extensions of the drains in their respective municipalities conveying waters to the said Big Creek Drain, and necessitating the enlargement thereof; that being advised upon the law that they were legally bound to keep the drain in repair, and knowing that simply restoring it to its original size would leave it wholly inadequate, the Township of Tilbury West in the year 1896 began proceedings under *The Drainage Act, 1894*, and amendments, for the repair

and improvement of the said drainage work, and procured an engineer, Wm. Newman, Esq., P.L.S., a person competent for that purpose, to examine and report upon the same and to make an assessment of the lands and roads liable to be assessed as provided for by the said Act and amendments; that the said engineer made such examination and reported thereupon to the Council of the Township of Tilbury West by his written report dated the 15th February, 1897, whereby he recommended the repair, extension and improvement of the said work at an estimated cost of \$45,673, and he assessed and charged the said sum against the lands and roads in the Townships of Tilbury North, Tilbury West, Tilbury East, Romney and Mersea in the following proportions:—

Tilbury North, the sum of	\$14,730	90
Tilbury West, “	13,260	70
Tilbury East, “	1,911	60
Romney, “	7,748	20
Mersea, “	8,021	60

and the Engineer prepared and submitted to the council plans including profiles of the proposed work; that the said report, estimate and assessment and the plans, and specifications of the work so recommended were received by the council of the Township of Tilbury West and were adopted, and pursuant to section 61 of *The Municipal Drainage Act* copies of the said report, plans, specifications, assessment and estimates were served upon the heads of the municipalities of Mersea, Romney, Tilbury East and Tilbury North above mentioned in the months of February or March, 1897; that no appeal was taken from or against the said report, plans, specifications, assessment and estimates by any of the municipalities interested, except by Tilbury East whose appeal was settled; that the Township of Tilbury West held a Court of Revision and finally settled the assessments within Tilbury West and on the 3rd day of July, 1897, finally passed a by-law (numbered 45) adopting the same and authorizing the proposed work and the issue and sale of debentures to pay its portion of the cost of the same and levying the assessment therefor, and a copy of the said by-law containing a true copy of the said report, specifications, estimates and assessments is set forth in the Schedule hereto annexed and marked “A”; that all the other townships interested being Mersea, Romney, Tilbury East and Tilbury North held Courts of Revision and finally settled the assessments within their respective municipalities and finally passed similar by-laws adopting the said report, plans, specifications, assessments and estimates, and authorizing the issue and sale of debentures to raise their respective proportions of the cost of said drainage work and authorizing the payment over of the same to the Township of Tilbury West; that the by-law of the Township of Mersea was finally passed on the 31st day of July, 1897, and is by-law number 579 of said Township of Mersea; that the by-law of the Township of Romney was finally passed on the 11th day of

October, 1897, and is by-law number 601 of the said Township of Romney; *that* the by-law of the Township of Tilbury East was finally passed on the 22nd day of November, 1897, and is by-law number 35 of the said Township of Tilbury East; *that* the by-law of the Township of Tilbury North was finally passed on the 10th day of July, 1897, and is by-law number 76 of the said Township of Tilbury North; *that* after the time for appealing against the said report had elapsed and after it was ascertained that there where no appeals the Township of Tilbury West issued and sold debentures and through the Commissioners appointed by *its* said by-law, advertised for tenders, and on the 3rd day of July, 1897, let the contracts for the said work, and the work was *thereupon proceeded with*; *that* the Township of Tilbury West under the provision of section 77 of said Act advanced moneys out of the general funds of the township to expedite and complete said work in anticipation of the levies and collections therefor; *that* the Township of Mersea issued and sold its debentures, and on or about the 21st day of June, 1898, paid its proportion of the said costs over to the Township of Tilbury West; *that* the Township of Tilbury East issued and sold its debentures, and on or about the 31st day of March, 1898, paid its proportion of the said cost over to the Township of Tilbury West; *that* the Township of Tilbury North issued and sold its debentures, and on or about the 15th day of January, 1898, paid its proportion of the said cost over to the Township of Tilbury West, and the Township of Tilbury West and all the other municipalities aforesaid including the Township of Romney have gone on under their said by-laws and *some of them* have levied and collected rates that have accrued due since the final passing of their said by-laws, but the Township of Romney owing to the legal proceedings hereinafter referred to has not yet paid over its proportion of the cost of the said work nor any portion thereof, although it has negotiated for the sale of its debentures and has collected the rates from the ratepayers assessed within its municipality; *that* the said drainage work in its operation since completion has proved to be a most successful and useful work and all the municipalities assessed have derived great advantage therefrom and in the Township of Romney particularly the fullest advantage has been taken of the facilities for better drainage afforded by the said work; and since the construction of the said work Romney and the land owners therein have constructed or enlarged drains having outlets directly or indirectly into the said Big Creek Drain and have completed a most efficient system or net work of main drains and lateral drains, by means of which thousands of acres in Romney have been brought under successful cultivation that could not have been successfully cultivated before; *that* while the east branch of Big Creek was in the course of construction by the Township of Tilbury West, the Township of Romney for its own purposes let a contract to the contractor upon that portion of the work for the further enlargement and improvement of the said east branch at a cost of \$1,000 and caused such work to

be done ; that the Township of Romney issued its debentures and began negotiations for the sale of the same, but before the same were finally sold, although after the time had elapsed in which the said by-law could be moved against, an action was begun against Romney at the suit of one of Romney's ratepayers assessed for the said work, namely, The Sutherland Innes Company, Limited, a joint stock company holding several hundred acres of land in Romney and not engaged in agricultural pursuits but solely in the manufacture of cooper-age stock, whereby it was sought to have the said by-law of Romney declared ultra vires and void and to have the Township of Romney enjoined from further proceeding with the said by-law or disposing of the said debentures ; that the said action was tried before the Hon. Mr. Justice Ferguson at Chatham, and on the 6th day of September, 1898, judgment was delivered dismissing the action with costs ; that the said Sutherland Innes Company, Limited, appealed from The decision to the Court of Appeal and the appeal was heard by the court composed of the Hon. Sir George W. Burton, Chief Justice, the Hon. Mr. Justice McLennan, the Hon. Mr. Justice Moss and the Hon. Mr. Justice Lister, and on the 14th day of November, 1899, the said court delivered judgment and unanimously concurred in dismissing the appeal with costs ; *that* the plaintiffs further appealed to the Supreme Court of Canada and their appeal was heard before that court composed of the Hon. Mr. Justice Taschereau, the Hon. Mr. Justice Gwynne, the Hon. Mr. Justice Sedgewick and the Hon. Mr. Justice Girouard, (the Hon. the Chief Justice and the Hon. Mr. Justice King being absent), and on the 4th day of October, 1900, judgment was delivered by the Supreme Court allowing the appeal and declaring that the attempt to impose any charge upon the plaintiffs' lands was without authority or jurisdiction and enjoining and restraining Romney from taking any further steps or proceedings under their said By-law No. 601 ; that although the Township of Tilbury West was not a party to the action of Sutherland vs. Romney and although the said report, plans, specifications, assessment and estimates are not in express terms declared invalid by the said judgment of the Supreme Court, yet the effect of the said judgment is to cast great doubt upon the validity of the proceedings of the Township of Tilbury West and of the said report and assessment as well as upon the proceedings of all the other municipalities which have passed by-laws and issued and sold debentures and which are and have been levying rates under their said by-laws, and the Township of Romney now finds itself unable to sell its debentures and unable to raise its proportion of the cost of the work to be paid over to the Township of Tilbury West and the Township of Tilbury West is unable to recoup its general funds in respect of the moneys advanced and appropriated in anticipation of the receipt from Romney of its portion of the cost of the work ; that the Council of the Township of Romney has all along expressed its willingness to raise and pay over its proportion of the cost of the said work and from

the commencement of the work has urged the Township of Tilbury West on with the same, and is yet ready and willing to pay so much of *its* said assessment as can be validly charged against the lands assessed in the said township; that all the other townships interested are desirous of seeing the proceedings *above referred to* of the Township of Tilbury West confirmed and that such confirmation should extend to the by-laws and assessments and proceedings of *the said* other townships; and whereas, subject to the provisions hereinafter set forth, it is expedient to grant the prayer of the said petition.

Therefore His 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 of the Township of Tilbury West, being by-law number 45 of the said township, a copy of which is set forth in the Schedule hereto, marked "A," and the report and assessment of the said therein set forth are validated and confirmed. By-law of Tilbury West confirmed.

2. The said by-law of the Township of Mersea, being by-law number 579 of the said township, subsidiary to the said by-law of the said Township of Tilbury West, finally passed on the 31st day of August, 1897, is also validated and confirmed. By-law of Mer-sea confirmed.

3. The said by-law of the Township of Romney, being by-law number 601 of the said township, subsidiary to the said by-law of the said Township of Tilbury West, finally passed on the 11th day of October, 1897, is also validated and confirmed. By-law of Romney confirmed.

4. The said by-law of the Township of Tilbury East, being by-law number 35 of the said township, subsidiary to the said by-law of the said Township of Tilbury West, finally passed on the 22nd day of November, 1897, is also validated and confirmed. By-law of Tilbury East confirmed.

5. The said by-law of the Township of Tilbury North, being by-law number 76 of the said township, subsidiary to the said by-law of the said Township of Tilbury West, finally passed on the 10th day of July, 1897, is also validated and confirmed. By-law of Tilbury North confirmed.

6. The debentures issued *or to be issued* by the said several municipalities *under the said by-law* to provide the money for the said drainage work shall be valid in the hands of the purchasers and shall be binding upon the corporation issuing them to the extent of the money actually advanced on the security and interest thereon, according to the provisions of the same, and the said several by-laws shall not be quashed or set aside on any ground whatever. Debentures validated.

Provisions of Rev. Stat., c. 226 to apply except as to maintenance

§ 7. The provisions of *The Municipal Drainage Act* and amendments thereof shall apply to the said Drainage Work and to the said report and assessments and the said by-laws and proceedings thereunder, except that no obligation for future repairs or maintenance shall be imposed on any of the said municipalities by virtue of this Act.

Adjustment of costs of action.

§ 8. The costs of the Township of Romney, as between solicitor and client, and of The Sutherland Innis Company, (Limited), which are fixed at eleven hundred dollars, as its costs between solicitor and client in the action of The Sutherland Innis Company, Limited, against the Municipal Corporation of the Township of Romney, together with the costs of the action of the Township of Tilbury West against the Township of Romney, which are fixed at the sum of two hundred and fifty dollars to be divided as follows, one hundred dollars to the Township of Tilbury West and one hundred and fifty dollars to the Township of Romney, are declared to be costs of and incidental to the Drainage Work under the provisions of section numbered 86 of *The Municipal Drainage Act*.

Action of Tilbury West to be discontinued.

§ 9. The action of the Township of Tilbury West against the Township of Romney shall be discontinued by the plaintiffs therein and at their own expense.

Romney authorized to issue debentures and levy rate.

§ 10. It shall be lawful for the Township of Romney to issue its debentures payable within one year beyond the time provided by its said By-law No. 601, and to levy the rate omitted from the roll for the year 1900, during the year following the term of years fixed by said by-law.

Costs to be paid by Romney and deducted from its share of cost of work.

§ 11. The Township of Romney shall pay the costs provided for by Section 8 of this Act and deduct the amount from the sum of \$7,748.20, being its proportion of the assessment for the Drainage Work, and pay over the balance of such sum (with whatever interest may be payable thereon), within thirty days after the amount of the said costs shall have been ascertained.

Audit of expenditure on drainage work.

§ 12. The Corporation of the Township of Tilbury West, shall, within fifteen days after the passing of this Act submit for audit to J. B. Laing, Esquire, Provincial Municipal Auditor, a full and complete detailed account of the cost of and incidental to the construction and completion of the Big Creek Drainage Work upon the report of William Newman, Ontario Land Surveyor, together with all books containing any entry relating thereto and all papers, receipts, cheques, contracts, orders, documents, and vouchers, for the purpose of a correct audit of such account; and the said Auditor shall ascertain the exact sum properly and legally chargeable to the said Drainage Work under the provisions of *The Municipal Drainage Act*.

13. This Act shall not affect the appeal now pending of one George Morris, against the Township of Tilbury North, from his assessment, in respect of the said Drainage Work.

Appeal
against assess-
ment of Til-
bury North
not affected.

SCHEDULE A.

BY-LAW No. 45.

A By-Law to provide for extending and for otherwise improving Big Creek, in the Townships of Tilbury North and Tilbury West, and for borrowing on the Credit of the Municipality of Tilbury West, the sum of (\$13,487.30) the proportion to be contributed by said Municipality of Tilbury West for completing the same. Provisionally adopted the fifteenth day of March, A. D., 1897, and amended the tenth day of May, A. D., 1897.

Finally passed the 3rd day of July, A. D. 1897

Whereas a drain, known as "Big Creek Drain," was constructed in the Township of Tilbury West, as originally constituted under the authority of the Ontario Drainage Act, and much greater quantities of surface water are collected and drained into it by the Municipality of Romney, in the County of Kent, and the Municipality of Mersea, in the County of Essex, as well as by the said Municipality of Tilbury West, now divided into the Municipalities of Tilbury North and Tilbury West, than the said drain is capable of carrying off, and the said drain is used by the said Municipalities as an outlet for surface water, and the water so brought into the said drain by the Municipalities of Romney and Mersea as well as by the Municipalities of Tilbury North and Tilbury West, cause the said surface water from the Municipalities to flow upon and injure the lands in the Townships of Tilbury North and Tilbury West.

And whereas complaints have been made from time to time to the Municipality of Tilbury West of such overflow and injury to said lands therein, and of the insufficient outlet, and it is necessary to extend and improve the outlet to said drain, and otherwise to improve the drain, in order to provide for such water and prevent such overflow and injury of said lands.

And whereas a drain known as "Trembley Creek Drain," being a branch of Big Creek Drain, was constructed in the original Township of Tilbury West and in Tilbury East, under the authority of the Ontario Drainage Act, at the same time as the Big Creek Drain was constructed, and much greater quantities of surface water are collected and drained into it by the Township of Tilbury East, in the County of Kent, as well as by the present Municipality of Tilbury North, than the said drain is capable of carrying off, and the water so brought into the said drain cause the surface water to flow upon and injure lands in the Township of Tilbury North.

And whereas complaints have been made to the Municipality of Tilbury West of such overflow and injury to the said lands therein, and of the want of sufficient outlet, and it is necessary to extend and improve the said drain to provide for such water and prevent such overflow and injury of said lands.

And whereas it is necessary to prevent the waters coming down Big Creek proper from overflowing the lands adjacent to Trembley Creek near the junction of Trembley Creek with Big Creek, and it is also necessary to prevent the water coming down Trembley Creek from overflowing the lands

near the said junction of the two creeks, that both of the said creeks should be embanked for a sufficient distance to prevent such overflow and that such embankment should be continued northerly a sufficient distance to confine the waters until they reach the Grand Trunk Railway.

And whereas the said council of Tilbury West has procured an examination to be made by Wm. Newman, civil engineer, being a person competent for such purpose, to examine and report on the said drains and the means suggested for the improvement thereof, and procured him to make an examination of the localities affected by said drains and of the outlet proposed to be improved and extended, and of the lands and roads liable to assessment under the Drainage Act, 1894, and amending Acts, and has also procured plans, specifications, and estimates of the drainage work to be made by the said William Newman, and an assessment to be made by him of the lands and roads to be benefitted by such drainage works, and all other lands and roads liable for contribution thereto, stating as nearly as he can the proportion of benefit, outlet liability and injuring liability which in his opinion will be derived or incurred in consequence of such drainage works by every road and lot, or portion of lot, the said assessment so made being the assessment of the lands and roads in the said Municipalities of Tilbury North, Tilbury West, Tilbury East, Romney and Mersea, respectively, as are set out in the report of the said engineer as hereinafter set forth, and the report of the said William Newman, C. E., in respect thereof, and of the said drainage works, being as follows:—

WINDSOR, February-15th, 1897.

To the Reeve, Deputy-Reeve and Council of the Township of Tilbury West :

Gentlemen,—In compliance with instructions received from your honorable body, whereby I was instructed to make an examination, survey, plans, report, etc., of Big Creek Drain and its branches in your township and the Township of Tilbury North, I have made the necessary examination, survey, plans, etc., and now beg to report as follows :

LOCATION OF CREEK.

Big Creek joins the River Thames a short distance easterly of where the river joins Lake St. Clair, thence following the creek up stream it takes a southerly course from its junction with the River Thames for a short distance to where it is crossed by the Grand Trunk Railway, thence it continues in a generally southerly direction for about half a mile where it divides, one branch known as Baptiste Creek, taking a south easterly direction into the township of Tilbury East, in the County of Kent. The main branch or Big Creek, taking a south westerly direction for about a mile and a half, when another branch known as Trembly Creek branches off, taking a southerly direction. The main creek from the junction of Trembly Creek on lot 20, in the 1st concession, of the Township of Tilbury North, takes a south westerly direction to the 2nd concession road on lot 18. Thence it takes a generally southerly course, until the 7th concession road is reached, when it divides on lot 15, in the 7th concession, the westerly branch taking a west and south course, until the townline between Mersea and Tilbury West is reached. On the line between lots 11 and 12 in the 11th concession, of the township of Tilbury West, there connecting with artificial drains from the township of Mersea. The east branch takes a south-easterly direction, until the townline between Tilbury North and Romney is reached, at the north-west angle of Romney, there connecting with artificial drains, from the township of Romney, in the County of Kent. The drainage work heretofore constructed in Big Creek and its branches by local assessment, extended as far north as the 4th concession road or thereabouts in Tilbury North. In the Trembly Creek, the drainage work constructed by local assessment extended north to a point in the 2nd concession just north of the Canadian Pacific Railway. The whole work having been originally constructed in one scheme, under the Ontario Drainage Laws :

DRAINAGE AREA OF BIG CREEK PROPER.

In the township of Tilbury North there are about	11500 acres
In the township of Mersea	9800 acres
In the township of Tilbury West	15600 acres
In the township of Romney	9500 acres

Thus making a total of about46400 acres of land, the water of which is carried by Big Creek to a point where it is joined by Tremby Creek.

"DRAINAGE AREA OF TREMBLY CREEK."

There are about 4,500 acres of land in the township of Tilbury North, the waters of which drain into Tremby Creek. In the township of Tilbury East there are about 4 600 acres the waters of which drain into Tremby Creek ; thus making a grand total of 55,400 acres of land draining into Tremby Creek, Big Creek and its branches, and thence by the main channel of Big Creek to the River Thames. The present channel of Big Creek being too small to retain and carry off the waters draining into it, and as a large percentage of this enormous area is being rapidly cleared and converted into farming land, it will be seen that a much larger outlet is required than the present channel of Big Creek.

"CONDITION OF DRAINS."

I find that the Big Creek drainage works in many places are badly in need of repairing and enlarging, so as to enable them to carry the waters off the lands originally intended to be drained, and discharge them beyond the Grand Trunk Railway, and thus prevent damage to the lands in Tilbury West and Tilbury North.

There are a number of places on both the east and west branches of Big Creek, where the sides of the drain have slid in, and trees, brush, etc., have grown up in the sides of the drain, until the capacity of the drain is not much more than half what it was when first constructed.

"PLAINS AND WET WOOD LANDS."

In the Township of Tilbury North there are about 4,500 acres of open plains and wet wood lands, which are subject to floods at every freshet ; caused by the waters of the Big Creek, including the Tremby Creek branch, overflowing their banks and spreading over the entire district. The greater portion of the plains are from one to three feet above the level of the lake, and will be greatly benefited by the proposed dyking, which is designed to prevent the overflow of the waters.

The lands in the southern parts of the Townships of Tilbury North, in the south and easterly portions of Tilbury West, in the north and north-easterly portions of Mersea, in the south-easterly part of Tilbury East, and the north and north-westerly parts of Romney, are composed of a large and almost level district, with a slight decline in a generally north-westerly and northerly direction.

In the southerly parts of Tilbury North and Tilbury West, the east and west branches of Big Creek take their rise, and flow in a northerly direction, until they reach the River Thames, near Lake St. Clair. The townships whose lands are assessed for the Big Creek drainage work have constructed a regular system of drains in their respective townships for miles, which conduct their waters into the Big Creek drainage works, and thence into the River Thames, and the drains in their system have been enlarged and improved from time to time, conducting greater volumes of water into the Big Creek drain, and thereby causing the overflowing of the banks, and damage to the adjacent lands.

In order to better maintain this drain and its branches, and to prevent damage to lands and roads affected thereby, I recommend that the drain

be cleaned out and enlarged, commencing in the west branch at the Mersea and Tilbury West townline, and in the east branch at the Romney and Tilbury North townline, and that the outlet be improved and the drainage works be extended north to a point beyond the Grand Trunk Railway.

I further recommend that a dyke be built on each side of Big Creek from the Grand Trunk Railway to the Canada Southern Railway, and that the Trembly Creek Branch be dyked from its junction with the main channel of Big Creek to the Canadian Pacific Railway lands, all in accordance with the plans, profiles, and specifications of the works submitted herewith.

"TREMBLY CREEK BRANCH."

It is necessary in order to protect the lands lying at or near the junction of Trembly Creek Branch with Big Creek proper, to embank both channels, as the waters coming down either would overflow the lands adjoining both the Trembly Creek Branch and Big Creek proper, and a better outlet is provided by my scheme for the waters of Trembly Creek.

I have therefore taken the two creeks up together and assessed all the lands lying north of the 3rd Concession Road in Tilbury North as if they were all in one creek flats, but the lands lying south of the 3rd Concession Road whose waters find an outlet in Trembly Creek, I have assessed with what I consider a fair proportion of the cost of the works on Trembly Creek, and on Big Creek, from where it is joined by Trembly Creek to the Grand Trunk Railway Bridge. All the lands in Tilbury East that are assessed find an outlet for their waters in Trembly Creek, and therefore I have assessed them the same as lands in Tilbury North whose waters find an outlet in Trembly Creek, that is with a fair proportion of the costs of improving Trembly Creek from the Canadian Pacific Railway to its junction with Big Creek and Big Creek from its junction with Trembly Creek to the Grand Trunk Railway.

"DRAIN OUTLETS."

In my estimate I have provided for a sufficient number of automatic outlets for all lateral drains entering Big Creek between the Canada Southern Railway and the Grand Trunk Railway. These outlets are composed of cast iron pipe and vitrified sewer pipe, with automatic valves on the inner end, and arranged in such a manner that they remain closed when the water is high in the creek, and open when the water is low in the creek and high on the adjoining lands.

"HIGHWAY BRIDGES."

I have provided in my estimate for the construction of six new Highway Bridges and the repairing of one old Highway Bridge in the Township of Tilbury North, at an estimated cost of \$3,600. In the Township of Tilbury West, I have provided for the construction of three new and the repairing of two old Highway Bridges, at an estimated cost of \$1,700, making a total estimate of \$5,300 for bridges. Of this amount I have assessed the drainage system with \$2,118.25, the Municipality of Tilbury north with \$2,081.75, and the Municipality of Tilbury West with \$1,100, as is provided in Sub-section 1 of section 9 of the Drainage Act of 1894. All the Highway Bridges are to be composed of one single span, set on stone abutments, and built in a first class manner. It is useless to spend large sums of money for drainage works, and allow them to be practically dammed up by improperly constructed bridges. The new Iron Bridge on the 3rd Concession Road is too low, and its abutments should be raised at least two feet, in order to raise the bridge above any possible chance of the waters flowing over it. I have provided for this in my estimate.

"FARM BRIDGES."

In my estimate I have provided for the following Farm Bridges one over main channel of Big Creek on Lot 15 M. R. N. cost \$30, one over East Branch of Big Creek on Lot 16 in the 7th Concession cost \$25, one over East Branch of Big Creek on Lot 17 in the 7th Concession cost \$25, one on Lot 17 in the 8th Concession cost \$25, one over West Branch on Lot 14 in the 7th Concession cost \$50, one over West Branch on Lot 12 in the 9th Concession cost \$25, being a total cost for Farm Bridges of \$180 and I have fixed the said sums as the value to be paid to the respective owners of the said land for the construction and enlargement of the said bridges, as provided in section 9, sub-section three, Drainage Act, 1894.

My estimate of the cost of the whole of the above works, as per plans and specifications is the sum of \$41,521.

To this amount I have added 10 per cent. for incidental expenses making a total estimate of \$45,673.

Of this sum I have assessed the Township of Tilbury North with the sum of \$11,889.15 on lands, the sum of \$761 on roads, the sum of \$2,081.75 for bridges, thus making the total assessment of Tilbury North, \$14,730.90 as set forth in the schedule of assessment hereto annexed.

I have assessed the Township of Tilbury West with the sum of \$11,512.70 on lands, the sum of \$640.00 on roads, the sum of \$1,100.00 for bridges, thus making the total assessments of Tilbury West \$13,260.70 as set forth in the schedule of assessment hereto annexed.

I have assessed the Township of Tilbury East with the sum of \$1,798.80 on lands, the sum of \$112.80 on roads, thus making the total assessment of Tilbury East \$1,911.60 as set forth in the schedule of assessment hereto annexed.

I have assessed the Township of Romney with the sum of \$7,353.20 on lands, and with the sum of \$395.00 on roads, thus making the total assessment of Romney \$7,748.20 as set forth in the schedule of assessment hereto annexed.

I have assessed the Township of Mersea with the sum of \$7,608.80 on lands and the sum of \$412.80 on roads, thus making the total assessment of Mersea \$8,021.60 as set forth in the schedule of assessment hereto annexed.

The material from the drain shall be disposed of as shown by the specifications submitted herewith.

I would recommend that this drainage work be carried out in every particular as set forth in this report and as more fully described in the specifications, plans and drawings, which you will find accompanying this my report.

I would further recommend that the drainage work be kept up and maintained at the expense of the lands and roads in the different Municipalities assessed for its repairs and improvements, and in proportion to the assessments herein contained. until otherwise determined by an Engineer under the provisions of the Drainage Act and amendments thereto.

Accompanying this my report you will find copies of this report, specifications, plans and drawings, for services upon the Townships of Tilbury North, Tilbury East, Romney and Mersea, as is provided in section 61 of the Drainage Act of 1894.

All of which is respectfully submitted.

WM. NEWMAN.
Engineer for Tilbury West.

DETAILED ESTIMATES.

	Estimated cost of work.	10% for Incidentals.
Dyking main channel of Big Creek from the Grand Trunk Railway bridge to Trembly Creek, a distance of about 9,600 feet (at sixty cents per foot)	\$ 5,760 00	\$ 576 00
From Junction Trembly Creek with Big Creek proper southward on Trembly Creek to the Canadian Pacific Railway, a distance of about 8,000 feet (at 45 cents per foot)	3,600 00	360 00
From Junction of Trembly Creek with Big Creek following Big Creek to the Canada Southern Railway Bridge, a distance of about 26,200 feet (at 60 cents per foot)	15,720 00	1,572 00
Total estimate for dredging	\$ 25,080 00	\$ 2,508 00
From Canada Southern Railway to Concession 7 road, a distance of about 13,800 feet.....	\$ 3,650 00	\$ 365 00
East Branch of Big Creek from its Junction Main Creek to Townline between Tilbury North and Romney, a distance of 18,600 feet.....	2,281 00	228 00
West Branch of Big Creek from the 7th Concession Road to the 9th Concession Road, a distance of 16,400 feet.....	2200 00	220 00
West Branch of Big Creek from the 9th Concession Road to the Mersea and Tilbury West Townline a distance of 15,200 feet.....	2,230 00	223 00
Total for dyking and excavating....	\$ 36,041 00	\$ 3,604 00

BRIDGES IN TILBURY NORTH.

New bridge over Trembly Creek on Tecumseh Road	\$ 500 00	\$ 50 00
Rising abutments of Iron Bridge on 3rd Concession	100 00	10 00
New bridge on Big Creek, on 4th Concession Road	800 00	80 00
New bridge over Big Creek, on 5th Concession Road	700 00	70 00
New bridge over East Branch of Big Creek, on 8th Concession Road.....	500 00	50 00
New bridge on 18 and 19 Sideroad.....	500 00	50 00
New bridge over East Branch of Big Creek, on the 9th Concession Road.....	500 00	50 00
Total for bridges in Tilbury North.....	\$ 3600 00	\$ 360 00

BRIDGES IN TILBURY WEST.

Repairing Middle Road Bridge over Big Creek	\$ 100 00	\$ 10 00
New bridge on 12 and 13 Sideroad, over West Branch of Big Creek.....	500 00	50 00
New bridge on 9th Concession Road, over West Branch of Big Creek.....	500 00	50 00
New bridge on 10th Concession Road over West Branch of Big Creek.....	500 00	50 00
Repairing bridge on 11th Concession Road over West Branch of Big Creek.....	100 00	10 00
Total for bridges in Tilbury West.....	\$ 1700 00	\$ 170 00

	Estimated cost of work.	10% for Incidentals.
Seven farm bridges in Tilbury North and West	180 00	18 00
Total for bridges in Tilbury North and West	\$ 54800 00	\$ 548 00
Total estimate for construction.....	\$ 41521 00	\$ 4152 00
Total for incidental expenses.....	4152 00	
Total estimate.....	\$ 45673 00	

Windsor, Feb. 15th, 1897.

WM. NEWMAN, C. E.

SCHEDULE A.

SCHEDULE of lands and roads in the Township of Tilbury West assessed for the repairing, improving and extending of Big Creek drain and its branches in the Townships of Tilbury North and Tilbury West, together with the amount which each lot or part of lot and road should bear and pay towards said improvement.

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owner's name.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvement.
11	w half 4	100	Cyrus Malott.	.....	\$50 00	\$30 00	\$80 00
	w half e half 4	50	Samuel Lynn.	.....	25 00	15 00	40 00
	e half e half 4	50	Albert Lynn.	.....	25 00	15 00	40 00
	w half 5	100	Wm. Calder.	.....	50 00	30 00	80 00
	e half 5	100	David Lynn.	.....	50 00	30 00	80 00
	s part 6	99	H. A. Nelson	.....	49 50	29 70	79 20
	s quarter n half 6	25	Samuel Stein.	.....	12 50	7 50	20 00
	n three-quarters n half 6	75	Wm. Elliott	.....	37 50	22 50	60 00
	s half 7	100	James McCracken	.....	50 00	30 00	80 00
	n half 7	100	James Vanhorne	.....	50 00	30 00	80 00
	n quarter 8	50	Henry White.	.....	25 00	15 00	40 00
	w one-third s three-qrs. 8	50	J. Terryberry	.....	25 00	15 00	40 00
	middle third s three-qsr. 8	50	M. R. Anderson	.....	25 00	15 00	40 00
	e one-third s three-qrs. 8	50	D. Kinsman	.....	25 00	15 00	40 00
	w half s half 9	50	D. Kinsman	.....	25 00	15 00	40 00
	w half n half 9	50	Francis Birce.	.....	25 00	15 00	40 00
	w half e half 9	50	R. Kinsman	.....	25 00	15 00	40 00
e half e half 9	50	John Kinsman	.....	25 00	15 00	40 00	
w half s half 10	50	A. R. Prendergast	.....	25 00	15 00	40 00	
e half s half 10	50	Wm. Hannah.	.....	25 00	15 00	40 00	
w half n half 10	50	C. Pettit.	.....	25 00	15 00	40 00	
e half n half 10	50	James Lindsay	.....	25 00	15 00	40 00	
e half n half 11	50	S. Reive.	.....	25 00	15 00	40 00	
w half n half 11	50	Non resident.	.....	25 00	15 00	40 00	
s half 11	100	Non resident.	.....	50 00	30 00	80 00	

w half s half 12	50	James McIntosh	25 00	15 00	40 00
e half s half 12	50	John Tilson	25 00	15 00	40 00
w half n half 12	50	Charles Mongeon	25 00	15 00	40 00
e half n half n half 12	50	R. Robb	25 00	15 00	40 00
s half 13	100	M. Prendergast	50 00	30 00	80 00
n half 13	100	S. Kitchen	50 00	30 00	80 00
w half 14	100	I. Wilson	50 00	30 00	80 00
e half 14	100	John McIntosh	50 00	30 00	80 00
w half 15	100	John McNarland	50 00	30 00	80 00
e half 15	100	John Thompson	50 00	30 00	80 00
s half 16	100	W. G. Lang	50 00	30 00	80 00
e three quarters n half 16	75	A. Shaufler	37 50	22 50	60 00
w quarter n half 16	25	W. Story	12 50	7 50	20 00
lot 17	200	Cameron estate	100 00	60 00	160 00
w half s half 18	50	Thomas Buchanan	25 00	15 00	40 00
w half n half 18	50	A. Buchanan	25 00	15 00	40 00
e half 18	100	D. Johnston	50 00	30 00	80 00
n quarter w half 19	25	W. Owens	12 50	7 50	20 00
s three-quarters w half 19	75	W. J. Bell	37 50	22 50	60 00
w half e half 19	50	Thomas Bell	25 00	15 00	40 00
e half e half 19	50	David Bell	25 00	15 00	40 00
s half 20	44	H. Powell	22 00	13 20	35 20
n half 20	44	J. T. Gahan	22 00	13 20	35 20
lot 4	200	Cameron estate	100 00	60 00	160 00
w half s half 5	50	D. Chatterton	25 00	15 00	40 00
e half s half 5	50	W. Warren	25 00	15 00	40 00
w half n half 5	50	Mrs. J. Bell	25 00	15 00	40 00
e half n half 5	50	W. Dalgleish	25 00	15 00	40 00
n quarter 6	50	Jane Vanidour	25 00	15 00	40 00
s part n half 6	49	W. M. Goathe	24 50	14 70	39 20
n half s half 6	50	R. McNaughton	25 00	15 00	40 00
s half s half 6	50	James Crozier	25 00	15 00	40 00
w half 7	100	William Ludlam	50 00	30 00	80 00
e half 7	100	J. N. Dutot	50 00	30 00	80 00
w half 8	100	James Dutot	50 00	30 00	80 00
e half n half 8	50	George Taylor	25 00	15 00	40 00
e half s half 8	50	Mrs. J. Truskey	25 00	15 00	40 00
e half n half 9	50	J. H. Watson	25 00	15 00	40 00
e half s half 9	50	J. E. Manley	25 00	15 00	40 00

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of Acres.	Owner's name.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvement.
	e half n half w half 9	25	A. Vanidour	.....	12 50	7 50	20 00
	e half s half w half 9	25	N. Ryckman	.....	12 50	7 50	20 00
	w quarter 9	50	G. A. and W. J. Taylor	.....	25 00	15 00	40 00
	w half s half 10	50	Ed. Jory	.....	25 00	15 00	40 00
	w half n half 10	50	Alexander Sova, Jr	.....	25 00	15 00	40 00
	e half 10	100	N. Nelson	.....	50 00	30 00	80 00
	e half n half 11	50	Eli Uleh	.....	25 00	15 00	40 00
	w half n half 11	50	Thomas Uleh	.....	25 00	15 00	40 00
	w half s half 11	50	Wm. Magee	.....	25 00	15 00	40 00
	e half s half 11	50	John Magee	.....	25 00	15 00	40 00
	s half 12	100	William Traquair	.....	50 00	30 00	80 00
	s half n half 12	50	A. Washburn	.....	25 00	15 00	40 00
	n half n half 12	50	James Wilson	.....	25 00	15 00	40 00
	n part 13	99	John Mellow	.....	49 50	29 70	79 20
	n half s half 13	50	D. Strang	.....	25 00	15 00	40 00
	s half s half 13	50	R. Parish	.....	25 00	15 00	40 00
	n half 14	100	John A. Mellow	.....	50 00	30 00	80 00
	s half 14	100	John Traquair	.....	50 00	30 00	80 00
	n three-quarters n half 15	75	George Robb	.....	37 50	22 50	60 00
	s quarter n half 15	25	Thomas Dunmore	.....	12 50	7 50	20 00
	w half s half 15	50	Thomas Dunmore	.....	25 00	15 00	40 00
	e half s half 15	50	W. Storey	.....	25 00	15 00	40 00
	w half s half 16	50	P. Donohue	.....	25 00	15 00	40 00
	e half s half 16	50	Ed. Falconer	.....	25 00	15 00	40 00
	w half n half 16	50	Canada Co	.....	25 00	15 00	40 00
	e half n half 16	50	Canada Co	.....	25 00	15 00	40 00
	w half n half 17	50	F. Benoit	.....	25 00	15 00	40 00
	e half n half 17	50	R. McKeown	.....	25 00	15 00	40 00

w half s half 17	50	D. Dalgleish	25 00	15 00	40 00
e h-lf s half 17	50	James Gahan	25 00	15 00	40 00
s half n half 18	50	Peter Marchand	25 00	15 00	40 00
n half n half 18	50	W. Glazier	25 00	15 00	40 00
s half s half 18	50	S. Moffatt	25 00	15 00	40 00
n quarter s half 18	25	Peter Marchand	12 50	7 50	20 00
s half n half s half 18	25	Jos. Marchand	12 50	7 50	20 00
s half n half 19	50	Jos. Marchand	25 00	15 00	40 00
n half n half 19	50	Wm. Benoit	25 00	15 00	40 00
n half s half 19	50	Ed. Marchand	25 00	15 00	40 00
s half s h-lf 19	50	O. Authier	25 00	15 00	40 00
Gore lot 20	84	E. Haviland	42 00	25 20	67 20
s half 4	100	H Lindsay	50 00	30 00	80 00
w part n half 4	50	Jennet Frazer	25 00	15 00	40 00
e half n half 4	50	R. W. Kennedy	25 00	15 00	40 00
n part 5	98 $\frac{1}{2}$	I. Cornan	49 62	29 38	79 01
s part 5	96 $\frac{1}{2}$	John Calger	48 25	28 95	77 20
s half w half 6	50	R. W. Kennedy	25 00	15 00	40 00
n part w half 6	49	M. Lambert	24 50	14 70	39 20
e half 6	100	Andrew Wight	50 00	30 00	80 00
n half 7	100	R. Shanks	50 00	30 00	80 00
s half 7	100	George J. Jones	50 00	30 00	80 00
w half n half 8	50	W. Breen	50 00	30 00	80 00
e half n half 8	50	John Breen	50 00	30 00	80 00
w half s half 8	50	James Dutot	25 00	15 00	40 00
e half s half 8	50	R. Barton	25 00	15 00	40 00
w half n half 9	50	H. Breen	25 00	15 00	40 00
e half n half 9	50	M. A. Cowan	25 00	15 00	40 00
w half s half 9	50	O. Pearsall	25 00	15 00	40 00
e half s half 9	50	W. Henry	25 00	15 00	40 00
n half 10	100	John Shanks	50 00	30 00	80 00
e half s half 10	50	R. W. Kennedy	25 00	15 00	40 00
w half s half 16	50	R. W. Kennedy	25 00	15 00	40 00
w half n half 11	50	Lunday Sova	25 00	15 00	40 00
e half n half 11	50	Alexander Sova	25 00	15 00	40 00
w half s half 11	50	George Walker	25 00	15 00	40 00
w half e half s half 11	25	W. G. Stephenson	12 50	7 50	20 00
e quarter s half 11	25	John Beacom	12 50	7 50	20 00
n three-quarters 12	150	W. A. Mellow	75 00	45 00	120 00

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of Acres.	Owner's name.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvements.
	s quarter 12.....	50	D. Armstrong.....		25 00	15 00	40 00
	lot 13.....	200	John Mellow.....		100 00	60 00	160 00
	n hf 14.....	100	J. Storey.....		50 00	30 00	80 00
	e hf s hf 14.....	50	J. Storey.....		25 00	15 00	40 00
	w half s hf 14.....	50	M. Bould.....		25 00	15 00	40 00
	w half s half 15.....	50	C. Petit.....		25 00	15 00	40 00
	e half s half 15.....	50	D. Straug.....		25 00	15 00	40 00
	w half n hf 15.....	50	A. Pearson.....		25 00	15 00	40 00
	e half n half 15.....	50	A. Trudell.....		25 00	15 00	40 00
	gore 4.....	20	R. Jackson.....		10 00	6 00	16 00
	gore 5.....	73	R. Jackson.....		35 00	21 00	56 00
	n part 6.....	73	E. Heiser.....		36 50	21 90	58 40
	s part 6.....	49	M. Lambert.....		24 50	14 70	39 20
	n part 7.....	77	Agnes Harkness.....		38 50	23 10	61 60
	s half s half 7.....	50	R. McQueen.....		25 00	15 00	40 00
	n half s half 7.....	50	Non resident.....		25 00	15 00	40 00
	w half n hf 8.....	50	E. Hillman.....		25 00	15 00	40 00
	e half n half 8.....	50	J. McFadden.....		25 00	15 00	40 00
	w half s half 8.....	50	W. Lindsay.....		25 00	15 00	40 00
	e half s half 8.....	50	J. Breen.....		25 00	15 00	40 00
	lot 9.....	200	C. Frankfurth.....		100 00	60 00	160 00
	n hf 10.....	100	C. Thornton.....		50 00	30 00	80 00
	s half 10.....	100	John Ford.....		50 00	30 00	80 00
	w hf n hf 11.....	50	Thomas Leavitt.....		25 00	15 00	40 00
	e hf n hf 11.....	50	Ed. Mitchell.....		25 00	15 00	40 00
	s hf 11.....	100	H. Pettit.....		50 00	30 00	80 00
	lot 12.....	200	R. Keith.....		100 00	60 00	160 00
	s hf 13.....	100	C. Marchand.....		50 00	30 00	80 00

e hf n hf 13	50 S. Hillman	25 00	15 00	40 00
n hf w hf n hf 13	25 A. Kendrick	12 50	7 50	20 00
s hf w hf n hf 13	25 C. Thornton	12 50	7 50	20 00
w hf n hf 14	50 E. Pearson	25 00	15 00	40 00
centre pt n hf 14	25 E. Pearson	12 50	7 50	20 00
w qr s hf 14	25 S. Hillman	12 50	7 50	20 00
centre pt s hf 14	50 M. J. Hillman	25 00	15 00	40 00
e hf e hf 14	50 Jos. Thibert	25 00	15 00	40 00
n e cor w hf 15	† S. Wymer	25	15	40
w pt n hf 15	49½ A. Pearson	24 75	14 85	39 60
e hf n hf 15	50 Jas Coulter	25 00	15 00	40 00
e hf s hf 15	50 H. Trudell	25 00	15 00	40 00
w qr s hf 15	25 Jos Thibert	12 50	7 50	20 00
e hf w hf s hf 15	25 A. Pearson	12 50	7 50	20 00
gore 8	27 C. MacDermott	13 50	8 10	21 60
w hf gore 9	40 R. Jackson	20 00	12 00	32 00
e hf gore 9	40 S. Jackson	20 00	12 00	32 00
w three-qr s hf 10	75 Wm. Brown	37 50	22 50	60 00
e qr s hf 10	25 Non-resident	12 50	7 50	20 00
n pt 10	30 Jno. Crauston	15 00	9 00	24 00
s hf 11	100 Jas Sellers	50 00	30 00	80 00
n hf 11	80 R. E. Dodson	40 00	24 00	64 00
w hf 12	100 R. Ford	50 00	30 00	80 00
e hf 12	100 A. Kendrick	50 00	30 00	80 00
n pt 13	90 J. McDowall	49 50	29 70	79 20
n hf s hf 13	50 S. McDowall	25 00	15 00	40 00
s hf s hf 13	50 Wm. McDowall	25 00	15 00	40 00
w hf n hf 14	50 Jno. McDowall	25 00	15 00	40 00
e hf n hf 14	50 S. Weymer	25 00	15 00	40 00
w hf s hf 14	50 A. Coulter	25 00	15 00	40 00
e hf s hf 14	50 R. J. Coulter	25 00	15 00	40 00
s hf 15	100 S. Palmer	50 00	30 90	80 00
w hf n hf 15	50 Geo. Wylie	25 00	15 00	40 00
e hf n hf 15	50 C. Wylie	25 00	15 00	40 00
w pt 5	110 George Buchanan	43 75	26 25	70 00
w pt e hf 5	85 Maggie Buchanan	42 50	25 50	68 00
w pt n hf 6	49 Geo. Frankfurth	24 50	14 70	39 20
n e cor w hf n hf 6	1 Ed. Whatley	50	30	80
w hf s hf 6	50 E. Heiser	25 00	15 00	40 00

M R S

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of Acres.	Owner's name.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvements.
	pt e hf 6.....	97	Cameron estate.....	.....	48 50	29 10	77 60
	v lts 3, 4, 5, 6, 7, 8, 9, n hf 6..	14	Cameron estate.....	.....	62	38	1 00
	v lot 11 on n hf 6.....	3	H Prov'd't & Loan Co.....	.....	25	15	40
	v lots 1 and 2 on n hf 6.....	3	Wm. Taylor.....	.....	15	40	40
	v lots 10, 11, 12 on n hf 6.....	4	Cameron Estate.....	.....	38	22	60
	s hf 7.....	100	D. McAllister.....	.....	50 00	30 00	80 00
	w pt n w qr 7.....	7	D. McAllister.....	.....	3 50	2 10	5 60
	e pt n hf 7.....	45	W. Burnard.....	.....	6 25	3 75	10 00
	e pt n w qr 7.....	34	W. Harman.....	.....	12 50	7 50	20 00
	v lots 7, 8, and 9 on 7.....	4	I. Ward.....	.....	25	15	40
	v lots 11 and 12 on 7.....	1-5	W. A. McIntosh.....	.....	10	06	16
	v lot 13 on 7.....	1-5	D. Entricken.....	.....	10	06	16
	v lot 14 on 7.....	1-5	Jas. Whales.....	.....	10	06	16
	v lots 15 and 16 on 7.....	2-5	C. P. Coulson.....	.....	20	12	32
	v lot 17 on 7.....	1-5	Mann Estate.....	.....	10	06	16
	v lot 21 on 7.....	1-6	I. Ward.....	.....	09	05	14
	v lot 23 on 7.....	1-6	J. Goatbe.....	.....	10	06	16
	v lot 25 on 7.....	1-5	Augusta Fenner.....	.....	10	06	16
	v lot 26 on 7.....	4	F. Shultz.....	.....	12	08	20
	v lot 27 on 7.....	1-5	D. Voakes.....	.....	10	06	16
	v lot 26 on 7.....	1-5	D. McAllister.....	.....	10	06	16
	34, 35, 36, 37, 38, 39 on 7....	14	D. Voakes.....	.....	88	52	1 40
	v lot 29 on 7.....	4	John White.....	.....	25	15	40
	s hf lot 8.....	100	A. Halliday.....	.....	50 00	30 00	80 00
	e hf 9.....	100	W. Elliott.....	.....	12 50	7 50	20 00
	w hf 9.....	100	J. S. Ainslie.....	.....	12 50	7 50	20 00
	w half 10.....	100	B. Roadhouse.....	.....	12 50	7 50	20 00
	e half 10.....	100	W. Wallace.....	.....	12 50	7 50	20 00

s half 11.....	100	R. Shanks.....	25 00	15 00	40 00
s half 12.....	100	F. Licknan.....	31 25	18 75	50 00
w part n hf 13.....	49	R. E. Dodson.....	24 50	14 70	39 20
e hf 1, hf 13.....	50	Wm. Dodson.....	25 00	15 00	40 00
s hf 13.....	100	Geo. Wiley.....	50 00	30 00	80 00
s hf 14.....	100	S. Alexander.....	50 00	30 00	80 00
n hf 14.....	100	A. Holmes.....	50 00	30 00	80 00
n hf 15.....	100	Harry Rowson.....	50 00	30 00	80 00
s hf 15.....	100	A. Holmes.....	50 00	30 00	80 00
s pt 5.....	97	A. Fenner.....	48 50	29 10	77 60
se cor 6.....	1	E. Lindsay.....	50	30	80
w pt s hf 6.....	46	S. Taylor.....	23 00	13 80	36 80
v lot 1 & 2 on 6.....	1	Jas. Kerr.....	50	30	80
v lot 3 on 6.....	1-5	Butler Estate.....	10	06	16
v lot 4 on 6.....	1-5	S. J. Hughes.....	10	06	16
v lot 5 on 6.....	1-5	S. Whatley.....	10	06	16
v lot 6 on 6.....	1-5	S. Whatley.....	10	06	16
v lot 7 on 6.....	1-5	A. Tain.....	10	06	16
v lot 8 on 6.....	1-5	M. Kingswell.....	10	06	16
v lot s pt 9 on 6.....	1-8	Amy Harcher.....	06	04	10
v lot n pt 9 on 6.....	1-8	John Lefavre.....	06	04	10
v lot 10 on 6.....	1-5	R. Buckley.....	10	06	16
v lot 11 on 6.....	1-5	Jas. Sellars.....	10	06	16
v lot n hf 12 on 6.....	1-10	R. H. Abbott.....	05	03	08
v lot s hf 12 on 6.....	1-10	E. Whatley.....	05	03	08
v lot s hf 13 on 6.....	1-10	A. J. Brown.....	05	03	08
v lot n hf 13 on 6.....	1-10	R. Riley.....	05	03	08
v lot 14 on 6.....	1-5	R. Kenyon.....	10	06	16
v lot 15 on 6.....	1-5	C. Frankfurth.....	10	06	16
v lot 16 on 6.....	1-5	D. McAlister.....	10	06	16
v lot 17 on 6.....	1-5	C. Clark.....	10	06	16
v lot 18 on 6.....	1-5	M. J. Roadhouse.....	10	06	16
v lot 19 on 6.....	1-5	J. T. Jordan.....	10	06	16
v lot 20 on 6.....	1-5	Pres. Mause.....	10	06	16
v lot 21 on 6.....	1-5	John Mellow.....	10	06	16
v lot 22 on 6.....	1-5	R. Anderson.....	10	06	16
v lot 23 on 6.....	1-5	M. Pendergast.....	10	06	16
v lot 24 on 6.....	1-5	J. J. Frankfurth.....	10	06	16
v lot 25 on 6.....	1-5	D. Baldwin.....	10	06	16

M R N

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owner's name.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvement.
	v lot 26 on 6	1-5	M. J. Hillman	.....	10	06	16
	v lot 27 on 6	1-5	John Moody	.....	10	06	16
	v lot 28 on 6	1-5	P. McNaughton	.....	10	06	16
	v lot 29 on 6	1-5	A. McKenzie	.....	10	06	16
	v lot 30 on 6	1-5	W. Armitage	.....	10	06	16
	v lot 31 on 6	1-5	R. O. Y. Ainslie	.....	10	06	16
	v lot 32 on 6	1-5	T. Beattie	.....	10	06	16
	v lots 33 and 34 on 6	2-5	Geo. Ainslie	.....	20	12	32
	v lot 36 on 6	1-5	A. T. Allen	.....	10	06	16
	v lot 35 on 6	1-5	A. F. Allen	.....	10	06	16
	v lot 43 on 6	1-5	C. Blim	.....	10	06	16
	v lot 44 on 6	1-5	C. Douglas	.....	10	06	16
	v lot 47 on 6	1-5	Jas. Selhars	.....	10	06	16
	v lot 51, 52, 53 on 6	3-5	S. Whatley	.....	30	18	48
	v lot 54, 55, 56, 57 on 6	4-5	Jas. Kerr	.....	40	24	64
	v lot 58 on 6	1-8	W. Dalton	.....	06	04	10
	v lot 61 on 6	1-5	W. Taylor	.....	10	06	16
	v lot 62 on 6	1	Alice Allen	.....	50	30	80
	v lot 19 on 6	1-5	T. Beattie	.....	10	06	16
	park lots A & B on 6	1	F. F. Jones	.....	50	30	80
	park lot C on 6	1-2	H. Howe	.....	25	15	40
	park lots D & E on 6	1-2	Geo. Ainslie	.....	25	15	40
	se pt 6	22	W. Taylor	.....	11	60	17
	v lot 20 on n hf 6	1-5	Alex. Wands	.....	10	06	16
	v lots 2 and 3 on 7	1-2	Geo. Millar	.....	25	15	40
	v lots 4 and 5 on n hf 7	1-2	D. Dewhurst	.....	25	15	40
	v lot s pt 32 on n hf 7	1-8	H. Hallet	.....	06	04	10
	v lot n pt 32 on n hf 7	1-8	Thos. Beattie	.....	06	04	10

v lot n hf 33 on 7	1-2	W. Harmer	25	15	40
v lots 6, 7, 8 on 7	1	M. Creighton	50	30	80
v lot 26 on 7	3-4	C. Ford	38	22	60
v lot 27 on 7	1-2	Jno. H. Ainslie	25	15	40
v lot 28 on 7	2-5	Alex. Ainslie	20	12	32
v lot S.R.R. s pt 7	1-5	M. Laporte	10	06	16
v lot S.R.R. s pt 7	3 $\frac{1}{2}$	Thos. Warren, sr	1	00	2
v lot S.R.R. 2 on s hf 7	1-5	C. Frankfurth	10	06	16
v lot S.R.R. 3 on s hf 7	1-5	C. Frankfurth	10	06	16
v lots 4 and 5 on 7	1-2	J. E. Hull	25	15	40
v lot 7 on 7	1-5	A. Buchanan	10	06	16
v lot 8 on 7	1-5	W. Elliott	10	06	16
v lot 9 on 7	1-5	Jno. McKeown	10	06	16
v lot 10 on 7	1-5	C. L. McDermott	10	06	16
v lot 11 on 7	1-5	J. Storey	10	06	16
v lot 12 on 7	1-5	C. N. Anderson	10	06	16
v lot 13 on 7	1-5	A. J. Brown	10	06	16
v lot 14 on 7	1-5	Jas. Lewis	10	06	16
v lot 17 on 7	2-5	P. A. Flaherty	20	12	32
v lots 15, 16 and 20 on 7	1-5	D. Shanks	10	06	16
v lot 18 on 7	1-5	S. Whatley	10	06	16
v lot 19 on 7	1-5	Jno. Elliott	10	06	16
v lot 22 on 7	1-8	Jno. Gee	06	04	10
v lot 23 on 7	1-8	W. Harmer	10	06	16
v lot 24 on 7	1-8	T. Anderson	06	04	10
v lot 21 on 7	1-8	Louis Robbins	06	04	10
v lot 42 on 7	1-5	John Elliott	10	06	16
v lot 43 on 7	1-5	N. Leclaire	10	06	16
v lots 45 and 46 on 7	2-5	M. A. and C. McDowall	20	12	32
v lots 74, n hf 73 on 7	3-10	W. Chatterton	15	09	24
v lots 72, s hf 73 on 7	3-10	A. Beauchene	15	09	24
v lots 61 and 62 on 7	2-5	W. Joynt	12	12	32
v lot 33 on 7	1-5	M. Coutier	10	06	16
v lot pt s hf 7	2 $\frac{1}{2}$	J. W. Sifton	1	25	2
v lot s w corner 7	1-2	Jas. Logan	25	15	40
v lot 59 s hf 7	1-5	N. Selkirk	10	06	16
v lot 25 on 7	1-5	H. Wright	10	06	16
v lot 26 on 7	1-5	H. Thompson	10	06	16
v lots 27 and 28 on 7	2-5	E. Johnston	20	12	32

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owner's name.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvement.
	v lot 29 on 7	1.5	J. D. and G. A. Ainslie	10	06	16	
	v lot 31 on 7	1.2	Jas. Sellars	25	15	40	
	s e pt 7	60	Robt. Jackson	6 25	3 75	10 00	
	s pt 13	96	R. E. Dodson	48 00	28 80	75 80	
	n pt 13	93	Mrs. E. Johnston	46 50	27 90	74 40	
	s hf 14	100	Wm. Holmes	50 00	30 00	80 00	
	w pt n hf 14	28	F. Thomas	14 00	8 40	22 40	
	e pt n hf 14	67	F. Shultz	33 00	20 10	53 60	
	w pt n hf 15	47	T. Jackson	23 50	14 10	37 60	
	e pt n hf 15	47	F. Morris	23 50	14 10	37 60	
	w hf s hf 15	50	M. Grimshaw	25 00	15 00	40 00	
	e hf s hf 15	50	P. Sartegy	25 00	15 00	40 00	
		14,892 ² / ₃	Total assessment on lands	7,195 72	4,316 98	11,512 70	
			ASSESSMENT ON ROADS.				
	lots road in rear	10	Tilbury W. & N., $\frac{1}{2}$ each	5 00	3 00	8 00	
	Middle road	35		35 00	21 00	56 00	
	lots road in rear	40		40 00	24 00	64 00	
	road between	25	7 and 8 concessions	25 00	15 00	40 00	
	road between	35	8 and 9 concessions	35 00	21 00	56 00	
	road between	50	9 and 10 concessions	50 00	30 00	80 00	
	road between	50	10 and 11 concessions	50 00	30 00	80 00	
	Townline between Mersea	50	& Tilbury W., $\frac{1}{2}$ each	25 00	15 00	40 00	
		20	Comber streets	20 00	12 00	32 00	
		30	6 and 7 side road	30 00	18 00	48 00	
		45	12 and 13 side road	45 00	27 00	72 00	
MRS							

Townline between Tilbury									
Total acreage	15,357 $\frac{3}{4}$								648 00
15 18 and 19 side road						15 00		9 00	24 00
15 West & Romney $\frac{1}{2}$ each						7 50		4 50	12 00
15 M. C. R. R.						7 50		4 50	12 00
30 L. and St. C. R. R.						15 00		9 00	24 00
Total assessment on roads						405 00		243 00	648 00
Total ass't, lands brigt dwn									11,512 70
Total ass't, lands and roads									12,160 70
Total for outlet						7,000 72			
Total for injuring						4,559 98			
Bridges						12,160 70			
Total assessment						1,100 00			
						13,260 70			

WM. NEWMAN, C.E.

Windsor, Feb. 15th, 1897.

SPECIFICATIONS.

Specifications for repairing, improving and extending Big creek drain and its branches and the several works connected therewith, in the Townships of Tilbury West and Tilbury North.

CLEARING OF GROUNDS.

All along both Trembly creek and Big creek where there is dredging to be done the contractor for the dredging shall clear the site of the channels, dykes, banks, etc., of all trees, logs, brushwood, rubbish, etc., before the excavated earth is thrown out, all such rubbish, brushwood, etc., to be piled up and burned in a thorough and workmanlike manner, and to the full satisfaction of the engineer.

DREDGING.

The dredge cuts shall be made of at least the size, depth, etc., as shown on the respective profiles, and shall when completed present a uniform and even bottom, and in no place shall the bottom project above the grade lines as shown on profiles, and as will be staked out on grounds by the Engineer.

The excavated earth shall be placed to either or both sides of the cut, as shown on plan or as may be directed from time to time by the engineer, and in no case shall the inside edge of the dyke or bank be within five (5) feet of the outside of the cut or channel.

DYKES.

From the Grand Trunk Railway bridge to the junction of Big creek with Baptiste or Champlain creek, there shall be only one dyke and it shall be on the westerly side of Big creek.

From the junction of Baptiste creek with Big creek to the highway bridge over Baptiste creek, and on the Tecumseh road, there shall be only one dyke, and it shall be on the southerly side of Baptiste creek.

From the junction of Baptiste creek with Big creek to the junction of Big creek with Trembly creek there shall be two dykes, one on each side of Big creek.

From the junction of Trembly creek with Big creek, southward along Trembly creek to the Canadian Pacific Railway Company's lands, there shall be two dykes, one on each side of Trembly creek.

All of the aforesaid dykes shall have a perpendicular height of at least five (5) feet above the average surface of the marsh through which they pass, a bottom width of at least twenty five (25) feet, and a top width of at least six (6) feet.

From the junction of Trembly creek with Big creek, along Big creek to the 3rd Concession Road, there shall be two dykes, one on each side of Big Creek. These dykes are to have a perpendicular height of at least six (6) feet above the general surface of the ground through which they pass, a bottom width of at least thirty (30) feet, and a top width of at least six (6) feet.

From the 3rd Concession Road along Big creek to the 5th Concession Road there shall be a channel cut of the size, depth, etc., as shown on the profile. The excavated earth shall be thrown evenly on both sides of the drain, and formed into a regular bank or dyke.

The top of all dykes shall be perfectly uniform, and shall conform to the lines shown on profiles and cross sections of the work.

The dyking along Big Creek the dredge cut shall be made such a distance from the main channel of the creek as the Engineer may direct.

CROSSING COULEES, CHANNELS, ETC.

If in the performance of any of the above dredging and dyking any old channels, bogs, coulees, etc., should be encountered which are not solid enough to hold up the weight of the dyke, the contractor shall make such piling, sheet piling, or other works as the nature of the work may require, so as to have a permanent dyke or bank of the size and height as shown on profiles and above specified.

Materials used in such piling, sheet piling, tierods, etc., and also the labor of placing the same in position, shall be furnished by the dredging contractor at his own expense, and he shall in no case be entitled to any

extras on his contract price, for the performance of such work or the furnishing of such materials.

DRAIN OUTLETS.

The dredging contractor shall furnish and place in position all such materials as shown on detail plans for the construction of automatic outlets under the dykes at such points as may be directed by the Engineer. Such outlets to be composed of ten (10) feet of cast iron pipe, with an iron flap valve on one end, and at least twenty (20) feet of the best quality of sewer pipe of size shown on detail plans.

All outlets to be laid to the grade, depth, etc., as shown on plans or as may be directed by the engineer.

The valve on the inner end of the cast iron pipe to be made in such a way as to work perfectly automatically.

PASSING BRIDGES.

When any highway or railway bridges are encountered by the dredge in the constructing of the dykes or channels, the dredging contractor shall open up and pass through all such bridges at his own expense, and shall replace such bridges in a first-class manner unless it should be at such points where new Highway bridges are to be built, and in case a new bridge is to be built the dredging contractor shall build and maintain a temporary bridge over the creek or channel until the new bridge is built. The dredging contractor shall be responsible for all damages, caused by the tearing up of any of the bridges, and shall erect and maintain such barriers, lights, watchmen, etc., as the engineer may direct.

In the case of railway bridges the contractor shall obtain from the different railway companies, their consent to pass through or under the different bridges. Should any of the railway companies refuse to allow the dredge to pass through or under their bridges, the dredging contractor shall build a new hull or move his machinery to the other side of the railway bridge in any way he may choose.

But it is distinctly understood that the contractor shall not be entitled to any extras on his contract price owing to, or arising out of any delay, expense or trouble there may be caused by any of the different railway companies refusing to allow the dredge to pass through or under their bridges.

CROSSING RAILWAY LANDS.

Should any of the railway companies through or across whose lands the channels are to be cut or the dykes are to be made, refuse to allow the dredge on their lands the contractor shall by hand labor or any other means make such channels and dykes across the lands of the railway company or companies so refusing.

For such hand work as he may have to perform the contractor shall not be entitled to any extras on his contract price.

TEAM AND SCRAPER WORK.

From the head of the dredging contract to the townline between the Township of Mersea and Tilbury West, also on the east branch from its junction with the main creek on lot 15, in the 7th concession, to the Romney and Tilbury North townline, the drain shall be improved so as to conform to the size, depth, etc., as shown on the profiles, all short crooks or bends shall be cut across, and all projecting points shall be cut off where ordered by the engineer, all trees, stumps, etc., that project over the edge of the drain shall be taken out by the contractor.

CLEARING OF BRUSHWOOD.

The contractor shall, before he commences excavating, clear a strip on both sides of the drain, at least forty (40) feet wide, of old logs, brush and rubbish, and shall pile up and burn the same in a workmanlike manner and to the full satisfaction of the engineer.

GRADING OF EARTH.

The excavated earth may be cast to either or both sides of the drain, and kept at least five (5) feet clear of the edge of the drain, and shall be well and evenly spread over a space of at least forty (40) feet in width.

DAMAGE TO PROPERTY.

In constructing the drain above the head of the dredge work, the contractor shall exercise great care, and do no unnecessary damage to any of the farms through which the drain passes. Should the contractor do any damage to any of the property which could have been avoided, he shall be held responsible for the same.

The engineer shall be the sole judge of whether or not the damage, if any has been done, was avoidable or not, and if, in the opinion of the engineer, the damage could have been avoided the contractor shall pay to the owner so damaged such sum the engineer may think right and just in the matter, and from his decision there can be no appeal.

NEW HIGHWAY BRIDGES.

New bridges are to be built at the following places: Over Trembly creek on Tecumseh road, over Big creek on the 4th and 5th concession roads, over east branch of Big creek on 8th and 9th concession roads and 18 and 19 sideroads, over west branch of Big creek on 12 and 13 sideroad, and 9th and 10th concession road, all the other points where the drain is crossed by a bridge the bridge shall be given such repairs as the engineer may deem necessary in order to put them *into* first-class condition.

STONEMWORK.

The masonry of all the bridges shall be composed of first-class rubble masonry, no stone to be less than seven (7) inches in thickness, and to be well bedded in rough courses, no spawls or chips, are to be used in the levelling up of any stonework, all joints are to be well filled and flushed with Portland cement mortar in a first-class and workmanlike manner and to the full satisfaction of the Engineer.

MORTAR.

All mortar used on bridges to be composed of three parts by volume of good sharp clean sand and one part by volume of good live Portland cement of some brand to be approved of by the engineer, no mortar shall be used in the work which *has* been mixed more than 30 minutes before the time of using.

POINTING.

The outer face of all abutments to be well and properly flush pointed with the best quality of Portland cement mortar, said mortar to be composed of two parts by volume of good, sharp, clean sand, and one part by volume of good, live Portland cement of some brand to be approved of by the engineer.

WOOD WORK.

All wood work to be composed of good sound white oak or pine free from knots, sapwood and all other defects, to be well and carefully put together as shown on the plan, all joints, etc., to be made in a workmanlike manner, and to the full satisfaction of the engineer.

IRON WORK.

All iron rods, bolts, washers, etc., to be put in as shown on the plan and detail drawings, or as may be directed from time to time by the engineer, the iron used in all bolts, washers, rods, etc., shall be of the very best material of their respective classes, and to be made in a neat and workmanlike manner, and to the full satisfaction of the engineer.

EXCAVATING FOUNDATIONS.

All the necessary excavating for foundations of abutments, etc., for bridge shall be done by the bridge contractor and at his own expense.

REPAIRING BRIDGES.

The Bridges over Big creek and on the 2nd and 3rd concession roads. Middle road, and 7th concession road, and 11th concession road over west branch of Big creek, shall receive such repairs as the engineer may deem necessary after the proper excavations have been made so that the exact condition of the foundation of the different bridges may be seen.

All masonry, timber and iron work used in repairing bridges shall conform to the above specifications for such material to be used in the construction of new bridges.

OLD BRIDGES.

The contractor for the new bridges may use any of the timbers, planks, stone or iron work that may be found in the old bridges at the same point where bridges are proposed to be built, provided that such timber, planks, etc., conform to the foregoing specifications for new bridges. But before any of the materials taken out of the old bridges can be used in the new bridges they must be approved of by the engineer.

GENERAL CONDITIONS.

1. The contract is to comprise the formation and completion of the several branches of work completed in the foregoing specification, and in strict accordance with said specifications, plans and drawings.

2. Contractors must satisfy themselves of the nature and the location of the work they bid for, of the general form and surface of the ground, of the quantity and quality of the materials to be furnished or removed or other work to be done, and all other matters and things which can in any way influence their contract, and no information upon such matters derived from maps, plans, profiles, drawings or specifications, or from the engineer, will relieve the contractor from any risk he may run as to the nature of the soil, etc., or from fulfilling the terms of his contract.

3. The whole of the work will be executed under the direction and supervision of the engineer, and no change in the contract or extra on the contract price will be allowed unless the contractor can produce a written order from the engineer ordering such change or extra.

4. Monthly estimates will be given by the engineer which estimate shall not be more than 80 per cent. on the price of the work actually performed, but the paying of the full 80 per cent. of the work done does not imply that any portion of the work has been accepted.

5. The engineer shall have full power to reject any or all work or materials which in his opinion does not conform to the spirit of the foregoing specifications and shall have power to direct the application of forces to any part of the work which in his judgment requires it most, also to order an increase or decrease of the forces at any point he may direct, and shall decide all questions that may arise between parties relative to the execution of the work, and his decision shall be final and binding on all parties concerned.

6. The contractor shall remove at his own expense any work or materials condemned by the engineer and must re-execute any work so condemned without extra charge and in default of the contractor in re-executing such work when ordered to do so by the engineer the same will be done by the Council and the cost of the same will be deducted from moneys due or coming due to the contractor.

7. Should the contractor at any time fail to conform to the foregoing specifications, general conditions, etc., the Council may take the work out of his hands and re-let or complete the same in any way, and the contractor shall forfeit any money due or falling due on his contract, should the monies due or falling due the contractor be insufficient to complete the work the sureties are to pay the balance, but before the Council can take the work out of the contractor's hands they must give him written notice to that effect at least five (5) clear days before taking over the work.

8. Disorderly, quarrelsome, incompetent or unskilled employees of the contractor must be discharged at once on the demand of the engineer and must not be employed again on the work without the permission of the engineer in writing.

9. In the absence of the contractor from the works the foreman or other person in charge of the work shall be taken to represent the contractor, and any orders given such foreman or other person in charge of the work shall be as binding on the contractor as though given to him in person.

10. The contractor whose tender is accepted shall forthwith enter into a further agreement and bond with the Township of Tilbury West giving satisfactory sureties for the faithful carrying out of the above specifications and the completion of the work undertaken by him.

WM. NEWMAN,

Windsor, February 15th, 1897.

Engineer of Tilbury West.

SCHEDULE of lands and roads in the Township of Ronney, assessed for the repairing, improving and enlarging of Big Creek drain and its branches in the Townships of Tilbury North and Tilbury West, together with the amount which each lot or part of lot and road should bear and pay toward said improvement.

Con. or plan No.	Lot or part of lot.	Area acres.	Owner's name.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvement.
3	lot 30	200	George Church		160 00	60 00	160 00
	e hf 29	100	George E. Pinfold		50 00	30 00	80 00
	w hf 29	98	Wm. Pinfold		49 00	29 40	78 40
	s e qr 28	50	Herbert Freeland		25 00	15 00	40 00
	n hf and s w qr 28	150	Non resident		75 00	45 00	120 00
	lot 27	197	Moffatt & McGregor		98 50	59 10	157 60
	lot 26	197	Moffatt & McGregor		98 50	59 10	157 60
	s hf n hf 25	50	John C. Dawson		25 00	15 00	40 00
	n hf n hf 25	50	John C. Dawson		25 00	15 00	40 00
	s hf s e qr 24	25	Jeremiah Vipond		12 50	7 50	20 00
	n hf e pt n w qr 24	25	Wellington Frankhn		12 50	7 50	20 00
	n hf e qr 24	25	Henry Brando		12 50	7 50	20 00
	n hf e hf 24	50	John Franklin		25 00	15 00	40 00
	e pt n w hf 24	25	James Franklin		12 50	7 50	20 00
	n qr 24	50	Bert Franklin		25 00	15 00	40 00
	s e qr 23	50	Morris Edmunds		25 00	15 00	40 00
	n e qr and w hf 23	150	W. I. Williams		75 00	45 00	120 00
	s hf 22	100	Sutherland, Innes & Co		50 00	30 00	80 00
	n hf 22	100	W. F. Armstrong		50 00	30 00	80 00
	s e qr 21	50	Sutherland, Innes & Co		25 00	15 00	40 00
	n qr and s w hf 21	150	W. E. Ridges		75 00	45 00	120 00
	s hf 20	100	Sutherland, Innes & Co		50 00	30 00	80 00
	n hf 20	100	Hial Wilcox		50 00	30 00	80 00
	s e pt 19	25	W. Goodison		12 50	7 50	20 00
	c hf s hf 19	50	Robert Warnick		25 00	15 00	40 00
	s qr n hf 19	25	Alonzo Collison		12 50	7 50	20 00
	n qr s hf 19	25	Robert Warnick		12 50	7 50	20 00
			Robert Warnick		12 50	7 50	20 00

c hf n hf 19	50	I. H. Wright	25 00	15 00	40 00
n qr n hf 19	25	Thomas Higgins	12 50	7 50	20 00
s hf 18	100	Wm. Heatherington	50 00	30 00	80 00
s hf n hf 18	50	Augustus Foster	25 00	15 00	40 00
n hf n hf 18	50	Philip Malott	25 00	15 00	40 00
e qr 17	50	Thomas Carrick	25 00	15 00	40 00
s qr 17	50	Joseph Liddle	25 00	15 00	40 00
s hf n hf 17	50	Augustus Foster	25 00	15 00	40 00
n hf n hf 17	50	George Goodison	25 00	15 00	40 00
n e qr 16	50		25 00	15 00	40 00
e hf 30	48	Josiah Coatsworth	24 00	14 40	38 40
w hf 30	58	John Adair	29 00	17 40	46 40
lot 29	165	Non resident	82 50	49 50	132 00
s hf 28	100	Ed. Smith	50 00	30 00	80 00
n pt 28	90	Non resident	45 00	27 00	72 00
lot 27	200	W. N. Hastings	100 00	60 00	160 00
lot 26	200	Sutherland, Innes & Co	100 00	60 00	160 00
s hf 25	100	Thomas Levy	50 00	30 00	80 00
s hf n hf 25	50	James Foster	25 00	15 00	40 00
n hf n hf 25	50	John Foster	25 00	15 00	40 00
s e 3 24	150	Hiram Pettit	75 00	45 00	120 00
n w qr 24	50	Henry Clarkson	25 00	15 00	40 00
lot 23	200	Sutherland, Innes & Co	100 00	60 00	160 00
lot 22	200	Sutherland, Innes & Co	100 00	60 00	160 00
s hf 21	100	Sutherland, Innes & Co	50 00	30 00	80 00
n e qr 21	50	H. J. Mills	25 00	15 00	40 00
n w qr 21	50	Wm. Pully	25 00	15 00	40 00
lot 20	200	McMackon Bros	100 00	60 00	160 00
s hf s hf 19	50	W. H. Tully	25 00	15 00	40 00
n hf s hf 19	50	Peter Featherston	25 00	15 00	40 00
s hf n hf 19	50	Henry Whital	25 00	15 00	40 00
n qr 19	50	Thomas Husler	25 00	15 00	40 00
s e pt s hf 18	25	Mrs. Jane Getty	12 50	7 50	20 00
centre part s hf 18	45	Wm. Baker	22 50	13 50	36 00
n pt s hf 18	30	Alf. Baker	15 00	9 00	24 00
s hf n hf 18	50	Joseph C. Hyatt	25 00	15 00	40 00
n hf n hf 18	50	Henry Getty	25 00	15 00	40 00
e qr 17	50	Harry Goodison	25 00	15 00	40 00
s w hf 17	100	McMackon Bros	50 00	30 00	80 00

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owners' Names.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvement.
5	n qr 17	50	Nelson Getty	.....	25 00	15 00	40 00
	s e hf 16	100	John Holland	.....	50 00	30 00	80 00
	w qr 16	50	F. Overholt	.....	25 00	15 00	40 00
	n qr 16	50	Thomas Markle	.....	25 00	15 00	40 00
	lot 28	5	Non resident	.....	2 50	1 50	4 00
	lot 27	30	Ed. Smith	.....	15 00	9 00	24 00
	lot 26	70	Ed. Smith	.....	35 00	21 00	56 00
	lot 25	112	Joseph Hopkins	.....	56 00	33 60	89 60
	lot 24	57	Levi Coatsworth	.....	28 50	17 10	45 60
	lot 23	125	Sutherland, Innes & Co.	.....	62 50	37 50	100 00
	lot 22	185	Sutherland, Innes & Co.	.....	92 50	55 50	148 00
	lot 21	200	Sutherland, Innes & Co.	.....	100 00	60 00	160 00
	s hf 20	100	Non resident	.....	50 00	30 00	80 00
	n hf 20	100	Harry Dawson	.....	50 00	30 00	80 00
	s pt 19	3	McMackon Bros.	.....	1 50	90	2 40
	s qr 19	47	Ambrose Foster	.....	23 50	14 10	37 60
	n lf s hf 19	50	Thomas Jones	.....	25 00	15 00	40 00
	n hf 19	100	Matthew Minchard	.....	50 00	30 00	80 00
	e qr 18	50	J. C. Kennedy	.....	25 00	15 00	40 00
	s qr 18	50	C. Dawson	.....	25 00	15 00	40 00
	s hf n hf 18	50	McMackon Bros.	.....	25 00	15 00	40 00
	n hf n hf 18	50	Mathias Foley	.....	25 00	15 00	40 00
	e hf e qr 17	25	Willard Getty	.....	12 50	7 50	20 00
	w hf e qr 17	25	Alexander Marvin	.....	12 50	7 50	20 00
	s qr 17	50	Oliver Hyatt	.....	25 00	15 00	40 00
	n qr 17	50	Wm. Cottingham, Sr.	.....	25 00	15 00	40 00
	w qr 17	50	Gaines Graham	.....	25 00	15 00	40 00
	s hf 16	100	J. W. Hodgson	.....	50 00	30 00	80 00

6	n qr 16	50	Wm. Graham	25 00	15 00	40 00
	w qr 16	50	Morris Edwards	25 00	15 00	40 00
	lot 22	40	Moses Laborte	20 00	12 00	32 00
	e pt n w pt 21	37 $\frac{1}{2}$	Joseph St. Denis	18 75	11 25	30 00
	e pt 21	37 $\frac{1}{2}$	Frank Labonte	18 75	11 25	30 00
	n w pt 21	37 $\frac{1}{2}$	Levi St. Denis	18 75	11 25	30 00
	lot 20	185	Non resident	92 50	55 50	148 00
	s qr 19	50	John Featherston	25 00	15 00	40 00
	n hf s hf 19	50	Henry Cottingham	25 00	15 00	40 00
	s hf n hf 19	50	Robert Goodison	25 00	15 00	40 00
	n hf n hf 19	50	Richard Blair	25 00	15 00	40 00
	s e pt 18	25	John Featherston	12 50	7 50	20 00
	centre pt 18	125	Thos. Cottingham	62 50	37 50	100 00
	n qr 18	50	Wm. Cottingham, Jr.	25 00	15 00	40 00
	e qr 17	50	Joseph Shafer	25 00	15 00	40 00
	s qr 17	50	Harry Green	25 00	15 00	40 00
	n qr 17	50	Wm. Couture	25 00	15 00	40 00
	w qr 17	50	Frederick Richase	25 00	15 00	40 00
	e qr 16	50	Moffatt & McGregor	25 00	15 00	40 00
	e hf s qr 16	25	James Hodgson	12 50	7 50	20 00
	w hf s qr 16	25	John Hyatt	12 50	7 50	20 00
	n qr 16	50	Wm. Dancey	25 00	15 00	40 00
	w qr 16	50	Sannuel Graham	25 00	15 00	40 00
	e pt 15	35	John Hyatt	17 50	10 50	28 00
	s pt 15	35	James Hodgson	17 50	10 50	28 00
	n hf 15	85	Sannuel Graham	42 50	25 50	68 00
	lot 20	15	Noe Phaneuf	7 50	4 50	12 00
	lot 19	102	Non resident	51 00	30 60	81 60
	e qr 18	50	George Glazier	25 00	15 00	40 00
	n qr 18	50	John Ineson	25 00	15 00	40 00
	s w pt 18	85	Charles Quinn	42 50	25 50	68 00
	s pt 17	50	Albert Regnier	25 00	15 00	40 00
	n e pt 17	50	Sinnie Regnier	25 00	15 00	40 00
	n w pt 17	50	Ozias Regnier	25 00	15 00	40 00
	lot 16	60	Wm. Dancey	30 00	18 00	48 00
		9,191 $\frac{1}{2}$	Total assessment on lands	4,955 75	2,757 45	7,753 20

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owners' names.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvement.
	Road between	18	L. E. & D. R. R.	.....	9 37	5 63	15 00
	Road between	40	2nd, 3rd concessions	.....	40 00	24 00	64 00
	Road between	40	3rd, 4th concessions	.....	40 00	24 00	64 00
	Road between	40	4th, 5th concessions	.....	40 00	24 00	64 00
	Road between	20	5th, 6th concessions	.....	20 00	12 00	32 00
	Road between	15	6th, 7th concessions	.....	15 00	9 00	24 00
		15	24 and 25 side road	.....	15 00	9 00	24 00
		30	18 and 19 side road	.....	30 00	18 00	48 00
	Town line between Romney	50	& Tilbury E. pay $\frac{1}{2}$ each	.....	25 00	15 00	48 00
	Town line between Romney	15	& Tilbury W. pay $\frac{1}{2}$ each	.....	7 50	4 50	12 00
	Town line between Romney	10	& Tilbury N. pay $\frac{1}{2}$ each	.....	5 00	3 00	8 00
	Total acreage	9,484 $\frac{1}{2}$	Total assessment on roads	.....	246 87	148 13	395 00
			Total assess't lands br'g't down	.....	.....	.....	7,353 20
			Total ass't lands and roads	.....	.....	.....	7,748 20
			Total for outlet	4,842 62	.....	.....	.....
			Total for injuring	2,905 58	.....	.....	.....
				7,748 20	.....	.....	.....

SCHEDULE of lands and roads in the Township of Tilbury East assessed for the repairing, improving and extending of Big Creek drain and its branches in the Townships of Tilbury North and Tilbury West, together with the amount which each lot or part of lot and road should bear and pay towards said improvement.

6	Lot 20	105	Samuel Warnock	.....	26 25	15 75	42 00
6	Lot 21	130	Henry Wilson	.....	32 50	19 50	52 00
6	pt 22	33	Henry Wilson	.....	8 25	4 95	13 20
6	n w pt 22	37	Mrs. C. Dupuis	.....	9 25	5 55	14 80
6	w pt 22	37	Joseph St. Denis	.....	9 25	5 55	14 80
6	Lot 23	30	Joseph St. Denis	.....	7 50	4 50	12 00

7	n half 20.....	100	John and Albert Hodgkins.....	25 00	15 00	40 00
7	s e quarter 20.....	50	Richard Patrick.....	12 50	7 50	20 00
7	s w quarter 20.....	50	Wm. Ingram.....	12 50	7 50	20 00
7	s e quarter 21.....	50	Alex. Hornick.....	12 50	7 50	20 00
7	s w quarter 21.....	50	Harwood White.....	12 50	7 50	20 00
7	n half 21.....	98	Mrs. Beno.....	24 50	14 70	39 20
7	s e eighth 22.....	23	Edmund Beno.....	5 75	3 45	9 20
7	w half s e quarter 22.....	25	Mrs. St. Denis.....	6 25	3 75	10 00
7	n e quarter 22.....	50	Maxime Dupuis.....	12 50	7 50	20 00
7	n w quarter 22.....	50	S. Burgoyne.....	12 50	7 50	20 00
7	s w quarter 22.....	50	Herbert Hornick.....	12 50	7 50	20 00
7	s w quarter 23.....	50	Levi Thibet.....	12 50	7 50	20 00
7	s e quarter 23.....	50	Wm. Walker.....	12 50	7 50	20 00
7	n half 23.....	96	Frank Marchand.....	24 00	14 40	38 40
7	n part 24.....	45	Mrs. J. B. Marchand.....	11 25	6 75	18 00
7	s half 24.....	100	John A. McGregor.....	25 00	15 00	40 00
7	lot 25.....	49	Alfred Blair.....	12 25	7 35	19 60
8	s e quarter 20.....	50	Wm. N. Brint.....	12 50	7 50	20 00
8	s w quarter 20.....	50	J. and W. Putt.....	12 50	7 50	20 00
8	n e quarter 20.....	50	Wm. Patrick.....	12 50	7 50	20 00
8	n w quarter 20.....	50	John Burgess.....	12 50	7 50	20 00
8	n half 21.....	100	Gideon Smith.....	25 00	15 00	40 00
8	e half s half s half 21.....	25	A. Hornick.....	6 25	3 75	10 00
8	e half n half s half 21.....	25	H. White.....	6 25	3 75	10 00
8	s w quarter 21.....	48	Joseph Beno.....	12 00	7 20	19 20
8	n w quarter 22.....	50	James Burgess.....	12 50	7 50	20 00
8	e half 22.....	96	Henry Burgess.....	24 00	14 40	38 40
8	s w quarter 22.....	50	John Burgess.....	12 50	7 50	20 00
8	part n e quarter 23.....	36	Wm. Walker.....	9 00	5 40	14 40
8	s part n e quarter 23.....	14	Geo. Walker.....	3 50	2 10	5 60
8	s e quarter 23.....	50	Geo. Walker.....	12 50	7 50	20 00
8	w half 23.....	100	C. Walker and S. Robertson.....	25 00	15 00	40 00
8	e half 24.....	100	Richard and Geo. Carless.....	25 00	15 00	40 00
8	w half 24.....	50	Geo. Walker.....	25 00	15 00	40 00
8	s w quarter 25.....	50	Chas. Hartley.....	12 50	7 50	20 00
8	s e quarter 25.....	50	Robert Davidson.....	12 50	7 50	20 00
8	n w eighth 25.....	25	Robert Davidson.....	6 25	3 75	10 00
8	e half n w quarter 25.....	25	Robert Davidson.....	6 25	3 75	10 00
8	n e quarter 25.....	50	Jacob Dalton.....	12 50	7 50	20 00

SCHEDULE of lands and roads in the Township of Tilbury East assessed for the repairing, improving and extending of Big Creek drain and its branches in the Townships of Tilbury North and Tilbury West, together with the amount which each lot or part of lot and road should bear and pay towards said improvement.

Con. or Plan No.	Lot or Part of Lot.	Area of Acres.	Owners' Names.	Value of benefit	Value of out-let liability.	Value of in-juri'g liability	Total value of improve-ment.
8	s part n part 26.	57	Wm. Blair		14 25	8 55	22 80
8	n part 26.	19	Robert Davidson		4 75	2 85	7 60
8	n part s part 26.	25	Bernard Thibert		6 25	3 75	10 00
8	s part 26.	50	Napolcon Donais		12 50	7 50	20 00
8	s e part 26.	19	Robert Hartly		4 75	2 85	7 60
9	n half 20.	100	Bristol Smith		25 00	15 00	40 00
9	s half 20.	100	Non. Resident		25 00	15 00	40 00
9	n e quarter 21.	50	Joseph Atkinson		12 50	7 50	20 00
9	n w quarter 21.	50	Amos Kelly		12 50	7 50	20 00
9	s e quarter 21.	50	Bernard Kelly		12 50	7 50	20 00
9	s w quarter 21.	50	Martin McMahon		12 50	7 50	20 00
9	lot 22.	200	Cyrus F. Smith		50 00	30 00	80 00
9	s w quarter 23.	50	John Kelly & et al		12 50	7 50	20 00
9	w half s e quarter 23.	25	Wm. Courrier		6 25	3 75	10 00
9	w 3/4 n half 23.	75	Edward Hornick		18 75	11 25	30 00
9	n e eighth 23.	25	George Walker		6 25	3 75	10 00
9	e half s e quarter 23.	25	George Kerr		6 25	3 75	10 00
9	s part 24.	100	Edward Seguin		25 00	15 00	40 00
9	n part 24.	63	John Atkinson		15 75	9 45	25 20
9	lots 25 and 26.	72	Thos. McMahon		18 00	10 80	28 80
10	s w quarter 20.	50	Dexter Dandy		12 50	7 50	20 00
10	s e quarter 20.	50	Henry Burke		12 50	7 50	20 00
10	n half 20.	100	Wm. R. Davidson		25 00	15 00	40 00
10	n e quarter 21.	50	Robert Chalis		12 50	7 50	20 00
10	s half 21.	100	Non. Resident		25 00	15 00	40 00
10	n w quarter 21.	50	Herbert Hornick		12 50	7 50	20 00
10	lot 22.	145	Non. Resident		35 25	22 75	58 00
10	lots 23 and 24.	50	John Cartwright		12 50	7 50	20 00

11	s w 44 acres 20	44	Hiram Pettit	11 00	6 60	17 60
11	n e part 20	63	Sydney Malott	15 75	9 45	25 20
11	lot 21	38	Hiram Pettit	9 50	5 70	15 20
	Road in rear of	4,397	Total assessment on lands	\$1,123 25	\$675 55	\$1,798 80
	“ between	12	Middle road lots	3 50	2 10	5 60
	“ “	19	6th and 7th concessions	6 00	3 60	9 60
	“ “	20	7th and 8th	9 50	5 70	15 20
	“ “	12	8th and 9th	10 00	6 00	16 00
	“ “	6	9th and 10th	6 00	3 60	9 60
	“ “	40	10th and 11th	3 00	1 80	4 80
	Townline, Tilbury North		& Tilbury East (pays $\frac{1}{3}$)	7 50	4 50	12 00
	Townline between Romney	50	(Tilbury North pays $\frac{2}{3}$ —\$36)	25 00	15 00	40 00
	Total acreage	4,563	Total assess't on lands & roads	\$1,193 75	\$717 85	\$1,911 60
			Total for outlet	1,193 75		
			“ injuring	717 85		
				\$1,911 60		

SCHEDULE of lands and roads in the Township of Mersea assessed for the repairing, improving and extending of Big Creek drain and its branches in the Townships of Tilbury North and Tilbury West, together with the amount which each lot or part of lot and road should bear and pay towards said improvement.

8	w quarter 7	50	John Thompson	25 00	15 00	40 00
	s e corner w half 7	2/5	George Beacom	20	12	32
	e three-quarters 7	149 3/5	Philip Stotts	74 80	44 88	119 68
	w quarter 8	50	Robert Beacom	25 00	15 00	40 00
	e half w half 8	50	Albert T. Beacom	25 00	15 00	40 00
	w half e half 8	50	Wesley Reid	25 00	15 00	40 00
	e quarter 8	50	Thomas H. Armstrong	25 00	15 00	40 00
	west half 9	100	John Dryden	50 00	30 00	80 00
	w half e half 9	50	William D. McMullen	25 00	15 00	40 00
	e quarter 9	50	E. A. Reid	25 00	15 00	40 00
	w half 10	100	John McMullen	50 00	30 00	80 00
	e half 10	100	W. R. Reid	50 00	30 00	80 00
	w half 11	100	Thomas Armstrong	50 00	30 00	80 00
	e half 11	100	Ben-on H. Reid	50 00	30 00	80 00
	w quarter 12	50	Leslie McMullen	25 00	15 00	40 00

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or Part of Lot.	Area acres.	Owners' Names.	Value of benefit.	Value of out-let liability.	Value of in-juring liability.	Total value of improvement
	e half w half 12.....	50	Robert H. Reid.....	.....	25 00	15 00	40 00
	e half 12.....	100	W. S. Robinson.....	.....	50 00	30 00	80 00
	n w quarter 13.....	50	John Ogle.....	.....	25 00	15 00	40 00
	n e quarter 13.....	50	William Armstrong.....	.....	25 00	15 00	40 00
	n half w part 14.....	25	Christopher Ogle.....	.....	12 50	7 50	20 00
	n half center part 14.....	37½	Christopher Ogle.....	.....	18 75	11 25	30 00
	n half e part 14.....	37½	James Reid, Jr.....	.....	18 75	11 25	30 00
	n w quarter 15.....	50	David Reid, Jr.....	.....	25 00	15 00	40 00
	n half w half e half 15.....	25	John Hooker.....	.....	12 50	7 50	20 00
	n half e quarter 15.....	25	William J. Ogle.....	.....	12 50	7 50	20 00
	n w quarter 16.....	50	Francis Hooker.....	.....	25 00	15 00	40 00
	n half w half e half 16.....	25	James Coulter, Sr.....	.....	12 50	7 50	20 00
	n half e quarter 16.....	25	John Coulter.....	.....	12 50	7 50	20 00
	n half w quarter 17.....	25	William Robinson.....	.....	12 50	7 50	20 00
	n half e half w half 17.....	25	Charles Coulter.....	.....	12 50	7 50	20 00
	n half w half e half 17.....	25	Charles Coulter.....	.....	12 50	7 50	20 00
	n half e quarter 17.....	25	Henry Tufflemire.....	.....	12 50	7 50	20 00
	n w quarter 18.....	50	Francis Dundas.....	.....	25 00	15 00	40 00
	n e quarter 18.....	50	George Bullock.....	.....	25 00	15 00	40 00
	s quarter 7.....	50	William Gillanders.....	.....	25 00	15 00	40 00
	n half s half 7.....	50	James F. Gillanders.....	.....	25 00	15 00	40 00
	n half 7.....	100	John M. Reid.....	.....	50 00	30 00	80 00
	s half s w quarter 8.....	25	William Gillanders.....	.....	12 50	7 50	20 00
	n three quarters w half 8.....	75	Harvey Lundy.....	.....	37 50	22 50	60 00
	s e quarter 8.....	50	Scott Foster.....	.....	25 00	15 00	40 00
	n e quarter 8.....	50	M. W. Smith.....	.....	25 00	15 00	40 00
	s w quarter 9.....	50	David O. Smith.....	.....	25 00	15 00	40 00
	n w quarter 9.....	50	George F. Douglas.....	.....	25 00	15 00	40 00
	e half 9.....	100	William Judd.....	.....	50 00	30 00	80 00
	w half 10.....	100	William Griffin.....	.....	50 00	30 00	80 00
	n t hree-quarters e half 10.....	75	Elam E. Kimball.....	.....	37 50	22 50	60 00

9

w half s quarter e half 10	12½	Robert Cowan	6 25	3 75	10 00
e half s quarter e half 10	12½	Joseph Cowan	6 25	3 75	10 00
w half 11	100	Aldolphus Armstrong	50 00	30 00	80 00
w three-quarters e half 11	75	I. W. Stevenson	37 50	22 50	60 00
e half e quarter 11	25	Samuel Stevenson	12 50	7 50	20 00
w quarter 12	25	Samuel Stevenson	25 00	15 00	40 00
e three-quarters 12	150	David B. Reid	75 00	45 00	120 00
s w quarter 13	50	Robert Stevenson	25 00	15 00	40 00
n w quarter 13	50	James Stevenson	25 00	15 00	40 00
e half 13	100	John Robison	50 00	30 00	80 00
w half 14	100	Thomas Robison	50 00	30 00	80 00
s e quarter 14	50	George Knox	25 00	15 00	40 00
n e quarter 14	50	John Dick	25 00	15 00	40 00
n half 15	100	John T. Ray	50 00	30 00	80 00
s half 15	100	John Reid, Jr.	50 00	30 00	80 00
w half 16	100	George B. Reid	50 00	30 00	80 00
w half e half 16	50	Joseph Reid	25 00	15 00	40 00
e quarter 16	50	Thomas Brown	25 00	15 00	40 00
w half 17	100	Wm. R. Coulter	50 00	30 00	80 00
e half 17	100	Leonard Coulter	50 00	30 00	80 00
n w quarter 18	50	William H. Beattie	25 00	15 00	40 00
s w quarter 18	50	Francis Dundas	25 00	15 00	40 00
e half 18	100	F. H. Creighton	50 00	30 00	80 00
w half 10	100	R. O. Y. Ainslie	50 00	30 00	80 00
s e quarter 10	50	Aldolphus Baker	25 00	15 00	40 00
n e quarter 10	50	Arthur Anderson	25 00	15 00	40 00
Lot 11	200	Cameron Estate	100 00	60 00	160 00
w half 12	100	Cameron Estate	50 00	30 00	80 00
e half 12	100	Toby Kimball	50 00	30 00	80 00
s w quarter 13	50	William Stevenson	25 00	15 00	40 00
n half 13	100	Chris Stevenson	50 00	30 00	80 00
s e quarter 13	50	Frank Armstrong	25 00	15 00	40 00
s w quarter 14	50	Frank Armstrong	25 00	15 00	40 00
n w quarter 14	50	Thomas Buchanan	25 00	15 00	40 00
s e quarter 14	50	John Dick	25 00	15 00	40 00
n e quarter 14	50	Galvin Buchanan	25 00	15 00	40 00
s half 15	100	J. G. Buckham	50 00	30 00	80 00
n half 15	100	Alexander Buchanan	50 00	30 00	80 00
s w quarter 16	50	Thomas Robison	25 00	15 00	40 00

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owners' names.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvement.
	s e quarter 16	50	William Hooker	.....	25 00	15 00	40 00
	n w quarter 16	50	Alexander Campbell	.....	25 00	15 00	40 00
	n e quarter 16	50	William Sinclair	.....	25 00	15 00	40 00
	w half 17	100	Philip McIntosh	.....	50 00	30 00	80 00
	e half 17	100	Francis Dundas	.....	50 00	30 00	80 00
	s w quarter 18	50	Thomas Beattie	.....	25 00	15 00	40 00
	n w quarter 18	50	George Beattie	.....	25 00	15 00	40 00
	e half 18	100	John B. Douglas	.....	50 00	30 00	80 00
	s w quarter 19	50	Christopher Imeson	.....	25 00	15 00	40 00
	n w quarter 19	50	J. R. Mosgrove	.....	25 00	15 00	40 00
	s e quarter 19	50	W. S. Imeson	.....	25 00	15 00	40 00
	n e quarter 19	50	Win. Brown	.....	25 00	15 00	40 00
	s w quarter 20	50	Joseph Imeson	.....	25 00	15 00	40 00
	s e quarter 20	50	David H. Imeson	.....	25 00	15 00	40 00
	n half 20	100	Henry Davies	.....	50 00	30 00	80 00
	w half 21	100	John Imeson	.....	50 00	30 00	80 00
	s e quarter 21	50	Francis Whittal	.....	25 00	15 00	40 00
	n e quarter 21	50	James Imeson	.....	25 00	15 00	40 00
	s w quarter 22	50	Robert Dales	.....	25 00	15 00	40 00
	n w quarter 22	50	David Imeson	.....	25 00	15 00	40 00
	s e quarter 22	50	Thomas Mosey	.....	25 00	15 00	40 00
	n e quarter 22	50	Frank Thompson	.....	25 00	15 00	40 00
	s w quarter 23	50	Frank Thompson	.....	25 00	15 00	40 00
	n w quarter 23	50	David Mosey	.....	25 00	15 00	40 00
	n e quarter 23	50	James Latimore	.....	25 00	15 00	40 00
	n e quarter 23	50	George Walker	.....	25 00	15 00	40 00
	n e part 9	50	Mrs. Mary Robinson	.....	25 00	15 00	40 00
	s e part 9	25	John A. McGregor	.....	12 50	7 50	20 00

n w quarter 10.....	42	Albert E. Calder.....	21 00	12 60	33 60
s w quarter 10.....	42	John A. McGregor.....	21 00	12 60	33 60
e part 10.....	84	John McKean.....	42 00	25 20	67 20
w part 11.....	68	Frelck Bell.....	34 00	20 40	54 40
e part 11.....	100	Frank Anderson.....	50 00	30 00	80 00
w part 12.....	100	James McCracken.....	50 00	30 00	80 00
e part 12.....	68	Daniel Berney.....	34 00	20 40	54 40
n w part 13.....	34	Andrew Kenyon.....	17 00	10 20	27 20
s w part 13.....	34	John W. Kenyon.....	17 00	10 20	27 20
e part 13.....	100	Non-resident.....	50 00	30 00	80 00
n part 14.....	118	Non-resident.....	59 00	35 40	94 40
s e pt 14.....	50	Daniel Baldwin.....	25 00	15 00	40 00
s w pt 15.....	50	Angus Campbell.....	25 00	15 00	40 00
s e pt 15.....	50	Edward Millar.....	25 00	15 00	40 00
n pt 15.....	68	Non-Resident.....	34 00	20 40	54 40
s w part 16.....	50	Robt. J. Cathers.....	25 00	15 00	40 00
n w part 16.....	50	James W. Coulter.....	25 00	15 00	40 00
s e pt 16.....	34	Abraham McKinney.....	17 00	10 20	27 20
n e pt 16.....	34	Albert Luchia.....	17 00	10 20	27 20
n w pt 17.....	14	Albert Luchia.....	7 00	4 20	11 20
s e pt 17.....	154	Non-resident.....	78 00	45 20	123 20
s w quarter 18.....	42	Non-resident.....	21 00	12 60	33 60
w half s e quarter 18.....	21	George Brown.....	10 50	6 30	16 80
e half s e quarter 18.....	21	R. J. Terry.....	10 50	6 30	16 80
n half 18.....	84	George W. Cates.....	42 00	25 20	67 20
s w part 19.....	56	Stewart Mosgrove.....	28 00	16 80	44 80
s e part 19.....	56	Wm. M. Mosgrove.....	28 00	16 80	44 80
n part 19.....	56	Thos. G. Mosgrove.....	28 00	16 80	44 80
s hf 20.....	84	Henry Davies.....	42 00	25 20	67 20
n w qr 20.....	42	William Skilling.....	21 00	12 60	33 60
n e qr 20.....	42	James McIntosh.....	21 00	12 60	33 60
Lot 21.....	168	William E. Whaley.....	84 00	50 40	134 40
s w qr 22.....	42	Wm. Thompson.....	21 00	12 60	33 60
s e qr 22.....	42	Isaac Thompson.....	21 00	12 60	33 60
n half 22.....	84	Cameron estate.....	42 00	25 20	67 20
n w qr 23.....	42	Cameron estate.....	21 00	12 60	33 60
n e qr 23.....	42	William R. Scott.....	21 00	12 60	33 60
s hf 23.....	84	Gaines Imeson.....	42 00	25 20	67 20
n hf 24.....	84	Mrs. Abigail Dancy.....	42 00	25 20	67 20

SCHEDULE A.—Continued.

Con. or plan No.	Lot or part of lot.	Area of acres.	Owners' name.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total Value of improvement.
	.....	9511	Total assessment on on lands.....	.....	4756 50	2852 30	7608 80
	.....	18	8th concession road.....	.....	18 00	10 80	28 80
	.....	36	9th concession road.....	.....	36 00	21 60	57 60
	.....	54	10th concession road.....	.....	54 00	32 40	86 40
	.....	50	11th concession road.....	.....	50 00	30 00	80 00
	Townline bet. Mersea	50	& Tilbury W. $\frac{3}{4}$ to each.....	.....	25 00	15 00	40 00
	.....	15	6 and 7 side road.....	.....	15 00	9 00	24 00
	.....	30	12 and 13 side road.....	.....	30 00	18 00	48 00
	.....	30	18 and 19 side road.....	.....	30 00	18 00	48 00
	Total acreage.....	9794	Total assessment on roads.....	.....	258 00	154 80	412 80
			Total assessment on lands.....	.....			7608 80
			Total assessm't on lands & roads.....	.....			8021 60
			Total for outlet.....	5014 50			
			Total for injuring	3007 10			
				\$8021 60			

Windsor, Feb. 15th, 1897.

WM. NEWMAN, C. E.

And whereas the said Council of Tilbury West are of opinion that it is desirable to so improve and extend the said outlets of the Big Creek and Tremby Creek Drains, and to carry out the works proposed by the said engineer.

And whereas copies of the said engineer's report, plans, specifications, assessments and estimates of the said engineer have been served upon the respective heads of the said Municipalities of Tilbury North, Tilbury East, Romney and Mersea.

And whereas the Council of the Municipality of Tilbury East appealed to the drainage referee from the said report, plans, specifications, assessments and estimates, and the councils of the said other municipalities have not appealed, and the time for so appealing has elapsed.

And whereas upon the appeal of the said council of Tilbury East, the said referee has made his report in the following words :—

IN THE HIGH COURT OF JUSTICE.

BEFORE THE REFEREE UNDER THE DRAINAGE LAWS.

In the matter of the appeal by the Township of Tilbury East, in the County of Kent, from the report and assessment of William Newman, O. L. S., engineer for the Township of Tilbury West, for the proposed cleaning out, improving and dyking of Big Creek and its branches in the Townships of Tilbury North and Tilbury West.

WEDNESDAY, THE 5TH DAY OF MAY, 1897.

Pursuant to the Drainage Act, 1894 ; and the Amendments thereto and upon reading the notice of appeal by the Council of the Township of Tilbury East, from the report of William Newman, O.L.S., Engineer for the Township of Tilbury West, and from the assessment made by him upon the said Township of Tilbury East, for the proposed cleaning out of Big Creek and its branches. And upon reading the agreement made between the respective townships and signed by their respective counsel, and the respective Reeves of their municipal councils, and also the consent of the said William Newman, as such engineer.

It is ordered that the aggregate assessment placed upon the lands and roads of the said Township of Tilbury East, by the report of the said engineer for the said proposed drainage work, be and the same is hereby reduced from the sum of \$1,911.60 to the sum of \$1685.00.

And that the difference and reduction of the said assessment, being the sum of \$226.60 be adjusted over the lands and roads in the Township of Tilbury East chargeable with the said drainage work by the municipal council and Court of Revision of the said township as authorized, and according to the procedure prescribed by the Statutes in that behalf.

And it is further ordered that the amount of the said reduction, being the sum of \$226.60 be added to the assessment of the roads in the Town-

ship of Tilbury West for the proposed drainage work, and that the aggregate assessment of the said Township for lands and roads be increased and made the sum of \$13,487 30, instead of the amount set out in the said report. And that such addition to and increase of the assessment of the roads in the said Township of Tilbury West, be adjusted and assessed over the roads in the said township chargeable with the said drainage work by the municipal council and Court of Revision of the said township as authorized and according to the procedure prescribed by the Statutes in that behalf.

And it is further ordered that all necessary amendments be made and proceedings be taken by the respective Municipal Councils aforesaid to carry out this order.

And that the said municipalities do pay in law stamps the sum of one dollar each, and also all proper charges of the clerk of the County Court of the County of Essex, and, save as aforesaid, each municipality do bear and pay its own costs of these proceedings.

THEREFORE, the said municipal council of the said Township of Tilbury West, pursuant to the provisions of the Drainage Act, 1894, enact as follows :—

First :—The said report, plans, specifications, assessments and estimates, as amended by the said referee, are hereby adopted, and the drainage works as therein indicated and set forth shall be made and constructed in accordance therewith.

Second :—The Reeve of the said Township of Tilbury West may borrow on the credit of the corporation of the said Township of Tilbury West the sum of thirteen thousand four hundred and eighty-seven and 30/100 dollars (\$13,487.30), the said municipality's proportion of the funds necessary for the work, and may issue debentures of the corporation to that amount in sums of not less than \$50 each, and payable within ten years from the date thereof, with interest at the rate of five per centum per annum, that is to say, in ten equal annual payments of principal money and interest combined, such debentures to be payable at the Merchant's Bank in the City of Windsor, Ontario, and to have attached to them coupons for the payment of interest, viz.:

SCHEDULE.

Deb. No.	Year Due.	Prin.	Interest.	Debenture.
1	1898	\$ 1072 30	\$ 674 37	\$ 1746 67
2	1899	1125 92	620 75	1746 67
3	1900	1182 21	564 46	1746 67
4	1901	1241 32	505 35	1746 67
5	1902	1303 39	443 28	1746 67
6	1903	1368 56	378 11	1746 67
7	1904	1436 99	309 68	1746 67
8	1905	1508 84	237 83	1746 67
9	1906	1584 28	162 39	1746 67
10	1907	1663 49	83 18	1746 67
		<u>\$13487 30</u>	<u>\$3979 40</u>	<u>\$17466 70</u>

Third : For paying the sum of \$7,195.72 the amount charged against the said lands and roads for outlet liability, and the sum of \$4,316.98 the amount charged against said lands and roads for injuring liability apart from lands belonging to or controlled by the Municipality of Tilbury West, and for covering interest thereon for ten years at the rate of five per centum per annum, the following total special rates, over and above all other rates, shall be assessed, levied and collected in the same manner and at the same time as other taxes are levied and collected upon and from the undermentioned lots and parts of lots and roads, and the amount of the said total special rates and interest against each lot or part of lot respectively shall be divided into ten equal parts and one such part shall be assessed, levied and collected as aforesaid in each year for ten years after the final passing of this By-law during which the said debentures have to run :—

SCHEDULE A.

SCHEDULE of lands and roads in the Township of Tilbury West assessed for the repairing, improving and extending of Big Creek drain and its branches in the Townships of Tilbury North and Tilbury West, together with the amount which each lot or part of lot and road should bear and pay toward said improvement.

Con. or Plan No.	Lot or part of lot.	Area acres.	Owners' names.	Value of benefit.	Value of outlet liability.	Value of Value of injuring liability.	Total value of improv't per cent.	To cover in't for 10 yrs 5 per cent.	Total special rate.	Annual payment each yr fr 10 yrs
11	w hf 4.....	100	Cyrus Malott.....	.....	50 00	30 00	80 00	23 60	103 60	10 36
	w hf e hf 4.....	50	Samuel Lynn.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf e hf 4.....	50	Albert Lynn.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf 5.....	100	Wm. Calder.....	.....	50 00	30 00	80 00	23 61	103 61	10 36
	e hf 5.....	100	David Lynn.....	.....	50 00	30 00	80 00	23 60	103 60	10 36
	s pt 6.....	99	H. A. Nelson.....	.....	49 50	29 70	79 20	23 38	102 58	10 26
	s quar n hf 6.....	25	Samuel Stein.....	.....	12 50	7 50	20 00	5 91	25 91	2 59
	s three-qr s n hf 6.....	75	Wm. Elliott.....	.....	37 50	22 50	60 00	17 71	77 71	7 77
	s hf 7.....	100	James McCracken.....	.....	50 00	30 00	80 00	23 60	103 60	10 36
	n hf 7.....	100	Jas. Varhorne.....	.....	50 00	30 00	80 00	23 60	103 60	10 36
	n quar 8.....	50	Henry White.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w one-third s three-qr s 8.....	50	J. Terryberry.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	middle one-third s three-qr s 8.....	50	M. R. Anderson.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e one-third s three-qr s 8.....	50	D. Kinsman.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf s hf 9.....	50	D. Kinsman.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf n hf 9.....	50	Francis Birec.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf e hf 9.....	50	R. Kinsman.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e hf e hf 9.....	50	John Kinsman.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf s hf 10.....	50	A. R. Prendergast.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e hf s hf 10.....	50	Wm. Hannah.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf n hf 10.....	50	C. Pettit.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e hf n hf 10.....	50	James Lindsay.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e hf n hf 11.....	50	S. Reive.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf n hf 11.....	50	Non resident.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	s hf 11.....	100	Non resident.....	.....	50 00	30 00	80 00	23 60	103 60	10 36

w hf s hf 12	50	James McIntosh	25 00	15 00	40 00	11 80	51 80	5 18
e hf s hf 12	50	John Tilson	25 00	15 00	40 00	11 80	51 80	5 18
w hf n hf 12	50	Charles Mongeon	25 00	15 00	40 00	11 80	51 80	5 18
e hf n hf 12	50	R. Robb	25 00	15 00	40 00	11 80	51 80	5 18
n hf 13	100	M. Prendergast	50 00	30 00	80 00	23 60	103 60	10 36
s hf 13	100	S. Kitchen	50 00	30 00	80 00	23 60	103 60	10 36
w hf 14	100	I. Willan	50 00	30 00	80 00	23 60	103 60	10 36
e hf 14	100	John McIntosh	50 00	30 00	80 00	23 60	103 60	10 36
w hf 15	100	John McNarland	50 00	30 00	80 00	23 60	103 60	10 36
e hf 15	100	John Thompson	50 00	30 00	80 00	23 60	103 60	10 36
s hf 16	100	W. G. Lang	50 00	30 00	80 00	23 60	103 60	10 36
e three-qls n hf 16	75	A. Shauler	37 50	22 50	60 00	17 71	77 71	7 77
w quar n hf 16	25	W. Storey	12 50	7 50	20 00	5 91	25 91	2 59
lot 17	200	Cameron Estate	100 00	60 00	160 00	47 22	207 22	20 72
w hf s hf 18	50	Thomas Buchanan	25 00	15 00	40 00	11 80	51 80	5 18
w hf n hf 18	50	A. Buchanan	25 00	15 00	40 00	11 80	51 80	5 18
e hf 18	100	D. Johnston	50 00	30 00	80 00	23 61	103 61	10 36
n quar w hf 19	25	W. Owens	12 50	7 50	20 00	5 91	25 91	2 59
s three qls w hf 19	75	W. J. Bell	37 50	22 50	60 00	17 70	77 70	7 77
w hf e hf 19	50	Thomas Bell	25 00	15 00	40 00	11 80	51 80	5 18
e hf e hf 19	50	David Bell	25 00	15 00	40 00	11 80	51 80	5 18
s hf 20	44	H. Powell	22 00	13 20	35 20	10 39	45 59	4 56
n hf 20	44	I. T. Gahan	22 00	13 20	35 20	10 39	45 59	4 56
lot 4	200	A. Cameron	100 00	60 00	160 00	47 21	207 21	20 72
w hf s hf 5	50	D. Chatterton	25 00	15 00	40 00	11 80	51 80	5 18
e hf s hf 5	50	W. Warren	25 00	15 00	40 00	11 80	51 80	5 18
w hf n hf 5	50	Mrs. J. Bell	25 00	15 00	40 00	11 80	51 80	5 18
e hf n hf 5	50	W. Dalgleish	25 00	15 00	40 00	11 80	51 80	5 18
n quar 6	50	Jane Vanidour	25 00	15 00	40 00	11 80	51 80	5 18
s pt n hf 6	49	W. M. Goatbe	24 50	14 70	39 20	11 56	50 76	5 07
n hf s hf 6	50	R. McNaughton	25 00	15 00	40 00	11 80	51 80	5 18
s hf s hf 6	50	James Crozier	25 00	15 00	40 00	11 80	51 80	5 18
w hf 7	100	William Ludlam	50 00	30 00	80 00	23 60	103 60	10 36
e hf 7	100	J. N. Dutot	50 00	30 00	80 00	23 60	103 60	10 36
w hf 8	100	James Dutot	50 00	30 00	80 00	23 60	103 60	10 36
e hf n hf 8	50	George Taylor	25 00	15 00	40 00	11 80	51 80	5 18
e hf s hf 8	50	Mrs. J. Truskey	25 00	15 00	40 00	11 80	51 80	5 18
e hf n hf 9	50	I. H. Watson	25 00	15 00	40 00	11 80	51 80	5 18
e hf s hf 9	50	J. E. Manley	25 00	15 00	40 00	11 80	51 80	5 18

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area acres.	Owners' names.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improv't.	Total in't for 10 yrs 5 per cent.	Total special rate.	Annual p't each yr fr 10 yrs
	e hf n hf w hf 9.	25	A. Vanidour .....	.....	12 50	7 50	20 00	5 91	25 91	2 59
	e hf s hf w hf 9.	25	N. Ryckman .....	.....	12 50	7 50	20 00	5 91	25 91	2 59
	w quar 9.	50	G. A. & W. J. Taylor .....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf s hf 10.	50	Ed. Jory .....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf n hf 10.	50	Alexander Sova, Jr. ....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e hf 10.	100	N. Nelson .....	.....	50 00	30 00	80 00	23 60	103 60	10 36
	e hf n hf 11.	50	Eli Uleh .....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf n hf 11.	50	Thos. Uleh .....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf s hf 11.	50	Wm Magee .....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e hf s hf 11.	50	John Magee .....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	s hf 12.	100	William Traquair .....	.....	50 00	30 00	80 00	23 60	103 60	10 36
	s hf n hf 12.	50	A. Washburn .....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	n hf n hf 12.	50	James Wilson .....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	n pt 13.	99	John Mellow .....	.....	49 50	29 70	79 20	23 37	102 57	10 27
	n hf s hf 13.	50	D. Strang .....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	s hf s hf 13.	50	R. Parish .....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	n hf 14.	100	John A. Mellow .....	.....	50 00	30 00	80 00	23 61	103 61	10 36
	s hf 14.	100	John Traquair .....	.....	50 00	30 00	80 00	23 61	103 61	10 36
	n three-qs n hf 15.	75	George Robb .....	.....	37 50	22 50	60 00	17 72	77 72	7 77
	s quar n hf 15.	25	Thomas Dunmore .....	.....	12 50	7 50	20 00	5 91	25 91	2 59
	w hf s hf 15.	50	Thomas Dunmore .....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e hf s hf 15.	50	Wm. Storey .....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf s hf 16.	50	P. Donohue .....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e hf s hf 16.	50	Ed Falconer .....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf n hf 16.	50	Canada Co. ....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e hf n hf 16.	50	Canada Co. ....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf n hf 17.	50	F. Benoit .....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e hf n hf 17.	50	R. McKeown .....	.....	25 00	15 00	40 00	11 30	51 80	5 18
	w hf s hf 17.	50	D. Dalgleish .....	.....	25 00	15 00	40 00	11 80	51 80	5 18

e hf s hf 17.....	50	James Gahan.....	25 00	15 00	40 00	11 80	51 80	5 18
s hf n hf 18.....	50	Peter Marchand.....	25 00	15 00	40 00	11 80	51 80	5 18
n hf n hf 18.....	50	W. Glazier.....	25 00	15 00	40 00	11 80	51 80	5 18
s hf s hf 18.....	50	S. Moffatt.....	25 00	15 00	40 00	11 80	51 80	5 18
n quar s hf 18.....	25	Peter Marchand.....	12 50	7 50	20 00	5 91	25 91	2 59
s hf n hf s hf 18.....	25	Jos. Marchand.....	12 50	7 50	20 00	5 91	25 91	2 59
s hf n hf 19.....	50	Jos. Marchand.....	25 00	15 00	40 00	11 80	51 80	5 18
n hf n hf 19.....	50	Wm. Benoit.....	25 00	15 00	40 00	11 80	51 80	5 18
n hf s hf 19.....	50	Ed. Marchand.....	25 00	15 00	40 00	11 80	51 80	5 18
s hf s hf 19.....	50	N. Aubier.....	25 00	15 00	40 00	11 80	51 80	5 18
Gore lot 20.....	84	P. Haviland.....	42 00	25 20	67 20	19 82	87 02	8 70
s hf 4.....	100	H. Lindsay.....	50 00	30 00	80 00	23 61	103 61	10 36
w pt n hf 4.....	50	Jennet Frazer.....	25 00	15 00	40 00	11 80	51 80	5 18
e half n half 9.....	50	R. W. Kennedy.....	25 00	15 00	40 00	11 80	51 80	5 18
n part 5.....	98½	J. Corman.....	49 62	29 38	79 00	23 31	102 31	10 23
s part 5.....	96½	John Calder.....	48 25	28 95	77 20	22 78	99 98	10 00
s half w half 6.....	50	R. W. Kennedy.....	25 00	15 00	40 00	11 80	51 80	5 18
n part w half 6.....	49	M. Lambert.....	24 50	14 70	39 20	11 57	50 77	5 08
e half 6.....	100	Andrew Wight.....	50 00	30 00	80 00	23 61	103 61	10 36
n half 7.....	100	R. Shanks.....	50 00	30 00	80 00	23 61	103 61	10 36
s half 7.....	100	George I. Jones.....	50 00	30 00	80 00	23 61	103 61	10 36
w half n half 8.....	50	W. Breen.....	25 00	15 00	40 00	11 80	51 80	5 18
e half n half 8.....	50	John Breen.....	25 00	15 00	40 00	11 80	51 80	5 18
w half s half 8.....	50	James Dutoit.....	25 00	15 00	40 00	11 80	51 80	5 18
e half s half 8.....	50	R. Barton.....	25 00	15 00	40 00	11 80	51 80	5 18
w half n half 9.....	50	H. Breen.....	25 00	15 00	40 00	11 80	51 80	5 18
e half n half 9.....	50	M. A. Cowan.....	25 00	15 00	40 00	11 80	51 80	5 18
w half s half 9.....	50	O. Pearsall.....	25 00	15 00	40 00	11 80	51 80	5 18
e half s half 9.....	50	W. Henry.....	25 00	15 00	40 00	11 80	51 80	5 18
n half 10.....	100	John Shanks.....	50 00	30 00	80 00	23 61	103 61	10 36
w half s half 10.....	50	R. W. Kennedy.....	25 00	15 00	40 00	11 80	51 80	5 18
w half s half 10.....	50	R. W. Kennedy.....	25 00	15 00	40 00	11 80	51 80	5 18
w half n half 11.....	50	Lunday Sova.....	25 00	15 00	40 00	11 80	51 80	5 18
e half n half 11.....	50	Alexander Sova.....	25 00	15 00	40 00	11 80	51 80	5 18
w half s half 11.....	50	George Walker.....	25 00	15 00	40 00	11 80	51 80	5 18
w half e half s half 11.....	25	W. G. Stevenson.....	12 50	7 50	20 00	5 90	25 90	2 59
e quarter s half 11.....	25	John Beacon.....	12 50	7 50	20 00	5 90	25 90	2 59
n three-quarters 12.....	150	W. A. Mellow.....	75 00	45 00	120 00	35 41	155 41	15 54
s quarter 12.....	50	D. Armstrong.....	25 00	15 00	40 00	11 80	51 80	5 18

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area acres.	Owners' names.	Value of benefit.	Value of outlet liability.	Value of Value of injuring liability.	Total value of improvement.	Total cost in't for 10 yrs 5 per cent.	Total special rate.	Annual p't each year for 10 yrs
8	lot 13.....	200	John Mellow.....	.....	100 00	60 00	160 00	47 21	207 21	20 72
	n half 14.....	100	J. Storey.....	.....	50 00	30 00	80 00	23 60	103 60	10 36
	e half s half 14.....	50	J. Storey.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w half s half 14.....	50	M. Bould.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w half s half 15.....	50	C. Pettit.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e half s half 15.....	50	D. Strang.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w half n half 15.....	50	A. Pearson.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e half n half 15.....	50	A. Trudell.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	gore 4.....	20	R. Jackson.....	.....	10 00	6 00	16 00	4 72	20 72	2 07
	gore 5.....	70	R. Jackson.....	.....	35 00	21 00	56 00	16 53	72 53	7 25
	n part 6.....	73	E. Heiser.....	.....	36 50	21 90	58 40	17 24	75 64	7 57
	s part 6.....	49	M. Lambert.....	.....	24 50	14 71	39 20	11 57	50 77	5 08
	n part 7.....	77	Agnes Harkness.....	.....	38 50	23 10	61 60	18 18	79 78	7 98
	s half s half 7.....	50	R. McQueen.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	n half s half 7.....	50	Non resident.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w half n half 8.....	50	E. Hillman.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e half n half 8.....	50	J. McFadden.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w half s half 8.....	50	W. Lindsay.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e half s half 8.....	50	Jones Breen.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	lot 9.....	200	C. Frankfurth.....	.....	100 00	60 00	160 00	47 22	207 22	20 72
	n half 10.....	100	C. Thornnton.....	.....	50 00	30 00	80 00	23 60	103 60	10 36
	s half 10.....	100	John Ford.....	.....	50 00	30 00	80 00	23 60	103 60	10 36
	w half n half 11.....	50	Thomas Leavitt.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e half n half 11.....	50	Ed. Mitchell.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	s half 11.....	100	H. Pettit.....	.....	50 00	30 00	80 00	23 60	103 60	10 36
lot 12.....	200	R. Keith.....	.....	100 00	60 00	160 00	47 22	207 22	20 72	
s half 13.....	100	C. Marchand.....	.....	50 00	30 00	80 00	23 60	103 60	10 36	
e half n half 13.....	50	S. Hillman.....	.....	25 00	15 00	40 00	11 80	51 80	5 18	
n half w half n half 13.....	25	A. Kendrick.....	.....	12 50	7 50	20 00	5 90	25 90	2 59	

25	12 50	7 50	20 00	5 90	25 90	25 59
50	25 00	15 00	40 00	11 80	51 80	5 18
25	12 50	7 50	20 00	5 90	25 90	2 59
25	12 50	7 50	20 00	5 90	25 90	2 59
50	25 00	15 00	40 00	11 80	51 80	5 18
50	25 00	15 00	40 00	11 80	51 80	5 18
$\frac{1}{2}$	25	15	40	12	52	05
49 $\frac{1}{2}$	24 75	14 85	39 60	11 69	51 29	5 13
50	25 00	15 00	40 00	11 80	51 80	5 18
50	25 00	15 00	40 00	11 80	51 80	5 18
25	12 50	7 50	20 00	5 91	25 91	2 59
25	12 50	7 50	20 00	5 91	25 91	2 59
27	13 50	8 10	21 60	6 37	27 97	2 80
30	20 00	12 00	32 00	9 44	41 44	4 14
40	20 00	12 00	32 00	9 44	41 44	4 14
75	37 50	22 50	60 00	17 70	77 70	7 77
25	12 50	7 50	20 00	5 91	25 91	2 59
30	15 00	9 00	24 00	7 08	31 68	3 11
100	50 00	30 00	80 00	23 60	103 60	10 36
80	40 00	20 00	64 00	18 89	82 89	8 29
100	50 00	30 00	80 00	23 60	103 60	10 36
100	50 00	30 00	80 00	23 60	103 60	10 36
99	49 50	29 70	79 20	23 38	102 58	10 26
50	25 00	15 00	40 00	11 80	51 80	5 18
50	25 00	15 00	40 00	11 80	51 80	5 18
50	25 00	15 00	40 00	11 80	51 80	5 18
50	25 00	15 00	40 00	11 80	51 80	5 18
50	25 00	15 00	40 00	11 80	51 80	5 18
100	50 00	30 00	80 00	23 60	103 60	10 36
50	25 00	15 00	40 00	11 80	51 80	5 18
50	25 00	15 00	40 00	11 80	51 80	5 18
110	43 75	26 25	70 00	20 65	90 65	9 06
85	42 50	25 50	68 00	20 06	88 06	8 81
49	24 50	14 70	39 20	11 56	50 76	5 08
1	50	30	80	24	1 04	10
50	25 00	15 00	40 00	11 80	51 80	5 18
97	48 50	29 10	77 60	22 90	100 50	10 05
14	62	38	1 00	29	1 29	13

7

M R S

25	C. Thornton	12 50	7 50	20 00	5 90	25 90	25 59
50	E. Pearson	25 00	15 00	40 00	11 80	51 80	5 18
25	E. Pearson	12 50	7 50	20 00	5 90	25 90	2 59
25	S. Hillman	12 50	7 50	20 00	5 90	25 90	2 59
50	M. J. Hillman	25 00	15 00	40 00	11 80	51 80	5 18
50	Jos. Thibert	25 00	15 00	40 00	11 80	51 80	5 18
$\frac{1}{2}$	S. Wyner	25	15	40	12	52	05
49 $\frac{1}{2}$	A. Pearson	24 75	14 85	39 60	11 69	51 29	5 13
50	Jas. Colter	25 00	15 00	40 00	11 80	51 80	5 18
50	H. Trudell	25 00	15 00	40 00	11 80	51 80	5 18
25	Jos. Thibert	12 50	7 50	20 00	5 91	25 91	2 59
25	A. Pearson	12 50	7 50	20 00	5 91	25 91	2 59
27	C. MacDermott	13 50	8 10	21 60	6 37	27 97	2 80
30	R. Jackson	20 00	12 00	32 00	9 44	41 44	4 14
40	S. Jackson	20 00	12 00	32 00	9 44	41 44	4 14
75	Wm. Brown	37 50	22 50	60 00	17 70	77 70	7 77
25	Non-resident	12 50	7 50	20 00	5 91	25 91	2 59
30	Jno. Cranston	15 00	9 00	24 00	7 08	31 68	3 11
100	Jas. Sellars	50 00	30 00	80 00	23 60	103 60	10 36
80	R. E. Dodson	40 00	20 00	64 00	18 89	82 89	8 29
100	R. Ford	50 00	30 00	80 00	23 60	103 60	10 36
100	A. Kendrick	50 00	30 00	80 00	23 60	103 60	10 36
99	J. McDowall	49 50	29 70	79 20	23 38	102 58	10 26
50	S. McDowall	25 00	15 00	40 00	11 80	51 80	5 18
50	Wm. McDowall	25 00	15 00	40 00	11 80	51 80	5 18
50	Jno. McDowall	25 00	15 00	40 00	11 80	51 80	5 18
50	S. Wyner	25 00	15 00	40 00	11 80	51 80	5 18
50	A. Coulter	25 00	15 00	40 00	11 80	51 80	5 18
50	R. J. Coulter	25 00	15 00	40 00	11 80	51 80	5 18
100	S. Palmer	50 00	30 00	80 00	23 60	103 60	10 36
50	Geo. Whyte	25 00	15 00	40 00	11 80	51 80	5 18
50	C. Whyte	25 00	15 00	40 00	11 80	51 80	5 18
110	George Buchanan	43 75	26 25	70 00	20 65	90 65	9 06
85	Maggie Buchanan	42 50	25 50	68 00	20 06	88 06	8 81
49	Geo. Frantfurth	24 50	14 70	39 20	11 56	50 76	5 08
1	Ed. Whatley	50	30	80	24	1 04	10
50	E. Heiser	25 00	15 00	40 00	11 80	51 80	5 18
97	Cameron Estate	48 50	29 10	77 60	22 90	100 50	10 05
14	Cameron Estate	62	38	1 00	29	1 29	13

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of Acres.	Owners' Names.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvement.	Tot'l cor in't for 10 yrs 5 per cent.	Total special rate.	Annual p't each yr fr 10 yrs
	v lot 11 on n half 6.	$\frac{1}{2}$	H. Prov'd't & Loan Co.	.....	25	15	40	12	52	05
	v lots 1 and 2 on n half 6.	$\frac{1}{2}$	Wm Taylor.	.....	25	15	40	12	52	05
	v lots 10, 11, 12, on n half 6.	$\frac{3}{4}$	Cameron Estate.	.....	38	22	60	17	77	08
	s half 7.	100	D. McAllister.	.....	50 00	30 00	80 00	23 60	103 60	10 36
	w part n w quarter 7.	7	D. McAllister.	.....	3 50	2 10	5 60	1 65	7 25	72
	e part n half 7.	45	W. Burnard.	.....	6 25	3 75	10 00	2 95	12 95	1 30
	e part n w quarter 7.	34	W. Harman.	.....	12 50	7 50	20 00	5 91	25 91	2 59
	v lots 7, 8 and 9 on 7.	$\frac{1}{2}$	L. Ward.	.....	25	15	40	12	52	05
	v lots 11 and 12 on 7.	1-5	W. A. McIntosh.	.....	10	06	16	04	20	02
	village lot 13 on 7.	1-5	D. Enricken.	.....	10	06	16	04	20	02
	village lot 14 on 7.	1-5	Jas. Whales.	.....	10	06	16	04	20	02
	v Lots 15 and 16 on 7.	2-5	C. P. Coulson.	.....	20	12	32	10	42	04
	v Lot 17 on 7.	1-5	Mann Estate.	.....	10	06	16	04	20	02
	v Lot 21 on 7.	1-6	L. Ward.	.....	10	06	16	04	20	02
	v Lot 23 on 7.	1-6	J. Goatbe.	.....	09	05	14	04	18	02
	v Lot 25 on 7.	1-5	Augusta Fenner.	.....	10	06	16	04	20	02
	v Lot 26 on 7.	1-5	F. Shultz.	.....	12	08	20	06	26	03
	v Lot 27 on 7.	$\frac{1}{2}$	D. Vokes.	.....	10	06	16	04	20	02
	v Lot 26 on 7.	1-5	D. McAllister.	.....	10	06	16	04	20	02
	34, 35, 36, 37, 38, 39, on 7.	$\frac{1}{2}$	D. Vokes.	.....	88	52	1 40	41	1 81	18
	Lot 29 on 7.	$\frac{1}{2}$	John White.	.....	25	15	40	12	52	05
	s half lot 8.	100	A. Halliday.	.....	50 00	30 00	80 00	23 60	103 60	10 36
	e half 9.	100	W. Elliott.	.....	12 50	7 50	20 00	5 93	25 93	2 59
	w half 9.	100	J. S. Ainslie.	.....	12 50	7 50	20 00	5 93	25 93	2 59
	w hf 10.	100	B. Roadhouse.	.....	12 50	7 50	20 00	5 93	25 93	2 59
	e hf 10.	100	W. Wallace.	.....	12 50	7 50	20 00	5 93	25 93	2 58
	s hf 11.	100	R. Shauks.	.....	25 00	15 00	40 00	11 80	51 80	5 19
	s hf 12.	100	F. Lickman.	.....	31 25	18 75	50 00	14 76	64 76	6 48
	w pt n hf 13.	49	R. E. Dodson.	.....	24 50	14 70	39 20	11 54	50 78	5 08

M.R.N.	50	50	15 00	40 00	11 80	51 80	5 18
e hf n hf 13	100	Geo. Wiley	30 00	80 00	23 60	103 60	10 36
s hf 13	100	S. Alexander	50 00	80 00	23 60	103 60	10 36
n hf 14	100	A. Holmes	30 00	80 00	23 60	103 60	10 36
n hf 15	100	Harry Rowson	50 00	80 00	23 60	103 60	10 36
s hf 15	100	A. Holmes	30 00	80 00	23 60	103 60	10 36
s pt 5	97	A. Fenner	48 50	77 60	22 90	100 50	10 05
s e cor 6	1	E. Lindsay	50	30	23	1 03	10
w pts s hf 6	46	S. Taylor	23 00	36 80	10 87	47 67	4 77
v lot 1 and 2 on 6	1	Jas. Kerr	50	30	25	1 03	11
v lot 3 on 6	1-5	Buëler Estate	10	06	04	20	02
v lot 4 on 6	1-5	S. J. Hughes	10	06	04	20	02
v lot 5 on 6	1-5	S. Whatley	10	06	04	20	02
v lot 6 on 6	1-5	S. Whatley	10	06	04	20	02
v lot 7 on 6	1-5	A. Tain	10	06	04	20	02
v lot 8 on 6	1-5	M. Kingswell	10	06	04	20	02
v lot s hf 9 on 6	1-8	Amy Hatcher	06	04	10	03	02
v lot n hf 9 on 6	1-8	John Lefaire	06	04	10	03	02
v lot 10 on 6	1-5	R. Buckley	10	06	04	20	02
v lot 11 on 6	1-5	Jas. Sellars	10	06	04	20	02
v lot n hf 12 on 6	1-10	R. H. Abbott	05	03	08	10	01
v lot s hf 12 on 6	1-10	E. Whatley	05	03	08	10	01
v lot s hf 13 on 6	1-10	A. J. Brown	05	03	08	10	01
v lot n hf 13 on 6	1-10	R. Riley	05	03	08	10	01
v lot 14 on 6	1-5	R. Kenyon	10	06	05	21	02
v lot 15 on 6	1-5	C. Frankfurth	10	06	05	21	02
v lot 16 on 6	1-5	D. McAlister	10	06	05	21	02
v lot 17 on 6	1-5	C. Clark	10	06	05	21	02
v lot 18 on 6	1-5	M. J. Roadhouse	10	06	05	21	02
v lot 19 on 6	1-5	J. T. Jordan	10	06	05	21	02
v lot 20 on 6	1-5	Pres. Manse	10	06	05	21	02
v lot 21 on 6	1-5	John Mellow	10	06	05	21	02
v lot 22 on 6	1-5	R. Anderson	10	06	05	21	02
v lot 23 on 6	1-5	M. Prendergast	10	06	05	21	02
v lot 24 on 6	1-5	J. J. Frankfurth	10	06	05	21	02
v lot 25 on 6	1-5	D. Baldwin	10	06	05	21	02
v lot 26 on 6	1-5	M. J. Hillman	10	06	05	21	02
v lot 27 on 6	1-5	John Moody	10	06	05	21	02
v lot 28 on 6	1-5	P. McNaughton	10	06	05	21	02

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area Acres.	Owners' names:	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvement.	Tot'l co'r in't for 10 yr's 5 per cent.	Total special rate.	Annual p't each yr fr 10 yrs
	v lot 29 on 6	1-5	A. McKenzie	.....	10	06	16	05	21	02
	v lot 30 on 6	1-5	W. Armitage	.....	10	06	16	05	21	02
	v lot 31 on 6	1-5	R. O. Y. Ainslie	.....	10	06	16	05	21	02
	v lot 32 on 6	1-5	T. Beattie	.....	10	06	16	05	21	02
	v lots 33 and 34 on 6	2-5	Geo. Ainslie	.....	20	12	32	08	40	04
	v lot 35 on 6	1-5	A. T. Allen	.....	10	06	16	05	21	02
	v lot 36 on 6	1-5	A. F. Allen	.....	10	06	16	05	21	02
	v lot 43 on 6	1-5	C. Blim	.....	10	06	16	05	21	02
	v lot 44 on 6	1-5	C. Douglas	.....	10	06	16	05	21	02
	v lot 47 on 6	1-5	Jas. Sellars	.....	10	06	16	05	21	02
	v lot 51, 52, 53 on 6	3-5	S. Whatley	.....	30	18	48	12	60	06
	v lot 54, 55, 56, 57 on 6	4-5	Jas. Kerr	.....	40	24	64	16	80	08
	v lot 58 on 6	1-8	W. Dalton	.....	06	04	10	03	13	02
	v lot 61 on 6	1-5	W. Taylor	.....	10	06	16	05	21	02
	v lot 62 on 6	1	Alice Allen	.....	50	30	80	24	104	11
	v lot 19 on 6	1-5	T. Beattie	.....	10	06	16	05	21	02
	park lots A and B on 6	1	F. F. Jones	.....	50	30	80	24	104	11
	park lot C on 6	1	H. Howe	.....	25	15	40	12	52	05
	park lots D and E on 6	1	Geo. Ainslie	.....	25	15	40	12	52	05
	se part 6	22	W. Taylor	.....	11 00	6 60	17 60	5 19	22 79	2 28
	v lot 20 on n hf 6	1-5	Alex. Wands	.....	10	06	16	05	21	02
	v lots 2 and 3 on 7	1	Geo. Millar	.....	25	15	40	12	52	05
	v lots 4 and 5 on n hf 7	1	D. Dewhurst	.....	25	15	40	11	51	05
	v lot s hf 32 on n hf 7	1-8	H. Hallett	.....	06	04	10	03	13	02
	v lot n hf 32 on n hf 7	1-8	Thos. Beattie	.....	06	04	10	03	13	02
	v lot n hf 33 on 7	1	W. Harmer	.....	25	15	40	11	51	05
	v lots 6, 7, 8 on 7	1	M. Creighton	.....	50	30	80	24	104	11
	v lot 26 on 7	1	C. Ford	.....	38	22	60	18	78	08
	v lot 27 on 7	1	I. H. Ainslie	.....	25	15	40	11	51	05
	v lot 28 on 7	2-5	Alex. Ainslie	.....	20	12	32	09	41	04

v lot S.R.R. s part 7	1-5	M. Laporte	10	06	16	05	21	02
v lot S.R.R. s part 7	3½	W. Warren, sr	1 80	1 00	2 80	83	3 63	37
v lot S.R.R. 2 on s hf 7	1-5	C. Frankfurth	10	06	16	05	21	02
v lot S.R.R. 3 on s hf 7	1-5	C. Frankfurth	10	06	16	05	21	02
v lots 4 and 5 on 7	½	J. E. Hull	25	15	40	11	51	05
v lot 7 on 7	1-5	A. Buchanan	10	06	16	05	21	02
v lot 8 on 7	1-5	W. Elliott	10	06	16	05	21	02
v lot 9 on 7	1-5	Jno. McKeown	10	06	16	05	21	02
v lot 10 on 7	1-5	C. Macdermott	10	06	16	05	21	02
v lot 11 on 7	1-5	J. Storey	10	06	16	05	21	02
v lot 12 on 7	1-5	C. N. Anderson	10	06	16	05	21	02
v lot 13 on 7	1-5	A. J. Brown	10	06	16	05	21	02
v lot 14 on 7	1-5	Jas. Lewis	10	06	16	05	21	02
v lots 15, 16 and 20 on 7	2-5	P. A. Flaherty	20	12	32	09	41	04
v lot 17 on 7	1-5	D. Shanks	10	06	16	05	21	02
v lot 18 on 7	1-5	S. Whatley	10	06	16	05	21	02
v lot 19 on 7	1-5	Jno. Elliott	10	06	16	05	21	02
v lot 22 on 7	1-8	Jno. Gee	06	04	10	03	13	02
v lot 23 on 7	1-5	W. Harmer	10	06	16	05	21	02
v lot 24 on 7	1-8	T. Anderson	06	04	10	03	13	02
v lot 21 on 7	1-8	Louis Robbins	06	04	10	03	13	02
v lot 42 on 7	1-5	John Elliott	10	06	16	05	21	02
v lot 43 on 7	1-5	N. Leclair	10	06	16	05	21	02
v lots 45 and 46 on 7	2-5	M. and C. McDowall	20	12	32	09	41	04
v lots 74, n hf 73 on 7	3-10	W. Chatterton	15	09	24	07	31	03
v lots 72, s hf 73 on 7	3-10	A. Beauchene	15	09	24	07	31	03
v lots 61 and 62 on 7	2-5	W. Joynt	20	12	32	09	41	04
v lot 83 on 7	1-5	M. Coutier	10	06	16	05	21	02
v lot part s half 7	2½	J. W. Sifton	1 25	75	2 00	59	2 59	26
v lot s w corner 7	1-2	Jas. Logan	25	15	40	11	51	05
v lot 59 s hf 7	1-5	N. Selkirk	10	06	16	05	21	02
v lot 25 on 7	1-5	H. Wright	10	06	16	05	21	02
v lot 26 on 7	1-5	H. Thompson	10	06	16	05	21	02
v lots 27 and 28 on 7	2-5	E. Johnston	20	12	32	10	42	04
v lot 29 on 7	1-5	J. D. and G. A. Ainslie	10	06	16	05	21	02
v lot 31 on 7	¾	Jas. Sellars	56	15	40	12	52	05
s e part 7	60	Robt. Jackson	6 25	3 75	10 00	2 95	12 95	1 29
s part 13	96	R. E. Dodson	48 00	28 80	76 80	22 67	99 47	9 95
n part 13	93	Mrs. E. Johnston	46 50	27 90	74 40	21 96	96 36	9 64

SCHEDULE A.—Concluded.

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owners' Name.	Value of benefit.	Value of outlet liability.		Value of injuring liability.		Total value of improve-ment.		Tot'l co'r in't for 10 y'rs 5 per cent.		Total special rate.		Annual profit each ye's fr 10 y'rs	
					\$	c.	\$	c.	\$	c.	\$	c.	\$	c.	\$	c.
	s hf 14.....	100	Wm. Holmes.....		50 00	30 00	80 00	23 60	103 60	10 36						
	w pt n hf 14.....	28	E. Thomas.....		14 00	8 40	22 40	6 60	29 00	2 90						
	e pt n hf 14.....	67	F. Shultz.....		33 50	20 10	53 60	15 80	69 40	6 94						
	w pt n hf 15.....	47	T. Jackson.....		23 50	14 10	37 60	11 10	48 70	4 87						
	e pt n hf 15.....	47	F. Morris.....		23 50	14 10	37 60	11 10	48 70	4 87						
	w hf s hf 15.....	50	M. Grimshaw.....		25 00	15 00	40 00	11 80	51 80	5 18						
	e hf s hf 15.....	50	P. Sartegny.....		25 00	15 00	40 00	11 80	51 80	5 18						
		14892 $\frac{2}{3}$	Total ass'm't on lands.....		7195 72	4316 98	11512 70	3396 80	14909 50	1490 95						
			ASSESSM'T ON ROADS.													
M.R.N.	lots road in rear.....	10	Tilbury W. & N., $\frac{1}{2}$ each.....		5 00	3 00	8 00	2 36	10 36	1 04						
M.R.S.	Middle road.....	35			35 00	21 00	56 00	16 52	72 52	7 25						
	lots road in rear.....	40			40 00	24 00	64 00	18 88	82 88	8 29						
	road between.....	25	7 and 8 concessions.....		25 00	15 00	40 00	11 80	51 80	5 18						
	road between.....	35	8 and 9 concessions.....		35 00	21 00	56 00	16 52	72 52	7 25						
	road between.....	50	9 and 10 concessions.....		50 00	30 00	80 00	23 61	103 61	10 36						
	road between.....	50	10 and 11 concessions.....		50 00	30 00	80 00	23 61	103 61	10 36						
	T'line between Mersea.....	50	& Tilbury E. $\frac{1}{2}$ each.....		25 00	15 00	40 00	11 80	51 80	5 18						
		20	Comber streets.....		20 00	12 00	32 00	9 44	41 44	4 15						
		30	6 and 7 side road.....		30 00	18 00	48 00	14 16	62 16	6 22						
		45	12 and 13 side road.....		45 00	27 00	72 00	21 24	93 24	9 33						
		15	18 and 19 side road.....		15 00	9 00	24 00	7 08	31 08	3 11						
	T'line between Tilbury.....	15	West & Romney $\frac{1}{2}$ each.....		7 50	4 50	12 00	3 54	15 54	1 55						
		15	M. C. R. R.....		7 50	4 50	12 00	3 54	15 54	1 54						
		30	L. and St. C. R. R.....		15 00	9 00	24 00	7 09	31 09	3 11						

Total assessment on roads in Tilbury West by engineer.....	405 00	243 00	648 00	191 19	839 19	83 92
Total amount added to roads in Tilbury West by referee.....	.....	.....	226 60	66 85	293 45	29 35
Total on roads.....	405 00	243 00	874 60	258 04	1132 64	113 27
Bridges in Tilbury West.....	.....	.....	1100 00	324 56	1424 56	142 46
Totals on lands.....	7195 72	4316 98	11512 70	3396 80	14909 50	1490 95
Total on roads.....	405 00	243 00	874 60	258 04	1132 64	113 27
Total assessment.....	7600 72	4559 98	13487 30	3979 40	17466 70	1746 68

Fourth :—For paying the sum of \$648.00 the amount assessed against the said roads and lands of the municipality of Tilbury West, and the further sum of \$226.60 as required by the report of the said referee, and the further sum of \$1100.00 the proportion of the cost of bridges and culverts over the drainage works payable by the municipality of Tilbury West and for covering interest on the said sums of \$648.00, \$226.60, and \$1100.00 respectively, for ten years at the rate of five per centum per annum a special rate on the dollar sufficient to produce the required yearly amount therefor shall over and above all other rates be levied and collected in the same manner and at the same time as taxes are levied and collected upon and from the who'e rateable property in the said municipality of Tilbury West in each year for ten years after the final passing of this by-law during which the said debentures have to run.

Fifth :—So far as this Council has authority to enact and subject to such alterations as may be made by the proper Court of Revision, or on appeal therefrom to the Judge for paying the sum of \$4086.38 the amount charged against the lands and roads in the township of Tilbury North, for benefit and the sum of \$5,223.83 the amount charged against said lands and roads for outlet liability, and the sum of \$2,578.94, the amount charged against said lands and roads for injuring liability, apart from lands and roads belonging to or controlled by the municipality of Tilbury North, and for covering interest thereon for twenty years at the rate of five per centum per annum the following total special rate with interest added over and above all other rates shall be assessed, levied and collected in the same manner and at the same time as other taxes are levied and collected upon and from the undermentioned lots and parts of lots and roads, and the amount of the said total special rates against each lot or part of lot respectively shall be divided into twenty equal parts, and one such part shall be assessed, levied and collected as aforesaid in each year for twenty years after the final passing of this By-law, during which the said debentures have to run.

SCHEDULE of lands and roads in the Township of Tilbury North, assessed for the repairing, improving and extending of Big Creek drain and its branches in the Townships of Tilbury North and Tilbury West, together with the amount which each lot or part of lot and road should bear and pay toward said improvement.

Con. or Plan No.	Lot or part of lot.	Area of acres	Owners' Names.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of im-provement.
				\$ c.	\$ c.	\$ c.	\$ c.
B. F.	w pt 13	40	Fred. Mackean	24 00			24 00
	pt 14	1 1/2	M. McCuaig	7 50			7 50
	pt 14	45	Fred. Lee	27 00			27 00
	pt 15	40	George Morris	24 00			24 00
	s w cor 16	2 3/4	Adolphus Brown	3 20			3 20
	pt 16	68	Non-resident	40 00			40 00
	pt 16 and 17	85 22	Grand Trunk Railway				
		100					
	w pt 17	16	Non-resident	10 80			10 80
	lot 18	184	Cameron, Curry estate	110 00			110 00
	lot 19	270	Johnston Orr	160 00			160 00
	s pt 20	79	P. F. Strong	94 80			94 80
	middle pt 20	71	P. F. Strong	85 20			85 20
	s w pt 21	70	Pierre Lesperance	84 00			84 00
	pt 21	30	Francis Girard	36 00			36 00
	n pt 21	50	Aaron Strong	60 00			60 00
s pt 22	25	P. F. Strong	30 00			30 00	
w hf 13	100	Chris McKeown	100 00			100 00	
e hf 13	100	M. W. Thorne	120 00			120 00	
w hf 14	100	Fred. Lee	120 00			120 00	
e hf 14	100	Murray Hill	120 00			120 00	
w hf 15	100	George Morris	120 00			120 00	
e hf 15	100	Wm. Prendergast	120 00			120 00	
w hf s hf 16	50	Wm. Holland	60 00			60 00	
e hf s hf 16	50	George Sheldon	60 00			60 00	
n hf 16	100	Adam Roszel	120 00			120 00	

1

w hf s hf 17	50	Hugh Holland, sr	60 00	60 00	60 00
w hf n hf 17	50	John S. Holland	60 00	60 00	60 00
e pt 17	100	Hugh Holland, sr	120 00	120 00	120 00
pt 18	180	Arthur Harvey	216 00	216 00	216 00
s e cor 18	20	Anthony Chauvin	24 00	24 00	24 00
s hf 19	100	Martin Welsh	120 00	120 00	120 00
n hf 19	100	Non-resident	120 00	120 00	120 00
w pt 20	170	Jeremie Mailloux	204 00	204 00	204 00
n e cor 20	30	F. X. Mailloux	36 00	36 00	36 00
lot 21	200	Hilaire Mailloux	240 00	240 00	240 00
s w qr 22	50	Thomas Strong	60 00	60 00	60 00
s e qr 22	50	Alexander Strong	40 00	40 00	40 00
n hf 22	100	P. F. Strong	80 00	80 00	80 00
n hf 13	100	George Morris	50 00	50 00	100 00
s hf 13	95½	Pierre Peltier	28 65	47 75	76 40
n hf 14	100	George Morris	50 00	50 00	100 00
n hf s hf 14	100	Pierre Peltier	25 00	25 00	50 00
s pt 14	45½	Albert Macklem	22 75	22 75	45 50
w hf n hf 15	50	Josiah Marshall	25 00	25 00	50 00
w pt s hf 15	47¾	Murray Hill	21 00	24 00	45 00
e hf n hf 15	50	David Thomas	25 00	25 00	50 00
e hf s hf 15	47½	Albert Macklem	21 00	24 00	45 00
w hf n hf 16	50	John Warnock	30 00	25 00	55 00
e hf n hf 16	50	David Henderson, sr	30 00	25 00	55 00
s hf 16	95½	Adam Roszel	28 65	47 75	76 40
w hf n hf 17	50	Xavier Reaume	30 00	25 00	55 00
w pt s hf 17	70¾	John H. Macklem	29 50	35 50	65 00
e hf n hf 17	50	Anthony Chauvin	30 00	25 00	55 00
e pt s hf 17	23¾	Ebenezer Kelley	11 75	12 00	23 75
w qr 18	48 82	Ebenezer Kelley	25 50	24 50	50 00
	100				
middle part 18	96 35	Claude Labute	52 00	48 00	100 00
	100				
e qr 18	41	Martin Welsh	24 50	20 50	45 00
lot 19	195 35	Martin Welsh	102 20	97 80	200 00
	100				
w hf 20	97	John Sooper	51 50	48 50	100 00
e hf 20	97	Paul Besmaire	51 50	48 50	100 00

SCHEDULE.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of Acres.	Owners' Names.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvement.
				\$ c.	\$ c.	\$ c.	\$ c.
2	n qr 21	48½	Paul Besnaire	33 50	24 50	.....	58 00
	e hf w hf 21	48½	Pierre Blais	25 75	24 25	.....	50 00
	e hf w hf 21	48½	Noel Carrier	25 75	24 25	.....	50 00
	n hf e qr 21	25	Louis Sauve	12 50	12 50	.....	25 00
	s hf e qr 21	23½	Moise Lenoue	10 00	10 00	.....	20 00
	w qr 22	48½	I. Bpti Lenoue	25 75	24 25	.....	50 00
	e pt w hf 22	47	Alfred Brule	20 00	20 00	.....	40 00
	e pt 22	94	Alfred Brule	20 00	20 00	.....	40 00
	n pt 13	49½	H. Holland, sr	.....	25 00	15 00	40 00
	n hf s hf 13	50	Wm. Keith	.....	25 00	15 00	40 00
	s hf n hf 13	50	Andrew Holland	.....	25 00	15 00	40 00
	s qr 13	50	Hugh Holland	.....	25 00	15 00	40 00
	n hf 14	100	Ernest Grenier	.....	50 00	30 00	80 00
	w hf s hf 14	50	Joseph Willar	.....	25 00	15 00	40 00
w hf e hf s hf 14	25	Francis Milloux, sr	.....	12 50	7 50	20 00	
e qr s hf 14	25	Frank Mailloux	.....	12 50	7 50	20 00	
w hf n hf 15	50	Robert Ladouceur	5 00	25 00	15 00	45 00	
w hf s hf 15	50	Nolas Bornais	.....	25 00	15 00	40 00	
e hf n hf 15	50	Josiah Marshall	5 00	25 00	15 00	45 00	
w hf e hf s hf 15	5	Joseph Mailloux	.....	12 50	7 50	20 00	
e qr s hf 15	25	Lucien Mailloux	.....	12 50	7 50	20 00	
w ½ n hf 16	33½	Peter Ruuelle	3 33	13 32	10 00	26 65	
e ⅔ w hf 16	66⅔	John Palmer	6 80	26 50	20 00	53 30	
w hf s hf 16	50	James Thomas	.....	25 00	15 00	40 00	
e hf s hf 16	50	John Stratford	.....	25 00	15 00	40 00	
w pt n hf 17	55	John H. Macklem	11 00	27 50	16 50	55 00	
w pt s hf 17	75	John Wilcox	.....	37 50	22 50	60 00	
e pt n hf 17	45	Henry Marshall	.....	22 50	13 50	36 00	

e pt s hf 17	25	John Palmer	12 50	7 50	20 00
w hf 18	100	John Palmer	50 00	30 00	80 00
n hf e hf 18	50	John Walker	25 00	15 00	40 00
s hf s hf 18	50	Albert Tourangeau	25 00	15 00	40 00
n hf 19	100	Narcesse Trotter	50 00	30 00	80 00
s hf 19	100	John J. Jackson	50 00	30 00	80 00
w pt n hf 20	55	Chas. Beaugrand	13 75	8 25	22 00
w qr s hf 20	25	Wm. Marchand	6 25	3 75	10 00
e pt n hf 20	45	Amabel Roi	11 25	6 75	18 00
w hf s hf s hf 20	25	Oliver Larsh	6 25	3 75	10 00
e qr s hf 20	25	Francis Marchand	6 25	3 75	10 00
e hf w hf s hf 20	25	Pierre Marchand	6 25	3 75	10 00
n hf w qr 21	25	Amable Roi	6 25	3 75	10 00
w qr s hf 21	25	Camille Lefebvre	6 25	3 75	10 00
w hf e hf 21	50	Joseph Peltier	12 50	7 50	20 00
e hf w hf 21	50	Camille Lefebvre	12 50	7 50	20 00
e qr 21	50	Joseph Lefebvre	12 50	7 50	20 00
w pt n qr n hf 22	18 ³	J. S. Richardson	4 70	2 80	7 50
w pt s hf n qr 22	18 ³	Julien Bourdeau	4 70	2 80	7 50
w pt s hf n hf 22	37 ³	Joseph Ruiz	9 40	5 60	15 00
w pt n hf e hf 22	37 ³	J. B. Marchand	9 40	5 60	15 00
n hf 13	100	Robert Vinters	50 00	30 00	80 00
n hf s hf 13	50	Elizabeth Manning	25 00	15 00	40 00
s qr 13	50	Sarah Stratford	25 00	15 00	40 00
w hf n hf 14	50	Theo Ouellette	25 00	15 00	40 00
w qr n hf 14	25	Samuel Ouellette	12 50	7 50	20 00
e qr n hf 14	25	Francis Benoit	12 50	7 50	20 00
w hf s hf 14	50	Chris. Stratford	25 00	15 00	40 00
e hf s hf 14	50	Thos. Vickerman	25 00	15 00	40 00
n hf 15	100	Jos. Peltier	50 00	30 00	80 00
w hf s hf 15	50	D. Henderson, sr	25 00	15 00	40 00
e hf s hf 15	50	John Arnew	25 00	15 00	40 00
n hf 16	100	John Warnock	50 00	30 00	80 00
s hf 16	100	Elizabeth Jackson	50 00	30 00	80 00
n hf 17	100	Samuel Ouellette	50 00	30 00	80 00
n hf s hf 17	50	Alex. Trudelle	25 00	15 00	40 00
s pt s hf 17	40 ³	J. M. Vickerman	20 25	12 15	32 40
pt s hf 17	5	John Trease	2 50	1 50	4 00

SCHEDULE.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owners' Names.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvement.
				\$ c.	\$ c.	\$ c.	\$ c.
4	w qr n hf 18	25	Alex. Cassidy		12 50	7 50	20 00
	e qr n hf 18	25	Bridget Palmer		12 50	7 50	20 00
	e hf n hf 18	50	Peter Reynolds		25 00	15 00	40 00
	n hf s hf 18	46	Henry Rowland		23 00	13 80	36 80
	e pt s hf 18	46	Francis St. Denis		23 00	13 80	36 80
	n qr 19	50	Alex. Rudelle		25 00	15 00	40 00
	s hf n hf 19	50	Clement Therten		25 00	15 00	40 00
	s hf 19	95½	John Jardine		47 75	28 65	76 40
	w pt n hf 20	40	Clement Therten		10 00	6 00	16 00
	n e pt 20	25	Pierre Marchand		6 25	3 75	10 00
s pt w hf 20	63¾	Moise Verchereau		15 90	9 60	25 50	
e part 20	25	Moise Verchereau		6 25	3 75	10 00	
s e pt 20	¾	Hilaire Morin		20	10	30	
pt 21	121	J. B. Bornais		30 25	18 15	48 40	
w pt n hf 16	54	Mrs. M. Wilson		27 00	16 20	43 20	
n e pt n hf 16	¾	Fred. Schultz		12	08	20	
pt n hf 16	1½	Robert Vickerman		75	45	1 20	
e pt n hf 16	42	Henrietta Manning		21 00	12 60	33 60	
s hf 16	96	Samuel Moffatt		48 00	28 80	76 80	
w pt n hf 17	40	Henrietta Manning		20 00	12 00	32 00	
s hf 17	100	John McDowall		50 00	30 00	80 00	
n qr 18	50	Wm. Dood		25 00	15 00	40 00	
s hf 18	100	Antoine Dagneau		50 00	30 00	80 00	
s hf n hf 18	50	Wm. Fraine		25 00	15 00	40 00	
w hf 19	100	P. J. Fleming		50 00	30 00	80 00	
e hf 19	100	David Henderson, sr		50 00	30 00	80 00	
w pt 20	40	Joseph Giroux		10 00	6 00	16 00	
M. R. N.							

3rd pt 20	40	Julien Duquette	10 00	6 00	16 00
2nd pt 20	40	M. Charteris	10 00	6 00	16 00
e pt 20	80	Felix Couture	20 00	12 00	32 00
n qr 21	50	George Tisdale	12 50	7 50	20 00
w pt 21	1	J. A. Tremblay	25	15	40
n pt s hf 21	44	Edgar Morin	11 00	6 60	17 60
s hf e hf s hf 21	25	Joseph Marchand	6 25	3 75	10 10
s hf n hf 21	50	Emile Marchand	12 50	7 50	20 00
e qr s hf 21	25	M. Champagne	6 25	3 75	10 00
w hf s hf 22	50	Joseph Marchand	12 50	7 50	20 00
s hf n hf 22	37½	W. Wright	9 37	5 63	15 00
w pt e hf s hf 22	25	Rosalie St. Denis	6 25	3 75	10 00
w hf n hf 16	50	Henry Rowson	25 00	15 00	40 00
s hf n hf 16	50	Sannuel Moffat	25 00	15 00	40 00
s hf 16	100	Christopher Wylie	50 00	30 00	80 00
w pt 17	170	Aug. Damphouse	85 00	51 00	136 00
e pt 17	30	George Tisdale	15 00	9 00	24 00
w pt 18	74	George Tisdale	37 00	22 50	59 50
e pt 18	124	David Heuderson, sr	62 00	37 20	99 20
w hf n hf 19	50	Thomas Atkinson	12 50	7 50	20 00
s e hf n hf 19	50	Joseph Giroux, sr	12 50	7 50	20 00
w hf s hf 19	50	David Duquette, jr	12 50	7 50	20 00
n hf s hf 19	50	David Duquette, sr	12 50	7 50	20 00
n hf 20	100	Pierre Dozois	25 00	15 00	40 00
w pt s hf 20	11	David Duquette, sr	2 75	1 65	4 40
pt n e cor 20	5	Francis Audet	1 25	75	2 00
middle pt s hf 20	72	Julien Thibeault	18 00	10 80	28 80
s e pt 20	12	Camile Dupras	3 00	1 80	4 80
w qr n hf 21	25	Francis Audet	6 25	3 75	10 00
s w pt 21	25	Salomie Labonte	6 25	3 75	10 00
1 pt s hf 21	12½	Francis Audet	3 12	1 88	5 00
2 pt s hf 21	12½	Wm. Chevalier	3 12	1 88	5 00
e pt n hf 21	50	Emellie Marchand	12 50	7 50	20 00
e pt s hf 21	50	Desire Daigneau	12 50	7 50	20 00
e pt w hf n hf 21	24½	Jean M. Dupras	6 20	3 70	9 90
w qr n hf 22	25	Hemietta Duplessis	6 25	3 75	10 00
hf w hf n hf 22	25	Emellie Marchand	6 25	3 75	10 00
t n hf 22	4	Mary Carrier	06	04	10

M. R. S.

SCHEDULE —Continued.

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owners' Names.	Value of benefit.		Value of outlet liability.		Value of injuring liability.		Total value of im- provement.	
				\$	c.	\$	c.	\$	c.	\$	c.
M. R. S.	2 pt n hf 22		Pat. McMahon			06	04			10	10
	3 pt n hf 22		John White			06	04			10	10
	4 pt n hf 22		Joseph Carver			06	04			10	10
	5 pt n hf 22		Felix Carrier			06	04			10	10
	e pt n hf 22	43	Henry Carrier			12	00	7	20	19	20
	s hf n hf 22	50	James Kerr			12	50	7	50	20	00
	s qr 22	50	Julia Kerr			12	50	7	50	20	00
	gore 20	7	Camile Dupras			1	75	1	05	2	80
	gore 21	58	Alfred Marchand			14	50	8	70	23	20
	gore 22	116	Nap. Paquette			29	00	17	40	46	40
7	n hf 16	100	Chris. Wylie			50	00	30	00	80	00
	w hf s hf 16	50	P. J. Fleming			25	00	15	00	40	00
	e hf s hf 16	50	Geo. Atkinson			25	00	15	00	40	00
	w hf n hf 17	50	J. B. Bordeaux			25	00	15	00	40	00
	w hf e hf n hf 17	25	Henry Honsberger			12	50	7	50	20	00
	e hf n hf 17	25	Thos. W. Atkinson			12	50	7	50	20	00
	w hf s hf 17	50	Thomas Hillman			25	00	15	00	40	00
	e hf s hf 17	50	George Hillman			25	00	15	00	40	00
	w qr n hf 18	25	Thos. W. Atkinson			12	50	7	50	20	00
	s pt n hf 18	40	Alex. A. Hillman			20	00	12	00	32	00
	n e pt 18	85	Thos. Atkinson			41	25	26	75	68	00
	e hf s hf 18	50	Thos. Atkinson			25	00	15	00	40	00
	w hf n hf 19	48	Enselie Thibadeau			12	00	7	20	19	20
	s w cor n hf 19	2	Annie McKeown			50	30	80	30	80	30
	e hf n hf 19	50	Hermine Cloutier			12	50	7	50	20	00
	n hf s hf 19	50	George McKeown			12	50	7	50	20	00
	s qr 19	50	Herbert Duteau			12	50	7	50	20	00
	w hf n hf 20	50	Wm. Dupras			12	50	7	50	20	00

e hf n hf 20	50	Camile Dupras	12 50	7 50	20 00
s hf 20	100	Antoine Thibert	25 00	15 00	40 00
w hf n hf 21	50	Alex Roi	12 50	7 50	20 00
e hf n hf 21	50	Pierre St. Denis, jr	12 50	7 50	20 00
w hf s hf 21	50	Xavier Yelle	12 50	7 50	20 00
e hf s hf 21	50	Narisse Marchand	12 50	7 50	20 00
n qr n hf 22	25	Pierre St. Denis, sr	6 25	3 75	10 00
s hf n hf 22	50	Pierre St. Denis, sr	12 50	7 50	20 00
n pt s hf 22	40	Francis Phaneuf, sr	10 00	6 00	16 00
s pt n hf s hf 22	10	Thomas Phaneuf	2 50	1 50	4 00
s qr 22	50	Antoine Richard	12 50	7 50	20 00
s qr n hf 22	25	Nap. Paquette	6 25	3 75	10 00
w qr n hf 16	25	James Coulter	12 50	7 50	20 00
e hf w hf n hf 16	25	Camile Bou-deau	12 50	7 50	20 00
e hf n hf 16	50	Joseph Thibert	25 00	15 00	40 00
w hf s hf 16	50	Thos. Marchand	25 00	15 00	40 00
e hf s hf 16	50	Geo. Tisdale	25 00	15 00	40 00
e hf n hf 17	50	Austin Milliken	25 00	15 00	40 00
w qr n hf 17	25	George Hillman	12 50	7 50	20 00
e qr n hf 17	25	Thomas Hillman	12 50	7 50	20 00
s hf 17	100	Timothy Moynaham	50 00	30 00	80 00
n 3/4 n hf 18	75	Jos Duquette	37 50	22 50	60 00
middle part 18	50	Isaac Brault	25 00	15 00	40 00
n hf s qr 18	25	Nap. Duquette	12 50	7 50	20 00
s hf n hf s hf 18	25	Camile B.-urdeau, sr	12 50	7 50	20 00
s qr s hf 18	50	Joseph D. Duquette	12 50	7 50	20 00
n qr 19	50	Frank Marchand	12 50	7 50	20 00
n hf s hf n hf 19	25	Julien Marchand	6 25	3 75	10 00
middle part 19	50	Aug. Damphouse	25 00	15 00	40 00
s hf n hf s hf 19	25	Jos. Duquette	12 50	7 50	20 00
s qr 19	50	J. D. Duquette	25 00	15 00	40 00
w qr 20	50	Theo Gabrieau	15 63	9 37	25 00
w hf n hf 20	50	Pierre Robert	12 50	7 50	20 00
e hf w hf 20	50	Camile Robert	15 63	9 37	25 00
e hf w hf 20	50	Wm. Gabrieau	12 50	7 50	20 00
w hf n hf 21	50	J. B. Blain	12 50	7 50	20 00
n hf s hf 21	50	Theo. Perisneault	12 50	7 50	20 00
e hf s hf 21	50	Camile Robert, jr	18 75	11 25	30 00

SCHEDULE, —Continued.

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owners' Names.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvement.
				\$ c	\$ c.	\$ c.	\$ c.
8	w hf e hf n hf 21	25	Camile Robert, jr	.....	9 38	5 62	15 00
	e qr n hf 21	25	Antoine Richard	.....	9 38	5 62	15 00
	n hf 22	100	Jos. Tremblay	.....	25 00	15 00	40 00
9	s hf 22	100	John Burgoyne	.....	37 50	22 50	60 00
	w hf n hf 16	50	F. St. Denis	.....	25 00	15 00	40 00
	e hf n hf 16	50	Jos. Duplessis	.....	25 00	15 00	40 00
	s hf 16	100	Hugh Latimore	.....	50 00	30 00	80 00
	n hf 17	100	John Warnock	.....	50 00	30 00	80 00
	w hf s hf 17	50	John Donohue	.....	25 00	15 00	40 00
	w hf e hf s hf 17	25	Abraham Giroux	.....	12 50	7 50	20 00
	e qr s hf 17	25	F. Breault	.....	12 50	7 50	20 00
	n pt 18	49½	Aug. Breault	.....	24 66	14 79	39 45
	n qr s hf 18	25	F. X. Gauthier	.....	12 50	7 50	20 00
	n hf s hf n hf 18	25	Narcisse Thibert, jr	.....	12 50	7 50	20 00
	s qr n hf 18	25	Samuel Regnier	.....	12 50	7 50	20 00
s s hf 18	75	Joseph Protier	.....	37 50	22 50	60 00	
n hf 19	100	Ozias Regnier	.....	50 00	30 00	80 00	
s hf 19	100	Hyacinthe Montpetit	.....	50 00	30 00	80 00	
w hf n hf 20	50	J. D. Duquette	.....	25 00	15 00	40 00	
e hf n hf 20	50	Jos. Perissonneault	.....	25 00	15 00	40 00	
w pt s hf 20	41	Narcisse Thibert	.....	10 00	6 00	16 00	
w pt s hf 20	50	Henry Duquette	.....	20 50	12 30	32 80	
w hf n hf 21	50	Antoine Blain	.....	25 00	15 00	40 00	
e pt e hf n hf 21	25	Alfred Trudell	.....	12 50	7 50	20 00	
w hf e hf n hf 21	20	Alfred Blain	.....	10 00	6 00	16 00	
n e pt n hf 21	5	Alex. Cloutier	.....	2 50	1 50	4 00	
s pt 21	30	Thaddeus Beno	.....	15 00	9 00	24 00	
n pt 22	53½	Julien Duquette	.....	26 75	15 25	42 00	

middle part 22	53½	J. Bte. Terrault	26 75	15 25	42 00
s pt 22	23	Wm. Moffatt	11 50	6 90	18 40
	15,492½	Total assessment on lands.	5,223 83	2,578 94	11,889 15
Road between B. F	30	and 1st concession	72 00	.....	72 00
Road between B. F	30	1st and 2nd concessions	72 00	.....	72 00
Road between B. F	30	2nd and 3rd concessions	30 00	18 00	60 00
Road between B. F	30	3rd and 4th concessions	30 00	18 00	48 00
Road N. M. R. lots	30	.....	30 00	18 00	48 00
Road Middle Road	20	.....	20 00	12 00	32 00
Road S. M. R. lots	20	.....	20 00	12 00	32 00
Road between	8	6th and 7th concessions	8 00	4 80	12 80
Road between	20	7th and 8th concessions	20 00	12 00	32 00
Road between	20	8th and 9th concessions	20 00	12 00	32 00
Road between	12	9th and 10th con. on south T'line, Tilbury W. pays half	12 00	7 10	19 20
T'line between Romney	10	and Tilbury N., each pays half	5 00	3 00	8 00
	30	12 and 13 side road	30 00	18 00	48 00
	65	18 and 19 side road	65 00	39 00	104 00
T'line between Tilbury E.	40	and Tilbury N., Tilbury E. paying quarter—\$12.00.	20 00	16 00	36 00
	15	Tecumseh road	35 00	.....	35 00
	45	Canadian Pacific Railway	25 00	20 00	45 00
	30	Michigan Central Railway	14 00	10 00	24 00
Total acreage	15,957½		5,223 83	2,578 94	11,889 15
			5,572 83	2,798 94	12,649 15
		Total for benefit	4,277 38	.....	4,277 38
		Total for outlet	5,572 83	.....	5,572 83
		Total for injuring	2,798 94	.....	2,798 94
		Total for bridges	2,081 75	.....	2,081 75
		Total assessment	14,730 90	.....	14,730 90

SCHEDULE.— *Concluded.*

Sixth :—So far as this council has authority to enact, and subject to such alterations as may be made by the proper Court of Revision or on appeal therefrom to the Judge, for paying the sum of \$760, the amount assessed against the lands and roads of the municipality of Tilbury North, and the further sum of \$2,081.75, the proportion of the cost of bridges and culverts over the drainage works, payable by the municipality of Tilbury North, and for covering interest on the said sums of \$760.00 and \$2,081.75 for twenty years, at the rate of five per centum per annum, a special rate on the dollar sufficient to produce the required yearly amount therefore, shall, over and above all other rates, be levied and collected in the same manner and at the same time as taxes are levied and collected upon and from the whole rateable property in the said municipality of Tilbury North in each year for twenty years after the final passing of this by-law during which the said debentures have to run.

Seventh :—That the municipal councils of the Townships of Tilbury North, Tilbury East, Romney and Mersea shall provide for the sum of \$32,185.70.

That is :—

Tilbury North for.....	\$14,730 90
Tilbury East for.....	1,685 00
Romney for.....	7,748 20
And Mersea for.....	8,021 60
Making a total of	\$32,185 70

as per report of the engineer as amended by the said referee, and each council shall pay the *said* sum to the treasurer of the Township of Tilbury West, within four months after the service of the report, plans, specifications, assessments and estimates of the engineer upon the head of such council.

Eighth :—That William Newman, James H. Ainsley, Thos. Dunmore, A. Damphouse and Camile Robert are hereby appointed Commissioners to let and superintend the contract or contracts for the construction of said works and the works connected therewith according to the said report, plans, specifications, and general conditions expressed in said report, or according to the directions of the said Wm. Newman, Engineer, and the said William Newman, C. E., is hereby further empowered to issue orders upon the treasurer of the municipality of Tilbury West for the payment of the construction of said works, such payments to be made according to the provisions of the engineer's report, and for these and all other duties of engineer on the said works the said William Newman shall receive a commission of *three* per cent. on the dollar, on the amount of the total estimate of the cost of the said works.


Ninth :—This by-law shall be published once in every week for four consecutive weeks in the *The Comber Herald*, a newspaper published in the Village of Comber, in the said Township of Tilbury West, and shall come into force upon and from the final passing thereof, and may be cited the "Big Creek and Branches By-law of 1897."

S. T. ANDERSON,
Clerk.

JAS. H. AINSLIE,
Reeve.

I hereby certify the foregoing to be a true copy of a by-law provisionally adopted by the municipal council of the Township of Tilbury West, the fifteenth day of March, A.D., 1897, and amended by said Council the 10th day of May, A.D., 1897.

S. T. ANDERSON,
Clerk of Tilbury West.

 JAS. H. AINSLIE,
Reeve of Tilbury West.

First published in the *Comber Herald* the 3rd day of June, A.D., 1897.

NOTICE.


Notice is hereby given that a Court of Revision will be held at the Town Hall, at Comber, in said Township of Tilbury West, on Saturday, the 26th day of June, A.D. 1897, at the hour of 10 o'clock in the forenoon, for the hearing and trial of appeals made against the said above assessments, or any part thereof, in the manner prescribed by the Drainage Act, 1894. A notice of such appeal to be served on the clerk of Tilbury West at least ten days before the first sittings of said Court.

And further notice is hereby given that any one intending to apply to have such by-law, or any part thereof, quashed must, not later than ten days after the final passing thereof, serve a notice in writing upon the reeve, or other head officer, and upon the clerk of the municipality of his intention to make application for that purpose to the High Court of Justice, at Toronto, during the six weeks next ensuing the final passing of this by-law.


Dated this first day of June, 1897.

S. T. ANDERSON,

Clerk of the municipality of Tilbury West.

 I hereby certify that I have carefully compared the foregoing schedule with the original by-law of the township of Tilbury West of which it purports to be a copy, and that the same as now corrected and amended is a true and faithful copy of the said by-law.

Dated this 1st day of March, A.D. 1901.

J. MILTON PIKE,
Notary Public in and for the
Province of Ontario. 

No. 24.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting certain By-laws concern-
ing drainage in the Townships of Tilbury
West, Tilbury North, Tilbury East, Rom-
ney and Mersea.

First Reading: 5th March, 1901.

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

Mr. AULD.

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

An Act enabling and directing the Royal College of Dental Surgeons for Ontario to admit William Herbert Fisher as a student in his final year.

WHEREAS William Herbert Fisher of the City of Preamble. Chat-
ham in the County of Kent and Province of Ontario
has by his petition set forth that from the year 1883 to the
present time, with the exception of a few months in each of
5 the years 1893, 1894 and 1895, he was engaged almost con-
stantly in an established office practice in the practice of the
profession of dentistry, in the Province of Ontario; that dur-
ing the time above excepted he attended the Illinois School of
Dental Surgery at Chicago, a College affiliated with the Royal
10 College of Dental Surgeons for Ontario, and has prayed that
an Act may be passed enabling and directing the Royal Col-
lege of Dental Surgeons for Ontario to admit him as a student
in his final year; and, whereas subject to the provisions here-
inafter set forth, it is expedient to grant the prayer of the
15 said petition;

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

It shall be lawful for and the said Royal College of Dental The Royal
20 Surgeons for Ontario is hereby enabled and directed to admit College of
the said William Herbert Fisher as a student in his final year Dental Sur-
without passing any educational qualifying examinations and geons of On-
the Royal College of Dental Surgeons for Ontario shall admit tario enabled
the said William Herbert Fisher to practice as a Licentiate of and directed
25 Dental Surgery upon attending said College for the senior to admit Wil-
year and passing the prescribed final examination, excepting liam Herbert
therefrom the subject of Chemistry, and upon paying the re- Fisher as a
quisite fees in that behalf, any law, statute or usage to the student in his
contrary notwithstanding. final year.

No. 25.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act enabling and directing the Royal
College of Dental Surgeons for Ontario
to admit William Herbert Fisher as a
student in his final year.

First Reading,	1901.
----------------	-------

Mr. PARDO.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act enabling and directing the Royal College of Dental Surgeons for Ontario to admit William Herbert Fisher as a student in his final year.

WHEREAS William Herbert Fisher of the City of ^{Preamble.} Chat-
ham in the County of Kent and Province of Ontario has by his petition set forth that he has been engaged in the practice of dentistry with a regular Licentiate of the College of Dental Surgeons for Ontario since the year 1888 and has become perfectly 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 regularly licensed dentist, and has prayed that an Act may be passed enabling and directing The Royal College of Dental Surgeons for Ontario to admit him as a student in his final year; and whereas the circumstances of the case appear to be exceptional; and, whereas, subject to the provisions hereinafter set forth, it is expedient to grant the prayer of the said petition; ^{and}

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

1. The Royal College of Dental Surgeons for Ontario is ^{The Royal} enabled and directed to admit the said William Herbert Fisher ^{College of} as a student in his final year and The Royal College of Dental ^{Dental Sur-} Surgeons for Ontario shall admit the said William Herbert ^{geons of On-} Fisher to practice as a Licentiate of Dental Surgery upon ^{tario enabled} *his* attending *the* said College for the *final* year and passing the ^{and directed} *usual* prescribed examinations ^{to admit Wil-} ^{Fisher as a} ^{student in li-} ^{final year.} ^{and} for the final year (excepting therefrom the subject of chemistry) and upon his passing the usual prescribed examinations for the second year in anatomy, orthodontia and crown and bridge work (all the said examinations to be passed not later than the month of May, 1903), ^{and} and upon *his* paying the requisite fees in that behalf, any law, statute or usage to the contrary notwithstanding.

No. 25.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act enabling and directing the Royal College of Dental Surgeons for Ontario to admit William Herbert Fisher as a student in his final year.

First Reading, 2nd March, 1901.

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

Mr. PARDO.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act to incorporate the Town of Copper Cliff.

WHEREAS the lands hereinafter mentioned are rapidly Preamble.
 increasing in population; and whereas the unincor-
 porated Village of Copper Cliff situated in said lands is an
 important mining centre and is the place of business for a
 5 large tract of territory; and whereas the inhabitants of the
 said village have by their petition represented that the in-
 corporation of the said village as a town would promote its
 future progress and prosperity and enable its inhabitants to
 make suitable regulations for the protection and improvement
 10 of property, and have prayed for incorporation accordingly;
 and whereas it is expedient to grant the prayer of the said
 petition;

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

1. On and after the passing of this Act, the said Village of Incorporation
 Copper Cliff shall be and is hereby constituted a corporation
 or body politic under the name of "The Corporation of the
 Town of Copper Cliff," and shall enjoy and have all the rights,
 20 powers and privileges enjoyed and exercised by incorporated
 towns in the Province of Ontario under the existing laws of
 the said province.

2. The said Town of Copper Cliff shall comprise and con- Limits of
 sist of the lands lying within the limits described as follows, town.
 25 that is to say:—Comprising township lots number ten, eleven
 and twelve in the second concession, the north quarter of
 township lots numbers ten, eleven and twelve in the first con-
 cession, and the south half of township lot number twelve in
 the third concession, all in the Township of McKim, in the
 District of Nipissing, together with the east half of township
 30 lot number one in the second concession and the north quarter
 of the east half of township lot number one in the first con-
 cession of the Township of Snider in the District of Algoma,
 as the said lots are laid down upon the original survey of said
 townships including all allowances for roads lying between
 35 any of said lots or between said concessions.

3. The said Town of Copper Cliff shall be annexed to and Town to form
 form part of the District of Nipissing, and shall not be divided part of Dist.
of Nipissing.

Rev. Stat. 223 into wards, but for election purposes until altered under the provisions of The Municipal Act shall be divided into two polling sub-divisions to be called respectively, "The First Division" and "The Second Division," which sub-divisions shall be respectively composed and bounded as follows, that is to say: The First Division shall consist of and comprise all that part of the said Town of Copper Cliff which lies east of the boundary line between lots numbers eleven and twelve in the first and second concession of the Township of McKim. The Second Division shall consist of and comprise all of the said Town of Copper Cliff which is not included in the First Division. 5 10

Application of provisions of Rev. Stat. c. 223. 4. The provisions of The Municipal Act and any Act amending the same relating to matters consequent upon the formation of new municipal corporations and the other provisions of The Municipal Act, shall, except as herein otherwise provided, apply to said corporation of the Town of Copper Cliff in the same manner as if the said village had been erected into a town under the provisions of the said Act. 15 20

Nominations and first elections. 5. On the last Monday of the month of December after the passing of this Act, it shall be lawful for Thomas Stoddart, or the Clerk of the Township of McKim for the time being, who is hereby appointed the returning officer after giving notice thereof by public advertisement in a newspaper published within the Township of McKim for at least one week, to hold the nomination for the first election for mayor and councillors at some place in the said Town of Copper Cliff to be stated in the said notice at the hour of noon, and he shall preside at the said nomination, or in the case of his absence the electors present shall choose from amongst themselves a chairman to preside at said nomination, and such chairman shall have all the powers of a returning officer and the polling for said election (if necessary) shall be held on the same day of the week in the week next following the said nomination, and the returning officer or chairman shall at the said nomination publicly announce the place in each of the said polling sub-divisions at which the polling shall take place. 20 25 30 35

Deputy returning officers' oaths, etc. 6. The said returning officer shall by his warrant appoint a deputy returning officer for each of the said polling sub-divisions and such returning officer and each deputy returning officer shall, before holding the said election, take the oath or affirmation required by law, and shall respectively be subject to all the provisions of the municipal laws of Ontario applicable to returning officers at elections in towns, in so far as the same do not conflict with this Act, and the said returning officer shall have all the powers and perform all the duties devolving on town clerks with respect to municipal elections in towns. 40 45 50

Clerk of township to furnish 7. The Clerk of the said Township of McKim shall, upon demand made upon him by said returning officer or by the 50

chairman hereinbefore mentioned at once furnish such returning officer or chairman with a certified copy of so much of the last revised assessment roll for the said township as may be required to ascertain the names of the persons entitled to vote in each of the said polling sub-divisions at the first election, and the said returning officer shall furnish each of the said deputies with a true copy of so much of the said roll as relates to the names of electors entitled to vote in each of the said polling sub-divisions respectively, and each such true copy shall be verified on oath.

8. At the said first election every male inhabitant resident in that part of the Township of Snider which is by this Act included in the said town shall be entitled to vote in the Second Division, if at the time of the election he is of the full age of twenty-one years and has sufficient property to have entitled him to vote if he had been rated for such property.

9. The council of said town to be elected in manner aforesaid shall consist of the mayor, who shall be the head thereof, and six councillors to be elected by general vote, and they shall be organized as a council on the same day of the week next following the week of the polling, or if there be no polling, on the same day of the week next following the week of the nominations, and subsequent elections shall be held in the same manner as in towns incorporated under the provisions of the municipal laws of Ontario, and the said council and their successors in office shall have, use, exercise and enjoy all the powers and privileges vested by the said municipal laws in town councils, and shall be subject to all the liabilities and duties imposed by said municipal laws on such councils.

10. The several persons who shall be elected or appointed under this Act shall take the declarations of office and qualifications now required by the municipal laws of Ontario to be taken by persons elected or appointed to like offices in towns.

11. At the first election of mayor, and councillors for the said Town of Copper Cliff, the qualification of electors and that of officers required to qualify shall be the same as that required in townships by the municipal laws of Ontario.

12. All expenses incurred in obtaining this Act and of furnishing any documents, copies of papers, writings, deeds, or any matters whatsoever required by the clerk or other officer of the said Town of Copper Cliff or otherwise, shall be borne by the said town, and paid by it to any person entitled thereto.

13. All by-laws and municipal regulations which are in force in the Township of McKim shall continue and be in force as if they had been passed by the corporation of the Town of Copper Cliff, and shall be extended to and have full effect within the limits of the town hereby incorporated, until repealed by the new corporation.

No. 26.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act to Incorporate the Town of
Copper Cliff.

First Reading, 1901.

(Private Bill)

Mr. LOUGHRIN.

TORONTO:
PRINTED BY I. K. CAMERON.
Printer to the King's Most Excellent Majesty.

An Act to incorporate the Town of Copper Cliff.

WHEREAS ^{Preamble.} the inhabitants of that certain portion of the Townships of McKim and Snider, in the District of Nipissing, known as the Village of Copper Cliff, have by their petition represented that the said village is rapidly increasing in population and is an important mining centre and the place of business for a large tract of territory; and whereas the inhabitants of the said village have by their *said* petition represented that the incorporation of the said village as a town would promote its future progress and prosperity and enable its inhabitants to make suitable regulations for the protection and improvement of property, and have prayed for incorporation accordingly; and whereas it is expedient to grant the prayer of the said petition:—

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

1. On and after the passing of this Act, the said Village of Copper Cliff shall be and is hereby constituted a corporation or body politic under the name of "The Corporation of the Town of Copper Cliff," and shall enjoy and have all the rights, powers and privileges enjoyed and exercised by incorporated towns in the Province of Ontario under the existing laws of the said province. ^{Incorporation}

2. The said Town of Copper Cliff shall comprise and consist of the lands lying within the limits described as follows, that is to say:—Comprising township lots number ten, eleven and twelve in the second concession, the north quarter of township lots numbers ten, eleven and twelve in the first concession, and the south half of township lot number twelve in the third concession, all in the Township of McKim, in the District of Nipissing, together with the east half of township lot number one in the second concession and the north quarter of the east half of township lot number one in the first concession of the Township of Snider in the District of Algoma, as the said lots are laid down upon the original survey of said townships including all allowances for roads lying between any of said lots or between said concessions. ^{Limits of town.}

3. The said Town of Copper Cliff shall be annexed to and form part of the District of Nipissing, and shall not be divided ^{Town to form part of Dist. of Nipissing.}

Rev. Stat. 223 into wards, but for election purposes until altered under the provisions of The Municipal Act shall be divided into two polling sub-divisions to be called respectively, "The First Division" and "The Second Division," which sub-divisions shall be respectively composed and bounded as follows, that is to say: The First Division shall consist of and comprise all that part of the said Town of Copper Cliff which lies east of the boundary line between lots numbers eleven and twelve in the first and second concession of the Township of McKim. The Second Division shall consist of and comprise all of the said Town of Copper Cliff which is not included in the First Division.

Application of provisions of Rev. Stat. c. 223. 4. The provisions of The Municipal Act and any Act amending the same relating to matters consequent upon the formation of new municipal corporations and the other provisions of The Municipal Act, shall, except as herein otherwise provided, apply to said corporation of the Town of Copper Cliff in the same manner as if the said village had been erected into a town under the provisions of the said Act.

Nominations and first elections. 5. On the last Monday of the month of December after the passing of this Act, it shall be lawful for Thomas Stoddart, or the Clerk of the Township of McKim for the time being, who is hereby appointed the returning officer after giving notice thereof by public advertisement in a newspaper published within the Township of McKim for at least one week, to hold the nomination for the first election for mayor and councillors at some place in the said Town of Copper Cliff to be stated in the said notice at the hour of noon, and he shall preside at the said nomination, or in the case of his absence the electors present shall choose from amongst themselves a chairman to preside at said nomination, and such chairman shall have all the powers of a returning officer and the polling for said election (if necessary) shall be held on the same day of the week in the week next following the said nomination, and the returning officer or chairman shall at the said nomination publicly announce the place in each of the said polling sub-divisions at which the polling shall take place.

Deputy returning officers' oaths, etc. 6. The said returning officer shall by his warrant appoint a deputy returning officer for each of the said polling sub-divisions and such returning officer and each deputy returning officer shall, before holding the said election, take the oath or affirmation required by law, and shall respectively be subject to all the provisions of the municipal laws of Ontario applicable to returning officers at elections in towns, in so far as the same do not conflict with this Act, and the said returning officer shall have all the powers and perform all the duties devolving on town clerks with respect to municipal elections in towns.

Clerk of township to furnish 7. The Clerk of the said Township of McKim shall, upon demand made upon him by said returning officer or by the

chairman hereinbefore mentioned at once furnish such return-
ing officer or chairman with a certified copy of so much of the
last revised assessment roll for the said township as may be
required to ascertain the names of the persons entitled to vote
in each of the said polling sub-divisions at the first election,
and the said returning officer shall furnish each of the said
deputies with a true copy of so much of the said roll as relates
to the names of electors entitled to vote in each of the said
polling sub-divisions respectively, and each such true copy
shall be verified on oath.

8. At the said first election every male inhabitant resident
in that part of the Township of Snider which is by this Act
included in the said town shall be entitled to vote in the
Second Division, if at the time of the election he is of the full
age of twenty-one years and has sufficient property to have
entitled him to vote if he had been rated for such property.

9. The council of said town to be elected in manner afore-
said shall consist of the mayor, who shall be the head thereof,
and six councillors to be elected by general vote, and they
shall be organized as a council on the same day of the week
next following the week of the polling, or if there be no poll-
ing, on the same day of the week next following the week of
the nominations, and subsequent elections shall be held in the
same manner as in towns incorporated under the provisions of
the municipal laws of Ontario, and the said council and their
successors in office shall have, use, exercise and enjoy all the
powers and privileges vested by the said municipal laws in
town councils, and shall be subject to all the liabilities and
duties imposed by said municipal laws on such councils.

10. The several persons who shall be elected or appointed
under this Act shall take the declarations of office and qualifi-
cations now required by the municipal laws of Ontario to be
taken by persons elected or appointed to like offices in towns.

11. At the first election of mayor, and councillors for the
said Town of Copper Cliff, the qualification of electors and that
of officers required to qualify shall be the same as that required
in townships by the municipal laws of Ontario.

12. All expenses incurred in obtaining this Act and of fur-
nishing any documents, copies of papers, writings, deeds, or
any matters whatsoever required by the clerk or other officer
of the said Town of Copper Cliff or otherwise, shall be borne
by the said town, and paid by it to any person entitled thereto.

13. All by-laws and municipal regulations which are in
force in the Township of McKim shall continue and be in force
as if they had been passed by the corporation of the Town of
Copper Cliff, and shall be extended to and have full effect
within the limits of the town hereby incorporated, until re-
pealed by the new corporation.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act to Incorporate the Town of
Copper Cliff.

First Reading, 21st March, 1901.

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

Mr. LOUGHRIN.

TORONTO:

PRINTED BY L. K. CAMERON.

Printer to the King's Most Excellent Majesty.

An Act to Consolidate the Floating Debt of the
Village of Acton.

WHEREAS the Municipal Corporation of the Village of Acton has by petition represented that the said corporation incurred a floating debt of about \$4,000 in addition to the ordinary expenses of the corporation, the said floating debt having arisen mainly from the Electric Light Works installed by the said corporation having cost more than was estimated and provided for, and from the construction of permanent walks in the said village, and no funds have been provided for the payment of the cost 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 ratepayers, 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 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, \$4,000, and with the money thus obtained to pay off the present floating indebtedness; and whereas it is expedient to grant the prayer of the said petition:

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

- 25 **1.** The Municipal Corporation of the Village of Acton 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 reeve, and counter-signed by the treasurer for the time being, in such sums, not less than \$100 each and not exceeding \$4,000 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.

Issue of
debentures for
\$4,000 author-
ized.

Power to
borrow 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 \$4,000, 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 indebtedness and in no other manner and for no other purpose whatsoever. 5 10

Terms of
debentures—
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 four 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. 15

Special rate
for sinking
fund and
interest.

4. The said corporation shall levy, in addition to all other rates to be levied in each year, a special rate sufficient to provide a sinking fund for payment of the principal and interest in respect of the debentures authorized to be issued under this Act. 20

Assent of
electors not
required.

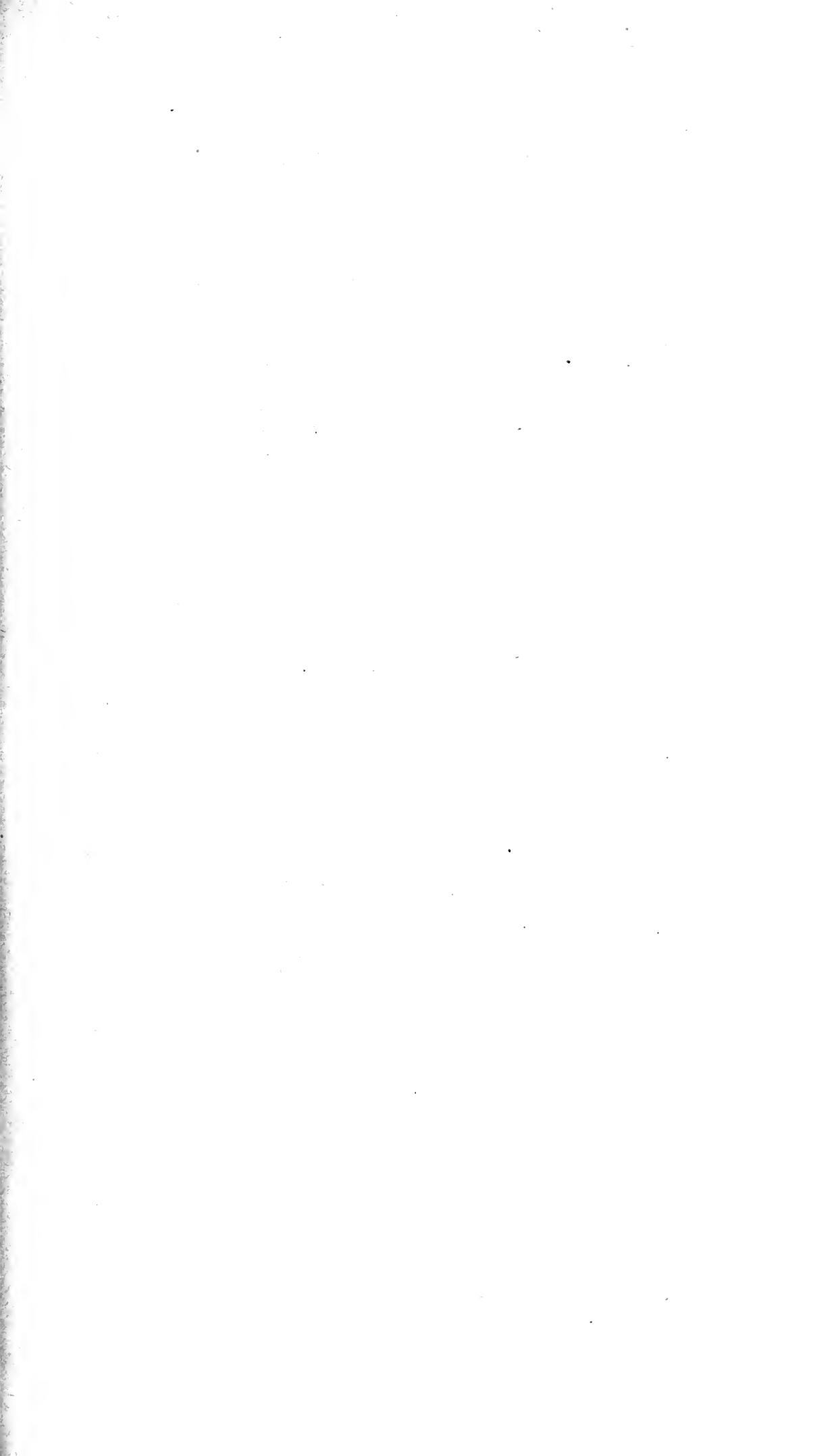
5. It shall not be necessary to obtain the assent of the electors of the said Village of Acton for the passing of any by-law which shall be passed under the provisions of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*, and any provisions in the Acts respecting municipal institutions in the Province of Ontario which are or may be inconsistent with the provisions of this Act, shall not apply to the by-law or by-laws to be passed by the said corporation under the provisions of this Act. 25 30

Rev. Stat.
c. 233.

6. No irregularity in the form of any debentures 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 inquire as to the necessity of passing such by-law or issue of debentures or as to the application of the proceeds thereof. 35

7. 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. 40

8. Nothing in this Act contained shall be held or taken to discharge the Corporation of the Village of Acton from any indebtedness or liability which may not be included in the said debts of the said village. 45



No. 27.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act to Consolidate the Floating Debt
of the Village of Acton.

First Reading _____, 1901.

(Private Bill.)

Mr. BARBER.

TORONTO

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

An Act to Consolidate the Floating Debt of the
Village of Acton.

WHEREAS the Municipal Corporation of the Village of Acton has by petition represented that the said corporation *has* incurred a floating debt of about \$4,000, the said debt having arisen mainly from the Electric Light Works installed by the said corporation having cost more than was estimated and provided for, and from the construction of permanent walks in the said village, and *that* no funds have been provided for the payment of the *said debt*; and whereas the said Corporation has represented that it is desirable to extend the payment of the said floating debt over a 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, \$4,000, and with the money thus obtained to pay off the present floating indebtedness; and whereas it is expedient to grant the prayer of the said petition: Preamble.

Therefore His 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 Village of Acton 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 reeve, and countersigned by the treasurer for the time being, in such sums, not less than \$100 each and not exceeding \$4,000 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. Issue of debentures for \$4,000 authorized.

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 Power to borrow on debentures.

indebtedness, not exceeding in the whole the sum of \$4,000, 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 indebtedness and in no other manner and for no other purpose whatsoever.

Terms of debentures - 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 four 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.

Payment of debt in annual instalments,

4. ~~A~~ 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, 1901, 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 charged.

Treasurer to keep book showing state of debentures account.

5. It shall be the duty of the treasurer from time to time of the said village 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 village, and of any of the holders from time to time, of the debentures which shall be issued under the powers hereby conferred.

Assent of electors not required.

6. It shall not be necessary to obtain the assent of the electors of the said Village of Acton 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, shall not apply to the by-law or by-laws to be passed by the said corporation under the provisions of this Act.

Rev. Stat. c. 223.

7. No irregularity in the form of any debentures 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 inquire 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.

9. Nothing in this Act contained shall be held or taken to discharge the Corporation of the Village of Acton from any indebtedness or liability which may not be included in the said debts of the said village.

No. 27.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act to Consolidate the Floating Debt
of the Village of Acton.

First Reading, 7th March, 1901.

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

Mr. BARBER.

TORONTO

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

An Act to Authorize the Guelph Railway Company to extend their Railway to the Town of Hespeler, and for other purposes.

WHEREAS the Guelph Railway Company have by their Preamble. Petition represented that they have, in pursuance of the Act of the Legislature of Ontario passed in the 58th year of the reign of Her Late Majesty Queen Victoria, Chapter 98,
 5 constructed an electric railway in the City of Guelph and have extended the same along what is known as the Waterloo Road in the said City to the boundary of Guelph Township and in the direction of the Town of Hespeler, and they have
 10 by their petition prayed that an Act may be passed to amend the said Act by extending the powers of the said Company to enable them to continue their said railway from some point thereon on the said Waterloo Road, Guelph, through the Townships of Guelph and Puslinch in the County of Wellington and the Township of Waterloo in the County of Waterloo
 15 to the Town of Hespeler in such last mentioned county and through the said town, with power also to further extend their road from Hespeler to Puslinch Lake and from Puslinch Lake as a loop line back through the Township of Puslinch to a point on the direct line to Hespeler, and for other purposes ;
 20 and whereas it is expedient to grant the prayer of the said petition ;

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

25 **1.** The said Company is hereby authorized and empowered to extend, construct and operate the said railway outside the limits of the said City of Guelph from some point on the Waterloo Road in the City of Guelph or the Township of Guelph to and through the Town of Hespeler, and thence from
 30 some point therein to or near Puslinch Lake in the Township of Puslinch, and thence northwesterly through such township to a point on the direct line to Hespeler so as to form a loop line with the extension to Hespeler. Extension to Hespeler authorized.

2. The said extension or extensions of the said railway, so
 35 hereby authorized or any of them may be carried along or upon such highways as may be authorized by the Councils of Constructing line on highways.

the respective municipalities having jurisdiction over the highways, with the powers and subject to the restrictions of Section 6 of the said Act, Chapter 98, the provisions of which section shall apply to the extension and extensions hereby authorized.

5

Rev. Stat. c.
209 to apply
to company.

3. The provisions of *The Electric Railway Act* shall be incorporated with and be deemed to be part of this Act, and shall apply to the Company and to the extensions of their railway to be constructed by them as hereby authorized, except insofar as they may be different from the express enactments hereof and of the said Chapter 98; and the expression, "this Act," when used herein, shall be understood to include the provisions of the said Electric Railway Act and every amendment thereof.

Capital stock.

4. The capital stock of the Company shall be \$100,000, in 15 addition to the present capital stock.

Agreement
with city not
affected.

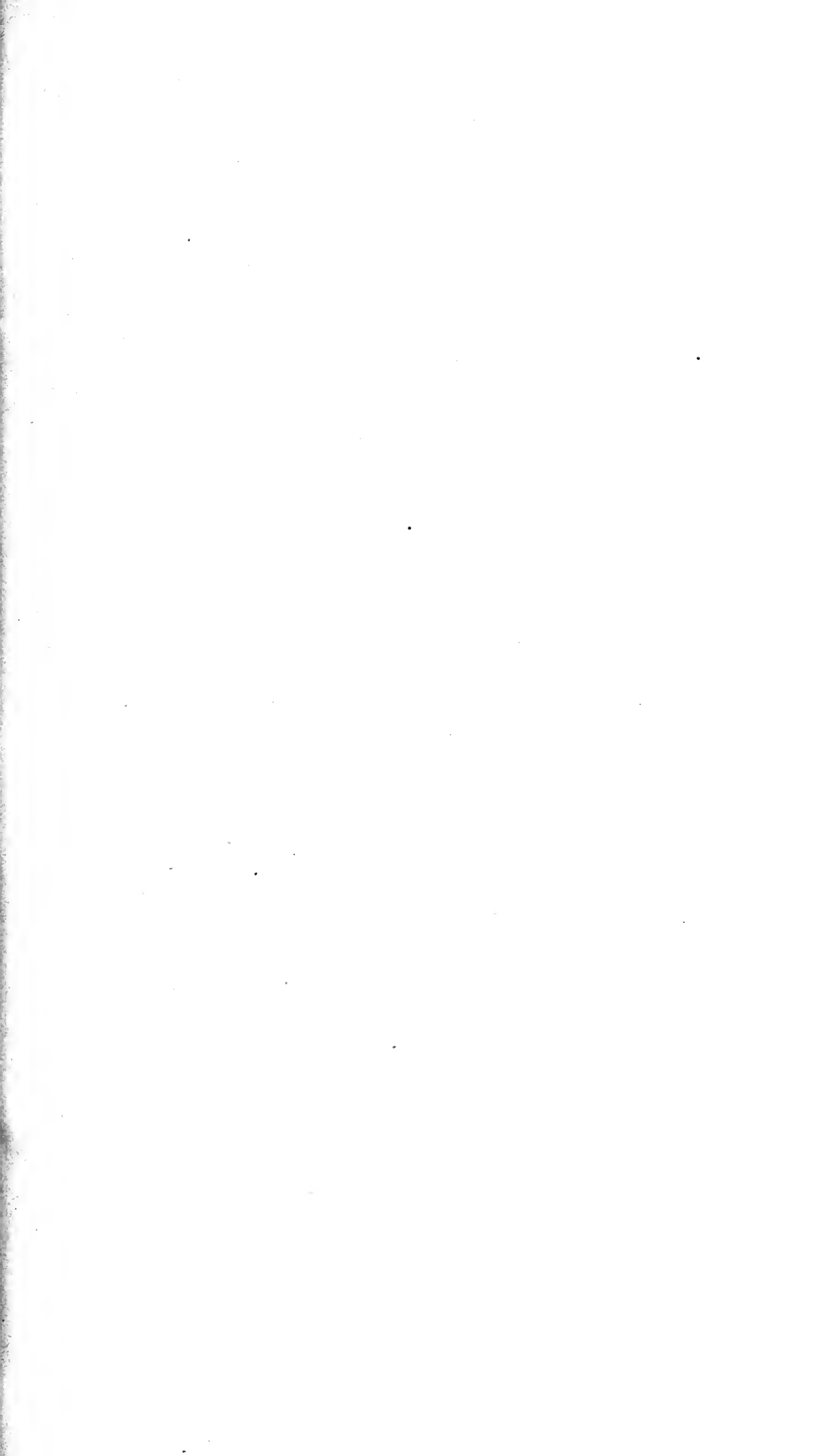
5. Nothing herein contained shall affect the provisions of the Agreement set forth as Schedule "A" to the said Chapter 98.

Bonds hereto-
fore issued.

6. Any bonds or securities heretofore issued by the said 20 Company shall continue to be charged on the portion of the said Railway Company's property upon which the same are now charged.

Extension
may be treat-
ed as a separ-
ate railway
for borrowing
purposes.

7. The Company may, under the provisions of the borrow-
ing powers of *The Electric Railway Act*, for the purpose of 25
giving security by way of mortgage or otherwise, and in ex-
ercise of such borrowing powers, treat the extension or exten-
sions hereby authorized as a separate railway, and such
securities may be charged thereupon accordingly.



No. 28.

4th Session, 9th Legislature, 1 Edward VII.
1901.

BILL.

An Act to Authorize the Guelph Railway
Company to extend their railway to the
Town of Hespeler, and for other pur-
poses.

First Reading, 1901.

(Private Bill)

Mr. MUTRIE.

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

An Act to Authorize the Guelph Railway Company to extend their Railway to the *Towns* of Hespeler and Berlin and for other purposes.

WHEREAS the Guelph Railway Company have by their Preamble.
 Petition represented that they have, in pursuance of the Act of the Legislature of Ontario passed in the 58th year of the reign of Her Late Majesty Queen Victoria, Chapter 98, constructed an electric railway in the City of Guelph and have extended the same along what is known as the Waterloo Road in the said City to the boundary of Guelph Township and in the direction of the Town of Hespeler, and they have by their petition prayed that an Act may be passed to amend the said Act by extending the powers of the said Company to enable them to continue their said railway from some point thereon on the said Waterloo Road, Guelph, through the Townships of Guelph and Puslinch in the County of Wellington and the Township of Waterloo in the County of Waterloo to the Town of Hespeler in such last mentioned county and through the said town, with power also to further extend their road from Hespeler to Puslinch Lake and from Puslinch Lake as a loop line back through the Township of Puslinch to a point on the direct line to Hespeler, and for other purposes; and the said Company have further prayed that their powers may be further extended to enable them to extend their said railway from the City of Guelph through the said Townships of Guelph and Waterloo to the Town of Berlin in the County of Waterloo; and whereas it is expedient to grant the prayer of the said petition;

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

1. The said Company is hereby authorized and empowered to extend, construct and operate the said railway outside the limits of the said City of Guelph from some point on the Waterloo Road in the City of Guelph or the Township of Guelph through the Townships of Guelph and Puslinch in the County of Wellington and the Township of Waterloo in the County of Waterloo to and through the Town of Hespeler, *in the said County of Waterloo*, and thence from some point therein to or near Puslinch Lake in the *said* Township of Extension to
Hespeler
authorized.

Puslinch, and thence northwesterly through such Township or Townships to a point on the direct line to Hespeler so as to form a loop line with the extension to Hespeler, which extension may be known as the Hespeler extension of the said railway.

Extension to Berlin authorized.

2. The said Company is hereby further authorized and empowered to extend, construct and operate the said railway outside the said City of Guelph from some point therein through the Townships of Guelph and Waterloo to and through the Town of Berlin, which last mentioned extension may be known as the Berlin extension of the said railway.

Rev. Stat. c. 209 to apply to company.

3. The provisions of *The Electric Railway Act* shall be incorporated with and be deemed to be part of this Act, and shall apply to the extensions of the said railway to be constructed as hereby authorized.

Capital stock.

4. The capital stock of the Company may be increased by the Company to \$200,000, in addition to the present capital stock.

Agreement with city not affected.

5. Nothing herein contained shall affect the provisions of the Agreement set forth as Schedule "A" to the said Chapter 98.

Bonds heretofore issued.

6. Any bonds or securities heretofore issued by the said Company shall continue to be charged on the portion of the said Railway Company's property upon which the same are now charged.

Extension may be treated as a separate railway for borrowing purposes.

7. The Company may, under the provisions of the borrowing powers of *The Electric Railway Act*, for the purpose of giving security by way of mortgage or otherwise, and in exercise of such borrowing powers, treat each of the extensions hereby authorized as a separate railway, and such securities may be charged thereupon accordingly.

BILL.

An Act to Authorize the Guelph Railway Company to extend their railway to the Towns of Hespeler and *and Berlin* for other purposes.

First Reading, 1st March, 1901.

(Reprinted as amended by the Railway Committee.)

Mr. MUTRIE.

TORONTO :

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

An Act respecting the South Essex Electric Railway Company.

WHEREAS the South Essex Electric Railway Company Preamble.
 have by their petition prayed that an Act may be
 passed authorizing the company to extend their line from the
 Town of Leamington to or near the end of Point Pelee in the
 5 County of Essex; exempting the company from the provisions
 of section 87, sub-section 1, of *The Electric Railway Act, 1895*,
 and extending the time for the commencement and completion
 of the company's railway; and whereas it is expedient to
 grant the prayer of the said petition:

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

1. Section 2 of chapter 109 of the Acts passed in the 59th 59 V., c. 169.
 year of the reign of Her late Majesty Queen Victoria, intituled s. 2 amended.
 15 "An Act to incorporate the South Essex Electric Railway
 Company," as amended by section 1 of chapter 95 of the Acts
 passed in the 60th year of the said reign, is amended by adding Locat'on
 thereto, after the words "Town of Leamington," in the said of line.
 section, the words "and thence to a point at or near the end
 20 of Point Pelee."

2. The said Company is exempted from the provisions of Company
 section 87, sub-section 1, of *The Electric Railway Act, 1895*. exempted
from 58 V.
c. 38, s. 87,
sub-s. 1.

3. The said railways shall be commenced within two years Time for
 and completed within five years after the passing of this Act. commence-
ment and
completion.

25 4. Section 3 of Chapter 95 of the Acts passed in the 60th 60 V., c. 95.
 year of the reign of Her late Majesty Queen Victoria, inti- s. 3 repealed.
 tuled, "An Act to amend the Act incorporating the South
 Essex Electric Railway Company," is repealed.

No. 29.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL

An Act respecting the South Essex Electric
Railway Company.

First Reading,	1901.
----------------	-------

(Private Bill)

Mr. AULD.

TORONTO :

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

An Act respecting the South Essex Electric Railway Company.

WHEREAS the South Essex Electric Railway Company Preamble. have by their petition prayed that an Act may be passed authorizing the company to extend their line from the Town of Leamington to or near the end of Point Pelee in the County of Essex, and extending the time for the commencement and completion of the company's railway; and whereas it is expedient to grant the prayer of the said petition :

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

1. Section 2 of chapter 109 of the Acts passed in the 59th 59 V., c. 169. year of the reign of Her late Majesty Queen Victoria, intituled s. 2 amended. "An Act to incorporate the South Essex Electric Railway Company," as amended by section 1 of chapter 95 of the Acts passed in the 60th year of the said reign, is amended by adding Location of line. thereto, after the words "Town of Leamington," in the said section, the words "and thence to a point at or near the end of Point Pelee."

2. The said railways shall be commenced within two years Time for commencement and completion. and completed within five years after the passing of this Act.

3. Section 3 of Chapter 95 of the Acts passed in the 60th 60 V., c. 95. year of the reign of Her late Majesty Queen Victoria, intituled, "An Act to amend the Act incorporating the South Essex Electric Railway Company," is repealed. s. 3 repealed.

No. 29.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL
An Act respecting the South Essex Electric
Railway Company.

First Reading, 22nd February, 1901.

*(Reprinted as amended by Railway
Committee.)*

Mr. AULD.

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

An Act to incorporate The New Ontario Colonization
Railway Company.

WHEREAS George Goldwin Smith Lindsey, Sidney Finlay Preamble.
McKinnon, John Flett, Robert C. Stewart, all of the
City of Toronto, in the County of York, and David Alanson
Jones, of the Village of Beeton in the County of Simcoe, gen-
5 tleman, George Sylvester of the Town of Sudbury in the Dis-
trict of Nipissing, Wellington Monroe of the Town of Pembroke
in the County of Renfrew, and John Vernell Teetzel of the
City of Hamilton in the County of Wentworth, have by their
petition prayed for an Act of incorporation under the name of
10 "The New Ontario Colonization Railway Company" for the
purpose of constructing, maintaining and operating a railway
from a point on Georgian Bay through the Districts of Parry
Sound and Nipissing to a point on the waters of the Abittibbe,
thence in a northerly and western direction to a point on the
15 Albany river with power to build a branch line from some
point on the main line to the waters of James bay and with
power to construct branch lines from points on the main line
to the waters of the Temiscamingue and Temagami and also to
build branch lines to other lakes, water powers and mines in
20 the said district and with power to construct, maintain and
operate docks and wharves, steamboats, elevators, telephone
and telegraph lines in connection with the said railway and
branches thereof and acquire water powers for any of the pur-
poses aforesaid, and it has been represented that the line of
25 railway of the company so to be incorporated will for the most
part be constructed in the non-organized 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 rail-
way the provisions of *The Electric Railway Act* are not ap-
30 plicable to the company so incorporated and the said petition-
ers have prayed that there may be conferred upon them pow-
ers 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 lines of railway are excep-
35 tional; and whereas it is expedient to grant the prayer of the
said petition;—

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

40 1. George Goldwin Smith Lindsey, Sidney Finlay McKin- Incorpora-
non, John Flett, Robert C. Stewart, David Alanson Jones, tion.

George Sylvester, Wellington Monroe, John Vernell Teetzel, together with such other persons and corporations as shall hereafter become shareholders in the company hereby incorporated are hereby constituted a body corporate and politic under the name of "The New Ontario Colonization Railway Company" hereafter called "the company." 5

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 other motive power or partly by steam and partly by electricity or other motive power with double or single iron or steel or nickel steel tracks, from some point or points on the Georgian bay through the Districts of Parry Sound and Nipissing to a point on the waters of the Abbitippe, thence in a northerly and westerly direction to a point on the Albany river with power to build a branch line from some point on the main line to the waters of James bay and with power to construct branch lines from points on the main line to the waters of the Temiscamingue and Temagami and also to build branch lines to other lakes, water powers and mines in the said districts; 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 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* 10 15 20 25 30

Gauge.

3. The gauge of the said railway shall be four feet eight and one half inches. 35

Provisional
Directors.

4. George Goldwin Smith Lindsey, John Flett, Sidney Finlay McKinnon, Robert C. Stewart, David Alanson Jones, George Sylvester, Wellington Munroe and John Vernell Teetzel, 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. 40

General
Powers of
Provisional
Directors.

5. The said board of provisional directors shall have full power forthwith to open stock books and procure subscriptions of stock for the undertaking and to allot the stock and receive payments on account of stock subscribed, and to make calls upon subscribers in respect of their stock and to sue for and 45

recover the same ; and the said board shall also have full power
 by by-laws which shall be registered in the manner herein-
 after prescribed, and shall not be repealed unless in conformity
 with the conditions therein contained, to issue from time to
 5 time debenture stock payable at the end of twenty-one years
 to an amount not exceeding \$5,000 per mile of the railway
 completed or actually under construction ; and the said de-
 benture stock may bear interest at any rate not to exceed five
 per cent. per annum payable half yearly. A duplicate original
 10 of every such by-law certified under the hands of the secretary
 and one of the directors or members of the said board, and the
 seal of the company shall be registered without further proofs
 in the Registry Office for the District of Nipissing. Twenty
 per cent. of the gross earnings of the railway shall be reserved
 15 and the same is hereby pledged for the payment of the interest
 on the said debenture stock and shall be deposited regularly
 month by month every month in some chartered bank in the
 Dominion of Canada to the credit of a special account, and
 shall only be used for the purpose of paying the interest on the
 20 said debenture stock for the said 21 years, but when and as
 soon as such an amount of the gross earnings of the railway
 has been so deposited as will satisfy the half yearly payment
 of interest on the said debenture stock next accruing due as
 well as all arrears of such interest, if any, the balance of the
 25 said twenty per cent. of the gross earnings for the remain-
 der of the current half year may be applied to and used for
 the ordinary purposes of the company. Five per cent. of the
 gross earnings of the company shall be deposited monthly to
 the credit of a sinking fund account in the said bank and shall
 30 be withdrawn for no other purpose than the payment or re-
 demption of the said debenture stock or some part thereof.
 The said debenture stock shall be a first lien or charge upon
 all the property of the company, real and personal. The
 company may at any time redeem or cancel the said debenture
 35 stock or any particular share or shares thereof upon giving to
 the holders of such stock or shares six months' notice by publi-
 cation in *The Ontario Gazette* and upon payment of a
 premium of five per cent. upon the share or shares so redeemed.
 The said board shall also have full power to cause plans and
 40 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 dispo-
 sition of any gift or bonus in aid of the railway and with all
 such other powers as under *The Railway Act of Ontario*, are
 45 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 sub-
 scribing for stock who, in their judgment would hinder, delay
 or prevent the company from proceeding with and completing
 50 their undertaking under the provisions of this Act ; and it, at
 any time a portion, or more than the whole stock shall have
 been subscribed, the said provisional directors or board of

Debenture
 Stock.

Rev. Stat.
 c. 207.

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 or at such other place as may best suit the interests of the said company. 5

Conveyance 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 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. 10 15 20

Subscription for Stock when binding. 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. 25

Aid to Railway. 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 on. 30

Capital Stock. 9. The capital stock of the Company hereby incorporated shall be \$20,000,000 (with power to increase the same in the manner provided by *The Railway Act of Ontario*) to be divided into 200,000 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, together with the proceeds of the debenture stock 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. 35 40 45

First Election of Directors. 10. When, and as soon as shares to the amount of \$50,000

in the capital stock of the company shall have been subscribed, and ten per centum paid thereon, into a 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 with-
 5 drawn 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
 10 in at least one newspaper published in the said City of Toronto, of the time, place and purpose of the said meeting.

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
 15 them, shall elect not less than seven and not more than eleven persons to be directors of the said company, in manner and qualified as herein after mentioned, who shall constitute a board of directors and shall hold office until the next general annual meeting, and a majority of directors shall form a quorum of the
 20 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.

Number of
Directors and
Quorum.

Rev. Stat.
c. 207.

12. No person shall be qualified to be elected as such
 25 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.

Qualification
of Director.

13. The company is hereby authorized and empowered to take and make the surveys and levels of the lands through which the
 30 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*
 35 *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
 40 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
 45 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

Power to con-
struct line in
sections.

Rev. Stat.
c. 207.

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." 5

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 for 10 office as directors of the company.

Calls on stock.

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 15 each call as provided in section 17 of this Act.

Payments in
stock or bonds.

16. The provisional directors or the elected directors may pay or agree to pay in paid up stock, debenture 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 20 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 25 such promoters or other persons be provisional or elected directors or not, and any agreement so made shall be binding on the company.

Head office
general annual
meeting.

17. The head office of the company shall be at the City of Toronto, and the general annual meeting of the shareholders 30 of the said company shall be held in such place in the 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 35 said City of Toronto during the four weeks immediately preceding the week in which such meeting is to take place.

Special general
meetings.

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 40 the by-laws of the company, and upon such notice as is provided in the last preceding section.

Proxies.

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 45 may provide, but no person shall be qualified to be so appointed who is not himself a shareholder in the company.

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.

Issue of bonds.

Rev. Stat.,
c. 207.

21. All such bonds, debentures and other securities and coupons and interest warrants thereon respectively may be made payable to bearer and transferrable by delivery, and any holder of any such securities so made payable to bearer, may sue at law thereon in his own name.

Bonds, etc.
How payable.
Transfer of
bonds.

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, vice-president or general manager 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 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 shall 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 persons signing the same 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.

23. The company may, from time to time, for advances of money to be made thereon, mortgage or pledge any bonds or debentures which they may be enabled, under the powers of this Act, to issue for the construction of the said railway.

Mortgaging or
pledging
bonds.

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 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

Agreements
with other
companies for
leasing or hir-
ing rolling
stock.

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.

Telegraph
and telephone
lines.

25. The company may also construct an electric telegraph 5
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* 10
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 15
council of such city, town or village being first obtained by the
said company; and the company may undertake the transmis-
sion of messages for the public by such line or lines of tele-
graph or telephone and collect tolls for so doing.

Aid from
municipali-
ties.

26. Any municipality or any portion of a township muni- 20
cipality 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 25
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 rate-payers
of the municipality or portion of the municipality (as the case 30
may be) in accordance with and as provided by law in respect
to granting aid by way of bonuses to railways.

Submitting
bonus by
by-laws.

27. Such by-law shall be submitted by the municipal coun-
cil, to the vote of the ratepayers in the manner following 35
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, 40
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 municipali-
ties of the county, who are qualified voters under *The Muni-* 45
cipal 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.

28. Such by-law shall in each instance provide :—

By-law what to contain.

10 (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

20 (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.

29. 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.

30 **30.** 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.

35 **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.

Issue of debentures.

40 **32.** 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.

Levying rates on portions of municipality.

45 **33.** The provisions of *The Municipal Act* and the amend-

Application of provisions

of Rev. Stat., c. 223. ments 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. **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. 5
10

Councils may extend the time for completion. **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. 15

Extent of aid from municipalities. **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 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 ratable property therein. 20
25

By-laws granting exemption from taxation. **37.** 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. 30
35
40

Gifts of lands **38.** 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 45

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.

39. Whenever any municipality or portion of a township
 5 municipality shall grant aid by way of bonus or gift to the ^{Issue of}
 railway company the debentures therefor shall within six ^{debentures.}
 months after the passing of the by-law authorizing the same
 be delivered to three trustees to be named, one by the Lieu-
 tenant-Governor in Council, one by the said company, and one
 10 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
 15 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 trustees; any of the said trustees
 20 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
 25 appointed by the Lieutenant-Governor in Council.

40. The said trustees shall receive the said debentures or ^{Trusts of}
 bonds in trust, firstly, under the directions of the company but ^{proceeds of}
 subject to the conditions of the by-laws in relation thereto as ^{debentures.}
 to time or manner, to convert the same into money or other-
 30 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 New Ont-
 ario Colonization Railway, Municipal Trust Account" and to pay
 the same out to the said company from time to time as the said
 35 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
 40 have been complied with, and is to be attached to the cheque
 or order drawn by the said trustees for such payment or de-
 livery of debentures, and such engineer shall not wrongfully
 grant any such certificate under a penalty of \$500, recover-
 able in any court of competent jurisdiction by any person who
 45 may sue therefor.

41. The trustees shall be entitled to their reasonable fees ^{Fees to}
 and charges from the said trust fund, and the act of any two ^{trustees.}
 of such trustees shall be as valid and binding as if the three
 had agreed.

Power purchase whole lots.

42. Whenever it shall be necessary for the purpose of procuring sufficient lands 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 there-to 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 to this section.

Rev. Stat. c. 207.

Acquiring material for construction.

43. 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 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 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 pit.

44. (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 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 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.

45. The company shall have power and authority :—

- (1) To purchase land for and erect power houses, ware-houses, 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. Incidental powers.
Ware-houses
docks, 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 accomodation 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 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 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. Lease or sell electricity not required for railway
Rev. Stat. c 200.
- (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 Acquiring rights for conveying electricity.

and under and subject to any by-law or by-laws of the council of such municipality passed in pursuance thereof.

Construction
of railway on
streets.

46. 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 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, s. 632.

(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.

Powers to
erect 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 His 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 thereafter be 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.

Authority to
enter into
agreements
with other
companies

48. It shall be lawful for the company to enter into any agreement with the Canadian Pacific Railway Company, the Grand Trunk Railway Company of Canada and the Canada Atlantic Railway Company or any other 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, 5 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 10 binding, according to the terms and tenor thereof, and the company or companies leasing or entering into such agreement for using the said lines 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 15 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 20 vote of two thirds in value of the shareholders present, in person or by proxy, at such meeting.

49. The company is also authorized and empowered to make necessary arrangements and to contract and agree with the Canadian Pacific Railway Company, the Grand Trunk Railway 25 Company of Canada and the Canada Atlantic Railway Company or any other 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 30 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 pre- 35 ceding 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.

50. Shares in the capital stock of the company may be transferred by any form of instrument in writing, but no 40 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.

51. The company shall have power to collect and receive 45 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 persons to whom such charges were originally due had upon

such goods or commodities while in their possession, 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.

52. 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

Commence-
ment and
completion of
line

53 The railway shall be commenced within three years and finally completed within ten years after the passing of this Act. 15

54. Notwithstanding anything contained in R.S.O., cap. 207, section 11, the lands which may be taken without the consent of the proprietor thereof shall not exceed two hundred feet in breadth with the exceptions in the said section 11 contained. 20

SCHEDULE A.

(Section 6.)

Know all men by these presents that we in consideration of \$ paid to us by The New Ontario Colonization Railway Company (the receipt whereof is hereby acknowledged), do grant and convey unto the said company, and we in consideration of \$ paid to us by the said company (the receipt whereof is hereby acknowledged), do grant and release all those certain parcels of 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 New Ontario Colonization Railway Company, their successors and assigns forever and we, the wives of the said do hereby bar our dower to the said lands.

As witness our hands and seals this day of 1901.
Signed, sealed and }
delivered in the }
presence of }

SCHEDULE B.

(Section 40.)

Chief Engineer's Certificate, The New Ontario Colonization Railway Company, No. A.D. 1901. Engineer's Department.

Certificates to be attached to cheques drawn on the New Ontario Colonization 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 New Ontario Colonization 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 to entitle the

said Company to receive from the said trust the sum of

3—30



No. 30.

4th Session, 9th Legislature, 1 Edward VII,
1901.

BILL.

An Act to incorporate The New Ontario
Colonization Railway Company.

First Reading.	1901.
----------------	-------

(Private Bill.)

Mr BEATTY,
(Parry Sound.)

TORONTO :

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting the Town of Peterborough and the Village of Ashburnham and certain By-Laws thereof.

WHEREAS the corporation of the Town of Peterborough ^{Preamble.} and the corporation of the Village of Ashburnham have by petition shown that by By-Law number 912 of the said corporation of the Town of Peterborough entitled "A By-Law to fix the assessment of certain lands in the Town of Peterborough," passed on the 3rd day of December, 1900, after reciting that Robert Stuart, Treasurer of the American Cereal Company, proposes to purchase certain water privilege properties of the Dickson Company, Limited, in the Town of Peterborough, therein described and to establish thereon the manufactory of the said Cereal Company, it was enacted, subject to the provisions in said By-Law contained that the said lands in the Town of Peterborough including all buildings, improvements, plant, machinery and fixtures now and hereafter thereon, should for the period of forty years commencing with the year 1901 be assessed en bloc in each year at the sum of \$58,700 and it was by said By-Law further enacted and provided that the said By-Law should be of no force or effect until the same should be confirmed by the Legislative Assembly of the Province of Ontario, and that it is desirable and in the public interest that the said By-Law should be validated and confirmed; and that by By-Law number 262 of the corporation of Ashburnham entitled "A By-Law to fix the assessment of certain lands in the Village of Ashburnham" passed on the 3rd day of December, 1900, after reciting as is therein recited, it was enacted subject to the provisions in said By-Law contained that the lands in the Village of Ashburnham therein described including all buildings, improvements, plant, machinery and fixtures now and hereafter thereon should for the period of forty years commencing with the year 1901 be assessed en bloc in each year at the sum of \$45,000, and it was by said By-Law further enacted and provided that the said By-Law should be of no force or effect until the same should be confirmed by the Legislative Assembly of the Province of Ontario, and that it is desirable and in the public interest that the said By-Law should be validated and confirmed. And that in order to carry out the agreement entered into between the Canadian General Electric Company and the Council of the Town of Peterborough, it is expedient and in

the public interest that section 2 of the Act of the Province of Ontario, 63 Victoria, chapter 85, should be repealed, and have prayed for the passing of an Act to validate and confirm the said By-Law, number 912, of the Town of Peterborough and By-Law number 262, of the Village of Ashburnham, respectively, and repealing section 2 of the said Act: And whereas it has been made to appear that upon the said lands there were formerly mills and other labor employing enterprises, which were of much benefit to the Town of Peterborough and to the Village of Ashburnham, but on account of destruction by fire and from other causes a considerable portion of such properties has for a number of years lain idle and unproductive; And whereas it is expedient to grant the prayer of the said petition.

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

By-Law No.
912 of Town
confirmed.

1. By-Law number 912 of the corporation of the Town of Peterborough, passed on the 3rd day of December, 1900, intituled "A By-Law to fix the assessment of certain lands in the Town of Peterborough," which By-Law is set out in schedule "A" hereto is hereby confirmed and declared legal, valid and binding according to the true intent and meaning thereof. 20

By-Law No.
262 of Village
confirmed.

2. By-Law number 262 of the Corporation of the Village of Ashburnham, passed on the 3rd day of December, 1900, intituled "A By-Law to fix the assessment of certain lands in the Village of Ashburnham," which By-Law is set out in schedule "B" hereto is hereby confirmed and declared legal, valid and binding according to the true intent and meaning thereof. 30

63 V, c. 85,
s. 2 repealed.

3. Section 2 of the Act of the Province of Ontario, passed in the 63rd year of the reign of Her late Majesty, Queen Victoria, is hereby repealed.

SCHEDULE A.

BY-LAW No. 262.

A By-law to fix the assessment of certain lands in the Village of Ashburnham. Passed the 3rd day of December, 1900.

Whereas upon the water privilege properties of The Dickson Company, of Peterborough (Limited), situate in the Village of Ashburnham and Town of Peterborough, there were formerly mills and other labor employing industries which were of much benefit to the Village of Ashburnham and Town of Peterborough, but on account of destruction by fire and from other causes, a considerable portion of such properties has for a number of years lain idle and unproductive.

And whereas it would be greatly in the interests of the said village and town, and of the public generally, that said property should again become productive by having mills and other employing industries built thereon.

And whereas Robert Stuart, of Chicago, treasurer of The American Cereal Company, has represented that he and his associates would pur-

chase the said lands and would procure the said company to establish works upon a portion of said lands costing not less than \$100,000, and that other industries would thereafter be established upon other portions of said lands provided that the assessment for municipal taxation of said lands were fixed at a certain sum for a certain number of years.

And whereas it is expedient that upon the conditions hereinafter contained the said assessment should be fixed as hereinafter mentioned—the present assessment for the Village of Ashburnham being the sum of \$45,000.00.

Therefore the corporation of the Village of Ashburnham by the council thereof enacts as follows:—

1. This By-law shall not take effect unless and until the following conditions have happened and been observed, but from and after the same have happened and been observed this By-law shall take effect.

2. The conditions above mentioned are as follows:

(a) That this By-law has been confirmed by an Act of the Legislature of Ontario.

(b) That the said Robert Stuart or his assigns shall have acquired the said properties before the expiration of two months from the passing of this By-law.

(c) That The American Cereal Company shall have established upon a portion of said property within one year after the said Act has been passed works for the manufacture of oat meals, flour and cereal products costing (exclusive of land) not less than \$100,000.

3. The lands described in the schedule hereunto annexed including all buildings, improvements, plant, machinery and fixtures now and hereafter thereon shall for the period of forty two years, commencing with the year 1901, be assessed en bloc in each year at the sum of \$45,000.00 for all municipal taxation thereof and the assessors and other officers making such assessment are hereby required to so make their assessments and returns as to conform to the provisions of this by law. Provided, however, that when and so often as any part or parts of said lands shall be used for the purpose of dwellings such part or parts when and so long as used for such purpose shall be assessable as if this by-law had not been passed.

4. The personal property and income of the American Cereal Company shall, during the said period of forty-two years, commencing with the year 1901, be exempt from all municipal taxation by the village of Ashburnham.

[Seal]

(Signed) FRANK ADAMS,
Reeve.

(Signed) JOHN WOOD,
Clerk.

REFERRED TO IN THE ANNEXED BY-LAW.

1. The water privilege property extending from Elizabeth street northerly to Smith street, being bounded south and north by these streets respectively; on the west by the river Otonabee; on the east by Driscoll street, as far north as Douro street, thence northerly in a line produced from the easterly limit of Driscoll street parallel with the river bank, and equally distant therefrom until said line meets the railway track, and thence northerly by the railway track, except Lot. No. 15, N. Elizabeth street and part of Block G.

2. Parts of Lots Nos. 8 and 9 according to plan of the Auburn Estate as described in Conveyance from the late Robert Nicholls to Richard Hall.

Together with all dams, ponds, rights, members and appurtenances in any way belonging or appertaining to the said several parcels of land, including the tail race in Ashburnham and the rights and privileges appurtenant to such tail race, being the several parts and parcels of land shown on the plan hereunto annexed by the red color.

(Seal)

(Signed) FRANK ADAMS,
Reeve.

(Signed) JOHN WOOD,
Clerk.

SCHEDULE B,

BY-LAW No. 912.

A By-law to fix the assessment of certain lands in the Town of Peterborough. Passed the 3rd day of December, 1900.

Whereas upon the water privilege properties of the Dickson Company of Peterborough (Limited) situate in the Town of Peterborough and Village of Ashburnham there were formerly mills and other labor employing enterprises which were of much benefit to the Town of Peterborough and Village of Ashburnham but on account of destruction by fire and from other causes a considerable portion of such properties has for a number of years lain idle and unproductive.

And whereas it would be greatly in the interests of the said town and village and of the public generally that said property should again become productive by having mills and other labor employing enterprises built thereon.

And whereas Robert Stuart of Chicago, Treasurer of the American Cereal Company has represented that he and his associates would purchase the said lands and would procure the said company to establish works upon a portion of said lands costing not less than \$100,000, and that other industries would thereafter be established upon other portions of said lands provided that the assessment for municipal taxation of said lands were fixed at a certain sum for a certain number of years.

And whereas it is expedient that upon the conditions hereinafter contained the said assessment should be fixed as hereinafter mentioned—the present assessment for the Town of Peterborough being the sum of \$58,700.00.

Therefore the corporation of the Town of Peterborough by the council thereof enacts as follows :

1. This By-law shall not take effect unless and until the following conditions have happened and been observed but from and after the same have happened and been observed this By-law shall take effect.

2. The conditions above mentioned are as follows :

(a). That this By-law has been confirmed by an Act of the Legislature of Ontario.

(b). That the said Robert Stuart or his assigns shall have acquired the said properties before the expiration of two months from the passing of this By-law.

(c). That the American Cereal Company shall have established upon a portion of said property within one year after the said Act has been passed works for the manufacture of oat meals, flour and cereal products costing (exclusive of land) not less than \$100,000.

3. The lands described in the schedule hereunto annexed including all buildings, improvements, plant machinery and fixtures now and hereafter thereon shall for the period of forty two years commencing with the year 1901 be assessed en bloc in each year at the sum of \$58,700.00 for all municipal taxation thereof and the assessors and other officers making such assessment are hereby required to so make their assessments and returns as to conform to the provisions of this By-law. Provided, however, that when and so often as any part or parts of said lands shall be used for the purpose of dwellings such part or parts when and so long as used for such purpose shall be assessable as if this By-law had not been passed.

4. The personal property and income of the American Cereal Company shall during the said period of Forty two years commencing with the year 1901 be exempt from all municipal taxation by the Town of Peterborough.

Sd. T. H. G. DENNE,
Presiding Officer.

Sd. S. R. ARMSTRONG,
Town Clerk.

(Seal)

SCHEDULE .

Referred to in the annexed By-law.

1. Lot No. 8, on the south side of Hunter street and east of Water street.

2. Part of lot No. 6 and the whole of lot No. 7, on the north side of Hunter street and east of Water street.

3. The water privilege property extending from Hunter street to London street, together with a strip of land one chain in width along the raceway, bounded on the east by the west side of said raceway and on the west by a line drawn parallel thereto and distant one chain therefrom.

4. The piece of land north of London street bounded on the south by London street, on the west by a line drawn parallel with Waterford street, and 125 feet easterly therefrom, and on the west and the north by the river.

5. Lots 1 and 2 south side of Edinburgh street and east of Water street.

6. Lots 1 and 2 north side of Edinburgh street and east of Water street, and parts of lots 1 and 2 south side of Antrim street and east of Water street.

7. Lot 45, north of Inverlea park according to plan 42.

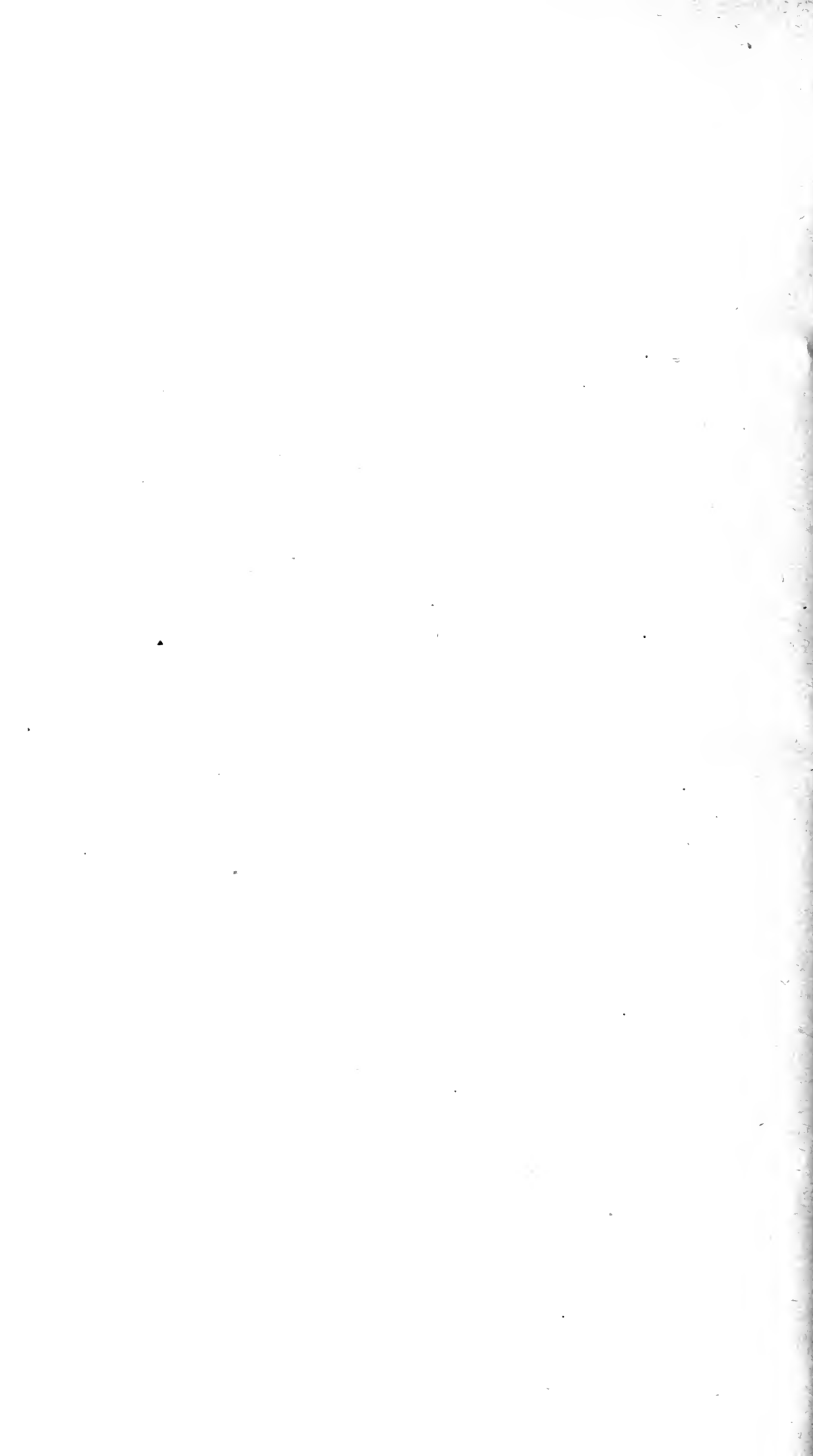
Together with all dams, ponds, rights, members and appurtenances in any way belonging or appertaining to the said several parcels of land, being the several parts and parcels of land shown on the plan hereunto annexed by the red color including the raceways and within the Town of Peterborough.

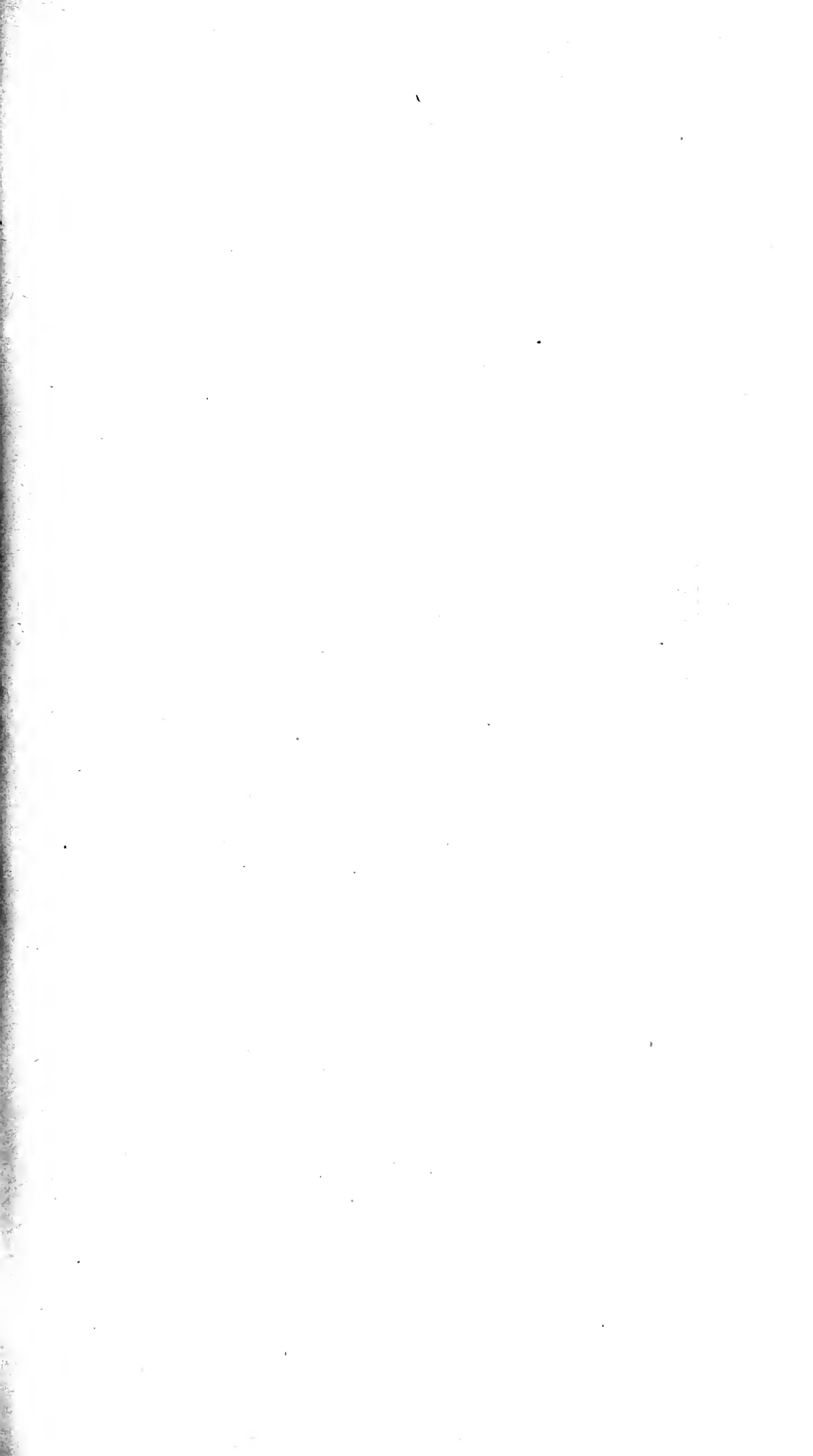
(Sgd.) T. H. G. DENNE,
Presiding Officer.

(Sgd.) S. R. ARMSTRONG,
Town Clerk.

I hereby certify that the foregoing is a true copy of By-law No. 912 of the corporation of the Town of Peterborough and of the schedule annexed thereto.

S. R. ARMSTRONG,
Clerk, Town of Peterborough. { Seal }





No. 31.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting the Town of Peterborough
and the Village of Ashburnham.

First Reading, , 1901.


(Private Bill.)


Mr. BLEZARD.

TORONTO :

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

An Act respecting the Town of Peterborough and the Village of Ashburnham and certain By-Laws thereof.

 WHEREAS the Corporation of the Town of Peterborough ^{Preamble.} and the Corporation of the Village of Ashburnham have by their respective petitions shown that by By-law No. 912 of the Town of Peterborough, passed on the 3rd day of December, 1900, set forth as Schedule "A" hereto, it was enacted, subject to the provisions therein contained and subject to the confirmation thereof by an Act of the Legislature, that certain lands therein described, in the Town of Peterborough, including all buildings, improvements, plant, machinery and factories now erected or hereafter to be erected thereon, should for the period of forty-two years commencing with the year 1901, in pursuance of the terms of the agreement with the American Cereal Company in the by-law in the said schedule set forth, be assessed en bloc in each year at the sum of \$58,700; and that by By-law No. 262 of the Corporation of the Village of Ashburnham, passed on the said date, set forth as Schedule "B" hereto, it was enacted, subject to the provisions therein contained and subject to the confirmation thereof by an Act of the Legislature, that certain lands therein described, in the Village of Ashburnham, including all buildings, improvements, plant, machinery, and factories now erected or hereafter to be erected thereon should for the period of forty-two years commencing with the year 1901, be assessed en bloc in each year at the sum of \$45,000, in pursuance of the terms of the agreement with the American Cereal Company, in the by-law in the said Schedule "B" set forth; And whereas it has been made to appear that upon the said lands there were formerly mills and other labor employing enterprises, which were of much benefit to the Town of Peterborough and Village of Ashburnham, but on account of destruction by fire and from other causes a considerable portion of such properties has for a number of years lain idle and unproductive; and whereas the said corporations have by their said petitions prayed that an Act may be passed validating and confirming the said by-laws; and whereas the said American Cereal Company, appears to carry on a large export trade and has numerous agencies and business connections with Great Britain and other European countries; and whereas the nature and importance of the intended operations of the said company

are of special interest to the agricultural community, not only in the County of Peterborough, but in that section of the Province of Ontario and the said industry and enterprise are calculated to become of general public advantage, and are quite distinguishable from ordinary industrial enterprises as regards the general advantage to the public which may result from the establishment thereof in the province; and whereas the municipal councils of the said corporations for the year 1900 unanimously approved of the said by-laws, and the question of the said by-laws was before the ratepayers during the last municipal elections and no opposition on the part of the ratepayers was manifested thereto, and the municipal councils of the said corporations for the present year unanimously approve of the said by-laws; and whereas the exemption provided for in and by the said by-laws is not to apply to the present assessable value of the said properties, but only to the value of the works, plant and machinery to be established and installed by the said company; and whereas it has been made to appear that the carrying out of the said new industrial enterprise will impart a large increase in the value, not only to other properties in the immediate vicinity of the said work, but generally to other properties in the said municipalities and greatly promote business activity and prosperity therein; and whereas no opposition has been made from any source to the granting of the prayers of the said petitions; and whereas it appears to be desirable and greatly in the public interest that the said by-laws should be validated and confirmed; 

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

By-Law No.
912 of Town
confirmed.

1. By-Law number 912 of the corporation of the Town of Peterborough, passed on the 3rd day of December, 1900, intituled "A By-Law to fix the assessment of certain lands in the Town of Peterborough," which By-Law is set out as Schedule "A" hereto is confirmed and declared *to be* legal, valid and binding according to the true intent and meaning thereof.

By-Law No.
262 of Village
confirmed.

2. By-Law number 262 of the Corporation of the Village of Ashburnham, passed on the 3rd day of December, 1900, intituled "A By-Law to fix the assessment of certain lands in the Village of Ashburnham," which By-Law is set out as Schedule "B" hereto is confirmed and declared legal, valid and binding according to the true intent and meaning thereof.

63 V., c. 85,
s. 2 repealed.

3. Section 2 of the Act passed in the 63rd year of the reign of Her late Majesty, Queen Victoria, chaptered 85, is repealed.

SCHEDULE "A."

BY-LAW No. 912.

A By-law to fix the assessment of certain lands in the Town of Peterborough. Passed the 3rd day of December, 1900.

Whereas upon the water privilege properties of the Dickson Company of Peterborough (Limited) situate in the Town of Peterborough and Village of Ashburnham there were formerly mills and other labor employing enterprises which were of much benefit to the Town of Peterborough and Village of Ashburnham but on account of destruction by fire and from other causes a considerable portion of such properties has for a number of years lain idle and unproductive.

And whereas it would be greatly in the interests of the said town and village and of the public generally that said property should again become productive by having mills and other labor employing enterprises built thereon.

And whereas Robert Stuart of Chicago, Treasurer of the American Cereal Company has represented that he and his associates would purchase the said lands and would procure the said company to establish works upon a portion of said lands costing not less than \$100,000, and that other industries would thereafter be established upon other portions of said lands provided that the assessment for municipal taxation of said lands were fixed at a certain sum for a certain number of years.

And whereas it is expedient that upon the conditions hereinafter contained the said assessment should be fixed as hereinafter mentioned—the present assessment for the Town of Peterborough being the sum of \$58,700.00.

Therefore the corporation of the Town of Peterborough by the council thereof enacts as follows :

1. This By-law shall not take effect unless and until the following conditions have happened and been observed but from and after the same have happened and been observed this By-law shall take effect.

2. The conditions above mentioned are as follows :

(a). That this By-law has been confirmed by an Act of the Legislature of Ontario.

(b). That the said Robert Stuart or his assigns shall have acquired the said properties before the expiration of two months from the passing of this By-law.

(c). That the American Cereal Company shall have established upon a portion of said property within one year after the said Act has been passed works for the manufacture of oat meals, flour and cereal products costing (exclusive of land) not less than \$100,000.

3. The lands described in the schedule hereunto annexed including all buildings, improvements, plant machinery and fixtures now and hereafter thereon shall for the period of forty two years commencing with the year 1901 be assessed en bloc in each year at the sum of \$58,700.00 for all municipal taxation thereof and the assessors and other officers making such assessment are hereby required to so make their assessments and returns as to conform to the provisions of this By-law. Provided, however, that when and so often as any part or parts of said lands shall be used for the purpose of dwellings such part or parts when and so long as used for such purpose shall be assessable as if this By-law had not been passed.

4. The personal property and income of the American Cereal Company shall during the said period of Forty two years commencing with the year 1901 be exempt from all municipal taxation by the Town of Peterborough.

Sd. T. H. G. DENNE,
Presiding Officer.

Sd. S. R. ARMSTRONG,
Town Clerk.

(Seal)

Schedule referred to in the annexed By-law.

1. Lot No. 8, on the south side of Hunter street and east of Water street.
2. Part of lot No. 6 and the whole of lot No. 7, on the north side of Hunter street and east of Water street.
3. The water privilege property extending from Hunter street to London street, together with a strip of land one chain in width along the raceway, bounded on the east by the west side of said raceway and on the west by a line drawn parallel thereto and distant one chain therefrom.
4. The piece of land north of London street bounded on the south by London street, on the west by a line drawn parallel with Waterford street, and 125 feet easterly therefrom; and on the west and the north by the river.
5. Lots 1 and 2 south side of Edinburgh street and east of Water street.
6. Lots 1 and 2 north side of Edinburgh street and east of Water street, and parts of lots 1 and 2 south side of Antrim street and east of Water street.
7. Lot 45, north of Inverlea park ascending to plan 42.

Together with all dams, ponds, rights, members and appurtenances in any way belonging or appertaining to the said several parcels of land, being the several parts and parcels of land shown on the plan hereunto annexed by the red color including the raceways and within the Town of Peterborough.

(Sgd.) T. H. G. DENNE,
Presiding Officer.
(Sgd.) S. R. ARMSTRONG,
Town Clerk.

SCHEDULE "B."

BY-LAW No. 262.

A By-law to fix the assessment of certain lands in the Village of Ashburnham. Passed the 3rd day of December, 1900.

Whereas upon the water privilege properties of The Dickson Company, of Peterborough (Limited), situate in the Village of Ashburnham and Town of Peterborough, there were formerly mills and other labor employing industries which were of much benefit to the Village of Ashburnham and Town of Peterborough, but on account of destruction by fire and from other causes, a considerable portion of such properties has for a number of years lain idle and unproductive.

And whereas it would be greatly in the interests of the said village and town, and of the public generally, that said property should again become productive by having mills and other labor employing industries built thereon.

And whereas Robert Stuart, of Chicago, treasurer of The American Cereal Company, has represented that he and his associates would purchase the said lands and would procure the said company to establish works upon a portion of said lands costing not less than \$100,000, and that other industries would thereafter be established upon other portions of said lands provided that the assessment for municipal taxation of said lands were fixed at a certain sum for a certain number of years.

And whereas it is expedient that upon the conditions hereinafter contained the said assessment should be fixed as hereinafter mentioned—the present assessment for the Village of Ashburnham being the sum of \$45,000.00.

Therefore the corporation of the Village of Ashburnham by the council thereof enacts as follows:—

1. This By-law shall not take effect unless and until the following

conditions have happened and been observed, but from and after the same have happened and been observed this By-law shall take effect.

2. The conditions above mentioned are as follows :

(a) That this By-law has been confirmed by an Act of the Legislature of Ontario.

(b) That the said Robert Stuart or his assigns shall have acquired the said properties before the expiration of two months from the passing of this By-law.

(c) That The American Cereal Company shall have established upon a portion of said property within one year after the said Act has been passed works for the manufacture of oat meals, flour and cereal products costing (exclusive of land) not less than \$100,000.

3. The lands described in the schedule hereunto annexed including all buildings, improvements, plant, machinery and fixtures now and hereafter thereon shall for the period of forty two years, commencing with the year 1901, be assessed en bloc in each year at the sum of \$45,000.00 for all municipal taxation thereof and the assessors and other officers making such assessment are hereby required to so make their assessments and returns as to conform to the provisions of this by-law. Provided, however, that when and so often as any part or parts of said lands shall be used for the purpose of dwellings such part or parts when and so long as used for such purpose shall be assessable as if this by-law had not been passed.

4. The personal property and income of the American Cereal Company shall, during the said period of forty-two years, commencing with the year 1901, be exempt from all municipal taxation by the village of Ashburnham.

[Seal]

(Signed) FRANK ADAMS,
Reeve.

(Signed) JOHN WOOD,
Clerk.

Schedule referred to in the annexed By-law.

1. The water privilege property extending from Elizabeth street northerly to Smith street, being bounded south and north by those streets respectively ; on the west by the river Otonabee ; on the east by Driscoll street, as far north as Douro street, thence northerly in a line produced from the easterly limit of Driscoll street parallel with the river bank, and equally distant therefrom until said line meets the railway track, and thence northerly by the railway track, except Lot. No. 15, N. Elizabeth street and part of Block G.

2. Parts of Lots Nos. 8 and 9 according to plan of the Auburn Estate as described in Conveyance from the late Robert Nicholls to Richard Hall.

Together with all dams, ponds, rights, members and appurtenances in any way belonging or appertaining to the said several parcels of land, including the tail race in Ashburnham and the rights and privileges appurtenant to such tail race, being the several parts and parcels of land shown on the plan hereunto annexed by the red color.

(Seal)

(Signed) FRANK ADAMS,
Reeve.

(Signed) JOHN WOOD,
Clerk.

No. 31.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act respecting the Town of Peterborough
and the Village of Ashburnham.

First Reading, March 7th, 1901.

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


Mr. BIEZARD.

TORONTO:

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

An Act respecting the Town of Peterborough and the Village of Ashburnham and certain By-Laws thereof.

WHEREAS the Corporation of the Town of Peterborough ^{Preamble.} and the Corporation of the Village of Ashburnham have by their respective petitions shown that by By-law No. 912 of the Town of Peterborough, passed on the 3rd day of December, 1900, set forth as Schedule "A" hereto, it was enacted, subject to the provisions therein contained and subject to the confirmation thereof by an Act of the Legislature, that certain lands therein described, in the Town of Peterborough, including all buildings, improvements, plant, machinery and factories now erected or hereafter to be erected thereon, should for the period of forty-two years commencing with the year 1901, in pursuance of the terms of the agreement with the American Cereal Company in the by-law in the said schedule set forth, be assessed en bloc in each year at the sum of \$58,700; and that by By-law No. 262 of the Corporation of the Village of Ashburnham, passed on the said date, set forth as Schedule "B" hereto, it was enacted, subject to the provisions therein contained and subject to the confirmation thereof by an Act of the Legislature, that certain lands therein described, in the Village of Ashburnham, including all buildings, improvements, plant, machinery, and factories now erected or hereafter to be erected thereon should for the period of forty-two years commencing with the year 1901, be assessed en bloc in each year at the sum of \$45,000, in pursuance of the terms of the agreement with the American Cereal Company, in the by-law in the said Schedule "B" set forth; And whereas it has been made to appear that upon the said lands there were formerly mills and other labor employing enterprises, which were of much benefit to the Town of Peterborough and Village of Ashburnham, but on account of destruction by fire and from other causes a considerable portion of such properties has for a number of years lain idle and unproductive; and whereas the said corporations have by their said petitions prayed that an Act may be passed validating and confirming the said by-laws; and whereas the said American Cereal Company, appears to carry on a large export trade and has numerous agencies and business connections with Great Britain and other European countries; and whereas the nature and importance of the intended operations of the said company

are of special interest to the agricultural community, not only in the County of Peterborough, but in that section of the Province of Ontario and the said industry and enterprise are calculated to become of general public advantage, and are quite distinguishable from ordinary industrial enterprises as regards the general advantage to the public which may result from the establishment thereof in the province; and whereas the municipal councils of the said corporations for the year 1900 unanimously approved of the said by-laws, and the question of the said by-laws was before the ratepayers during the last municipal elections and no opposition on the part of the ratepayers was manifested thereto, and the municipal councils of the said corporations for the present year unanimously approve of the said by-laws; and whereas the exemption provided for in and by the said by-laws is not to apply to the present assessable value of the said properties, but only to the value of the works, plant and machinery to be established and installed by the said company; and whereas it has been made to appear that the carrying out of the said new industrial enterprise will impart a large increase in the value, not only to other properties in the immediate vicinity of the said work, but generally to other properties in the said municipalities and greatly promote business activity and prosperity therein; and whereas no opposition has been made from any source to the granting of the prayers of the said petitions; and whereas it appears to be desirable and greatly in the public interest that the said by-laws should be validated and confirmed; 


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


By-Law No.
912 of Town
confirmed.

1. By-Law number 912 of the corporation of the Town of Peterborough, passed on the 3rd day of December, 1900, intituled "A By-Law to fix the assessment of certain lands in the Town of Peterborough," which By-Law is set out as Schedule "A" hereto is confirmed and declared to be legal, valid and binding according to the true intent and meaning thereof.

By-Law No.
262 of Village
confirmed.

2. By-Law number 262 of the Corporation of the Village of Ashburnham, passed on the 3rd day of December, 1900, intituled "A By-Law to fix the assessment of certain lands in the Village of Ashburnham," which By-Law is set out as Schedule "B" hereto is confirmed and declared legal, valid and binding according to the true intent and meaning thereof.

 What shall be deemed a compliance with condition (b) of the said by-laws.

3. Should the said Robert Stuart or his assigns have contracted for the purchase of the properties referred to in the said by-laws before the expiration of two months from the passing thereof, and have afterwards completed the purchase of the said properties shall be deemed to have been acquired within the meaning of condition (b) of said by-laws. 

4. Section 2 of the Act passed in the 63rd year of the reign 63 V, c 85, of Her late Majesty, Queen Victoria, chaptered 85, is repealed. s. 2 repealed.

SCHEDULE "A."

BY-LAW No. 912.

A By-law to fix the assessment of certain lands in the Town of Peterborough. Passed the 3rd day of December, 1900.

Whereas upon the water privilege properties of the Dickson Company of Peterborough (Limited) situate in the Town of Peterborough and Village of Ashburnham there were formerly mills and other labor employing enterprises which were of much benefit to the Town of Peterborough and Village of Ashburnham but on account of destruction by fire and from other causes a considerable portion of such properties has for a number of years lain idle and unproductive.

And whereas it would be greatly in the interests of the said town and village and of the public generally that said property should again become productive by having mills and other labor employing enterprises built thereon.

And whereas Robert Stuart of Chicago, Treasurer of the American Cereal Company has represented that he and his associates would purchase the said lands and would procure the said company to establish works upon a portion of said lands costing not less than \$100,000, and that other industries would thereafter be established upon other portions of said lands provided that the assessment for municipal taxation of said lands were fixed at a certain sum for a certain number of years.

And whereas it is expedient that upon the conditions hereinafter contained the said assessment should be fixed as hereinafter mentioned—the present assessment for the Town of Peterborough being the sum of \$58,700.00.

Therefore the corporation of the Town of Peterborough by the council thereof enacts as follows :

1. This By-law shall not take effect unless and until the following conditions have happened and been observed but from and after the same have happened and been observed this By-law shall take effect.

2. The conditions above mentioned are as follows :

(a). That this By-law has been confirmed by an Act of the Legislature of Ontario.

(b). That the said Robert Stuart or his assigns shall have acquired the said properties before the expiration of two months from the passing of this By-law.

(c). That the American Cereal Company shall have established upon a portion of said property within one year after the said Act has been passed works for the manufacture of oat meals, flour and cereal products costing (exclusive of land) not less than \$100,000.

3. The lands described in the schedule hereunto annexed including all buildings, improvements, plant machinery and fixtures now and hereafter thereon shall for the period of forty two years commencing with the year 1901 be assessed en bloc in each year at the sum of \$58,700.00 for all municipal taxation thereof and the assessors and other officers making such assessment are hereby required to so make their assessments and returns as to conform to the provisions of this By-law. Provided, however, that when and so often as any part or parts of said lands shall be used for the purpose of dwellings such part or parts when and so long as used for such purpose shall be assessable as if this By-law had not been passed.

4. The personal property and income of the American Cereal Company shall during the said period of Forty two years commencing with the year 1901 be exempt from all municipal taxation by the Town of Peterborough.

Sd. T. H. G. DENNE,
Presiding Officer.
Sd. S. R. ARMSTRONG,
Town Clerk.

(Seal)

Schedule referred to in the annexed By-law.

1. Lot No. 8, on the south side of Hunter street and east of Water street.
 2. Part of lot No. 6 and the whole of lot No. 7, on the north side of Hunter street and east of Water street.
 3. The water privilege property extending from Hunter street to London street, together with a strip of land one chain in width along the raceway, bounded on the east by the west side of said raceway and on the west by a line drawn parallel thereto and distant one chain therefrom.
 4. The piece of land north of London street bounded on the south by London street, on the west by a line drawn parallel with Waterford street, and 125 feet easterly therefrom, and on the west and the north by the river.
 5. Lots 1 and 2 south side of Edinburgh street and east of Water street.
 6. Lots 1 and 2 north side of Edinburgh street and east of Water street, and parts of lots 1 and 2 south side of Antrim street and east of Water street.
 7. Lot 45, north of Inverlea park according to plan 42.
- Together with all dams, ponds, rights, members and appurtenances in any way belonging or appertaining to the said several parcels of land, being the several parts and parcels of land shown on the plan hereunto annexed by the red color including the raceways and within the Town of Peterborough.

(Sgd.) T. H. G. DENNE,
Presiding Officer.
(Sgd.) S. R. ARMSTRONG,
Town Clerk.

SCHEDULE "B."

BY-LAW No. 262.

A By-law to fix the assessment of certain lands in the Village of Ashburnham. Passed the 3rd day of December, 1900.

Whereas upon the water privilege properties of The Dickson Company, of Peterborough (Limited), situate in the Village of Ashburnham and Town of Peterborough, there were formerly mills and other labor employing industries which were of much benefit to the Village of Ashburnham and Town of Peterborough, but on account of destruction by fire and from other causes, a considerable portion of such properties has for a number of years lain idle and unproductive.

And whereas it would be greatly in the interests of the said village and town, and of the public generally, that said property should again become productive by having mills and other labor employing industries built thereon.

And whereas Robert Stuart, of Chicago, treasurer of The American Cereal Company, has represented that he and his associates would purchase the said lands and would procure the said company to establish works upon a portion of said lands costing not less than \$100,000, and that other industries would thereafter be established upon other portions of said lands provided that the assessment for municipal taxation of said lands were fixed at a certain sum for a certain number of years.

And whereas it is expedient that upon the conditions hereinafter contained the said assessment should be fixed as hereinafter mentioned—the present assessment for the Village of Ashburnham being the sum of \$45,000.00.

Therefore the corporation of the Village of Ashburnham by the council thereof enacts as follows:—

1. This By-law shall not take effect unless and until the following

conditions have happened and been observed, but from and after the same have happened and been observed this By-law shall take effect.

2. The conditions above mentioned are as follows :

(a) That this By-law has been confirmed by an Act of the Legislature of Ontario.

(b) That the said Robert Stnart or his assigns shall have acquired the said properties before the expiration of two months from the passing of this By-law.

(c) That The American Cereal Company shall have established upon a portion of said property within one year after the said Act has been passed works for the manufacture of oat meals, flour and cereal products costing (exclusive of land) not less than \$100,000.

3. The lands described in the schedule hereunto annexed including all buildings, improvements, plant, machinery and fixtures now and hereafter thereon shall for the period of forty two years, commencing with the year 1901, be assessed en bloc in each year at the sum of \$45,000.00 for all municipal taxation thereof and the assessors and other officers making such assessment are hereby required to so make their assessments and returns as to conform to the provisions of this by-law. Provided, however, that when and so often as any part or parts of said lands shall be used for the purpose of dwellings such part or parts when and so long as used for such purpose shall be assessable as if this by-law had not been passed.

4. The personal property and income of the American Cereal Company shall, during the said period of forty-two years, commencing with the year 1901, be exempt from all municipal taxation by the village of Ashburnham.

[Seal]

(Signed) FRANK ADAMS,
Reeve.

(Signed) JOHN WOOD,
Clerk.

Schedule referred to in the annexed By-law.

1. The water privilege property extending from Elizabeth street northerly to Smith street, being bounded south and north by those streets respectively ; on the west by the river Otonabee ; on the east by Driscoll street, as far north as Douro street, thence northerly in a line produced from the easterly limit of Driscoll street parallel with the river bank, and equally distant therefrom until said line meets the railway track, and thence northerly by the railway track, except Lot. No. 15, N. Elizabeth street and part of Block G.

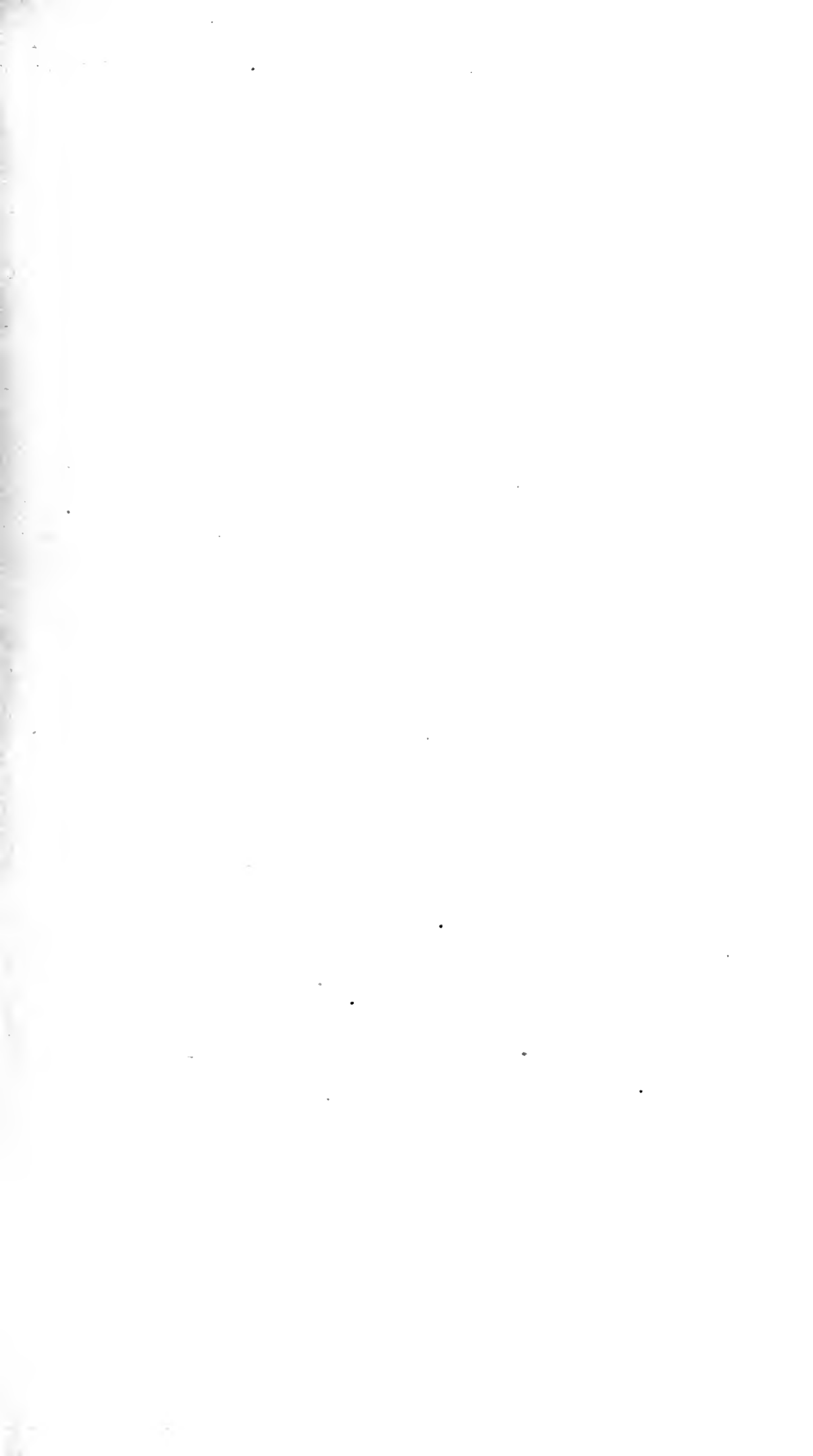
2. Parts of Lots Nos. 8 and 9 according to plan of the Auburn Estate as described in Conveyance from the late Robert Nicholls to Richard Hall.

Together with all dams, ponds, rights, members and appurtenances in any way belonging or appertaining to the said several parcels of land, including the tail race in Ashburnham and the rights and privileges appurtenant to such tail race, being the several parts and parcels of land shown on the plan hereunto annexed by the red color.

(Seal)

(Signed) FRANK ADAMS,
Reeve.

(Signed) JOHN WOOD,
Clerk.



4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting the Town of Peterborough
and the Village of Ashburnham.

First Reading, March 7th, 1901.
Second Reading, March 21st, 1901.

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

Mr. BIEZARD.

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

An Act to amend the Act respecting the School of
Mining and Agriculture.

WHEREAS the School of Mining and Agriculture, a cor- Preamble.
poration duly incorporated under *The Act respecting* Rev. Stat. c.
Benevolent, Provident and other Societies and under the Act 221.
respecting the said school passed in the 56th year of the reign
5 of Her late Majesty Queen Victoria, chaptered 115, has estab- 56 V. c. 115.
lished at the City of Kingston a School of Mining and also a
Dairy School for the purpose of giving instruction in those
subjects as set forth in their Act of Incorporation; and whereas
great and substantial benefits have resulted to the City of
10 Kingston and the County of Frontenac and to the Eastern
part of the Province from the establishment of the said
schools; and whereas with the view of increasing its efficiency
and extending its usefulness the said corporation desires
15 to obtain certain additional powers in regard to the sub-
jects to be taught by the schools of the said corporation and
in regard to receiving aid from municipalities; and whereas
it is desirable to make further provision in regard to the sub-
scription and transfer of stock of the said corporation and the
privileges attached thereto.

20 Therefore His Majesty by and with the consent of the
Legislative Assembly of the Province of Ontario, enacts as
follows:

1. The said corporation is hereby authorized and empow- School author-
ered to establish and maintain classes for the training and ized to teach
25 education of students in electrical science, optics, forestry, certain
and all branches of biological, geological and physical science. sciences.

2. Two or more townships in any county or union of Aid from
counties may jointly aid the said corporation by granting Townships.
money or debentures by way of bonus or gift under and sub-
30 ject to the following provisions:

(a) Such aid should not be given except after the passing
by the county municipality, of a by-law for the purpose, and
the adoption thereof by the qualified ratepayers of each of
such township municipalities respectively, in the manner pro-
35 vided for by Sec. 338 and the following sections of the Munic-
ipal Act.

(b) Before a by-law is submitted under this section to the vote of the ratepayers of such townships, a petition from the municipal council of each of such township municipalities shall be presented to the county council, expressing the desire to aid the corporation and stating in what way and for what amount; and the county council shall within 6 weeks of the receipt of such petition by the clerk of the county, introduce a by-law to the effect petitioned for and submit the same to the approval of the qualified ratepayers. 5

(c) The by-law shall provide for raising the amount petitioned for by the issue of debentures of the county or union of counties and for assessing and levying on all rateable property in the townships petitioning for such by-law, an annual special rate sufficient to include a sinking fund for the repayment of the said debentures within twenty years with interest thereon, payable half-yearly or yearly, which debentures the county council's wardens and other officers thereof are hereby authorized to execute and issue in such cases and deliver the same or the money to be raised thereby as may be expressed in the said by-law. 10 15 20

(d) A by-law which is duly carried by the vote of the qualified ratepayers shall within six weeks thereafter be passed by the county council.

Stock to be personal estate.

3. The shares of the stock of the said corporation shall be deemed personal estate and shall be transferable on the books of the corporation in such manner as the by-laws of the corporation may from time to time prescribe. 25

Transfer of stock.

4. The governors of the said corporation may refuse to allow the entry in any such book or any transfer of shares of stock whereon any payments are overdue or in default until such payments shall have been fully paid up. 30

Enforcing payment of calls.

5. The corporation may enforce payment of calls on stock and interest thereon, by action in any court of competent jurisdiction.

Representation of estate at meetings.

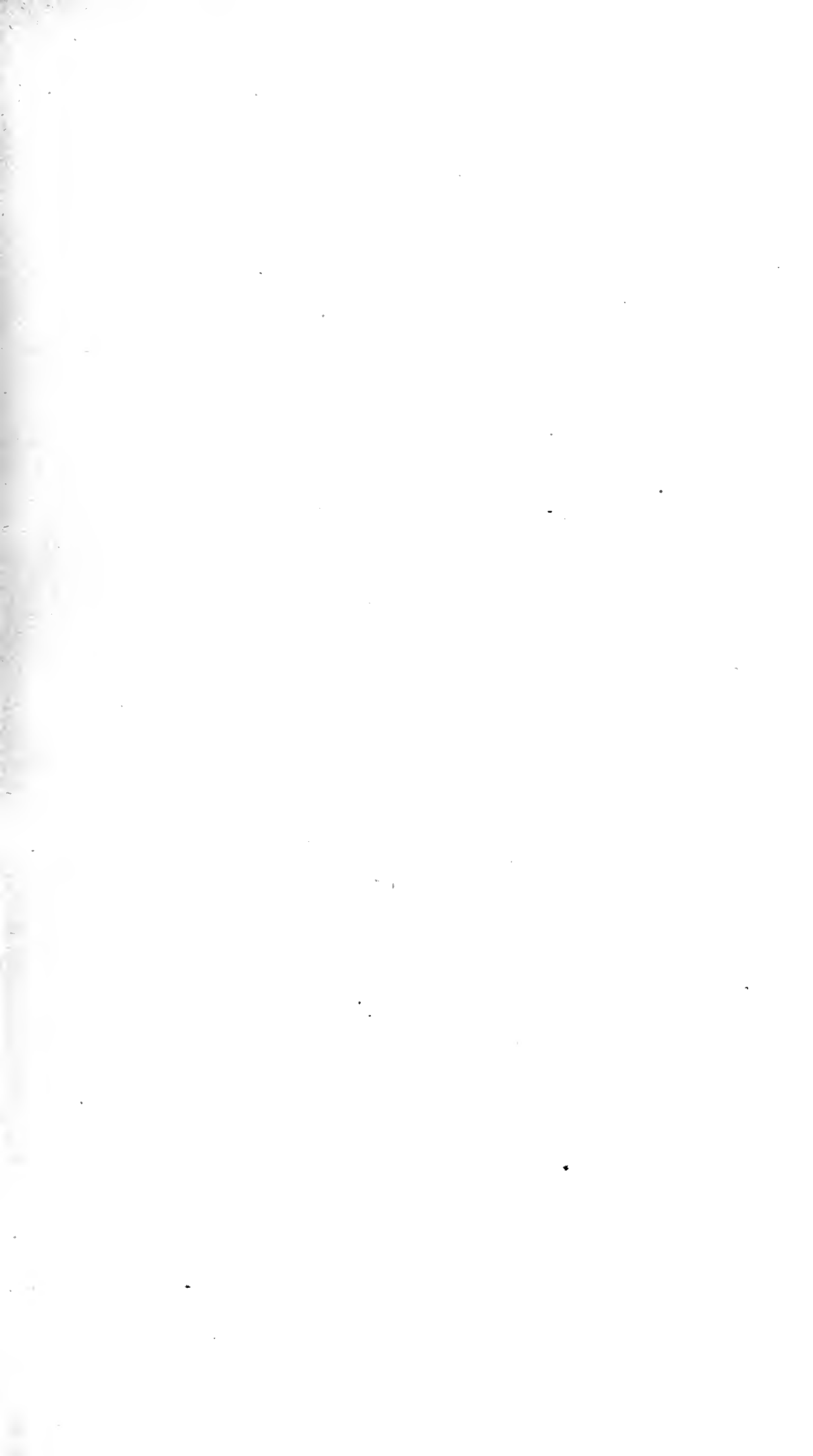
6. Every executor, administrator, guardian or trustee shall represent the stock in his hands at all meetings of the corporation and may vote accordingly as a shareholder. 35

Joint shareholders.

7. If stock be held jointly by two or more persons, any one of them present at a meeting may, in the absence of the other or others, vote thereon, but if more than one joint stockholder be present or be represented by proxy, they shall vote together on the stock jointly held. 40

Voting at meetings.

8. At all general meetings of the corporation, every shareholder shall be entitled to as many votes as he holds shares in the stock of the corporation and may vote by proxy. 45



No. 32.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act to amend the Act respecting the
School of Mining and Agriculture.

First Reading,	1901.
----------------	-------

(Private Bill)

Mr. HARTY.

TORONTO:

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

An Act to amend the Act respecting the School of Mining and Agriculture at Kingston.

WHEREAS the School of Mining and Agriculture, a corporation duly incorporated under *The Act respecting Benevolent, Provident and other Societies* and under the Act respecting the said school passed in the 56th year of the reign of Her late Majesty Queen Victoria, chaptered 115, has established at the City of Kingston a School of Mining and also a Dairy School for the purpose of giving instruction in those subjects as set forth in their Act of Incorporation; and whereas great and substantial benefits have resulted to the City of Kingston and the County of Frontenac and to the Eastern part of the Province from the establishment of the said schools; and whereas with the view of increasing its efficiency and extending its usefulness the said corporation desires to obtain certain additional powers in regard to the subjects to be taught by the schools of the said corporation and in regard to receiving aid from municipalities; and whereas it is desirable to make further provision in regard to the subscription and transfer of stock of the said corporation and the privileges attached thereto.

Preamble.

Rev. Stat. c. 221.

56 V. c. 115.

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

1. The said corporation is hereby authorized and empowered to establish and maintain classes for the training and education of students in electrical science, optics, forestry, and all branches of biological, geological and physical science.

School authorized to teach certain sciences.

2. Two or more townships in any county or union of counties may jointly aid the said corporation by granting money or debentures by way of bonus or gift under and subject to the following provisions:

Aid from Townships.

(a) Such aid shall not be given until after the passing by the county municipality, of a by-law for the purpose, and the adoption thereof by the qualified ratepayers of each of such township municipalities respectively, in the manner provided for by Sec. 338 and the following sections of the Municipal Act.

(b) Before a by-law is submitted under this section to the vote of the ratepayers of such townships, a petition from the

municipal council of each of such township municipalities shall be presented to the county council, expressing the desire to aid the corporation and stating in what way and for what amount; and the county council shall ^{at} the next regular meeting after ^{the} receipt of such petition by the clerk of the county, ^{or} at a meeting specially called for the purpose, ^{introduce} a by-law to the effect petitioned for and submit the same to the approval of the qualified ratepayers ^{of} the township petitioning therefor. ^{and}

(c) The by-law shall provide for raising the amount petitioned for by the issue of debentures of the county or union of counties and for assessing and levying on all rateable property in the townships petitioning for such by-law, an annual special rate sufficient to include a sinking fund for the repayment of the said debentures within twenty years with interest thereon, payable half-yearly or yearly, which debentures the county council's wardens and other officers thereof are hereby authorized to execute and issue in such cases and deliver the same or the money to be raised thereby as may be expressed in the said by-law.

(d) A by-law which is duly carried by the vote of the qualified ratepayers ^{of} the township petitioning therefor, ^{shall} be passed by the county council ^{at} the next regular meeting thereof after the submission of the said by-law to the ratepayers as aforesaid, or at a special meeting called for the purpose. ^{and}

Stock to be personal estate.

3. The shares of the stock of the said corporation shall be deemed personal estate and shall be transferable on the books of the corporation in such manner as the by-laws of the corporation may from time to time prescribe.

Transfer of stock.

4. The governors of the said corporation may refuse to allow the entry in any such book or any transfer of shares of stock whereon any payments are overdue or in default until such payments shall have been fully paid up.

Enforcing payment of calls.

5. The corporation may enforce payment of calls on stock and interest thereon, by action in any court of competent jurisdiction.

Representation of estate at meetings.

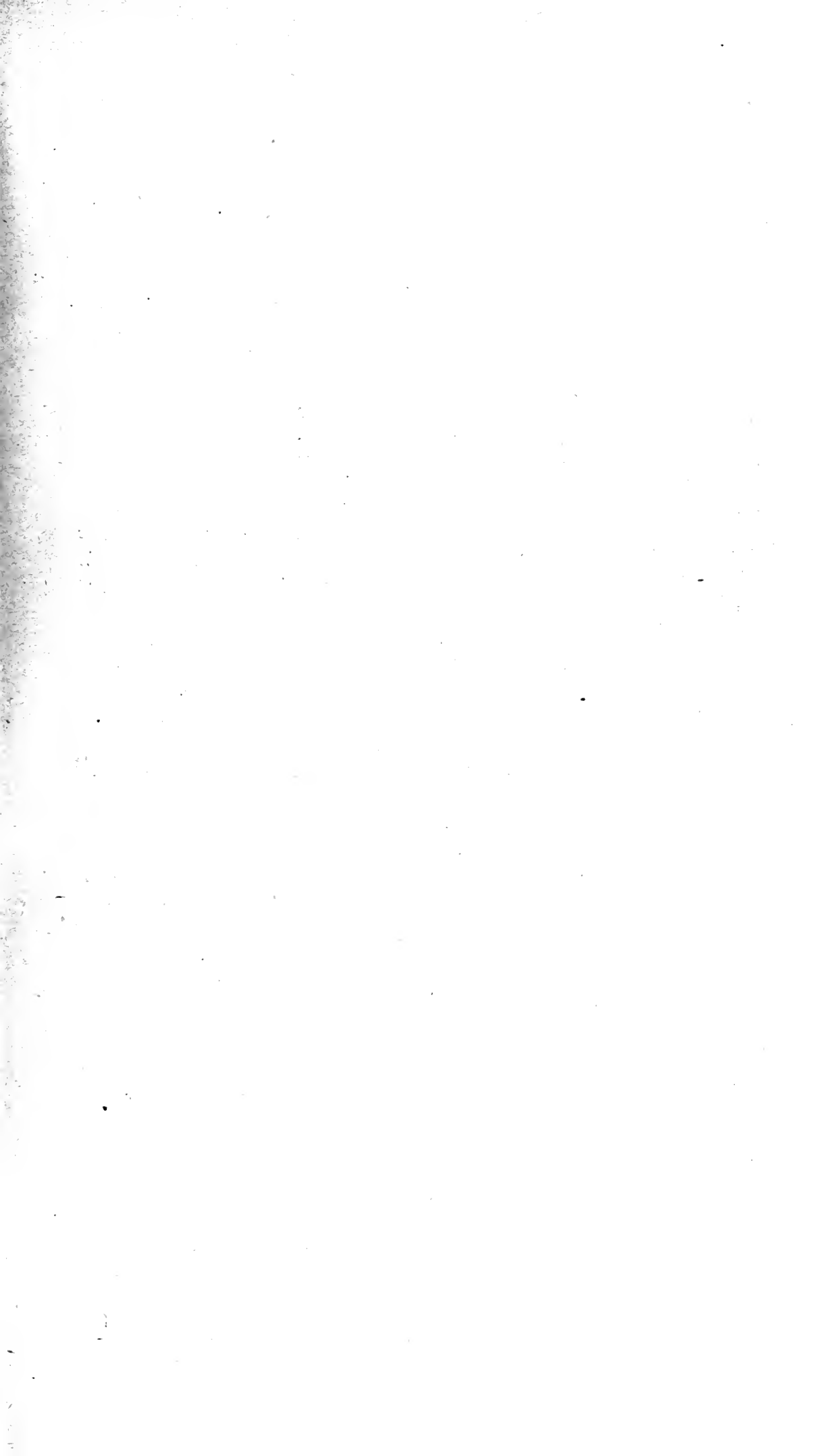
6. Every executor, administrator, guardian or trustee shall represent the stock in his hands at all meetings of the corporation and may vote accordingly as a shareholder.

Joint shareholders.

7. If stock be held jointly by two or more persons, any one of them present at a meeting may, in the absence of the other or others, vote thereon, but if more than one joint stock holder be present or be represented by proxy, they shall vote together on the stock jointly held.

Voting at meetings.

8. At all general meetings of the corporation, every shareholder shall be entitled to as many votes as he holds shares in the stock of the corporation and may vote by proxy.



No. 32.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act to amend the Act respecting the
School of Mining and Agriculture at
Kingston.

First Reading, 27th February, 1901.

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

Mr. HARTY.

TORONTO:

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

An Act to amend the Act respecting the School of Mining and Agriculture at Kingston.

WHEREAS the School of Mining and Agriculture, a corporation duly incorporated under *The Act respecting Benevolent, Provident and other Societies* and under the Act respecting the said school passed in the 56th year of the reign of Her late Majesty Queen Victoria, chaptered 115, has established at the City of Kingston a School of Mining and also a Dairy School for the purpose of giving instruction in these subjects as set forth in their Act of Incorporation; and whereas great and substantial benefits have resulted to the City of Kingston and the County of Frontenac and to the Eastern part of the Province from the establishment of the said schools; and whereas with the view of increasing its efficiency and extending its usefulness the said corporation desires to obtain certain additional powers in regard to the subjects to be taught by the schools of the said corporation and in regard to receiving aid from municipalities, and whereas it is desirable to make further provision in regard to the subscription and transfer of stock of the said corporation and the privileges attached thereto,

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

1. The said corporation is hereby authorized and empowered to establish and maintain classes for the training and education of students in electrical science, optics, forestry, and all branches of biological, geological and physical science.

School authorized to teach certain sciences.

2. Two or more townships in any county or union of counties may jointly aid the said corporation by granting money or debentures by way of bonus or gift under and subject to the following provisions:

Aid from Townships.

(a) Such aid shall not be given until after the passing by the county municipality, of a by-law for the purpose, and the adoption thereof by the qualified ratepayers of each of such township municipalities respectively, in the manner provided for by section 338 and the following sections of *The Municipal Act*.

Rev. Stat. c. 223.

(b) Before a by-law is submitted under this section to the vote of the ratepayers of such townships, a petition from the

municipal council of each of such township municipalities shall be presented to the county council, expressing the desire to aid the corporation and stating in what way and for what amount; and the county council shall at the next regular meeting after the receipt of such petition by the clerk of the county, or at a meeting specially called for the purpose, introduce a by-law to the effect petitioned for and submit the same to the approval of the qualified ratepayers of the township petitioning therefor.

(c) The by-law shall provide for raising the amount petitioned for by the issue of debentures of the county or union of counties and for assessing and levying on all rateable property in the townships petitioning for such by-law, an annual special rate sufficient to include a sinking fund for the repayment of the said debentures within twenty years with interest thereon, payable half-yearly or yearly, which debentures the county councils, wardens, and other officers thereof are hereby authorized to execute and issue in such cases and to deliver the same or the money to be raised thereby as may be expressed in the said by-law.

(d) A by-law which is duly carried by the vote of the qualified ratepayers of the township petitioning therefor, shall be passed by the county council at the next regular meeting thereof after the submission of the said by-law to the ratepayers as aforesaid, or at a special meeting called for the purpose.

Stock to be personal estate.

3. The shares of the stock of the said corporation shall be deemed personal estate and shall be transferable on the books of the corporation in such manner as the by-laws of the corporation may from time to time prescribe.

Transfer of stock.

4. The governors of the said corporation may refuse to allow the entry in any such book of any transfer of shares of stock whereon any payments are overdue or in default until such payments shall have been fully paid up.

Enforcing payment of calls.

5. The corporation may enforce payment of calls on stock and interest thereon, by action in any court of competent jurisdiction.

Representation of estate at meetings.

6. Every executor, administrator, guardian or trustee shall represent the stock in his hands at all meetings of the corporation and may vote accordingly as a shareholder.

Joint shareholders.

7. If stock be held jointly by two or more persons, any one of them present at a meeting may, in the absence of the other or others, vote thereon, but if more than one joint stock holder be present or be represented by proxy, they shall vote together on the stock jointly held.

Voting at meetings.

8. At all general meetings of the corporation, every shareholder shall be entitled to as many votes as he holds shares in the stock of the corporation and may vote by proxy.

9. The visitorial powers of the Lieutenant-Governor may be exercised by commission under the Great Seal and the proceedings of any commission having been first confirmed by the Lieutenant-Governor shall be binding on the said school and on all persons whomsoever. ^{Visitorial powers}

10. All the property and effects, real and personal, of what nature and kind soever now vested in the said corporation or hereafter given, devised or bequeathed to or otherwise acquired by the said corporation shall hereafter be deemed to be and shall be so vested in the said corporation for the purposes and objects set forth in the said Act respecting the said school passed in the 56th year of the reign of Her late Majesty, and in this Act and not otherwise, and the administration thereof by the Board of Governors shall in all respects be subject to the visitorial powers of the Lieutenant-Governor as hereinbefore provided. ^{Property vested in corporation.}

11. *For the purpose of aiding the said corporation in the erection of suitable buildings for the accommodation of the said school and the better carrying on of its work there shall be granted out of the Consolidated Revenue Fund of the Province to the said corporation annually the sum of \$6,000 payable in equal half-yearly payments.* ^{Grant in aid of buildings.}

12. The said corporation shall have the power to borrow money by way of loan or otherwise for the purpose of carrying on its work and may hypothecate, mortgage or pledge all or any of the real or personal property of the corporation to secure any such loans or any indebtedness or money so borrowed for the purposes of the corporation. ^{Borrowing powers of corporation.}

13. This Act shall be deemed a Public Act. ^{Public Act.}

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.
An Act to amend the Act respecting the
School of Mining and Agriculture at
Kingston.

First Reading, 27th February, 1901.
Second Reading, 15th March, 1901.

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

MR. HARTY.

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

An Act to define and determine the town line between the Townships of Louth and Clinton, in the County of Lincoln

WHEREAS, the true limits of the highway between the Townships of Louth and Clinton, in the County of Lincoln, have never been recognized by the owners of property on either side of the said line, and divers persons have been for upwards of forty years encroaching thereon with their buildings, fences and other improvements; and whereas the question of removing the said obstructions has been in dispute between the said townships for many years, and it is admitted by the councils of both of the said townships that it would work a great injustice in many cases to cause the said obstructions to be removed; and whereas the said municipal councils have, after duly examining the said highway and taking into consideration all the circumstances of the case, by their petition prayed that the boundaries of the said highway be defined in accordance with the plan made by Edward Gardiner, Esquire, Ontario Land Surveyor, on the 7th day of February, 1901; and whereas it is expedient to grant the prayer of the said petition:

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

The boundaries of the town line between the Townships of Louth and Clinton, in the County of Lincoln, are hereby declared to be as shewn in the plan prepared by Edward Gardiner, Esquire, Ontario Land Surveyor, made the 7th day of February, 1901, hereto annexed. A duplicate of the said plan and a description of the said highway as shewn thereon shall be filed in the Registry Office for the County of Lincoln forthwith after the passing of this Act.

Preamble.

Boundaries declared to be according to E. Gardiner's plan.

No. 33.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act to define and determine the town
line between the Townships of Louth
and Clinton, in the County of Lincoln.

First Reading, 1901.

(Private Bill)

Mr. JESSOP.

TORONTO:

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

An Act to enable the City of Brantford to pass a By-law to issue certain debentures and for other purposes.

WHEREAS the Municipal Corporation of the City of Brantford has by petition shown that the said corporation has become liable to contribute the sum of \$4,750 towards the construction of certain necessary additions to the
5 House of Refuge of the County of Brant and has further necessarily incurred liabilities to the extent of \$15,250 in connection with the construction of works for the prevention of floods from the Grand River and that no provision has been made for meeting such liabilities; and whereas it would be
10 unduly oppressive to the ratepayers to require that the said hereinbefore recited liabilities should be payable out of the annual taxes of the City of Brantford in the present year; and whereas the said corporation has further shown that under a by-law dated the 1st day of August, 1898, numbered
15 the said corporation issued debentures for the sum of \$50,000, payable on the 31st day of December, 1918, and that under another by-law dated the 18th day of June, 1900, numbered the said corporation issued debentures for the sum of \$25,000 payable on the 31st day of October, 1920,
20 and that the said debentures issued under the said by-laws as aforesaid are still held by the said corporation and that of the indebtedness represented by the said debentures there is still unpaid the sum of \$71,400; and whereas, the works for which the said debentures were issued being of a necessary
25 and permanent character, payment of the said debentures within the times limited by the said by-laws would be a hardship on the present ratepayers of the said city; and whereas it is desirable that the said debentures should be cancelled and new debentures issued for the said sum of \$71,400, to be pay-
30 able in forty years from the first day of January, 1901; and whereas the said corporation of the City of Brantford has prayed that an Act may be passed to enable the said corporation to pass a by-law for the issue of debentures for the sum of \$20,000 to meet the said liabilities for which no provision
35 has been made as aforesaid, and for the issue of debentures for the sum of \$71,400 payable in forty years from the 1st day of January, 1901, as aforesaid; and whereas there is no opposition to the said petition; and whereas it is expedient to grant the prayer of the said petition.

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

1. The Municipal Council of the corporation of the City of Brantford may pass a by-law in the form or to the effect set out in schedule A to this Act; and the said by-law upon the passing thereof, and the debentures to be issued thereunder, shall be legal, valid and binding upon the said corporation and the ratepayers thereof anything in any Act contained to the contrary notwithstanding. 5 10

2. It shall not be necessary to obtain the assent of the ratepayers of the said City to the passing of the said by-law or to observe the other formalities in relation thereto prescribed by the Municipal Act with respect to by-laws for the creation of debts. 15

SCHEDULE A.

BY-LAW No.

To raise \$91,400 expended for flood prevention works and for other purposes.

Whereas certain works were required for the purposes of preventing damage at the City of Brantford by the sudden rise of the waters, from time to time, of the Grand River, and

Whereas to construct such works and to pay the proportion for the said city's share in the House of Refuge it was necessary to expend large sums of money, a part of which to the extent of \$20,000 has hitherto not been provided for by the issue of debentures therefor and is still an outstanding obligation of the corporation of the City of Brantford and it is necessary to raise the said sum of \$20,000 by the issue of debentures of the said corporation payable in forty years from the first day of January, 1901, with interest at four per cent. per annum, and

Whereas the said corporation has heretofore issued debentures for said flood prevention works amounting to the sum of \$50,000 on the first day of August, 1898, redeemable on the thirty-first day of December, 1918, and also to the sum of \$25,000 on the eighteenth day of June, 1900, redeemable on the first day of October, 1920, such debentures still being lawfully owned and possessed by the said corporation and such debentures are to be canceled and in the place and stead thereof are to be issued debentures of the said corporation amounting to the sum of \$71,400 payable in forty years from the first day of January, 1901, with interest at three and one-half per cent. per annum, and

Whereas it will be required to raise by special rate on account of the said above named \$20,000 debentures during the term of forty years from the first day of January, 1901, for the payment of the principal and interest of the said last named debentures the sum of \$266 for the payment of the said principal and the sum of \$800 for the payment of the said interest during each year of the said term, and

Whereas it will be required to raise by special rate on account of the said above named \$71,400 debentures during the term of forty years from the first day of January, 1901, for the payment of the principal and interest of the said last named debentures the sum of \$947 for the payment of the said principal and the sum of \$2,499 for the payment of the said interest during each and every year of the said term, and

Whereas the amount of the whole rateable property of the municipality according to the last revised assessment roll is \$6,560,605, and

Whereas the existing debenture debt of the said municipality amounts to \$895,698, including the said above named debentures for \$50,000 and \$25,000, and no principal or interest is in arrear,

Now therefore the municipal council of the corporation of the City of Brantford enacts as follows :—

1. For the purposes aforesaid it shall and may be lawful for the said corporation to borrow the said sum of twenty thousand dollars and to issue debentures of the municipality to the amount of twenty thousand dollars in sums of not less than one hundred dollars each payable at the expiration of forty years from the first day of January, 1901, with interest at the rate of four per cent. per annum payable half-yearly on the first days of July and January in each and every year from the date of issuing said debentures. The said debentures as to both principal and interest shall be made payable at the office in Brantford of the treasurer of the said corporation and not elsewhere.

2. The mayor of the said municipality is hereby authorized and instructed to sign and issue the said \$20,000 of debentures to be issued as aforesaid 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 corporate seal thereof to the said \$20,000 of debentures.

3. To provide for the payment of the principal and interest of the said \$20,000 of debentures, the sum of \$266 for the payment of the said principal, and the sum of \$800 for the payment of the said interest shall in addition to all other rates be assessed, levied, raised and collected upon all the rateable property in the said municipality in each year during the currency of the said debentures by special rate therefor.

4. And for the purposes aforesaid it shall and may be lawful for the said corporation to replace and in substitution of the debentures of \$50,000 and \$25,000 mentioned in the preamble hereof to issue debentures of the municipality to the extent of \$71,400 in sums of not less than one hundred dollars each payable at the expiration of forty years from the first day of January, 1901, with interest at the rate of three and one-half per cent. per annum payable half-yearly on the first days of July and January in each and every year from the date of issuing said last named debentures. The said last named debentures as to both principal and interest shall be made payable at the office in Brantford of the treasurer of the said corporation and not elsewhere.

5. The mayor of the said municipality is hereby authorized and instructed to sign and issue the debentures named in the last preceding paragraph hereof 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 corporate seal thereof to the said last named debentures.

6. To provide for the payment of the principal and interest of the said \$71,400 of debentures the sum of \$947 for the payment of the said principal and the sum of \$2,499 for the payment of the said interest shall in addition to all other rates be assessed, levied raised and collected upon all the rateable property in the said municipality in each year during the currency of the said last named debentures by special rate therefor.

No. 34.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act to enable the City of Brantford to
pass a By-law to issue certain debentures
and for other purposes.

First Reading, , 1901.

(Private Bill)

Mr. PRESTON.

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

An Act to enable the City of Brantford to pass a By-law to issue certain Debentures and for other purposes.

WHEREAS the Municipal Corporation of the City of Brantford has by petition shown that the said corporation has necessarily incurred liabilities to the extent of \$15,250 in connection with the construction of works for the prevention of floods from the Grand River and that no provision has been made for meeting such liabilities ; and whereas it would be unduly oppressive to the ratepayers to require that the said hereinbefore recited liabilities should be payable out of the annual taxes of the City of Brantford in the present year ; and whereas the said corporation has further shown that under a by-law dated the 1st day of August, 1898, numbered 586 the said corporation issued debentures for the sum of \$50,000, payable on the 31st day of December, 1918, and that under another by-law dated the 18th day of June, 1900, numbered 653 the said corporation issued debentures for the sum of \$25,000 payable on the 31st day of October, 1920, ~~and~~ all of which said debentures were so issued for the construction of the said flood prevention works, ~~and~~ and that the said debentures issued under the said by-laws as aforesaid are still held by the said corporation, and that of the indebtedness represented by the said debentures there is still unpaid the sum of \$71,400 ; and whereas, the works for which the said debentures were issued being of a necessary and permanent character, payment of the said debentures within the times limited by the said by-laws would be a hardship to the present ratepayers of the said city ; and whereas it is desirable that the said debentures should be cancelled and new debentures issued for the said sum of \$71,400, to be payable in forty years from the first day of January, 1901 ; and whereas the said Corporation of the City of Brantford has prayed that an Act may be passed to enable the said corporation to pass a by-law for the issue of debentures for the sum of \$20,000 to meet the said liabilities for which no provision has been made as aforesaid, ~~and~~ and certain floating indebtedness incurred in connection with the construction of certain necessary additions to the House of Refuge of the County of Brant, amounting to \$4,750, ~~and~~ and for the issue of debentures for the sum of \$71,400 payable in forty years from the 1st day of January, 1901, as aforesaid ; and whereas there is no opposition to the said petition ; and whereas it is expedient to grant the prayer of the said petition.

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

1. The Municipal Council of the Corporation of the City of Brantford may pass a by-law in the form or to the effect set out in Schedule "A" to this Act; and the said by-law upon the passing thereof, and the debentures to be issued thereunder, shall be legal, valid and binding upon the said corporation and the ratepayers thereof, anything in any Act contained to the contrary notwithstanding.

2. It shall not be necessary to obtain the assent of the ratepayers of the said City to the passing of the said by-law or to observe the other formalities in relation thereto prescribed by *The Municipal Act* with respect to by-laws for the creation of debts.

Rev. Stat.
c. 223.

SCHEDULE A.

BY-LAW No.

To raise \$91,400 expended for flood prevention works and for other purposes.

Whereas certain works were required for the purposes of preventing damage at the City of Brantford by the sudden rise of the waters, from time to time, of the Grand River, and

Whereas to construct such works and to pay the proportion for the said city's share in the House of Refuge it was necessary to expend large sums of money, a part of which to the extent of \$20,000 has hitherto not been provided for by the issue of debentures therefor and is still an outstanding obligation of the corporation of the City of Brantford and it is necessary to raise the said sum of \$20,000 by the issue of debentures of the said corporation payable in forty years from the first day of January, 1901, with interest at four per cent. per annum, and

Whereas the said corporation has heretofore issued debentures for said flood prevention works amounting to the sum of \$50,000 on the first day of August, 1898, redeemable on the thirty-first day of December, 1918, and also to the sum of \$25,000 on the eighteenth day of June, 1900, redeemable on the first day of October, 1920, such debentures still being lawfully owned and possessed by the said corporation and such debentures are to be cancelled and in the place and stead thereof are to be issued debentures of the said corporation amounting to the sum of \$71,400 payable in forty years from the first day of January, 1901, with interest at three and one-half per cent. per annum, and

Whereas it will be required to raise by special rate on account of the said above named \$20,000 debentures during the term of forty years from the first day of January, 1901, for the payment of the principal and interest of the said last named debentures the sum of \$266 for the payment of the said principal and the sum of \$800 for the payment of the said interest during each year of the said term, and

Whereas it will be required to raise by special rate on account of the said above named \$71,400 debentures during the term of forty years from the first day of January, 1901, for the payment of the principal and interest of the said last named debentures the sum of \$947 for the payment of the said principal and the sum of \$2,499 for the payment of the said interest during each and every year of the said term, and

Whereas the amount of the whole rateable property of the municipality according to the last revised assessment roll is \$6,560,605, and

Whereas the existing debenture debt of the said municipality amounts to \$895,698, including the said above named debentures for \$50,000 and \$25,000, and no principal or interest is in arrear,

Now therefore the municipal council of the corporation of the City of Brantford enacts as follows:—

1. For the purposes aforesaid it shall and may be lawful for the said corporation to borrow the said sum of twenty thousand dollars and to issue debentures of the municipality to the amount of twenty thousand dollars in sums of not less than one hundred dollars each payable at the expiration of forty years from the first day of January, 1901, with interest at the rate of four per cent. per annum payable half-yearly on the first days of July and January in each and every year from the date of issuing said debentures. The said debentures as to both principal and interest shall be made payable at the office in Brantford of the treasurer of the said corporation and not elsewhere.

2. The mayor of the said municipality is hereby authorized and instructed to sign and issue the said \$20,000 of debentures to be issued as aforesaid 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 corporate seal thereof to the said \$20,000 of debentures.

3. To provide for the payment of the principal and interest of the said \$20,000 of debentures, the sum of \$266 for the payment of the said principal, and the sum of \$800 for the payment of the said interest shall in addition to all other rates be assessed, levied, raised and collected upon all the rateable property in the said municipality in each year during the currency of the said debentures by special rate therefor.

4. And for the purposes aforesaid it shall and may be lawful for the said corporation to replace and in substitution of the debentures of \$50,000 and \$25,000 mentioned in the preamble hereof to issue debentures of the municipality to the extent of \$71,400 in sums of not less than one hundred dollars each payable at the expiration of forty years from the first day of January, 1901, with interest at the rate of three and one-half per cent. per annum payable half-yearly on the first days of July and January in each and every year from the date of issuing said last named debentures. The said last named debentures as to both principal and interest shall be made payable at the office in Brantford of the treasurer of the said corporation and not elsewhere.

5. The mayor of the said municipality is hereby authorized and instructed to sign and issue the debentures named in the last preceding paragraph hereof 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 corporate seal thereof to the said last named debentures.

6. To provide for the payment of the principal and interest of the said \$71,400 of debentures the sum of \$947 for the payment of the said principal and the sum of \$2,499 for the payment of the said interest shall in addition to all other rates be assessed, levied, raised and collected upon all the rateable property in the said municipality in each year during the currency of the said last named debentures by special rate therefor.

No. 34.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act to enable the City of Brantford to
pass a By-law to issue certain debentures
and for other purposes.

First Reading, 1st March, 1901.

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

Mr. PRESTON.

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

An Act to confirm by-law No. 839 of the County of York intituled "A by-law respecting the bridges on the York roads."

WHEREAS, under the provisions of by-law No. 712 of the council of the corporation of the County of York, certain toll roads belonging to the said corporation were abandoned and the ownership therein was transferred to certain minor municipalities in the said county; and whereas the Lieutenant Governor in Council by an Order in Council assented to the said by-law; and whereas, by the provisions of section 2 of the said by-law, it was enacted that all bridges then existing upon any roads mentioned in the said by-law should remain the property of, and be maintained by the corporation of the County of York in the same manner, and to the same extent, as the other county bridges within the said county; and whereas doubts have arisen as to the meaning of the words "all bridges" and in order to remove such doubts the council of the said corporation of the County of York did, on the 24th day of January, 1901, pass by-law No. 839 of the said corporation, entitled, "A by-law respecting the bridges on the York roads;"

Preamble.

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

1. By-law No. 839 of the council of the corporation of the County of York hereinbefore recited, passed on the 24th of January, 1901, entitled, "A by-law respecting the bridges on the York roads," which by-law is set forth in Schedule A to this act, is hereby legalized, confirmed, and declared valid.

By-law
No. 839
confirmed.

2. This Act shall not be considered to relieve the corporation of the County of York from any liability to build, maintain, or keep in repair any bridges within the County of York which, under the general provisions of *The Municipal Act*, are county bridges, and which, irrespective of the said hereinbefore mentioned by-law, the said corporation is bound to keep in repair.

County not
relieved from
liability.Rev. Stat.
c. 223.

SCHEDULE A.

A BY-LAW RESPECTING THE BRIDGES ON THE YORK ROADS.

Whereas it was provided by Section II. of By-law Number 712 that all bridges then existing upon any of the roads referred to in the said By-law should remain the property of and be maintained by the Municipal Corporation of the County of York.

And whereas doubts have arisen as to the meaning of the words "all bridges" and it is desirable that such doubts should be removed, therefore the council of the corporation of the County of York enacts as follows :—

1. All bridges set forth in the schedule hereunto annexed and marked "B" shall remain the property and be maintained by the Municipal Corporation of the County of York in the same manner and to the same extent as other county bridges within the said county and the bridges referred to and mentioned in the said Schedule "A" shall be the only bridges upon the roads mentioned in the said schedule which shall be county bridges within the meaning of the said Section II of the said By-law Number 712.

SCHEDULE B.
YONGE STREET.

No.	Name.	Location.	Dimensions.	Material.	Cost.
2	Culvert.....	Cemetery Hollow, Mount Pleasant	10x7x66 ft	Field-stone abutments and wings, arch.....	13,659 34
4	York Mills.....	York Mills.....	100x 20	Quarry stone abutments, steel bridge, wooden floor ..	
13	Culvert.....	In Newtonbrook.....	7x10x40	Stone arch.....	
28	Bridge.....	Thornhill Hollow.....	43x20x16	Field-stone abutments and wings, wood-iron combination..	
29	Culvert.....	Queen's Hotel, Thornhill.....	5½x6x42	Field-stone arch.....	
33	Elgin Mills Bridge	Elgin Mills.....	4x10x57	Field-stone masonry, pine top.....	
41	Curtis Bridge.....	North Curtis Hotel.....	6x9x30	Field-stone masonry, oak top.....	
49	Tannery Bridge.....	Daville tannery.....	10x12x23	Masonry walls, pine top.....	
53	Bridge.....	Near slaughter house, Aurora.....	24x76	Field-stone abutments, pine top.....	
54	".....	Opposite Machell farm.....	16x24	Field-stone abutments, pine top.....	
61	".....	Clubine farm.....	86x34x16	Mason, iron cords, pine top.....	
63	".....	North Ind. home.....	8x12x35	Cedar Pile abutments, cedar top.....	
73	Holland Landing	Holland Landing.....	16x61	Steel top, pile abutments.....	
74	Bridge.....	Just north of last.....	13½x17	Piles, cedar pine top.....	
75	Bradford.....	South of Bradford.....	20x402	Cedar piles, cedar tops.....	

KINGSTON ROAD.

28	Culvert.....	At Helliwell's Race.....	4½x8½x50	Cedar sides and top.....	7,873 82
29	Highland Creek	Highland Creek.....	16x60x30 h.	Steel, quarry stone abutment.....	
33	Culvert.....	Opp. Lot 3, Con. 1.....	4x6x42	Cedar sides and top.....	

DUNDAS STREET.

1	Lambton.....	Lambton Mills.....	18x111x24	River stone abutment, centre pier, wood top.....
2	Milington.....	Over Mimico Creek.....	18x58½x16	Quarry stone abutment, wood top.....

No. 35.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act to confirm By-law 839 of the County
of York entitled, "A By-law Respecting
the Bridges on the York Roads."

First Reading,	1901.
----------------	-------

(Private Bill)

Mr. HILL.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting The Canada Iron Furnace Company, Limited, and the Town of Midland.

WHEREAS by the Act passed in the 62nd year of the reign of Her late Majesty, Queen Victoria (second session), chaptered 61, the Corporation of the Town of Midland was authorized to grant the sum of \$50,000 by way of bonus to The Canada Iron Furnace Company, Limited, for the erection of an iron smelting furnace at the Town of Midland: and whereas the said company has completed the erection of the said furnace and the same has now been in successful operation for some months; and whereas it was provided by the said Act and the agreement set out in the schedule thereto that the company should use charcoal as a fuel and for the purposes necessary in the manufacture of pig iron, and it has been found necessary to substitute coke for charcoal; and whereas the said company has erected very much larger works of much greater capacity than was contemplated by the said Act, and has expended a much greater sum than was proposed; and whereas the said corporation has agreed to pay the said sum of \$50,000 upon the company undertaking to employ two hundred men in the work of the said furnace and upon the company causing to be brought within the corporate limits of the Town of Midland the lands hereinafter described, the owner of the said lands consenting thereto; and whereas the said company and the said corporation have by their respective petitions prayed that an Act may be passed for the purposes aforesaid; and whereas it is desirable to grant the prayer of the said petitions;

Therefore His 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 Midland to pay to The Canada Iron Furnace Company, Limited, the sum of \$50,000 provided for by the said Act, and the agreement set out in the schedule thereto, and by By-Law No. 410 of the said Corporation of the Town of Midland, notwithstanding any changes, variations, alterations, delays or differences in the construction, erection, equipment, development or operation of the said iron smelting furnace.

2. The provisions of the said agreement relating to the use of wood and charcoal in the operation of the said iron smelting

Preamble
52 Vic. c 61.

Town authorized to pay bonus notwithstanding changes in works.

Restrictions as to kind of fuel abolished.

furnace are hereby declared not to be binding upon the said company and the said company are to be at liberty to use such fuel as they may deem advisable in the operation of the said furnace without incurring any penalty under the said agreement or being liable to the said corporation for damages. 5

Number of persons to be employed in smelter.

3. There shall be employed in the work of the said iron smelting furnace and the other subsidiary work of the company an average of two hundred men during every working day as provided in the said agreement. This provision shall be given and accepted in lieu of sub-sections (c) and (d) of the 10 second section of the said agreement, and shall be as binding upon the company as if it had been originally incorporated in the said agreement.

Limits of Town extended.

4. The corporate limits of the Town of Midland are hereby extended so as to include the following lands, which are here- 15 by declared to be within the said Town of Midland for all legislative and municipal purposes, namely: Lot number one hundred and eleven (111) in the second concession of the Township of Tay, and all that part of lot number one hundred and twelve (112) in the second concession of the Township of Tay lying 20 westerly and southerly of the Portage Road.

Agreement as amended confirmed.

5. Subject as herein altered, the said agreement set out in the schedule the said Act is hereby confirmed and declared to be binding upon the said company and the said corporation.

Issue of debentures for \$50,000 authorized.

6. It shall be lawful for the said corporation to raise the 25 said sum of \$50,000 by the issue of debentures as provided in the said by-law, and the corporation are hereby authorized and empowered to issue the same notwithstanding the changes in the said agreement and notwithstanding that the same are intended to extend over a period of forty years, 30 and no irregularity in the form of the debentures, or any of them, or any by-law 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, or interest, or any or either of 35 them, or any part thereof, and a purchaser shall not be bound to inquire as to the issue of such debentures, or the application of the proceeds thereof.

Debentures, form of.

7. The debentures issued under this Act may be in the form contained in the schedule hereto, or with such amendment 40 thereto as may be necessary.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act respecting The Canada Iron Furnace Company, Limited, and the Town of Midland.

First Reading, , 1901.

(Private Bill).

Mr. MISCAMPBELL.

TORONTO.

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting the Town of Midland.

WHEREAS by the Act passed in the 62nd year of the reign ^{Preamble} of Her late Majesty, Queen Victoria (second session), ^{52 Vic. c. 61.} chaptered 61, the Corporation of the Town of Midland was authorized to grant the sum of \$50,000 by way of bonus to The Canada Iron Furnace Company, Limited, for the erection of an iron smelting furnace at the Town of Midland; and whereas the said company has completed the erection of the said furnace and the same has now been in successful operation for some months; and whereas it was provided by the agreement set out in the schedule *to the said Act* that the company should use charcoal as a fuel in the manufacture of pig iron; and *whereas* it has been found necessary to substitute coke for charcoal; and whereas the said company has erected very much larger works of much greater capacity than was contemplated by the said *agreement* and has expended a much greater sum than was proposed; and whereas the *municipal* corporation has agreed to pay the said sum of \$50,000 upon the company undertaking to employ two hundred men in *connection with its work* and upon the company causing to be brought within the corporate limits of the Town of Midland the lands hereinafter described, the owner of the said lands consenting thereto; and whereas the said company and the *municipal* corporation have by their respective petitions prayed that an Act may be passed for the purposes aforesaid; ^{and} and whereas the said municipal corporation has by supplementary petition represented that the said municipal corporation contemplates the construction of a system of water-works and sewerage in the Town of Midland, and has by the said supplementary petitions prayed that an Act may be passed authorizing the said municipal corporation to issue debentures extending over forty years for the payment of the same; ^{and} and whereas it is *expedient* to grant the prayer of the said petitions;

Therefore His 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 Midland to pay to The Canada Iron Furnace Company, Limited, the sum of \$50,000 *as provided for by the said Act, and the agreement set out in the schedule thereto, notwithstanding any changes, variations, alterations, delays or differences in the construction, erection, equipment, development or operation of the said iron smelting furnace.*

Town authorized to pay bonus notwithstanding changes in works.

Restrictions
as to kind of
fuel abolished.

2. Notwithstanding anything in the said agreement contained the said company may use such fuel as they may deem advisable in the operation of the said furnace without incurring any penalty under the said agreement or any liability to the said municipal corporation for damages for a breach of the said agreement.

Number of
persons to be
employed in
smelter.

3. There shall be employed in the work of the said iron smelting furnace and the other subsidiary work of the company an average of two hundred men during every working day as provided in the said agreement, and this section is substituted for clauses (c) and (d) of the second section of the said agreement, and shall be as binding upon the company as if it had been originally incorporated in the said agreement.

Limits of
Town extend-
ed.

4. The corporate limits of the Town of Midland are extended so as to include the following lands, which are declared to be a part of the said Town of Midland for municipal purposes, namely: Lot number one hundred and eleven (111) in the second concession of the Township of Tay, and all that part of lot number one hundred and twelve (112) in the second concession of the Township of Tay lying westerly and southerly of the road known as the Portage Road.

Agreement as
amended
confirmed.

5. Subject to the provisions of this Act, the said agreement set out in the schedule to the said Act passed in the 62nd year of the reign of Her late Majesty, Queen Victoria, chaptered 61, is hereby confirmed and declared to be binding upon the said company and the said municipal corporation.

Issue of
debentures for
\$50,000
authorizd.

6. It shall be lawful for the said municipal corporation to raise the said sum of \$50,000 by the issue of debentures as provided in the said Act, notwithstanding the said changes in the said agreement and no irregularity in the form of the debentures, or any of them, or any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said municipal corporation for the recovery of the amount of the said debentures, or interest, or any or either of them, or any part thereof, and a purchaser shall not be bound to inquire as to the issue of such debentures, or to the application of the proceeds thereof.

Power to
issue debentures for forty years for water-works and sewers.

7. It shall be lawful for the Corporation of the Town of Midland at any time within ten years from the passing of this Act to pass a by-law or by-laws for the issue of debentures to such an amount as may be requisite for the purposes of constructing waterworks and a sewerage system or either of them, in the said town of Midland; and the payment of the said debentures may, at the option of the council, be extended over a period of forty years, and may be issued in one sum or in such several sums as may be provided for in the said by-law

or by-laws, notwithstanding any provisions of *The Municipal Act* to the contrary. ^{Rev. Stat. c. 223.}

§ 8. No by-law or by-laws shall be passed under the preceding section until the same shall have received the assent of a majority of the electors of the said town who are entitled to vote in the case of by-laws for the creation of debts, in the manner required by *The Municipal Act* and amendments thereto, and save as otherwise provided by this Act all the clauses of *The Municipal Act* relating to by-laws for the creation of debts shall be read as applying to any debentures issued under the preceding section. ^{Assent of electors.}

§ 9. No irregularity in the form of such debentures, or any of them, or *in* any by-law 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, or interest, or any or either of them, or any part thereof, and a purchaser shall not be bound to inquire as to the issue of such debentures, or as to the application of the proceeds thereof. ^{Irregularity in form of debentures not to invalidate.}

§ 10. The said waterworks and sewerage system may be constructed either at the same time or at different times within the said period of ten years, and either under the authority of one by-law or under the authority of different by-laws. ^{Works may be constructed together or otherwise.}

No. 36.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.
An Act respecting the Town of Midland.

First Reading, 1st March, 1901.

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

Mr. MISCAMPBELL.

TORONTO.

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

An Act respecting the Town of Port Arthur.

WHEREAS the Council of the Corporation of the Town of Port Arthur has by petition represented that since the incorporation of the said town various irregularities and failures to comply with the requirements of *The Assessment Act* in the preparation of Assessment Rolls and Collectors' Rolls in the said Town have taken place, and that in consequence great difficulties have been met with in the effort to collect taxes within the said town, and has prayed that all assessment rolls of the said town heretofore finally passed and all collectors rolls of the said town heretofore returned, and all sales of lands within the said town heretofore had for arrears of taxes should be validated and confirmed, and also that any lands within the said town bought in by or for the said town at any sale of lands for arrears of taxes should be liable to taxation in the same manner as if the same did not belong to a municipal corporation, and no objection thereto has been made on the part of any ratepayer; and whereas by similar petition it has been further represented that to superintend and operate more efficiently the electric street railway of the said town and the municipal system of electric lighting in the said town it is desirable to increase the number of electric railway and light commissioners of the said town to five, and that to supply more economically the power necessary for the said electric railway and lighting it is advisable to develop the water power of Current River in the said town, and that for the purpose last mentioned the municipal council of the said town has passed a by-law to authorize the issue of debentures to the amount of \$30,000, and has submitted the said by-law to the vote of the electors of the said town, and that 301 votes were cast in favor of the said by-law and 27 votes against it, and that it is desirable to confirm the said by-law and to declare the debentures to be issued thereunder valid and binding; and whereas it is expedient to grant the prayer of the said petition:

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

1. All assessment rolls of the said town heretofore finally passed, and all collectors' rolls of the said town heretofore returned by the collectors thereof, are hereby validated and confirmed.

Rev. Stat.
c. 223.

Assessment
and collectors'
rolls valid-
ated.

55 V. c. 48.
Rev. Stat.
c. 224.

firmed, notwithstanding anything to the contrary in *The Consolidated Assessment Act, 1892* or in *The Assessment Act* contained, or any failure to comply with the provisions of the said Acts or of either of them.

Tax Sales
validated.

2. All sales of lands within the said town heretofore had and purporting to be made for arrears of taxes in respect of the lands so sold are hereby validated and confirmed, notwithstanding any irregularity in the assessment or other proceedings for imposition of any tax so in arrear or any failure to comply with the requirements of *The Consolidated Assessment Act, 1892* or of *The Assessment Act* in regard to the manner in which any assessment rolls or collectors' roll of the said town has been prepared, or in regard to the certifying or signing of the same or the making of any affidavit or oath required in connection therewith, or in regard to the time for return of any collectors roll of the said town or in regard to the furnishing, authenticating or depositing of any list of lands in arrear for taxes within the said town, or in regard to the mailing of notice to any person in respect to whose land any taxes appeared at any time to be in arrear, or in regard to any omission to levy the amount of any such taxes in arrear by distress and sale of goods, and notwithstanding any other failure or omission on the part of any official of the said town to comply with any requirements of the said Acts, and notwithstanding anything to the contrary in either of the said Acts contained.

Land bought
in by Town
liable to be
taxed.

3. Any lands within the said town which at any sale for arrears of taxes heretofore have been or hereafter may be bought in by or for the said town shall be liable to be assessed for and charged with payment of all debenture, local improvement, school and general rates within the said town in the same manner and to the same extent in every respect as if the said lands did not belong to a municipal corporation.

57 V. c. 73,
amended.

4. The Act respecting the town of Port Arthur passed in the fifty-seventh year of the reign of Her late Majesty Queen Victoria, and chaptered 73, is hereby amended by adding thereto the following sections:—

4a. In addition to the said three elected commissioners the mayor of the said town, for the time being, shall ex-officio be a member of such board of Electric Railway and Light Commissioners.

4b. A fifth member of such board of Electric Railway and Light Commissioners shall be appointed each year by the municipal council of the said town. The commission so to be appointed by the said municipal council shall be subject to all the statutory qualifications and regulations governing municipal councillors, and shall not be, at the time of such appoint-

ment or while such commissioner, a member of the said municipal council.

5. By-law number _____ of the municipal council of _____ the said town of Port Arthur passed on the _____ day of _____ 19____, a copy of which is set forth in Schedule A to this Act, is hereby ratified and confirmed, and declared to be legal and binding. By-law ratified.

6. The debentures to be issued pursuant to the said by-law shall be and are hereby declared to be valid and binding. Debentures validated.

10 7. The provisions of sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 27, 28, 32, 36 and 38 of *The Municipal Water Works Act* shall apply to the undertaking mentioned in the said by law in the same manner and to the same extent as though such undertaking were the construction, holding and 15 operating a system of water works for the said town. Certain sections of Rev. Stat. c. 225 to apply.

SCHEDULE A.

TOWN OF PORT ARTHUR. No. —.

By-law to provide for the development of the water power of Current River, in the Town of Port Arthur, and the extension of the electric lighting plant of the town and to authorize the issue of debentures to the amount of thirty thousand dollars (\$30,000.00).

Whereas it is deemed expedient to develop the water power of Current River for the purposes of sale and for the purposes of the electric power and lighting plant of the town, and to further extend the electric power and lighting plant, and to provide for the issue of debentures to the amount of \$30,000.00 for such purposes.

And whereas by an Act passed by the Ontario Legislature in the 62nd year of Her Majesty's reign, chapter 73, entitled "An Act respecting the Town of Port Arthur," it was amongst other things enacted by paragraph 3, sub-sections 1 and 2 thereof, that all debentures heretofore and hereafter issued by the Town of Port Arthur for extending and operating the electric lighting property and plant shall be a fixed preferential charge or lien on the said electric property and plant and shall also be a first charge or lien on the net income derived from the operating of the said property and plant.

And whereas it will require the sum of \$2,507.45 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 \$30,000.00 and interest on the debentures to be issued therefor, of which the sum of \$1,500.00 will be for interest and the sum of \$1,007.45 for a sinking fund from which to pay the said debentures.

And whereas the amount of the whole rateable property of the said Town of Port Arthur according to the last revised Assessment Roll is \$1,375,713.00 of which \$295,800 is wholly exempt from taxation and \$20,700.00 is exempt except for school taxes.

And whereas the amount of the existing debenture debt of the said corporation of the Town of Port Arthur is \$236,250.00 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 construction of the necessary works and improvements and acquiring the necessary lands and privileges for the proper development and use of the said water power, and such additions to and extensions of the electric lighting plant and electric power of the town as by the council of the said town may be considered expedient or necessary, is hereby authorized.

(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, in sums of not less than one hundred dollars each, and not exceeding in the whole the said sum of \$30,000.00, 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 twenty 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 five per cent. per annum from the date thereof, and such interest shall be made payable half yearly, namely, on the first day of June and on the first day of December in each and every year during the currency of the said debentures at the said Ontario bank at Toronto, and such debentures shall have attached thereto coupons for such half yearly interest.

(5) For the purpose of paying the said debt hereby created and the interest on the said debentures to be issued therefor as aforesaid the sum of \$2,507.45 shall be raised, levied and collected in each year, of and from the whole rateable property of the said 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 \$1,500.00 shall be for such interest, and the sum of \$1,007.45 for a sinking fund for the ultimate payment of such debentures.

(6) That the debentures issued under this by-law, with the debentures already issued by the town of Port Arthur, for the purpose of purchasing the electric lighting property and plant, now the property of the town of Port Arthur, or for extending and operating the same, shall be a first preferential charge or lien on the said electric lighting property and plant of the Town of Port Arthur, and shall also be a first charge or lien on the net income derived from operating of the said property and plant.

(7) That this by-law shall come into force on the _____ day of 1901.

No. 37.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting the Town of Port
Arthur.

First Reading,	1901.
----------------	-------

(Private Bill.)

Mr. CONNOR.

TORONTO.

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty

An Act respecting the Town of Port Arthur.

WHEREAS the Council of the Corporation of the Town of Preamble.
 Port Arthur has by petition represented that since the incorporation of the said town various irregularities and failures to comply with the requirements of *The Assessment* Rev. Stat. c. 223.
Act in the preparation of Assessment Rolls and Collectors' Rolls in the said Town have taken place, and that in consequence great difficulties have been met with in the effort to collect taxes within the said town, and has prayed that all assessment rolls of the said town heretofore finally passed and all collectors rolls of the said town heretofore returned, and all sales of lands within the said town heretofore had for arrears of taxes should be validated and confirmed, and also that any lands within the said town bought in by or for the said town at any sale of lands for arrears of taxes should be liable to taxation in the same manner as if the same did not belong to a municipal corporation, and no objection thereto has been made on the part of any ratepayer; and whereas by *the supplementary* petition ⁴²⁷ of the said corporations ⁶² it has been further represented that to superintend and operate more efficiently the electric street railway of the said town and the municipal system of electric lighting in the said town it is desirable to increase the number of electric railway and light commissioners of the said town to five, and that to supply more economically the power necessary for the said electric railway and lighting it is advisable to develop the water power of Current River in the said town, and that for the purpose last mentioned the municipal council of the said town has passed a by-law to authorize the issue of debentures to the amount of \$30,000, and has submitted the said by-law to the vote of the electors of the said town, and that 301 votes were cast in favour of the said by-law and 27 votes against it, and that it is desirable to confirm the said by-law and to declare the debentures to be issued thereunder valid and binding; and whereas it is expedient to grant the prayers of the said petitions:

Therefore His 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 said town heretofore finally passed, and all collectors' rolls of the said town heretofore returned by the collectors thereof, are hereby validated and confirmed. Assessment and collectors' rolls validated.

55 V. c. 48.
Rev. Stat.
c. 224.

firmed, notwithstanding anything to the contrary in *The Consolidated Assessment Act, 1892* or in *The Assessment Act* contained, or any failure to comply with the provisions of the said Acts or of either of them.

Tax Sales
validated.

2.—(1) All sales of lands within the said town hadst before the first of January, 1900th and purporting to be made for arrears of taxes in respect of the lands so sold are hereby validated and confirmed, notwithstanding any irregularity in the assessment or other proceedings for imposition of any taxes so in arrear or any failure to comply with the requirements of *The Consolidated Assessment Act, 1892* or of *The Assessment Act* in regard to the manner in which any assessment rolls or collectors' roll of the said town has been prepared, or in regard to the certifying or signing of the same or the making of any affidavit or oath required in connection therewith, or in regard to the time for return of any collectors roll of the said town or in regard to the furnishing, authenticating or depositing of any list of lands in arrear for taxes within the said town, or in regard to the mailing of notice to any person in respect to whose land any taxes appeared at any time to be in arrear, or in regard to any omission to levy the amount of any such taxes in arrear by distress and sale of goods, and notwithstanding any other failure or omission on the part of any official of the said town to comply with any requirements of the said Acts, and notwithstanding anything to the contrary in either of the said Acts contained.

Rev. Stat.
c. 224.

Former owners may redeem on paying arrears of taxes and expenses of sale.

(2) The owner of any land sold at the annual tax sale held in the year 1899 or his executors, administrators or assigns, may, at any time within twelve months from the passing of this Act, redeem the land sold, by paying or tendering to the town treasurer, for the use and benefit of the purchaser or his legal representatives, the sum paid by him together with ten per centum thereon; or in the event of the lands so sold having been purchased by the town, by paying or tendering to the said treasurer, the full amount of the taxes due together with the expenses of 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 redemptionth.

Land bought in by Town liable to be taxed.

3. Any lands within the said town which at any sale for arrears of taxes heretofore have been or hereafter may be bought in by or for the said town shall be liable to be assessed for and charged with payment of all debenture, local improvement, school and general rates within the said town in the same manner and to the same extent in every respect as if the said lands did not belong to a municipal corporation.

58 V. c. 73,
amended.

4. The Act respecting the town of Port Arthur passed in the fifty-eighth year of the reign of Her late Majesty Queen

Victoria, and chaptered 73, is hereby amended by adding thereto the following sections:—

4a. In addition to the said three elected commissioners the mayor of the said town, for the time being, shall ex-officio be a member of such board of Electric Railway and Light Commissioners.

4b. A fifth member of such board of Electric Railway and Light Commissioners shall be appointed each year by the municipal council of the said town. The commission so to be appointed by the said municipal council shall be subject to all the statutory qualifications and regulations governing municipal councillors, and shall not be, at the time of such appointment or while such commissioner, a member of the said municipal council.

5. By-law number 572 of the municipal council of the said town of Port Arthur passed on the 25th day of February, 1901, a copy of which is set forth in Schedule A to this Act, is hereby ratified and confirmed, and declared to be legal and binding. By-law ratified.

6. The debentures to be issued pursuant to the said by-law shall be and are hereby declared to be valid and binding. Debentures validated.

7. The provisions of sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 27, 28, 32, 36 and 38 of *The Municipal Water Works Act* shall apply to the undertaking mentioned in the said by-law in the same manner and to the same extent as though such undertaking were the construction, holding and operating a system of water works for the said town. Certain sections of Rev. Stat. c. 235 to apply.

8. At any time before the 31st day of December, 1901, the Council of the Corporation of the Town of Port Arthur may agree, on signing and delivering the agreement set forth as Schedule "B" to the Act passed in the 62nd year of the reign of Her late Majesty, Queen Victoria, chaptered 120, that the time for the completion of the works therein specified shall be extended until the 1st day of January, 1903. Town may extend time for completion of works referred to in c. 120 52 V.

9. Nothing herein contained shall affect any pending litigation. Pending litigation not affected.

SCHEDULE A.

TOWN OF PORT ARTHUR. No. —.

By-law to provide for the development of the water power of Current River, in the Town of Port Arthur, and the extension of the electric lighting plant of the town and to authorize the issue of debentures to the amount of thirty thousand dollars (\$30,000.00).

Whereas it is deemed expedient to develop the water power of Current River for the purposes of sale and for the purposes of the electric power and lighting plant of the town, and to further extend the electric power and lighting plant, and to provide for the issue of debentures to the amount of \$30,000.00 for such purposes.

And whereas by an Act passed by the Ontario Legislature in the 62nd year of Her Majesty's reign, chapter 73, entitled "An Act respecting the Town of Port Arthur," it was amongst other things enacted by paragraph 3, sub-sections 1 and 2 thereof, that all debentures heretofore and hereafter issued by the Town of Port Arthur for extending and operating the electric lighting property and plant shall be a fixed preferential charge or lien on the said electric property and plant and shall also be a first charge or lien on the net income derived from the operating of the said property and plant.

And whereas it will require the sum of \$2,507.45 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 \$30,000.00 and interest on the debentures to be issued therefor, of which the sum of \$1,500.00 will be for interest and the sum of \$1,007.45 for a sinking fund from which to pay the said debentures.

And whereas the amount of the whole rateable property of the said Town of Port Arthur according to the last revised Assessment Roll is \$1,375,713.00 of which \$295,800 is wholly exempt from taxation and \$20,700.00 is exempt except for school taxes.

And whereas the amount of the existing debenture debt of the said corporation of the Town of Port Arthur is \$236,250.00 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 construction of the necessary works and improvements and acquiring the necessary lands and privileges for the proper development and use of the said water power, and such additions to and extensions of the electric lighting plant and electric power of the town as by the council of the said town may be considered expedient or necessary, is hereby authorized.

(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, in sums of not less than one hundred dollars each, and not exceeding in the whole the said sum of \$30,000.00, 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 twenty 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 five per cent. per annum from the date thereof, and such interest shall be made payable half yearly, namely, on the first day of June and on the first day of December in each and every year during the currency of the said debentures at the said Ontario bank at Toronto, and such debentures shall have attached thereto coupons for such half yearly interest.

(5) For the purpose of paying the said debt hereby created and the interest on the said debentures to be issued therefor as aforesaid the sum of \$2,507.45 shall be raised, levied and collected in each year, of and from the whole rateable property of the said 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 \$1,500.00 shall be for such interest, and the sum of \$1,007.45 for a sinking fund for the ultimate payment of such debentures.

(6) That the debentures issued under this by-law, with the debentures already issued by the town of Port Arthur, for the purpose of purchasing the electric lighting property and plant, now the property of the town of Port Arthur, or for extending and operating the same, shall be a first preferential charge or lien on the said electric lighting property and plant of the Town of Port Arthur, and shall also be a first charge or lien on the net income derived from operating of the said property and plant.

(7) That this by-law shall come into force on the twenty-fifth day of February, 1901.

~~42~~(8) 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 seventh day of January, 1901, 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. one, 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 McDougall, as deputy returning officer

Polling sub-division No. two, embracing all that part of the town of Port Arthur known as the second ward, at lot 5, west Cumberland street, by Mr. W. A. McCallum as deputy returning officer.

Polling sub-division No three embracing all that part of the town of Port Arthur known as the third ward, at lot 2 north Cameron, by Mr. J. M. Munro, as deputy returning officer.

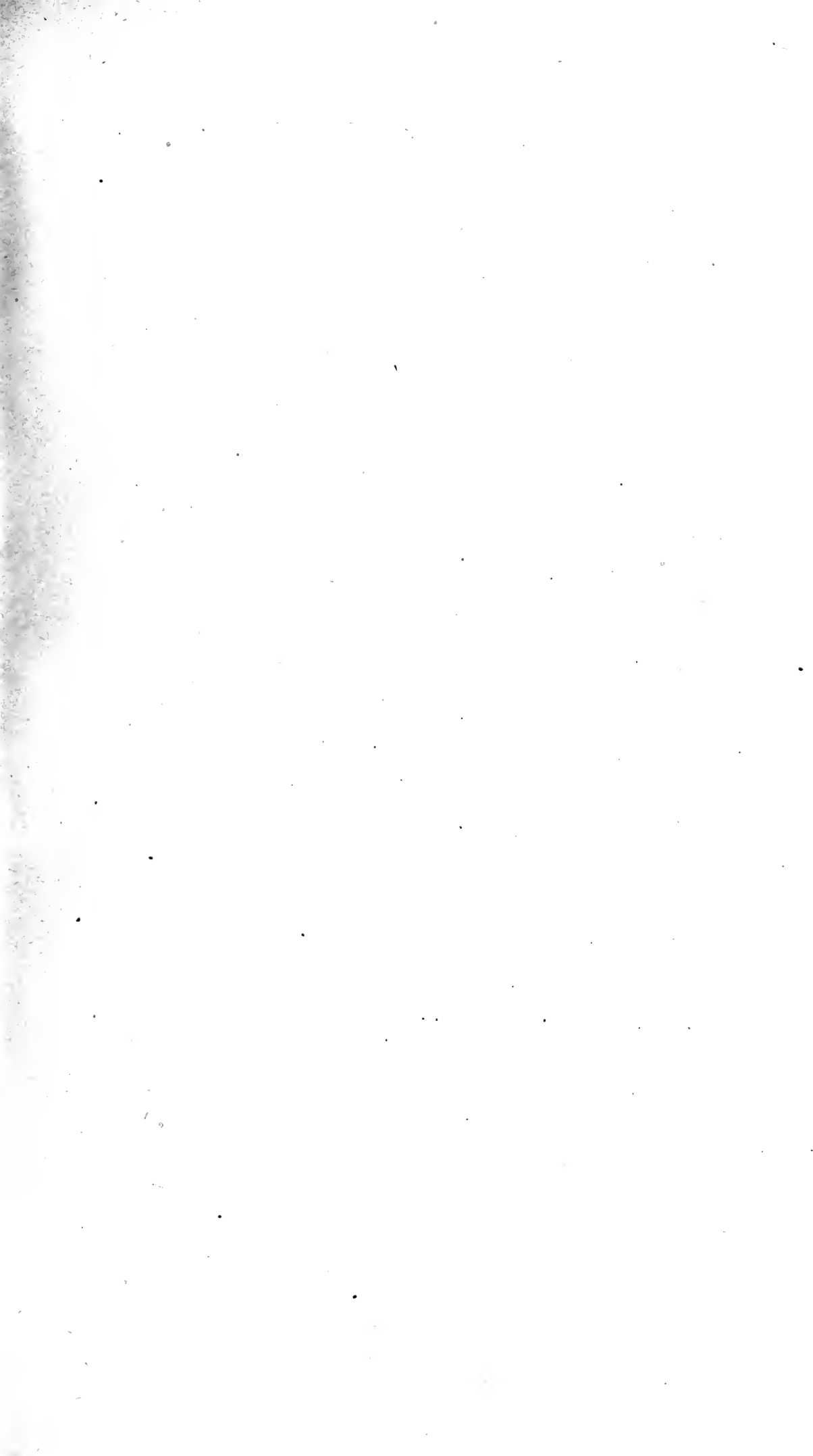
(9) On Saturday the fifth day of January, 1901, at his office in the council chamber on Park street in the town of Port Arthur, at eleven o'clock in the forenoon, the mayor shall in writing signed by him appoint two persons to attend at the final summing up of the votes by the clerk of this corporation, 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 respectively.

(10) The eighth day of January, 1901, at the council chambers aforesaid at 12 o'clock at noon is hereby appointed for the summing up by the clerk of this corporation of the number of votes given for and against this by-law respectively

Council Chambers, Port Arthur, 25th day of February, 1901

J. L. MATHEWS,
Mayor.

J. McTEIGUE,
Clerk. 



NO. 37.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting the Town of Port
Arthur.

First Reading, 27th February, 1901.

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

Mr. CONNIE.

TORONTO,

PRINTED BY L. K. CAMERON,
Printer to the King'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 of the several matters herein set forth, and whereas it is expedient to grant the prayer of the said petition :

Preamble.

5 Therefore His 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 Act passed in the 62d year of the reign of Her late Majesty Queen Victoria, chaptered 85, is amended
10 by inserting after the word "therefor" in the fifty-second line thereof the following words: "and for furnishing and equipping the same."

Technical School Building.

62 V. c. 85, s. 2.

2. All grants of money heretofore or which may hereafter be voted by the City Council and used in receiving and entering
15 taining the members of the Canadian Forces who had been sent to South Africa for service during the South African War on their return therefrom, including decorations at the time of such reception, are hereby made and declared legal and valid.

Validating money spent in receiving South African Contingent.

20 3. All sales of lands for taxes held prior to the year 1899 in the City of Toronto are hereby ratified, validated and confirmed.

Validating tax sales.

4. The By-Laws of the corporation of the City of Toronto specified in Schedule "A" hereto, and all debentures issued or
25 to be issued thereunder, and all assessments made or to be made for the payment thereof, are hereby validated and confirmed.

Validating Debenture By-Laws.

SCHEDULE A.

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.
			\$ c.	\$ c.	\$ c.		
3779	Local improvement debentures to defray the ratepayers' share of the cost of certain wooden sidewalks constructed in the city of Toronto during the year 1899	March 5, 1900	35,582 16	6,800 88	28,781 28	3	
3780	Local improvement debentures to defray the ratepayers' share of the cost of certain wooden sidewalks laid down in the city of Toronto in the year 1899	"	1,827 90	465 12	1,362 78	3	
3781	Local improvement debentures to defray the ratepayers' share of the cost of certain cedar block pavements laid down in the year 1899	"	30,474 57	10,182 31	20,292 26	5	
3782	Asphalt roadway on Carlton street, between Sherbourne street and Carlton street	"	14,650 61	3,832 91	917 70	10	
3783	Asphalt roadway on Gifford street, between Spruce street and Carlton street	"	2,945 81	917 34	2,028 47	10	
3784	Asphalt roadway on Spruce street, between Parliament street and Sumach street	"	10,650 96	6,110 61	4,540 35	10	
3785	Asphalt roadway on Albert street, between Yonge street and James street	"	4,533 16	1,647 16	2,886 00	10	
3786	Asphalt roadway on Front street, between York street and Bay street	"	14,304 96	3,606 49	10,698 47	10	
3787	Asphalt roadway on James street, between Queen street and Albert street	"	6,048 23	4,221 23	1,827 00	10	
3788	Asphalt roadway on the first lane south of Front street, between Scott street and the eastern terminus of said lane	"	3,409 75	88 00	3,321 75	10	
3789	Asphalt roadway on Queen street, between Yonge street and John street	"	35,164 66	16,533 10	18,631 56	10	
3790	Asphalt roadway on Bedford road, between Lowther avenue and Ber-	"					

3791	Asphalt roadway on Bernard avenue, between Bedford road and Avenue road	8,365 91	1,671 03	6,694 88	10
3792	Asphalt roadway on Brunswick avenue, between Sussex avenue and Bloor street	6,394 67	1,922 67	4,472 00	10
3793	Asphalt roadway on Huron street, between Bloor street and Lowther avenue	5,767 52	1,716 92	4,050 60	10
3794	Asphalt roadway on Major street, between College street and Bloor street	7,398 59	1,860 28	5,538 31	10
3795	Asphalt roadway on Prince Arthur avenue, between Huron street and St. George street	26,824 67	6,061 53	20,763 14	10
3796	Asphalt roadway on Churchill avenue, between Dovercourt road and a point distant 715 feet easterly therefrom	2,598 04	828 27	1,769 77	10
3797	Asphalt roadway on Crawford street, between Queen street and Crawford street bridge	5,271 55	2,008 65	3,262 90	10
3798	Asphalt roadway on Lakeview avenue, between Dundas street and Churchill avenue	11,475 07	2,299 07	9,176 00	10
3799	Asphalt roadway on Markham street, between College street and Harbord street	7,219 69	2,292 10	4,927 59	10
3800	Asphalt roadway on Close avenue, between King street and Queen street	14,819 63	2,511 23	12,308 40	10
3801	Asphalt roadway on Marion street, between O'Hara avenue and Lansdowne avenue	7,917 67	2,344 67	5,573 00	10
3802	Brick roadway on Denison square, between Augusta avenue and Bellevue avenue	3,800 00	1,825 06	1,974 94	10
3803	Brick roadway on Huron street, between Grange avenue and St. Patrick street	1,143 14	615 64	527 50	10
3804	Brick roadway on Lippincott street, between College street and Ulster street	2,338 31	727 71	1,610 60	10
3805	Brick roadway on Orde Street, between Murray street and University avenue	7,303 02	1,344 44	5,958 58	10
3806	Brick road on St. Patrick street, between Spadina avenue and Denison avenue	1,055 36	179 18	876 18	10
3307	Brick roadway on Fraser avenue, between King street and a point distant 239 feet southerly therefrom	7,592 09	3,453 43	4,538 66	10
3808	Brick roadway on Garden avenue, between Roncesvalles avenue and Sorauren avenue	1,738 09	1,148 52	589 57	10
3809	Brick roadway on Sorauren avenue, between Queen street and Wright avenue	7,376 20	769 50	6,606 70	10
		9,712 81	2,366 75	7,346 06	6

SCHEDULE A.—Continued.

Number 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.		
3810	Macadam roadway on Spruce street, between Sumach street and River street	March 5, 1900.	1,578 28	642 70	935 58	5	
3811	Macadam roadway on Sword street, between Gerrard street and Spruce street	"	911 18	238 34	672 84	5	
3812	Macadam roadway on Sumach street, between Gerrard street and Wellesley street	"	5,698 14	3,509 65	2,188 49	5	
3813	Macadam roadway on Front street, between Sherbourne street and Trinity street	"	5,960 47	1,581 67	4,378 80	3	
3814	Macadam roadway on Parliament street, between Queen street and Gerrard street	"	8,389 21	2,449 21	5,940 00	5	
3815	Macadam roadway on Sackville street, between Wellesley street and a point distant 256 feet northerly therefrom	"	724 30	377 02	347 28	5	
3816	Macadam roadway on Sackville street, between Winchester street and Wellesley street	"	3,328 14	1,223 31	2,104 83	5	
3817	Macadam roadway on Elm street, between Yonge street and University avenue	"	2,921 66	1,218 86	1,702 80	3	
3818	Macadam roadway on Gerrard street, between Yonge street and Jarvis street	"	3,559 92	1,648 31	1,911 61	5	
3819	Macadam roadway on Macpherson avenue, between Yonge street and a point 1,330 feet west thereof	"	3,182 89	307 97	2,874 92	5	
3820	Macadam roadway on Washington avenue, between Spadina avenue and Huron street	"	1,568 56	548 83	1,019 73	5	
3821	Macadam roadway on Langley avenue, between Broadview avenue and Logan avenue	"	2,996 82	279 25	2,717 57	5	
3822	Macadam roadway on Division street, between Huron street and Spadina avenue	"	1,396 16	342 16	1,054 00	5	
3823	Gravel roadway on Collahie street, between Beaconsfield avenue and Gladstone avenue	"	598 60	128 55	470 05	3	
3824	Tamarac roadway on Scott street, between Esplanade street and	"					

3827	Front street	6,470 12	2,495 70	3,974 42	10
	Asphalt roadway on Madison avenue, between Bloor street and Dupont street	March 19, 1900			
3828	Asphalt roadway on Queen street, between Bathurst street and Niagara street	24,809 00	3,089 00	21,720 00	10
3829	Brick roadway on Orford avenue, between Parliament street and a point distant 243 feet east thereof	18,365 48	5,083 60	13,281 88	10
3830	Brick roadway on Orford avenue, between Clara street and a point distant 119 feet west thereof	1,344 17	360 17	984 00	10
3831	Brick roadway on Bellevue place, between Bellevue avenue and Carlyle street	445 86	155 09	290 77	10
3832	Brick roadway on Borden street, between Ulster street and College street	2,897 42	961 42	1,936 00	10
3833	Brick roadway on Cameron place, between Cameron street and Vanauley street	8,591 23	2,152 14	6,439 09	10
3834	Brick roadway on Cameron street, between Queen street and Cameron place	878 29	396 05	482 24	10
3835	Brick roadway on Brockfield street, between Queen street and Humbert street	3,026 93	607 93	2,419 00	6
3836	Brick roadway on Concord avenue, between Bloor street and a point distant 180 feet south of the south side of Hepbourne street	4,202 96	593 96	3,609 00	10
3837	Brick roadway on Crawford street, between Bloor street and the northern terminus of Crawford street	4,650 00	1,183 00	3,467 00	10
3838	Brick roadway on Grove avenue, between Foxley street and Dundas street	7,436 66	1,431 82	6,004 84	6
3839	Macadam roadway on First avenue, between Broadview avenue and Logan avenue	4,681 55	1,589 21	3,092 34	10
3840	Macadam roadway on Victor avenue, between Broadview avenue and Logan avenue	8,014 26	2,633 38	5,380 88	5
3841	Macadam roadway on Wellesley street, between Parliament street and Sumach street	4,596 11	625 00	3,971 11	5
3842	Macadam roadway on Elgin avenue, between Bedford road and Avenue road	3,871 12	934 12	2,937 00	5
3843	Macadam roadway on Dufferin street, between Dundas street and Lindsay avenue	3,291 96	542 20	2,749 76	5
3844	Concrete sidewalk on the east side of Bleeker street, between Wellesley street and Howard street	5,206 12	1,386 12	3,821 00	5
3845	Concrete sidewalk on the north side of Carlton street, between Ontario street and Bleeker street	1,242 32	163 92	1,078 40	10
		327 47	64 62	262 85	10

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.	Periods of Payments.	Rate of Interest.
			\$ c.	\$ c.	\$ c.		
3846	Concrete sidewalks on both sides of Homewood avenue, between Carlton street and Wellesley street	March 19, 1900	3,380 04	£48 85	2,831 19	10	3½
3847	Concrete sidewalk on the east side of Jarvis street, between King street and the south limit of the Fred Victor Mission Building (except in front of No. 103.)	"	2,515 66	352 93	2,162 73	10	3½
3848	Concrete sidewalk on the south sides of Orford avenue, between Clara street and a point 119 feet west thereof	"	96 97	.....	96 97	10	3½
3849	Concrete sidewalks on both sides of Orford avenue, between Parliament street and a point distant 243 feet easterly therefrom	"	346 87	66 20	280 67	10	3½
3850	Concrete sidewalk on the south side of Wellesley Crescent, between Sherbourne street and the east limit of Thomas Long's property.	"	529 12	79 72	449 40	10	3½
3851	Concrete sidewalk on the east side of Sherbourne street, between Wilton avenue and Gerrard street, (except opposite Nos. 245, 247, 251, 263, 265, 267, 271, 273, 275, 277 and 291)	"	446 55	.....	446 55	10	3½
3852	Concrete sidewalk on the south side of Queen street, between Yonge street and Sherbourne street (except certain portions thereof) ..	"	3,837 10	340 20	3,496 90	10	3½
3853	Concrete sidewalk on the south side of Adelaide street, between Bay street and York street (excepting opposite the lane west of Parisian Laundry)	"	2,218 95	390 50	1,828 45	10	3½
3854	Concrete sidewalk on the north side of Adelaide street, between Yonge street and the west end of the Frechold Building	"	339 43	84 60	254 83	10	3½
3855	Concrete sidewalk on the west side of Bay street, between a point 144 feet 6 inches north of King street, and Queen street (except 105 feet 10 inches in front of Temple Building)	"	1,561 03	386 03	1,175 00	10	3½
3856	Concrete sidewalk on the south side of Front street, between a point distant 100 feet west of York street and a point 52 feet east of Simcoe street (except opposite the Union Station)	"	706 94	.....	706 94	10	3½
3857	Concrete sidewalk on the east side of James street, between Queen	"					

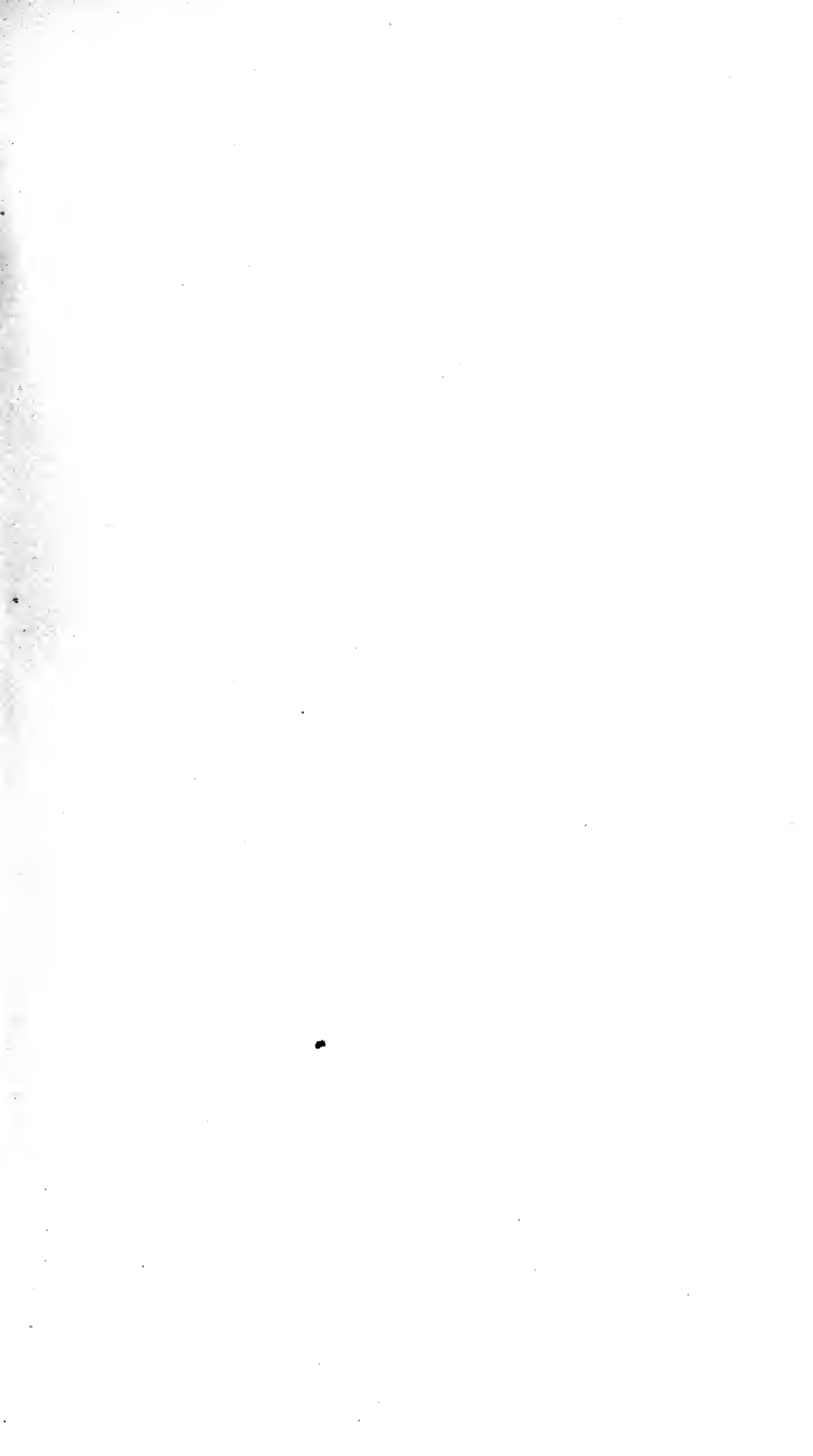
3858	street and a point 131 feet 8 inches north	287 20	130 90	156 30	10	3½
	Concrete sidewalk on the south side of Queen street, between Bay street and York street	1,563 67	43 38	1,520 29	10	3½
3859	Concrete sidewalk on the south side of Queen street, between the west limit of the store of the Robert Simpson Company, Limited, and a point distant 142 feet west thereof	270 78	.....	280 78	10	3½
3860	Concrete sidewalk on the south side of Front street, between Scott street and Church street	1,070 83	43 53	1,027 30	10	3½
3861	Concrete sidewalk on the south side of Adelaide street, between Yonge street and Bay street, except in front of the Grand Opera House, Toronto Opera House, Worden's Hotel, and the lanes on each side of the Grand Opera House	912 97	241 64	671 33	10	3½
3862	Concrete sidewalk on the west side of Yonge street, between Yorkville avenue and Davenport road	647 32	170 71	476 61	10	3½
3863	Concrete sidewalks on both sides of Classic avenue, between Spadina avenue and Huron street	571 25	132 28	438 97	10	3½
3864	Concrete sidewalk on the east side of Huron street, between Bloor street and Prince Arthur avenue	408 57	81 44	337 13	10	3½
3865	Concrete sidewalks on both sides of Madison avenue, between Bloor street and Bernard avenue	3,050 01	193 01	2,857 00	10	3½
3866	Concrete sidewalk on the north side of Prince Arthur avenue, between Avenue Road and Bedford Road	660 31	76 09	584 22	10	3½
3867	Concrete sidewalk on the east side of St. George street, between College street and Hoskin avenue, except in front of Nos. 65, 67, 69 and 71 St. George street	1,272 60	65 26	1,207 34	10	3½
3868	Concrete sidewalk on the east side of St. George street, between Lower avenue and a point distant 200 feet north	178 43	17 80	160 63	10	3½
3869	Concrete sidewalk on the west side of St. George street, between Prince Arthur avenue and a point distant 171 feet north thereof	185 74	20 74	165 00	10	3½
3870	Concrete sidewalk on the north side of Sussex avenue, between St. George street and Huron street	345 38	65 24	280 14	10	3½
3871	Concrete sidewalk on the west side of Walmer Road, between Bloor street and Lowther avenue	686 20	10 70	675 50	10	3½
3872	Concrete sidewalk on the south side of Wilcox street, between St. George street and Huron street	348 80	80 00	268 80	10	3½
3873	Concrete sidewalks on both sides of Wilcox street, between Huron street and Spadina avenue	824 81	169 09	655 72	10	3½
3874	Concrete sidewalk on the south side of Queen street, between Tecumseth street and a point distant 100 feet west of Niagara street	1,871 67	117 95	1,753 72	10	3½

March 19, 1900

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.		Periods of Payment.	Rate of Interest.
			\$	c.	\$	c.	\$	c.		
3875	Concrete sidewalk on the north side of Queen street, between the east limit of No. 674 and the west limit of No. 684	March 19, 1900	218	77	25	60	193	17	10	3½
3876	Concrete sidewalk on the north side of Queen street, between Gwynne avenue and a point distant 43 feet 6 inches east of O'Hara avenue	"	2,475	00	122	40	2,352	60	10	3½
3877	Granolithic sidewalk on the east side of Bathurst street, between St. Patrick street and Roseberry avenue	"	412	82	31	55	381	27	10	3½
3878	Brick sidewalk on the east side of Bay street, between Front and Esplanade street	"	595	58	200	00	395	58	10	3½
3879	Brick sidewalk on the south side of Richmond street, between Victoria street and Yonge street	"	381	85	91	85	300	00	10	3½
3880	Brick sidewalk on the east side of Simcoe street, between Wellington street and a point distant 330 feet south	"	218	54	6	62	211	92	10	3½
3881	Brick sidewalk on the north side of College street, between Huron street and Spadina avenue	"	365	18	203	38	161	80	10	3½
3882	Local Improvement Debentures to defray the ratepayers' share of certain wooden sidewalks laid down during the year 1899	"	7,069	78	1,621	88	5,447	90	3	
3883	Asphalt Roadway on Spadina Avenue, between Knox College Crescent and Bloor street	"	27,582	18	11,254	83	16,327	35	10	3½
3884	Local improvement debentures to defray the ratepayers' share of the cost of certain cedar block pavements laid down during the year 1899	March 29, 1900	6,489	79	1,975	30	4,514	49	5	
3885	Local improvement debentures to defray the ratepayers' share of the cost of certain sewers laid down in the year 1899	" 29, 1000	7,948	42	1,718	56	6,229	86	10	
3892	Consolidated loan debentures for aiding persons who suffered from the fire in the cities of Ottawa, Hull and vicinity	May 8, 1900	25,000	00	25,000	00	.....	.....	10	3½
3893	Local improvement debentures to defray the ratepayers' share of the cost of certain sewers laid down in the year 1899	May 14, 1900	1,412	70	160	00	1,252	70	10	
3894	Local improvement debentures to defray the ratepayers' share of the cost of certain wooden sidewalks laid down in the year 1899	"	497	19	100	14	397	05	3	
3895	Sewer on Hickory street, between St. Patrick street and the north end of Hickory street	"	275	34	75	00	200	34	10	

3896	Asphalt roadway on Classic avenue, between Spadina avenue and Huron street.....	10	3½	2,447 00	1,380 73	3,827 73	10	3½
3897	Asphalt roadway on Cowan avenue, between King street and Queen street.....	10	3½	6,530 00	2,876 43	9,406 42	10	3½
3898	Brick roadway on Pearl street, between York street and Simcoe street.....	10	3½	3,527 64	977 39	4,505 03	10	3½
3899	Macadam roadway on Pembroke street, between Shuter street and Wilton avenue.....	3	3½	1,983 80	501 70	2,485 50	3	3½
3900	Macadam roadway on South Drive, between South Drive running south and Glen Road.....	5	3½	965 00	973 12	1,938 12	5	3½
3901	Macadam roadway on Crescent Road, between Yonge street and Rosedale Road.....	5	3½	2,998 02	1,080 70	4,078 72	5	3½
3902	Concrete sidewalk on the south side of Wilton Crescent, between the north limit of No. 7, and the south limit of No. 15.....	10	3½	210 32	99 40	309 72	10	3½
3903	Concrete sidewalk on the east side of Church street, between King street and Front street.....	10	3½	512 71	391 67	904 38	10	3½
3904	Concrete sidewalk on the east side of Bay street, between a point 50 feet north of Melinda street and a point 54 feet south of Melinda street.....	10	3½	253 14	22 18	275 27	10	3½
3905	Concrete sidewalk on north side of Prince Arthur avenue, between St. George street and a point distant 198 feet west thereof.....	10	3½	138 00	80 35	218 25	10	3½
3906	Brick sidewalks on both sides of Duncan street, between Queen street and Richmond street.....	10	3½	131 96	143 18	275 14	10	3½
3907	General consolidated loan debentures for the erection of a new Technical School in the City of Toronto.....	29	3½	.....	75,000 00	75,000 00	29	3½
3908	General consolidated loan debentures for aiding members of the Canadian forces sent to South Africa for service during the present South African War.....	10	3½	.....	25,000 00	25,000 00	10	3½
3909	General consolidated loan debentures for the purpose of purchasing sites, erecting school houses or additions thereto for the Public Schools.....	29	3½	.....	172,200 00	172,200 00	29	3½
3911	Macadam roadway on Grenville street, between Yonge street and Surrey Place.....	5	3½	6,200 00	4,052 27	10,252 27	5	3½
3913	General consolidated loan debentures for completing the St. Lawrence Market Building.....	20	3½	.....	50,000 00	50,000 00	20	3½
3914	Consolidating ratepayers' share of broken amounts named in certain Local Improvement By-laws.....	various	3½	421,936 11	.....	421,936 11	various	3½
3315	Consolidating City's proportion of the amounts named in certain Local Improvement By-laws.....	various	3½	.....	167,918 90	167,918 90	various	3½



4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act respecting the City of Toronto.

First Reading, 1901.

(Private Bill).

Mr. CRAWFORD.

TORONTO :
PRINTED BY I. K. CAMERON,
Printer to the King'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 of the several matters herein set forth; and whereas none of the by-laws mentioned in Schedule "A" have been moved against nor any proceedings taken to quash or set aside the same, nor have any objections been made to any of the said by-laws saving and excepting as to so much of by-law 3779 as relates to the assessment of a certain wooden sidewalk on College street hereinafter referred to; and whereas saving as to such by-law no opposition has been offered to the confirmation of the said by-laws; and whereas with reference to the other matters referred to in the said petition and hereinafter dealt with no opposition has been offered; and whereas it is expedient to grant the prayer of the said petition:

Preamble

Therefore His 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 Act passed in the 62d year of the reign of Her late Majesty Queen Victoria, chaptered 85, is amended by inserting after the words: "For the erection of a new Technical School building or the purchase of lands therefor" the following words: "and for furnishing and equipping the same."

Technical School Building.

62 V. c. 85, s. 2.

2. All grants of money heretofore or which may hereafter be voted by the City Council and used in receiving and entertaining the members of the Canadian Forces who had been sent to South Africa for service during the South African War on their return therefrom, including decorations at the time of such reception, are hereby made and declared legal and valid.

Validating money spent in receiving South African Contingent.

3. The By-Laws of the corporation of the City of Toronto specified in Schedule "A" 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, except so much of by-law 3779 as relates to the assessment of a wooden sidewalk on College street from Huron street to the road leading to the Observatory, and numbered 52 in the schedule to the said by-law.

Validating Debenture By-Laws.

SCHEDULE A.

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.
			\$ c.	\$ c.	\$ c.		
3779	Local improvement debentures to defray the ratepayers' share of the cost of certain wooden sidewalks constructed in the city of Toronto during the year 1899	March 5, 1900	35,582 16	6,800 88	28,781 28	3	
3780	Local improvement debentures to defray the ratepayers' share of the cost of certain wooden sidewalks laid down in the city of Toronto in the year 1899	"	1,827 90	465 12	1,362 78	3	
3781	Local improvement debentures to defray the ratepayers' share of the cost of certain cedar block pavements laid down in the year 1899	"	30,474 57	10,182 31	20,292 26	5	
3782	Asphalt roadway on Carlton street, between Sherbourne street and Parliament street	"	14,650 61	3,832 91	10,817 70	10	
3783	Asphalt roadway on Gifford street, between Spruce street and Carlton street	"	2,945 81	917 34	2,028 47	10	
3784	Asphalt roadway on Spruce street, between Parliament street and Sumach street	"	10,650 96	6,110 61	4,540 35	10	
3785	Asphalt roadway on Albert street, between Yonge street and James street	"	4,533 16	1,647 16	2,886 00	10	
3786	Asphalt roadway on Front street, between York street and Bay street	"	14,304 96	3,606 49	10,698 47	10	
3787	Asphalt roadway on James street, between Queen street and Albert street	"	6,048 23	4,221 23	1,827 00	10	
3788	Asphalt roadway on the first lane south of Front street, between Scott street and the eastern terminus of said lane	"	3,409 75	88 00	3,321 75	10	
3789	Asphalt roadway on Queen street, between Yonge street and John street	"	35,164 66	16,533 10	18,631 56	10	
3790	Asphalt roadway on Bedford road, between Lowther avenue and Ber-						

3791	Asphalt roadway on Bernard avenue, between Bedford road and Avenue road	8,365 91	1,671 03	6,694 88	10
3792	Asphalt roadway on Brunswick avenue, between Sussex avenue and Bloor street	5,394 67	1,922 67	4,472 00	10
3793	Asphalt roadway on Huron street, between Bloor street and Lowther avenue	5,767 52	1,716 92	4,050 60	10
3794	Asphalt roadway on Major street, between College street and Bloor street	7,398 59	1,860 28	5,538 31	10
3795	Asphalt roadway on Prince Arthur avenue, between Huron street and St. George street	26,824 67	6,061 53	20,763 14	10
3796	Asphalt roadway on Churchill avenue, between Dovercourt road and a point distant 715 feet easterly therefrom	2,598 04	828 27	1,769 77	10
3797	Asphalt roadway on Crawford street, between Queen street and Crawford street bridge	5,271 55	2,008 65	3,262 90	10
3798	Asphalt roadway on Lakeview avenue, between Dundas street and Churchill avenue	11,475 07	2,299 07	9,176 00	10
3799	Asphalt roadway on Markham street, between College street and Harbord street	7,219 69	2,292 10	4,927 59	10
3800	Asphalt roadway on Close avenue, between King street and Queen street	14,819 63	2,511 23	12,308 40	10
3801	Asphalt roadway on Marion street, between O'Hara avenue and Lansdowne avenue	7,917 67	2,344 67	5,573 00	10
3802	Brick roadway on Denison square, between Augusta avenue and Bellevue avenue	3,800 00	1,825 06	1,974 94	10
3803	Brick roadway on Huron street, between Grange avenue and St. Patrick street	1,143 14	615 64	527 50	10
3804	Brick roadway on Lippincott street, between College street and Ulster street	2,338 31	727 71	1,610 60	10
3805	Brick roadway on Orde Street, between Murray street and University avenue	7,303 02	1,344 44	5,958 58	10
3806	Brick road on St. Patrick street, between Spadina avenue and Denison avenue	1,055 36	179 18	876 18	10
3807	Brick roadway on Fraser avenue, between King street and a point distant 239 feet southerly therefrom	7,592 09	3,453 43	4,538 66	10
3808	Brick roadway on Garden avenue, between Roncesvalles avenue and Sorauen avenue	1,738 09	1,148 52	589 57	10
3809	Brick roadway on Sorauen avenue, between Queen street and Wright avenue	7,376 20	769 50	6,606 70	10
		9,712 81	2,366 75	7,346 06	6

SCHEDULE A.—Continued.

Number 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.		
3810	Macadam roadway on Spruce street, between Sumach street and River street	March 5, 1900.	1,578 28	642 70	935 58	5	
3811	Macadam roadway on Sword street, between Gerrard street and Spruce street	"	911 18	238 34	672 84	5	
3812	Macadam roadway on Sumach street, between Gerrard street and Wellesley street	"	5,693 14	3 509 65	2,183 49	5	
3813	Macadam roadway on Front street, between Sherbourne street and Trinity street	"	5,960 47	1,581 67	4,378 80	3	
3814	Macadam roadway on Parliament street, between Queen street and Gerrard street	"	8,389 21	2,449 21	5,940 00	5	
3815	Macadam roadway on Sackville street, between Wellesley street and a point distant 256 feet northerly therefrom	"	724 30	377 02	347 28	5	
3816	Macadam roadway on Sackville street, between Winchester street and Wellesley street	"	3,328 14	1,223 31	2,104 83	5	
3817	Macadam roadway on Elm street, between Yonge street and University avenue	"	2,921 66	1,218 86	1,702 80	3	
3818	Macadam roadway on Gerrard street, between Yonge street and Jarvis street	"	3,559 92	1,648 31	1,911 61	5	
3819	Macadam roadway on Macpherson avenue, between Yonge street and a point 1,330 feet west thereof	"	3,182 89	307 97	2,874 92	5	
3820	Macadam roadway on Washington avenue, between Spadina avenue and Huron street	"	1,568 56	548 83	1,019 73	5	
3821	Macadam roadway on Langley avenue, between Broadview avenue and Logan avenue	"	2,996 82	279 25	2,717 57	5	
3822	Macadam roadway on Division street, between Huron street and Spadina avenue	"	1,396 16	342 16	1,054 00	5	
3823	Gravel roadway on Collahie street, between Beaconsfield avenue and Gladstone avenue	"	598 60	128 55	470 05	3	
3824	Turfmac roadway on Scott street, between Esplanade street and	"					

3827	Front street Asphalt roadway on Madison avenue, between Bloor street and Du- pont street.	6,470 12	2,495 70	3,974 42	10
3828	Asphalt roadway on Queen street, between Bathurst street and Niagara street	24,809 00	3,089 00	21,720 00	10
3829	Brick roadway on Orford avenue, between Parliament street and a point distant 243 feet east thereof.	18,365 48	5,083 60	13,281 88	10
3830	Brick roadway on Orford avenue, between Clara street and a point distant 119 feet west thereof.	1,344 17	360 17	984 00	10
3831	Brick roadway on Bellevue place, between Bellevue avenue and Carlyle str et.	445 86	155 09	290 77	10
3832	Brick roadway on Borden street, between Ulster street and College street	2 897 42	961 42	1,936 00	10
3833	Brick roadway on Cameron place, between Cameron street and Vanauley street	8,591 23	2,152 14	6,439 09	10
3834	Brick roadway on Cameron street, between Queen street and Cam- eron place	878 29	396 05	482 24	10
3835	Brick roadway on Brockfield street, between Queen street and Hum- birt street	3,026 93	607 93	2,419 00	6
3836	Brick roadway on Concord avenue, between Bloor street and a point distant 180 feet south of the south side of Hepbourne street	4,202 96	593 96	3,609 00	10
3837	Brick roadway on Crawford street, between Bloor street and the northern terminus of Crawford street	4,650 00	1,183 00	3,467 00	10
3838	Brick roadway on Grove avenue, between Foxley street and Dundas street	7,436 66	1,431 82	6,004 84	6
3839	Macadam roadway on First avenue, between Broadview avenue and Logan avenue	4,681 55	1,589 21	3,092 34	10
3840	Macadam roadway on Victor avenue, between Broadview avenue and Logan avenue	8,014 26	2,633 38	5,380 88	5
3841	Macadam roadway on Wellesley street, between Parliament street and Sunach street	4 596 11	625 00	3,971 11	5
3842	Macadam roadway on Elgin avenue, between Bedford road and Avenue road	3 871 12	934 12	2,937 00	5
3843	Macadam roadway on Dufferin street, between Dundas street and Lindsay avenue	3,291 96	542 20	2,749 76	5
3844	Concrete sidewalk on the east side of Bleeker street, between Welles- ley street and Howard street	5,206 12	1,385 12	3,821 00	5
3845	Concrete sidewalk on the north side of Carlton street, between Ontario street and Bleeker street	1,242 32	163 92	1,078 40	10
		327 47	64 62	262 85	10

March 19, 1900

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	Periods of Payments.	Rate of Interest.
3846	Concrete sidewalks on both sides of Homewood avenue, between Carlton street and Wellesley street	March 19, 1900	\$ c. 3,380 04	\$ c. 548 85	\$ c. 2,831 19	10	3½
3847	Concrete sidewalk on the east side of Jarvis street, between King street and the south limit of the Fred Victor Mission Building (except in front of No. 103).	"	2,515 66	352 93	2,162 73	10	3½
3848	Concrete sidewalk on the south sides of Orford avenue, between Clara street and a point 119 feet west thereof	"	96 97	.....	96 97	10	3½
3849	Concrete sidewalks on both sides of Orford avenue, between Parliament street and a point distant 243 feet easterly therefrom	"	346 87	66 20	280 67	10	3½
3850	Concrete sidewalk on the south side of Wellesley Crescent, between Sherbourne street and the east limit of Thomas Long's property.	"	529 12	79 72	449 40	10	3½
3851	Concrete sidewalk on the east side of Sherbourne street, between Wilton avenue and Gerrard street, (except opposite Nos. 245, 247, 251, 263, 265, 267, 269, 271, 273, 275, 277 and 291)	"	446 55	.....	446 55	10	3½
3852	Concrete sidewalk on the south side of Queen street, between Yonge street and Sherbourne street (except certain portions thereof)	"	3,837 10	340 20	3,496 90	10	3½
3853	Concrete sidewalk on the south side of Adelaide street, between Bay street and York street (excepting opposite the lane west of Parisian Laundry)	"	2,218 95	390 50	1,828 45	10	3½
3854	Concrete sidewalk on the north side of Adelaide street, between Yonge street and the west end of the Freehold Building	"	339 43	84 60	254 83	10	3½
3855	Concrete sidewalk on the west side of Bay street, between a point 144 feet 6 inches north of King street, and Queen street (except 105 feet 10 inches in front of Temple Building)	"	1,561 03	386 03	1,175 00	10	3½
3856	Concrete sidewalk on the south side of Front street, between a point distant 100 feet west of York street and a point 52 feet east of Simcoe street (except opposite the Union Station)	"	706 94	.....	706 94	10	3½
3857	Concrete sidewalk on the east side of James street, between Queen						

3858	street and a point 131 feet 8 inches north	287 20	130 90	156 30	10	3½
	Concrete sidewalk on the south side of Queen street, between Bay street and York street.	1,563 67	43 38	1,520 29	10	3½
3859	Concrete sidewalk on the south side of Queen street, between the west limit of the store of the Robert Simpson Company, Limited, and a point distant 142 feet west thereof	270 78	.....	270 78	10	3½
3860	Concrete sidewalk on the south side of Front street, between Scott street and Church street	1,070 83	43 53	1,027 30	10	3½
3861	Concrete sidewalk on the south side of Adelaide street, between Yonge street and Bay street, except in front of the Grand Opera House, Toronto Opera House, Worden's Hotel, and the lanes on each side of the Grand Opera House	912 97	241 64	671 33	10	3½
3862	Concrete sidewalk on the west side of Yonge street, between Yorkville avenue and Davenport road	647 32	170 71	476 61	10	3½
3863	Concrete sidewalks on both sides of Classic avenue, between Spadina avenue and Huron street	571 25	132 28	438 97	10	3½
3864	Concrete sidewalk on the east side of Huron street, between Bloor street and Prince Arthur avenue	418 57	81 44	337 13	10	3½
3865	Concrete sidewalks on both sides of Madison avenue, between Bloor street and Bernard avenue	3 050 01	193 01	2,857 00	10	3½
3866	Concrete sidewalk on the north side of Prince Arthur avenue, between Avenue Road and Bedford Road	660 31	76 09	584 22	10	3½
3867	Concrete sidewalk on the east side of St. George street, between College street and Hoskin avenue, except in front of Nos. 65, 67, 69 and 71 St. George street	1,272 60	65 26	1,207 34	10	3½
3868	Concrete sidewalk on the east side of St. George street, between Lower avenue and a point distant 200 feet north	178 43	17 80	160 63	10	3½
3869	Concrete sidewalk on the west side of St. George street, between Prince Arthur avenue and a point distant 171 feet north thereof	185 74	20 74	165 00	10	3½
3870	Concrete sidewalk on the north side of Sussex avenue, between St. George street and Huron street	345 38	65 24	280 14	10	3½
3871	Concrete sidewalk on the west side of Walmer Road, between Bloor street and Lowther avenue	686 20	10 70	675 50	10	3½
3872	Concrete sidewalk on the south side of Wilcox street, between St. George street and Huron street	348 80	80 00	268 80	10	3½
3873	Concrete sidewalks on both sides of Wilcox street, between Huron street and Spadina avenue	824 81	169 09	655 72	10	3½
3874	Concrete sidewalk on the south side of Queen street, between Tecumseth street and a point distant 100 feet west of Niagara street	1,871 67	117 95	1,753 72	10	3½

March 19, 1900

SCHEDULE A.—Continued.

N. 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.			
3875	Concrete sidewalk on the north side of Queen street, between the east limit of No. 674 and the west limit of No. 684	March 19, 1900	218	77	25	60	193 17	10	3½
3876	Concrete sidewalk on the north side of Queen street, between Gwynne avenue and a point distant 43 feet 6 inches east of O'Hara avenue	"	2,475	00	122	40	2,352 60	10	3½
3877	Granolithic sidewalk on the east side of Bathurst street, between St. Patrick street and Roseberry avenue	"	412	82	31	55	381 27	10	3½
3878	Brick sidewalk on the east side of Bay street, between Front street and Esplanade street	"	595	58	200	00	395 58	10	3½
3879	Brick sidewalk on the south side of Richmond street, between Victoria street and Yonge street	"	391	85	91	85	300 00	10	3½
3880	Brick sidewalk on the east side of Simcoe street, between Wellington street and a point distant 330 feet south	"	218	54	6	62	211 92	10	3½
3881	Brick sidewalk on the north side of College street, between Huron street and Spadina avenue	"	365	18	203	38	161 80	10	3½
3882	Local Improvement Debentures to defray the ratepayers' share of certain wooden sidewalks laid down during the year 1899	"	7,069	78	1,621	88	5,447 90	3	
3883	Asphalt Roadway on Spadina Avenue, between Knox College Crescent and Bloor street	"	27,582	18	11,254	83	16,327 35	10	3½
3884	Local improvement debentures to defray the ratepayers' share of the cost of certain cedar block pavements laid down during the year 1899	March 29, 1900	6,489	79	1,975	30	4,514 49	5	
3885	Local improvement debentures to defray the ratepayers' share of the cost of certain sewers laid down in the year 1899	"	7,948	42	1,718	56	6,229 86	10	
3892	Consolidated loan debentures for aiding persons who suffered from the fire in the cities of Ottawa, Hull and vicinity	May 8, 1900	25,000	00	25,000	00	.....	10	3½
3893	Local improvement debentures to defray the ratepayers' share of the cost of certain sewers laid down in the year 1899	May 14, 1900	1,412	70	160	00	1,252 70	10	
3894	Local improvement debentures to defray the ratepayers' share of the cost of certain wooden sidewalks laid down in the year 1899	"	497	19	100	14	397 05	3	
3895	Sewer on Hickory street, between St. Patrick street and the north end of Hickory street	"	275	34	75	00	200 34	10	

3896	Asphalt roadway on Classic avenue, between Spadina avenue and Huron street.....	"	3,827 73	1,380 73	2,447 00	10	3½
3897	Asphalt roadway on Cowan avenue, between King street and Queen street.....	"	9,406 42	2,876 42	6,530 00	10	3½
3898	Brick roadway on Pearl street, between York street and Simcoe street.....	"	4,505 03	977 39	3,527 64	10	3½
3899	Macadam roadway on Pembroke street, between Shuter street and Wilton avenue.....	"	2,485 50	501 70	1,983 80	3	3½
3900	Macadam roadway on South Drive, between South Drive running south and Glen Road.....	"	1,938 12	973 12	965 00	5	3½
3901	Macadam roadway on Crescent Road, between Yonge street and Rosedale Road.....	"	4,078 72	1,080 70	2,998 02	5	3½
3902	Concrete sidewalk on the south side of Wilton Crescent, between the north limit of No. 7, and the south limit of No. 15.....	"	309 72	99 40	210 31	10	3½
3903	Concrete sidewalk on the east side of Church street, between King street and Front street.....	"	904 38	391 67	512 77	10	3½
3904	Concrete sidewalk on the east side of Bay street, between a point 50 feet north of Melinda street and a point 54 feet south of Melinda street.....	"	275 27	22 13	253 14	10	3½
3905	Concrete sidewalk on north side of Prince Arthur avenue, between St. George street and a point distant 198 feet west thereof.....	"	218 25	80 35	138 00	10	3½
3906	Brick sidewalks on both sides of Duncan street, between Queen street and Richmond street.....	"	275 14	143 18	231 96	10	3½
3907	General consolidated loan debentures for the erection of a new Technical School in the City of Toronto.....	June	75,000 00	75,000 00	.....	2	3½
3908	General consolidated loan debentures for aiding members of the Canadian forces sent to South Africa for service during the present South African War.....	"	25,000 00	25,000 00	.....	10	3½
3909	General consolidated loan debentures for the purpose of purchasing sites, erecting school houses or additions thereto for the Public Schools.....	"	172,200 00	172,200 00	.....	29	3½
3911	Macadam roadway on Grenville street, between Yonge street and Surrey Place.....	"	10,252 27	4,052 27	6,200 00	5	3½
3913	General consolidated loan debentures for completing the St. Lawrence Market Building.....	25,	50,000 00	50,000 00	.....	29	3½
3914	Consolidating ratepayers' share of broken amounts named in certain Local improvement By-laws.....	July	421,936 11	.....	421,936 11	various	3½
3915	Consolidating City's proportion of the amounts named in certain Local Improvement By-laws.....	"	167,918 90	167,918 90	.....	various	3½

No. 38.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act respecting the City of Toronto.

First Reading, 27th February, 1901.

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

Mr. CRAWFORD

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

An Act respecting the Peoples' Life Insurance
Company.

WHEREAS the Peoples' Life Insurance Company have by Preamble.
their petition prayed that an Act may be passed to
amend their Act of Incorporation, passed in the 55th year of
Her Majesty's reign, chaptered 102 (as amended by an Act
5 passed in the 57th year of Her Majesty's reign, chaptered 99),
so as to authorize the Company for the better security of its
policy-holders to issue debenture stock and to convert the ex-
isting debentures of the Company into debenture stock; and
whereas it is expedient to grant the prayer of the said
10 petition :

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

1. The Board of Directors may from time to time issue de- Issue of De-
15 benture stock in such amounts and manner, on such terms and benture
bearing such rate of interest and in such currency, as the direc- Stock.
tors from time to time think proper, but the amount
borrowed at any one time on the security of debenture stock
shall not, unless with the consent previously obtained of the
20 Lieutenant-Governor in Council, exceed in the whole the sum
of \$250,000.

2. The holders of any debentures of the Company may, Exchange of
with the consent of the directors, at any time exchange any of debentures for
such debentures for debenture stock. debenture
stock.

25 3. The debenture stock to be issued under the authority of Rights of
this Act shall not (except as provided in section 4 hereof) con- holders of de-
fer on or imply in any holder of the said debenture stock the benture stock
right to require repayment of the principal money paid up in redemption.
30 respect of the debenture stock; but the Company shall be en-
titled at any time and from time to time, on giving six months'
notice in writing to the last known address of the holder, or
on giving a bonus equivalent to six months' interest at the rate
per centum stated in the certificate, to redeem any or all of
the debenture stock which shall have been in force for at least
35 five years by paying to the holder the principal money paid
up in respect of such debenture stock together with interest
(if any) due and unpaid at the date of such redemption.

Debenture
stock how
ranked.

4. The debenture stock of the Company shall rank equally with the debentures issued by the Company, and the holders of debenture stock shall not be liable or answerable for any debts or liabilities of the Company; and in case of a liquidation of the Company or other distribution of its assets the holders of debenture stock, for arrears of interest (if any) and for the principal money paid up in respect of such debenture stock, shall rank with debenture holders (if any), and next after creditors entitled to claim under any policies of the Company as provided in sub-section 4 of section 191 of the *Ontario Insurance Act*. 5 10

Register of
debenture
stock.

5. The Company shall cause entries of the debenture stock from time to time issued to be made in a register to be known as the Debenture Stock Register, and to be kept for that purpose at the head office of the Company, wherein shall be entered the names and addresses of the several persons and corporations from time to time entitled to the debenture stock, with the respective amounts of the stocks to which they are respectively entitled. 15

Transfer of
debenture
stock.

6. The debenture stock of the Company shall, when fully paid up, be transferable in such amounts and in such manner as the directors may determine, and all transfers of the debenture stock of the Company shall be registered at the head office of the Company, but the Company may have transfer books for the purpose of such debenture stock at such place or places without the Province where transfers of the said stock may be made; but all such transfers shall be entered in the book to be kept at the head office of the Company. 20 25

Certificates of
debenture
stock.

7. The Company shall deliver to every holder of debenture stock a certificate stating the amount of the debenture stock held by him and the rate of interest payable thereon. 30

55 Vic. c. 102,
s. 4, amended.

8. Section 4 of the said chapter 102 of the 55th year of Her Majesty's reign is hereby amended by inserting after the word "right" in the first line of the said section the words "debenture stock or." 35

55 Vic. c. 102,
s. 5 (1) amended.

9. Sub-section 1 of section 5 of the said chapter 102 is hereby amended by inserting after the words "each holder of" in the first line of the said sub-section the words "debenture stock or"; also the said sub-section is hereby further amended by inserting after the words and figures "every \$100 of" in the third line of the said sub-section the words "debenture stock or," 40

55 Vic. c. 102,
s. 9, amended.

10. Section 9 of the said chapter 102 is hereby amended by inserting after the word "right" in the fourth line of the said section the words "debenture stock or." 50

11. Section 12 of the said chapter 102, as amended by section 1 of the said chapter 99 of the 57th year of Her Majesty's reign, is hereby further amended by striking out the words "the whole of the assets of the Company being held liable to pay the same at maturity" in the eighth and ninth lines of the said section.

12. Sub-section 2 of section 13 of the said chapter 102 is hereby amended by striking out the figures "\$1,000,000" in the fifth line of the said sub-section and inserting the figures "\$2,000,000" in lieu thereof.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting the Peoples' Life Insurance Company.

First Reading, , 1901.

(Private Bill)

Mr. CRAWFORD.

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

An Act respecting the Peoples' Life Insurance Company.

WHEREAS the Peoples' Life Insurance Company have by Preamble. their petition prayed that an Act may be passed to amend their Act of Incorporation, passed in the 55th year of Her Majesty's reign, chaptered 102 (as amended by an Act passed in the 57th year of Her Majesty's reign, chaptered 99), so as to authorize the Company for the better security of its policy-holders to issue debenture stock and to convert the existing debentures of the Company into debenture stock; and whereas it is expedient to grant the prayer of the said petition:

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

1. The Board of Directors may from time to time issue debenture stock in such amounts and manner, on such terms and bearing such rate of interest and in such currency, as the directors from time to time think proper, but the amount borrowed at any one time on the security of debenture stock shall not, unless with the consent previously obtained of the Lieutenant-Governor in Council, exceed in the whole the sum of \$250,000. Issue of Debenture Stock.

2. The holders of any debentures of the Company may, with the consent of the directors, at any time exchange any of such debentures for debenture stock. Exchange of debentures for debenture stock.

3. The debenture stock to be issued under the authority of this Act shall not (except as provided in section 4 hereof) confer on or imply in any holder of the said debenture stock the right to require repayment of the principal money paid up in respect of the debenture stock; but the Company shall be entitled at any time and from time to time, on giving six months' notice in writing to the last known address of the holder, or on giving a bonus equivalent to six months' interest at the rate *per centum* stated in the certificate, to redeem any or all of the debenture stock which shall have been in force for at least five years by paying to the holder the principal money paid up in respect of such debenture stock together with interest (if any) due and unpaid at the date of such redemption. Rights of holders of debenture stock redemption.

Debenture stock how ranked.

4. The debenture stock of the Company shall rank equally with the debentures issued by the Company, and the holders of debenture stock shall not *thereby become* liable or answerable for any debts or liabilities of the Company; and in case of a liquidation of the Company or other distribution of its assets the holders of debenture stock, for arrears of interest (if any) and for the principal money paid up in respect of such debenture stock, shall rank with debenture holders (if any), and next after creditors *who*, as provided in sub-section 4 of section 191 of the *Ontario Insurance Act*, ~~are~~ are entitled to claim under any policies of the Company.

Rev. Stat. c. 203.

Register of debenture stock.

5. The Company shall cause entries of the debenture stock from time to time issued to be made in a register to be known as the Debenture Stock Register, and to be kept for that purpose at the head office of the Company, wherein shall be entered the names and addresses of the several persons and corporations from time to time entitled to the debenture stock, with the respective amounts of the *debenture* stock to which they are respectively entitled.

Transfer of debenture stock.

6. The debenture stock of the Company shall, when fully paid up, be transferable in such amounts and in such manner as the directors may determine, and all transfers of the debenture stock of the Company shall be registered at the head office of the Company, but the Company may have transfer books for the purpose of such debenture stock at such place or places without the Province where transfers of the said stock may be made; but all such transfers shall be entered in the book to be kept at the head office of the Company.

Certificates of debenture stock.

7. The Company shall deliver to every holder of debenture stock a certificate stating the amount of the debenture stock held by him and the rate of interest payable thereon.

55 Vic. c. 102, s. 4, amended.

8. Section 4 of the said chapter 102 of the 55th year of Her Majesty's reign is hereby amended by inserting after the word "right" in the first line of the said section the words "debenture stock or."

55 Vic. c. 102, s. 5 (1) amended.

9. Sub-section 1 of section 5 of the said chapter 102 is hereby amended by inserting after the words "each holder of" in the first line of the said sub-section the words "debenture stock or"; also the said sub-section is hereby further amended by inserting after the words and figures "every \$100 of" in the third line of the said sub-section the words "debenture stock or."

55 Vic. c. 102, s. 9, amended.

10. Section 9 of the said chapter 102 is hereby amended by inserting after the word "right" in the fourth line of the said section the words "debenture stock or."

11. Section 12 of the said chapter 102, as amended by section 12 of the said chapter 99 of the 57th year of Her Majesty's reign, is hereby further amended by striking out the words "the whole of the assets of the Company being held liable to pay the same at maturity" in the eighth and ninth lines of the said section. 55 Vic. c. 102, s. 12, as amended by 57 Vic. c. 99 s. 1, further amended.

12. Sub-section 2 of section 13 of the said chapter 102 is hereby amended by striking out the figures "\$1,000,000" in the fifth line of the said sub-section and inserting the figures "\$2,000,000" in lieu thereof. 55 Vic. c. 102, s. 13 (2) amended.

13. Nothing in this Act shall be held to prejudice or affect the rights of holders of debentures now outstanding.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting the Peoples' Life Insurance Company.

First Reading, 21st February, 1901.

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

MR. CRAWFORD.

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

To authorize The St. Thomas Cemetery Company to purchase and use as an addition to the cemetery certain lands in the City of St. Thomas.

WHEREAS The St. Thomas Cemetery Company have by Preamble.
 their petition prayed for an Act authorizing the said Company to purchase and use as an addition to the present cemetery, a portion of land adjoining the said cemetery on the
 5 south and south easterly sides thereof, owned by the Walker Estate and containing about three acres, more or less; and whereas it is expedient to grant the prayer of the said petition;

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

1. The St. Thomas Cemetery Company is hereby authorized and empowered to purchase for an addition to the said cemetery, and use as a burial ground, that portion of land, owned by the Walker Estate, adjoining the present cemetery
 15 on the south and south easterly sides thereof, containing about three acres, more or less, and more particularly described as follows:—All and singular that certain parcel or tract of land and premises situate, lying, and being in the City of St. Thomas, in the County of Elgin and Province of Ontario,
 20 being composed of part of lot number two in the eighth concession of the Township of Yarmouth, part of the undivided portion of lot number three in the eighth concession of the said township, and lots numbers twenty-seven, twenty-six, twenty-five, twenty-four and parts of lots twenty-three and
 25 letter "S" in that block of lots south of Ada street and west of Wilson avenue, as shown on a plan of the subdivision of part of the south part of lot number three in the eighth concession of Yarmouth, registered in the registry office for the County of Elgin, containing by admeasurement three acres
 30 more or less and more particularly described as follows:—Commencing at the north east angle of said lot twenty-seven in the block south of Ada street and west of Wilson avenue, thence westerly along the southerly limit of the said Ada street two chains and eighty-three links to the easterly limit
 35 of lot "C" west of West avenue, thence south easterly along the said easterly limit of lot "C" to the south east angle of said lot "C," thence south seventy-three degrees and twenty

Purchase of additional lands authorized.

minutes west along the southerly limit of said lot "C" and the same produced to the easterly limit of the London and Port Stanley gravel road, thence southerly along the easterly limit of said road to the northerly limit of the right of way of the Lake Erie and Detroit River Railway, thence easterly 5 along the northerly limit of said right of way to the east limit of lot twenty-three in the block south of Ada street and west of Wilson avenue, thence northerly along the east limit of lots twenty-three, twenty-four, twenty-five, twenty-six and twenty-seven in the said block to the place of beginning. 10

4th Session, 9th Legislature,
I. Edward VII., 1900.

BILL.

An Act to authorize The St. Thomas Cemetery Company to purchase certain lands for an addition to the present cemetery.

First Reading,	1901.
----------------	-------

(Private Bill.)

Mr. MACDIARMID,
(West Elgin).

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

To authorize The St. Thomas Cemetery Company to purchase and use as an addition to the cemetery certain lands in the City of St. Thomas

WHEREAS The St. Thomas Cemetery Company has by Preamble. petition prayed for an Act authorizing the said company to purchase and use as an addition to the present cemetery, a portion of land adjoining the said cemetery on the south and south easterly sides thereof, owned by the Walker Estate and containing about three acres, more or less; ~~and~~ and whereas the said parcel of land, although within the said City of St. Thomas, is in close proximity to the southerly limits thereof, and situate between the present cemetery and such limits, and is removed from the residential portion of the said city; 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;

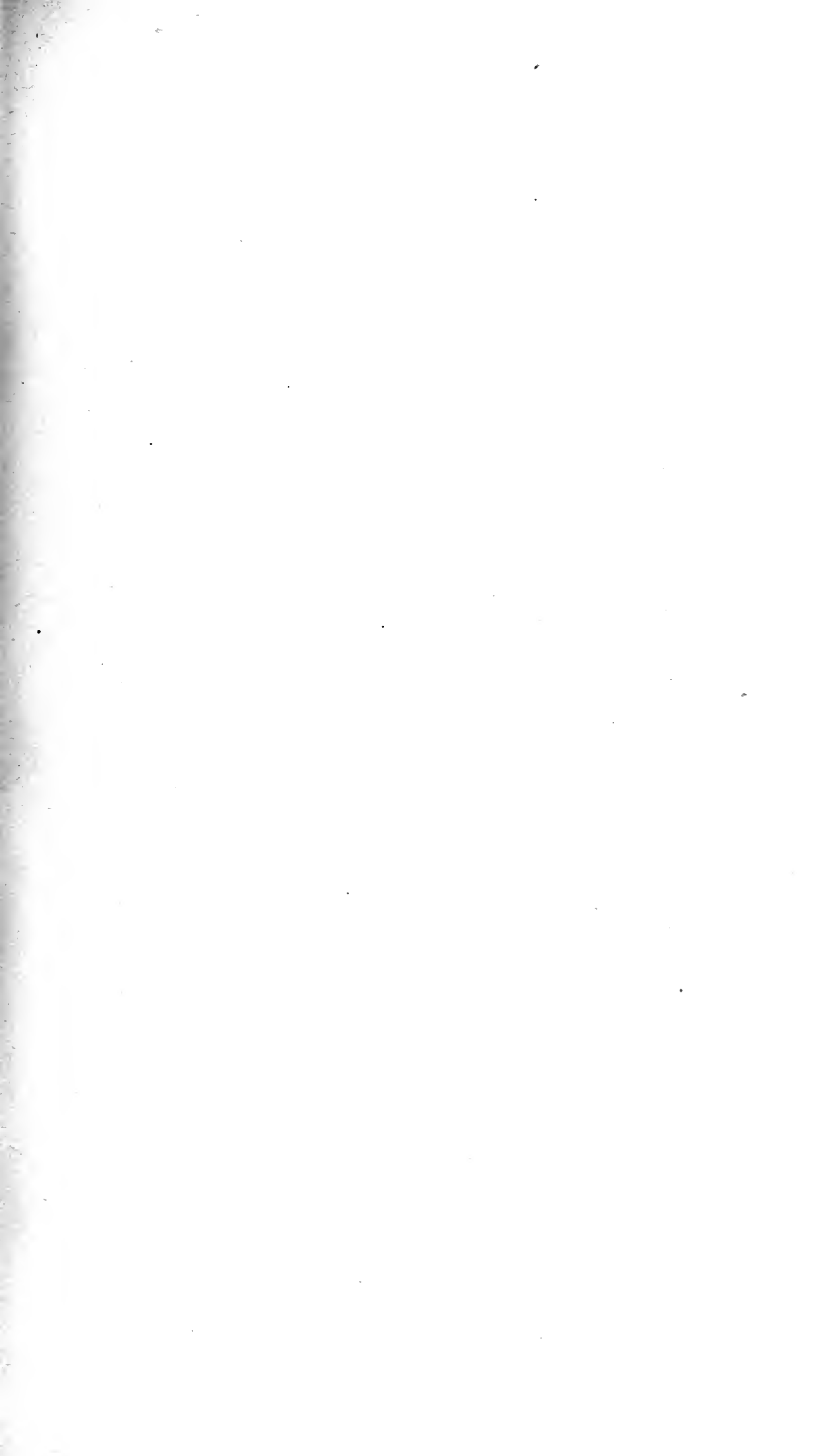
Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The St. Thomas Cemetery Company is authorized and empowered to purchase for an addition to the said cemetery, and use as a burial ground, that portion of land, Purchase of additional lands authorized. owned by the Walker Estate, adjoining the present cemetery on the south and south easterly sides thereof, containing about three acres, more or less, and more particularly described as follows:—All and singular that certain parcel or tract of land and premises situate, lying, and being in the City of St. Thomas, in the County of Elgin and Province of Ontario, being composed of part of lot number two in the eighth concession of the Township of Yarmouth, part of the unsubdivided portion of lot number three in the eighth concession of the said township, and lots numbers twenty-seven, twenty-six, twenty-five, twenty-four and parts of lots twenty-three and letter "S" in that block of lots south of Ada street and west of Wilson avenue, as shown on a plan of the subdivision of part of the south part of lot number three in the eighth concession of Yarmouth, registered in the registry office for the County of Elgin, containing by admeasurement three acres more or less and more particularly described as follows:—Commencing at the north east angle of said lot twenty-seven

in the block south of Ada street and west of Wilson avenue, thence westerly along the southerly limit of the said Ada street two chains and eighty-three links to the easterly limit of lot "C" west of West avenue, thence south easterly along the said easterly limit of lot "C" to the south east angle of said lot "C," thence south seventy-three degrees and twenty minutes west along the southerly limit of said lot "C" and the same produced to the easterly limit of the London and Port Stanley gravel road, thence southerly along the easterly limit of said road to the northerly limit of the right of way of the Lake Erie and Detroit River Railway, thence easterly along the northerly limit of said right of way to the east limit of lot twenty-three in the block south of Ada street and west of Wilson avenue, thence northerly along the east limit of lots twenty-three, twenty-four, twenty-five, twenty-six and twenty-seven in the said block to the place of beginning.

Cemetery
company
authorized to
sell part of the
present
cemetery.

⁴²⁷2. The said cemetery company is authorized and empowered to sell and absolutely dispose of that portion of land now owned and held by the said company for cemetery purposes, but which has never been used for such purposes, and described as Block "D" forming part of Lot Number Two in the Eighth Concession of the Township of Yarmouth, according to a plan and survey made by Daniel Hanvey, Provincial Land Surveyor, and the said lands may be sold either by public auction or private sale as the directors of the said company deem most advisable, and the proceeds of such sale shall form part of the general funds of the said company. ^{65a}



BILL.

An Act to authorize The St. Thomas Cemetery Company to purchase certain lands for an addition to the present cemetery.

First Reading, 21st March, 1901.

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

Mr. MACDIARMID,
(West Elgin).

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

An Act to incorporate The Magnetawan River Railway Company.

WHEREAS James Sharpe, William Robertson, William Preamble.
 McLachlan, E. A. Morris, Joseph Turner, Jas. S. Freeborn, M.D., R. J. Watson, W. E. Jenkins, C. G. Marlatt, J. D. Reid, George McKnight, Henry Knight, S. G. Ritter, A. P. Cockburn, George Alexander and E. H. Smith, have by their petition prayed for an Act of incorporation under the name of The Magnetawan River Railway Company for the purpose of constructing and operating a railway by steam between a point in or near the village of Burks Falls and a point on the Magnetawan River where said river is navigable for vessels with power to build, work and maintain wharves, warehouses and other works necessary to enable said railway to connect with vessels and boats to and from said railway for the purpose of their business; and whereas it is expedient to grant the prayer of the said petition :

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

1. The said James Sharpe, William Robertson, William Incorporation.
 McLachlan, E. A. Morris, Joseph Turner, James S. Freeborn, M. D., R. J. Watson, W. E. Jenkins, C. G. Marlatt, J. D. Reid, George McKnight, Henry Knight, S. G. Ritter, A. P. Cockburn, George Alexander and F. H. Smith 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 Magnetawan River Railway Company," hereinafter called "the company," with power to construct, equip and operate a railway of the gauge of four feet eight and one-half inches between the points and for the purposes mentioned in the preamble hereto.

2. That James Sharpe, William Robertson, R. J. Watson, Provisional directors.
 George McKnight, Henry Knight, A. P. Cockburn and George Alexander 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 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.

3. 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 village of Burks Falls in the district of Parry Sound or at such other place as may best suit the interest of the company.

Capital stock.

4. The capital stock of the company hereby incorporated shall be \$30,000 (with power to increase the same in the manner provided by *The Railway Act of Ontario*) to be divided into 300 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,
election of
directors.

5. When, and as soon as shares to the amount of \$3,000 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 adver-

tisement in *The Ontario Gazette* and in one or more newspapers published in the said village of Burk's Falls, of the time, place and purpose of said meeting.

5 **6.** At such general meeting the shareholders present either ^{Election of} directors.
 10 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 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
 15 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
 15 number as managing director.

7. No person shall be qualified to be elected as such director ^{Qualification} of directors.
 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.

20 **8.** Aliens and companies incorporated abroad, as well as ^{Rights of} aliens.
 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
 25 office as directors in the company.

9. No subscription for stock in the capital of the company ^{Subscriptions} for stock, when binding.
 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
 30 month after subscription.

10. The directors may from time to time, make calls ^{Calls.}
 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
 35 given of each call, as hereinafter provided in section 13 of this Act.

11. The provisional directors or the elected directors may ^{Payments in} paid up stock or bonds.
 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
 40 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
 45 other persons be provisional or elected directors or not, and any agreement so made shall be binding on the company.

Transfer of
shares.

12. 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. 5

Head office.

13. The head office of the company shall be at the said village of Burk's Falls, and the annual general meeting of the shareholders of the company shall be held at the said village or at such other place in the Province of Ontario and on such day and at such hour as the directors shall from time to time by resolution appoint, and public notice thereof shall be given at least four weeks previously in *The Ontario Gazette* once a week, in one newspaper published in the said village of Burk's Falls during the four weeks immediately preceding the week in which such meeting is to take place. 10 15

Special
general meet-
ings.

14 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. 20

Voting at
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 in the company. 25

Bonds.

16. 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 30 35

Rev. Stat.
c. 207.

Bonds, etc.,
how payable.

17. 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. 40

Mortgaging
or pledging
bonds.

18. 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. 45

19. 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.

Negotiable
instruments.

20. The company may receive from any government, or from any persons or bodies corporate, municipal or political, 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.

21. 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 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 on.

Agreements
with other
companies.

22. 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

Telegraph and
telephone
lines.

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. 5

Exemptions
from municipal
taxation.

23. 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 competition 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. 20

Grant of land
to company.

24. 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. 30

Snow fences.

25. 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 His 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. 40

Power to purchase whole
lots.

26. 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 45

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 to this section.

5 **27.** 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 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, payments 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 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.

Acquiring
land for gravel
pits, etc.

28.—(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 ten 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.

Sidings to
gravel pits.

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.

Rev. Stat.
c. 207.

45 **29.** The company shall have power and authority—

Powers of
Company.

(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

Power-houses,
warehouses,
docks, etc.

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 : 5

Stations,
depots,
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 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. 10

Running ar-
rangements
with other
companies.

30. The company shall have power to agree for connections, and make running arrangements with any railway company lawfully empowered to enter into such agreements, 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 such 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 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. 15 20 25 30 35

Form of con-
veyance of
land to com-
pany.

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 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. 40 45 50

32. The several clauses of *The Railway Act of Ontario*, Application of
 and of every act in amendment thereof, shall be incorporated Rev. Stat. c.
 with, and be deemed to be part of this Act, and shall apply to 207.
 the company and the railway to be constructed by them, ex-
 5 cept 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 in-
 corporated with this Act.

10 33. The said railway shall be commenced within three Time for com-
 years and completed within five years after the passing of mencement
 this Act, and in default thereof the powers hereby conferred and comple-
 shall absolutely cease with respect to so much of the railway tion of line.
 as then remains incomplete.

SCHEDULE A.

(Section 29.)

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 Magnetawan River 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 con-
 sideration 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 (de-
 scribe 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 Magnetawan River Railway Company, their successors
 and assigns forever (here insert any other clauses, conditions and coven-
 ants 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

2—41

No. 41.

4th Session, 6th Legislature,
1 Edward VII., 1901,

BILL.

An Act to incorporate The Magnetawan
River Railway Company.

First Reading, 1901.

(Private Bill.)

Mr. BEATTY,
(Parry Sound).

TORONTO:

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

An Act to incorporate The Maganetawan River Railway Company.

WHEREAS James Sharpe,¹ Henry Knight, E. H. Smith, Preamble.
J. D. Reid and R. J. Watson, all of the Village of Burk's Falls, in the District of Parry Sound, S. G. Ritter, of the Village of Ahmic Harbour, George McKnight, E. A. Morris and James S. Freeborn, M.D., all of the Village of Maganetawan, W. Robertson, of the Village of Dunchurch, George Alexander, of the Township of Ryerson, all in the said District of Parry Sound, and A. P. Cockburn, of the Town of Gravenhurst, in the District of Muskoka, ²have by their petition prayed for an Act of incorporation under the name of The Maganetawan River Railway Company for the purpose of constructing and operating a railway by steam between a point in or near the village of Burk's Falls, ³in the District of Parry Sound, ⁴and a point on the Maganetawan River, ⁵in the said District of Parry Sound, ⁶where said river is navigable for vessels, with power to build, work and maintain wharves, warehouses and other works necessary to enable said railway to connect with vessels and boats to and from said railway for the purpose of their business; and whereas it is expedient to grant the prayer of the said petition:

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

1. The said James Sharpe, William Robertson, E. A. Morris, James S. Freeborn, M. D., R. J. Watson, J. D. Reid, George McKnight, Henry Knight, S. G. Ritter, A. P. Cockburn, George Alexander and F. H. Smith 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 Maganetawan River Railway Company," hereinafter called "the company." ^{Incorporation.}

²2. The company is hereby authorized and empowered to survey, lay out, construct, make, build, equip, maintain and operate a railway of the gauge of four feet eight and one-half inches to be operated by steam with single or double iron or steel tracks between a point in or near the Village of Burk's Falls, in the District of Parry Sound, and a point on the ^{Location of line.}

Maganetawan River, in the said District of Parry Sound, where the said river is navigable for vessels.

Provisional directors.

3. The said James Sharpe, William Robertson, R. J. Watson, George McKnight, Henry Knight, A. P. Cockburn and George Alexander 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.

Rev. Stat. c. 207.

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 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 village of Burk's Falls in the district of Parry Sound or at such other place as may best suit the interest of the company.

Capital stock.

Rev. Stat. c. 207.

5. The capital stock of the company hereby incorporated shall be \$30,000 (with power to increase the same in the manner provided by *The Railway Act of Ontario*) to be divided into 300 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.

6. When, and as soon as shares to the amount of \$5,000 in the capital stock of the company shall have been subscribed, 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 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 village of Burk's Falls, of the time, place and purpose of said meeting.

First general meeting, election of directors.

7. 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 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.

Election of directors.

Rev. Stat. c. 207.

8. 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.

Qualification of directors.

9. 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.

10. 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.

11. 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 14 of this Act.

Calls.

Payments in
paid up stock
or bonds.

12. 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.

Transfer of
shares.

13. 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.

Head office.

14. The head office of the company shall be at the said village of Burk's Falls, and the annual general meeting of the shareholders of the company shall be held at the said village or at such other place in the Province of Ontario 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 village of Burk's Falls during the four weeks immediately preceding the week in which such meeting is to take place.

Special
general meet-
ings.

15. 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.

Voting at
meetings.

16. 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.

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 \$15,000 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.

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. Bonds, etc., how payable

19. 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. Mortgaging or pledging bonds.

20. 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 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 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.

21. 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.

22. 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 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 on. Agreements with other companies.

Telegraph and
telephone
lines.

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 *the said Village of Burk's Falls* without the consent of the council of such 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.

Exemptions
from municip-
al taxation.

24. 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.

Grant of land
to company.

25. 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.

Snow fences.

26. 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 His 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.

27. 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.

28. 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 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, payments 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 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.

Acquiring land for gravel pits, etc.

Rev. Stat. c. 207.

29.—(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.

Sidings to gravel pits.

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.

Rev. Stat.,
c. 207.

Powers of
Company.

Warehouses,
docks, etc.

30. The 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 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 and freight and other traffic in connection with the railway.

Running ar-
rangements
with other
companies.

31. The company shall have power to agree for connections and making running arrangements with ^{the} The Grand Trunk Railway Company of Canada if ^{it is} lawfully empowered to enter into such agreements, 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} hereby incorporated ^{to} enter into an agreement with *the said* railway company, 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 leasing 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 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.

Form of con-
veyance of
land to com-
pany.

32. 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.

33. 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 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.

34. 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.

Time for com-
mencement
and comple-
tion of line.

SCHEDULE A.

(Section 32.)

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 Maganetawan River 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 Maganetawan River 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

Sigred, sealed and delivered in the presence of

2—41

No. 41.

4th Session, 6th Legislature,
1 Edward VII., 1901.

BILL.

An Act to incorporate The Maganeta-wan
River Railway Company.

First Reading, 27th February, 1901.

*(Reprinted as amended by Railway
Company.)*

Mr. BEATTY,
(Parry Sound).

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

An Act respecting the Village of Hanover.

WHEREAS the municipal corporation of the Village of Hanover has by petition represented that The Knechtel Furniture Company, Limited, has for many years carried on at the said Village of Hanover a large furniture manufactory employing thereat over two hundred mechanics and workmen, and expended large sums of money in erecting, enlarging, maintaining, equipping and operating the said factory and in paying the wages and other expenses and outgoings of said business; that the said manufactory was on the 20th day of December, 1900, totally destroyed by fire, and the said mechanics and workmen were, as a result, thrown out of employment; that many of the said mechanics and workmen have not found employment, and many own property in the said village, and are desirous of resuming their former occupations; that in consequence of the said fire, real estate in the said village has greatly depreciated in value; that the said workmen and other citizens generally of the said Village of Hanover are desirous that the said furniture manufactory shall be rebuilt, and put into active operation again; that the said municipal corporation deem it expedient to grant the sum of \$10,000 as a bonus to the said company to assist them in rebuilding, establishing, equipping and operating the said factory upon the terms and conditions contained in the agreement set out as Schedule "B" to this Act and which is incorporated herewith; that a large number of the ratepayers residing in the said village entitled to vote upon money by-laws, and other citizens of said village, have requested by petition the municipal council of the said corporation to take the necessary steps to enable them to assist the said company, as aforesaid, and for such purpose to apply for the passing of this Act; and whereas it has been made to appear that the owners of the other furniture manufactories and persons and companies engaged in the manufacture of furniture in the said village are desirous that such assistance be granted to the said company; that the existing debenture debt of the said Village of Hanover for principal amounts to \$1,740, and that there are no arrears of principal or interest in respect to said debenture debt; that the rateable property on the last assessment roll of said village amounts to \$186,450; that the granting of said bonus would for its payment require an annual levy for principal and interest exceeding ten per cent. of the total annual municipal taxation thereof; that the said corporation and the

said company have provisionally entered into the agreement set out as Schedule "B" to this Act; and whereas it is expedient to grant the prayer of the said petition:—

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

Power to borrow \$10,000 to aid the Knechtel Furniture Co., Ltd

1. It shall be lawful for the municipal corporation of the Village of Hanover to pass a By-Law in the form set out in Schedule "A" to this Act and which is incorporated herewith, or to the like effect or as may be necessary to enable the said corporation to raise by way of loan on the credit of the debentures of the said corporation a sum not exceeding in the whole \$10,000 for the purpose of aiding the said The Knechtel Furniture Company, Limited, to erect, maintain, equip and operate a furniture manufactory upon the former site of the factory burned down or within the limits of the said municipal ty, to exempt all the property of the said company covered by the said agreement from taxation (except for school taxes), for a period of ten years from the completion of the said factory, and to fix the assessment of the property of the said company as referred to in the said agreement at \$2,500 for the year 1901, and at \$10,000 for each of the following nine years, and to give the said company free water as provided, and upon the terms and conditions contained in the agreement set out as Schedule "B" to this Act, or upon such other terms and conditions as may be deemed advisable by the municipal council of said corporation, provided, however, that such by-law before being finally passed be submitted to the votes of the electors of said village entitled to vote upon money 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 all the ratepayers voting and entitled to vote on money by-laws, unless the number of ratepayers voting against said by-law does not exceed one-fifth of the total number voting and entitled to vote when the assent of three fifths only of all the ratepayers voting shall be necessary, as provided for under the provisions of *The Municipal Act* and amending Acts thereto; and the provisions as to procedure and otherwise contained in *The Municipal Act* and amending Acts respecting by-laws creating debts shall apply to such by-law to be passed under the authority of this Act, as if expressly incorporated herewith, except as otherwise provided for herein. 10 15 20 25 30 35 40

Rev. Stat. c. 223.

Power to enter into agreement with company.

2. The said municipal corporation shall be and is hereby authorized to enter into and carry out said agreement with the said company, or such other agreement as may be deemed advisable by said corporation; and to take such security as the said municipal corporation may deem necessary or advisable for the due carrying out of the terms and conditions to be imposed by the said corporation upon said company, and 45 50

upon the final passing of said by-law, as provided for herein, the said agreement set out as Schedule "B" to this Act is hereby ratified and made legal, valid and binding upon the said municipal corporation and the said company, their successors and assigns, and thereupon the said agreement shall be carried out according to the true intent and meaning thereof.

3. The said municipal council may in accordance with the provisions of the said By-law issue debentures of the said corporation in a sum not exceeding \$10,000, and raise money by sale or hypothecation of the said debentures; and at a rate of interest not exceeding four and one-half per cent. per annum, repayable in twenty years from the date of the issue of said debentures, 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 said period of twenty years.

Power to issue debentures.

4. 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 the principal and interest in respect of the debentures authorized to be issued under this Act; and it shall not be necessary to levy or to provide for a sinking fund to retire the said debentures or any of them.

Special rate for payment of debentures

5. The mortgage to be given pursuant to said agreement by said company to said municipal corporation upon the site, buildings, plant and machinery of said company, shall be deemed a land mortgage; and said buildings, plant and machinery shall be a part of the freehold; and said mortgage shall not require to comply with the provisions of *The Bills of Sale and Chattel Mortgage Act* and amending Acts.

Mortgage to be deemed a mortgage on real estate.

SCHEDULE A.

BY-LAW NUMBER OF THE VILLAGE OF HANOVER.

A by-law to aid and assist The Knechtel Furniture Company, Limited, in rebuilding, equipping and operating a furniture factory in the said Village of Hanover. Passed 1901.

Whereas the said Village of Hanover has been and is recognized as a manufacturing centre for furniture.

And whereas owing to the destruction by fire of The Knechtel Furniture Company's factory a large number of mechanics and workmen employed in connection therewith have been thrown out of employment.

And whereas many of said mechanics and workmen still own property in said village, and are desirous of resuming their former occupations.

And whereas the said company have applied to the said corporation for aid by way of bonus of the sum of \$10,000 to assist them as aforesaid, to exempt the property of the said company from taxation for a period of ten years, to fix the assessment of the property of the said company for ten years and to supply free water to the said company; which sum of

\$10,000 is to be secured in the manner set forth in a certain indenture of agreement provisionally entered into by the said company with the said corporation; a copy of which agreement is hereunder written as schedule "B" to this by-law and which is incorporated herewith.

And whereas it is deemed expedient by the said municipal council of the said Village to aid the said company in the manner set forth in said agreement.

And whereas the whole rateable property of the said municipality, according to the last revised assessment roll, amounts to \$186,450.

And whereas the amount of the existing debenture debt of the said municipality amounts to \$1,740, and there are no arrears of principal or interest in respect of the same

Therefore the municipal council of the corporation of the Village of Hanover by virtue of the powers vested in them by an Act passed by the Legislature of the Province of Ontario in the first year of the reign of His Majesty King Edward the Seventh, Chapter entitled "An Act respecting the Village of Hanover," and by virtue of the Municipal Act and amending Acts, enacts as follows:—

1. It shall and may be lawful for the municipal council of the said corporation of the Village of Hanover to aid The Knechtel Furniture Company, Limited, in the erecting, equipping and operating of the said furniture factory by the giving of a bonus of \$10,000 to the said company by exempting all the property of the said company covered by the said agreement from taxation (except the school taxes) for a period of ten years from the completion of the said factory, and by fixing the assessment of the property of the said company as referred to in the said Agreement at \$2,500 for the year 1901, and at \$10,000 for each of the following nine years, and to give the said company free water, as provided, and upon the terms and conditions contained in the agreement set out as Schedule B hereunder written and incorporated herewith.

2. If and when the assent of the electors of the corporation of the Village of Hanover who are entitled to vote hereon has been obtained hereto, and this by-law shall have been finally passed, the said agreement shall be valid and binding upon the parties thereto.

3. It shall be lawful for the said corporation for the purposes aforesaid to raise the sum of \$10,000 by the issue of debentures as hereinafter mentioned.

4. It shall be lawful for the purposes aforesaid for the reeve for the time being of this corporation to make and issue twenty debentures of the said municipal corporation to be made for the specified sums payable annually as hereinafter set forth with coupons attached for payment of interest at the rate of four and one-half per cent. per annum; and which debentures and interest shall be made payable on the thirty first day of December in each and every year during the continuance of the said debentures.

5. The said debentures shall be issued and disposed of by the reeve of this municipality when and as directed by resolution of the municipal council thereof, and the said debentures shall bear date the first day of January, 1902. And 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 conditions of any agreement made or to be made between the municipal corporation of the Village of Hanover and the said The Knechtel Furniture Company, Limited, have been complied with, observed or performed, but such debentures and coupons shall be unimpeachable on any such grounds in the hands of any purchaser for value.

6. 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 Standard Bank in the said Village of Hanover.

7. 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 Schedule A of this by-law, incorporated herewith.

8. This by-law shall take effect on, from and after the passing thereof

9. And it is further enacted by the said municipal council of the Village of Hanover that the votes of the electors of the said Village of Hanover shall be taken on this by-law by the Deputy-returning officers, hereinafter named, on the day of A. D., 1901, commencing at nine o'clock in the forenoon and continuing until five o'clock in the afternoon at the under-mentioned places: Ward at the office of the Clerk of the Village of Hanover by Deputy-returning officer.

Ward at by Deputy-returning officer on the day of 1901, at the hour of eleven o'clock, a.m., at the clerk's office in the said Village of Hanover, the reeve shall appoint two persons to attend at the final summing up of votes by the clerk, 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.

11. The clerk of the said municipal corporation shall attend at his office in the said Village of Hanover at the hour of eleven o'clock in the forenoon on the day of 1901, to sum up the number of votes given for and against this by-law.

12. The following is Schedule A of this by-law hereinbefore referred to:—

No. of Payment.	For the Year.	Amount for Principal.	Amount for Interest.	Total amount for each Year.
1.	1902	\$318.76	\$450.00	\$768.76
2.	1903	333.10	435.66	768.76
3.	1904	348.09	420.67	768.76
4.	1905	363.76	405.00	768.76
5.	1906	380.13	388.63	768.76
6.	1907	396.23	371.53	768.76
7.	1908	415.11	353.65	768.76
8.	1909	433.79	334.97	768.76
9.	1910	453.31	315.45	768.76
10.	1911	473.71	295.05	768.76
11.	1912	495.02	273.74	768.76
12.	1913	517.30	251.46	768.76
13.	1914	540.58	228.18	768.76
14.	1915	564.91	203.85	768.76
15.	1916	590.33	178.43	768.76
16.	1917	616.89	151.87	768.76
17.	1918	644.75	124.01	768.76
18.	1919	673.66	95.10	768.76
19.	1920	704.18	64.58	768.76
20.	1921	735.39	33.37	768.76
		\$10,000.00	\$5,375.20	\$15,375.20

SCHEDULE B.

THIS IS SCHEDULE B REFERRED TO IN THE ABOVE "ACT RESPECTING THE VILLAGE OF HANOVER" AND ALSO SCHEDULE B TO THE BY-LAW REFERRED TO THEREIN.

This agreement made in duplicate this eleventh day of February, in the year of our Lord one thousand nine hundred and one, between the Knechtel Furniture Company, Limited, hereinafter called the company of the first part; and the municipal corporation of the Village of Hanover, hereinafter called the corporation of the second part;

Whereas the said company of the first part has heretofore been carrying on the business of Wholesale Furniture Manufacturers at the said Village of Hanover.

And whereas their said factory was, on or about the Twentieth day of December, nineteen hundred, destroyed by fire.

And whereas it is deemed expedient by the said corporation to grant aid by way of a bonus of ten thousand dollars to the said company to assist them to rebuild, equip and operate a furniture factory upon the terms and conditions hereinafter provided and stipulated.

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

1. The said company agree that they will, on or before the 30th day of November, 1901, erect and build within the limits of the corporation of the Village of Hanover, and upon the site of the former factory burned down such buildings and other erections, and will put and place therein such machinery and plant as may be necessary to make the whole a modern, up-to-date and well equipped furniture factory of such character and capacity that to carry on the same will require the employment and services of at least one hundred and fifty workmen; said buildings and erections to be constructed of stone, brick or concrete, or any one or more of them, and such plant and machinery to be good serviceable plant and machinery in good order and repair and the value of said buildings with the said plant and machinery including site, sawmill and railway switch, and other existing appurtenances, to be of not less value than fifty thousand dollars.

2. The said company agree that they will properly maintain and operate and continuously operate and repair and keep in good working order and repair, the said furniture factory, plant and machinery at the said Village of Hanover for a period of twenty years from the first day of January, 1902, at least eleven months during each year of said term.

3. During the said term of twenty years, the said company agree to employ and keep continuously employed at the said factory and working solely in connection therewith and for the purposes of said manufactory at least one hundred men daily on an average from the first day of January, 1902, until the end of the year 1902; and to employ and keep continuously employed at the said factory and working solely in connection therewith and for the purposes of said manufactory at least one hundred and fifty men daily on an average during at least eleven months in each and every twelve months of the balance of the said term of twenty years.

4. The said company shall and will at any time twice in each year exhibit at the company's office in Hanover to the counsel of the said corporation or to such person or officer as they may appoint for the purpose of inspecting the same, all the books and pay rolls of the said company containing any entry in relation to the hiring of men for any portion of the twenty year term preceding that in which the demands shall be made.

5. The said company agree with the said corporation that the superintendent or local superintendent of said factory shall reside continuously during said bonus term at the said Village of Hanover.

6. By way of further securing the due fulfilment by the said company of the covenants and agreements herein by them to be performed and observed, the said company agree to execute and deliver to the said corporation in such reasonable form as may be approved of by the solicitor of said corporation a first mortgage for the sum of ten thousand dollars, in fee simple, free from all encumbrances, upon said lands, building, plant and machinery; such building, plant and machinery to be as between the parties hereto real estate and fixtures, and to be incorporated in and covered by said mortgage; the said mortgage to bear interest at the rate of five per cent per annum 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 and keep insured continuously throughout the said term of twenty years the

said buildings, plant and machinery for the sum of \$10,000, and the loss, if any, payable to the corporation and a proviso that in default of any of the covenants of said mortgage or this agreement the said corporation may as therein provided enter on and lease or sell the said lands and premises, or foreclose as they may deem best.

7. The said mortgage and interest accrued thereon, upon the fulfilment of all the covenants and conditions herein contained on behalf of the said company, is to be considered paid and satisfied to the extent of five hundred dollars and interest on all then unsatisfied principal for every year in which all of the said covenants and conditions are fully and completely fulfilled and observed.

8. Any excess of employment of labor or excess of other covenants herein, shall not be considered as payment or part payment of said mortgage; and the said factory shall be operated with the hands aforesaid during eleven months of each and every year of said term of twenty years; and the hours of said workmen shall be at least eight hours daily.

9. And it is further agreed that the time, if any, during which the said factory or any portion of it is shut down owing to any strike or accident not attributable to the neglect or delay of the company shall not be deemed a breach of any of the covenants herein, if the said company shall proceed forthwith and with all possible diligence and despatch to repair and put in good running order again the said factory in all its departments or any one or more of them so stopped or shut down in consequence of such accident.

10. Upon a continued breach of any of the covenants or agreements herein contained on the part of the said company for a period of one month after notice thereof to the company, the said corporation may upon one month's notice in writing enter or take possession of the said premises, plant or machinery and proceed to foreclose, sell or rent the same as they may deem best from time to time; and the agreement herein on the part of said corporation as to exemption from taxes and as to the fixed assessable value of the said company's property, shall thereupon become absolutely void and of no effect.

11. The value of said buildings, site, saw-mill, plant, machinery, and appurtenances, is to be determined by the corporation's architect, or other officer or referee, to be appointed by the said corporation and the company's superintendent, or if they cannot agree to the appointment of a third arbitrator the matter is to be referred to the junior judge of the County of Grey, or his successor in office.

12. And the said company agree at their own expense to insure and keep insured continuously during the whole of said bonus period of twenty years against loss or damage by fire, the said buildings, plant and machinery in insurance companies acceptable to the council of said corporation in the sum of \$10,000, and, in default the said corporation may insure the said building, plant and machinery, for the said sum of \$10,000 in such insurance companies as they may think proper and charge the moneys paid for premiums thereon to the said company; and the said company shall make such insurance payable to the said corporation and shall assign, transfer and deliver over unto said corporation the policy or policies, receipt or receipts, thereto appertaining.

13. And the said company agree that in the event of the said premises or any part thereof, or the said plant and machinery or any part thereof being destroyed by fire at any time during the said term of twenty years, the said company shall proceed forthwith and with all possible diligence and despatch to erect and shall erect similar and as valuable buildings on the same site as those which were destroyed by fire, and place similar and as valuable good and serviceable plant and machinery therein, and as soon as the said furniture manufactory and the said plant and machinery is put in operation as aforesaid for a period of one week, the said corporation shall thereupon hand over and pay to the said company such insurance moneys as shall have come into the hands of the said corporation; and upon the re-erection of the said buildings and the placing therein of said plant and machinery, as aforesaid, the company shall at their own

expense place new policies of insurance upon the said buildings, plant and machinery for the said sum of \$10,000 with loss (if any) payable to the said corporation, and the said new insurance policies shall be procured and delivered over to the said corporation by the said company, and, in default thereof the said corporation may insure and charge the monies paid for premiums to the said company.

14. And the said company further agree that in the event of the said buildings comprising the said furniture factory, or any part thereof, covered by this agreement and the said mortgage or the said plant and machinery, or any part thereof, being destroyed by fire at any time during the said period of twenty years, and the said company not proceeding forthwith and with all reasonable diligence and despatch to rebuild, equip and operate, and to have the said furniture manufactory rebuilt, equipped, and put in full operation in all its departments as fully and completely as it was before said fire, within a period of not more than twelve months from the date of said fire, the said insurance moneys being the sum of \$10,000 shall thereupon become the absolute property of the said corporation, and the said corporation may retain the same solely and absolutely for themselves notwithstanding that this said mortgage may at the time of such fire have been liquidated or paid off by the said company to any extent and it is hereby further agreed that the amount of the said insurance money shall be and it is hereby agreed to be liquidated or ascertained damages suffered by the said corporation in consequence of the said company failing to carry out fully and completely all or any of the agreements contained in this clause and time shall be strictly of the essence of the agreements contained in this clause.

15. The said company may at any time during said term of twenty years replace any machinery or plant or the buildings so erected with good and serviceable machinery and plant and new buildings so long as the said acquired plant, machinery and buildings are of the same value as those they replace, and are bound and it is hereby agreed that they shall be bound by the said mortgage and by this agreement as a security for the due performance of the covenants therein and herein contained.

16. The said corporation shall in pursuance of the powers vested in them provide for the exemption during the term of ten years from the completion of said factory of the said site, buildings, plant and machinery of the said company covered by the mortgage herein mentioned, from all taxes (except school taxes), and the said corporation further agree (in so far as they are empowered) to fix the assessment of all the said property so covered by said mortgage, and of all subsequently acquired property of the said company to replace the same for the purpose of said factory, at an aggregate assessed value of \$2,500 for the year 1901, and \$10,000 a year for a period of nine years thereafter, subject however, to the conditions contained in clause "10" herein.

17. The said corporation further agree that the said company shall have the privilege of using water without charge from any system of waterworks established by the said corporation, for use in the said company's boilers, sprinklers and closets, in said factory, but such privilege shall be limited to furnishing such quantity of water at 7 a.m., 1 p.m. and 6 p.m. daily as shall be required or sufficient to fill the tank or tanks or other receptacle to be erected for the purpose of holding the same by the said company; and the said company shall at their own expense construct, repair and maintain, such tank or tanks or other receptacle as shall be necessary to store and hold such quantity of water as shall be required and requisite for use by the said company in their boilers, sprinklers and closets, in said factory: And when the waterworks system is established, said corporation shall bring a water-pipe or main to the street line opposite the company's buildings with a tee for connection, but the said company shall at their own expense repair and maintain all necessary and requisite connection with said tee on or in said waterworks main, and said corporation shall also run a water pipe on John Street from the Durham Road to Market Street with a hydrant on the south side of the Durham Road opposite the factory, and with a hydrant on the east side of John

Street, near Market Street, and another hydrant on the east side of John Street half way between the Durham Road and Market Street, but the said corporation or any officer thereof shall not be responsible or liable for any damages for failure to supply such quantity of water or any part thereof by reason of accident to any portion of said waterworks system through breakage or other unforeseen cause so long as the said corporation shall proceed with reasonable diligence in repairing said waterworks system when it may be established. And it is further understood and agreed that unless such waterworks system be established, and that until the same be provided for, this agreement shall not be binding upon the company, said waterworks, being so far as the company is concerned, a condition of the contract.

18. The said corporation also agree to use their best endeavours to have a waterworks system established one month sooner than the time provided herein for the erection and completion of said factory.

19. Upon the erection of the said buildings and placing therein of the said plant and machinery and the operating of the said factory as provided for herein for one week, and upon showing to the satisfaction of the said architect, other officer or a referee appointed by the said corporation, vouchers and other evidences that the value of the said factory, including the site, saw-mill and factory buildings, machinery and plant appurtenances are of the aggregate value of \$50,000, and that said factory has been in operation for a period of one week, and upon the proper execution and delivery over of said mortgage and insurance policies, as aforesaid, by said company, then the said corporation shall pay over to the said company said bonus sum of \$10,000.

20. And notwithstanding anything hereinbefore contained, it is understood that the company are bound to have their factory completed as aforesaid on the 30th day of November, 1901, and running on the first day of January, 1902, only on the condition that the bonus of \$10,000, hereinbefore mentioned shall have been fully and completely provided for by the Legislature and by the vote of the people and council not later than the 30th day of March next, and on the condition that the putting in of the system of waterworks in the said village in such a manner and with proper equipment to afford reasonably good fire protection, be provided for by the passage of all necessary by-laws not later than the said 30th day of March next, and it is agreed that if the said bonus be not granted by the Legislature and by the vote of the people of the municipality, and of the council until a day subsequent to the the said 30th day of March next, or if said waterworks be not provided for until a day subsequent to the 30th day of March next, that then the said company shall be allowed one day after the 30th day of November next for the completion of said factory and one day after the first day of January, 1902, to commence to operate said factory for each and every day that the final passing of said bonus or waterworks by-laws or either of them shall be delayed after the said 30th day of March next, and said twenty-year period shall begin to run from said deferred date. And that in any event this agreement shall not be binding upon the said company unless that said bonus and waterworks be provided for as aforesaid within six months from the date hereof.

21. It is also hereby understood and agreed that the word "men" wherever it occurs or is used in this agreement shall be held to mean an adult man or boy not less than fourteen years of age.

22. And it is further agreed that wherever the word "Company" is used in this agreement, it shall be construed and taken to mean the said company, their successors, and assigns.

23. In case of any trouble or disagreement in connection with this agreement, other than those provided for herein, the matters in dispute shall be decided by the Junior Judge of the County of Grey, or his successor in office.

24. And it is further agreed by and between the said parties that if the Legislature of the Province of Ontario shall refuse to pass a special Act to enable the said corporation to submit a by-law to the electors of said

village enabling the said corporation to borrow and issue debentures for the said sum of \$10,000 and to legalize this agreement, or in the event of the said by-law not being carried by a vote of said electors as provided for by said special Act, then this agreement shall be null and void and of no effect ; otherwise to be in full force and effect and binding upon said parties.

In witness whereof the parties hereto have caused to be affixed their corporate seals, and the reeve and clerk of said corporation of the Village of Hanover and the President and Secretary-Treasurer of the said The Knechtel Furniture Co., Limited, have set their hands the day and year first above written.

Signed, sealed and delivered
in the presence of

JOHN KLINCK,
JACOB MESSENGER,
JOHN KLINCK,
JOHN KLINCK,

(S'gd) D. KNECHTEL,
President.
(S'gd) J. S. KNECHTEL,
Sec'y-Treas.
(Sg'd) W. A. MEARNS,
Reeve.
(Sg'd) DUNC'N CAMPBELL,
Clerk.

{ Co'y
Seal }

{ Corp.
Seal }

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting the Village of Hanover.

First Reading, _____, 1901.

(Private Bill).

Mr. JAMIESON.

TORONTO.

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

An Act respecting the Village of Hanover.

WHEREAS the municipal corporation of the Village of Hanover has by petition represented that The Knechtel Furniture Company, Limited, for many years carried on at the said Village of Hanover a large furniture manufactory employing over two hundred mechanics and workmen, and that the said company expended large sums of money in erecting, enlarging, maintaining, equipping and operating the said factory and in paying the wages and other outgoings of the said business; that the said manufactory was on the 20th day of December, 1900, totally destroyed by fire, and the said mechanics and workmen, as a result, deprived of employment; that many of the said mechanics and workmen have not found employment, and many of them own property in the said village, and are desirous of resuming their former occupations; that in consequence of the said fire, real estate in the said village has greatly depreciated in value; that the said workmen and other citizens generally of the said Village of Hanover are desirous that the said furniture manufactory shall be rebuilt, and put into active operation again; that the said municipal corporation deem it expedient to grant the sum of \$10,000 as a bonus to the said company to assist them in rebuilding the said factory upon the terms and conditions contained in the agreement set out as Schedule "B" to this Act; that more than two-thirds of the ratepayers residing in the said village entitled to vote upon money by-laws, and other citizens of the said village, have requested by petition the municipal council of the said corporation to take the necessary steps to obtain authority to assist the said company, as aforesaid, and for such purpose to apply for the passing of this Act; that the other persons and companies engaged in the manufacture of furniture in the said village are desirous that such assistance be granted to the said company; that the existing debenture debt of the said Village of Hanover for principal amounts to \$1,740, and that there are no arrears of principal or interest in respect to said debenture debt; and that the said municipal corporation has absolutely no floating debt; that the rateable property on the last assessment roll of said village amounts to \$186,450 and that the granting of the said bonus would for its payment require an annual levy for principal and interest exceeding ten per cent. of the total annual taxation thereof; that the said municipal corporation

and the said company have provisionally entered into the agreement set out as Schedule "B" to this Act, and whereas the said village though having a population of about 1,600 was not incorporated as a village until during the year 1900, and since incorporation has not yet entered upon or begun to incur various classes of expenditure which are commonly found in village municipalities, no expenditures whatever having been made on account of sidewalks, town hall, fire protection or police; and whereas it has been made to appear that on the basis of a normal expenditure for municipal purposes such as will be found necessary for meeting the necessities of the said corporation for payment of salaries of village officers and meeting expenditures which will become necessary for a town hall, sidewalks and other municipal works, fire protection, police and other purposes the amount required to be levied annually under the said by-law will in all probability not exceed ten per cent. of the total annual taxation; and whereas the existing debenture debt of \$1,740 was incurred for the purpose of erecting a school in the said village, and the said school is doing excellent work having continuation classes; and whereas the case seems to be of a quite exceptional nature under the circumstances and comes substantially within the meaning of the provisions of *The Municipal Act* in that behalf; and whereas no opposition has been offered to the granting of the prayer of the said petition and whereas it is expedient to grant the prayer of the said petition:—

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

Power to borrow \$10,000 to aid the Knechtel Furniture Co., Ltd.

1. It shall be lawful for the *Municipal Council of the Corporation of the Village of Hanover* to pass a by-law in the form or to the effect set out in Schedule "A" to this Act to enable the said corporation to raise by way of loan on the credit of the debentures of the said corporation a sum not exceeding in the whole \$10,000 for the purpose of aiding the said *The Knechtel Furniture Company, Limited*, to erect, maintain, equip and operate a furniture manufactory upon the former site of the factory burned down or within the limits of the said municipality, to exempt all the property of the said company covered by the agreement set out as Schedule "B" to this Act from taxation (except for school taxes), for a period of ten years from the completion of the said factory, and to fix the assessment of the property of the said company as referred to in the said agreement at \$2,500 for the year 1901, and at \$10,000 for each of the following nine years, and to give the said company free water as provided, and upon the terms and conditions contained in the said agreement, or upon such other terms and conditions as may be deemed advisable by the municipal council of the said corporation, notwithstanding that the amount required to be raised annually for the payment of the said debentures to be issued under the said by-law and inter-

est thereon may exceed one-tenth of the total annual taxation of the said village.

2. The said by-law shall not be finally passed by the said council until the same shall have been submitted to and shall have received the assent of the ratepayers of the said village in the manner provided by *The Municipal Act* and amendments thereto with respect to by-laws for granting bonuses to manufacturing industries, and save as herein otherwise provided all the provisions of the said Act and amendments with respect to such by-laws shall apply to the said by-law of the Corporation of the Village of Hanover.

By-law to be submitted to ratepayers.

3. Subject to the assent of the ratepayers being obtained to the passing of the said by-law the said municipal corporation is authorized to enter into the said agreement with the said company and to do all acts necessary to carry out the same on the part of the said municipal corporation, and it shall be lawful for the said municipal corporation and the said company to modify the said agreement by any provision that will not increase the concessions proposed to be made by the said municipal corporation to the said company; and subject as aforesaid the said municipal corporation is authorized to take such security as the said municipal corporation may deem necessary or advisable for the due carrying out of the terms and conditions to be imposed by the said municipal corporation upon the said company, and upon the final passing of the said by-law, as provided for herein, the said agreement set out as Schedule "B" to this Act shall be legal, valid and binding upon the said municipal corporation and the ratepayers thereof and upon the said company, their successors and assigns.

Power to enter into agreement with company.

4. The said municipal council may in accordance with the provisions of the said by-law issue debentures of the said corporation in a sum not exceeding \$10,000, and raise money by sale or hypothecation of the said debentures. The said debentures shall bear interest at the rate of four and one-half per cent. per annum, and shall be repayable within twenty years from the date of issue, 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 said period of twenty years.

Power to issue debentures.

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 the principal and interest in respect of the debentures authorized to be issued under this Act; and it shall not be necessary to levy or to provide for a sinking fund to retire the said debentures or any of them.

Special rate for payment of debentures.

Mortgage to be deemed a mortgage on real estate.

6. The mortgage to be given pursuant to *the* said agreement by *the* said company to *the* said municipal corporation upon the site, buildings, plant and machinery of *the* said company, shall be deemed a mortgage of *real property*, and *the* said buildings, plant and machinery ~~is~~ are declared to be real property and ~~is~~ a part of the freehold; and *the* said mortgage shall not require to comply with the provisions of *The Bills of Sale and Chattel Mortgage Act* and amending Acts.

SCHEDULE A.

BY-LAW NUMBER OF THE VILLAGE OF HANOVER.

A by-law to aid and assist The Knechtel Furniture Company, Limited, in rebuilding, equipping and operating a furniture factory in the said Village of Hanover. Passed 1901.

Whereas the said Village of Hanover has been and is recognized as a manufacturing centre for furniture.

And whereas owing to the destruction by fire of The Knechtel Furniture Company's factory a large number of mechanics and workmen employed in connection therewith have been thrown out of employment.

And whereas many of said mechanics and workmen still own property in said village, and are desirous of resuming their former occupations.

And whereas the said company have applied to the said corporation for aid by way of bonus of the sum of \$10,000 to assist them as aforesaid, to exempt the property of the said company from taxation for a period of ten years, to fix the assessment of the property of the said company for ten years and to supply free water to the said company; which sum of \$10,000 is to be secured in the manner set forth in a certain indenture of agreement provisionally entered into by the said company with the said corporation.

And whereas it is deemed expedient by the said municipal council of the said Village to aid the said company in the manner set forth in said agreement.

And whereas the whole rateable property of the said municipality, according to the last revised assessment roll, amounts to \$186,450.

And whereas the amount of the existing debenture debt of the said municipality amounts to \$1,740, and there are no arrears of principal or interest in respect of the same

Therefore the municipal council of the corporation of the Village of Hanover by virtue of the powers vested in them by an Act passed by the Legislature of the Province of Ontario in the first year of the reign of His Majesty King Edward the Seventh, Chapter . . . intituled "An Act respecting the Village of Hanover," and by virtue of the Municipal Act and amending Acts, enacts as follows:—

1. It shall and may be lawful for the municipal council of the said corporation of the Village of Hanover to aid The Knechtel Furniture Company, Limited, in the erecting, equipping and operating of the said furniture factory by the giving of a bonus of \$10,000 to the said company by exempting all the property of the said company covered by the said agreement from taxation (except for school taxes) for a period of ten years from the completion of the said factory, and by fixing the assess-

ment of the property of the said company as referred to in the said Agreement at \$2,500 for the year 1901, and at \$10,000 for each of the following nine years, and to give the said company free water as provided, and upon the terms and conditions contained in the said agreement.

2. If and when the assent of the electors of the corporation of the Village of Hanover who are entitled to vote hereon has been obtained hereto, and this by-law shall have been finally passed, the said agreement shall be valid and binding upon the parties thereto.

3. It shall be lawful for the said corporation for the purposes aforesaid to raise the sum of \$10,000 by the issue of debentures as hereinafter mentioned.

4. It shall be lawful for the purposes aforesaid for the reeve for the time being of this corporation to make and issue twenty debentures of the said municipal corporation to be made for the specified sums payable annually as hereinafter set forth with coupons attached for payment of interest at the rate of four and one-half per cent. per annum; and which debentures and interest shall be made payable on the thirty first day of December in each and every year during the continuance of the said debentures.

5. The said debentures shall be issued and disposed of by the reeve of this municipality when and as directed by resolution of the municipal council thereof, and the said debentures shall bear date the first day of January, 1902. And 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 conditions of any agreement made or to be made between the municipal corporation of the Village of Hanover and the said The Knechtel Furniture Company, Limited, have been complied with, observed or performed, but such debentures and coupons shall be unimpeachable on any such grounds in the hands of any purchaser for value.

6. 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 agency of the Merchant's Bank of Canada at the said Village of Hanover.

7. 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 Schedule A of this by-law, incorporated herewith.

8. This by-law shall take effect on, from and after the passing thereof.

9. And it is further enacted by the said municipal council of the Village of Hanover that the votes of the electors of the said Village of Hanover shall be taken on this by-law by the Deputy-returning officers, hereinafter named, on the _____ day of

A. D., 1901, commencing at nine o'clock in the forenoon and continuing until five o'clock in the afternoon at the under-mentioned places: Ward _____ at the office of the Clerk of the Village of Hanover by _____ Deputy-returning officer.

Ward _____ at _____ by _____ Deputy-returning officer

10. On the _____ day of _____ 1901, at the hour of eleven o'clock, a.m., at the clerk's office in the said Village of Hanover, the reeve shall appoint two persons to attend at the final summing up of votes by the clerk, 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.

11. The clerk of the said municipal corporation shall attend at his office in the said Village of Hanover at the hour of eleven o'clock in the forenoon on the _____ day of _____ 1901, to sum up the number of votes given for and against this by-law.

12. The following is Schedule A of this by-law hereinbefore referred to:—

No. of Payment.	For the Year.	Amount for Principal.	Amount for Interest.	Total amount for each Year.
1.	1902	\$318.76	\$450.00	\$768.76
2.	1903	333.10	435.66	768.76
3.	1904	348.09	420.67	768.76
4.	1905	363.76	405.00	768.76
5.	1906	380.13	388.63	768.76
6.	1907	397.23	371.53	768.76
7.	1908	415.11	353.65	768.76
8.	1909	433.79	334.97	768.76
9.	1910	453.31	315.45	768.76
10.	1911	473.71	295.05	768.76
11.	1912	495.02	273.74	768.76
12.	1913	517.30	251.46	768.76
13.	1914	540.58	228.18	768.76
14.	1915	564.91	203.85	768.76
15.	1916	590.33	178.43	768.76
16.	1917	616.89	151.87	768.76
17.	1918	644.75	124.01	768.76
18.	1919	673.66	95.10	768.76
19.	1920	704.18	64.58	768.76
20.	1921	735.39	33.37	768.76
		\$10,000.00	\$5,375.20	\$15,375.20

SCHEDULE B.

THIS IS SCHEDULE B REFERRED TO IN THE ABOVE "ACT RESPECTING THE VILLAGE OF HANOVER."

This agreement made in duplicate this eleventh day of February, in the year of our Lord one thousand nine hundred and one, between the Knechtel Furniture Company, Limited, hereinafter called the company of the first part; and the municipal corporation of the Village of Hanover, hereinafter called the corporation of the second part;

Whereas the said company of the first part has heretofore been carrying on the business of Wholesale Furniture Manufacturers at the said Village of Hanover.

And whereas their said factory was, on or about the Twentieth day of December, nineteen hundred, destroyed by fire

And whereas it is deemed expedient by the said corporation to grant aid by way of a bonus of ten thousand dollars to the said company to assist them to rebuild, equip and operate a furniture factory upon the terms and conditions hereinafter provided and stipulated.

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

1. The said company agree that they will, on or before the 30th day of November, 1901, erect and build within the limits of the corporation of the Village of Hanover, and upon the site of the former factory burned down such buildings and other erections, and will put and place therein such machinery and plant as may be necessary to make the whole a modern, up-to-date and well equipped furniture factory of such character and capacity that to carry on the same will require the employment and services of at least one hundred and fifty workmen; said buildings and erections to be constructed of stone, brick or concrete, or any one or more of them, and such plant and machinery to be good serviceable plant and machinery in good order and repair and the value of said buildings with the said plant and machinery including site, sawmill and railway switch, and other existing appurtenances, to be of not less value than fifty thousand dollars.

2. The said company agree that they will properly maintain and operate and continuously operate and repair and keep in good working order and repair, the said furniture factory, plant and machinery at the said Village of Hanover for a period of twenty years from the first day of January, 1902, at least eleven months during each year of said term.

3. During the said term of twenty years, the said company agree to employ and keep continuously employed at the said factory and working solely in connection therewith and for the purposes of said manufactory at least one hundred men daily on an average from the first day of January, 1902, until the end of the year 1902; and to employ and keep continuously employed at the said factory and working solely in connection therewith and for the purposes of said manufactory at least one hundred and fifty men daily on an average during at least eleven months in each and every twelve months of the balance of the said term of twenty years.

4. The said company shall and will at any time twice in each year exhibit at the company's office in Hanover to the counsel of the said corporation or to such person or officer as they may appoint for the purpose of inspecting the same, all the books and pay rolls of the said company containing any entry in relation to the hiring of men for any portion of the twenty year term preceding that in which the demands shall be made.

5. The said company agree with the said corporation that the superintendent or local superintendent of said factory shall reside continuously during said bonus term at the said Village of Hanover.

6. By way of further securing the due fulfilment by the said company of the covenants and agreements herein by them to be performed and observed, the said company agree to execute and deliver to the said corporation in such reasonable form as may be approved of by the solicitor for said corporation a first mortgage for the sum of ten thousand dollars, in fee simple, free from all encumbrances, upon said lands, building, plant and machinery; such building, plant and machinery to be as between the parties hereto real estate and fixtures, and to be incorporated in and covered by said mortgage; the said mortgage to bear interest at the rate of five per cent per annum 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 and keep insured continuously throughout the said term of twenty years the said buildings, plant and machinery for the sum of \$10,000, and the loss, if any, payable to the corporation and a proviso that in default of any of the covenants of said mortgage or this agreement the said corporation may as therein provided enter on and lease or sell the said lands and premises, or foreclose as they may deem best.

7. The said mortgage and interest accrued thereon, upon the fulfilment of all the covenants and conditions herein contained on behalf of the said company, is to be considered paid and satisfied to the extent of five hundred dollars and interest on all then unsatisfied principal for every year in which all of the said covenants and conditions are fully and completely fulfilled and observed.

8. Any excess of employment of labor or excess of other covenants herein, shall not be considered as payment or part payment of said mortgage; and the said factory shall be operated with the hands aforesaid during eleven months of each and every year of said term of twenty years; and the hours of said workmen shall be at least eight hours daily.

9. And it is further agreed that the time, if any, during which the said factory or any portion of it is shut down owing to any strike or accident not attributable to the neglect or delay of the company shall not be deemed a breach of any of the covenants herein, if the said company shall proceed forthwith and with all possible diligence and despatch to repair and put in good running order again the said factory in all its departments or any one or more of them so stopped or shut down in consequence of such accident.

10. Upon a continued breach of any of the covenants or agreements herein contained on the part of the said company for a period of one month after notice thereof to the company, the said corporation may

upon one month's notice in writing enter *on and* take possession of the said premises, plant *and* machinery and proceed to foreclose, sell or rent the same as they may deem best from time to time; and the agreement herein on the part of *the* said corporation as to exemption from taxes and as to the fixed assessable value of the said company's property, shall thereupon become absolutely void and of no effect.

11. The value of *the* said buildings, site, saw-mill, plant, machinery, and appurtenances, is to be determined by the corporation's architect, or other officer or referee, to be appointed by the said corporation and the company's superintendent, or if they cannot agree to the appointment of a third arbitrator the matter is to be referred to the junior judge of the County of Grey, or his successor in office.

12. And the said company agree at their own expense to insure and keep insured continuously during the whole of *the* said bonus period of twenty years against loss or damage by fire, the said buildings, plant and machinery in insurance companies acceptable to the council of said corporation in the sum of \$10,000, and, in default the said corporation may insure the said building, plant and machinery, for the said sum of \$10,000 in such insurance companies as they may think proper and charge the moneys paid for premiums thereon to the said company; and the said company shall make such insurance payable to the said corporation and shall assign, transfer and deliver over unto said corporation the policy or policies, receipt or receipts, thereto appertaining.

13. And the said company agree that in the event of the said premises or any part thereof, or the said plant and machinery or any part thereof being destroyed by fire at any time during the said term of twenty years, the said company shall proceed forthwith and with all possible diligence and despatch to erect and shall erect similar and as valuable buildings on the same site as those which were destroyed by fire, and place similar and as valuable good and serviceable plant and machinery therein, and as soon as the said furniture manufactory and the said plant and machinery is put in operation as aforesaid for a period of one week, the said corporation shall thereupon hand over and pay to the said company such insurance moneys as shall have come to the hands of the said corporation; and upon the re-erection of the said buildings and the placing therein of said plant and machinery, as aforesaid, the said company shall at their own expense place new policies of insurance upon the said buildings, plant and machinery for the said sum of \$10,000 with loss (if any) payable to the said corporation, and the said new insurance policies shall be procured and delivered over to the said corporation by said company, and, in default thereof the said corporation may insure and charge the moneys paid for premiums to the said company.

14. And the said company further agree that in the event of the said buildings comprising the said furniture factory, or any part thereof, covered by this agreement and the said mortgage or the said plant and machinery, or any part thereof, being destroyed by fire at any time during the said period of twenty years, and the said company not proceeding forthwith and with all reasonable diligence and despatch to rebuild, equip and operate, and to have the said furniture manufactory rebuilt, equipped, and put in full operation in all its departments as fully and completely as it was before said fire, within a period of not more than twelve months from the date of said fire, the said insurance moneys being the sum of \$10,000 shall thereupon become the absolute property of the said corporation, and the said corporation may retain the same solely and absolutely for themselves notwithstanding that *the* said mortgage may at the time of such fire have been liquidated or paid off by the said company to any extent and it is hereby further agreed that the amount of the said insurance money shall be and it is hereby agreed to be liquidated or ascertained damages suffered by the said corporation in consequence of the said company failing to carry out fully and completely all or any of the agreements contained in this clause and time shall be strictly of the essence of the agreements contained in this clause.

15. The said company may at any time during said term of twenty years replace any machinery or plant or the buildings so erected with

good and serviceable machinery and plant and new buildings so long as the said acquired plant, machinery and buildings are of the same value as those they replace, and are bound and it is hereby agreed that they shall be bound by the said mortgage and by this agreement as a security for the due performance of the covenants therein and herein contained.

16. The said corporation shall in pursuance of the powers vested in them provide for the exemption during the term of ten years from the completion of said factory of the said site, buildings, plant and machinery of the said company covered by the mortgage herein mentioned, from all taxes (except school taxes), and the said corporation further agree (in so far as they are empowered) to fix the assessment of all the said property so covered by said mortgage, and of all subsequently acquired property of the said company to replace the same for the purpose of said factory, at an aggregate assessed value of \$2,500 for the year 1901, and \$10,000 a year for a period of nine years thereafter, subject however, to the conditions contained in clause "10" herein.

17. The said corporation further agree that the said company shall have the privilege of using water without charge from any system of waterworks established by the said corporation, for use in the said company's boilers, sprinklers and closets, in said factory, but such privilege shall be limited to furnishing such quantity of water at 7 a.m., 1 p.m. and 6 p.m. daily as shall be required or sufficient to fill the tank or tanks or other receptacle to be erected for the purpose of holding the same by the said company; and the said company shall at their own expense construct, repair and maintain, such tank or tanks or other receptacle as shall be necessary to store and hold such quantity of water as shall be required and requisite for use by the said company in their boilers, sprinklers and closets, in said factory: And when the waterworks system is established, said corporation shall bring a water-pipe or main to the street line opposite the company's buildings with a tee for connection, but the said company shall at their own expense construct, repair and maintain all necessary and requisite connections with said tee on or in said waterworks main, and said corporation shall also run a water-pipe on John Street from the Durham Road to Market Street with a hydrant on the south side of the Durham Road opposite the factory, and with a hydrant on the east side of John Street, near Market Street, and another hydrant on the east side of John Street half way between the Durham Road and Market Street, but the said corporation or any officer thereof shall not be responsible or liable for any damages for failure to supply such quantity of water or any part thereof by reason of accident to any portion of said waterworks system through breakage or other unforeseen cause, so long as the said corporation shall proceed with reasonable diligence in repairing said waterworks system when it may be established. And it is further understood and agreed that unless such waterworks system be established and that until the same be provided for, this agreement shall not be binding upon the company, said waterworks, being so far as the company is concerned, a condition of the contract.

18. The said corporation also agree to use their best endeavours to have a waterworks system established one month sooner than the time provided herein for the erection and completion of said factory.

19. Upon the erection of the said buildings and placing therein of the said plant and machinery and the operating of the said factory as provided for herein for one week, and upon showing to the satisfaction of the said architect, other officer or a referee appointed by the said corporation, vouchers and other evidences that the value of the said factory, including the site, saw-mill and factory buildings, machinery and plant appurtenances are of the aggregate value of \$50,000, and that said factory has been in operation for a period of one week, and upon the proper execution and delivery over of said mortgage and insurance policies, as aforesaid, by said company, then the said corporation shall pay over to the said company said bonus sum of \$10,000.

20. And notwithstanding anything hereinbefore contained, it is understood that the company are bound to have their factory completed as

aforesaid on the 30th day of November, 1901, and running on the first day of January, 1902, only on the condition that the bonus of \$10,000, hereinbefore mentioned shall have been fully and completely provided for by the Legislature and by the vote of the people and council not later than the 30th day of March next, and on the condition that the putting in of a system of waterworks in the said village in such a manner and with proper equipment to afford reasonably good fire protection, be provided for by the passing of all necessary by-laws not later than the said 30th day of March next, and it is agreed that if the said bonus be not granted by the Legislature and by the vote of the people of the municipality, and of the council until a day subsequent to the said 30th day of March next, or if said waterworks be not so provided for until a day subsequent to the 30th day of March next, that then the said company shall be allowed one day after the 30th day of November next for the completion of said factory and one day after the first day of January, 1902, to commence to operate said factory for each and every day that the final passing of said bonus or waterworks by-laws or either of them shall be delayed after the said 30th day of March next, and said twenty-year period shall begin to run from said deferred date. And that in any event this agreement shall not be binding upon the said company unless that said bonus and waterworks be provided for as aforesaid within six months from the date hereof.

21. It is also hereby understood and agreed that the word "men" wherever it occurs or is used in this agreement shall be held to mean an adult man or boy not less than fourteen years of age.

22. And it is further agreed that wherever the word "Company" is used in this agreement, it shall be construed and taken to mean the said company, their successors, and assigns.

23. In case of any trouble or disagreement in connection with this agreement, other than those provided for herein, the matters in dispute shall be decided by the Junior Judge of the County of Grey, or his successor in office.

24. And it is further agreed by and between the said parties that if the Legislature of the Province of Ontario shall refuse to pass a special Act to enable the said corporation to submit a by-law to the electors of said village enabling the said corporation to borrow and issue debentures for the said sum of \$10,000 and to legalize this agreement, or in the event of the said by-law not being carried by a vote of said electors as provided for by said special Act, then this agreement shall be null and void and of no effect; otherwise to be in full force and effect and binding upon said parties.

In witness whereof the parties hereto have caused to be affixed their corporate seals, and the reeve and clerk of said corporation of the Village of Hanover and the President and Secretary-Treasurer of the said The Kuechtel Furniture Co., Limited, have set their hands the day and year first above written.

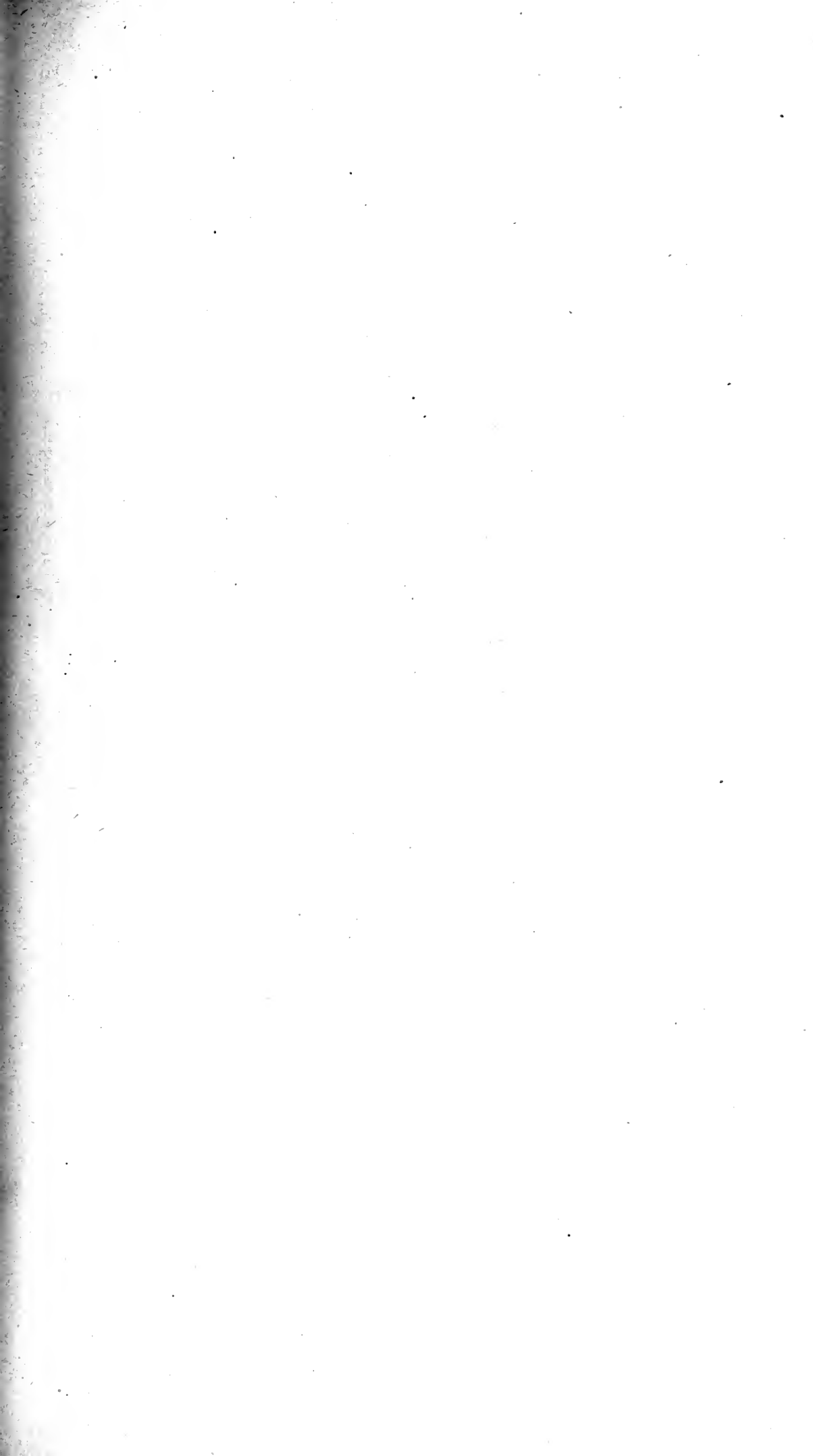
Signed, sealed and delivered
in presence of

JOHN KLINCK,
JACOB MESSENGER,
JOHN KLINCK,
JOHN KLINCK,

(S'gd) D. KNECHTEL,
President.
(S'gd) J. S. KNECHTEL,
Sec'y-Treas.
(Sg'd) W. A. MEARNS,
Reeve.
(Sg'd) DUNCAN CAMPBELL,
Clerk.

{ Co'y
Seal }

{ Corp.
Seal }



4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting the Village of Hanover.

First Reading, 1st March, 1901.

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

Mr. JAMIESON.

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

An Act respecting the Town of Sault Ste. Marie.

WHEREAS, the corporation of the Town of Sault Ste. Marie has by petition prayed for an Act to amend its Act of Incorporation passed in the 50th year of the reign of Her late Majesty Queen Victoria, chaptered 64, by repealing section 18 thereof; and whereas the said corporation has further prayed that all tax sales within the municipality of the Town of Sault Ste. Marie held prior to the first day of January, 1901, and all tax sales therein prior to said date at which the council of the said municipality became the purchaser of the lands sold under the provisions of sub-section 3 of section 184 of *The Assessment Act*, should be confirmed and validated; and whereas it is expedient to grant the prayers of said petition;

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

1. Section 18 of the Act passed in the 50th year of the reign of Her late Majesty Queen Victoria, chaptered 64 and intituled "An Act to incorporate the Town of Sault Ste. Marie," is hereby repealed.

2. All sales of land within the municipality of said town for arrears of taxes had before the first day of January, 1901, including sales of land which may have been purchased by the council of the said municipality, or any one on behalf of the said council, under the provisions of sub-section 3 of section 184 of *The Assessment Act*, and all tax deeds issued in pursuance of such sales are hereby confirmed and validated, provided the taxes in respect of the said lands so sold were due for more than three years preceding the sale.

3. Nothing herein contained shall affect any action pending at the time of the passing of this Act to set aside any sale of lands for taxes.

Preamble..

Tax sales confirmed.

Pending actions not affected.

No. 43.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting the Town of Sault
Ste. Marie.

First Reading, _____, 1901.

(Private Bill.)

Mr. FARWELL.

TORONTO :

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

An Act respecting the Town of Sault Ste. Marie.

¹³ WHEREAS, the Council of the Corporation of the Town of Sault Ste. Marie has by petition represented that under section 18 of the Act passed in the 50th year of the reign of Her late Majesty Queen Victoria, chaptered 64, the said town is prohibited from carrying out any improvement system, the said section requiring that all improvements shall be provided for by special assessment on the property benefited and that the said town is rapidly increasing in population and that many improvements are urgently needed, such as opening and grading streets, purchasing lands for new streets, constructing bridges, culverts, sewers, sidewalks and pavements, all of which cannot be equitably carried out on the local improvement plan ; and whereas the said municipal corporation has prayed that an Act may be passed repealing the said section ; and whereas the said municipal corporation has by the said petition represented that during recent years many parcels of land within the said town have been sold for taxes and tax deeds issued to the purchasers thereof ; that the proceedings in connection with said tax sales were regular and in accordance with the provisions of law respecting the sale of land for arrears of taxes, but that owing to the hesitation with which titles based upon tax sales are accepted, the transfer of property within the said town has not been as free as it would be if all doubt were removed as to the validity of the said tax sales, and that owing to the said doubt with respect to titles within the said town, building operations therein have been retarded ; and whereas the said municipal corporation has prayed that an Act may be passed validating all sales of land for arrears of taxes by the said town prior to the first day of January, 1901 ; and whereas it is expedient to grant the prayer of the said petition :—

Preamble..

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

1. Section 18 of the Act passed in the 50th year of the reign of Her late Majesty Queen Victoria, chaptered 64 and intituled "An Act to incorporate the Town of Sault Ste. Marie," is hereby repealed.

50 V. c 64, s.
13, repealed.

Tax sales
confirmed.

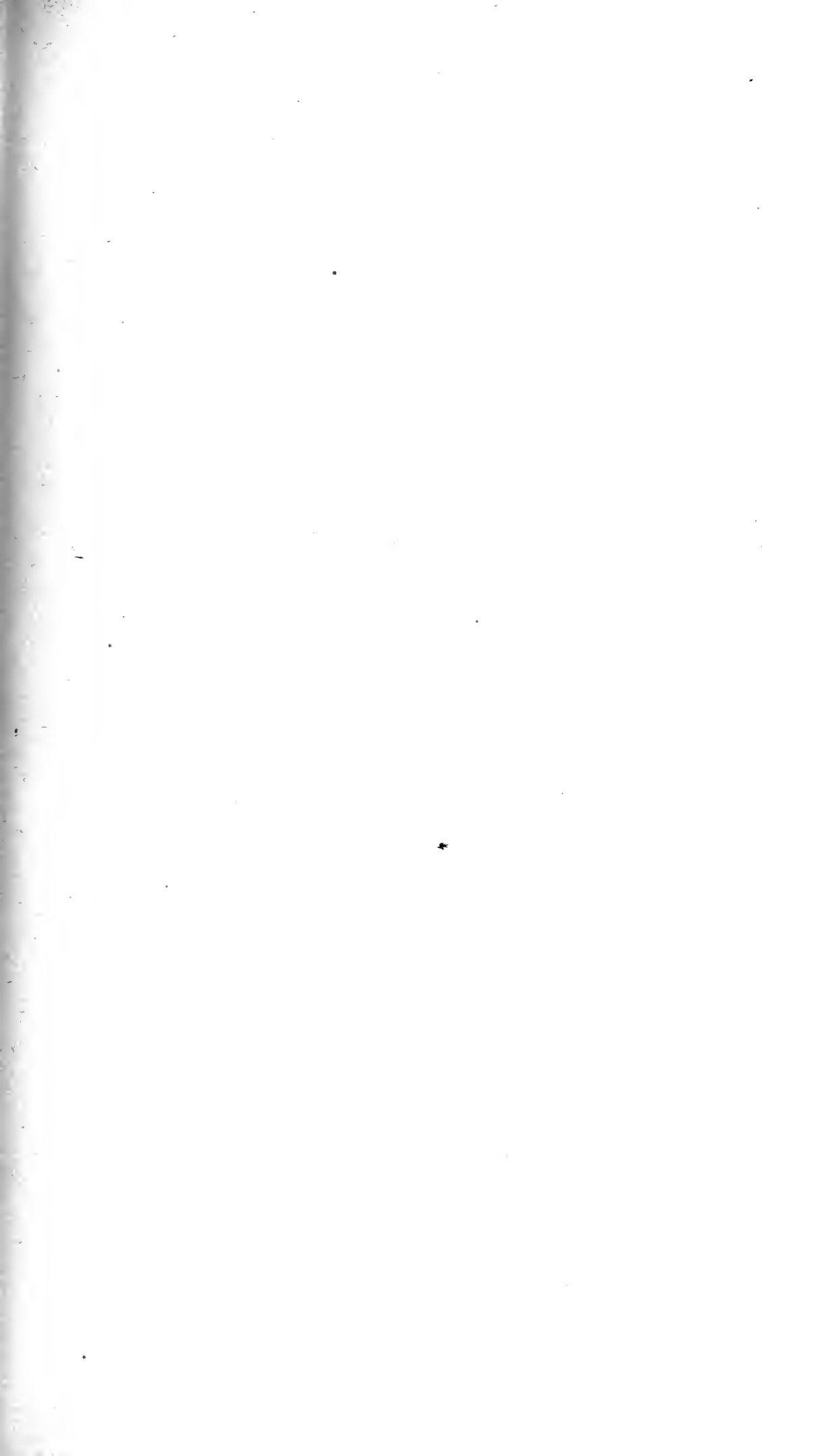
2. All sales of land within the municipality of said town for arrears of taxes had before the first day of January, 1899, including sales of land which may have been purchased by the council of the said municipality, or any one on behalf of the said council, under the provisions of sub-section 3 of section 184 of *The Assessment Act*, and all tax deeds issued in pursuance of such sales are hereby confirmed and validated, provided the taxes in respect of the said lands so sold were due for more than three years preceding the sale.

~~427~~
Land bought
in by Town
liable to be
taxed. ~~281~~

~~427~~ 3. Any lands within the said town which at any sale for arrears of taxes heretofore have been or hereafter may be bought in by or for the said town shall be liable to be assessed for and charged with payment of all debenture, local improvement, school and general rates within the said town in the same manner and to the same extent in every respect as if the said lands did not belong to a municipal corporation. ~~281~~

Pending
actions not
affected.

4. Nothing herein contained shall affect any action pending at the time of the passing of this Act, ~~427~~ or any action brought within thirty days after the passing of this Act, ~~281~~ to set aside any sale of lands for taxes, ~~427~~ but any such action may proceed and be determined in all respects as though this Act had not been passed. ~~281~~



4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting the Town of Sault
Ste. Marie.

First Reading: 14th Mar., 1901.

(Private Bill.)

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

Mr. FARWELL.

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

An Act respecting the Town of Fort William, 1901.

WHEREAS within the limits of the Town of Fort William Preamble.
 there are large tracts of vacant lands, and two large
 islands almost wholly uninhabited; and whereas doubts have
 arisen as to the power of the corporation of the Town of Fort
 5 William to define limits within the said town within which ani-
 mals may be restrained from running, or be permitted to run, at
 large; and whereas it is desirable, owing to the large extent of
 vacant land in said town, that said corporation should have
 power to define the limits within which in the said town from
 10 time to time said animals may be restrained from running, or be
 permitted to run, at large; and whereas the said corporation is
 unable to dispose of the debentures hereinafter mentioned at
 par without increasing the rate of interest thereon from four
 to four and one-half per centum per annum; and whereas it is
 15 desirable and necessary that said interest should be increased
 as aforesaid and that the council of the said corporation should
 be empowered, without the assent of the electors, to increase
 the said rate of interest as aforesaid;

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

1. Notwithstanding anything in *The Municipal Act*, and Power to amend certain money by-laws. Rev. Stat. c. 223.
 amending Acts contained, the council of the corporation of the
 Town of Fort William is hereby empowered by by-law to
 25 amend each of the by-laws designated in Schedule A hereto,
 and the debentures issued thereunder by increasing the rate
 of interest in the said by-laws and debentures provided for,
 from four to four and one-half per centum per annum, and
 otherwise to amend each of such by-laws, the debentures
 30 thereon and interest coupons attached thereto, by making such
 alterations therein as may be necessary by reason of increasing
 the rate of interest provided for in the said by-laws and debentures
 as aforesaid.

2. The council of the said corporation of the Town of Fort Restraining the running at large of animals. Rev. Stat. c. 272.
 35 William is hereby empowered to pass a by-law or by-laws to
 define the limits within the boundaries of the said Town of
 Fort William within which the animals set out in section 3 of
An Act respecting Pounds, may be restrained from running, or

be permitted to run, at large, and to repeal, alter or amend any such by-law or by-laws from time to time, and authorize the impounding of any animal or animals permitted to run at large contrary to the provisions of any such by-law, or otherwise deal with such animal or animals or the owner or owners 5 thereof in the manner provided in the said *An Act respecting Pounds*.

SCHEDULE A.

By-law No. 196.

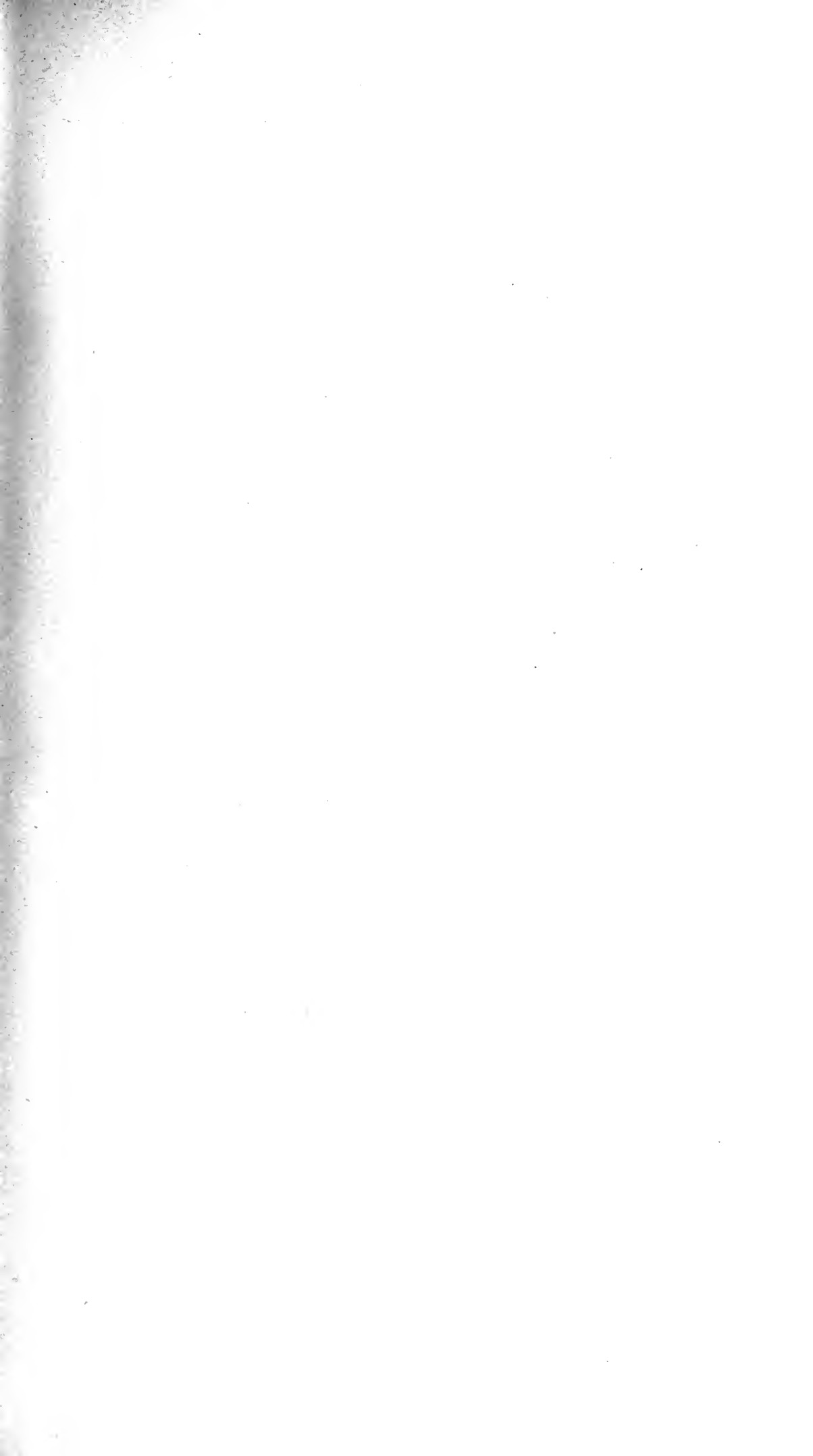
To provide for the issue by the Town of Fort William of debentures to the amount of \$5,000 for the maintenance and repair of the streets in the Town of Fort William.

By-law No. 199.

A by-law to raise by the issue of debentures the sum of \$2,000 to acquire land for a market place and for the erection of buildings thereon.

By-law No. 205.

A by-law for granting aid by way of a free site to William W. Ogilvie for the purpose of a grain elevator and flour mill in said Town of Fort William.



4th Session, 9th Legislature,
1 Edward VII. 1901.

BILL.

An Act respecting the Town of Fort William, 1901.

First Reading, , 1901.

(Private Bill.)

Mr. CONNOR.

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

An Act respecting the Town of Fort William, 1901.

WHEREAS the Municipal Corporation of the Town of Fort William has represented that under the authority of By-law No. 196 of the said town, passed on the 24th day of January, 1899, the said corporation has issued debentures to the amount of \$5,000, for the maintenance and repairing of the streets of the said town: that under the authority of By-law No. 199 of the said town, passed on the 16th day of May, 1899, the said corporation has issued debentures to the amount of \$2,000, to acquire land for a market place and for the erection of buildings thereon; that under the authority of By-law No. 205 of the said town, passed on the 12th day of September, 1899, the said corporation has issued debentures to the amount of \$25,000, for granting aid by way of a free site to William W. Ogilvie for the erection of a grain elevator and flour mill in the said town; and whereas each of the said by-laws provided for the payment of interest on the amount therein mentioned at the rate of 4 per cent. per annum; and whereas each of the said by-laws received the assent of the duly qualified ratepayers of the said municipality in manner as required by law; and whereas the said corporation has been unable to dispose of such debentures at par or to realize upon them except at considerable sacrifice owing to the low rate of interest they bear; and whereas the said corporation has by petition prayed that an Act may be passed empowering the council of the said corporation by by-law to amend each of the said by-laws and the debentures issued thereunder as aforesaid, by increasing the rate of interest of the said debentures, from four to four and a half per cent. per annum, and otherwise to amend each of the said by-laws, the debentures issued thereunder and the coupons attached to the said debentures, by making such alterations therein as may be necessary by reason of increasing the rate of interest as aforesaid; and whereas it has been made to appear that the said debentures have been hypothecated with the bankers of the said corporation as security for advances made to the said corporation for which the said corporation is paying a high rate of interest and that the said bankers offer no objections to the prayer of the said petition; and whereas it has further been made to appear that all the members of the council of the said town for the year 1901 are in favor of the said petition, and it appearing that no objection has been made to the council

of the said corporation to the presenting of the said petition and the passing of this Act, and the said corporation having represented that it will be less expensive to obtain an Act than to pass a by-law with the assent of the ratepayers under the provisions of *The Municipal Act* for the purpose of amending the said by-laws, and further that such an Act would facilitate the sale of such debentures and would greatly enhance their commercial value; and whereas within the limits of the said town there are large tracts of vacant land; and whereas doubts have arisen as to the powers of the said corporation to pass a by-law or by-laws defining limits within the said town and prohibiting the running at large of cattle within the said limits, and to define other limits within the said town within which cattle may run at large; and whereas the said corporation has by the said petitions prayed that an Act may be passed empowering the council of the said corporation to pass a by-law or by-laws defining limits for the purposes aforesaid and to alter and amend such by-law or by-laws from time to time; and whereas it is expedient to grant the prayer of the said petition.

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

Power to amend certain money by-laws.
Rev. Stat. c. 223.

1. Notwithstanding anything in *The Municipal Act*, and amending Acts contained, the council of the corporation of the Town of Fort William is empowered with the concurrence of the holders of the debentures hereinafter referred to by by-law to amend each of the by-laws designated in Schedule "A" hereto, and the debentures issued thereunder by increasing the rate of interest in the said by-laws and debentures provided for, from four to four and one-half per centum per annum, and otherwise to amend each of such by-laws, the debentures issued thereunder and interest coupons attached thereto, by making such alterations therein as may be necessary by reason of increasing the rate of interest provided for in the said by-laws and debentures as aforesaid.

Restraining the running at large of animals.
Rev. Stat. c. 272.

Rev. Stat. c. 272.

2. The Council of the said Corporation of the Town of Fort William is empowered to pass a by-law or by-laws defining limits within the boundaries of the said town and prohibiting the running at large of the animals enumerated in section 3 of *An Act respecting Pounds*, within the said limits, and defining other limits within the said town within which the said animals may be permitted to run at large and authorizing the impounding of any animal or animals permitted to run at large contrary to the provisions of any such by-law, or the dealing with such animal or animals or the owner or owners thereof in such other manner as may be provided in *An Act respecting Pounds*, and from time to time to repeal, alter or amend any such by-law or by-laws within the powers hereby conferred.

SCHEDULE A.

By-law No. 196, passed 24th January, 1899.

To raise by the issue of debentures the sum of \$5,000 for the maintenance and repair of the streets in the Town of Fort William.

By-law No. 199, passed 16th May, 1899.

To raise by the issue of debentures the sum of \$2,000 to acquire land for a market place and for the erection of buildings thereon in the said Town of Fort William.

By-law No. 205, passed 12th September, 1899.

To raise by the issue of debentures the sum of \$25,000 for granting aid by way of a free site to William W. Ogilvie for the purpose of a grain elevator and flour mill in said Town of Fort William.

4th Session, 9th Legislature,
1 Edward VII. 1901.

BILL.

An Act respecting the Town of Fort Wil-
liam, 1901.

First Reading, 27th February, 1901.

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

Mr. CONNIE.

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

An Act to incorporate the Niagara District, Wellandport and Dunnville Electric Railway Company.

WHEREAS David Battle, of the Town of Thorold, in the Preamble.
County of Welland, manufacturer; John Flett, of the
City of Toronto, in the County of York, wholesale merchant;
Edward Morris, of the Village of Fonthill, in the County of
5 Welland, nurse, yman; William M. German, of the Town of
Welland, in the County of Welland, barrister, and Joseph
Battle, of the said Town of Thorold, coal merchant, have by
their petition prayed for an Act of incorporation under the
name of the Niagara District, Wellandport and Dunnville
10 Electric Railway Company, for the purpose of constructing
and operating an electric railway beginning at some point
in the Town of Niagara Falls and in the Town of Thorold,
both in the County of Welland, and continuing through the
Townships of Stamford, Thorold, Pelham, Wainfleet, in the
15 County of Welland; the Townships of Canboro, Moulton,
Sherbrooke, the Town of Dunnville and the Village of Port
Maitland, in the County of Haldimand, and through the Town-
ships of Caistor, Gainsboro, Clinton, Louth, and the Village of
Jordan, in the County of Lincoln; and whereas it is expedient
20 to grant the prayer of the said petition;

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

1. David Battle, of the Town of Thorold, in the County of Incorporation.
25 Welland; John Flett, of the City of Toronto, in the County
of York; Edward Morris, of the Village of Fonthill, in the
County of Welland; William M. German, of the Town of
Welland, in the County of Welland, and Joseph Battle, of the
said Town of Thorold, and such other persons and corpora-
30 tions as shall hereafter become shareholders in the said com-
pany, are hereby constituted a body corporate and politic,
under the name of the "Niagara District, Wellandport and
Dunnville Electric Railway Company."

2. The said company is hereby authorized and empowered Location of line.
35 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 or other motive power, beginning at
some point in the Town of Niagara Falls and in the Town of
Thorold, both in the County of Welland, and continuing

- through the Townships of Stamford, Thorold, Pelham, Wainfleet, in the County of Welland; the Townships of Canboro, Moulton, Sherbrooke, the Town of Dunnville and the Village of Port Maitland, in the County of Haldimand, and through the Townships of Caistor, Gainsboro, Clinton, Louth, and the Village of Jordan, in the County of Lincoln, 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 any agreements made or hereafter to be made between the 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. 5
10
15
20
- 3.** The said David Battle, John Flett, Edward Morris, William M. German and Joseph Battle, 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.
- Provisional directors. 25
- 4.** All meetings of the provisional board of directors of the said company shall be held in the Town of Thorold, in the County of Welland, or at such other place as may best suit the interests of the said company.
- Meetings of provisional directors. 30
- 5.** The capital stock of the company hereby incorporated shall be \$100,000, to be divided into 1,000 shares of \$100 each.
- Capital stock. 35
- 6.** The board of directors of the said company shall consist of not less than five and not more than nine persons who shall be elected in the manner and possess the qualifications prescribed by *The Electric Railway Act*.
- Directors' election and qualification. Rev. Stat. c. 209. 35
- 7.** The head office of the said company shall be at the Town of Thorold.
- Head office. 40
- 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.
- Incorporation of Rev. Stat. c. 209. 45

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act to incorporate the Niagara District,
Wellandport and Dunnville Electric Rail-
way Company.

First Reading, 1901.

(Private Bill)

Mr. GROSS.

TORONTO :

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

An Act to incorporate The Niagara District, Wellandport and Dunnville Electric Railway Company.

WHEREAS David Battle, of the Town of Thorold, in the County of Welland, manufacturer; John Flett, of the City of Toronto, in the County of York, wholesale merchant; Edward Morris, of the Village of Fonthill, in the County of Welland, nurseyman; William M. German, of the Town of Welland, in the County of Welland, barrister, and Joseph Battle, of the said Town of Thorold, coal merchant, have by their petition prayed for an Act of incorporation under the name of The Niagara District, Wellandport and Dunnville Electric Railway Company, for the purpose of constructing and operating an electric railway beginning at some point in the Town of Niagara Falls and in the Town of Thorold, both in the County of Welland, and continuing through the Townships of Stamford, Thorold, Pelham, and Wainfleet, in the County of Welland; the Townships of Canboro, Moulton, Sherbrooke, the Town of Dunnville and the Village of Port Maitland, in the County of Haldimand, and through the Townships of Caistor, Gainsboro, Clinton, Louth, and the Village of Jordan, in the County of Lincoln, to Jordan Harbour or Station in the said County of Lincoln; and whereas it is expedient to grant the prayer of the said petition;

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

1. David Battle, of the Town of Thorold, in the County of Welland; John Flett, of the City of Toronto, in the County of York; Edward Morris, of the Village of Fonthill, in the County of Welland; William M. German, of the Town of Welland, in the County of Welland, and Joseph Battle, of the said Town of Thorold, 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 Niagara District, Wellandport and Dunnville Electric Railway Company."

2 The said company is hereby authorized and empowered 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 beginning at some point in the Town of Niagara Falls and in the Town of Thorold, both in the County of Welland, and continuing through the Townships of Stamford,

Thorold, Pelham *and* Wainfleet, in the County of Welland; the Townships of Canboro, Moulton, Sherbrooke, the Town of Dunnville and the Village of Port Maitland, in the County of Haldimand, and through the Townships of Caistor, Gainsboro, Clinton, Louth, and the Village of Jordan, in the County of Lincoln ~~to~~ to Jordan Harbour or Station in the said County of Lincoln ~~by~~ 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 any agreements made or hereafter to be made between the said 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 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.

Provisional
directors.

3. The said David Battle, John Flett, Edward Morris, William M. German and Joseph Battle, 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.

Meetings of
provisional
directors.

4. All meetings of the provisional board of directors of the said company shall be held in the Town of Thorold, in the County of Welland, 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.

Directors
election and
qualification.
Rev. Stat.
c. 209.

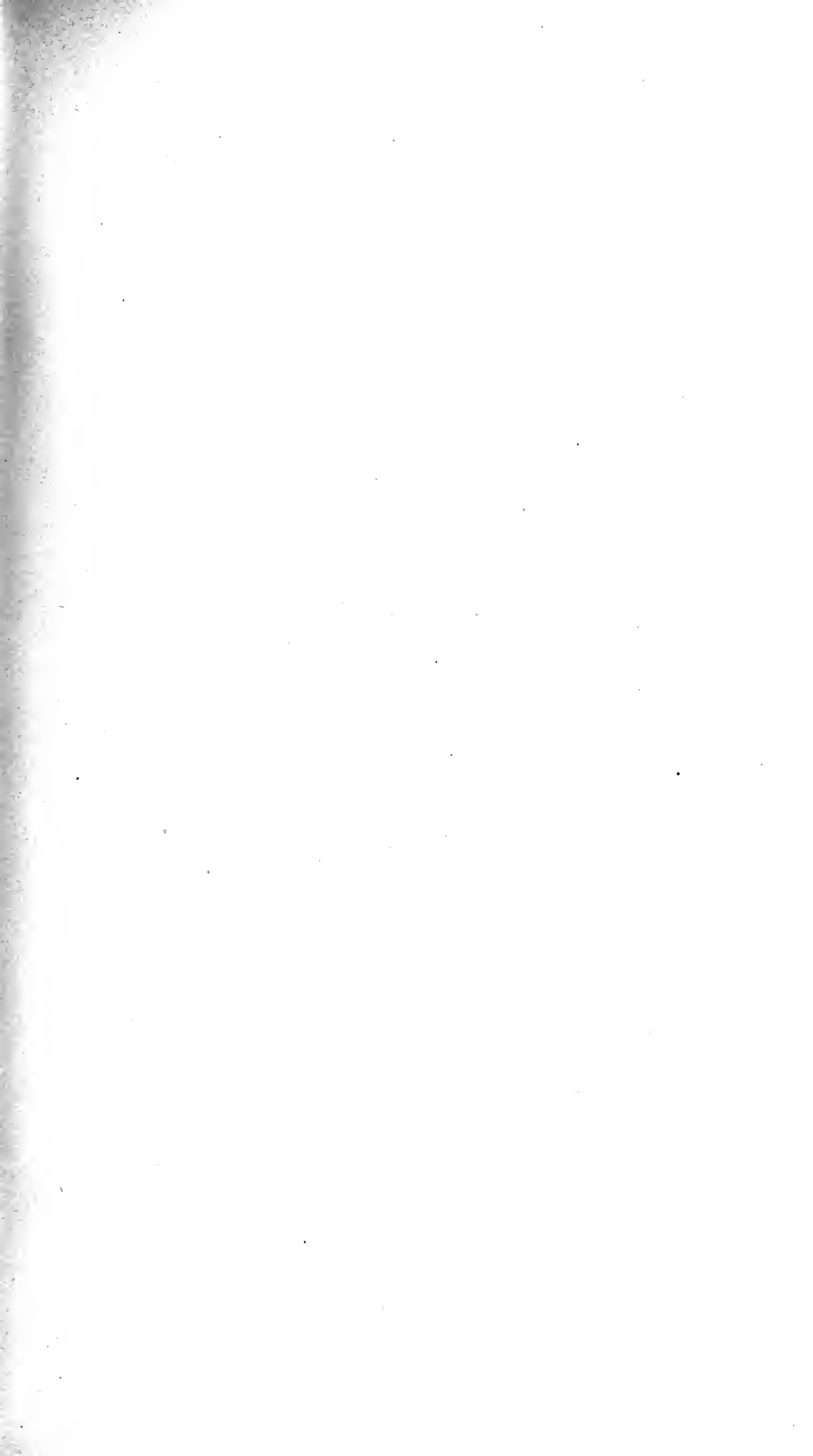
6. The board of directors of the said company shall consist of not less than five and not more than nine persons who shall be elected in the manner and possess the qualifications prescribed by *The Electric Railway Act*.

Head office.

7. The head office of the said company shall be at the Town of Thorold.

Incorporation
of Rev. Stat.
c. 209.

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.



4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act to incorporate The Niagara District,
Wellandport and Dunnville Electric Rail-
way Company.

First Reading, 27th February, 1901.

*(Reprinted as amended by Railway
Committee.)*

Mr. GROSS.

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

An Act to enable Archibald Montgomery to Practice
Medicine and Surgery.

WHEREAS Archibald Montgomery of the City of Toronto Preamble.
in the County of York and Province of Ontario has by
his petition set forth that he graduated in medicine from the
University of Toronto in 1892 and that during his course at
5 said university he resided with and was instructed by a resi-
dent practicing physician and surgeon and since that time
has taken special courses in bacteriology, children's diseases,
and skin diseases, and has received instruction in medicine and
10 surgery at the University of Strasbourg, at Munich, at Berlin,
at Paris and at London, England, and thereafter was admitted
to practice in the State of Illinois, one of the United States of
America, and has become familiar with and competent to prac-
tice medicine and surgery, but that not having taken the
15 courses perscribed by the Council of The College of Physicians
and Surgeons of Ontario, he is not entitled to practice medicine
and surgery in the Province of Ontario, and whereas it is
expedient to grant the prayer of the said petition :

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

1. It shall be lawful for Archibald Montgomery to practice Archibald
Montgomery
authorized to
practice.
as a licentiate in medicine and surgery in the Province of
Ontario, any law, statute or usage to the contrary notwith-
standing.

No. 46.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act to enable Archibald Montgomery to
practice medicine and surgery.

First Reading, 1901.

(Private Bill).

Mr. CRAWFORD.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting the Toronto Esplanade Tripartite Agreement.

WHEREAS by Section 2 of Chapter 90 of the Statutes Preamble.
passed by the Legislative Assembly of the Province of
Ontario in the 55th year of the reign of Her Late Majesty
Queen Victoria, it was declared that an agreement between
5 The Corporation of the City of Toronto, The Grand Trunk
Railway Company of Canada and The Canadian Pacific Rail-
way Company, known as the "Tripartite Esplanade Agree-
ment" and printed as Schedule A to the said Act with such
10 modifications thereof as the parties might agree upon, should,
when executed by the said parties, be valid and binding upon
them ; and whereas the said agreement, executed by the said
parties, dated the 26th day of July, A.D. 1892, was by Section
2 of Chapter 48 of the Statutes passed by the Parliament of
Canada in the year 1893 declared to be in force and binding
15 upon the parties thereto ; and whereas by Section 13 of the
said agreement it is provided as follows :—

" 13. The Grand Trunk will dedicate to the public a street
not less than 66 feet wide, extending along the north side of
the Union Station Block, from Simcoe street to York street.
20 The city agrees that at the request of the Grand Trunk and
Canadian Pacific a part of the said street shall be designated
as a stand for cabs or express wagons, but this shall not be
done except on such request."

And whereas notwithstanding the said provisions, the Cor-
25 poration of the City of Toronto has without any request from
the other parties to the said agreement, established a cab
stand on the said street, and it is desirable that any cab stand
established on the said street should be under the control of
the said railway companies or those representing them ;

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

1. In order to the safety, comfort and convenience of the
public, the Managers of the Union Station may make such
35 regulations and arrangements as they consider necessary for
the government and control of employees of the Railway

Companies and all other persons whomsoever using the said Union Station buildings and grounds and the entrances and exits thereto and therefrom, and the said rules and regulations when approved by the Chief Executive Officers of the said Companies shall have the force and effect of municipal 5 By-laws.

2. Such rules and regulations shall be posted up in conspicuous places in and about the said station and premises, and thereafter all persons violating any of the provisions thereof shall render themselves subject to the penalties and 10 punishments provided therein.

3. The said managers may appoint officers and agents to enforce the said regulation; and carry out the said arrangements, and the officers and agents so appointed shall have for the purposes of enforcement thereof the powers of, and shall 15 be peace officers within, the meaning of section 3 of the Criminal Code, 1892.

4. It is hereby declared that the establishment by the Police Commissioners of the City of Toronto of a cab stand on the said Station street was a violation of the provisions of 20 Section 13 of the agreement above mentioned, dated the 26th day of July, 1892, and known as the Tripartite Esplanade Agreement, and of the statutes respecting the same, mentioned in the preamble to this Act.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act Respecting the Toronto Esplanade
Tripartite Agreement.

First Reading, _____, 1901.

(Private Bill.)

Mr. MCKEE.

TORONTO:

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

An Act respecting the Union Station at Toronto.

WHEREAS it is desirable in the interest of the public that Preamble.
the Grand Trunk Railway Company of Canada and the Canadian Pacific Railway Company, or such companies as shall from time to time own or control the Union Station at the City of Toronto, should have certain powers of regulating and controlling the user of the said Union Station buildings and premises and the entrances and exits thereto and therefrom.

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

1. The managers of the said Union Station may make such rules and regulations as they consider necessary for the government and control of employees of such railway companies and of all other persons whomsoever using the said Union Station buildings and premises and the entrances and exits thereto and therefrom and the said rules and regulations with the provisions therein contained as to the recovery of fines and penalties and as to the procedure for the enforcement of the same, when approved by the Chief Executive Officers of the said Companies and by the Attorney-General of this Province, shall have the force and effect of municipal by-laws. Rules and regulations to have same effect as municipal by-laws.

2. Such rules and regulations shall be posted up in conspicuous places in and about the said station and premises and thereafter all persons violating any of the provisions thereof shall render themselves subject to the penalties and punishments provided therein. Regulations to be posted up.

3. In addition to any peace officers who may be otherwise duly authorized, the said managers may appoint such officers as may be necessary to enforce and carry out the said rules and regulations and the officers so appointed shall have for the purposes of enforcement thereof, the powers of peace officers and shall be peace officers within the meaning of section 3 of *The Criminal Code, 1892.* Officers to enforce regulations.

No. 47.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act respecting the Union Station at
Toronto.

First Reading, 00st March, 1901.

Reprinted with Suggested Amendments.

(Private Bill.)

Mr. MCKEE.

TORONTO:

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

An Act respecting the Union Station at Toronto.

WHEREAS it is desirable in the interest of the public that Preamble.
 The Grand Trunk Railway Company of Canada and
 The Canadian Pacific Railway Company, or such companies as
 shall from time to time own or control the Union Station at
 the City of Toronto, should have certain powers of regulating
 and controlling the user of the said Union Station buildings
 and premises and the entrances and exits thereto and there-
 from:—

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

1. The Managers of the said Union Station may make such Rules and regulations to have same effect as municipal by-laws.
 Rules and Regulations as they consider necessary for the
 government and control of employees of *the said* railway
 companies and of all other persons whomsoever using the said
 Union Station buildings and premises and the entrances and
 exits thereto and therefrom, ~~but~~ but not including Station street
 or any part thereof, ~~and~~ and the said Rules and Regulations with
 the provisions therein contained as to the recovery of fines and
 penalties and as to the procedure for the enforcement of the
 same, when approved by the chief executive officers of the
 said companies and by the Attorney-General of this Province,
~~and~~ and after the same shall have been published twice in *The*
Ontario Gazette, shall, ~~be~~ subject to the amendment or repeal
 thereof by the Legislative Assembly, ~~have~~ have the force and
 effect of municipal by-laws.

~~2.~~ 2. In addition to any peace officers who may be otherwise
 duly authorized, such officers as may be necessary to enforce
 and carry out the said Rules and Regulations, may be appointed
 in the manner prescribed by section 281 of *The Railway Act*
of Canada, and the officers so appointed shall, upon taking the
 oath or making a declaration in the form or to the effect set
 forth in the said section, have, for the purpose of enforcing the
 said Rules and Regulations, the powers of peace officers and
 shall be peace officers within the meaning of section 3 of *The*
Criminal Code, 1892.

3. *The said* Rules and Regulations, ~~after~~ after the same shall Regulations to be posted up.
 have been approved and published as aforesaid, ~~shall~~ shall be

posted up in conspicuous places in and about the said *Union Station* and premises and thereafter all persons violating any of the provisions thereof shall render themselves subject to the penalties and punishments provided therein.

~~4~~ 4. The said Rules and Regulations shall be laid upon the table of the Legislative Assembly at the opening of the session thereof next following the promulgation of the said Rules and Regulations, and in default thereof the said Rules and Regulations shall thereupon cease to have the force and effect of municipal by-laws as aforesaid. ~~5~~



No. 47

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act respecting the Union Station at
Toronto.

First Reading, 00st March, 1901.

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

Mr. MCKEE.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act to incorporate the Town of Kingsville.

WHEREAS the Village of Kingsville, in the County of Preamble.
Essex, is rapidly increasing in population, owing largely
to the establishment and operation in said village of manufact-
uring industries, employing many hands, and the influx of
5 summer residents, and is an important business centre, with a
good harbour, and contiguous to a rich and well settled farm-
ing community; and whereas the corporation of said village
have, by their petition, represented that the incorporation of
said village as a town would greatly promote its future pro-
10 gress and prosperity, and enable its inhabitants to make suit-
able regulations for the protection and improvement of pro-
perty, and ensure to it a more beneficial, economical and
efficient administration of its public affairs; and whereas it is
expedient to grant the prayer of the said petition;

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

1. On and after the passing of this Act, the said Village of Kingsville shall be and is hereby constituted a corporation or
20 body politic, under the name of "The Corporation of the Town
of Kingsville," and shall enjoy and shall have all the rights,
powers and privileges enjoyed and exercised by incorporated
towns in the Province of Ontario, under the existing municipal
laws of the said Province, except where otherwise provided by
25 this Act.

2. The said Town of Kingsville shall comprise and consist
of the present Village of Kingsville. Limits.

3. The provisions of *The Municipal Act, 1897*, and amend- Application of
ing Acts, respecting municipal institutions, with regard to Rev. Stat.
30 matters consequent upon the formation of new municipal c. 223.
corporations, and the other provisions of the said Acts, shall,
except so far as herein otherwise provided, apply to the said
corporation of the Town of Kingsville, in the same manner as
if the same had been erected into a town under the provisions
35 of said Acts.

4. On the last Monday of the month of December, 1901, it First election.
shall be lawful for William Albert Smith, or the clerk of the

the municipality for the time being, who is hereby appointed returning officer, to hold the nomination for the first election of mayor and councillors at the Town Hall, in the said Town of Kingsville, at the hour of noon, of which due notice shall be given, in the same manner as the same would be given if the said Town of Kingsville had been incorporated under the provisions of *The Municipal Act, 1897*, and he shall preside at the said nomination, or in case of his absence the electors present shall choose from among themselves a chairman to preside at the said nomination, and such chairman shall have all the powers of a returning officer, and the polling for the said election (if necessary) shall be held on the same day of the week next following the said nomination, and the returning officer or chairman shall, at the close of the nomination, publicly announce the place or places at which the polling shall take place.

Appointment
of deputy
returning
officers, etc.

5. The said returning officer by his warrant shall appoint a deputy returning officer for each of the polling sub-divisions into which the town is divided, and such returning officer and each deputy returning officer shall, before holding the said election, take the oath or affirmation required by law, and shall respectively be subject to all the provisions of the municipal laws of Ontario, applicable to returning officers, at elections in towns, in so far as the same do not conflict with this Act, and the said returning officer shall have all the powers and perform all the duties devolving on town clerks with respect to municipal elections in towns.

Council, how
composed.

6. The council of the said town, to be elected in manner aforesaid, shall consist of the mayor, who shall be the head thereof, and six councillors.

First meeting
of council.

7. The mayor and councilors so to be elected shall hold their first meeting at the Town Hall, in the said Town of Kingsville, at ten o'clock in the forenoon of the same day of the week next following the polling, and if there shall not be any polling, on the same day of the week next following the nomination.

Declarations
of office, etc.

8. The several persons who shall be elected or appointed under this Act, shall take the declarations of office and qualification now required by the municipal laws of Ontario, to be taken by persons elected or appointed to like offices in towns.

Qualification
of officers and
electors.

9. At the first election of mayor and councillors for the said Town of Kingsville, the qualification of electors and that of officers required to qualify, shall be the same as that required in villages by the municipal laws of Ontario.

Expenses of
Act.

10. The expenses incurred in obtaining this Act, and of furnishing any documents, copies of papers, writings, deeds, or any matters whatsoever required by the clerk or other officer

of the said Town of Kingsville, or otherwise, shall be borne by the said town, and paid by it to any person entitled thereto.

11. All by-laws and municipal regulations which are in force in the Village of Kingsville shall continue and be in force as if they had been passed by the corporation of the Town of Kingsville, and shall extend to and have full effect within the limits of the town to be incorporated.

By-laws, etc., continued.

12. The property, assets, debts, liabilities and obligations of the Village of Kingsville shall belong to and be assumed and paid by the Town of Kingsville.

Property, debts, etc., transferred to town.

13. All officers of said Village of Kingsville shall continue to act, and have power as such, as officers of and within the Town of Kingsville, until the council of the said town shall otherwise order and direct.

Officers continued.

14. From the passing of this Act until the election of mayor and councillors of said town, as aforesaid, the reeve and councillors of the said Village of Kingsville shall continue in office as the mayor and councillors of said Town of Kingsville.

Present council.

15. The said corporation shall devote the revenue derived from its natural gas system, after payment of the operating expenses of the system and the expense of keeping up the supply of natural gas, to the payment and retiring of the outstanding debentures of the corporation and the interest thereon, as the same fall due.

Application of revenues from natural gas.

16. The said corporation shall in addition to all other rates to be levied in each year, levy a special rate sufficient to pay the amount falling due annually for principal and interest in respect of debentures issued; provided, however, if the council of the said corporation deem it advisable to devote in any year any portion of the revenue derived from its natural gas system, in payment of the said amount of principal and interest falling due in that year, it shall be necessary for the said corporation to levy such a special rate as shall be sufficient to raise merely the balance of the said amount of principle and interest, falling due in that year, after deducting from the said amount of principle and interest such portion of said revenue so applied.

Special rate for payment of debentures.

Proviso.

No. 48.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL

An Act to incorporate the Town of Kings-
ville.

First Reading, 1901.

(Private Bill.)

Mr. AULD.

TORONTO:

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

An Act to incorporate the Town of Kingsville.

WHEREAS the Village of Kingsville, in the County of Preamble.
Essex, is rapidly increasing in population, owing largely to the establishment and operation in said village of manufacturing industries, employing many hands, and the influx of summer residents, and is an important business centre, with a good harbour, and contiguous to a rich and well settled farming community; and whereas the corporation of said village have, by their petition, represented that the incorporation of said village as a town would greatly promote its future progress and prosperity, and enable its inhabitants to make suitable regulations for the protection and improvement of property, and ensure to it a more beneficial, economical and efficient administration of its public affairs; and whereas it is expedient to grant the prayer of the said petition;

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

1. On and after the passing of this Act, the said Village of Kingsville shall be and is hereby constituted a corporation or body politic, under the name of "The Corporation of the Town of Kingsville," and shall enjoy and shall have all the rights, powers and privileges enjoyed and exercised by incorporated towns in the Province of Ontario, under the existing municipal laws of the said Province, except where otherwise provided by this Act. Incorporation of town.
2. The said Town of Kingsville shall comprise and consist of the present Village of Kingsville. Limits.
3. The provisions of *The Municipal Act, 1897*, and amending Acts, respecting municipal institutions, with regard to matters consequent upon the formation of new municipal corporations, and the other provisions of the said Acts, shall, except so far as herein otherwise provided, apply to the said corporation of the Town of Kingsville, in the same manner as if the same had been erected into a town under the provisions of said Acts. Application of Rev. Stat. c. 223.
4. On the last Monday of the month of December, 1901, it shall be lawful for William Albert Smith, or the clerk of the First election.

the municipality for the time being, who is hereby appointed returning officer, to hold the nomination for the first election of mayor and councillors at the Town Hall, in the said Town of Kingsville, at the hour of noon, of which due notice shall be given, in the same manner as the same would be given if the said Town of Kingsville had been incorporated under the provisions of *The Municipal Act, 1897*, and he shall preside at the said nomination, or in case of his absence the electors present shall choose from among themselves a chairman to preside at the said nomination, and such chairman shall have all the powers of a returning officer, and the polling for the said election (if necessary) shall be held on the same day of the week next following the said nomination, and the returning officer or chairman shall, at the close of the nomination, publicly announce the place or places at which the polling shall take place.

Appointment
of deputy
returning
officers, etc.

5. The said returning officer by his warrant shall appoint a deputy returning officer for each of the polling sub-divisions into which the town is divided, and such returning officer and each deputy returning officer shall, before holding the said election, take the oath or affirmation required by law, and shall respectively be subject to all the provisions of the municipal laws of Ontario, applicable to returning officers, at elections in towns, in so far as the same do not conflict with this Act, and the said returning officer shall have all the powers and perform all the duties devolving on town clerks with respect to municipal elections in towns.

Council, how
composed.

6. The council of the said town, to be elected in manner aforesaid, shall consist of the mayor, who shall be the head thereof, and six councillors.

First meeting
of council.

7. The mayor and councillors so to be elected shall hold their first meeting at the Town Hall, in the said Town of Kingsville, at ten o'clock in the forenoon of the same day of the week next following the polling, and if there shall not be any polling, on the same day of the week next following the nomination.

Declarations
of office, etc.

8. The several persons who shall be elected or appointed under this Act, shall take the declarations of office and qualification now required by the municipal laws of Ontario, to be taken by persons elected or appointed to like offices in towns.

Qualification
of officers and
electors.

9. At the first election of mayor and councillors for the said Town of Kingsville, the qualification of electors and that of officers required to qualify, shall be the same as that required in villages by the municipal laws of Ontario.

Expenses of
Act.

10. The expenses incurred in obtaining this Act, and of furnishing any documents, copies of papers, writings, deeds, or any matters whatsoever required by the clerk or other officer

of the said Town of Kingsville, or otherwise, shall be borne by the said town, and paid by it to any person entitled thereto.

11. All by-laws and municipal regulations which are in force in the Village of Kingsville shall continue and be in force as if they had been passed by the corporation of the Town of Kingsville, and shall extend to and have full effect within the limits of the town to be incorporated. By-laws, etc.,
continued.

12. The property, assets, debts, liabilities and obligations of the Village of Kingsville shall belong to and be assumed and paid by the Town of Kingsville. Property,
debts, etc.,
transferred
to town.

13. All officers of said Village of Kingsville shall continue to act, and have power as such, as officers of and within the Town of Kingsville, until the council of the said town shall otherwise order and direct. Officers
continued.

14. From the passing of this Act until the election of mayor and councillors of said town, as aforesaid, the reeve and councillors of the said Village of Kingsville shall continue in office as the mayor and councillors of said Town of Kingsville. Present
council.

15. The said corporation shall, after the passing of this Act devote the revenue derived from its natural gas system, after payment of the operating expenses of the system and the expense of keeping up the supply of natural gas, to the payment and retiring of the outstanding debentures of the corporation and the interest thereon as the same shall from time to time fall due; and it shall only be necessary for the said corporation to levy in each year such a special rate in respect of the said debentures as shall be sufficient to raise the balance, if any, of the amount falling due in that year in respect of the said debentures after deducting the net revenue derived during that year from the said natural gas system and so applied as aforesaid. ™

No. 48.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL

An Act to incorporate the Town of Kings-
ville.

First Reading, 27th Feb., 1901.

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

Mr. AULD.

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

An Act respecting the Town of Cobourg.

WHEREAS the corporation of the Town of Cobourg has by its petition represented, that it is desirable and necessary in the public interest, to construct certain sewers in the said town; that section 3 of an Act of the Legislature of the Province of Ontario, passed in the 61st year of the reign of Her late Majesty Queen Victoria, chaptered 39, apparently limits to \$10,000 the amount of local improvement debentures which the said corporation may have outstanding at any one time, and that as the said sewers will cost about \$20,000 it is desirable that the said section be amended so as to permit the issue of debentures to pay for the said sewers:

Preamble.

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

15 1. Section 3 of the said Act passed in the 61st year of the reign of Her late Majesty Queen Victoria, chaptered 39, is amended by striking out the word "ten" in the fourth line and inserting the word "thirty" in lieu thereof. And it shall be deemed a compliance with section 386 of "*The Municipal*
20 *Act*," if the debentures hereby authorized to be issued, be made for such a multiple of one hundred dollars as will make the annual payments for principal and interest as nearly equal as may be.

61 v. c. 39,
s. 3, amended.Rev. Stat.
c. 223.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting the Town of Cobourg.

First Reading, , 1900.

(Private Bill.)

Mr. CLARKE.

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

An Act to confirm a certain by-law of the municipal corporation of the Town of Renfrew.

WHEREAS the municipal corporation of the Town of Renfrew has by petition shown that on the 25th day of July, 1899, the council of the said corporation passed, with the assent of the electors according to the provisions of *The Municipal Act*, a by-law respecting local improvement works and special assessments therefor; that in response to petitions received by the said council several local improvement works were in pursuance of the said by-law constructed and paid for with funds provided by an incorporated bank with which arrangements had been made to advance such funds; that in the case of each of the said several local improvement works necessary special assessments have been made and the Court of Revision to consider each of the said several special assessments has been held and there have been no appeals from any of the findings of the said Court of Revision; and that doubts have arisen as to the validity of the said by-law and of the several acts, matters and things done under and in pursuance of said by-law; and whereas the said corporation has by petition prayed that an Act may be passed ratifying and confirming the said by-law, said assessments, arrangements and payments and all acts, matters and things done under and in pursuance of said by-law and that the said by-law as ratified and confirmed could be repealed by the council of the said corporation with, but not without, the assent of the electors of the said town; and whereas it is expedient to grant the prayer of the said petition.

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

1. By-law number 107 of the municipal corporation of the Town of Renfrew, which is set forth in Schedule A to this Act, the said several special assessments, the arrangements made with said bank, all payments made by the said corporation in connection with the construction of said local improvement works, and all acts, matters and things done under and in pursuance of said by-law are 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 Renfrew,

By-law No.
107 of Town
of Renfrew
confirmed.

and to be binding upon the said town and the ratepayers thereof.

Repeal of
By-law
with assent
of electors.

The said by-law as ratified and confirmed may be repealed by the council of the said corporation with, but not without, the assent of the electors of the said town obtained according to the provisions of *The Municipal Act*. 5

SCHEDULE A.

BY-LAW No. 107.

"A By-Law respecting Local Improvements, and Special Assessments therefor."

Whereas it is deemed desirable to provide for certain improvements, works and services being paid by special assessment on the property benefited:

Be it therefore enacted by the municipal council of the corporation of the Town of Renfrew, in the County of Renfrew, as follows:

1. This by-law may be known and cited as "A By-Law respecting Local Improvements and special assessments therefor."

2. Unless the context otherwise requires, the following words and expressions in this by-law shall have the meaning thereby assigned to them respectively, that is to say:

The words "local improvement," "work" or "service" shall mean any improvement, work, or service, the cost of which may be charged by the council under any of the provisions of "The Municipal Act of Ontario" against the real property immediately benefited, by way of special assessment.

The word "owner" shall be construed and deemed to include a lease-holder, the unexpired term of whose lease (including any renewals therein provided for) extends over a period which is not less than the duration of the proposed assessment, if the lessee has covenanted in his lease to pay all municipal taxes on the demised property during the term of said lease, and would be liable for the taxes for the proposed improvement.

The word "Inspector" shall mean such person as may be appointed inspector of street works by the municipal council of the Town of Renfrew.

The words "Engineer," "Clerk," "Treasurer" and "Street Committee" shall mean "Engineer," "Clerk," "Treasurer" and "Street Committee" of the Town of Renfrew.

The word "Corporation" shall mean "The Municipal Corporation of the Town of Renfrew."

The word "Council" shall mean "The Municipal Council of the Town of Renfrew."

3. From and after the first day of August, A.D. 1899, all future expenditure in the Town of Renfrew for the several classes of works, improvements and services hereinafter mentioned, for which (amongst others) special provisions are made in Sections 664 to 685, Chap. 223, R. S. O. 1897;

(a) Opening, widening, prolonging or altering, macadamizing, grading, levelling, paving or planking any street, lane, alley, public way or place, or constructing any sidewalk;

(b) Curbing, sodding or planking any street, lane, alley, square or public place;

(c) Re-constructing, as well as constructing, any of the said works or improvements shall be by special assessment on the property benefited, and not exempt by law from assessment.

4. In the opening, widening, straightening or extension of streets, where the whole cost of the improvement is assessable against the property fronting or abutting upon the street or portion of street to be opened, widened, straightened or extended, the owners of the land to be taken for such opening, widening, straightening or extension, must dedicate the same to the town free of cost, and no such street shall be opened, widened, straightened or extended unless the land required therefor has been so dedicated to the town free of cost, notwithstanding the fact of a petition sufficiently signed having been presented for the said improvement; provided this prohibition shall not apply in any case as to which three-fourths of the members of the council present at any meeting thereof shall vote that it is in the public interest that the street shall be opened, widened, straightened or extended at the expense of the properties abutting thereon, notwithstanding the refusal of the owners of the property required therefor, or of some of them, to dedicate the property so required.

5. In making every assessment to defray the cost of the construction of pavements and sidewalks, the engineer or inspector shall make an allowance on corners, triangular and other irregularly shaped pieces of land situate at the intersection or junction of streets, as follows:

On lots having an angle of ninety degrees, an allowance of one-third the number of feet on the side of the lot to be assessed; on lots having an angle of more than ninety degrees, an allowance of less than one-third the number of feet on the side of the lot to be assessed; on lots having an angle of less than ninety degrees, an allowance of more than one-third the number of feet on the side of the lot to be assessed, as may in each case, in his opinion, be deemed just and equitable, having due regard to the situation, value and superficial area of such lot, as compared with adjoining lots and pieces of land assessable for such improvements, works and services.

6. Any allowance made in pursuance of the next preceding section may be charged on the real property fronting on the improvements, or be assessed as a portion of the town's share of the cost of such improvement, in like manner as the intersection of streets, or partly on both, in such proportions as may be deemed just and equitable by the engineer, and the cost of any portion assessed against the town shall be provided in like manner as in the case of street intersections.

6a. In every assessment to defray the cost of the construction of pavements and sidewalks, where the said improvement fronts upon lands which are by law exempt from taxation for the said purposes, the amount necessary to construct that portion of the said improvement fronting upon the lands so exempt as aforesaid may be charged on the other real property fronting on the improvement, or be assessed as the town's share of the cost of such improvement in like manner as the intersection of streets, or partly on both, in such proportions as may be deemed just and equitable by the engineer or inspector, and the cost of any portion assessed against the town shall be provided in like manner as in the case of street intersections.

7. Any allowance or assessment made in pursuance of the last two preceding sections shall be subject to appeal to the Court of Revision, and from the Court of Revision to the County Judge, as hereinafter provided.

8. In the construction of any granolithic, natural or artificial stone, asphalt or brick sidewalk, the municipality shall assume forty per cent. of the cost thereof, in addition to any other portion which may be assumed by or assessed against the municipality, and the said forty per cent. shall be added to that portion of the cost of construction of said sidewalk to be provided by the municipality, as in the case of street intersections.

8a. In the construction of macadam roads, the municipality shall assume 33 $\frac{1}{3}$ per cent. of the cost thereof, and of grading, levelling, paving, planking, curbing or boulevarding, in addition to any other portion which may be assumed by or assessed against the municipality, and the said thirty-three and one third per cent. shall be added to that portion of the cost of the construction of said roadway, etc., to be provided by the said municipality, as in the case of street intersections.

9. All matters of small pieces of sidewalks and other improvements, the cost of which can be estimated and reported upon by the Inspector, shall be referred to him, and shall be reported upon by him, in the same manner as if referred to the engineer, and in such cases the word engineer shall be taken as meant inspector.

10. All costs incurred in carrying out the construction of any improvement, work or service, other than the construction itself, the overseeing of the same and providing the necessary funds, shall be borne by the municipality, and be provided in the same manner as in the case of street intersections.

11. No work or improvement for which it is proposed to assess the real property immediately benefited, as for a local improvement, shall be undertaken by the council unless and until the provisions of this by-law shall have first been complied with.

12. All petitions for local improvements, works or services, to be made, done and performed under the provisions of this by-law, shall, as soon as received by the clerk, be examined by him, and it shall be his duty to ascertain and finally determine whether the same are signed by two-thirds in number of the owners, representing at least one-half in value of the lands benefited, according to the last revised assessment roll of the municipality, and liable to special assessment for the proposed improvements, works or services, and such petitions when found to be correct, as aforesaid, shall be numbered by him in the order they are received, and be entered at length in a book to be kept for that purpose, to be called "The Local Improvement Book," and the clerk shall endorse upon such petition his certificate of the correctness thereof, and the value of the whole of the real property rateable for the proposed improvement, work or service, and shall forthwith so transmit the same to the engineer or inspector. In case the petitions shall be found to be insufficiently signed, they shall be so certified by the said clerk and forwarded in like manner to the engineer or inspector for his consideration.

13. Upon the receipt of any such petition the engineer or inspector shall forthwith examine into the subject matter of the petition, and report with as little delay as possible upon the necessity for, or the advisability of, undertaking the proposed improvement, work or service, and the reason therefor.

14. In the event of the engineer or inspector reporting in favor of the undertaking of any such improvement, work or service, he shall also, after due and proper examination and inspection, report:—

(a) What real property will be immediately benefited by the proposed improvement, work or service, and the measurement of the frontage liable to the rates, and those exempt from taxation;

(b) The probable lifetime of the improvement or work;

(c) An estimate of the probable cost of the proposed improvement, work or service, and the amount thereof, which shall be assessed against the property to be immediately benefited;

(d) The proportion in which the assessment is to be made on the various portions of real property so benefited.

15. In the event of the adoption by the council of the report of the engineer or inspector recommending the undertaking of any such improvements, work or service, it shall be the duty of the clerk to give all necessary notice to property owners as hereinafter provided and as provided by the statute in that respect, and make all necessary special assessments on such property immediately benefited as aforesaid, pursuant to the statutes.

16. In any case when the engineer, or inspector or street committee shall have recommended the undertaking of any improvement, work or service, as a local improvement, and shall have recommended that the cost thereof shall be assessed against the real property immediately benefited, although there be no petition therefor, or the petition therefor shall not have been sufficiently signed, and in any case when the said engineer or street committee shall have recommended the construction of any works, the engineer or inspector shall, after due and proper examination and inspection, ascertain, determine and report, as hereinbefore set forth, and make the necessary assessment, and when such report and assessment

and report has been approved of and accepted by the council, it shall be the duty of the clerk :

(a) To cause a notice of the intention of the said council to undertake such proposed work, improvement or service, and to make such proposed special assessment, to be given in a public newspaper published in the Town of Renfrew once in each week for two successive weeks, and the said notice shall state generally the nature of the proposed improvement, work or service, the estimated cost thereof, the property reported by the engineer as immediately benefited, and estimated amount to be charged as a special assessment against the lands immediately benefited, and that unless a petition against the proposed improvement, work or service, and the proposed special assessment, signed by a majority of the property owners, representing at least one-half in value of the real property proposed to be assessed, according to the last revised assessment roll, be presented to the council within one month from the last publication of the said notice, the proposed improvement, work or service will be undertaken, and the special assessment therefor will be made by the council.

17. In the event of a petition being presented to the council against any proposed improvement, work or service, and a special assessment therefor, within the time limited by the notice, the clerk shall report to the council whether the same is sufficiently signed by a majority of the owners of the real property proposed to be assessed, representing at least one-half in value of said property, according to the last revised assessment roll.

18. In the event of no petition, or no petition sufficiently signed, being presented within the prescribed time, the clerk shall forthwith cause a notice at least fifteen days before the day appointed for the sitting of the Court of Revision, to be given or mailed to the owners and lessees, or agents of such owners and lessees having a right to petition, of the real property mentioned in the report of the engineer as being immediately benefited, in the form of Schedule "A" hereunto annexed, stating the time and place of meeting of the Court of Revision for the hearing of appeals, and ten days' notice shall also be given in some newspaper published within the municipality, of the time and place of meeting of the said court, which notice shall specify generally what is the nature of the improvement, work or service, and what property is proposed to be specially assessed as immediately benefited, and the time and manner in which the same is payable, and the said notice may be in the form "B" hereunto annexed.

19. The engineer, clerk and solicitor shall attend the meetings of the Court of Revision, and the said court shall sit at the time and place given in the notices given as aforesaid, and shall hear and determine all appeals which may be brought before it, pursuant to the provisions of the statute in that behalf.

20. In the event of any property owner appealing from the Court of Revision to the Judge of the County Court, the clerk shall proceed forthwith to procure an appointment from the judge for the hearing and disposal of the appeal.

21. In the event of no appeals from the Court of Revision, or so soon as any such appeals have been disposed of by the judge, the clerk shall forward a certified copy of the report of the engineer, with any alterations or amendments which shall have been made by said Court of Revision or judge, to the council.

22. Upon the receipt of such report as last before provided, it shall be the duty of the street committee to call for tenders for the construction, making or doing of the proposed work, improvement or service, and report the result to the council recommending the awarding of the contract, or recommending the carrying on of the work by the inspector or Engineer or under his supervision, and asking that funds be provided for carrying on the work to completion.

23. In the event of council adopting the report of the street committee awarding any such contract for any such local improvement, work or service, or the doing of any such work by the inspector or engineer, the mayor and treasurer shall make such arrangements with Banks or

other persons or bodies corporate, pursuant to the provisions of the statute in that behalf, as may be necessary to provide the amount of money required to carry on such local improvement, work or service, to completion, in anticipation of the special assessment therefor, and no such contract or agreement shall be executed, or work proceeded with, until such financial arrangements shall have been made.

24. The engineer, upon receipt of notice that a contract has been awarded, and the necessary financial arrangements therefor have been made, shall forward the specifications, plans, drawings and all other proper and necessary material, together with the accepted tender, to the town solicitor, who shall, with as little delay as possible, prepare the necessary contract and bond of security.

25. Upon the contract or agreement being duly executed, and not until then, the street committee may authorize the improvement, work or service to be proceeded with and carried to completion.

26. After the completion of any such improvement, work or service, and after the entire cost thereof, including compensation for damages (if any), shall have been ascertained, the engineer shall certify the total amount thereof to the treasurer, showing by such certificate what amount is chargeable to the property benefited, and what amount is chargeable to the town at large.

27. The treasurer shall, as soon as possible after the receipt of the report of the engineer, under the last preceding section, ascertain the amount properly chargeable for interest on the advances made, and the estimated interest that will accrue thereon until the necessary assessment shall have been made, the necessary by-law passed, and the debentures to be issued thereunder shall have been disposed of, and moneys provided to retire the temporary loan, and certify the same, together with the amount shown by the engineer's report distributed as before provided to the council.

28. Upon the adoption of the last mentioned report the council shall, with as little delay as possible, proceed to make the necessary special assessment, upon the property immediately benefited, and upon all other assessable persons, bodies corporate and property, pursuant to the provisions of the Statute in that behalf.

29. The engineer, treasurer and clerk shall furnish the solicitor with all statements, calculations and other information, as may be required by him to enable him to prepare the necessary by-laws, providing for levying and collecting such special assessments, and for borrowing money by the issue and sale of debentures.

30. Any person whose property has been assessed for any improvement, work or service, under the provisions of this by-law, may pay the amount of such assessment, less the interest, at any time before the preparation of the debentures, in which case the amount of debentures shall be proportionately reduced.

31. When a by-law shall have been passed, making the construction and maintenance of works and improvements at the intersection of streets and opposite properties exempt from local rates, the subject of a general rate or charge, the exemption from general rates shall not extend to the item included in the by-law respecting yearly rates to meet the expense of such improvements and works opposite such exempt properties and at the intersection of streets.

32. In cases where the improvements or works are provided for by section 664 to 668 of *The Municipal Act*, no real property or any owner thereof shall be entitled to the benefits of the provisions of the said Act and of this by-law in respect to exemption from any general rate during the year in which the by-law providing for any local improvement shall have been passed; and where any by-law for a local improvement provides for the issue of debentures, such debentures shall not be issued before the 30th day of December next after the passage of such by-law; and no special rate shall be collected in respect of any such by-law during the year in which the same shall have been passed.

33. This by-law shall come into force and take effect on, from and after the final passing thereof.

Passed, signed and sealed this 25th day of July, A. D. 1899.

W. W. AIRTH,
Chairman and Acting Mayor.
J. K. ROCHESTER,
Clerk.



FORM A.

To

You are hereby notified that the council of the corporation of the Town of Renfrew proposes to pass a by-law providing for the _____ The total cost of the said improvement as estimated by the _____ is the sum of \$ _____ and the said improvement is proposed to be carried on as a local improvement, and be paid for by special assessment on the real property immediately benefited as the same appears by the report of the _____ dated the _____ day of _____, 18 _____, on file in Clerk's Office. Your real property, which will be immediately benefited by the said proposed improvement, consists of _____ feet frontage on the _____ side of said _____, upon which it is proposed to charge an equal proportionate cost of the said improvement, having regard for the whole assessable frontage on said _____, the same to form a special assessment upon your said lands, according to the frontage thereof, and be payable in _____ equal annual payments, at the same time as your general municipal taxes, such payment to be sufficient to cover annual interest and form a sinking fund for the principal sum or debt incurred for said improvement. The Court of Revision will sit for the confirmation of the overseer's or engineer's report upon the lands assessable and in which said special assessments are to be made, for the said improvement, at the _____ on the _____ day of 18 _____, at the hour of _____ o'clock in the _____ noon, at which time and place all appeals against the same will be heard.

I am, your obedient servant,

FORM B.

Public notice is hereby given of the sitting of the Court of Revision at the _____ on _____ day, the _____ day of _____, A.D. 18 _____, at the hour of _____ o'clock in the _____ noon, for the hearing of appeals, pursuant to the Statutes in that behalf, respecting the proposed _____ and the special assessment of the cost thereof upon the lands immediately benefited, pursuant to the report of the overseer or engineer, dated the _____ day of _____ 18 _____. The estimated cost of the said improvement is \$ _____, payable in _____ equal annual instalments, sufficient to cover interest at the rate of _____ per centum per annum, and a sinking fund for the payment of the said principal sum, and the lands proposed to be specially assessed therefor consist of _____

Dated at _____ this _____ day of _____ 18 _____

To the Lieutenant-Governor and Members of the Legislative Assembly of the Province of Ontario.

The petition of the municipal corporation of the Town of Renfrew humbly sheweth as follows:—

1. That on the 25th day of July, A.D. 1899, the said corporation passed, with the assent of the electors obtained according to the provisions of *The Municipal Act* "a by-law respecting local improvements and special assessments therefore," a true copy of which by-law is set out in Schedule "A" hereto.
2. Eleven petitions, signed by the requisite majority of the owners of the properties to be specially benefited, praying that granolithic pavements, or macadam roadways, or both, should be constructed under said by-law, were received by the council of the said corporation.
3. The town engineer reported in favour of the local improvement works referred to in each of said petitions and in each case gave in his report the information required by section fourteen of said by-law.

4. That is the case of each of said several local improvement works the necessary special assessment has been made and the Court of Revision to consider each of said several special assessments has been held and there have been no appeals from any of the findings of said Court of Revision.

5. Such arrangements as were necessary to provide the amounts of money required to carry on such local improvement works to completion were made with an incorporated bank and the necessary funds to carry on such of said works as are already completed or are in course of completion have been received from said bank and have been expended in the construction of said local improvement works.

6. Most of the local improvement works, aforesaid, have been completed and it is intended to complete the balance of said works this year.

7. That doubts have arisen as to the legality of said by-law and of the several acts, matters and things done under and in pursuance of said by-law.

Wherefore your petitioners humbly pray

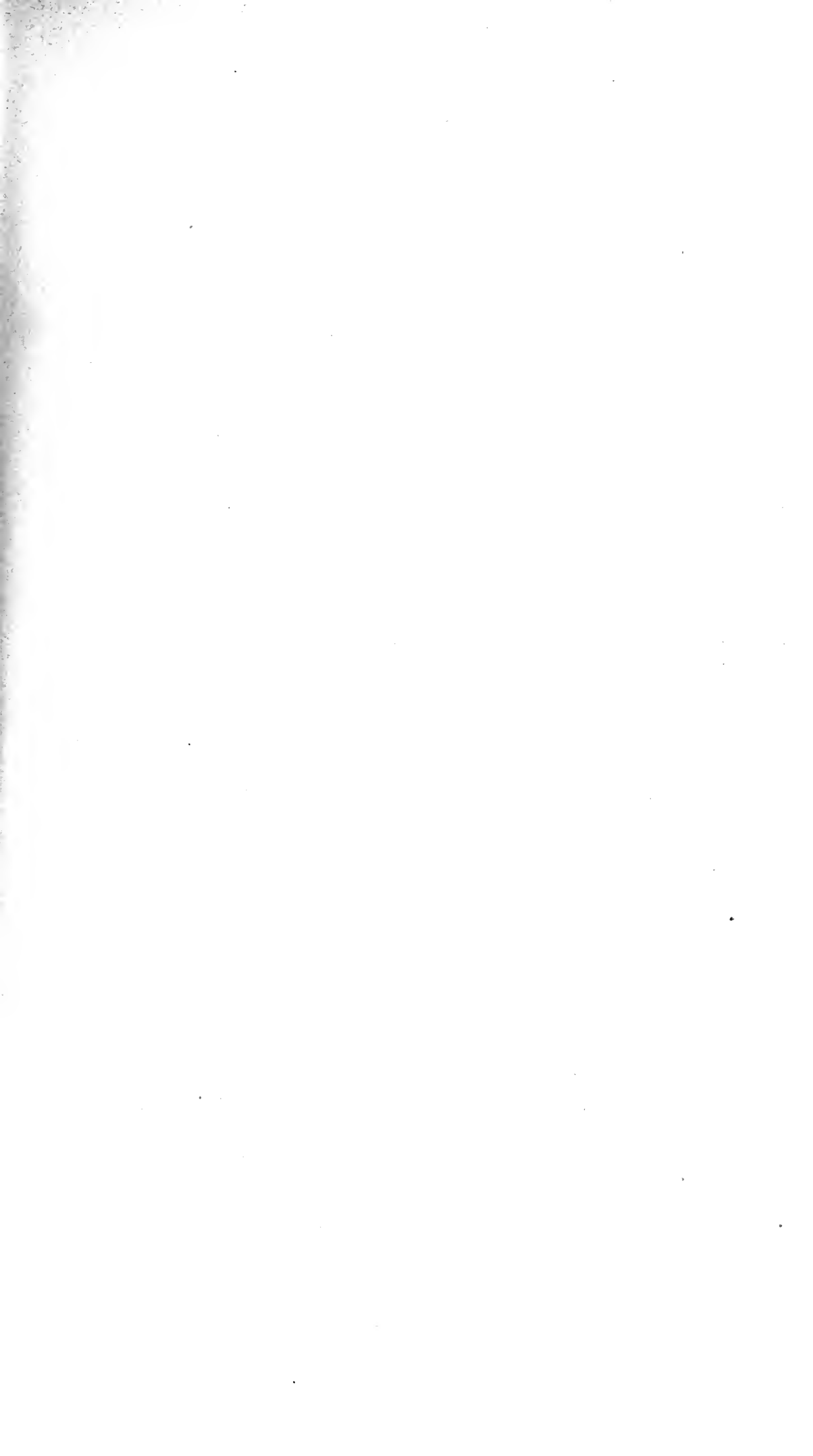
1. That a special Act may be passed ratifying and confirming said by-law, the said assessments, the arrangements made with said bank, all payments made by said corporation in connection with the construction of said local improvement works and all acts, matters and things done under and in pursuance of said by-law, and declaring the same to be legal, valid and binding, and within the powers of the said corporation and to be binding upon the said town and the ratepayers thereof.

2. That such special Act may provide that said by-law, as ratified and confirmed, may be repealed by the council of said corporation with, but not without, the assent of the electors of said town obtained according to the provisions of *The Municipal Act*.

In witness whereof the corporation of the Town of Renfrew has caused its seal to be affixed by the hands of its mayor and clerk.

W. E. SMALLFIELD,
Mayor.
J. K. ROCHESTER,
Clerk.

{ Seal. }



No. 50.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act to confirm a certain by-law of the
municipal corporation of the Town of
Renfrew.

First Reading, 1901.

(Private Bill)

Mr. GRAHAM.

TORONTO.

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

An Act to confirm a certain By-law of the Municipal Corporation of the Town of Renfrew.

WHEREAS the Municipal Corporation of the Town of Renfrew has by petition shown that on the 25th day of July, 1899, the council of the said corporation passed, with the assent of the electors according to the provisions of *The Municipal Act*, a by-law respecting local improvement works and special assessments therefor; that in response to petitions received by the said council several local improvement works were in pursuance of the said by-law constructed and paid for with funds provided by an incorporated bank with which arrangements had been made to advance such funds; that in the case of each of the said several local improvement works necessary special assessments have been made and the Court of Revision to consider each of the said several special assessments has been held and there have been no appeals from any of the findings of the said Court of Revision; and that doubts have arisen as to the validity of the said by-law and of the several acts, matters and things done under and in pursuance of said by-law; and whereas the said corporation has by petition prayed that an Act may be passed ratifying and confirming the said by-law, *the* said assessments, arrangements and payments and all acts, matters and things done under and in pursuance of said by-law and that the said by-law as ratified and confirmed could be repealed by the council of the said corporation with, but not without, the assent of the electors of the said town; and whereas it is expedient to grant the prayer of the said petition.

Preamble.

Rev. Stat.
c. 223.

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

1. By-law number 107 of the Municipal Corporation of the Town of Renfrew, which is set forth *as* Schedule "A" to this Act, and all agreements and contracts heretofore entered into and all acts, matters and things heretofore done under and in pursuance of *the* said by-law are ratified and confirmed and declared to be legal, valid and binding as from the date of the passing of the said by-law, upon the Municipal Corporation of the Town of Renfrew and the ratepayers thereof

By-law No.
107 of Town
of Renfrew
confirmed.

and upon all other persons, parties to such agreements or contracts ^{63A}

Repeal of
By-law
with assent
of electors.

2. Subsection 2 of section 682 of *The Municipal Act* shall apply to the said by-law ⁴²⁷

SCHEDULE A.

BY-LAW No. 107.

"A By-Law respecting Local Improvements, and Special Assessments therefor."

Whereas it is deemed desirable to provide for certain improvements, works and services being paid by special assessment on the property benefited:

Be it therefore enacted by the Municipal Council of the Corporation of the Town of Renfrew, in the County of Renfrew, as follows:

1. This by-law may be known and cited as "A By-Law respecting Local Improvements and special assessments therefor."

2. Unless the context otherwise requires, the following words and expressions in this by-law shall have the meaning thereby assigned to them respectively, that is to say:

The words "local improvement," "work" or "service" shall mean any improvement, work, or service, the cost of which may be charged by the council under any of the provisions of "*The Municipal Act* of Ontario" against the real property immediately benefited, by way of special assessment.

The word "owner" shall be construed and deemed to include a lease-holder, the unexpired term of whose lease (including any renewals therein provided for) extends over a period which is not less than the duration of the proposed assessment, if the lessee has covenanted in his lease to pay all municipal taxes on the demised property during the term of said lease, and would be liable for the taxes for the proposed improvement.

The word "Inspector" shall mean such person as may be appointed inspector of street works by the municipal council of the Town of Renfrew.

The words "Engineer," "Clerk," "Treasurer" and "Street Committee" shall mean "Engineer," "Clerk," "Treasurer" and "Street Committee" of the Town of Renfrew.

The word "Corporation" shall mean "The Municipal Corporation of the Town of Renfrew."

The word "Council" shall mean "The Municipal Council of the Town of Renfrew."

3. From and after the first day of August, A.D. 1899, all future expenditure in the Town of Renfrew for the several classes of works, improvements and services hereinafter mentioned, for which (amongst others) special provisions are made in Sections 664 to 685, Chap. 223, R. S. O. 1897;

(a) Opening, widening, prolonging or altering, macadamizing, grading, levelling, paving or planking any street, lane, alley, public way or place, or constructing any sidewalk;

(b) Curbing, sodding or planking any street, lane, alley, square or public place;

(c) Re-constructing, as well as constructing, any of the said works or improvements shall be by special assessment on the property benefited, and not exempt by law from assessment.

4. In the opening, widening, straightening or extension of streets, where the whole cost of the improvement is assessable against the property fronting or abutting upon the street or portion of street to be opened, widened, straightened or extended, the owners of the land to be taken for such opening, widening, straightening or extension, must dedicate the same to the town free of cost, and no such street shall be opened, widened, straightened or extended unless the land required therefor has been so dedicated to the town free of cost, notwithstanding the fact of a petition sufficiently signed having been presented for the said improvement; provided this prohibition shall not apply in any case as to which three-fourths of the members of the council present at any meeting thereof shall vote that it is in the public interest that the street shall be opened, widened, straightened or extended at the expense of the properties abutting thereon, notwithstanding the refusal of the owners of the property required therefor, or of some of them, to dedicate the property so required.

5. In making every assessment to defray the cost of the construction of pavements and sidewalks, the engineer or inspector shall make an allowance on corners, triangular and other irregularly shaped pieces of land situate at the intersection or junction of streets, as follows:

On lots having an angle of ninety degrees, an allowance of one-third the number of feet on the side of the lot to be assessed; on lots having an angle of more than ninety degrees, an allowance of less than one-third the number of feet on the side of the lot to be assessed; on lots having an angle of less than ninety degrees, an allowance of more than one-third the number of feet on the side of the lot to be assessed, as may in each case, in his opinion, be deemed just and equitable, having due regard to the situation, value and superficial area of such lot, as compared with adjoining lots and pieces of land assessable for such improvements, works and services.

6. Any allowance made in pursuance of the next preceding section may be charged on the real property fronting on the improvements, or be assessed as a portion of the town's share of the cost of such improvement, in like manner as the intersection of streets, or partly on both, in such proportions as may be deemed just and equitable by the engineer, and the cost of any portion assessed against the town shall be provided in like manner as in the case of street intersections.

6a. In every assessment to defray the cost of the construction of pavements and sidewalks, where the said improvement fronts upon lands which are by law exempt from taxation for the said purposes, the amount necessary to construct that portion of the said improvement fronting upon the lands so exempt as aforesaid may be charged on the other real property fronting on the improvement, or be assessed as the town's share of the cost of such improvement in like manner as the intersection of streets, or partly on both, in such proportions as may be deemed just and equitable by the engineer or inspector, and the cost of any portion assessed against the town shall be provided in like manner as in the case of street intersections.

7. Any allowance or assessment made in pursuance of the last two preceding sections shall be subject to appeal to the Court of Revision, and from the Court of Revision to the County Judge, as hereinafter provided.

8. In the construction of any granolithic, natural or artificial stone, asphalt or brick sidewalk, the municipality shall assume forty per cent. of the cost thereof, in addition to any other portion which may be assumed by or assessed against the municipality, and the said forty per cent. shall be added to that portion of the cost of construction of said sidewalk to be provided by the municipality, as in the case of street intersections.

8a. In the construction of macadam roads, the municipality shall assume $33\frac{1}{3}$ per cent. of the cost thereof, and of grading, levelling, paving, planking, curbing or boulevarding, in addition to any other portion which may be assumed by or assessed against the municipality, and the said thirty-three and one third per cent. shall be added to that portion of the cost of the construction of said roadway, etc., to be provided by the said municipality, as in the case of street intersections.

9. All matters of small pieces of sidewalks and other improvements, the cost of which can be estimated and reported upon by the Inspector, shall be referred to him, and shall be reported upon by him, in the same manner as if referred to the engineer, and in such cases the word engineer shall be taken as meant inspector.

10. All costs incurred in carrying out the construction of any improvement, work or service, other than the construction itself, the overseeing of the same and providing the necessary funds, shall be borne by the municipality, and be provided in the same manner as in the case of street intersections.

11. No work or improvement for which it is proposed to assess the real property immediately benefited, as for a local improvement, shall be undertaken by the council unless and until the provisions of this by-law shall have first been complied with.

12. All petitions for local improvements, works or services, to be made, done and performed under the provisions of this by-law, shall, as soon as received by the clerk, be examined by him, and it shall be his duty to ascertain and finally determine whether the same are signed by two-thirds in number of the owners, representing at least one-half in value of the lands benefited, according to the last revised assessment roll of the municipality, and liable to special assessment for the proposed improvements, works or services, and such petitions when found to be correct, as aforesaid, shall be numbered by him in the order they are received, and be entered at length in a book to be kept for that purpose, to be called "The Local Improvement Book," and the clerk shall endorse upon such petition his certificate of the correctness thereof, and the value of the whole of the real property rateable for the proposed improvement, work or service, and shall forthwith so transmit the same to the engineer or inspector. In case the petitions shall be found to be insufficiently signed, they shall be so certified by the said clerk and forwarded in like manner to the engineer or inspector for his consideration.

13. Upon the receipt of any such petition the engineer or inspector shall forthwith examine into the subject matter of the petition, and report with as little delay as possible upon the necessity for, or the advisability of, undertaking the proposed improvement, work or service, and the reason therefor.

14. In the event of the engineer or inspector reporting in favor of the undertaking of any such improvement, work or service, he shall also, after due and proper examination and inspection, report:—

(a) What real property will be immediately benefited by the proposed improvement, work or service, and the measurement of the frontage liable to the rates, and those exempt from taxation;

(b) The probable lifetime of the improvement or work;

(c) An estimate of the probable cost of the proposed improvement, work or service, and the amount thereof, which shall be assessed against the property to be immediately benefited;

(d) The proportion in which the assessment is to be made on the various portions of real property so benefited.

15. In the event of the adoption by the council of the report of the engineer or inspector recommending the undertaking of any such improvements, work or service, it shall be the duty of the clerk to give all necessary notice to property owners as hereinafter provided and as provided by the statute in that respect, and make all necessary special assessments on such property immediately benefited as aforesaid, pursuant to the statutes.

16. In any case when the engineer, or inspector or street committee shall have recommended the undertaking of any improvement, work or service, as a local improvement, and shall have recommended that the cost thereof shall be assessed against the real property immediately benefited, although there be no petition therefor, or the petition therefor shall not have been sufficiently signed, and in any case when the said engineer or street committee shall have recommended the construction of any works, the engineer or inspector shall, after due and proper examination and inspection, ascertain, determine and report, as hereinbefore set forth, and make the necessary assessment, and when such report and assessment

and report has been approved of and accepted by the council, it shall be the duty of the clerk :

(a) To cause a notice of the intention of the said council to undertake such proposed work, improvement or service, and to make such proposed special assessment, to be given in a public newspaper published in the Town of Renfrew once in each week for two successive weeks, and the said notice shall state generally the nature of the proposed improvement, work or service, the estimated cost thereof, the property reported by the engineer as immediately benefited, and estimated amount to be charged as a special assessment against the lands immediately benefited, and that unless a petition against the proposed improvement, work or service, and the proposed special assessment, signed by a majority of the property owners, representing at least one-half in value of the real property proposed to be assessed, according to the last revised assessment roll, be presented to the council within one month from the last publication of the said notice, the proposed improvement, work or service will be undertaken, and the special assessment therefor will be made by the council.

17. In the event of a petition being presented to the council against any proposed improvement, work or service, and a special assessment therefor, within the time limited by the notice, the clerk shall report to the council whether the same is sufficiently signed by a majority of the owners of the real property proposed to be assessed, representing at least one-half in value of said property, according to the last revised assessment roll.

18. In the event of no petition, or no petition sufficiently signed, being presented within the prescribed time, the clerk shall forthwith cause a notice at least fifteen days before the day appointed for the sitting of the Court of Revision, to be given or mailed to the owners and lessees, or agents of such owners and lessees having a right to petition, of the real property mentioned in the report of the engineer as being immediately benefited, in the form of Schedule "A" hereunto annexed, stating the time and place of meeting of the Court of Revision for the hearing of appeals, and ten days' notice shall also be given in some newspaper published within the municipality, of the time and place of meeting of the said court, which notice shall specify generally what is the nature of the improvement, work or service, and what property is proposed to be specially assessed as immediately benefited, and the time and manner in which the same is payable, and the said notice may be in the form "B" hereunto annexed.

19. The engineer, clerk and solicitor shall attend the meetings of the Court of Revision, and the said court shall sit at the time and place given in the notices given as aforesaid, and shall hear and determine all appeals which may be brought before it, pursuant to the provisions of the statute in that behalf.

20. In the event of any property owner appealing from the Court of Revision to the Judge of the County Court, the clerk shall proceed forthwith to procure an appointment from the judge for the hearing and disposal of the appeal.

21. In the event of no appeals from the Court of Revision, or so soon as any such appeals have been disposed of by the judge, the clerk shall forward a certified copy of the report of the engineer, with any alterations or amendments which shall have been made by said Court of Revision or judge, to the council.

22. Upon the receipt of such reports last before provided, it shall be the duty of the street committee to call for tenders for the construction, making or doing of the proposed work, improvement or service, and report the result to the council, recommending the awarding of the contract, or recommending the carrying on of the work by the inspector or Engineer or under his supervision, and asking that funds be provided for carrying on the work to completion.

23. In the event of council adopting the report of the street committee awarding any such contract for any such local improvement, work or service, or the doing of any such work by the inspector or engineer, the mayor and treasurer shall make such arrangements with Banks or

other persons or bodies corporate, pursuant to the provisions of the statute in that behalf, as may be necessary to provide the amount of money required to carry on such local improvement, work or service, to completion, in anticipation of the special assessment therefor, and no such contract or agreement shall be executed, or work proceeded with, until such financial arrangements shall have been made.

24. The engineer, upon receipt of notice that a contract has been awarded, and the necessary financial arrangements therefor have been made, shall forward the specifications, plans, drawings and all other proper and necessary material, together with the accepted tender, to the town solicitor, who shall, with as little delay as possible, prepare the necessary contract and bond of security.

25. Upon the contract or agreement being duly executed, and not until then, the street committee may authorize the improvement, work or service to be proceeded with and carried to completion.

26. After the completion of any such improvement, work or service, and after the entire cost thereof, including compensation for damages (if any) shall have been ascertained, the engineer shall certify the total amount thereof to the treasurer, showing by such certificate what amount is chargeable to the property benefited, and what amount is chargeable to the town at large.

27. The treasurer shall, as soon as possible after the receipt of the report of the engineer, under the last preceding section, ascertain the amount properly chargeable for interest on the advances made, and the estimated interest which will accrue thereon until the necessary assessment shall have been made, the necessary by-law passed, and the debentures to be issued thereunder shall have been disposed of, and moneys provided to retire the temporary loan, and certify the same, together with the amount shown by the engineer's report distributed as before provided to the council.

28. Upon the adoption of the last mentioned report the council shall, with as little delay as possible, proceed to make the necessary special assessment, upon the property immediately benefited, and upon all other assessable persons, bodies corporate and property, pursuant to the provisions of the Statute in that behalf.

29. The engineer, treasurer and clerk shall furnish the solicitor with all statements, calculations and other information, as may be required by him to enable him to prepare the necessary by-laws, providing for levying and collecting such special assessments, and for borrowing money by the issue and sale of debentures.

30. Any person whose property has been assessed for any improvement, work or service, under the provisions of this by-law, may pay the amount of such assessment, less the interest, at any time before the preparation of the debentures, in which case the amount of debentures shall be proportionately reduced.

31. When a by-law shall have been passed, making the construction and maintenance of works and improvements at the intersection of streets and opposite properties exempt from local rates, the subject of a general rate or charge, the exemption from general rates shall not extend to the item included in the by-law respecting yearly rates to meet the expense of such improvements and works opposite such exempt properties and at the intersection of streets.

32. In cases where the improvements or works are provided for by section 664 to 668 of *The Municipal Act*, no real property or any owner thereof shall be entitled to the benefits of the provisions of the said Act and of this by-law in respect to exemption from any general rate during the year in which the by-law providing for any local improvement shall have been passed; and where any by-law for a local improvement provides for the issue of debentures, such debentures shall not be issued before the 30th day of December next after the passage of such by-law; and no special rate shall be collected in respect of any such by-law during the year in which the same shall have been passed.

33. This by-law shall come into force and take effect on, from and after the final passing thereof.

Finally passed, signed and sealed in open council this 25th day of July, 1899.

H. W. AIRTH,
Chairman and Acting Mayor.
J. K. ROCHESTER,
Clerk.



No. 50.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act to confirm a certain by-law of the
municipal corporation of the Town of
Renfrew.

First Reading, 12th March, 1901.

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

Mr. GRAHAM.

TORONTO.

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

An Act to incorporate "The Essex and Kent Radial
Railway Company, Limited."

WHEREAS George Stephens of the City of Chatham in Preamble.
the County of Kent, Merchant, William Hickey, of the
Township of Tilbury East in the County of Kent, Farmer ;
Joseph Gosnell of the Township of Orford, in the County of
Kent, Farmer ; Francis Rankin of the Township of Dover, in
5 the said county, Farmer ; William Simpson of the Town of
Leamington, in the County of Essex, Carpenter ; Alexander
Baird of the said Town of Leamington, Ontario Land Sur-
veyor ; John McRobbie Selkirk of the said Town of Leaming-
ton, Esquire, and Robert Franklin Sutherland, of the City of
10 Windsor, in the County of Essex, Esquire, have by their peti-
tion prayed for an Act of incorporation under the name of
"The Essex and Kent Radial Railway Company, Limited,
for the purpose of constructing and operating a railway from
a point in or near the City of Windsor, in the County of Essex,
15 through the Townships of Sandwich East and Sandwich South
to Maidstone Cross, thence through part of the Township of
Sandwich South, the Townships of Maidstone, Rochester, Til-
bury West and Tilbury North, in said County of Essex, the
Townships of Tilbury East and Raleigh in the County of Kent,
20 to Charing Cross and from thence to the City of Chatham, in
said County of Kent, with branch lines from Maidstone Cross
running through part of the Township of Maidstone, the Town
of Essex, part of the Township of Colchester North, the Town-
ships of Gosfield North and Gosfield South, the Town of Leam-
25 ington, the Township of Mersea, and to the unincorporated
Village of Wheatley, and from Charing Cross aforesaid near
or along the township line between the Townships of Raleigh
and Harwich to Cedar Springs, and thence to the Town of
Blenheim and with power to construct, maintain and operate
30 telephone and telegraph lines in connection with said railway
and confer upon the company all the powers of the Electric
Railway Act ; and whereas it is expedient to grant the prayer
of the said petition :

Therefore His Majesty, by and with the advice and consen-
35 of the Legislative Assembly of the Province of Ontario, enact,
as follows :

Incorporation.

1. The said George Stephens, William Hickey, Joseph Gosnell, Francis Rankin, William Simpson, Alexander Baird, John McRobbie Selkirk and Robert Franklin Sutherland 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 Essex and Kent Radial Railway Company, Limited" 5

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 to 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 from a point in or near the City of Windsor through the Townships of Sandwich East and Sandwich South to Maidstone Cross; thence through part of the Township of Sandwich South, the Townships of Maidstone, Rochester, Tilbury West and Tilbury North in said County of Essex the Townships of Tilbury East and Raleigh in the County of Kent to Charing Cross and from thence to the City of Chatham in said County of Kent with branch lines from Maidstone Cross running through part of the Township of Maidstone, the Town of Essex, part of the Township of Colchester North, the Townships of Gosfield North and Gosfield South, the Town of Leamington, the Township of Mersea and to the unincorporated Village of Wheatley, and from Charing Cross aforesaid near or along the township line between the Townships of Raleigh and Harwich to Cedar Springs and thence to the Town of Blenheim, with power to build any part or branch of said railway in sections and to operate the same by steam, electricity, compressed air or other motive power, and the said railways or any part thereof so far as the same may be operated by electricity or compressed air 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 with power to appropriate lands for the purposes aforesaid. 10 15 20 25 30 35 40 45

Provisional directors.

3. George Stephens, William Hickey, Joseph Gosnell, Francis Rankin, William Simpson, John McRobbie Selkirk, Alexander Baird, and Robert F. Sutherland shall be and are 50

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*.

- 5 **4.** The number of directors shall not be less than five nor more than nine. Number of directors.
- 5.** The head office of the company shall be at the City of Windsor, aforesaid. Head office.
- 10 **6.** The capital stock of the company shall be \$200,000, to be divided into shares of \$100 each. Capital stock.
- 7.** The date of the annual meeting shall be fixed by the laws of the company. Date of annual meeting.
- 15 **8.** The provisional or 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 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. Payments in paid up stock or bonds.
- 20 **9.** The company may make special rates for the carriage of fruit, milk and other perishable products and commodities. Special rates for certain products.
- 25 **10.** The company may make and enter into any agreement for the purchase of the rights of the owner or owners of lands or of any toll road upon or along which the proposed line of railway may run, and may maintain and operate any such toll road under the provisions of *The General Road Companies Act*. Agreements as to toll roads.
Rev. Stat. c. 193.
- 30 **11.** 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 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 Running.
- 35
- 40

maintenance and repair of gravel or other public roads leading to or used by the said railway.

Connections
and running
arrangements

12. The said company shall have power to agree for connections and make 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 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 such agreement for the sale or lease or hiring any motors, carriages or cars, or any of them, or any part thereof 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 conditions 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, provided that electric power or compressed air only shall be used in operating any portion of the said railways or any section or branch thereof, 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.

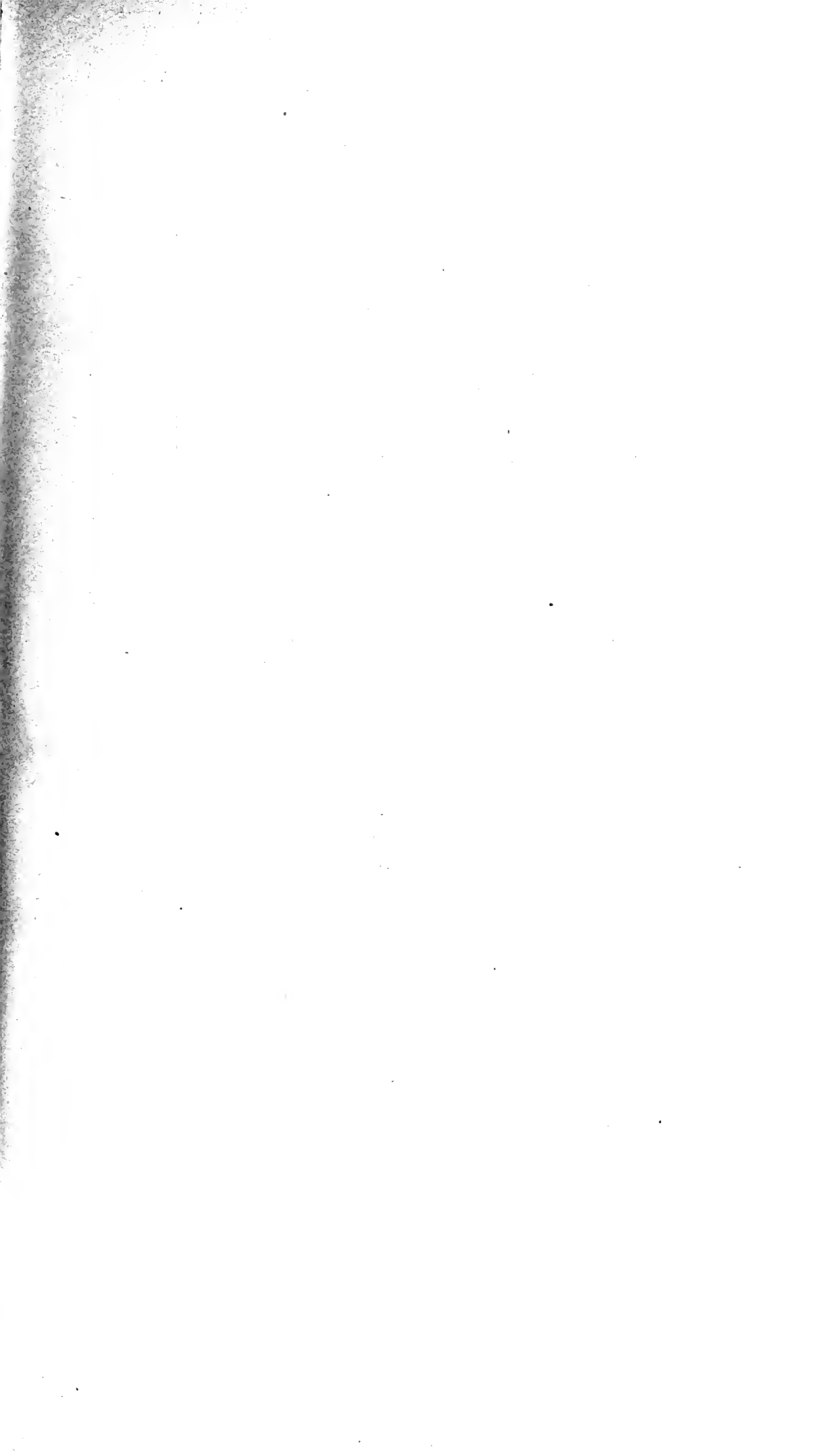
Rev. Stat. c.
209, incorporated.

13. The several clauses of *The Electric Railway Act* and amendments thereto 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 in so far only 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 amendments thereto.

Time for commencement and completion of line.

14. The railway shall be commenced within six months and completed to the extent of a through connection to the City of

Chatham and Town of Leamington aforesaid within eighteen months, and completely built and in operation within two years after the passing of this Act, and in default thereof the powers hereby conferred shall absolutely cease with respect to
5 so much of the railway as then remains incomplete.



No. 51.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act to incorporate "The Essex and Kent
Radial Railway Company, Limited."

First Reading, 1901.

(Private Bill)

Mr. MCKEE.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act to incorporate "The Essex and Kent Radial
Railway Company."

WHEREAS George Stephens of the City of Chatham in Preamble.
the County of Kent, Merchant, William Hickey, of the
Township of Tilbury East in the County of Kent, Farmer ;
Joseph Gosnell of the Township of Orford, in the County of
Kent, Farmer ; Francis Rankin of the Township of Dover, in
the said county, Farmer ; William Simpson of the Town of
Leamington, in the County of Essex, Carpenter ; Alexander
Baird of the said Town of Leamington, Ontario Land Sur-
veyor ; John McRobbie Selkirk of the said Town of Leaming-
ton, Esquire, and Robert Franklin Sutherland, of the City of
Windsor, in the County of Essex, Esquire, have by their peti-
tion prayed for an Act of incorporation under the name
of "The Essex and Kent Radial Railway Company," for
the purpose of constructing and operating a railway from
a point in or near the City of Windsor, in the County of Essex,
through the Townships of Sandwich East and Sandwich South
to Maidstone Cross, thence through part of the Township of
Sandwich South, the Townships of Maidstone, Rochester, Til-
bury West and Tilbury North, in said County of Essex, the
Townships of Tilbury East and Raleigh in the County of Kent,
to Charing Cross and from thence to the City of Chatham, in
said County of Kent, with branch lines from Maidstone Cross
running through part of the Township of Maidstone, the Town
of Essex, part of the Township of Colchester North, the Town-
ships of Gosfield North and Gosfield South, the Town of Leam-
ington, the Township of Mersea, and to the unincorporated
Village of Wheatley, and from Charing Cross aforesaid near
or along the township line between the Townships of Raleigh
and Harwich to Cedar Springs, and thence to the Town of
Blenheim^{est} and a spur or branch line into the Village of Tilbury
along or near Queen street^{est} and with power to construct,
maintain and operate telephone and telegraph lines in connec-
tion with said railway and confer upon the company all the
powers of the Electric Railway Act ; and whereas it is expe-
dient to grant the prayer of the said petition :

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

Incorporation. 1. The said George Stephens, William Hickey, Joseph Gosnell, Francis Rankin, William Simpson, Alexander Baird, John McRobbie Selkirk and Robert Franklin Sutherland 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 Essex and Kent Radial 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 to 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 from a point in or near the City of Windsor through the Townships of Sandwich East and Sandwich South to Maidstone Cross; thence through part of the Township of Sandwich South, the Townships of Maidstone, Rochester, Tilbury West and Tilbury North in said County of Essex the Townships of Tilbury East and Raleigh in the County of Kent to Charing Cross and from thence to the City of Chatham in said County of Kent with branch lines from Maidstone Cross running through part of the Township of Maidstone, the Town of Essex, part of the Township of Colchester North, the Townships of Gosfield North and Gosfield South, the Town of Leamington, the Township of Mersea and to the unincorporated Village of Wheatley, and from Charing Cross aforesaid near or along the township line between the Townships of Raleigh and Harwich to Cedar Springs and thence to the Town of Blenheim,⁴²⁷ and a spur or branch line into the Village of Tilbury along or near Queen street⁴²⁸ with power to build any part or branch of said railway in sections 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 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.

Construction of railway sections.

⁴²⁷ 3. The said 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 its course and direction, and of the lands intended to be passed over and taken therefor, so far as then

ascertained, and also a statement in accordance with the provisions of section 27 of *The Electric Railway Act*, and to deposit the same, as required by the clauses of the said Electric Railway Act, 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 ten miles in length; and upon such deposit as aforesaid of the map or plan and statement of any and each of such sections or portions of the said railway all and every of the clauses of the said Electric 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 statement of the whole of said railway had been taken, made, examined, certified and deposited according to the said clauses of the said Electric Railway Act, and the amendments thereof, with respect to "plans and surveys." Rev. Stat. c. 209.

4. George Stephens, William Hickey, Joseph Gosnell, Francis Rankin, William Simpson, John McRobbie Selkirk, Alexander Baird, and Robert F. Sutherland 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*. Provisional directors.

5. The number of directors shall not be less than five nor more than nine. Number of directors.

6. The head office of the company shall be at the City of Windsor, aforesaid. Head office.

7. The capital stock of the company shall be \$500,000, to be divided into shares of \$100 each. Capital stock.

8. The date of the annual meeting shall be fixed by the by-laws of the company. Date of annual meeting.

9. The provisional or 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 for the purpose of assisting the directors in furthering the undertaking or for the purchase Payments in paid up stock or bonds.

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.

Special rates
for certain
products.

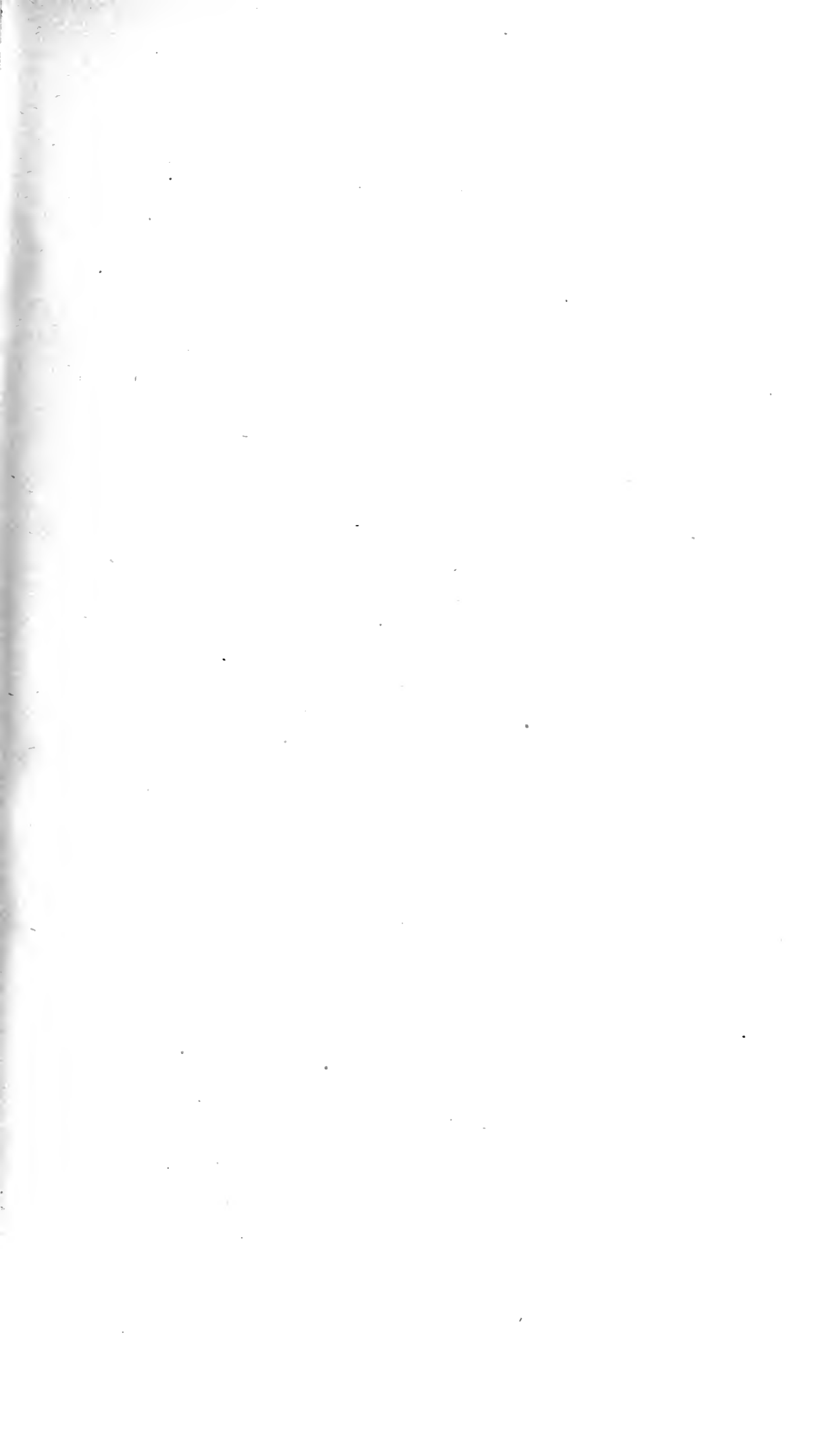
10. The company may make special rates for the carriage of fruit, milk and other perishable products and commodities.

Rev. Stat. c.
209, incorpor-
ated.

11. The several clauses of *The Electric Railway Act* and amendments thereto 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 in so far only 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 amendments thereto.

Time for com-
mencement
and comple-
tion of line.

12. The railway shall be commenced within six months and completed to the extent of a through connection to the City of Chatham and Town of Leamington aforesaid within eighteen months, and completely built and in operation within two 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.



4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act to incorporate "The Essex and Kent
Radial Railway Company."

First Reading, 14th March, 1901.

*(Reprinted as amended by Railway Com-
mittee.*

Mr. MCKEE.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting the Toronto Western Hospital.

WHEREAS the Toronto Western Hospital has by its petition prayed that it be enacted as hereinafter set forth and it is expedient to grant the prayer of the said petition ; therefore his Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

1. Section 2 of the Act passed in the 2nd session of the 62nd year of the reign of her late Majesty Queen Victoria and chaptered 118, is repealed and the following substituted therefor:—

(2) The said corporation of the Toronto Western Hospital hereinafter called "the corporation" shall be composed of all persons who respectively have heretofore contributed \$100, or more, or shall in the future contribute \$100 or more, towards the maintenance or support of the said hospital, and each person who has so contributed or shall hereafter so contribute, shall be entitled to one vote at each and every meeting of the corporation for each and every \$100 contributed by him, and shall be entitled to vote either in person or by proxy.

2. Section 7 of the said Act is repealed and the following substituted therefor:—

7.—(1) The corporation at each of its annual meetings (to be called and held as and when the board of governors may from time to time determine) shall elect from among its members, twelve governors in addition to those then already occupying the position of life members of the board of governors by virtue of sections 5 and 6 of this Act, to be governors of the hospital, six of which governors so to be elected shall be duly registered medical practitioners of the Province of Ontario, and, if there shall be then existing a medical staff of the hospital, shall also at the date of their election as governors be members of the medical staff of the hospital, which six governors are hereinafter called Class A. and six of which governors so to be elected shall be members of the corporation who are not members of the medical profession, which six governors are hereinafter called Class B. The said twelve governors are to be elected for one year and are to be eligible for re election. If at any time during the interval between

Preamble

62 V. (2) c. 118
s. 2 repealedCorporation
who to be
members62 V. (2) c.
118, s. 7,
repealed.Governors
election and
qualification
of.

any annual meetings all the elected twelve governors shall resign, the corporation may elect twelve other members of the corporation to take their places but so always as that the members of Class A. and the members of Class B. respectively shall continue to be equal in number. 5

President,
vice-president
etc.

(2) The board of governors constituted under sections 5 and 6 and this section shall elect from among its members a president, vice president, a secretary and a treasurer of the corporation and the said board of governors may fill from among the members of the corporation any vacancy or vacancies which may occur in the membership of the elected members of the said board during the interval between any annual meetings of the corporation, but so always as that the members of Class A. and the members of Class B. respectively shall continue to be equal in number. 10 15

62 V. (2) c.
118 s. 11
amended.

3. Section 11 of the said Act is hereby amended by striking out the word "board" in the 6th line thereof and inserting in lieu thereof the word "staff".

62 V. (2) c.
118 s. 12
amended.

4. Section 12 of the said Act is hereby amended by striking out the word "board" in the 3rd line and inserting in lieu thereof the word "staff". 20

62 V. (2) c.
118 s. 14
repealed.

5. Section 14 of the said Act is hereby repealed and the following substituted therefor:—

Medical staff.

14 (1) There shall for the purposes of the hospital be a medical staff consisting of not less than ten physicians and surgeons, who shall be duly registered medical practitioners of the Province of Ontario, and any appointment thereto in the future shall be made by the Board of Governors, but only upon the recommendation of the medical staff, unless at the time there shall be no medical staff of at least ten members existing, in which case the appointment shall be by the Board of Governors, acting in its discretion alone. Such medical staff shall (subject to the provisions of this Act) have sole charge and control of the medical and surgical treatment of patients of the hospital. 25 30 35

(2) If at any time all of the members of the medical staff shall resign, or if at any time through death, resignation or otherwise the members of the medical staff shall become less than ten in number, the Board of Governors shall appoint duly registered medical practitioners to be members of the medical staff sufficient in number by themselves or in conjunction with the members then upon the medical staff, as the case may be, to cause the medical staff to consist of at least ten members. 40

62 V. (2) c.
118, s. 15,
amended.

6. Section 15 of the said Act is hereby amended by striking out the word "board" in the ninth line thereof and inserting in lieu thereof the word "staff," and by striking out the 45

word "board" in the tenth line thereof and inserting in lieu thereof the word "staff."

7. Section 16 of the said Act is hereby repealed and the following substituted therefor:—

62 V. (2) c.
118, s. 16,
repealed.

5 16. The members of the medical staff named in Section 15 of this Act and any other members that may be appointed as aforesaid, shall respectively hold their positions on the said staff until they vacate the same by death or resignation, or by their absence from the hospital for one year without permission of the Board of Governors.

Tenure of
office by medical
staff.

8. Section 17 of the said Act is hereby repealed and the following substituted therefor:—

62 V. (2) c.
118, s. 17,
repealed.

15 17. If at any time in the judgment of the Board of Governors the interests of the hospital would be served by the removal from office of any member or members of the medical staff, the Board of Governors may, after consulting with the medical staff, dismiss any such member or members from the medical staff.

Removal of
members of
medical staff.

20 9. Section 18 of the said Act is hereby amended by striking out the word "board" in the fifth line thereof and inserting in lieu thereof the word "staff," and by striking out the word "board" in the sixth line thereof and inserting in lieu thereof the word "staff."

62 V. (2) c.
118, s. 18,
amended.

25 10. Section 9 of the said Act is hereby repealed and the following substituted therefor:—

62 V. (2) c.
118, s. 19,
repealed.

30 19. At the first meeting of the medical staff provided for in Section 15 of this Act, there shall be elected by the said staff from among its members a dean and a secretary, who shall hold office respectively until the first annual meeting of the said staff, and at each annual meeting there shall in like manner be elected from among the members of the said staff a dean and a secretary, who shall hold office until the next annual meeting of the staff.

Dean and
secretary.

35 11. Section 20 of the said Act is hereby repealed and the following substituted therefor:—

62 V. (2) c.
118, s. 20,
repealed.

40 20. The medical staff shall keep a record of its proceedings and shall make and change from time to time, as it may deem expedient, rules and regulations for the calling and holding of its meetings, except the annual meeting, and for regulating the medical and surgical treatment of patients of the hospital.

Record of
proceedings,
regulations.

45 12. Section 21 of the said Act is hereby amended by striking out the word "board" in the first line thereof and inserting in lieu thereof the word "staff," and by inserting after the word "adopt" in the first line thereof the words "subject to the approval of the board of governors."

62 V. (2) c.
118, s. 21,
amended.

62 V. (2) c.
118, s. 22,
amended.

13. Section 22 of the said Act is hereby amended by striking out the words "medical board may also" in the first line thereof and inserting in lieu thereof "board of governors may," and by striking out the word "give" in the eighth line thereof and inserting in lieu thereof the words "authorize the giving of," and by striking out the word "board" in the tenth line thereof and inserting in lieu thereof the word "staff." 5

62 V. (2) c.
118, s. 23,
amended.

14. Section 23 of the said Act is hereby amended by striking out the words "medical board" in the first line thereof and inserting in lieu thereof the words "Board of Governors," and by striking out the word "medical" in the fourth line thereof and inserting in lieu thereof the word "said." 10

62 V. (2) c.
118, s. 24,
amended.

15. Section 24 of the said Act is hereby amended by striking out the words "medical board" in the first line thereof and inserting in lieu thereof the words "Board of Governors." 15

62 V. (2) c.
118, s. 25,
repealed.

16. Section 25 of the said Act is hereby repealed and the following substituted therefor:—

Sections of
medical staff.

25. The medical staff shall be divided into a medical section, a surgical section, a consulting section, and such other sections and individual members, whether specialists or general practitioners, as the Board of Governors may deem advisable, but the appointment or allocation by the Board of Governors of any individual practitioner or practitioners (whether special or general) to any one or other of said sections, or to any branch of work, shall be subject to the approval of the medical staff. 25

62 V. (2) c.
118, s. 27,
amended.

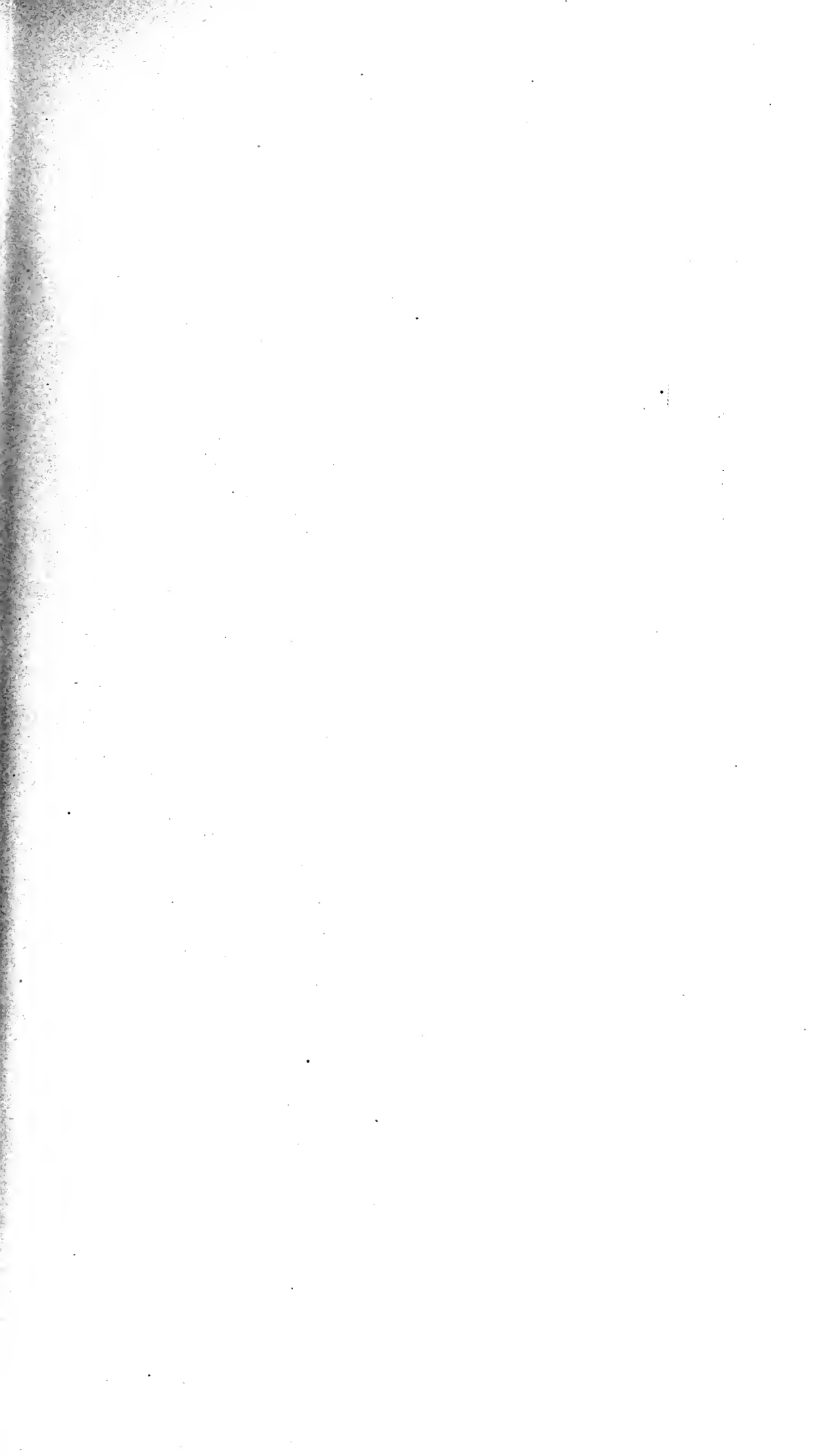
17. Section 27 of the said Act is hereby amended by striking out the words "according to rules adopted by the medical board" in the first and second lines thereof.

62 V. (2) c.
118, s. 28,
amended.

18. Section 28 of the said Act is hereby amended by striking out the word "trustees" in the first line thereof and inserting in lieu thereof the word "governors," and by striking out the words "trustee board" in the last line thereof and inserting in lieu thereof the words "Board of Governors." 30

62 V. (2) c.
118, s. 29,
amended.

19. Section 29 of the said Act is hereby amended by inserting after the word "presented" in the first line thereof the words "by the Board of Governors." 35



No. 52.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting the Toronto
Western Hospital.

First Reading, _____, 1901.

(Private Bill.)

Mr. CRAWFORD.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting the Toronto Western Hospital.

WHEREAS the Toronto Western Hospital has^{repealed} represented Preamble that by reason of its growth it has been found necessary that certain changes should be made in the management of the institution in order to enable it to carry out the aims and objects for which it was incorporated, and has by petition prayed that for the said purpose certain amendments should be made to the Act of incorporation of the said institution; and whereas^{repealed} it is expedient to grant the prayer of the said petition:

Therefore His 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 Act passed in the 2nd session of the 62 V. (2) c.118 62nd year of the reign of her late Majesty Queen Victoria and s. 2 repealed chaptered 118, is repealed and the following substituted therefor:—

(2) The said corporation of the Toronto Western Hospital Corporation who to be members hereinafter called “the corporation” shall be composed of all persons who respectively have heretofore contributed \$100, or more, or shall in the future contribute \$100 or more, towards the maintenance or support of the said hospital, and each person who has so contributed or shall hereafter so contribute, shall be entitled to one vote at each and every meeting of the corporation for each and every \$100 contributed by him, and shall be entitled to vote either in person or by proxy.

2. Section 7 of the said Act is repealed and the following 62 V. (2) c. 118, s. 7, repealed. substituted therefor:—

7.—(1) The corporation at each of its annual meetings (to Governors election and qualification of. be called and held as and when the board of governors may from time to time determine) shall elect from among its members, twelve governors in addition to those then already occupying the position of life members of the board of governors by virtue of sections 5 and 6 of this Act, to be governors of the hospital, six of which governors so to be elected shall be duly registered medical practitioners of the Province of Ontario, and, if there shall be then existing a medical staff of the hospital, shall also at the date of their election as governors

be members of the medical staff of the hospital, which six governors are hereinafter called Class A and six of which governors so to be elected shall be members of the corporation who are not members of the medical profession, which six governors are hereinafter called Class B. The said twelve governors are to be elected for one year and are to be eligible for re election. If at any time during the interval between any annual meetings all the elected twelve governors shall resign, the corporation may elect twelve other members of the corporation to take their places but so always as that the members of Class A. and the members of Class B. respectively shall continue to be equal in number.

President,
vice-president
etc.

(2) The board of governors constituted under sections 5 and 6 and this section shall elect from among its members a president, vice president, a secretary and a treasurer of the corporation and the said board of governors may fill from among the members of the corporation any vacancy or vacancies which may occur in the membership of the elected members of the said board during the interval between any annual meetings of the corporation, but so always as that the members of Class A. and the members of Class B. respectively shall continue to be equal in number.

62 V. (2) c.
118 s. 11
amended.

3. Section 11 of the said Act is hereby amended by striking out the word "board" in the 6th line thereof and inserting in lieu thereof the word "staff".

62 V. (2) c.
118 s. 12
amended.

4. Section 12 of the said Act is hereby amended by striking out the word "board" in the 3rd line and inserting in lieu thereof the word "staff."

62 V. (2) c.
118 s. 14
repealed.

5. Section 14 of the said Act is hereby repealed and the following substituted therefor:—

Medical staff.

14 (1) There shall for the purposes of the hospital be a medical staff consisting of not less than ten physicians and surgeons, who shall be duly registered medical practitioners of the Province of Ontario, and any appointment thereto in the future shall be made by the Board of Governors, but only upon the recommendation of the medical staff, unless at the time there shall be no medical staff of at least ten members existing, in which case the appointment shall be by the Board of Governors, acting in its discretion alone. Such medical staff shall (subject to the provisions of this Act) have sole charge and control of the medical and surgical treatment of patients of the hospital.

(2) If at any time all of the members of the medical staff shall resign, or if at any time through death, resignation or otherwise the members of the medical staff shall become less than ten in number, the Board of Governors shall appoint duly registered medical practitioners to be members of the medical

staff sufficient in number by themselves or in conjunction with the members then upon the medical staff, as the case may be, to cause the medical staff to consist of at least ten members.

6. Section 15 of the said Act is hereby amended by striking out the word "board" in the ninth line thereof and inserting in lieu thereof the word "staff," and by striking out the word "board" in the tenth line thereof and inserting in lieu thereof the word "staff."

62 V. (2) c.
118, s. 15,
amended.

7. Section 16 of the said Act is hereby repealed and the following substituted therefor:—

62 V. (2) c.
118, s. 16,
repealed.

16. The members of the medical staff named in Section 15 of this Act and any other members that may be appointed as aforesaid, shall respectively hold their positions on the said staff until they vacate the same by death or resignation, or by their absence from the hospital for one year without permission of the Board of Governors.

Tenure of
office by medi-
cal staff.

8. Section 17 of the said Act is hereby repealed and the following substituted therefor:—

62 V. (2) c.
118, s. 17,
repealed.

17. If at any time in the judgment of the Board of Governors the interests of the hospital would be served by the removal from office of any member or members of the medical staff, the Board of Governors may, after consulting with the medical staff, dismiss any such member or members from the medical staff.

Removal of
members of
medical staff.

9. Section 18 of the said Act is hereby amended by striking out the word "board" in the fifth line thereof and inserting in lieu thereof the word "staff," and by striking out the word "board" in the sixth line thereof and inserting in lieu thereof the word "staff."

62 V. (2) c.
118, s. 18,
amended.

10. Section 9 of the said Act is hereby repealed and the following substituted therefor:—

62 V. (2) c.
118, s. 19,
repealed.

19. At the first meeting of the medical staff provided for in Section 15 of this Act, there shall be elected by the said staff from among its members a dean and a secretary, who shall hold office respectively until the first annual meeting of the said staff, and at each annual meeting there shall in like manner be elected from among the members of the said staff a dean and a secretary, who shall hold office until the next annual meeting of the staff.

Dean and
secretary.

11. Section 20 of the said Act is hereby repealed and the following substituted therefor:—

62 V. (2) c.
118, s. 20,
repealed.

20. The medical staff shall keep a record of its proceedings and shall make and change from time to time, as it may deem expedient, rules and regulations for the calling and holding of

Record of
proceedings,
regulations.

its meetings, except the annual meeting, and for regulating the medical and surgical treatment of patients of the hospital.

62 V. (2) c.
118, s. 21,
amended.

12. Section 21 of the said Act is hereby amended by striking out the word "board" in the first line thereof and inserting in lieu thereof the word "staff," and by inserting after the word "adopt" in the first line thereof the words "subject to the approval of the board of governors."

62 V. (2) c.
118, s. 22,
amended.

13. Section 22 of the said Act is hereby amended by striking out the words "medical board may also" in the first line thereof and inserting in lieu thereof "board of governors may," and by striking out the word "give" in the eighth line thereof and inserting in lieu thereof the words "authorize the giving of," and by striking out the word "board" in the tenth line thereof and inserting in lieu thereof the word "staff."

62 V. (2) c.
118, s. 23,
amended.

14. Section 23 of the said Act is hereby amended by striking out the words "medical board" in the first line thereof and inserting in lieu thereof the words "Board of Governors," and by striking out the word "medical" in the fourth line thereof and inserting in lieu thereof the word "said."

62 V. (2) c.
118, s. 24,
amended.

15. Section 24 of the said Act is hereby amended by striking out the words "medical board" in the first line thereof and inserting in lieu thereof the words "Board of Governors."

62 V. (2) c.
118, s. 25,
repealed.

16. Section 25 of the said Act is hereby repealed and the following substituted therefor:—

Sections of
medical staff.

25. The medical staff shall be divided into a medical section, a surgical section, a consulting section, and such other sections and individual members, whether specialists or general practitioners, as the Board of Governors may deem advisable, but the appointment or allocation by the Board of Governors of any individual practitioner or practitioners (whether special or general) to any one or other of said sections, or to any branch of work, shall be subject to the approval of the medical staff.

62 V. (2) c.
118, s. 27,
amended.

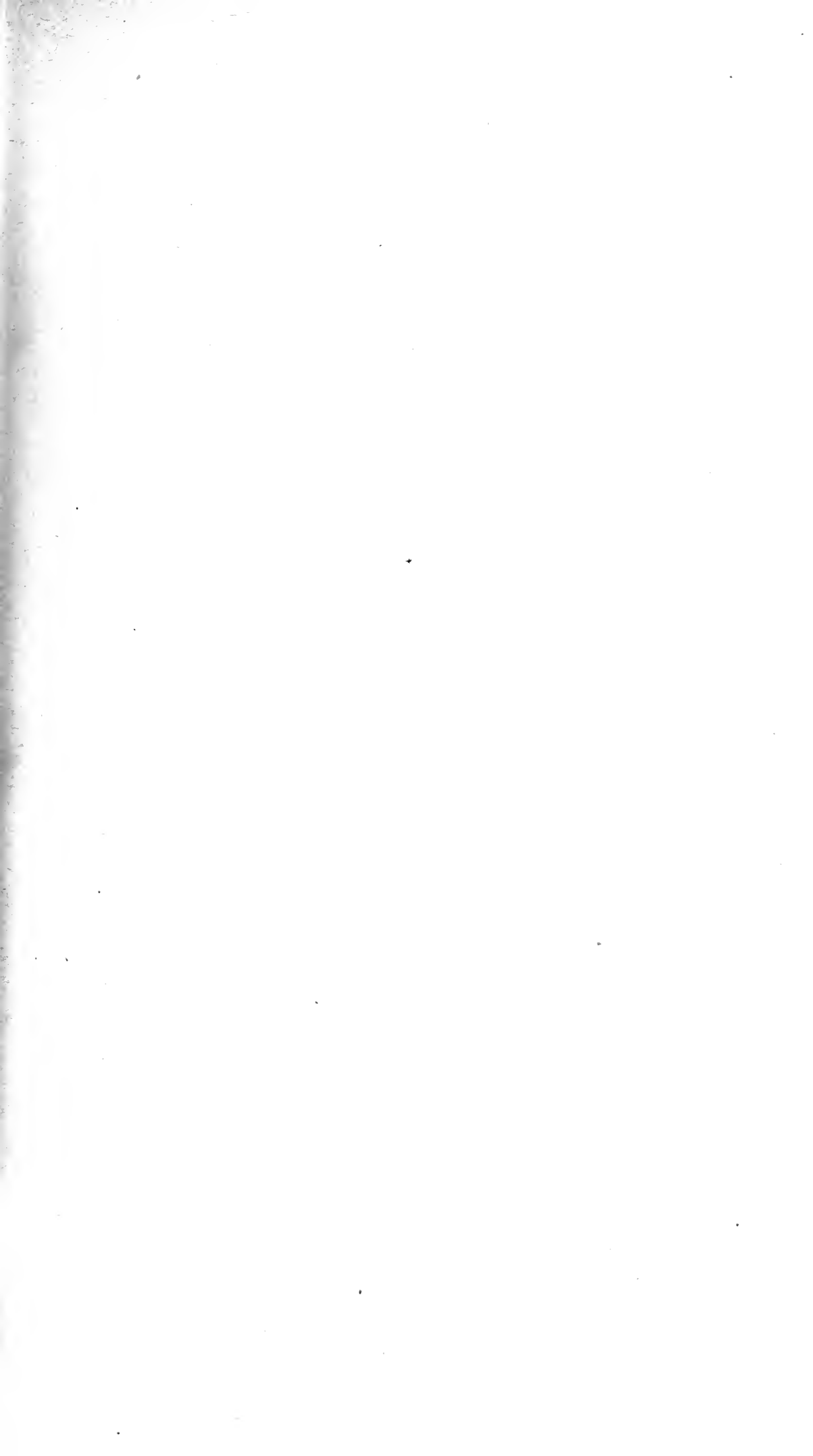
17. Section 27 of the said Act is hereby amended by striking out the words "according to rules adopted by the medical board" in the first and second lines thereof.

62 V. (2) c.
118, s. 28,
amended.

18. Section 28 of the said Act is hereby amended by striking out the word "trustees" in the first line thereof and inserting in lieu thereof the word "governors," and by striking out the words "trustee board" in the last line thereof and inserting in lieu thereof the words "Board of Governors."

62 V. (2) c.
118, s. 29,
amended.

19. Section 29 of the said Act is hereby amended by inserting after the word "presented" in the first line thereof the words "by the Board of Governors."



No. 52.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act respecting the Toronto
Western Hospital.

First Reading, 5th March, 1901.

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

Mr. CRAWFORD.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting The Niagara Falls Park and River
Railway Company.

WHEREAS The Niagara Falls Park and River Railway Preamble
Company has represented that in and by an Act of the
Parliament of the Dominion of Canada passed in the 63rd
and 64th years of the reign of Her late Majesty Queen
5 Victoria and chaptered 54, the said The Niagara Falls
Park and River Railway Company was (together with
certain corporations of Dominion creation,) authorized and
empowered to sell its assets, business undertaking, pro-
perty, liabilities, name, franchise and good will to the Buffalo
10 Railway Company, and the Buffalo Railway Company was
authorized and empowered to purchase the same; and that the
said Act of the Parliament of the Dominion of Canada was ob-
tained with the consent and approval of the Commissioners for
the Queen Victoria Niagara Falls Park; and that the Niagara
15 Falls Park and River Railway Company undertook when it
obtained the said Act of the Parliament of the Dominion of
Canada to apply to the Legislature of the Province of Ontario
for confirmatory legislation in order to remove any possible
constitutional doubt or question; and whereas the Niagara
20 Falls Park and River Railway Company has by its petition
prayed that it be enacted as hereinafter set forth, and it is ex-
pedient to grant the prayer of the said petition.

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

1. The Niagara Falls Park and River Railway Company
may sell its assets, business undertaking, property liabilities, Authority
to sell
railway, etc.
name, franchise and good will to the Buffalo Railway Company,
and the Buffalo Railway Company (hereinafter called “the
30 purchasing company”) may purchase the same and may pay
therefor in such manner as may be agreed upon, and the said
two companies may enter into agreements of sale and purchase
and do all acts necessary or convenient for the purposes of such
sale and purchase, and the execution of any such agreement
35 shall *ipso facto* vest in the Purchasing Company the interest
and title in and to the property the subject matter of the agree-
ment, and the business, property real and personal and all
rights and incidents appurtenant thereto and all other things

belonging to the Niagara Falls Park and River Railway Company shall be taken and deemed to be transferred to and vested in the purchasing company without further act or deed.

55 V. c. 96, s.
4, sub.-sec. 9,
amended.

2. Sub-section 9 of section 4 of the Act passed in the 55th year of the reign of Her late Majesty Queen Victoria and chaptered 96 is hereby amended by striking out the words "to work and light the said railway" in the 25th and 26th lines of the said sub-section and by substituting therefor the words "the purposes of any company which purchases the franchise of the Company"; and paragraph 14 of the Schedule to the said Statute is hereby amended by striking out the word "above" in the last line of the said paragraph and by adding to the said paragraph at the end thereof the words "of any company which purchases the franchise of the company."

Right of purchasing company to renewal of franchise.

3. If the purchasing company desires to renew for a further period of twenty years after the further period of twenty years for which a right to renew is given in and by the said statute and the schedule thereto, it shall have the right to such further renewal upon the same terms as are set forth in the said statute and schedule with reference to the renewal thereby authorized.

Purchasers to have an office at Niagara Falls.

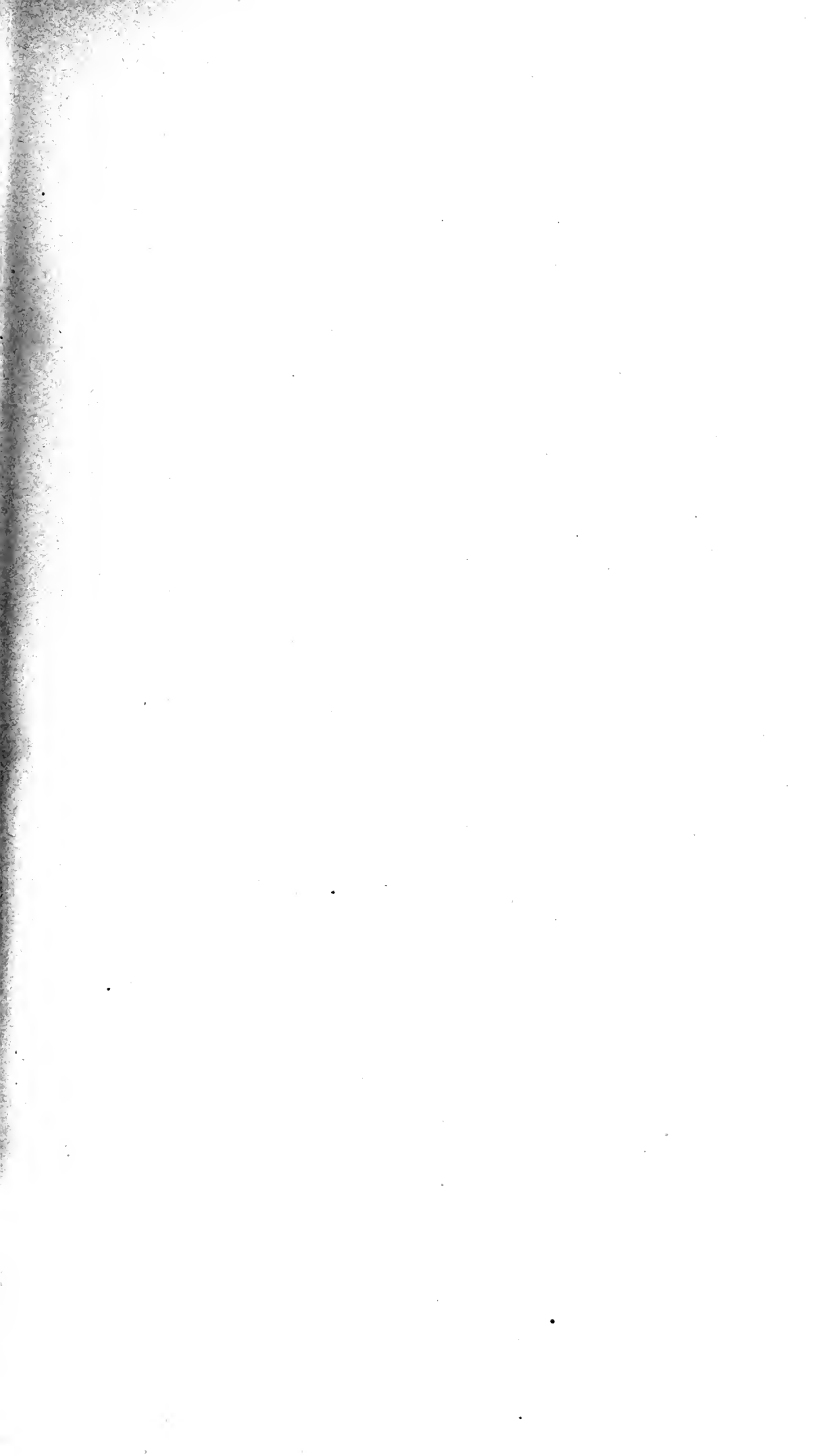
4. The purchasing Company shall have an office at or near Niagara Falls, Ontario, and service of process or legal documents may be effected upon any clerk or officer employed therein or upon the person then in charge thereof, and such service shall be good service upon and shall bind the purchasing company.

Authority of Park Commissioners not to be impaired.

5. Notwithstanding anything in this Act contained the jurisdiction and control of the Commissioners for the Queen Victoria Niagara Falls Park in respect to the matters placed under their jurisdiction and control by virtue of Chapter 96 of the Statute of 1892 of the Legislature of Ontario shall continue the same as if this Act had not been passed, and nothing in this Act contained shall vary the agreement of the 4th of December, 1891, by the said Statute of 1892 ratified and confirmed except in so far as the said agreement is by this Act specifically varied.

Purchasing Company to be subject to Provincial and Dominion Statutes.

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



No. 53.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting The Niagara Falls Park
and River Railway Company.

First Reading, , 1901.

(Private Bill.)

Mr. Gross.

TORONTO

PRINTED BY L. K. CAMERON.

Printer to the King's Most Excellent Majesty

An Act respecting The Niagara Falls Park and River
Railway Company.

WHEREAS The Niagara Falls Park and River Railway Preamble
Company has represented that in and by an Act of the
Parliament of the Dominion of Canada passed in the 63rd
and 64th years of the reign of Her late Majesty Queen
Victoria and chaptered 54, the said The Niagara Falls
Park and River Railway Company was (together with
certain corporations of Dominion creation,) authorized and
empowered to sell its assets, business undertaking, pro-
perty, liabilities, name, franchise and good will to the Buffalo
Railway Company, and the Buffalo Railway Company was
authorized and empowered to purchase the same, ^{and} reserving,
however, the control and jurisdiction of the Commissioners
for the Queen Victoria Niagara Falls Park and of the Legis-
lature of Ontario in all respects over the said The Niagara
Falls Park and River Railway Company; ^{and} that The Niagara
Falls Park and River Railway Company *has by its petition*
prayed for confirmatory legislation in order to remove any
possible constitutional doubt or question; and that it be enacted
as hereinafter set forth, and it is expedient to grant the prayer
of the said petition.

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

1. The Niagara Falls Park and River Railway Company Authority
to sell
railway, etc.
may sell its assets, business undertaking, property liabilities,
name, franchise and good will to the Buffalo Railway Company,
and the Buffalo Railway Company (hereinafter called “the
purchasing company”) may purchase the same and may pay
therefor in such manner as may be agreed upon, and the said
two companies may enter into agreements of sale and purchase
and do all acts necessary or convenient for the purposes of such
sale and purchase, and the execution of any such agreement
shall *ipso facto* vest in the Purchasing Company the interest
and title in and to the property the subject matter of the agree-
ment, and the business, property real and personal and all
rights and incidents appurtenant thereto and all other things
belonging to the Niagara Falls Park and River Railway Com-

pany shall be taken and deemed to be transferred to and vested in the purchasing company without further act or deed.

55 V. c. 96, s. 4, sub.-sec. 9, amended.

2. Sub-section 9 of section 4 of the Act passed in the 55th year of the reign of Her late Majesty Queen Victoria and chaptered 96 is hereby amended by striking out the words "to work and light the said railway" in the 25th and 26th lines of the said sub-section and by substituting therefor the words "the purposes of any *railway* company which purchases the franchise of the Company"; and paragraph 14 of the Schedule to the said Statute is hereby amended by striking out the word "above" in the last line of the said paragraph and by adding to the said paragraph at the end thereof the words "of any *railway* company which purchases the franchise of the company."

Right of purchasing company to renewal of franchise.

3. If the purchasing company desires to renew for a further period of twenty years after the further period of twenty years for which a right to renew is given in and by the said statute and the schedule thereto, it shall have the right to such further renewal upon the same terms as are set forth in the said statute and schedule with reference to the renewal thereby authorized.

Purchasers to have an office at Niagara Falls.

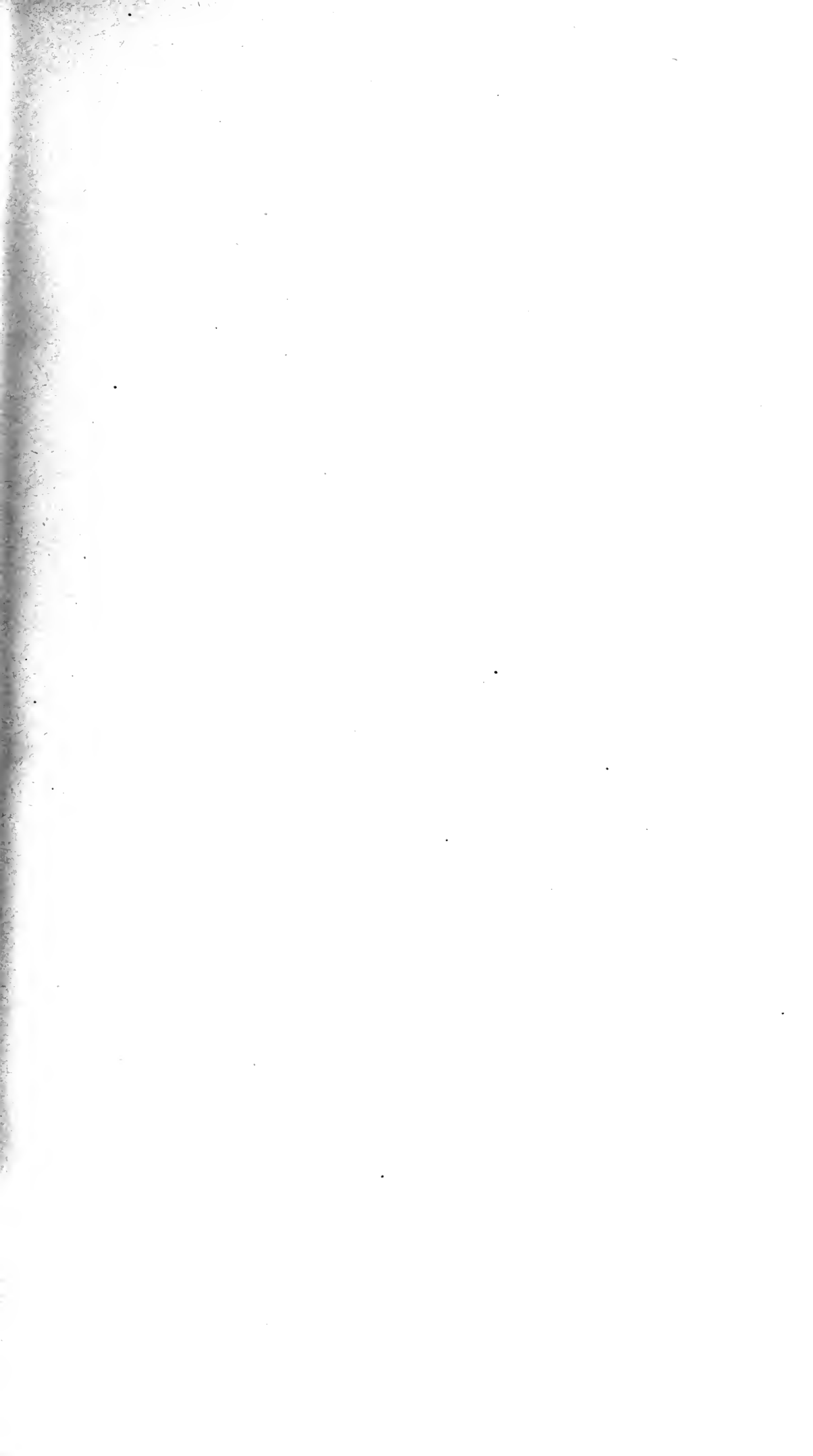
4. The purchasing Company shall have an office at or near Niagara Falls, Ontario, and service of process or legal documents may be effected upon any clerk or officer employed therein or upon the person then in charge thereof, and such service shall be good service upon and shall bind the purchasing company.

Authority of Park Commissioners not to be impaired.

5. Notwithstanding anything in this Act contained the jurisdiction and control of the Commissioners for the Queen Victoria Niagara Falls Park in respect to the matters placed under their jurisdiction and control by virtue of Chapter 96 of the Statute of 1892 of the Legislature of Ontario and the powers of the said Legislature in respect of The Niagara Falls Park and River Railway Company shall continue the same as if this Act had not been passed, and nothing in this Act contained shall vary the agreement of the 4th of December, 1891, by the said Statute of 1892 ratified and confirmed except in so far as the said agreement is by this Act specifically varied.

Purchasing Company to be subject to Provincial and Dominion Statutes.

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



No. 53.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting The Niagara Falls Park
and River Railway Company.

First Reading, 4th March, 1901.

*(Printed as amended by Railway
Committee.)*

Mr. GROSS.

TORONTO

PRINTED BY L. K. CAMERON.

Printer to the King's Most Excellent Majesty

An Act respecting The Toronto Suburban Railway Company.

WHEREAS The Toronto Suburban Railway Company hereinafter called "The Company" has by petition set forth that the said company has under the various Acts incorporating and relating to the company, constructed and is now operating in the Township of York and other municipalities certain portions of the lines of railway by the said Acts authorized; and whereas the said company has by the said petition prayed that an Act may be passed authorizing the said company to extend the railway through the Township of Etobicoke, in the County of York, and the Counties of Peel, Halton and Wentworth, to some point in the City of Hamilton; and for other purposes hereinafter mentioned; and whereas it is expedient to grant the prayer of the said petition.

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

1. The company is authorized and empowered to extend its said line of railway and to survey, lay out, construct, make, complete and operate the same to some point in the City of Hamilton, passing through the Townships of York, Etobicoke, Toronto, Trafalgar, Nelson, Saltfleet, Barton, East Flamboro and West Flamboro.

2. The company is hereby authorized and empowered to take and make the surveys and levels of the lands through which the said railways are 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 railways, and to deposit the same as required by the clauses of *The Railway Act of Ontario* with respect to plans and surveys, by sections or portions less than the length of the whole railways authorized, and of such length as the company may from time to time see fit, and upon such deposit as aforesaid of map or plan and book of reference of any and each of such sections or portions of the said railways, all and every of the clauses of the said *Railway Act* applied to, included in or incorporated with this Act shall apply and extend to any and

Preamble.

Extension to
City of
Hamilton
authorized.Construction
of line in
sections.Rev Stat.
c. 207.

each of such sections or portions of the said railways as fully and effectually as if the surveys and levels had been taken and made of the lands through which the whole of said railways are 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 railways had been taken, made, examined, certified and deposited according to the said clauses of the said Railway Act with respect to "plans and surveys." 5

Increasing Capital stock. 3. The capital stock of the company may from time to time be increased in the manner provided by *The Railway Act of Ontario*. 10

Shares and their transfer. 4. Fully paid up shares in the capital stock of the said company may be transferred by any form of instrument in writing; and shares not fully paid up may be transferred with 15 the consent of the directors and upon such terms as they may require and 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

Calls. 5. The directors for the time being may from time to time make calls as they shall think fit, and thirty days' notice shall be given of each call, as provided by section 35 of *The Railway Act of Ontario*.

Rev. Stat. c. 20y.

Payments in paid-up stock or bonds. 6. The directors of the company may enter into a contract 25 or contracts with any individual, corporation 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, or in paid-up stock; provided, that 30 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.

Agreements with Agricultural Societies. 7. The company and any agricultural society or park com- 35 pany may from time to time enter into agreements for the grant of aid to the company by such agricultural society or park company in the construction of the line of railway by this Act authorized, by way of loan or bonus of money or subscriptions for stock or otherwise, and in return for such aid 40 the company may make special rates for the carriage of passengers and goods to and from the grounds of such agricultural society or park company.

Parks. 8. The said company is hereby authorized to purchase, lease or acquire by voluntary donation, or otherwise, and to 45 hold for any estate in the same, and to sell, lease, alienate or

mortgage any lands or premises intended, and necessary or suitable for park or pleasure grounds, not exceeding 100 acres in any one municipality; and the said company are authorized to improve or lay out such lands as parks or places of public resort, and may make or enter into any agreements or arrangements with the municipal corporations of the municipalities wherein the same are situate, or any of them in respect thereto; provided, that the total acreage of lands acquired by the company for park purposes shall not exceed 300 acres; provided, moreover, that the company shall not under this clause have power to acquire any lands after the lapse of five years from the passing of this Act; and, provided, also that nothing in this section contained shall be deemed to enable the company to carry on the general business of a land company.

15 **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.

20 **10.** 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.

35 **11.** 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 specially 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.

45 **12.** Any municipality through which the company is authorized to build the railway may pass a by-law or by-laws empowering the said company to make their road, lay their rails, and operate their railway along any of the highways within

such municipality, including any road in the possession or under the control of any joint stock company, with the consent of and subject to the conditions imposed by such joint stock company and under and subject to any agreement or agreements hereafter to be made between any such municipality and the said company. 5

Aid from municipalities

13. 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, or by subscribing for shares in the capital stock of the company, 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. 10
15
20

Submitting by-law.

14. 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. 25

Rev. Stat. c. 223.

(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. 30

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. 35

(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. 40

15. Such by-law shall in each instance provide: 45

Conditions of by-law.

(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 such debentures, or for the application of the amount to be raised thereby, as may be expressed by the said by-law.

(2) For assessing and levying upon all rateable property 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.

15 **16.** 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.

By-law, if assented to to be passed by council.

20 **17.** Within one month after the passing of such by-law the said council and the reeve, or other officers thereof shall issue the debentures necessary to raise the sum mentioned in such by-law and deliver the same duly executed to the trustees appointed, or to be appointed under this Act.

Issue of bonus debentures.

25 **18.** 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 township.

30 **19.** The councils of 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 by 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 commencement of work.

35 **20.** It shall and may be lawful for the council of any municipality that may grant aid by way of bonus to the said company, and they shall have full power to extend the time for the completion of the works (on the completion of which the said company shall 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.

40 **21.** 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

Aid from counties.

upon any other ground ought not to be included therein and upon deposit by the petitioners with the treasurer of the county of a sufficient sum 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, 5 and 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 10 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 15 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.

22. The term "minor municipality" shall be construed to mean any town not separated from the municipal county, 20 township or incorporated village, situate in the county municipality.

Application of Rev Stat. c. 223.

23. 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 25 of a township municipality, to the same extent as if the same had been passed by or for the whole municipality.

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 30 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 35 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.

Taking land for gravel pits.

25. When stone, gravel, earth or sand is or are required for 40 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 45 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 lands may be taken or who may sell shall apply to the subject matter of this section as to obtaining the 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 the 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.

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 the said materials 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 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.

Sidings 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.

27. Whenever any municipality, or portion of a township 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, 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 Pro-

Trustees of
municipal
debentures.

vince 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.

28. The said trustees shall receive the said debentures or bonds in trust, firstly, under the directions of the company, 5 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 the amount realized from the same in some chartered bank having an office in the Province of Ontario in the name of 10 "The Toronto Suburban 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 com- 15 pany for the time being in the form set out in the Schedule "A" 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, 20 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.

29. The trustees shall be entitled to their reasonable fees and charges from said trust fund, and the act of any two of 25 such trustees shall be as valid and binding as if the three had agreed.

Collecting back charges on goods.

30. 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 30 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 rights and remedies of such person for such charges. 35

Telegraph and telephone lines.

31. 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 companies by *The Act respecting Telegraph 40 Companies* being Chapter 192 of the Revised Statutes of Ontario, 1897, are hereby conferred upon the said company.

Bonds for \$20,000 per mile.

32. 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 repre- 45 senting at least two-thirds in value of the subscribed stock of the company, and who have paid all calls due thereon, are

present in person or represented by proxy, may, subject to the provisions in this Act contained, issue bonds, debentures or other securities to the extent of \$20,000 per mile for each and every mile of single track of the said railway and extensions
 5 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
 10 made payable at such times and in such manner and at such place or places in Canada or elsewhere, and may bear such rate of interest not exceeding eight per cent. per annum as the directors may think proper.

15 (a) The directors may 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 purpose of raising money for prosecuting the said undertaking.

20 (b) No such bond, debenture or other security shall be for a less sum than one hundred dollars.

25 (c) The power of issuing bonds conferred upon the company hereby shall not be construed as being exhausted by such issue, and such power may from time to time be exercised upon the bonds constituting such issue being withdrawn or paid off and duly cancelled.

30 (d) Such bonds shall be issued only in proportion to the length of railway constructed or under contract to be constructed.

33. The company may secure such bonds, debentures or other securities, by a mortgage deed creating such mortgages, charges and incumbrances upon the whole of such property, assets, rents and revenues of the company, present or future
 35 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 the working expenditure of the railway.

40 (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
 45 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 rights, powers 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*. 5

Rev. Stat.
c. 148.

(c) It shall not be necessary in the exercise of the powers as to mortgaging 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 every 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 or set forth; or if the provisions of the said *Bills of Sale and Chattel Mortgage Act* or any Act requiring registration or renewal of mortgages has been fully complied with. 10 15 20

Rev. Stat.
c. 148.

Bonds to be a first charge on property.

34. 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 franchise, undertaking, tolls and incomes, rents and revenues, and real and personal property thereof, at any time acquired. 25

(a) Each holder of the said bonds, debentures or other securities, shall be deemed to be a mortgagee or incumbrancer upon the said securities pro rata with all the 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. 30 35

Rights of bond holders on default of payment.

35. If the company makes default in paying the principal of 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 or payable, then at the next annual general meeting of the company, and at 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. 40 45

5 (a). The rights given by this subsection 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 thereafter any transfers thereof, in the same manner as shares or transfers of shares.

10 (b). The exercise of the rights given by this subsection 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 such mortgage deed.

20 **36.** 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. Transfer of bonds.

25 **37.** Any land or chattel property which may 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 free 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. Disposing of property no longer required.

30 **38.** (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 meeting 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:— Agreements with Toronto Railway Co.

40 (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 but no such agreement shall be of any force or effect until 45 the same shall have been approved by by-law of the corporation of the City of Toronto or by the Lieutenant-Governor in Council as hereinafter provided.

- (b). For the making of such connections with 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. 5
- (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. 15

Approval of Lieutenant-Governor in Council.

(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, or between the company and the corporation of the City of Toronto, the Lieutenant-Governor in Council shall have power to enquire into and determine upon what terms the Toronto Sub-urban 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. 20 25

Connections with other railways.

39. The Company may at any 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 Metropolitan Railway Company, the Toronto & Mimico Electric Railway and Light Company, Limited, the Hamilton Street Railway Company, the Hamilton Radial Electric Railway Company, the Hamilton, Grimsby and Beamsville Electric 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, turn-outs, switches and signals as may be necessary for the making and operating of such connection. 30 35 40

Agreements with other companies.

40. 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: 45

- (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, 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;
- (d) Generally for all matters and things incidental or conducive to the purposes in this section mentioned.

41. The company shall have full power to purchase land for and erect power houses, warehouses, elevators, docks, stations, workshops and offices, and to sell and convey such land as may be found to be 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 railways.

Power houses,
docks, etc.

42. Subject to the provisions of this Act the rights, powers, privileges and franchises heretofore conferred upon the company by any general or special Act relating thereto shall continue to apply to the said company and the lines of railway heretofore constructed by them, but nothing in this Act contained shall affect any agreement heretofore entered into between the company and any municipal corporation.

Powers, etc.,
to apply to
extension.

43. The several clauses of *The Railway Act of Ontario*, numbers 8 to 20, 29, and 31 to 39, all inclusive, shall be incorporated with and be deemed to be part of this Act, and shall apply to the company and to the railways heretofore constructed or hereafter 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 certain provisions of
Rev. Stat., c.
207.

44. The provisions of *The Electric Railway Act* shall not apply to the company or to the lines of railway constructed and operated or to be constructed and operated by them.

Rev. Stat., c.
not to apply.

45. Steam shall not be used as the motive power for the operation of the railway of the said company.

Steam not
to be used.

SCHEMULE A.

(Section 28.)

CHIEF ENGINEER'S CERTIFICATE.

THE TORONTO SUBURBAN RAILWAY COMPANY'S OFFICE.

No. Engineer's Department, A. D. 189

Certificate to be attached to cheques drawn on the Toronto Suburban 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 Toronto Suburban 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 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. 54

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting The Toronto Suburban
Railway Company.

First Reading, _____, 1901.

(Private Bill)

Mr. HILL.

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

An Act respecting The Toronto Suburban Railway Company.

WHEREAS The Toronto Suburban Railway Company Preamble. hereinafter called "The Company" has by petition set forth that the said company has under the various Acts incorporating and relating to the company, constructed and is now operating in the Township of York and other municipalities certain portions of the lines of railway by the said Acts authorized; and whereas the said company has by the said petition prayed that an Act may be passed authorizing the said company to extend the railway⁴²⁷ from its present terminus at Lambton Mills, in the Township of York, in the County of York, to some point in the City of Hamilton, in the County of Wentworth, passing through the Townships of York and Etobicoke, in the said County of York, the Township of Toronto, in the County of Peel, the Townships of Trafalgar and Nelson, in the County of Halton, and the Townships of Saltfleet, Barton, East Flamboro' and West Flamboro', in the said County of Wentworth;⁴²⁸ and for other purposes hereinafter mentioned; and whereas it is expedient to grant the prayer of the said petition.

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

1. The company is authorized and empowered to extend its said line of railway and to survey, lay out, construct, make, complete and operate the same⁴²⁹ from its present terminus at Lambton Mills, in the Township of York, in the County of York, to some point in the City of Hamilton, in the County of Wentworth, passing through the Townships of York and Etobicoke, in the said County of York, the Township of Toronto, in the County of Peel, the Townships of Trafalgar and Nelson, in the County of Halton, and the Townships of Saltfleet, Barton, East Flamboro' and West Flamboro', in the said County of Wentworth, 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

Extension to
City of
Hamilton
authorized.

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.

Construction
of line in
sections.

Rev. Stat.
c. 207.

2. 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 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, and 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 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 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 amendment thereof with respect to "plans and surveys."

Increasing
Capital stock.

3. The capital stock of the company shall be increased by \$750,000 in addition to the present capital stock.

Calls.

4. The directors of the company may from time to time make such calls of money upon the respective shareholders, in respect of the amount of capital respectively subscribed or owing by them, as they deem necessary, and thirty days' notice at the least shall be given of each call, and no call shall be made at any one time of more than ten per centum of the amount subscribed by each shareholder, or be made at a less interval than two months from the previous call.

Payments in
paid-up stock
or bonds.

5. The directors of the company may enter into a contract or contracts with any individual, corporation 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, or in paid-up stock; 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.

6.—(1) The company is hereby authorized to purchase, lease or acquire by voluntary donation, and to hold, for any estate in the same, and to sell, lease, alienate or mortgage any lands or premises intended, and necessary or suitable for park or pleasure grounds, not exceeding 100 acres in any one municipality; and the company is authorized to improve *and* lay out such lands as parks or places of public resort, and to make *and* enter into any agreements or arrangements with the municipal corporations of the municipalities wherein the same are situate, or any of them in respect thereto; ^{and} subject, however, to the power of one municipality to pass by-laws to regulate the use of such public parks and pleasure grounds; but none of the provisions of this section shall be in force or have effect unless and until the municipal council or councils of the municipality or municipalities wherein the lands proposed to be acquired by the company are situate has or have by by-law declared its or their assent to the company acquiring lands under and for the purposes mentioned in this section; ^{and} provided, that the total acreage of lands acquired by the company for park purposes shall not exceed 300 acres; ^{and} and no such park or pleasure grounds shall be open to the public on the Lord's Day to be used for games, picnics, concerts, excursions or other public entertainments; ^{and} provided, moreover, that the company shall not under this section have power to acquire any lands after the lapse of five years from the passing of this Act; and, provided, also that nothing in this section contained shall be deemed to enable the company to carry on the general business of a land company.

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.

8. 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.

Exemptions
from municipal
taxation.

9. 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.

Aid from
municipalities

10. 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.

Submitting
by-law.

11. 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.

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, as aforesaid.

12. Such by-law shall in each instance provide :

Conditions of
by-law.

(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 such debentures, or for the application of the amount to be raised thereby, as may be expressed by 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.

13. 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 expense to be incurred in submitting said by-law.

Deposit to be
made before
by-law is
submitted.

14. 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.

By-law, if as-
sented to to be
passed by
council.

15. 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
bonus
debentures.

16. 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
township.

17. The councils for all corporations that may grant aid by way of bonus to the company may by resolution or by-law extend the time for the commencement of the work beyond

Extending
time for com-
mencement
of work.

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
completion.

18. It shall and may be lawful for the council of any municipality that may grant aid by way of bonus to the company, ¹²⁷by resolution or by-law, ¹²⁸to extend the time for the completion of the works (on the completion of which the company shall 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.

Petition
against
aid from
counties.

19. 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 sufficient sum 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, and 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 muni-
cipality,"
meaning of.

20. 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.

Application
of Rev Stat.
c. 223.

21. 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.

Extent of
aid from
municipalities.

¹²⁷**22.** 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.

23. Whenever it shall be necessary for the purpose of purchasing 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 to this section.

Power to purchase whole lots.

Rev. Stat. c. 207.

24. 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 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 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 the 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.

Taking land for gravel pits.

Rev. Stat. c. 207.

25. (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 the said materials shall be found, whatever the distance may be ~~but~~ such distance shall not exceed one mile in length; 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

Sidings to gravel pits.

Rev. Stat. c. 207.

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.

~~25~~ (2) Such sidings and tracks shall not be used by the company or by others, nor shall the company suffer or permit the use of such sidings or tracks for transportation purposes or for any other purpose than that of constructing and maintaining the said railway. ~~26~~

Rev. Stat.
c. 207.

(3) 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.

Trustees of
municipal
debentures.

26. 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 pro-
ceeds of
debentures.

27. 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 the amount realized from the *sale* in some chartered bank having an office in the Province of Ontario in the name of "The Toronto Suburban 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 company for the time being in the form set out in the Schedule "A" 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.

28. The trustees shall be entitled to their reasonable fees ^{Fees of} and charges from said trust fund, and the act of any two of ^{trustees.} such trustees shall be as valid and binding as if the three had agreed.

29. The company shall have power to collect and ^{Collecting} receive all charges subject to which goods or commodities may ^{back charges} come into their possession and on payment of such back ^{on goods.} 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 person for such charges.

30. The company may also construct an electric tele- ^{Telegraph and} graph line and a telephone line in connection with their railway ^{telephone} and for the purpose of constructing, working and protecting ^{lines.} 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; ^{and} 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; provided also that such telegraph and telephone lines shall be used exclusively for the purpose of the business of the company. ^{and}

31. The directors of the company, under the authority of ^{Bonds for} the shareholders, to them given at any special general meeting ^{\$20,000} called for the purpose, at which meeting shareholders repre- ^{per mile.} senting at least two-thirds in value of the subscribed stock of the company, and who have paid all calls due thereon, are present in person or represented by proxy, may, subject to the provisions in this Act contained, issue bonds, debentures or other securities to the extent of \$20,000 per mile 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 times 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 purpose of raising money for prosecuting the said 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 conferred upon the company hereby shall not be construed as being exhausted by such issue, and such power may from time to time be exercised upon the bonds constituting such *or any* issue being withdrawn or paid off and duly cancelled, ~~but~~ but no bonds or debentures shall be issued until \$50,000 has been actually expended on the work. ~~the~~
- (d) Such bonds shall be issued only in proportion to the length of railway constructed or under contract to be constructed.

Mortgage
securing bond
issue.

32. The company may secure such bonds, debentures or other securities, by a mortgage deed creating such mortgages, charges and incumbrances 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 the working *expenses* of the railway.

- (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 rights, powers 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~~ 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 chattles, 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.

33. 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 acquired under this Act and the franchise, 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 section.

Bonds to be a first charge on property.

- (a) Each holder of the said bonds, debentures or other securities, shall until they have been surrendered and legally cancelled be deemed to be a mortgagee or incumbrancer upon the said securities pro rata with all the 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.

34. If the company makes default in paying the principal of 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 the next annual general meeting of the company, and 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.

Rights of bond holders on default of payment.

- (a). The rights given by this 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 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.

Transfer of
bonds.

35. 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.

Disposing of
property no
longer re-
quired.

36. Any lands or chattel property which may 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.

Connections
with other
railways.

37. The Company may at any points on or near to its line of railway connect its tracks with the tracks of the Metropolitan Railway Company, the Toronto & Mimico Electric Railway and Light Company, Limited, the Hamilton Street Railway Company, the Hamilton Radial Electric Railway Company, the Hamilton, Grimsby and Beamsville Electric Railway Company, or any of the said companies, and for that purpose may construct or enter into an agreement ~~if~~ lawfully authorized to enter into such agreement ~~with~~ any of such companies with whose tracks such connection is made to construct all such works, turn-outs, switches and signals as may be necessary for the making and operating of such connection.

Agreements
with other
companies.

38. 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,

if lawfully authorized to enter into such agreements, 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, 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;
- (d) Generally for all matters and things incidental or conducive to the purposes in this section mentioned.

(e) Any agreement entered into under the powers conferred by this section shall be 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; 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.

39. The company shall have full power *and authority*. — Power houses, docks, etc.

(1) To purchase land for and erect power houses, warehouses, elevators, docks, stations, workshops and offices, and to sell and convey such land as may be found to be 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.

(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 engines, motors, carriages, wagons and other machinery and contrivances necessary or convenient for the working of the railway and the accommodation and the use of the passengers, freight and business of the Company. Erect necessary buildings, wharfs, etc.

(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. Powers as to production and use of electricity.

Lease or sell
electricity not
required for
railway.

Rev. Stat. c.
200.

(4) To sell or lease any such electricity not required for the purposes as 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.

(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 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.

All other
matters and
things neces-
sary for
railway.

(6) 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 and intent of this Act.

Construction
on streets, etc.

40.—(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 any such 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 and 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.

(2) The bylaws mentioned in section 1, 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.

41. Conveyances of lands to the company for the purposes of and powers given by this Act, made in the form set forth in Schedule B 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.

42. 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. Promissory notes.

43. Subject to the provisions of this Act the rights, powers, privileges and franchises heretofore conferred upon the company by any general or special Act relating thereto shall continue to apply to the said company and the lines of railway heretofore constructed by them, but nothing in this Act contained shall affect any agreement heretofore entered into between the company and any municipal corporation. Powers, etc., to apply to extension.

44. The several clauses of *The Railway Act of Ontario*, numbers 8 to 20, 29, and 31 to 39, all inclusive, shall be incorporated with and be deemed to be part of this Act, and Incorporation of certain provisions of Rev. Stat., c. 207.

shall apply to the company and to the railways heretofore constructed or hereafter 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 *said* clauses of the said *Railway Act* and of every Act in amendment thereof so incorporated with this Act.

~~45~~Sec. 136,
Rev. Stat., c.
209 to
apply. ~~45~~

~~45~~Section 136 of *The Electric Railway Act* shall apply to the operation of the extension of the line of said company authorized by this Act but save as aforesaid ~~45~~ *The Electric Railway Act* shall not apply to the company or to the lines of railway constructed and operated or to be constructed and operated by them.

Steam not
to be used.

46. Steam shall not be used as the motive power for the operation of the railway of the said company.

Running of
freight cars
on public
highways.

~~47~~**47.** The said company shall not run or operate freight cars or trains over the said extension so far as the same is carried along any public highway unless and until the consent of the corporation controlling such highway shall have first been obtained, nor until the size and number of cars and motors to be used, and the hours of running the same have first been approved by the Commissioner of Public Works of the Province of Ontario.

Rights of
agreements
with town of
Toronto Junc-
tion preserved

48. The passage of this Act shall not give to the said company or its assigns any additional rights or powers in reference to its lines now or hereafter to be constructed within the limits of the town of Toronto Junction, beyond those under the Acts in reference to the said company heretofore passed and the agreements thereby confirmed and the rights and powers of the corporation of the town of Toronto Junction, under said last mentioned Acts, and said agreements thereby confirmed shall not be affected or curtailed by anything in this Act contained, nor shall the term of the franchise of said company, within the limits of the said town, be extended by reason of the passage of this Act, beyond the period fixed by said agreements, and their right to connect its tracks with the tracks of certain railways within the limits of the said town, as provided in sections 37 and 38, shall not be exercised without the consent of the municipal council of said town first had and obtained.

Term for com-
mencement
and
completion.

49. The extension hereby authorized shall be commenced within three years and 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 incomplete. ~~49~~

SCHEDULE A.

(Section 27.)

CHIEF ENGINEER'S CERTIFICATE.

THE TORONTO SUBURBAN RAILWAY COMPANY'S OFFICE.

No. Engineer's Department, A.D. 19 .

Certificate to be attached to cheques drawn on The Toronto Suburban 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 Toronto Suburban 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 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).

SCHEDULE B.

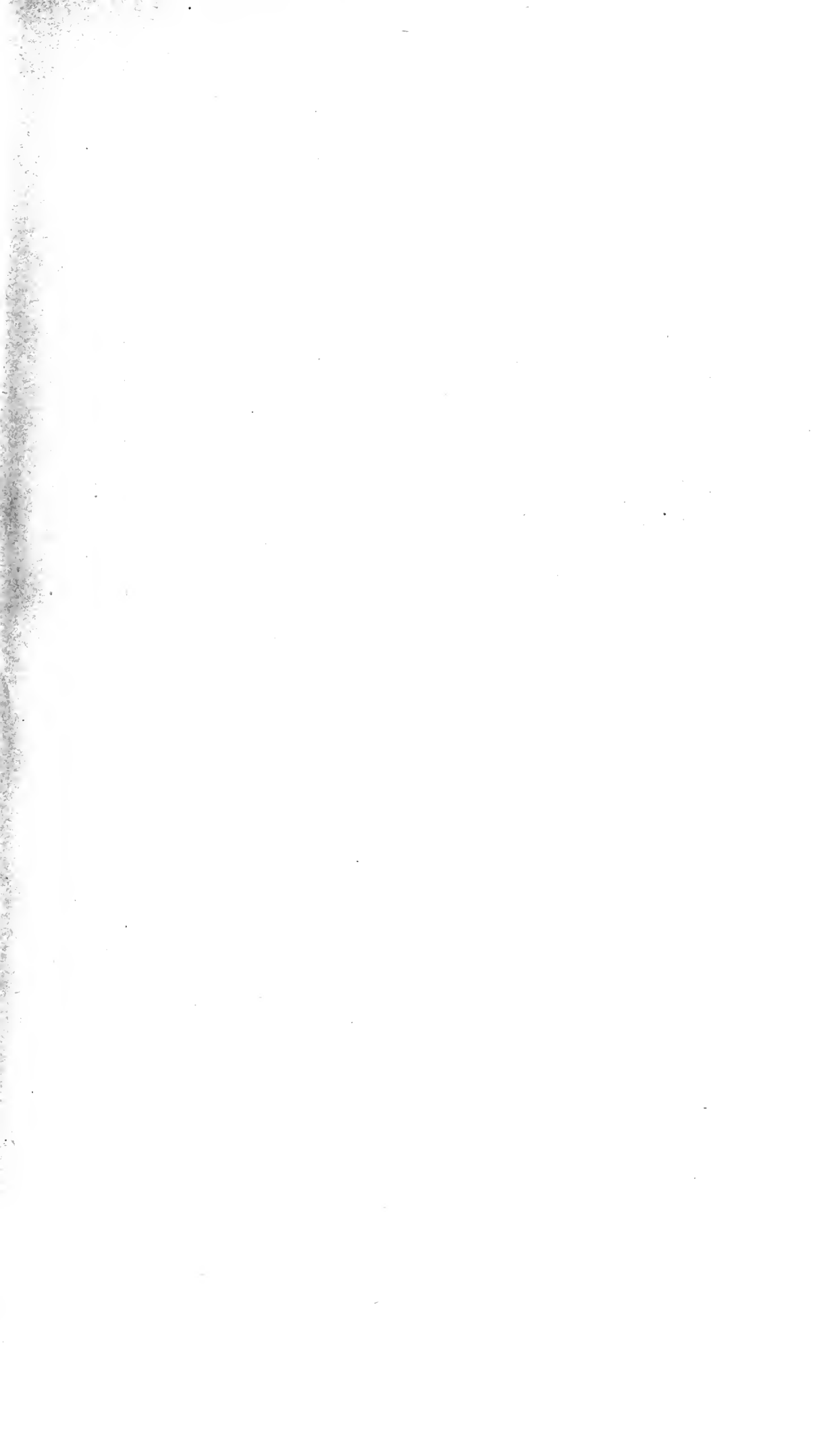
(Section 41.)

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 Toronto Suburban 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 Toronto Suburban 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.)



No. 54.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting The Toronto Suburban
Railway Company.

First Reading, 18th March, 1901.

*(Reprinted as amended by Railway
Company.)*

Mr HILL.

TORONTO :

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

An Act respecting the Town of Niagara Falls.

WHEREAS the council of the corporation of the town of Niagara Falls has by petition represented that a system of water works has been constructed and is now owned by the said corporation, and that the same is under the management of water commissioners appointed under the provisions of *The Municipal Water Works Act*, that such system has cost the corporation the sum of \$120,000, and that a great portion of the debentures of the said corporation issued to pay for the same is outstanding, and that it will be necessary to make a further expenditure for the improvement and extension of the said system and to issue debentures of the corporation therefor, and have represented that it is necessary in the interests of the said corporation that a clear annual sum equal to five per cent. on the said sum of \$120,000 and on the amount of any further debentures which may be issued for the improvement and extension of the said system should be raised annually over and above the expenditures of maintaining the said water works system and be paid over to the said corporation, and have further represented that the said corporation has constructed a number of permanent sidewalks in the said town and has passed by-laws under the local improvement provisions of *The Municipal Act* for the issue of debentures to pay for the cost of the same respectively, and have prayed that such by-laws may be validated; 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 His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The water works commissioners of the town of Niagara Falls shall raise annually from the water rates or rents of the water works system over and above the expenses of maintaining and managing the said water works a sum not less than sufficient to provide a clear annual sum equal to five per cent. on \$120,000 and on the amount of any debentures which may hereafter be issued by the corporation of the town of Niagara Falls for the improvement and extension of the said system, and shall pay over such sum to the corporation of the town of Niagara Falls to be by them used for the payment of
- \$120,000 to be raised by water works commission and paid over to corporation

the debentures and interest owing on account of the said water works, and the balance, if any, to be by them used for the general purposes of the said corporation in equal quarterly payments on the first days of the respective months of January, April, July and October in each year, or as soon thereafter as the moneys required to make up such sum have been received by the said commissioners. 5

Proviso.

Provided always that the said commissioners may require the payment by the said corporation of an annual sum of not more than thirty dollars as rental for each public hydrant erected on the streets of the said town for fire protection; and the commissioners may also require payment by the said corporation for all other water used by the corporation or granted free to manufacturers or others by the corporation at the same rate as in the case of water supplied to private individuals, and the amount of such hydrant rental and other water rates to be paid by the said corporation shall form a part of the sum so to be raised by the said commissioners and they may take credit therefor in accounting with the said corporation. 10 15

Proviso.

Provided that the council of the said town may accept a smaller sum than five per cent. above mentioned should they deem it advisable so to do. 20

Water rates and rents.

2. In addition to the sum charged the owners or occupants of lands, houses, tenements, lots or parts of lots for the use of water, the said commissioners shall have power from time to time to charge and levy a 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 town of Niagara Falls, which rates may be changed from time to time as the said commissioners may determine, and the owners of said personal property shall not in respect of such water rates or rents be entitled to exemption under sub-section 2 of section 7 of *The Assessment Act*, and the commissioners shall have the like remedies for the collection of all such rates and rents and the same shall form a lien and charge to the like extent where the water is not used by the owners or occupants as if it were so used. 25 30 35 40

R.-v. Stat. c. 224

By-laws confirmed.

3. The by-laws of the corporation of the town of Niagara Falls specified in the schedule 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. 45

SCHEDULE.

List of by-laws providing for the issue of debentures, payable in twenty annual instalments bearing interest at four per cent., passed by the council of the corporation of the Town of Niagara Falls on the eleventh day of December, 1900, for the construction of concrete sidewalks, the particulars of which are set out below :

No. of by-law.	Nature of work under by-law.	Amount of debt created.
488	East side of Buckley avenue between Morrison street and Simcoe street.....	\$775 91
489	West side of St. Lawrence between Simcoe street and Morrison street	775 91
490	West side of Cataract avenue between Queen and Bridge	542 15
491	East side of St. Clair avenue between Simcoe and Queen	1,389 91
492	West side of St. Clair avenue between Queen and Ellis	1,023 21
493	East side of Welland avenue between Morrison and Queen	620 96
494	West side of Welland avenue between Morrison and Queen	640 59
495	South side of Huron street between Clifton and Welland	1,727 01
496	North side of Huron street between Clifton and Erie.....	319 31
497	West side of Ontario avenue between Queen and Simcoe.....	1,401 61
498	North side of Morrison street between Clifton and Buckley....	2 515 11
499	South side of Morrison street between Clifton and Buckley....	2,535 61
500	North side of Simcoe between River road and St. Clair.....	1,108 67
501	South side of Simcoe between River road and Victoria.....	2,773 62
502	North side of Queen street between Clifton and Erie.....	333 92
503	South side of Queen street between Clifton and Erie.....	342 37
504	West side of Clifton avenue between Park and Huron	683 12
505	East side of Clifton avenue between Park and Morrison	1,023 32
506	To consolidate into an issue of Local improvement debentures the broken amounts named in by-laws Nos. 488 to 505 both inclusive	20,532 31
507	West side Erie avenue between Huron and Ellis.....	752 22
508	East side of Erie between Huron and Ellis	756 12
509	North side of Ellis between River road and M.C.R.R.	588 62
510	South side of Ellis street between River road and M.C.R.	570 17
511	South side of Bridge street between Erie and Arlington hotel..	536 72
512	North side of Huron between Ontario and Welland.....	939 62
513	West side of Clifton between Morrison and Huron	356 12
514	South side of Huron street between Clifton and River road ...	184 96
515	North side of Huron between Clifton and River road	192 67
516	West side of River road between Church and Queen.....	428 72
517	South side of Queen street between Clifton and Cataract.....	318 27
518	North side of Queen street between Clifton and Cataract.....	314 82
519	East side of Cataract between Queen and Bridge	692 92
520	West side of River road between Arch Bridge and Buttrey....	1,043 81
521	North side of Buttrey between River road and Terrace.....	294 72
522	South side of Bridge between Arlington and Welland	1,044 52
523	South side of Chestnut between Victoria and Fourth	1,439 52
524	North side of Chestnut between Victoria and Fourth.....	1,464 82
525	South side of Ellis between Ontario and St. Clair	469 22
526	North side of Simcoe between St. Lawrence and Victoria	771 82
527	North side of Ferry road between Victoria and River road....	1,477 22
528	West side of Victoria between Jepson and McRae's	533 52
529	East side of Victoria between Simcoe and Morrison	772 62
530	West side of Victoria between Oak and Bridge	1,019 92
531	South side of Maple between Victoria and First	349 62
532	To consolidate into an issue of Local Improvement Debentures the broken amounts named in by-laws Nos. 507 to 531 both inclusive.....	17,318 29

No. 55.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting the Town of Niagara
Falls.

First Reading. 1901.

(Private Bill.)

Mr. GROSS.

TORONTO:

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

An Act respecting the Town of Niagara Falls.

WHEREAS the Council of the Corporation of the Town of Preamble.
Niagara Falls has by petition represented that the said corporation has constructed a number of permanent sidewalks in the said town and has passed by-laws under the local improvement provisions of *The Municipal Act* for the issue of debentures to pay for the cost of the same; ^{and} and whereas the said corporation has represented that an Act validating the said by-laws and the debentures issued thereunder and the assessments made or to be made for the payment of the said debentures would facilitate the sale thereof and would greatly enhance their commercial value; and whereas the said corporation has prayed that such an Act may be passed; ^{and} 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 His 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 Town of Niagara Falls specified in the schedule hereto and all debentures issued By-laws confirmed. or to be issued thereunder, and all assessments made or to be made for the payment thereof are hereby validated and confirmed.

SCHEDULE.

List of by-laws providing for the issue of debentures, payable in twenty annual instalments bearing interest at four per cent., passed by the council of the corporation of the Town of Niagara Falls on the eleventh day of December, 1900, for the construction of concrete sidewalks, the particulars of which are set out below :

No. of by-law.	Nature of work under by-law.	Amount of debt created.
488	East side of Buckley avenue between Morrison street and Simcoe street.....	\$775 91
489	West side of St. Lawrence between Simcoe street and Morrison street	775 91
490	West side of Cataract avenue between Queen and Bridge.....	542 15
491	East side of St. Clair avenue between Simcoe and Queen	1,389 91
492	West side of St. Clair avenue between Queen and Ellis	1,023 21
493	East side of Welland avenue between Morrison and Queen	620 96
494	West side of Welland avenue between Morrison and Queen.....	640 59
495	South side of Huron street between Clifton and Welland.....	1,727 01
496	North side of Huron street between Clifton and Erie.....	319 31
497	West side of Ontario avenue between Queen and Simcoe.....	1,401 61
498	North side of Morrison street between Clifton and Buckley....	2 515 11
499	South side of Morrison street between Clifton and Buckley....	2,535 61
500	North side of Simcoe between River road and St. Clair.....	1,108 67
501	South side of Simcoe between River road and Victoria.....	2,773 62
502	North side of Queen street between Clifton and Erie.....	333 92
503	South side of Queen street between Clifton and Erie.....	342 37
504	West side of Clifton avenue between Park and Huron	683 12
505	East side of Clifton avenue between Park and Morrison	1,023 32
506	To consolidate into an issue of local improvement debentures the broken amounts named in by-laws Nos. 488 to 505 both inclusive	20,532 31
507	West side Erie avenue between Huron and Ellis.....	757 22
508	East side of Erie between Huron and Ellis	756 12
509	North side of Ellis between River road and M.C.R.R.	588 62
510	South side of Ellis street between River road and M.C.R.	570 17
511	South side of Bridge street between Erie and Arlington hotel..	536 72
512	North side of Huron between Ontario and Welland.....	939 62
513	West side of Clifton between Morrison and Huron	356 12
514	South side of Huron street between Clifton and River road ...	184 96
515	North side of Huron between Clifton and River road	192 67
516	West side of River road between Church and Queen.....	428 72
517	South side of Queen street between Clifton and Cataract.....	318 27
518	North side of Queen street between Clifton and Cataract.....	314 82
519	East side of Cataract between Queen and Bridge	692 92
520	West side of River road between Arch Bridge and Buttrey....	1,043 82
521	North side of Buttrey between River road and Terrace.....	294 72
522	South side of Bridge between Arlington and Welland	1,044 52
523	South side of Chestnut between Victoria and Fourth	1,439 82
524	North side of Chestnut between Victoria and Fourth.....	1,464 52
525	South side of Ellis between Ontario and St. Clair	469 22
526	North side of Simcoe between St. Lawrence and Victoria	771 82
527	North side of Ferry road between Victoria and River road....	1,477 22
528	West side of Victoria between Jepson and McRae's	533 52
529	East side of Victoria between Simcoe and Morrison	772 62
530	West side of Victoria between Oak and Bridge	1,019 92
531	South side of Maple between Victoria and First.....	349 62
532	To consolidate into an issue of Local Improvement Debentures the broken amounts named in by-laws Nos. 507 to 531 both inclusive.....	17,318 29

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act respecting the Town of Niagara
Falls.

First Reading, 7th March, 1901.

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

Mr. GROSS.

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

An Act respecting The Niagara Falls, Wesley Park
and Clifton Tramway Company, Limited.

WHEREAS The Niagara Falls, Wesley Park and Clifton Tramway Company, Limited, has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition ;

Preamble.

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

1. The Niagara Falls, Wesley Park and Clifton Tramway Company may transfer by agreement of lease or sale, on such terms as may be agreed on with The Niagara, St. Catharines and Toronto Railway Company, its undertakings, rights, franchises, lines, assets and properties, real and personal, but no such agreement shall prejudice or affect the rights of creditors or persons having claims against or contracts with said company, and such agreement shall be subject to the rights, positions and powers of any municipal corporation under any statute, by-law, agreement or otherwise, all which rights, positions and powers may be exercised and enforced as against and with respect to The Niagara, St. Catharines and Toronto Railway Company and the undertakings, rights, franchises, lines, assets and properties so transferred to it, in the same manner and to the same extent and as fully as the same could or might be exercised and enforced as against and with respect to The Niagara Falls, Wesley Park and Clifton Tramway Company and its undertakings, rights, franchises, lines, assets and properties.

Power to sell to Niagara, St. Catharines and Toronto Ry. Co.

2. No agreement made under the authority of this Act shall be acted on unless and until it is approved of by votes of two-thirds of the shares represented in person or by proxy at special meetings of the shareholders of the respective parties called for considering such agreement, but upon such approvals being given the said agreement shall be valid and binding according to its terms and may be acted upon and carried out.

Approval of shareholders.

No. 56.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting The Niagara Falls, Wesley Park and Clifton Tramway Company, Limited.

First Reading, 4th March, 1901.

(Private Bill.)

Mr. GROSS.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting The Niagara Falls, Wesley Park
and Clifton Tramway Company, Limited.

WHEREAS The Niagara Falls, Wesley Park and Clifton Tramway Company, Limited, has by its petition prayed that an Act may be passed authorizing it to lease or sell its undertakings, rights, franchises, lines, assets and properties real and personal to The Niagara, St. Catharines and Toronto Railway Company; and whereas it is expedient to grant the prayer of the said petition; Preamble.

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

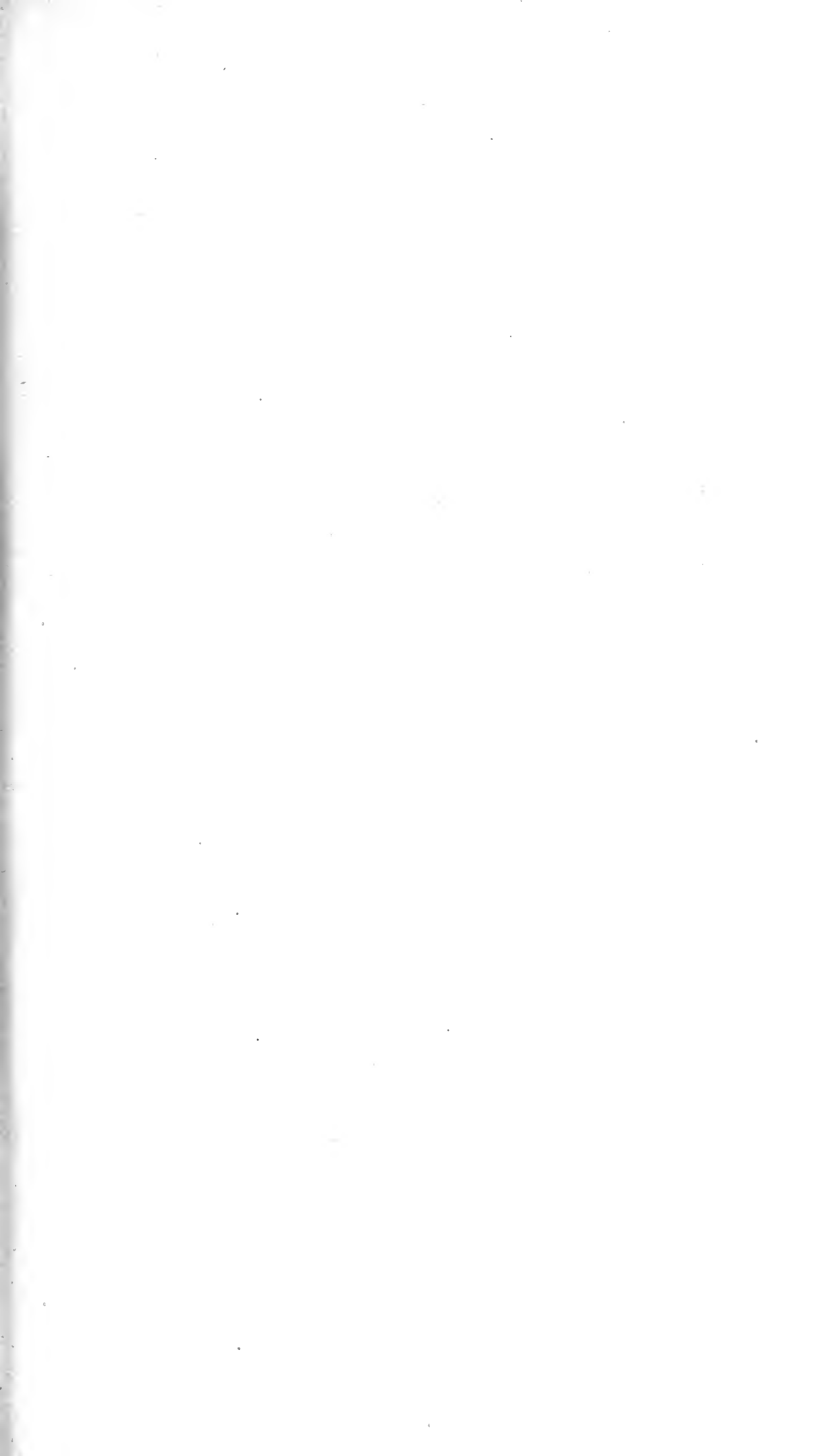
1. The Niagara Falls, Wesley Park and Clifton Tramway Company, *Limited*, may transfer by agreement of lease or sale, on such terms as may be agreed on with The Niagara, St. Catharines and Toronto Railway Company, its undertakings, rights, franchises, lines, assets and properties, real and personal, but no such agreement shall prejudice or affect the rights of creditors or persons having claims against or contracts with The Niagara Falls, Wesley Park and Clifton Tramway Company, Limited, and such agreement shall be subject to the rights, positions and powers of any municipal corporation under any statute, by-law, agreement or otherwise and every such claim and contract and all such rights, positions and powers may be exercised and enforced as against and with respect to The Niagara, St. Catharines and Toronto Railway Company and the undertakings, rights, franchises, lines, assets and properties so transferred to it, in the same manner and to the same extent and as fully as the same could or might be exercised and enforced as against and with respect to The Niagara Falls, Wesley Park and Clifton Tramway Company, *Limited*, and its undertakings, rights, franchises, lines, assets and properties. Power to
to Niagara,
St. Catha-
rines and
Toronto Ry.
Co.

2. No agreement made under the authority of this Act shall be binding or shall be acted on unless and until it is approved of by a vote of shareholders of each of the companies parties thereto holding at least two-thirds of the shares of the capital stock of such company represented in person or by proxy at a special meeting of the shareholders of Approval of
shareholders.

the *company* called for considering such agreement, but upon such approval being given⁴²⁷ by the shareholders of each company⁴²⁸ the said agreement shall be valid and binding according to its terms and may be acted upon and carried out.

Lease or sale
not to affect
Sunday
observance

⁴²⁹3. Any lease or sale authorized by this Act shall be without prejudice to the laws of Ontario heretofore or hereafter enacted respecting Sunday observance.⁴³⁰



No. 56.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.
An Act respecting The Niagara Falls, Wesley Park and Clifton Tramway Company, Limited

First Reading, 4th March, 1901.

(Reprinted as amended by Railway Committee.)

Mr. GROSS.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting the Strathroy and Western Counties Railway Company.

WHEREAS the Strathroy and Western Counties Railway Company has by its petition prayed that it be enacted as hereinafter set forth and it is expedient to grant the prayer of the said petition : Preamble.

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

1. The time limited for the commencement of the railway of The Strathroy and Western Counties Railway Company Time for construction extended.
10 by 61 Victoria, Chapter 64, is hereby extended for a period of three years from the sixteenth day of January, 1901, and if the said railway is not finished and put in operation within six years from the said date, the powers conferred upon the said company by Parliament shall cease with respect to so much
15 of the railway as then remains incomplete.

An Act respecting the Strathroy and Western Counties Railway Company.

WHEREAS the Strathroy and Western Counties Railway Company has by its petition prayed that^{the} the charter of the said railway company may be revived and the time for the commencement and completion of the railway extended; and whereas^{it} it is expedient to grant the prayer of the said petition:

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

1. ^{the}Section 2 of chapter 64 of the Acts passed in the 61st year of the reign of Her late Majesty Queen Victoria is repealed and subject to the provisions hereinafter contained the *Act to incorporate the Strathroy and Western Counties Railway Company* being chapter 99 of the Acts passed in the 56th year of the said reign is hereby declared to be and to have continued in force in the same manner as if the said section had not been enacted.

<sup>61 V., c. 64,
s. 2 repealed.</sup>

2. The said railway shall be commenced within three years, and completed within six years after the passing of this Act.

<sup>Time for
construction
extended.</sup>

No. 57.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting the Strathroy and Western Counties Railway Company.

First Reading, 18th March, 1901.

*(Reprinted as amended by Railway
Committee.)*

Mr. PETTYPIECE.

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

An Act respecting The Irondale, Bancroft and
Ottawa Railway Company.

WHEREAS The Irondale, Bancroft and Ottawa Railway ^{Preamble.}
Company have by their petition prayed that an Act
may be passed extending the time for completion of the Com-
pany's railway, and for other purposes; and whereas it is
5 expedient to grant the prayer of the said petition :

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

1. The time for the building and completion of the said ^{Extension of}
10 company's line of railway is hereby extended to the first day ^{time for}
of June, 1906; and this provision shall relate back to and ^{completion}
take effect from and inclusive of the first day of January, 1901. ^{of line.}

2. The company is authorized and empowered to make the ^{Agreements}
necessary arrangements and to contract and agree with the ^{with other}
15 Grand Trunk Railway Company of Canada, the Toronto, ^{companies}
Lindsay and Pembroke Railway Company, the Pembroke
Southern Railway Company and the Canada Atlantic Railway
Company, or either or any of them, if lawfully authorized to ^{Proviso.}
enter into such arrangements, for the amalgamation of the
20 companies; provided that the terms of such amalgamation are
approved of by two-thirds in value of the shareholders voting in
person or represented by proxy at a special general meeting to
be called for considering the same; but nothing herein
25 contained shall be construed as purporting or intending to
confer rights or powers upon any company which is not with-
in the legislative authority of the Province of Ontario.

No. 58.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting the Irondale, Bancroft
and Ottawa Railway Company.

First Reading, 1901.

Private Bill.

Mr. PARDEE.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting The Irondale, Bancroft and
Ottawa Railway Company.

WHEREAS The Irondale, Bancroft and Ottawa Railway Company have by their petition prayed that an Act may be passed extending the time for completion of the Company's railway, and for other purposes; and whereas it is expedient to grant the prayer of the said petition :

Preamble.

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

1. The time for the building and completion of the said company's line of railway is hereby extended to the first day of June, 1906; and this provision shall relate back to and take effect from and inclusive of the first day of January, 1901.

Extension of time for completion of line.

2. The company is authorized and empowered to make the necessary arrangements and to contract and agree with the Grand Trunk Railway Company of Canada, the Toronto, Lindsay and Pembroke Railway Company, the Pembroke Southern Railway Company and the Canada Atlantic Railway Company, or either or any of them, if lawfully authorized to enter into such arrangements, for the amalgamation of the companies; provided that the terms of such amalgamation are approved of by two-thirds in value of the shareholders in person or represented by proxy at a special general meeting to be called for considering the same; but nothing herein contained 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.

Agreements with other companies

Proviso.

3. No agreement entered into under the provisions of this Act shall prejudice or affect the rights of creditors or persons having claims against or contracts with the said company.

Rights of creditors not to be affected.

4. A duplicate of the amalgamation agreement duly executed by the company, parties thereto, shall within three months after its execution be filed in the office of the Provincial Secretary.

Agreement to be filed in office of Provincial Secretary.

cial Secretary and notice thereof shall be given by the company in the *Ontario Gazette* and thereupon such amalgamation shall be deemed to be complete and operative according to the terms of said agreement and the production of the *Ontario Gazette* containing such notice shall be *prima facie* evidence of the requirements of this Act and any other Act relating to the amalgamation having been complied with.

No. 58.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting the Irondale, Baneroff
and Ottawa Railway Company.

First Reading, 12th March, 1901.

*(Reprinted as amended by Railway
Committee.)*

Mr. PARDEE.

TORONTO:

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

An Act respecting the Town of Rat Portage.

WHEREAS the treasurer of the municipality of the Town of Rat Portage omitted to furnish the clerk of the said municipality with statements of unpaid taxes directed in the collectors' rolls to be collected for the years 1894 to 1900 inclusive as required by section 152 of *The Assessment Act*; and whereas such statements for said years were not furnished until the 11th day of February, A.D. 1901; and whereas the said treasurer has furnished to the mayor of the said municipality of the Town of Rat Portage a list of the lands liable to be levied upon by sale for taxes as required by sections 173 and 224 of *The Assessment Act*, but doubts have arisen as to the power to sell the lands upon which the taxes have not been paid for the years 1894 to 1900 inclusive; and whereas doubts have arisen as to the validity of the several assessment and collectors' rolls of the said municipality of the Town of Rat Portage for the said several years; and whereas the corporation of the said Town of Rat Portage has by petition prayed for the passing of an Act to legalize, confirm and validate the several assessment and collectors' rolls of the town of Rat Portage for the years 1894 and 1900 inclusive and to legalize and confirm the return of the several statements of unpaid taxes for the said several years as required by section 152 of *The Assessment Act* and to enable the treasurer of the said Town of Rat Portage to sell for unpaid taxes for any of the said several years the lands liable for the same and whereas no objection thereto has been made on the part of any rate-payer of the said municipality; and whereas it is expedient to grant the prayer of the said petitioner.

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

1. The returns of statements of unpaid taxes furnished by the treasurer of the municipality of the Town of Rat Portage to the clerk of the said municipality on the 11th day of February, A.D. 1901, for the years 1894 to 1900 inclusive are hereby declared to be legal, valid and binding upon all parties, but to the same extent and effect only as if made on the days and times required by section 152 of the *Assessment Act*.

Preamble.

Rev. Stat.
c. 24.Return of
unpaid taxes
validated.

Assessment
and collectors'
roll confirmed.

2. All assessment and collectors' rolls of the said Town of Rat Portage finally passed for the years 1894 to 1900 inclusive are hereby confirmed and validated, but nothing in this or the preceding section shall affect any action or proceeding now pending.

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

An Act respecting the Town of Rat Portage.

WHEREAS the *corporation* of the Town of Rat Portage Preamble.
 has by petition represented that the treasurer of the
 said town omitted to furnish the clerk of the said municipal-
 ity with statements of unpaid taxes directed in the collectors'
 rolls to be collected for the years 1894 to 1900 inclusive as
 required by section 152 of *The Assessment Act*, and *that* such
 statements for said years were not furnished until the 11th day
 of February, A.D. 1901; and whereas *it appears that* the said
 treasurer has furnished to the mayor of the said municipality
 of the Town of Rat Portage a list of the lands liable to be
 levied upon by sale for taxes as required by sections 173 and
 224 of *The Assessment Act*, but doubts have arisen as to the
 power to sell the lands upon which the taxes have not been
 paid for the years 1894 to 1900 inclusive; and whereas doubts
 have arisen as to the validity of the several assessment and
 collectors' rolls of the said municipality of the Town of Rat
 Portage for the said several years; and whereas the Corpora-
 tion of the said Town of Rat Portage has by *the said* petition
 prayed for the passing of an Act to legalize, confirm and
 validate the several assessment and collectors' rolls of the
 town of Rat Portage for the years 1894 and 1900 inclusive
 and to legalize and confirm the return of the several statements
 of unpaid taxes for the said several years as required by section
 152 of *The Assessment Act* and to enable the treasurer of the
 said Town of Rat Portage to sell for unpaid taxes for any of
 the said several years the lands liable for the same and where-
 as no objection thereto has been made on the part of any rate-
 payer of the said municipality; and whereas it is expedient
 to grant *a part of* the prayer of the said petition:—

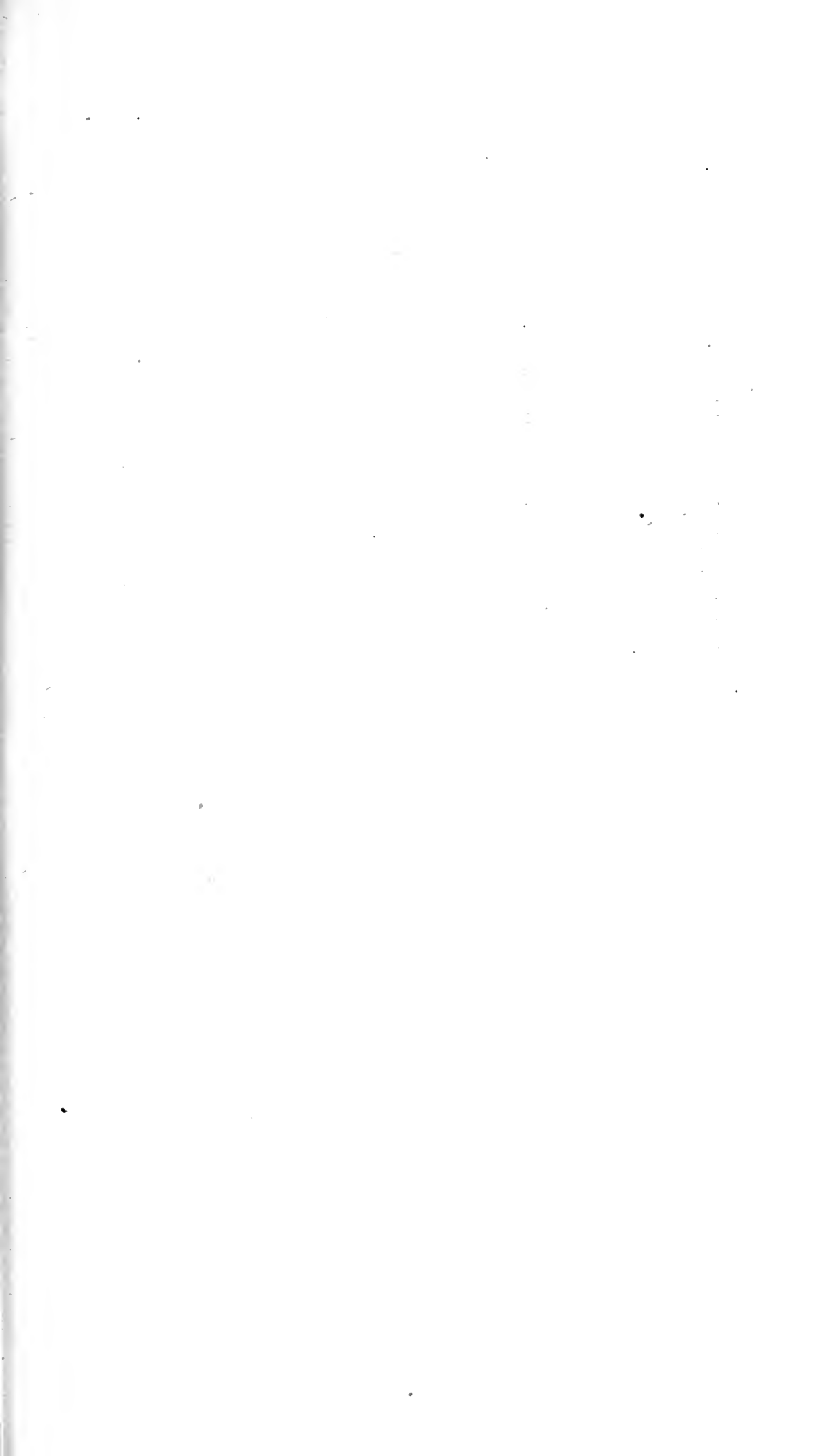
Rev. Stat.
c. 24.

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

1. The returns of statements of unpaid taxes furnished by
 the treasurer of the municipality of the Town of Rat Portage
 to the clerk of the said municipality on the 11th day of Febru-
 ary, 1901, for the years 1894 to 1897 inclusive are hereby
 declared to be legal, valid and binding upon all parties, but to
 the same extent and effect only as if made on the days and
 times required by section 152 of *The Assessment Act*.

Return of
unpaid taxes
validated.

Assessment
and collectors'
roll confirmed. 2. All assessment and collectors' rolls of the said Town of
Rat Portage finally passed for the years 1894 to 1897 inclusive
are hereby confirmed and validated, but nothing in this or the
preceding section shall affect any action or proceeding now
pending, ~~but~~ but the same shall proceed and be adjudicated upon
as though this Act had not been passed. ~~ca~~



No. 59.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting the Town of Rat Portage.

First Reading, 19th March, 1901.

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

Mr. CONNOR.

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

An Act respecting the Town of Rat Portage.

WHEREAS the Corporation of the Town of Rat Portage ^{Preamble.} has by petition represented that the treasurer of the said town ^{has} omitted to furnish the clerk of the said municipality with statements of unpaid taxes directed in the collectors' rolls to be collected for the years 1894 to 1900 inclusive as required by section 152 of *The Assessment Act*, and that such statements for the said years were not furnished until the 11th day of February, A.D. 1901; and whereas *it appears that* the said treasurer has furnished to the mayor of the said municipality of the Town of Rat Portage a list of the lands liable to be levied upon by sale for taxes as required by sections 173 and 224 of *The Assessment Act*, but doubts have arisen as to the power to sell the lands upon which the taxes have not been paid for the years 1894 to 1900 inclusive; and whereas doubts have arisen as to the validity of the several assessment and collectors' rolls of the said municipality of the Town of Rat Portage for the said several years; and whereas the Corporation of the said Town of Rat Portage has by *the said* petition prayed for the passing of an Act to legalize, confirm and validate the several assessment and collectors' rolls of the town of Rat Portage for the years 1894 and 1900 inclusive and to legalize and confirm the return of the several statements of unpaid taxes for the said several years as required by section 152 of *The Assessment Act* and to enable the treasurer of the said Town of Rat Portage to sell for unpaid taxes for any of the said several years the lands liable for the same and whereas no objection thereto has been made on the part of any ratepayer of the said municipality; and whereas it is expedient to grant the prayer of the said petition ^{subject to the provisions hereinafter contained} ^{Rev. Stat. c. 224.} :—

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

1. The returns of statements of unpaid taxes furnished by the treasurer of the Municipality of the Town of Rat Portage to the clerk of the said municipality on the 11th day of February, 1901, for the years 1894 to 1897 inclusive are hereby declared to be legal, valid and binding upon all parties, but to the same extent and effect only as if made on the days and times required by section 152 of *The Assessment Act*. ^{Return of unpaid taxes validated.}

Assessment
and collectors'
rolls for the
years 1894
to 1897, in-
clusive,
confirmed.

2. All assessment and collectors' rolls of the said Town of Rat Portage finally passed for the years 1894 to 1897 inclusive are hereby confirmed and validated.

Assessors' and
collectors'
rolls for the
years 1898,
1899 and 1900
validated,
in certain
respects.

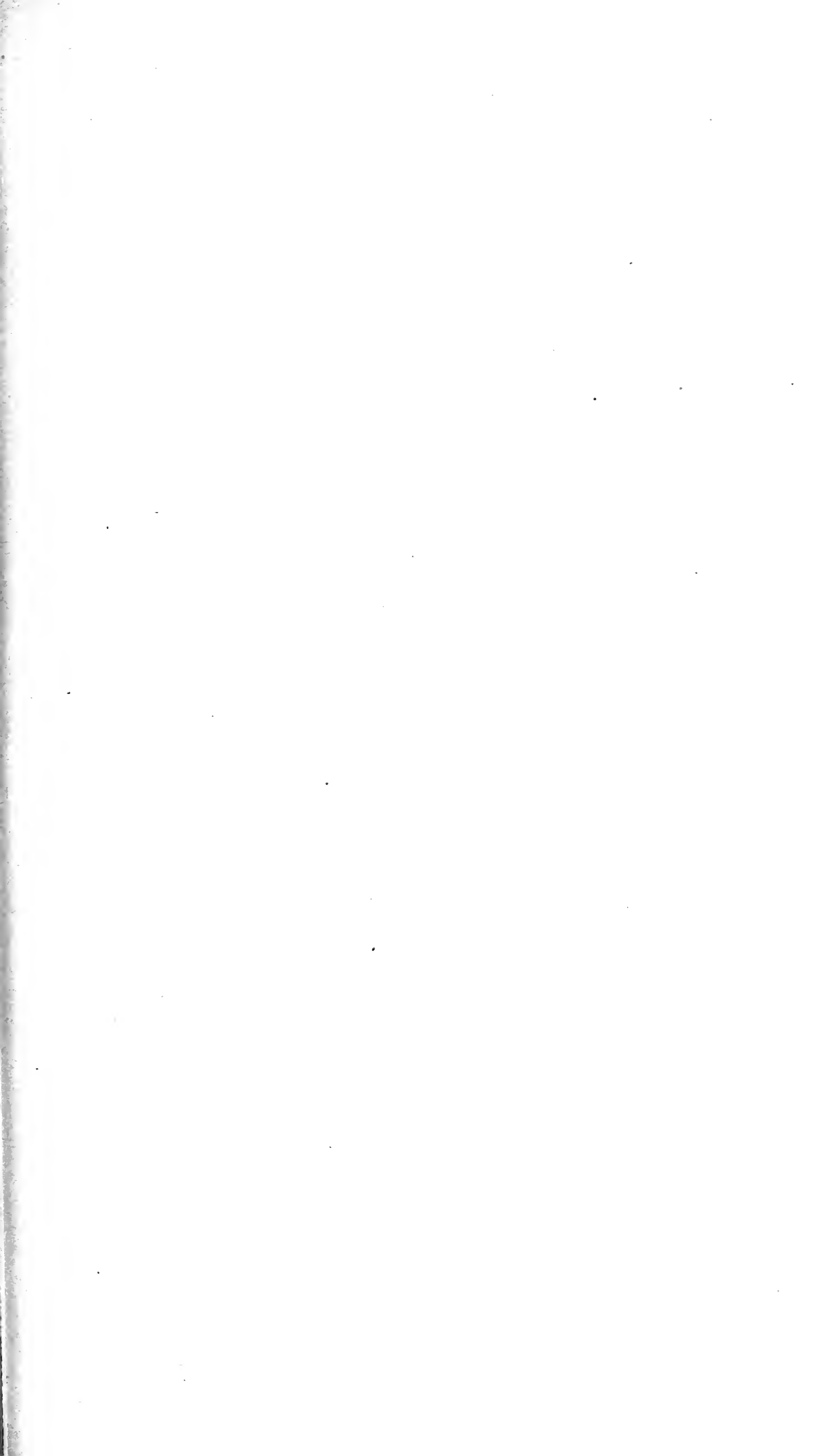
3. The assessment rolls and the collectors' rolls as returned by the assessors and collectors respectively in the years 1898, 1899 and 1900, shall not be deemed to be invalid by reason that the provisions of section 147 of *The Assessment Act* were not complied with, or that any of the taxes therein specified could have been collected without a sale of the lands, or that the assessment or collectors' rolls for said years, or either of them, were not returned within the time required by *The Assessment Act*, or that the Court of Revision in either of the said years was not regularly constituted; and all proceedings that may hereafter be necessary for recovery of the said taxes whether by sale of lands or otherwise may be validly taken by the said corporation in accordance with the requirements of *The Assessment Act* and *The Municipal Act*, notwithstanding the said alleged defects or any of them.

Rev. Stat.
c. 223.

Rev. Stat.
c. 224.

Pending pro-
ceedings not
affected.

4. Nothing in this Act contained shall affect any action or proceeding now pending, but the same shall proceed and be adjudicated upon as though this Act had not been passed.



No. 59.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.
An Act respecting the Town of Rat Portage

First Reading, 19th March, 1901.
Second Reading, 28th March, 1901.

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

Mr. CONNELL.

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

An Act respecting the "Glen Road Bridge" and certain roadways in the Township of York.

WHEREAS D. W. Alexander, Julian Sale, Forsythe Grant, Philip Jamieson, Frank Turner, Andrew Wilson, W. S. Andrews, William Moeyus and the ratepayers of that portion of the Township of York and County of York, situate south of the Canadian Pacific Railway, east of Yonge Street, west of the River Don and north of the southern boundary of the said township have by their petition set forth that a steel bridge, commonly known as the "Glen Road Bridge," which has been in public use for over eighteen years, and which was erected by The Scottish Ontario and Manitoba Land Company, Limited, is out of repair and in a dangerous condition; and whereas the said company has duly registered a plan of part of the said portion of the Township of York upon which are laid down certain roads and highways; and whereas the said roads and highways have been in use by the public for many years; and whereas the said company claims that the effect of certain legislation recently enacted is to transfer the said bridge, roads and highways to the Crown; and whereas it is doubtful whether the duty of repairing and maintaining the said bridge, roads and highways is cast by law upon the said company or the said County of York; and whereas the bridge in its present state is dangerous to the public lawfully using the same; and whereas the municipality of the Township of York collects and imposes rates on the said portion of the Township of York as provided for in *The Municipal Act*; and whereas the above named petitioners and others have prayed that it be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition.

Preamble.

Rev. Stat. c. 223.

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

1. The said bridge, commonly known as the "Glen Road Bridge" is hereby vested in and declared to be the property and under the jurisdiction of the municipality of the Township of York.

Bridge vested in township.

2. The municipality of the Township of York, the municipality of the County of York, the municipality of the City of Toronto, and The Scottish Ontario and Manitoba Land Com-

Apportionment of liability.

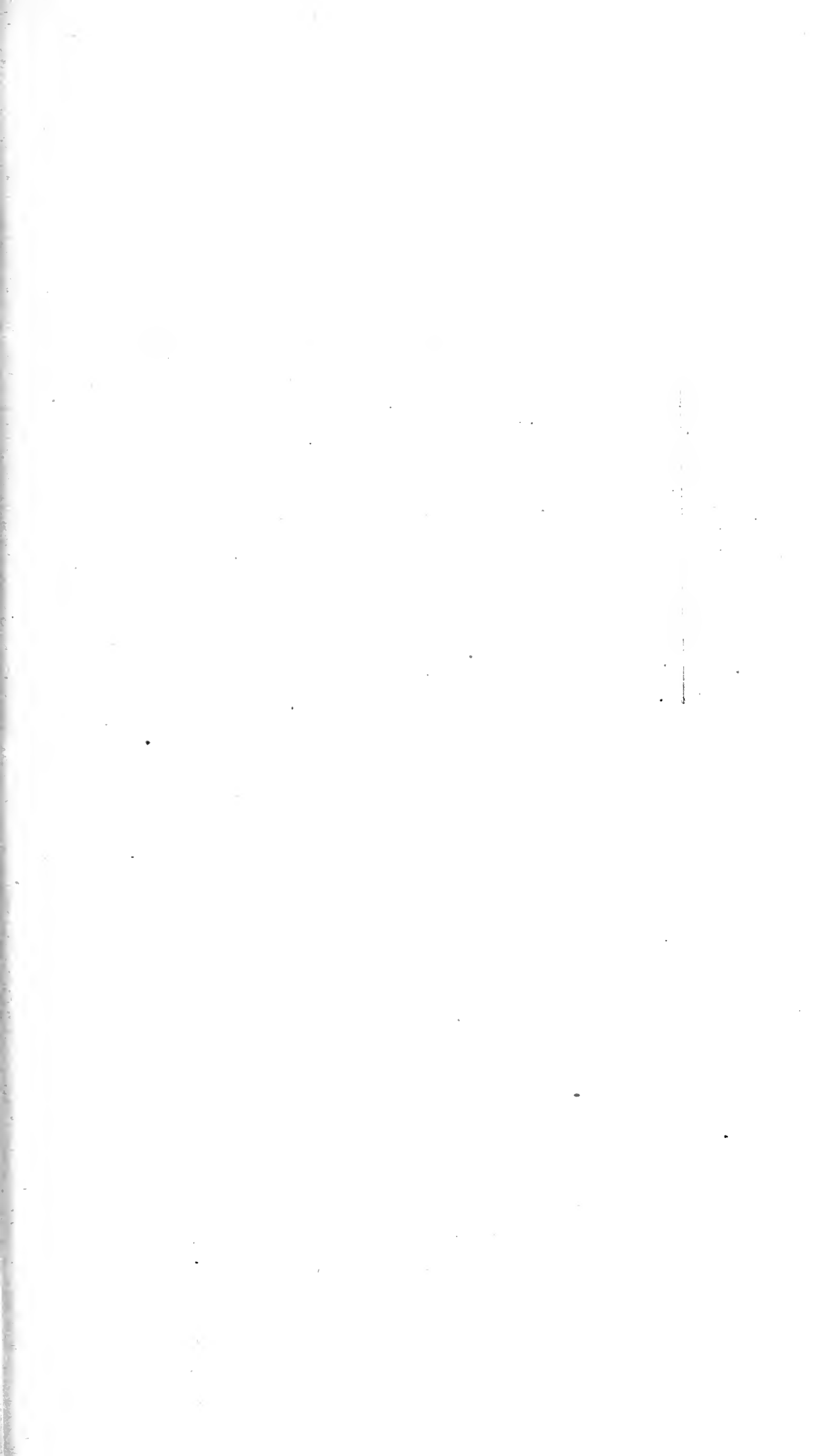
pany, Limited, shall each become liable for one-fourth the cost of repairing and perpetually keeping the said bridge in a state of repair satisfactory to the engineer of the Public Works Department of the Province of Ontario.

Arrangements
with Toronto
Ry. Co., as to
use of bridge.

3. The municipality of the Township of York may by 5
by-law grant permission to the Toronto Railway Company
to extend its tracks over the said bridge and into the said
Township of York, and may grant running powers to the
said railway company over the said bridge upon such terms
and conditions as may be agreed upon between the said muni- 10
cipality and the said company.

Township to
keep roads,
etc., in repair.

4. It shall be the duty of the municipality of the Township
of York to keep in repair the roads and highways in the pre-
amble to this Act mentioned, and the provisions of *The Muni-
cipal Act* as to repairs of highways shall extend and apply to 15
the duty hereby imposed.



No. 60.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting the "Glen Road Bridge"
and certain roadways in the Township
of York.

First Reading, 1901.

(Private Bill)

Mr. MARTER.

TORONTO:

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

No. 61.]

BILL

[1901.

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Section 142 of *The Municipal Act* is amended by inserting the words "two days" after the word "and" in the fifth line of the said Section.

Rev. Stat.
c. 223, s. 142,
amended.

Transmitting
county council
ballots to
officers.

No. 61.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL

An Act to amend The Municipal Act.

First Reading, 15th February, 1901.

Mr. BARR.

TORONTO:

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

An Act to amend The Manhood Suffrage Registration Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 1 of *The Manhood Suffrage Registration Act* is amended by striking out all that part of said section after the word "act" in the second line thereof. Rev. Stat. c. 8
s. 1 amended.
Application of
Act.
2. Section 2 of the said Act is hereby repealed. Rev. Stat. c. 8
s. 2 repealed.
3. Sub-section 1 of section 3 of the said Act, is amended by striking out the words "city or town to which this Act applies" in the first and second lines of the said section, and by substituting the word "municipality" therefor, and by striking out the words "city or town aforesaid" in the fifth line of said sub-section, and by substituting the word "municipality" therefor, and by substituting the word "municipality" for the words "city or town" in the seventh line thereof. Rev. Stat. c.
8, s. 3, subs. 1
amended.
4. Sub-section 2 of the said section 3, is amended by striking out the words "for a city or town to which this Act applies," in the second and third lines of said sub-section, and all of said sub-section after the word "elections" in the fifth line of said sub-section. Rev. Stat. c. 8
s. 3 subs. 2
amended.
5. Sub-section 3 of section 4 of the said Act, is amended by substituting the word "municipality" for the words "city or town to which this Act applies" in the second and third line of the said sub-section, and the word "municipality" for the words "city or town" in the fourth line of the said sub-section, and the word "municipality" for the words "city or town" in the ninth line of the said sub-section. Rev. Stat. c. 8
s. 4 subs. 3
amended.
6. Sub-section 1 of section 5 of the said Act, is amended by substituting the word "municipality" for the words "city or town" in the sixth and seventh lines of said sub-section, and by substituting the word "municipality" for the words "city or town" in the seventh line of said sub-section, and by substituting the word "municipality" for the words "city or town" in the eleventh line of the said sub-section, and by

Rev. Stat. c. 8
s. 5 subs. 1
amended.

adding the words "town, village or township as the case may be" after the word "city" in the fifteenth line of said sub-section.

Rev. Stat. c. 8
s. 5 subs. 2
amended. **7.** Sub-section 2 of the said section 5, is amended by adding the words "village or township" after the word "town" in the sixth line of said sub-section 2. 5

Rev. Stat. c. 8
s. 5 subs. 7
amended. **8.** Sub section 7 of the said section 5, is amended by adding the words "village or township" after the word "town" in the sixth line of the said sub-section.

Rev. Stat. c. 8
s. 7 subs. 1
amended. **9.** Subsection 1 of section 7 of the said Act, is amended by substituting the words "county town" for the words "town to which this Act applies" in the second line of the said section 7 10

Rev. Stat. c. 8
s. 8 amended. **10** Section 8 of the said Act is amended by adding the following as subsection (6a):—

Boards of registration for towns, townships and villages. (6a) In counties where the city or one of the cities above referred to is also the county town of the county in which it is situated, the board of registration for the said city shall have power to appoint such persons as may be necessary to hold registration courts in each town, village and township within said county, and to set out the place where such registration courts shall be held. 15
20

Rev. Stat. c. 8
s. 8 amended. **11.** Section 8 of the said Act is further amended by adding the following as sub-section (7a):—

(7a) "The said board shall have jurisdiction over the said county, and shall have power to appoint such persons as may be necessary to hold registration courts in each town, village and township within said county, and to set out the place where such registration courts shall be held." 25
30

Rev. Stat. c. 8
s. 8 subs. 8
amended. **12.** Subsection 8 of the said section 8 is amended by adding the words "as to Niagara Falls" between the words "and they" in the fifth line of the said subsection 8.

Rev. Stat. c. 8
s. 13 amended. **13.** Section 16 of the said Act, is amended by adding the words "a village or a township" after the word "town" in the first line of the said section. 35

Rev. Stat. c. 8
s. 24 subs. 1
amended. **14.** Subsection 1 of section 24 of the said Act, is amended by adding the words "villages or townships" after the word "towns" in the first line of said section, and by adding the words "villages or townships" after the word "towns" in the sixth line of the said section. 40

15. Subsection 2 of section 28 of the said Act, is amended by adding the words "village or township" after the word "town" in the fourth line of the said subsection. Rev. Stat. c. 8
s. 28 subs. 2
amended.
16. Subsection 2 of section 44 of the said act, is amended by substituting the word "county" for the word "municipality" in the second and third lines of said subsection, and by substituting "\$50" for "\$10" in the third line of said subsection. Rev. Stat. c. 8
s. 44 subs. 2
amended.
17. Section 11 of the Act passed in the 61st year of the reign of Her late Majesty Queen Victoria, chaptered 4, is amended by striking out the words "to which this Act applies" in the fifth and sixth lines of said section. 61 V. c. 4 s.11
amended.
18. Sub-section 2 of section 51 of *The Manhood Suffrage Registration Act*, as amended by section 16 of the said Act passed in the 61st year of the reign of Her late Majesty Queen Victoria is amended by adding the words "village or township" after the word "town" in the second line of said subsection, and by adding the words "village or township respectively" after the word "town" in the sixth line of the said subsection. 61 V. c. 4 s.16
amended.
19. Section 52, of *The Manhood Suffrage Registration Act*, is amended by striking out the words "to which this Act applies" in the second line of the said section. Rev. Stat. c.8
s. 52 amended

No. 62.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act to amend The Manhood Suffrage
Registration Act.

First Reading, 15th Feb, 1901.

Mr. BARR.

TORONTO.

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

An Act respecting the Imperial Statutes relating to property and civil rights incorporated into the Statute Law of Ontario.

WHEREAS under and by virtue of divers acts of the Province of Upper Canada and of this Province certain statutes of England and of the United Kingdom became part of and were incorporated into the Statute Law of this province so far as the same were applicable to the circumstances of this province; and whereas since the incorporation of such statutes as aforesaid some of the same have become obsolete or have in effect been superseded by subsequent legislation in this province, and some of the said statutes were enacted in the Latin or Norman French language or in language which has become antiquated and obscure and it is necessary to alter or modify the same so as to harmonize the same with the present law of this province; and whereas it is desirable that all such statutes of the United Kingdom as relate to property and civil rights which have been so incorporated into the statute law of this province should be revised, classified and consolidated as part of the Revised Statutes of this province; and whereas such revision, classification and consolidation have been made accordingly; and whereas it is expedient to provide for the incorporation therewith of certain of the statutes passed during the present session which have been passed in substitution or amendment of certain of the said statutes of the United Kingdom so incorporated into the law of this province as aforesaid :

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

1. The printed roll attested as that of the said statutes so revised, classified and consolidated as aforesaid under the signature of His Honour the Lieutenant-Governor and that of the clerk of the Legislative Assembly and deposited in the office of the clerk of the Legislative Assembly shall be held to be the original thereof, and to embody the several acts and parts of acts mentioned as to be repealed in the schedule A thereto annexed; but the marginal notes thereon and the references to former enactments at the foot of the several sections thereof form no part of the said statutes, and shall be held to have been inserted for convenience of reference only

Preamble.

Printed roll attested by Lieutenant-Governor, etc., to be deemed original.

and may be omitted or corrected and any misprint or clerical error in the said roll may also be corrected in the roll hereinafter mentioned.

2. The Lieutenant-Governor may select such Acts and parts of Acts passed during the present session, as he may deem it advisable to incorporate with the said statutes contained in the said roll and may cause them to be so incorporated therewith, adapting their form and language to those of the said statutes (but without changing their effect) inserting them in their proper places in the said statutes, striking out of the latter any enactments repealed by or inconsistent with those so incorporated altering the numbering of the chapters and sections if need be, and adding to the said schedule A a list of the Acts and parts of Acts of the present session so incorporated as aforesaid.

Incorporation of Acts passed at present session.

Roll to be deposited after incorporation of Acts passed at present session.

3. So soon as the said incorporation of such Acts and parts of Acts with the said statutes and the said addition to the said schedule A shall have been completed the Lieutenant-Governor may cause a correct printed roll thereof attested under his signature and countersigned by the Provincial Secretary to be deposited in the office of the clerk of the Legislative Assembly which roll shall be held to be the original thereof and to embody the several Acts and parts of Acts mentioned as repealed in the amended schedule thereto annexed, and shall be deemed to include and comprise all provisions contained in any statute of the United Kingdom relating to property and civil rights which have heretofore been incorporated in the statute law of this province and which at the time of the passing of this Act remained in force therein save and except only those referred to in schedule B to the Act annexed any marginal notes and references to former enactments which may appear thereon being held to form no part of the said statutes but to be inserted for convenience of reference only.

Declaration bringing Acts into force.

4. The Lieutenant-Governor in Council after such deposit of the said last mentioned roll may by proclamation declare the day on, from and after which the same shall come into force and have effect as law by the designation of "The Revised Statutes of Ontario, 1897, volume 3."

Effect of proclamation.

5. On, from and after such day the same shall accordingly come into force and effect as and by the designation of "The Revised Statutes of Ontario, 1897, volume 3," to all intents as though the same were expressly embodied in and enacted by this Act to come into force and have effect on, from and after such day, and on, from and after the same day all the enactments in the said several Acts and parts of Acts in such amended schedule A mentioned as repealed shall stand and be repealed save only as hereinafter is provided.

6. The repeal of the said Acts and parts of Acts shall not revive any Act or provision of law repealed by them, nor shall the said repeal prevent the effect of any saving clause in the said Acts and parts of Acts or the application of any of the said Acts or parts of Acts or of any provision of laws formerly in force to any transaction, matter or thing anterior to the said repeal to which they would otherwise apply.
- Effect of repeal of former Acts.
7. The repeal of the said Acts and parts of Acts shall not affect.
- Matter not to be affected by repeal.
- 10 (1) Any penalty, forfeiture or liability incurred before the time of such repeal or any proceedings for enforcing the same had, done, completed or pending at the time of such appeal.
- Penalties, etc., incurred before repeal.
- (2) Nor any action or proceeding or order judgment process or any other matter whatever respecting the same had, done, made, entered, granted, completed, pending, existing or in force at time of such repeal.
- Judgments, actions, etc.
- 15 (3) Nor any act, deed, right, title, interest, grant, assurance, descent, will, registry, contract, lien, charge, matter or thing had, done, made, acquired, established or existing at the time of such repeal.
- Deeds, grants, rights, etc.
- 20 (4) Nor any office, appointment, commission, salary, allowance, security, duty or any matter or thing appertaining thereto at the time of such repeal.
- Offices, commissions, etc.
- (5) Nor any marriage, certificate or registry thereof lawfully had, made, granted or existing before or at the time of such repeal.
- Marriages.
- 25 (7) Nor shall such repeal defect, disturb, invalidate or prejudicially affect any other matter or thing whatsoever had, done, completed, existing or pending at the time of such repeal.
- Other matters.
- 30 (8) But every such penalty, forfeiture and liability and every such action or proceeding or order for judgment, process or other matter respecting the same and every such deed, right, title, interest, grant, assurance, descent, will, registry, contract, lien, charge, matter or thing and every such office, appointment, commission, salary, allowance, security and duty and every such marriage certificate and registry and every such other matter and thing and the force and effect thereof respectively, may and shall remain and continue as if no such repeal had taken place and as far as necessary may and shall be continued, prosecuted, enforced and proceeded with under the said Revised Statutes of Ontario, volume 3, and other of the statutes and laws having force in Ontario so far as applicable thereto and subject to the provisions of the said several statutes and laws.
- Saving clause.
- 35 40 45 8. The said Revised Statutes of Ontario, volume 3, shall not be held to operate as new laws but shall be construed and have effect as a consolidation and as declaratory of the law as contained in the said Acts and parts of Acts so repealed and for which the said Revised Statutes are substituted.
- Effect of consolidation and revising.

Where revised Acts differ from former law.

9. But if upon any point the provisions of the said Revised Statutes of Ontario, 1897, volume 3, are not in effect the same as those of the repealed Acts and parts of Acts for which they are substituted, then as respects all transactions, matters and things subsequent to the time when the said Revised Statutes, volume 3, take effect the provisions contained therein shall prevail and things anterior to the said time the provisions of the said repealed Act and parts of Acts so far as applicable to the circumstances of this Province shall prevail. 5

References to Acts consolidated to refer to corresponding provisions.

10. Any reference in any former Act remaining in force or in any instrument, document or legal proceeding to any Act or enactment so repealed shall after the Revised Statutes, volume 3, take effect, be held as regards any subsequent transaction, matter or thing to be a reference to the enactments in the said Revised Statutes, volume 3, having the same effect as such repealed Act or enactment. 15

Effect of inserting Acts in Schedules.

11. The insertion of any Act in the said Schedules A or B shall not be construed as a declaration that such Act or any part of it was or was not in force immediately before the coming into force of the Revised Statutes, volume 3. 20

Rev. Stat. c. 1 to apply in construing Statutes.

12. *The Interpretation Act* shall apply to the construction of the said Revised Statutes, volume 3, and the statutes comprised in the said volume 3 may be cited and referred to for all purposes in like manner as any statute contained in the Revised Statutes of Ontario, 1897. 25

Schedules to refer to Revised Imperial Statutes.

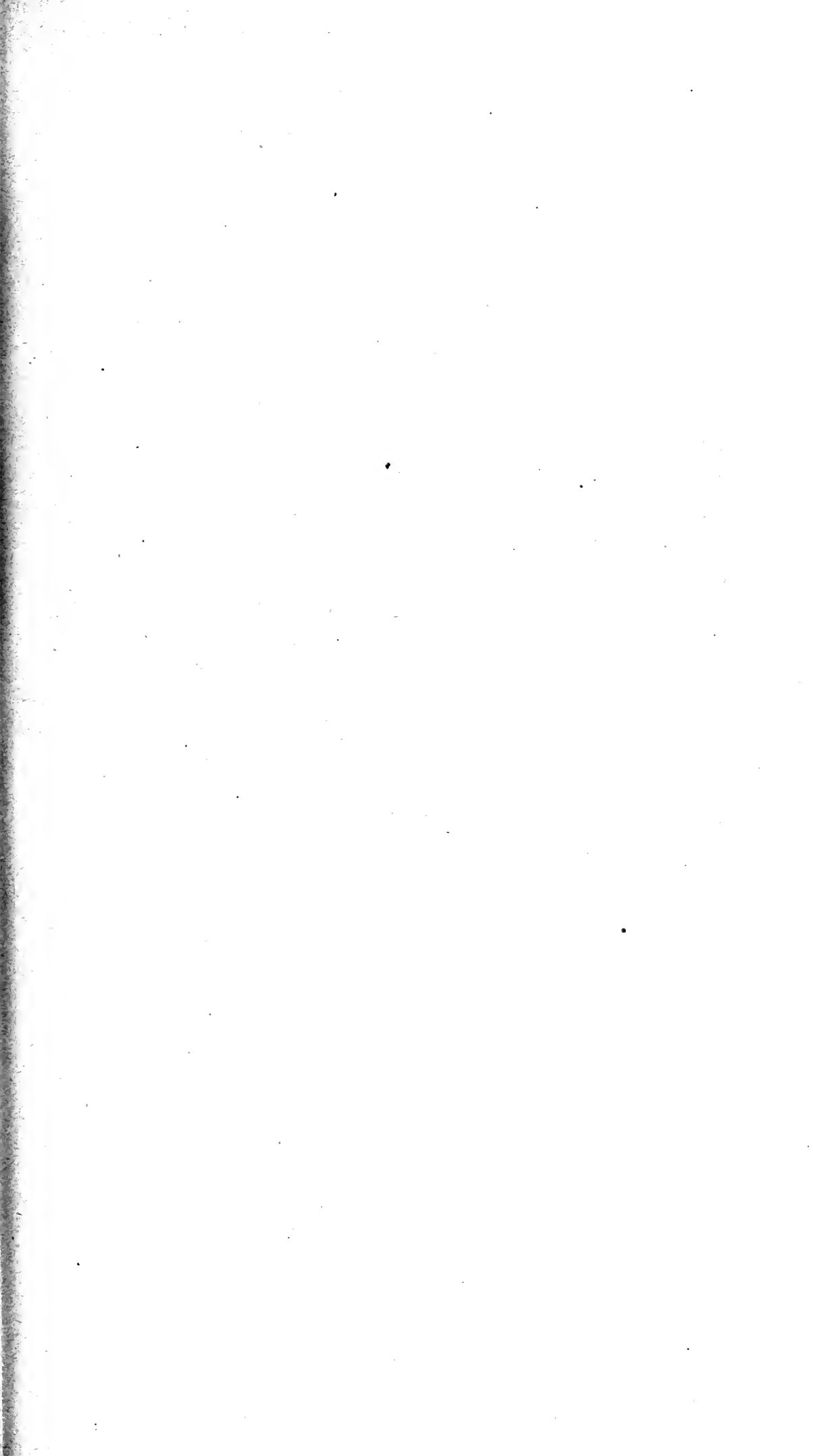
13. The Schedules A and B are to be read as referring to the revised edition of the Imperial Statute prepared under the direction of the Statute Law Committee and the chapters of the statutes passed before the division into separate acts was customary are those indicated by the marginal numbers given in that edition; and the repeal by the present Act of a statute or part of a statute set out or referred to in the terms of the translation given in that edition is to operate on the original Latin or Norman French of which the translation is set out or referred to as if the original itself were in like manner set out or referred to. 30
35

Repeal to operate on original Statutes.

Schedule of Statutes of England and of the United Kingdom incorporated into the Statute Law of Ontario which have been revised, consolidated and repealed.

Statutes 52 Hen. 3. (Stat. of Malbridge).		Consolidated R.S.O.		
Cap. 5	Sect.	Cap. 322	Sect. 1	Page 3797

N.B.—It will be observed that it is proposed to continue the numbering of chapters and pages from R.S.O. vol. 2.



No. 63.

4th Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act respecting the Imperial Statutes
relating to property and civil rights
incorporated into the Statute Law of
Ontario.

First Reading, 18th February, 1901.

THE ATTORNEY GENERAL.

TORONTO :

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

An Act to amend the Act respecting Building Societies and other Loan Corporations.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Loan Corporations Amendment Act, 1901.* Short title.
2. Every registered loan corporation having a savings branch or savings department and taking or receiving moneys on deposit shall, within twenty days after the close of each calendar year, transmit or deliver to the Provincial Secretary, Returns by loan corporations having savings departments and receiving deposits. to be by him laid before the Legislative Assembly, a return of all dividends which have remained unpaid for more than five years, and also of all amounts or balances in respect to which no transactions have taken place or upon which no interest has been paid during the five years prior to the date of such return; Proviso. provided always, that in case of moneys deposited for a fixed period, the period of five years above referred to shall be reckoned from the date of the termination of such fixed period.
3. Such return shall be signed and sworn to by the officers named in, and in the manner required for the annual returns under section 99 of *The Loan Corporations Act* and shall set forth the name of each shareholder, creditor or depositor, his or her last known address, the amount due, the date at which the last transaction took place, and if such shareholder, creditor or depositor is known to the corporation to be dead, such return shall show the names and addresses of his legal representatives, so far as known to the corporation. Form of returns.
4. Every such corporation which neglects to transmit or deliver to the Provincial Secretary the return above referred to within the time hereinbefore limited, shall incur a penalty of fifty dollars for each and every day during which such neglect continues. Penalty for neglect to make return.
5. If, in the event of the winding up of the business of the corporation in insolvency, or under any general winding-up Act, or otherwise, any moneys payable by the liquidator, either Moneys unclaimed after winding up.

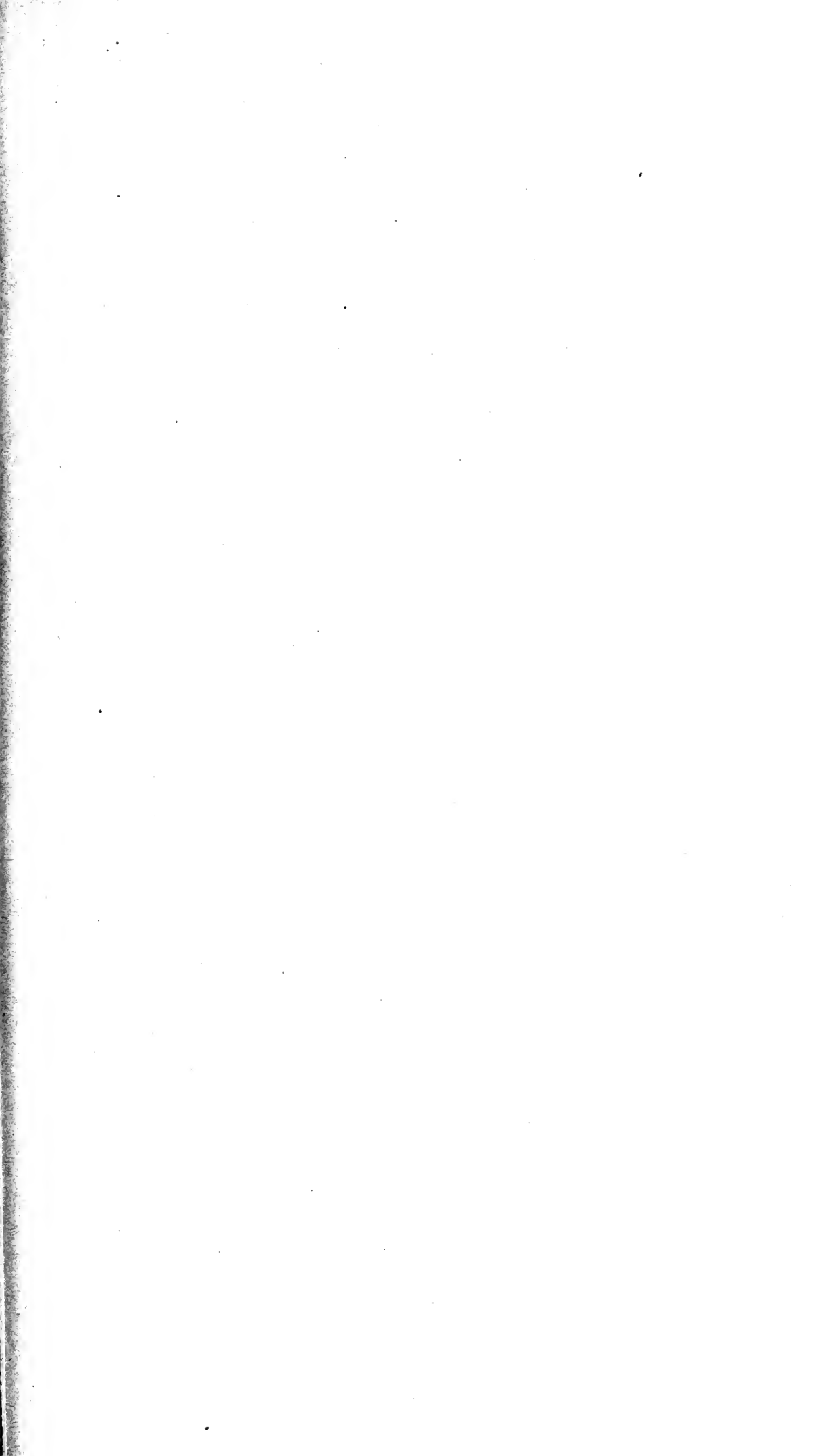
to shareholders or depositors, remain unclaimed for the period of three years from the date of suspension of payment by the corporation, or from the commencement of the winding up of such business, or until the final winding up of such business, if such takes place before the expiration of the said three 5 years, such moneys and all interest thereon shall, notwithstanding any statute of limitations, or other Act relating to prescription, be paid to the Provincial Treasurer, to be held by him subject to all rightful claims on behalf of any person 10 other than the corporation; and in case a claim to any moneys so paid as aforesaid is thereafter established to the satisfaction of the Provincial Treasurer, the Lieutenant-Governor in Council shall, on the report of the Provincial Treasurer direct payment thereof to be made to the person entitled thereto, together with interest on the principal sum thereof at the rate of three per 15 cent. per annum, for a period not exceeding six years from the date of payment thereof to the said Provincial Treasurer as aforesaid; provided, however, that no such interest shall be paid or payable on such principal sum, unless interest thereon was payable by the corporation paying the same to the said 20 Provincial Treasurer; provided also, that on payment to the Provincial Treasurer, as herein provided, the corporation and its assets shall be held to be discharged from further liability for the amounts so paid.

Liability to
repay deposits
and dividends
not barred by
Statute of
Limitations.

6. As a condition of the rights and privileges conferred by 25 *The Loan Corporations Act*, or by any Act in amendment thereof, the following provision shall have effect, namely: The liability of the corporation under any law, custom or agreement to repay moneys deposited with it, and interest, if any, and to pay dividends declared and payable on its capital stock, 30 shall continue, notwithstanding any statute of limitations or any enactment or law relating to prescription.

Application of
Act.

7. This Act applies to moneys heretofore or hereafter deposited, and to dividends heretofore or hereafter declared.



No. 64.

4 Session, 9th Legislature,
1 Edward VII, 1901.

BILL.

An Act to amend the Act respecting
Building Societies and other Loan Cor-
porations.

First Reading, 19th February, 1901.

Mr. CARSCALLEN.

TORONTO:

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

An Act respecting the Education Department.

<p>SHORT TITLE, s. 1. DEPARTMENT OF EDUCATION, s. 2. JURISDICTION, s. 3. POWERS, ss: 4, 5.</p>	<p>EDUCATION COUNCIL, s. 6. MINISTER OF EDUCATION, ss. 7, 8. REGULATIONS AND ORDERS IN COUNCIL, s. 9.</p>
---	---

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. This Act may be cited as *The Education Department Act*. R. S. O. 1897, c. 291, s. 1. Short title.

2. There shall continue to be a Department of Education which shall consist of the Executive Council, or a committee thereof, appointed by the Lieutenant-Governor; and one of the said Executive Council, to be nominated by the Lieutenant-Governor, shall hold the office of "Minister of Education." R. S. O. 1897, c. 291, s. 2. Department established.

3. Subject to any statute in that behalf the Education Department shall have the management and control of the following, namely: Kindergartens, Public and Separate Schools, High Schools and Collegiate Institutes, Art Schools, Model Schools, Normal Schools, the Ontario Normal College, Teachers' Institutes and Public Libraries; with power to appoint such inspectors, teachers and other officers for instruction and supervision as may be deemed expedient. R. S. O. 1897, c. 291, s. 3. Jurisdiction of the Department.

4. The Education Department shall have power, subject to the provisions of any statute in that behalf, to make regulations :— Powers of department to make regulations as to certain matters.

1. For the classification, organization, government and examination of all schools and institutes hereinbefore mentioned, and for the equipment of school houses and the arrangement of school premises; and for determining the fees to be paid by candidates at departmental examinations;

2. For the authorization of text-books for the use of pupils and teachers in training attending such schools or institutes, and for the selection of books of reference for the use of teachers and pupils, and for the management of public and school libraries ; 5

3. For determining the qualifications and duties of inspectors, examiners and teachers of such schools and institutes, and for the appointment from time to time of such examiners as may be requisite for that purpose ;

4. For the payment of the allowances of superannuated 10 inspectors and teachers, and the distribution of all moneys set apart by the Legislative Assembly for educational purposes.

5. For extending on such evidence as to efficiency as may be deemed necessary, any certificate issued under the authority of *The Public Schools Act* ; 15

6 For the study of agriculture, domestic economy and for scientific instruction as to the nature of alcoholic stimulants and narcotics with special reference to their effect upon the human system ;

7. "For affiliating with the Ontario Normal College, or the 20 Normal Schools, such High Schools or Collegiate Institutes, or Public Schools, as may be necessary for practical instruction in the art of teaching."

8. For accepting in lieu of the annual departmental examination the certificate of any normal school or the examination 25 of any university in the British Dominions "and for accepting on the recommendation of the Educational Council such evidence of scholarship, professional training, or experience, as may be deemed equivalent to what is prescribed for teachers' certificates." 30

9. For setting apart a separate school in any city or county as a model school for the training of teachers for separate schools, and in such case, appointing a competent person possessing the qualifications prescribed by *The Public Schools Act*, to be a member of the county board of examiners of such city or county in addition to the number now authorized. R. S. O. 1897, c. 291, s. 4 amended, subsecs. 7 and 8. 35

Competition
in plans for
school build-
ings.

5. The Education Department shall have power (a) to call for competitive plans of school buildings with all modern im- 40
provements suitable for schools of from one to four teachers, and to appoint a board of not more than three architects to examine such plans and to report with respect to the same to the Minister of Education ; (b) to affiliate one or more of the public schools in any city in which a Normal School is situated, with such Normal School for practice in teaching by 45
Normal School students, and (c) to appropriate out of moneys voted by the Legislature for public and separate schools, a sum not exceeding \$5 for every school in which the regula-

tions of the Department as to equipment, ventilation, heating, lighting and the care of the premises generally have been complied with. 62 V. (2) c. 36 s. 12.

6. For the purpose of conducting the examinations pre-
 5 scribed by the Education Department, and the annual ex-
 amination for matriculation into the University of Toronto
 (not including the examinations known as the Supplemental or
 the Scholarship examinations unless requested so to do by the
 Senate of the said University) there shall be established an
 10 Educational Council of twelve persons to be appointed by the
 Lieutenant-Governor in Council on or before the 15th of
 October in each year. The Senate of the University shall
 have power to nominate six of the twelve persons to be so
 appointed, and, in the event of the Senate failing or neglecting
 15 to make such nominations on or before the date above men-
 tioned, the Lieutenant-Governor in Council may make such
 appointments. Vacancies in the Council shall be filled by the
 Lieutenant-Governor in Council, but if the vacancy occur
 among the members nominated by the Senate, the Senate shall
 20 have power to nominate a person to fill such vacancy.

Educational
 Council.

(2) The Senate may withdraw the conduct of the annual
 Matriculation examination aforesaid from the Educational
 Council on giving notice of such withdrawal to the Minister
 of Education, on or before the 15th of October in any year;
 25 in such case, the right of the Senate to nominate Members of
 the Council shall cease and determine and the Lieutenant-
 Governor-in-Council may thereafter appoint the full Council.
 Should the Council fail or neglect to perform any of the duties
 assigned to it, then such duties may be performed by the Edu-
 30 cation Department.

(3) The first meeting of the Council in each year shall be
 called by the Minister of Education. The Council shall
 appoint its own chairman, and shall hold such meetings from
 time to time as may be necessary for the transaction of its
 35 proper business. Four members shall form a quorum. The
 Registrar of the Council shall be appointed by the Education
 Department.

(4) The Council shall appoint examiners well qualified by
 experience as teachers in either a University or High School
 40 for the purpose of preparing uniform examination papers for
 the combined Matriculation examination aforesaid and the
 Departmental examinations conducted upon the same course
 of study. The Council shall also appoint associate examiners
 for reading the answer papers of candidates at such examina-
 45 tions and such associate examiners shall be persons actually
 engaged in teaching, and graduates of a University in the
 British Dominions or specialists according to the Regulations
 of the Education Department; the number to be appointed
 from year to year for each examination paper shall be deter-
 50 mined by the Minister of Education.

(5) The associate examiners shall be selected from lists, to be furnished by the Minister of Education, of persons qualified as above; such list shall contain at least twice the number of persons to be appointed. No examiner or associate examiner shall be appointed, to whom objection is taken by four of the 5 Members of the Council nominated by the Senate, or by four of the persons appointed by the Lieutenant-Governor in Council without such nomination.

(6) The Council shall have power to instruct the examiners with respect to the character of the examination papers to be 10 prepared by them and the number of questions on each paper. The Council shall direct the associate examiners during the reading of the answer papers, and settle the results of the examination and report thereon. The powers of the Council 15 in all matters in this subsection contained shall be subject to such regulations as may be agreed upon from time to time by the Education Department and the Senate of the University.

(7) The Council shall, subject to the regulations of the Education Department, appoint such examiners and associate 20 examiners as may be required for preparing, reading and valuing the examination papers of candidates at all other Departmental examinations or for reading the answer papers of candidates who have appealed to the Minister of Education for a re-examination of their answer papers, and for settling 25 the results of such examinations.

(8) The members of the said Council shall constitute a consultative committee to confer with the Minister on such matters as he may, from time to time, submit to them.

(9) Except in the case of an emergency, no examiner or associate examiner shall be appointed for more than three 30 consecutive years. All presiding examiners charged with the conduct of examinations at High Schools and other centres shall be appointed by the Education Department and shall be subject to the regulations of the Education Department from 35 time to time. R.S.O. 1897, c. 291, s. 70, 63 V. c. 52, s. 1.

Powers of Minister.

7. It shall be the duty of the Minister of Education and he shall have power:—

Apportionment of grant.

1. To apportion all sums of money voted by the Legislative Assembly for public and separate schools among the several 40 counties, townships, cities, towns, and incorporated villages according to the population in each as compared with the whole population of the Province, as shewn by the last annual returns received from the municipal clerks, (provided that the amount payable in every rural school in the territorial districts 45 shall be at least \$100), and to see that the money so apportioned is paid on or before the first day of July in each year to the treasurer of every county, city, town and village as the Lieutenant-Governor in Council may direct;

Grant payable on the first of July in each year.

2. To divide the amount so apportioned between public and separate schools according to the average number of pupils attending such schools respectively, during the next preceding twelve months, or during the number of months which may have elapsed from the establishment of a new separate school as compared with the whole average number of pupils attending school in the same city, town, village or township ;
3. To direct the county inspector to distribute among the school sections of each township under his jurisdiction the public school grant according to the average attendance of pupils at each public school as compared with the whole average number of pupils attending the public schools of the township. All such grants shall be payable by the township treasurer to the order of the secretary or secretary-treasurer of the board of trustees on the inspector's order. Notice of such distribution shall be given by the inspector to the trustees concerned.
4. To apportion all sums of money voted by the Legislative Assembly for high school purposes among the several high schools of the Province subject to the regulations of the Education Department on the basis of average attendance, the salaries paid to teachers, the provision made for teaching the subjects on the course of study, the extent and suitability of the school site, and the character and equipment of the school buildings and their appendages ; to give notice of such apportionment to the county clerk of each county, and to see that the same is paid to the high school treasurer as the Lieutenant-Governor in Council may direct .
5. To apportion out of any grant made by the Legislative Assembly for such purposes, all sums payable under any statute in that behalf towards the maintenance of the normal college, normal schools or other schools or institutes for the training of teachers, county model schools, public libraries, art schools, inspection of schools, and the examination of teachers, and all other incidental departmental expenses subject to the regulations of the Education Department ;
6. To submit a case on any question arising under *The Public Schools Act* or *The High Schools Act*, or under *The Separate Schools Act* to any Judge of the High Court for his opinion and decision, or, with the consent of such Judge, to a Divisional Court of the said High Court for its opinion and decision ;
7. To decide upon all disputes and complaints laid before him the settlement of which is not otherwise provided for by law, and upon all appeals made to him from the decision of any inspector or other school officer ;
8. To appoint one or more persons, as he may deem expedient, to inquire into and report to him upon any school matter. Such person or persons, or any of them, shall have power to administer oaths to witnesses, or require them to

Division
between public and separate schools.

Distribution
of grant.

High School
grant, how
paid.

Other grants,
how paid.

Minister may
submit questions arising upon school law to High Court.

Power to
settle disputes and complaints

Power to
appoint commissioners.

make solemn affirmation of the truth of the matters they may be examined upon ;

Compelling attendance of witnesses.

9. To apply to the High Court for a writ of subpoena *ad testificandum* and also *duces tecum* upon the *præcipe* of the Minister of Education therefor, containing the names of the witnesses intended to be summoned thereby, such writ to be directed to the person who is required to attend and give evidence under oath, at such times, and places, and before such person or persons as the Minister shall appoint ; and default of any person in obeying such subpoena shall be punishable as in an action or cause in the said Court ;

Annual report to be made by Minister of Education.

10. To report annually to the Lieutenant-Governor upon all the schools and institutes herein mentioned, with such suggestions for promoting education generally as he may deem expedient. R. S. O. 1897, c. 291, s. 6.

Powers of minister as to separate schools not affected.

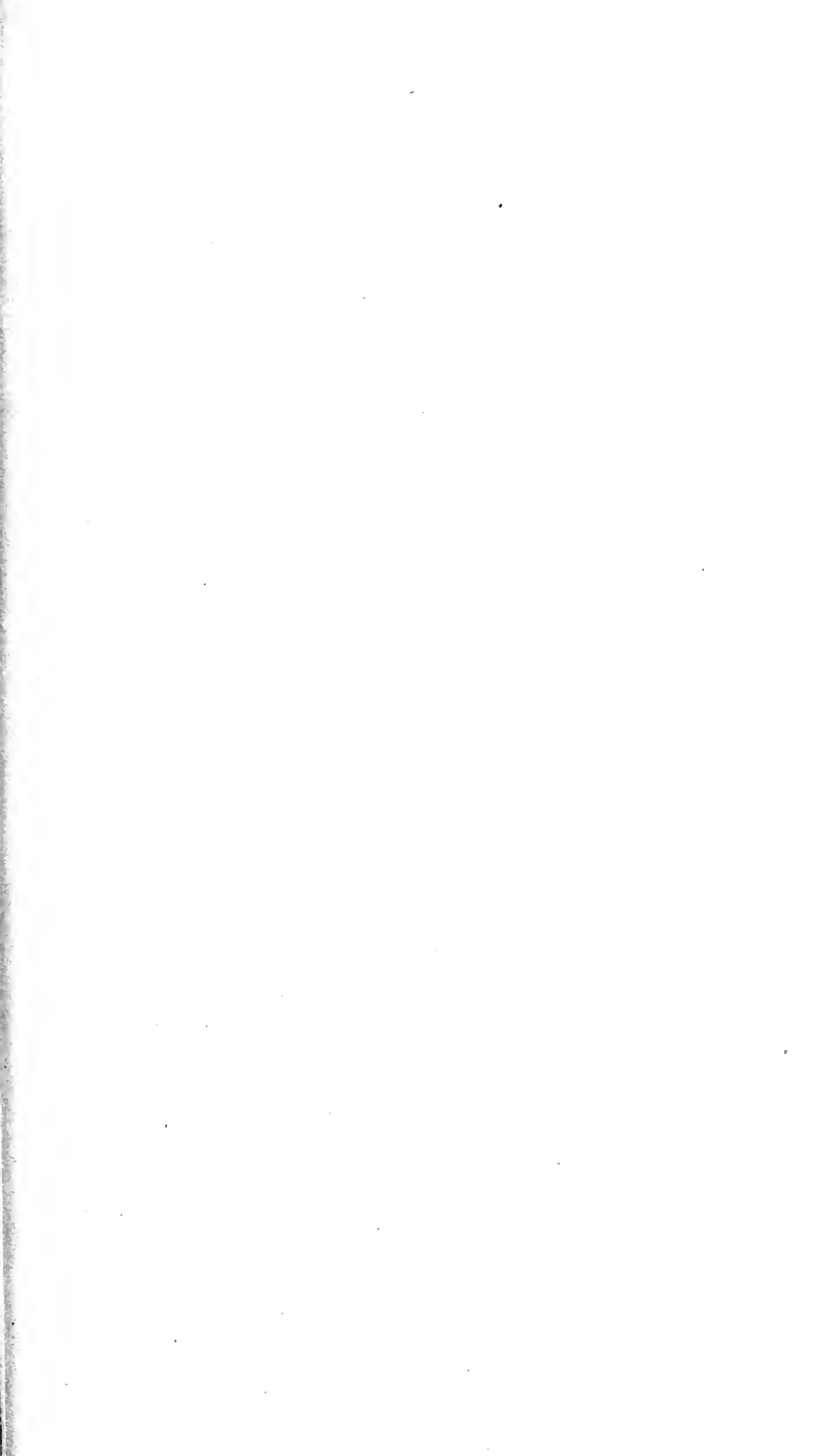
8. Except as provided in sections 3 and 4 of this Act nothing in this Act contained shall be deemed, taken or construed as, in any manner or for any purpose, altering, varying or affecting any power, right or authority which, before the passing of this Act, was by law vested in or held, had or possessed by the Minister of Education or the Department of Education in respect either to Roman Catholic Separate Schools or of any matter or thing whatsoever pertaining to or affecting said Separate Schools. R. S. O. 1897, c. 291, s. 7.

Regulations and Orders in Council to be laid before the Legislative Assembly.

9. Every regulation or Order in Council made under this Act or under the public, separate or high schools Acts, shall be laid before the Legislative Assembly forthwith if the Legislature is in session at the date of such regulation or Order in Council, and if the Legislature is not in session such regulation or Order in Council shall be laid before the said House within the first seven days of the session next after such regulation or Order in Council is made ;

(2) In case the Legislative Assembly at the said session, or if the session does not continue for three weeks after the said regulation or Order in Council is laid before the House, then at the ensuing session of the Legislature, disapproves by resolution of such regulation or Order in Council either wholly or of any part thereof, the regulation or Order in Council, so far as disapproved of, shall have no effect from the time of such resolution being passed. R. S. O. 1897, c. 291, s. 8.

10. The following Acts of the Province of Ontario are hereby repealed: Revised Statutes of Ontario, 1897, chapter 291 ; 63 Victoria, chapter 52.



No. 65.

4th Session, 6th Legislature,
1. Edward VII., 1901.

BILL.

An Act respecting the Education
Department.

First Reading, 20th February, 1901.

Mr. HARCOURT.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act for the protection of life and property in the use of stationary boilers and engines, and the examination and licensing of persons in charge of them.

WHEREAS special provisions have been made by law for in- Preamble.
 specting marine boilers and engines and as a result the pre-
 cautions made necessary by the owners in complying with the
 said law have had the effect of reducing accidents by boiler
 5 explosions to a minimum; and whereas the boiler explosions
 in the use of stationary engines and boilers have of late years
 increased alarmingly and been the means of destroying a large
 number of lives, and a great amount of property, through de-
 fective plant, the carelessness of owners, and the lack of know-
 10 ledge of the men in charge; and whereas it is expedient in the
 interests of the public that the like means of prevention of such
 explosions and accidents should be applied to stationary boil-
 ers and engines, as to marine boilers and engines;

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

1. This Act may be cited as an Act for the protection of life Short title.
 and property in the use of stationary boilers and engines and
 the licensing of engineers in charge of them.

20 2. In this Act unless the context otherwise requires. Interpretation

(1) The expression "Boiler" does not include boilers used Boiler.
 for heating water for domestic purposes or low pressure steam
 heating boilers unless the pressure exceeds fifteen pounds per
 square inch, or railway locomotive or steam boat boilers, but
 25 means and includes all other steam boilers and every part
 thereof, or thing connected therewith, and all apparatus and
 things attached to or used in connection with any such boiler.

(2) The expression "Owner" means and includes any per- "Owner."
 son, firm or corporation, the owner or lessee of the boiler, and
 30 the manager or other head officer in charge of the business of
 any such firm or corporation.

(3) The expression "Engineer" means any person having "Engineer."
 charge of or operating a steam boiler, under the provisions of
 this Act.

"Inspector." (4) The expression "Inspector" means any inspector of steam boilers appointed by the Lieutenant Governor in Council under the provisions of this Act.

Appointment of Provincial Inspectors. 3. The Lieutenant-Governor in Council shall appoint an inspector or inspectors of steam boilers for the Province, for the purpose of carrying out the provisions of this Act, and may fix the remuneration to be paid such inspector or inspectors, and may divide the Province into districts, and appoint one or more inspectors in each district. Such inspectors shall constitute a board of boiler inspection, who shall meet from time to time as may be required, and who shall have power to formulate uniform rules and regulations for the inspection of boilers, and the examination of candidates for certificates of fitness as engineers under the provisions of this Act, and upon the approval of the same by the Lieutenant-Governor in Council, such rules and regulations shall have the same force as the provisions of this Act.

Disqualification for office of Inspector. 4. No person holding the office of inspector under the provisions of this Act, shall be either directly or indirectly interested in the sale of boilers or steam machinery, or any kind of supplies used in connection therewith.

Oath of office of Inspector. 5.—(1) Every inspector appointed under the provisions of this Act, shall, before entering upon the performance of his duties, take and subscribe an oath that he will faithfully and impartially perform the duties of his office, and also give security for the due performance of his duties in the sum of \$2,000. He shall have had at least five years' experience as a practical engineer in charge of a steam plant.

Qualification as to experience. Knowledge of boilers. (2) Every inspector appointed under the provisions of this Act shall be practically conversant with the manufacturing and working of boilers, and shall also be a competent and practical engineer, conversant with the strength of material used in the construction of steam boilers, and prove such knowledge by passing an examination.

Annual inspection. 6. The Inspectors appointed under this Act shall, under the direction of the Lieutenant-Governor in Council, make such rules for the uniform inspection of all steam boilers coming within the provisions of this Act, as will ensure the careful, thorough and systematic inspection of all boilers once, at least, in every year.

Boilers inspected by insurance companies exempted. 7. The provisions of this Act respecting the inspection of boilers shall not apply to any boiler insured and inspected by a duly incorporated or duly licensed boiler insurance company, legally doing business in Canada, if the owner or owners of such boiler shall, when required by an inspector appointed under the provisions of this Act, produce the certificate of inspection from such a company.

8. The inspectors shall examine all persons applying for certificates under this Act, and shall have power to issue certificates of competency according to the experience, knowledge and qualifications, subject to the rules and regulations made and approved of by the Lieutenant-Governor in Council, from time to time. Examination of candidates for certificates
9. All certificates shall be exposed to view in a conspicuous place in the engine or boiler room. Certificates to be posted in boiler room.
10. Every person who has charge of an engine or boiler to which this Act applies at the time of the passing thereof, shall upon the payment of a fee of two dollars to the inspector, be entitled to receive a permit to operate such steam plant for the term of one year, and every such engineer or fireman who has had five years' experience in the operation of a steam plant shall be entitled to receive a certificate upon proof thereof. Permits to persons having charge of boilers at time of passing of Act.
11. Each certificate shall have force and effect for the term of one year, unless sooner revoked for cause, and for each renewal the sum of one dollar shall be paid. The inspector shall not issue in any case a certificate to a person of intemperate habits, however skillful he may be. Term and renewal of certificates. Not to be given to inebriates.
12. Every inspector appointed under this Act shall have power to revoke the certificate of any engineer in his district, if the person holding the same shall have committed any act or acts that shows him to be unworthy, incompetent or intemperate; but such person may appeal from the decision of the inspector to the Commissioner of Public Works. Revocation of certificates.
13. No person shall employ another as engineer and no person shall serve as engineer unless the person serving or is employed as engineer is then licensed by an inspector as aforesaid, and any one who violates any of the provisions of this section, shall be liable to a penalty not exceeding fifty dollars, and not less than five dollars. Penalty for employment of unqualified persons.
14. All moneys collected for certificates or renewals under this Act, shall be paid to the inspector who issues the certificates, and who shall remit the same to the Provincial Secretary, together with a statement showing the names and addresses of the persons paying the same. Collection of fees for certificate.
15. All prosecutions under this Act may be brought before any of His Majesty's justices of the peace in and for the county in which the offence was committed, and in cities, towns and incorporated villages, where there is a police magistrate, before such magistrate. Prosecutions for violation of Act.
16. Every inspector shall keep a true record of all boilers inspected, and all repairs ordered by him, of all boilers con- Record of inspections.

demned by him as unsafe, of all accidents to boilers in his district whether by explosion or otherwise, of all casualties in connection with boilers in his district.

Notification
by inspector
when boiler
found unsafe.

17. Whenever any inspector shall discover that the boiler he is inspecting has become weakened or unsafe, he shall at once notify the proprietor, owner or manager, of the fact and demand that they be repaired and made safe. If the owner, proprietor or manager shall refuse or neglect to have the needed repairs made, the inspector shall at once notify the board of inspectors of such refusal or neglect.

5

10

Repairs to be
made as ordered
by inspector.

18. The board shall thereupon order the proprietor or manager forthwith to have the needed repairs made, and any owner, proprietor or manager who shall attempt to operate any boiler after such inspection, before having the needed repairs made, shall on conviction be fined not less than \$ nor more than \$

15

Boilers of 15
lbs pressure
and under.

19. Any boiler operated at a pressure of fifteen pounds or less to the square inch, shall not come under the provisions of this Act, except those under sidewalks in cities or towns.

Notice to be
given of explosion.

20. On the occurrence of an explosion from any boiler to which this Act applies, notice thereof shall be sent within twenty-four hours thereafter, to the inspector within whose jurisdiction the explosion took place, by the owner or by the user, or by the person acting on behalf of the owner or user.

20

Contents of
notice.

21. The notice shall state the precise locality, as well as the day and the hour of the explosion, the number of persons injured or killed, in addition to the purposes for which the boiler is used, and generally the part of the boiler that failed, and the extent of the failure, and such other particulars, if any, as the Lieutenant-Governor-in-Council may from time to time require.

30

Penalty for
default in giving
notice.

22. If default is made in complying with the requirements of this section, the person in default shall on summary conviction, be liable to a fine not exceeding fifty dollars.

Investigation
of explosions.

23. On the receipt of a notice of a boiler explosion the inspector shall fully investigate the causes and circumstances attending the explosion, and such investigation shall be held at or as near the place of such explosion by the said inspector, in such a manner and under such conditions, as the Lieutenant-Governor in-Council may from time to time deem most effectual, for ascertaining the causes and circumstances of the explosion, and for enabling the said inspector to make the report hereinafter mentioned.

35

40

Report of inspector.

24. The inspector making such investigation with respect

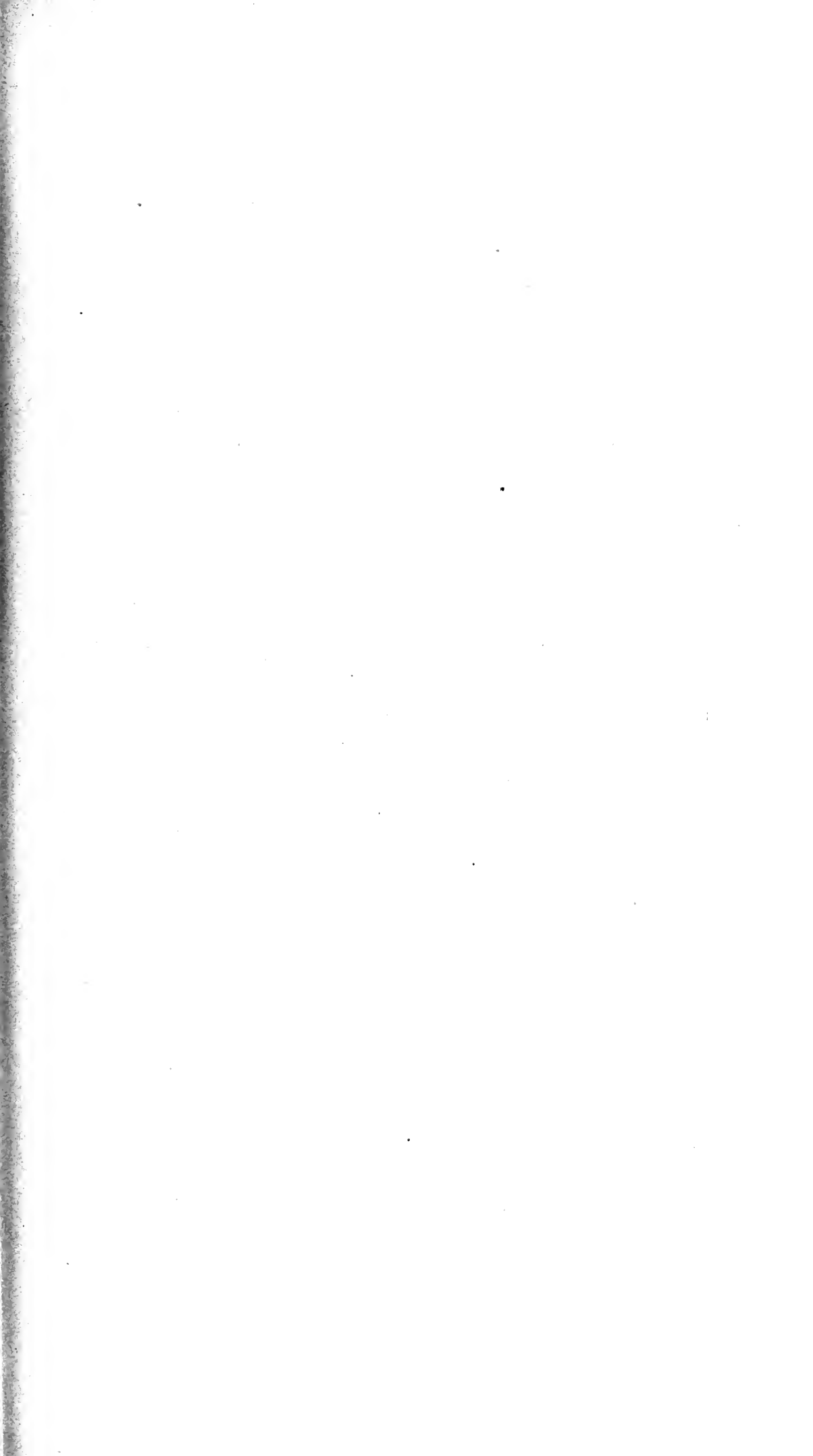
to any boiler explosion shall present a full and clear report to the Commissioner of Public Works, stating the cause of the explosion, and all the circumstances attending the same, as shown by the evidence, adding thereto any observation thereon, or on the evidence, or on any matters arising out of the investigation, which they may think right to make.

Act not to apply to threshing machines, etc.

25. Provided that nothing herein contained shall be deemed to apply or to affect the operations of steam engines or boilers, upon any farm for threshing, or other agricultural purposes.

Fees for inspection.

26. For every inspection and certificate thereof under the provisions of this Act, the inspector shall be entitled to receive from the owner or user of a boiler, a fee of five dollars. If two boilers are inspected at the same time a fee of eight dollars, and if three boilers, are inspected at the same time a fee of ten dollars, and for each additional boiler inspected a fee of two dollars more.



No. 66.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act for the protection of life and property in the use of stationary boilers and engines and the examination and licensing of persons in charge of them.

First Reading, 20th February, 1901.

Mr. CARSCALLEN.

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

An Act respecting Public Schools.

SHORT TITLE, s. 0.	BY-LAWS ALTERING BOUNDARIES, TIME FOR MOVING TO QUASH, s. 00.
INTERPRETATION, s. 0.	URBAN SCHOOL BOARDS, ss. 00-00.
EXISTING ARRANGEMENTS CONTINUED, ss. 0-0.	Election of trustees, ss. 00-00.
PUBLIC SCHOOLS TO BE FREE, s. 0.	Duties of trustees, ss. 00-00.
RELIGIOUS INSTRUCTION, s. 0.	TOWNSHIP ASSESSMENT FOR SCHOOLS, ss. 00-00.
CONTINUATION CLASSES, s. 0.	SCHOOL DEBENTURES—
SCHOOL CORPORATIONS, s. 0.	In rural sections, ss. 00, 00.
BOARDS OF EDUCATION, s. 00.	In urban sections, ss. 00-00.
RURAL PUBLIC SCHOOLS—	TREASURERS OF SCHOOL MONEYS, s. 00.
School sections, s. 00.	TEACHERS—
Election of trustees, ss. 00-00.	Duties, s. 00.
Organization and duties of Board, s. 00.	Agreements with, s. 00.
Secretary-treasurer, ss. 00, 00.	Certificates to, s. 00.
Requisites of valid corporate acts, s. 00.	COUNTY BOARDS OF EXAMINERS, s. 00.
Admission of pupils at urban schools, s. 00.	COUNTY MODEL SCHOOLS, s. 00.
Auditors, ss. 00-00.	TEACHERS' INSTITUTES, s. 00.
SECTIONS IN UNORGANIZED TOWNSHIPS, ss. 00-00.	INSPECTORS, ss. 00, 00.
ASSESSMENT ROLLS, ss. 00, 00.	ALLOWANCES TO ARBITRATORS AND INSPECTORS, s. 00, 00.
COLLECTOR, s. 00.	SUPERANNUATION, ss. 00-00.
TOWNSHIP BOARDS, ss. 00, 00.	NON-RESIDENT PUPILS, s. 00.
RURAL SCHOOL SITES, ss. 00-00.	HOLIDAYS, s. 00.
ALTERATION OF SCHOOL BOUNDARIES, s. 00.	AUTHORIZED BOOKS, s. 00.
APPEALS RESPECTING SCHOOL BOUNDARIES, ss. 00-00.	APPEALS FROM DIVISION COURT DECISIONS, s. 00.
UNION SCHOOL SECTIONS, ss. 00-00.	SCHOOL VISITORS, s. 00.
UNIONS WITH URBAN MUNICIPALITIES, ss. 00, 00.	PENALTIES AND PROHIBITIONS, ss. 00-000.
EQUALIZATION OF UNION SCHOOL ASSESSMENTS, s. 00.	Recovery of penalties, s. 000.
	CONFIRMING AND SAVING CLAUSES, s. 000.

NOTE.—All additions to or amendments of the Revised Statute are in italics. Proposals now introduced for the first time are marked "new."

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as "*The Public Schools Act*," R.S.O. Short title. 5 1897, c. 292, s. 1.

2. Where the words following occur in this Act, they shall Interpretation. be construed in the manner hereinafter mentioned, unless a contrary intention appears.

- “Teacher.” 1. “Teacher” shall mean any person holding a legal certificate of qualification;
- “County.” 2. “County” shall include a union of counties;
- “Township.” 3. “Township” shall include unions of townships made for municipal purposes; 5
- “School site.” 4. “School site” shall mean such area of land as may be necessary for the school house, teacher’s residence, caretaker’s residence, offices and playgrounds connected therewith;
- “School section.” 5. “School section” shall mean the municipality or any portion thereof, or any portion of two or more municipalities under one public school corporation; 10
- “Owner.” 6. “Owner” shall include a mortgagee, lessee or tenant, or other person entitled to a limited interest, and whose claims may be dealt with by arbitration as herein provided;
- “Ratepayer.” 7. “Ratepayer” shall mean any person entered on the last revised assessment roll of the school section for public school rates; 15
- “Board of trustees.” 8. “Board of trustees” shall include a board of education in all cases of a union between public and high school trustees
- “Urban municipality.” 9. “Urban municipality” shall mean a city, town or incorporated village. 20
- “The Municipal Act.” 10. “The Municipal Act” shall mean *The Municipal Act*, as amended from time to time by the Legislature of this Province. R.S.O. 1897, c. 292, s. 2.
- Application of regulations. 3. All regulations made under the *The Education Department Act*, shall apply to any matter or thing in this Act contained, so far as the same are consistent with this Act, though not specially referred to in any section thereof. R.S.O. 1897, c. 292, s. 3. 25
- No rate on supporters of Roman Catholic separate schools. 4. Nothing in this Act authorizing the levying or collecting of rates on taxable property for public school purposes shall apply to the supporters of Roman Catholic separate schools. R.S.O. 1897, c. 292, s. 4. 30
- Existing school arrangements continued. 5. All boards of education, and all public school sections or other public school divisions, together with all elections of trustees and appointments to office, all agreements, contracts, assessments, and rate-bills heretofore duly made in relation to public schools, and existing when this Act comes into force shall continue subject to this Act. R.S.O. 1897, c. 292, s. 5. 35

PUBLIC SCHOOLS TO BE FREE.

40

- Public schools to be free. 6. All schools established under this Act shall be called public schools and shall be free schools, and every person between the age of five and twenty-one years shall have

the right to attend some school. Pupils may attend kindergarten schools from four to seven years of age, subject to such fees as to the trustees may seem expedient. R. S. O. 1897, c. 292, s. 6.

5

RELIGIOUS INSTRUCTION.

7. No person shall require any pupil in any public school to read or study in or from any religious book, or to join in any exercise of devotion or religion, objected to by his or her parents or guardians. Religious exercises.

- 10 (2) Pupils shall be allowed to receive such religious instructions as their guardians or parents desire, according to any regulations provided for the organization, government and discipline of public schools. R. S. O. 1897, c. 292, s. 7.

CONTINUATION CLASSES.

- 15 8. *The school corporation of any municipality or section in which there is no high school shall have power to establish in connection with the public school over which it has jurisdiction, such courses of study in addition to the courses already provided for the fifth form of public schools as may be approved by the regulations of the Education Department. The classes established under such courses shall be known as "Continuation Classes."* Continuation classes where there is no high school.

- (2) *The trustees of any number of public school corporations, may, by mutual agreement, determine that continuation classes shall be conducted in one only of the schools under the jurisdiction of the corporations entering into such agreement, and in all such cases the trustees shall have the same power to provide, by rates levied on the taxable property of their respective sections, for the tuition of pupils attending such continuation classes as they possess under this Act for the tuition of pupils attending the schools under their immediate jurisdiction.* Grouping of schools.

- (3) *No pupil shall be admitted to the course prescribed for continuation classes who has not passed the entrance examination to a high school or some higher examination, or whose qualifications for admission have not been approved by the principal of the school and the public school inspector of the district in which the school is situated.* Qualification for continuation classes.

- (4) *Non-resident pupils and all other pupils who have completed the course of study prescribed for the fifth form of public schools whether resident or non-resident, may be charged such fees as the trustees may deem expedient.* Fees of pupils.

- (5) *Any teacher who at the date of this Act, holds the position of principal of any school in which a continuation class has been established shall be deemed a qualified teacher of such school, but every teacher appointed principal after the date of* Qualification of principals.

this Act whose classes consist entirely of pupils who have passed the Entrance examination shall be the holder of at least a first-class certificate.

Legislative
and county
grants.

(6) *The Minister of Education shall apportion among the schools conducting continuation classes, such sums of money as may be appropriated by the Legislature, subject to the regulations of the Education Department. The municipal council of the county shall pay for the maintenance of such classes a sum equal to the legislative grant appropriated by the Minister of Education for such class and any further sums the municipal council may deem expedient.* 62 V. (2) c. 36, s. 1. 5 10

The above section was introduced into the Revised Statute by s. 1 of c. 36 of the Acts of 1899, p. 154. It is printed without alteration so far as it relates to Public Schools. The section also applies to Separate Schools. 15

Appointment
of instructors
in agriculture.

9. *The council of every municipality may, subject to the regulations of the Education Department, employ one or more persons holding the Degree of Bachelor of the Science of Agriculture or a certificate of qualification from the Ontario Agricultural College, to give instruction in agriculture in the separate, public and high schools of the municipality, and the council shall have power to raise such sums of money as may be necessary to pay the salaries of such instructors, and all other expenses connected therewith. Such course of instruction shall include a knowledge of the chemistry of the soil, plant life, drainage, the cultivation of fruit, the beautifying of the farm, and generally all matters which would tend to enhance the value of the products of the farm, the dairy and the garden.* 20 25

(2) *The trustees of any public school or any number of boards of such trustees, may severally or jointly engage the services of any person qualified as in the preceding section for the purpose of giving similar instruction to the pupils of their respective schools, providing always that such course of instruction shall not supersede the instruction of the teacher in charge of the school, as required by the regulations of the Education Department.* 30 35

Course in
agriculture to
be open to all
residents.

(3) *As far as practicable, the course of lectures in agriculture by such temporary instructor shall occupy the last school period of each afternoon and shall be open to all residents of the school section or municipality.* 63 V. (2) c. 36, s. 13. 40

The above section is section 13 of c. 36 of the Acts of 1899, p. 157. It is printed here so far as it relates to the Public Schools. It appears also in the High Schools Bill so far as it relates to High Schools, and is unrepealed as far as it relates to Separate Schools. 45

Trustees to be
a corporation.

10. *The trustees of every school section shall be a corporation under the name of "The Board of Public School Trustees*

for School Section of the Township of in the
County of " , as the case may be.

(2) For every rural school section there shall be three trustees, each of whom, in rotation, shall hold office for three years, and until his successor has been elected. The persons qualified to be elected trustees shall be such persons as are British subjects and resident ratepayers or farmers' sons, within the meaning of *The Municipal Act* of the full age of twenty-one years, not disqualified under this Act.

Trustees,
term of office
of.

Trustees,
qualification
of.
R. S. O. 1897,
c. 223.

(3) No school corporation shall cease to exist by reason of the want of trustees, but in case of such want any two ratepayers of the section, or the inspector, may, by giving six days' notice, to be posted in at least three of the most public places of the section, call a meeting of the ratepayers, who shall proceed to elect three trustees, in the manner prescribed in section 13 and the following sections of this Act; and the trustees thus elected shall hold office in the manner prescribed by this Act.

Corporation
not to cease
by want of
trustees.

Tenure
office.

(4) Where the ratepayers of any school section, for two years neglect or refuse to elect trustees, the municipal council of the township may appoint trustees for the said school section, who shall hold office for the same term as if elected by the ratepayers; or the municipal council may by by-law declare such section dissolved, and shall (in case of dissolution) attach the same, in such proportions as they may deem expedient, to adjoining sections. The assets of every section so dissolved shall be disposed of as may be determined by the municipal council. R. S. O. 1897, c. 292, s. 9.

Council may
appoint trust-
tees when no
election.

Dissolution of
school section
on non-elec-
tion of trust-
tees.

BOARDS OF EDUCATION.

11. The trustees of any public and high school may unite, as provided in *The High Schools Act* for the management of the public and high schools of any municipality as one corporation, under the name "The Board of Education for the city, town, incorporated village or township of" (*as the case may be*). Boards of education shall have the powers of both public and high school trustees. R. S. O. 1897, c. 292, s. 10.

Unions of
public and
high school
boards.

RURAL PUBLIC SCHOOLS.

12.—The municipal council of every township (except where township boards have been established), shall subdivide the township into school sections, so that every part of the township may be included in some section, and shall distinguish each section by a number; provided that no section formed hereafter shall include any territory distant more than three miles in a direct line from the school-house.

School
sections in
townships.

Assessors to value lands situated in each section.

(2) Where the land or property of any individual or company is situated within the limits of two or more school sections, the parts of such land or property so situated shall be assessed and returned upon the assessment roll separately, according to the divisions of the school sections within the limits of which such land or property is situate. 5

Area of new school sections.

(3) No section shall be formed which contains less than fifty children, between the ages of five and twenty-one years, whose parents or guardians are residents of the section, unless such section is more than four square miles in area, except in cases where such area cannot be obtained because of lakes or other natural obstacles. 10

Township clerk to prepare maps of school sections.

(4) It shall be the duty of every township clerk to prepare in duplicate, a school map of the township, showing the divisions of the township into school sections and parts of union school sections; to furnish one copy of such map to the county clerk, for the use of the county council, and retain the other in the township clerk's office, for the use of the township corporation. 15

Proceedings on formation of new school section.

(5) Where a new school section is formed in any township the clerk of the township shall cause notice of the first annual meeting to be posted in three of the most public places in the new section, at least six days before the last Wednesday in December, in the year in which such new section was formed; and the first meeting in every new school section shall be held at the same time and conducted in the same manner as the annual meeting in organized school sections. 20

Term of office of trustees, first election.

(6) At the first meeting in every new section the first trustee elected shall hold office for three years, the second for two years and the third for one year. In case of a poll being taken the trustees shall rank in seniority according to the number of votes polled. The casting vote of the chairman shall be counted as a vote in case of a tie. R. S. O. 1897, c. 292, s. 11. 25

Who may vote on school questions.

13. Every ratepayer, of the full age of twenty-one years, who is a public school supporter of the section for which such person is a ratepayer and every person qualified to vote as a farmer's son under *The Municipal Act* shall be entitled to vote at any election for school trustee, or on any school question whatsoever. R. S. O. 1897, c. 292, s. 12. 30

R.S.O. 1897, c. 223.

ANNUAL MEETING OF RATEPAYERS.

Annual meeting, when held.

14.—A meeting of the ratepayers of every section shall be held annually on the last Wednesday of December, or if such Wednesday be a holiday, then on the next day following, commencing at the hour of ten o'clock in the forenoon, for the purpose (among other things) of electing a school trustee or trustees. 35

(2) In case, from the want of proper notice or other cause, any first or annual school meeting was not held at the proper time, the inspector, or any two ratepayers in the section may call a school meeting, by giving six days' notice, to be posted in at least three of the most public places in the school section; and the meeting thus called shall possess all the powers and perform all the duties of the meeting in the place of which it is called.

Meetings to be called in default of first or annual meeting.

(3) The ratepayers of a school section present at any school meeting shall elect one of their own number as chairman to preside over its proceedings, and shall also appoint a secretary, who shall record the minutes of the meeting, and perform such other duties as may be required of him by this Act.

Order of business.

(4) The chairman shall submit all motions to the meeting in the manner desired by the majority. In case of an equality of votes, he shall give the casting vote but no other vote. He shall decide all questions of order, subject to an appeal to the meeting.

Chairman, duties of.

(5) The business of every school meeting may be conducted in the following order:—(a) receiving the annual report of the trustees, and disposing of the same; (b) receiving the annual report of the auditor or auditors, and disposing of the same; (c) electing an auditor for the ensuing year; (d) miscellaneous business; (e) instructing the trustees by resolution, if deemed expedient, to insure the school buildings and furniture; (f) fixing the remuneration if any to be paid the secretary-treasurer for attending to repairs and other duties assigned him by the board of trustees; (g) electing a trustee or trustees to fill any vacancy or vacancies. R. S. O. 1897, c. 292, s. 13.

Order of business.

ELECTION OF RURAL SCHOOL TRUSTEES.

15.—A poll may be demanded by any two ratepayers at any meeting for the election of trustees, or for the settlement of any school question, and such poll shall be granted by the chairman forthwith, if demanded, within ten minutes after the vote of the meeting has been declared from the chair.

Poll to be granted on application of two ratepayers.

PUBLIC SCHOOLS.

(2) When a poll is granted for the election of a trustee the secretary shall enter in a poll-book, in separate columns, the names of the candidates proposed and seconded at the nomination, and shall, opposite to such columns, write the names of the ratepayers offering to vote at the election within the time prescribed by this Act, and shall, in the column on which is entered the name of a candidate voted for by a voter, set the figure '1' opposite the voter's name, with the residence of the voter.

Proceeding in case of a poll.

- Entries in poll-book. (3) When a poll is granted upon any public school question the name of each voter shall be similarly placed in separate columns, marked "for" or "against."
- When voter is objected to. (4) In case objection is made to the right of any person to vote at any school meeting, the chairman of the meeting, or other presiding officer (if the name of such person appears on the assessment roll relating to such section) shall require such person to make the following declaration or affirmation: 5
- Declaration. (1) I, *A. B.*, do declare and affirm that I am an assessed ratepayer (or farmer's son entitled to vote under *The Municipal Act*) in school section No. 10
- (2) That I am of the full age of 21 years ;
- (3) That I am a supporter of the public school in said school section No.
- (4) That I have the right to vote at this election.
- Whereupon the person making such declaration shall be entitled to vote. 15
- When poll shall close. (5) The poll at every election of a rural school trustee or on any school question, shall not close before twelve o'clock noon, but may close at any time thereafter when a full hour has elapsed without any vote having been polled, and shall not be kept open later than four o'clock in the afternoon of the day on which the election or voting is commenced; and when the poll is closed the chairman and secretary shall count the votes polled for the respective candidates or for the school question submitted, as the case may be, and shall declare the candidate elected for whom the highest number of votes was polled, and in case the majority of votes is cast in favour of the adoption of the school question submitted, he shall declare the same adopted. In case of a tie the chairman shall give the casting vote. 20 25 30
- Copy of minutes to be sent to inspector. (6) A correct copy of the minutes of the first and of every annual and of every special school meeting, and a copy of the poll-book where a poll has been taken (all of which shall be signed by the chairman and secretary), shall be forthwith transmitted by the chairman of the meeting to the county inspector. 35
- Acceptance of office by trustees. (7) The secretary of every school meeting at which any person or persons were elected as school trustees shall forthwith notify in writing each of such persons of his election, and every person so notified shall be considered as having accepted such office unless a notice to the contrary effect has been delivered by him to the chairman of the meeting, within twenty days after the date of the election. 40
- Complaints as to elections. (8) When complaint is made to the inspector by any ratepayer that the election of a trustee, or that the proceedings or any part thereof of any school meeting, have not been in conformity with this Act, the inspector shall investigate the same, and confirm or set the election or proceedings aside, and appoint the time and place for a new election, or for the 45

reconsideration of the school question at issue, but no complaint in regard to any election or proceeding at a school meeting shall be entertained by any inspector unless made to him in writing within twenty days after the holding of the election or meeting.

(9) *It shall be the duty of the municipal clerk to supply a list of the persons qualified to vote in any school section when required by the board of trustees or by the public school inspector in the case of any investigation or dispute with regard to the election of a school trustee. R.S.O. 1897, c. 292, s. 14; 62 V. (2) c. 36, s. 2.*

Clerk to supply list of school voters.

Ss. 9 is added to the Revised Statute by s. 2 of c. 36 of the Acts of 1899, p. 155. It is printed without alteration.

16. A trustee elected to fill a vacancy shall hold office only for the unexpired term of the person in whose place he has been elected. A trustee of a rural school section may resign with the consent, expressed in writing, of his colleagues in office. A retiring trustee may be re-elected with his own consent, otherwise he shall be exempted from serving for four years next after leaving office. R.S.O. 1897, c. 292, s. 15.

Term of vacancies.

Trustees may resign.

Re-election of any trustee lawful.

ORGANIZATION OF THE BOARD.

17.—Every board of rural school trustees shall hold its first meeting at the school house of the section over which it has jurisdiction, on the Wednesday following the annual meeting, at the hour of 4 o'clock in the afternoon and shall be organized by the election of a chairman, a secretary and a treasurer or a secretary-treasurer. A majority of the board shall form a quorum.

Organization of board.

(2) It shall be the duty of the board of trustees at its first meeting to examine the school house, outbuildings and school furniture, maps and apparatus, with a view to ascertain what repairs or improvements may be necessary, and to make suitable provision for lighting fires and keeping the school house and premises in a cleanly and sanitary condition by appointing some person for that purpose. Subsequent meetings shall be held as the board may deem expedient. R. S. O. 1897, c. 292, s. 16.

Inspection of school property at first meeting of board.

18.—The treasurer or secretary-treasurer, who may be a member of the board, shall give such security as may be required by a majority of the trustees—such security to be deposited with the clerk of the municipality;

Security to be given by secretary-treasurer.

(2) The treasurer or secretary-treasurer shall receive all school moneys collected from the ratepayers or other persons and shall account for the same and shall disburse all moneys as directed by the trustees. He shall produce when called for by the trustees, auditors or other competent authority, all papers and money belonging to the corporation.

(3) Where the majority of a board of trustees refuse or neglect to take security from the treasurer or secretary-treasurer on the demand of any trustee (such demand being duly entered on the minutes) such trustee shall be relieved from all personal liability in case of the default of such officer. 5

Compensation of secretary-treasurer.

(4) The secretary or secretary-treasurer may be allowed such compensation for his services or for attending to the repairs of the schoolhouse or premises as shall be agreed upon by resolution of the annual meeting duly entered on the minutes. R. S. O. 1897, c. 292, s. 17. 10

Duties of secretary-treasurer.

19. It shall be the duty of the secretary or secretary-treasurer :—

Minutes of meetings.

1. To keep a full and correct record of the proceedings of every meeting of the board in the minute-book provided by the trustees for that purpose, and to see that the minutes, when confirmed, are signed by the chairman or presiding trustee ; 15

Calling special meetings.

2. To call, at the request in writing of two trustees, or on the petition of ten ratepayers, a special meeting of the board of trustees ;

Names and addresses of trustees and teachers to be given to township clerk.

3. To give notice in writing, before the 15th day of January in each year, to the inspector and to the clerk of the township, of the names and post-office addresses of the several trustees then in office, and of the teachers employed by them, and to give reasonable notice in writing from time to time of any changes therein ; 25

Filling vacancies in board.

4. To give the notice required by this Act of each annual school meeting of the ratepayers of the section ; to call a special meeting of the ratepayers when directed by the trustees, or on the petition of ten ratepayers, for filling any vacancy in the board of trustees occasioned by death, removal, or other cause ; or for the selection of a new school site ; or the appointment of a school auditor ; or any other lawful school purpose ; and to cause notices of the time and place, and of the objects of such meeting, to be posted in three or more public places in the section, at least six days before the time of holding such meeting ; 35

Notice.

Report at annual meeting.

5. To cause to be prepared for the annual meeting of the ratepayers, a report for the year then ending, containing, among other things, a summary of the proceedings of the trustees during the year, together with a detailed account of all school moneys received and expended on behalf of the section, for any purpose whatsoever, during such year. Such report shall be signed by the trustees and by either or both of the school auditors of the section ; 40

Annual and semi-annual returns.

6. To transmit to the inspector all returns on or before the fifteenth day of January in each year according to the forms prescribed by the Education Department. R. S. O. 1897, c. 292, s. 18. 45

20. No act or proceeding of a rural school corporation which is not adopted at a regular or special meeting at which at least two trustees are present shall be valid or binding on any person affected thereby, unless notice of such meeting has been given to the trustees by the secretary, or by one of the trustees to the others, either personally or in writing, and a minute of such act or proceeding is made in writing and signed by two of the trustees. R. S. O. 1897, c. 292, s. 19.

Corporate acts must be adopted at lawful trustee meetings.

21. The ratepayers of any rural school section may by resolution at the annual or any special meeting, authorize the trustees to provide for the admission of the pupils of such section to the schools of any adjoining city or town, subject to the approval of the Minister of Education and the trustees of such city or town, and such arrangement so approved shall be taken in lieu of the accommodation which trustees are required by this Act to make for the pupils of the section, and as a public school within the meaning of section 66 of this Act. In such cases it shall be lawful for the trustees to levy and collect upon the taxable property of the section such sums as may be necessary to pay the fees of pupils attending the schools of the city or town, and also such other sums as they may deem expedient, or as may be required by this Act. The average attendance of the pupils belonging to such section at such schools shall be taken by the inspector as the basis on which to divide any grants authorized by the Legislature to be paid to the township to which such section belongs. R. S. O. 1897, c. 292, s. 20.

Providing for admission of pupils from rural school section to urban schools.

AUDITORS.

22.—Every board of rural school trustees shall, on or before the first day of December, appoint an auditor, and in case of their neglect, or the neglect of the ratepayers at an annual or special meeting to do so, or in case of an auditor being appointed or elected who refuses, or is unable to act, then the inspector shall at the request in writing of any two ratepayers make the appointment.

Appointment of auditors.

(2) The trustees, or their secretary-treasurer shall lay all their accounts before the school auditors of the section, or either of them, together with the agreements, vouchers, contracts and books in their possession, and the trustees or their secretary-treasurer, shall afford to the auditors, or either of them, all the information in their or his power as to the receipts and expenditure of school moneys.

Trustees and secretary-treasurer to lay accounts, etc., before auditors.

(3) The auditors appointed, or one of them, shall, on or immediately after the first day of December in each year, appoint a time, before the day of the next ensuing annual school meeting, for examining the accounts of the school section. R. S. O. 1897, c. 292, s. 21.

Time of audit.

Duties of
auditors.

23. It shall be the duty of the auditors of every school section :—

1. To examine into and decide upon the accuracy of the accounts of the section, and whether the trustees have duly accounted for and expended for school purposes the moneys received by them, and to submit the said accounts, with a full report thereon at the next annual school meeting. 5

2. In case of difference of opinion between the auditors on any matter in the account, it shall be referred to and decided by the county inspector. 10

3. If both of the auditors object to the lawfulness of any expenditure made by the trustees, they shall submit the matters in difference to the annual meeting, which may either determine the same, or submit the matter to the Minister of Education, whose decision shall be final. R. S. O. 1897, c. 292, s. 22. 15

Powers of
auditors.

24. It shall be competent for the auditors or one of them :—

(1) To require the attendance of all or any of the persons interested in the accounts, and of their witnesses, with all such books, papers, and writings as the auditor or auditors may direct them, or either of them, to produce ; and to administer oaths to such persons and witnesses. 20

(2) To issue their or his warrant to any person named therein, to enforce the collection of any moneys by them awarded to be paid ; and the person named in the warrant shall have the same power and authority to enforce the collection of the moneys mentioned in the said warrant, with all reasonable costs by seizure and sale of the property of the party or corporation against whom the same has been issued, as any bailiff of a division court has in enforcing a judgment and execution issued out of such court. 25 30

(3) The auditors shall remain in office until their audit is completed. R. S. O. 1897, c. 292, s. 23.

SECTIONS IN UNORGANIZED TOWNSHIPS.

Formation of
school sections.

25. In unorganized townships in any county or district the public school inspector of the county or district may form a portion of a township, or of two or more adjoining townships, into a school section. 35

Limits of section.

(2) No section shall, in length or breadth, exceed five miles in a straight line, and, subject to this restriction, the boundaries may be altered by the inspector from time to time, and the alteration shall go into operation on the 25th day of December thereafter ; provided no school section shall be formed except on the petition of five heads of families resident therein. 40 45

(3) Any person whose place of residence is at a distance of more than three miles in a direct line from the site of the schoolhouse of the section shall be exempt from all rates for school purposes, unless a child of such ratepayer attends such school; but this exemption shall not apply to lands liable to taxation for school purposes owned by such person within the distance of three miles. Exemption from rates on account of distance.

(4) After the formation of a school section, it shall be lawful for any two of the petitioners, by notice posted for at least six days in not less than three of the most public places in the section, to appoint a time and place for a meeting for the election, as provided by law, of three school trustees for the section. Election of school trustees.

(5) The trustees elected at such meetings, or at any subsequent school meetings of the section, as provided by law, shall have the powers and be subject to all the obligations of public school trustees generally. R. S. O. 1897, c. 292, s. 24. Trustees' powers and obligations.

REVISION OF ASSESSMENT ROLLS.

26. The secretary-treasurers of all boards of public school trustees in unorganized townships shall be, *ex officio*, members of a court of revision, and three of them, acting together, shall be a legally constituted court for the revision and correction of school section assessment rolls, and for the hearing and settlement of any appeals against the same. The members of such court shall be paid reasonable travelling expenses by their respective boards of trustees for attendance as a court of revision. Court of Revision.

(2) The inspector of schools for the district shall divide the school sections into groups of three sections in every group, or as near thereto as practicable, and shall notify the secretary-treasurers of the sections concerned of the group to which they respectively belong. Such grouping may be changed from year to year as the inspector may direct. Sections to be divided into groups.

(3) In every case where from the sparseness of settlements, it would be inconvenient for a court of revision as herein constituted to meet for the revision and equalization of the assessment roll, it shall be lawful for the inspector, on the request of any board of trustees, to assume the functions of such court of revision for the section on behalf of which such request is made, whereupon he shall be the court of revision for such section and all the proceedings of the inspector in the matter of the revision or correction of the assessment roll, shall be subject to the provisions of this Act, and shall have the same effect as if made in a court of revision constituted under the preceding subsection. R. S. O. 1897, c. 292, s. 25. When inspector to act as court of revision.

27. The trustees of all school sections in unorganized townships shall, annually, appoint a duly qualified person to make out an assessment roll for the section, the secretary- Annual assessment roll.

treasurer of which shall submit a certified copy of the same to the proper Court of Revision for the correction of errors or improper entries that may be found therein.

Assessor to
make oath.
R.S.O. 1897,
c. 224.

(2) The person appointed for preparing such assessment roll shall be subject to the provisions of *The Assessment Act* with regard to the equitable rating of all taxable property in such school section, and shall, before returning his assessment roll to the secretary of the school section, attach thereto a certificate signed by him and verified upon oath or affirmation according to the form prescribed in *The Assessment Act*. 5 10

Appeal
against assess-
ment.

(3) A copy of the roll as corrected shall be open to inspection by all persons interested, at some convenient place in the section, notice whereof, signed by the secretary-treasurer of the section, shall be annually posted in at least three of the most public places in the section, and shall state the place and the time at which the court will hear appeals against the said assessment roll, and such notice shall be posted as aforesaid by the trustees for at least three weeks prior to the time appointed for hearing the appeals. 15

Manner of
appeal.

(4) All appeals shall be made in the same manner and after the same notice, as nearly as may be, as appeals are made to a court of revision in the case of ordinary municipal assessments, and the court of revision, as constituted according to section 25, shall have the same powers as ordinary municipal courts of revision. 20 25

Confirmed roll
binding.

(5) The annual roll, as finally passed and signed by the chairman of the court of revision, shall be binding upon the trustees and ratepayers of the section, until the annual roll for the succeeding year is passed and signed as aforesaid.

Appeals in
unorganized
townships.

(6) Where any township under the jurisdiction of a township board is unorganized, appeals against its certified assessment roll, shall be made to the Stipendiary Magistrate or Judge of the district or county. 30

Union school
sections.

(7) In forming union school sections between and out of an organized township municipality and an unorganized township or locality within any territorial or judicial district, it shall be lawful for such union school section to be formed or altered according to the provisions of this Act, except that the inspector shall act for the unorganized township or locality, and the reeve of the organized township for his township. 35 40
R.S.O. 1897, c. 292, s. 26.

Schools in
unorganized
townships.

28. In any portion of the Province not surveyed into townships, the inhabitants thereof who are twenty-one years of age, may at a public meeting called for that purpose, elect three of their number to serve as public school trustees, and the trustees so elected shall have all the powers of trustees in unorganized townships, and shall in all other respects be subject to the provisions of this Act. 45

(2) On receipt of notice by the Education Department signed by the trustees so elected, that a public school has been established and suitable accommodation provided for public school purposes, the Minister of Education may pay over to the 5 trustees out of the appropriation made by the Legislature for public schools such sum of money for their maintenance as may be approved by the Lieutenant Governor in Council. R.S.O. 1897, c. 292, s. 27.

Notice to the
Minister of
Education.

29. The trustees may appoint some fit and proper 10 person, or one of themselves, to collect the rates imposed by them upon the ratepayers of their school section, or the sums which the inhabitants or others may have subscribed, or a rate-bill imposed on any person; and may pay to such collector at the rate of not less than five, or more than 15 ten per centum on the moneys collected by him; and every collector shall give such security as is satisfactory to the trustees, which security shall be lodged for safe keeping with the inspector by the trustees.

Appointment
and duties of
school col-
lector.

(2) Every collector shall have the same powers in collecting 20 the school rate, rate-bill, or subscriptions, and shall be under the same liabilities and obligations, and proceed in the same manner in the school section or township, as a township collector in collecting rates in his township, as provided in the municipal and assessment Acts from time to time in force. 25 R.S.O. 1897, c. 292, s. 28.

Powers and
liabilities of
school col-
lector.

TOWNSHIP BOARDS.

30. In districts composed of more than one township, but without county organization, it shall be optional with the municipal councils thereof to form portions of the town- 30 ships comprising the district into school sections, or to establish a board of public school trustees, two members being elected for each ward, and if not divided into wards, two for each township thereof, and such board shall possess all the powers and duties of township boards, and shall also, upon the 35 petition of at least five heads of families, provide school accommodation and a teacher for their children and others. R.S.O. 1897, c. 292, s. 29.

Boards in mu-
nicipalities
without
county organi-
zation.

31. In case twenty ratepayers in more than one-half of the school wards of the township petition the township council 40 to submit a by-law to the vote of the ratepayers of the township for the repeal of any by-law under which a township school board was established a by-law shall be submitted to such vote accordingly, and the proceedings shall be in conformity with *The Municipal Act*, except that the vote shall 45 not be by ballot; and in case in the majority of such wards the majority of the votes are for such repeal, the township council shall pass a by-law to disestablish such township school board, and form school sections instead thereof; but no repeal

Petition for
repeal of by-
law and for
reforming
sections.

R.S.O. 1897,
c. 223.

shall take effect until the twenty-fifth day of the month of December next following the voting upon the by-law for that purpose.

Adjusting claims.

(2) The council shall, in the same or by another by-law, appoint the inspector jointly with two other competent persons, not residents of the township, and they or any two of them shall, in a report to the council, value the schoolhouses, school sites, and other school property which may thereupon become the property of each school section, and shall also adjust and settle the respective rights and claims consequent on such repeal between the respective school sections, or between any school section, and the township, and all payments to be made by or to any of them. R.S.O. 1897, c. 292, s. 30. 5 10

Commissions to readjust school sections in sparsely settled districts.

32. *On the report of any public school inspector that the attendance at the schools in the outlying and sparsely settled portions of his inspectorate is so small as to justify the consolidation of two or more of such sections with a view to the transportation of the pupils to some central school thereafter to be determined upon, the Lieutenant-Governor-in-Council may appoint a commission of not more than three persons, of whom the public school inspector shall be one, whose duty it shall be to re-arrange such school sections, having regard to the settlements and the facilities for transportation in order that the number of sections may be reduced and the pupils conveyed from their homes to school in the most convenient manner.* 15 20 25

Publication of report and voting thereon.

(2) *On the receipt of the report of the commission, the Lieutenant-Governor in Council may cause the same to be published in the sections to be affected by such consolidation in such manner as may be deemed expedient and on a day to be fixed by the said Lieutenant-Governor, the ratepayers shall vote "yea" or "nay" on said report.* 30

Adoption of report and rearrangement of sections.

(3) *If a majority of the ratepayers vote "yea" then the boundaries of the section so settled shall be the legal boundaries of the school sections concerned from and after the 25th day of December next following such vote, until altered as provided by this Act* 35

(4) *The ratepayers of the sections so formed shall, on the date fixed by this Act for the annual meeting of rural sections, meet and elect three trustees for the sections so formed as in the case of the organization of new sections under this Act.* 40

(5) *It shall be the duty of the trustees in the case of all sections formed as herein provided, in addition to the other duties imposed by this Act, to provide for the transportation of all pupils to and from school who reside more than one-half mile from such school, and the trustees shall have power* 45

to levy and collect the cost of such transportation as other expenses of the section are levied and collected 62 V. (2) c. 36, s. 14.

The above section with s.s. (2), (3), (4) and (5) are s. 14 of 5 c. 36 of the Acts of 1899, p. 158. They are printed without alteration.

33. The trustees of any public school in the unorganized townships of the Territorial Districts of Algoma, Nipissing, Parry Sound and Muskoka may issue debentures, for the purchase of a school site and the erection of a school-house, paying in ten equal annual instalments, or such other sums as the trustees may deem expedient, providing always that the proposal to issue such debentures has been sanctioned, by resolution, at a special meeting of the ratepayers of the section; such debentures shall be signed by the trustees of the section, and sealed with the corporate seal, and shall be a charge upon the assessable property of the school section. The debentures shall, as near as may be, comply with Form A prescribed by this Act. 62 V. (2) c. 36, s. 15.

Issuing debentures for school sites and houses in certain districts.

The above section is s. 15 of c. 36 of the Acts of 1899, p. 158. It is printed without alteration.

RURAL SCHOOL SITES.

34. The trustees of every rural school section shall have power to select a site for a new schoolhouse or to agree upon a change of site for an existing schoolhouse, and shall forthwith call a special meeting of the ratepayers of the section to consider the site selected by them; and no site shall be adopted, or change of school site made, except in the manner hereinafter provided, without the consent of the majority of such special meeting.

New sites.

(2) In case a majority of the ratepayers present at such special meeting differ as to the suitability of the site selected by the trustees, each party shall then and there choose an arbitrator, and the county inspector, or, in case of his inability to act, any person appointed by him to act on his behalf, shall be a third arbitrator; and such three arbitrators, or a majority of them present at any lawful meeting, shall have authority to make and publish an award upon the matter submitted to them.

When trustees and ratepayers differ as to site.

Award.

(3) With the consent, or at the request of the parties to the reference, the arbitrators, or a majority of them, shall have authority, within one month from the date of their award, to reconsider such award and within two months thereafter to make and publish a second award, which award (or the previous one, if not reconsidered by the arbitrators) shall be binding upon all parties concerned for at least five years from the date thereof. R. S. O. 1897, c. 292, s. 31.

Reconsideration of award.

Where owner
refuses to sell.

35. If the owner of the land selected for a new school site, or required for the enlargement of school premises, refuses to sell the same, or demands therefor a price deemed unreasonable by the trustees of any section, then such owner and the trustees shall each forthwith appoint an arbitrator, and the arbitrators thus appointed, together with the inspector, or in case of his inability to act, any person appointed by him on his behalf as third arbitrator, or any two of them, shall appraise the damages for such land. 5

Appointment
of arbitrators
—their
powers.

(2) If the majority of the school trustees, or the majority of a public school meeting, neglect or refuse, where there is a difference in regard to the selection of a school site, to appoint an arbitrator, as provided in this Act, or if the owner of land selected as a school site, neglects or refuses to appoint an arbitrator, it shall be competent for the inspector with the arbitrator appointed, to meet and determine the matter; and the inspector in case of such refusal or neglect, shall have a second or casting vote if he and the arbitrator appointed do not agree. 10 15

Proceedings
where an ar-
bitrator is ab-
sent.

(3) If only a majority of the arbitrators appointed to decide any case arising under the authority of this Act are present at any lawful meeting, in consequence of the neglect or the refusal of the other arbitrator to meet them, it shall be competent for those present to make and publish an award upon the matter or matters submitted to them, or to adjourn the meeting for any period not exceeding ten days, and they shall give the absent arbitrator notice of the adjournment. 20 25

Additional
powers of
arbitrator.

(4) The arbitrators aforesaid, or any two of them, shall have the power to hear and determine all claims or rights of incumbancers, lessees, tenants, or other persons, as well as those of the owner in respect of the land required for the purpose of the school site, upon notice in writing to every such claimant or person. 30

Taking land.

(5) Upon the tender of payment of the amount of such damages to the owners or other persons entitled thereto, by the school trustees, or its payment into the High Court under the authority hereinafter conferred, the land may be taken and used for the purpose aforesaid. R. S. O. 1897, c. 292, s. 32. 35

Award to con-
stitute title.

36. Any award for a school site made and published under this Act, if there be no conveyance, shall thereafter be deemed to be the title of the trustees to the land mentioned in it, and shall be a good title thereto against all persons interested in the property in any manner whatever, and shall be registered in the proper registry office on the affidavit of the secretary-treasurer of the board of trustees verifying the same. 40 45

Cost of
arbitration.

(2) The parties concerned in all such disputes shall pay all the expenses incurred in them, according to the award or decision of the arbitrators. R. S. O. 1897, c. 292, s. 33.

37. A school site shall not be selected in a township within a hundred yards of the garden, orchard, pleasure ground or dwelling house of the owner of the site without his consent. Selection of school site.

(2) Any wall or fence deemed necessary by the trustees or Fence.
5 required by the regulations of the Education Department for the enclosure of the school premises shall be erected and maintained by the board of trustees at the expense of the school section.

(3) *It shall not be necessary for the trustees to build a wall* Fences around school property.
10 *or fence along any street or highway for the purpose of enclosing the school premises in any municipality in which a by-law has been passed by the municipal council prohibiting stock from running at large. R. S. O. 1897, c. 292, s. 34; 62 V. (2) c. 36, s. 3.*

15 *Ss. 3 was added to the Rev. Stat. by s. 3 of c. 36 of the Acts of 1899. It is printed without alteration.*

38. Where the area of a school site is less than is required Enlargement of school site.
by the regulations of the Education Department the trustees may, without reference to a special meeting of the ratepayers,
20 enlarge the same, but no such enlargement shall be made in the direction of, or including an orchard, garden or dwelling-house, without the consent of the owner of the land required, unless the school site cannot be otherwise enlarged. R.S.O. 1897, c. 292, s. 35.

25 **39.** All corporations and persons whatsoever, tenants in tail or for life, guardians, executors, administrators, and all other trustees whatsoever, not only for and on behalf of themselves, their heirs and successors, but also for and on behalf
30 of those they represent, whether infants, issue unborn, lunatics, idiots, femmes-coverts, or other person, seised, possessed of or interested in any land, may contract for, sell or convey all or part thereof to school trustees for a school site or an addition to the school site, or for a teacher's residence; and
35 any contract, agreement, sale, conveyance and assurance so made shall be valid and effectual to all intents and purposes whatsoever; and the corporations or persons so conveying are hereby indemnified for what they respectively do by virtue of or in pursuance of this Act. Who may convey school sites.

(2) If the owner of land duly selected for the said purpose Remedy in case of absence of owner.
40 is absent from the county in which the land lies, or is unknown, the trustees may procure from a sworn surveyor a certificate that he is not interested in the matter; that he knows the land and that some certain sum therein named is, in his opinion, a fair compensation for the same; and on filing the said certifi-
45 cate with the Judge of the County Court of the county in which the land lies, accompanied by an affidavit or affidavits which satisfy the Judge that the owner is absent from the

county and that, after diligent inquiry, he cannot be found, the Judge may order a notice to be inserted for such time as he sees fit in some newspaper published in the county; and he may in addition thereto, order a notice to be sent to any person by mail, or may direct service of the same to be effected in such other way as he sees fit. 5

What notice shall contain.

(3) The notice shall contain a short description of the land, and a declaration of the readiness of the trustees to pay the sum certified as aforesaid; shall give the name of a person to be appointed as the arbitrator of the trustees if their offer of that sum is not accepted; shall name the time within which the offer is to be accepted, or an arbitrator named by the owner; and shall contain any other particulars which the County Judge may direct. 10

Arbitrators.

Judge may appoint arbitrator.

(4) If within such time as the Judge directs, the owner does not notify the trustees of the acceptance of the sum offered by them, or notify to them the name of a person whom he appoints as arbitrator, the Judge shall, on the application of the trustees, appoint a sworn surveyor to be sole arbitrator for determining the compensation to be paid for the property. 20
R.S.O. 1897, c. 292, s. 36.

Responsibility of trustees as to compensation.

40. Where land is taken by the trustees without the consent of the owner, the compensation to be paid therefor shall stand in the stead of the land; and after the trustees have taken possession of land, any claim to, or incumbrance upon the same or any portion thereof, shall as against the trustees, be converted into a claim to the compensation or to a proportion thereof, and the trustees shall be responsible accordingly whenever they have paid such compensation or any part thereof to a party not entitled to receive the same, saving always their recourse against such party. 25

In case of incumbrance.

(2) If the trustees have reason to fear any claims or incumbrance, or if any party to whom the compensation or any part thereof is payable refuses to execute the proper conveyance, or if the party entitled to claim the same cannot be found or is unknown to the trustees, or if for any other reason the trustees deem it advisable, they may pay the arbitration and other expenses, and pay the amount of the compensation into the High Court, or in such other manner as the inspector may direct, with interest thereon for six months, and may deliver therewith an authentic copy of the conveyance, or of the agreement or award if there be no conveyance; and such agreement or award shall thereafter be deemed to be the title of the trustees to the land therein mentioned, and shall be a good title thereto against all persons interested in the property in any manner whatever, and shall be registered in the proper registry office on an affidavit of the secretary-treasurer of the board of trustees verifying the same. R.S.O. 1897, c. 292, s. 37. 35 40 45

Payment of compensation money into High Court.

Award to be registered.

ALTERATION OF SCHOOL BOUNDARIES.

41. Every township council shall have power:—

Powers of
Township
Councils.

1. To pass by-laws to unite two or more sections in the same township into one, in case at a public meeting in each
5 section called by the trustees or inspector for that purpose, a majority of the ratepayers present at each of such meetings request to be united ;

Union of ex-
isting sections.

2. To alter the boundaries of a school section, or divide an existing section into two or more sections, or to unite portions
10 of an existing section with another section, or with any new section, in case it clearly appears that all persons to be affected by the proposed alteration, division or union respectively, have been duly notified, in such manner as the council may deem expedient, of the proposed proceeding for this purpose, or of
15 any application made to the council to do so ;

Alteration,
etc., of school
sections.

3. Any such by-law shall not be passed later than the first day of June in any year, and shall not take effect before the 25th day of December next thereafter, and shall remain
20 in force, unless set aside as hereinafter provided, for a period of five years. The township clerk shall transmit forthwith a copy of such by-law and minutes relating thereto to the trustees of every school section affected thereby, and to the public school inspector.

By-law for
altering school
sections.

4. Where part of any school section has been added to a
25 city or town by order of the Lieutenant-Governor in Council, the municipal council in which such section is situated may pass a by-law for the readjustment of the boundaries of the remaining portion of such section, notwithstanding the passing of a by-law within five years affecting the limits of such
30 section or adjoining sections. R. S. O, 1897, c. 292, s. 38.

When part of
section is
added to city
or town.

APPEALS TO COUNTY COUNCIL.

42. A majority of the trustees, or any five ratepayers of any one or more of the school sections concerned, may within
35 twenty days, by notice filed in the office of the county clerk appeal to the county council of the county in which such section or sections are situated, against any by-law of the township council for the formation, division, union or alteration of their school section or school sections ; or against the neglect or refusal of the township council, on application being
40 made to it by the trustees or any five ratepayers concerned, to *form, unite, divide or alter* the boundaries of a school section or school sections within the township.

Appeal to
county
council.

The words in italics in this s.-s. "form, divide, unite or," are added to the Rev. Stat. by s. 4 of c. 36 of the Acts of 1899.
45 *This ss. is printed as amended.*

(2) The time herein mentioned for appeal shall run from the date of the by-law complained of, or from the date of the meeting at which the council refused to pass such by-law, or from the first meeting after which notice was received from the clerk of the application of the trustees or ratepayers asking for such by-law to be passed, as the case may be. 5

Appointment
of arbitrators.

(3) The county council may appoint as arbitrators not more than five, nor less than three competent persons, two of whom shall be the County Judge, or some person named by him, and the county inspector, and a majority of whom shall form a quorum to hear such appeal and to *form, divide, unite* or alter the boundaries of the school or school sections, so far as to settle the matters complained of; but the alterations or determination of the said matters shall not take effect before the 25th day of December in the year in which the arbitrators so decide, and shall thence continue in full force for the period of five years at least, and until lawfully changed by the township council. 10 15

The words in italics, "form, divide, unite," are substituted for the words "revise, determine," which appear in the Rev. Stat. This ss. is printed as amended by said s. 4 of said c. 36. 20

Who may act
as arbitrators.

(4) No person shall be competent to act as arbitrator, who is a member of the township council, or who was a member at the time at which the council passed, or refused or neglected to pass the by-law or resolution. 25

Notice.

(5) Due notice of the alterations or the determination of the said matters made by the arbitrators shall be given by the inspector to the clerk of the township, and to the trustees of the school sections concerned. R. S. O. 1897, c. 292, s. 39; 62 V. (2) c. 36, s. 4. 30

Adjustment of
claims
between
unions in same
township.

43. On the formation, dissolution, division or alteration of any school section in the same township, in case the trustees of the sections interested are unable to agree, the county inspector and two other persons appointed by the township council as arbitrators, shall value and adjust in an equitable manner all rights and claims consequent upon such formation, division, dissolution or alteration between the respective portions of the township affected, and determine in what manner and by what portion or by whom the same shall be settled; and the determination of the said arbitrators or any two of them shall be final and conclusive. R. S. O. 1897, c. 292, s. 40. 35 40

Disposal of
school pro-
perty when not
wanted.

44. In case a school site or school-house or other school property is no longer required in a section, in consequence of the alteration or the union of school sections, the same shall be disposed of, in such a manner as a majority of the ratepayers in the altered or united school sections may decide at a public meeting called for that purpose; and the ratepayers transferred from one school section to another shall be entitled, for the 45

public school purposes of the section to which they are attached, to such a proportion of the proceeds of the sale of such school-house or other public school property as the assessed value of their property bears to that of the other ratepayers of the school section from which they have been separated; and the residue of such proceeds shall be applied to the erection of a new school house in the old school section, or to other public school purposes of such old section. In the case of united sections, the proceeds of the sale shall be applied to the like public school purposes of such united sections. R. S. O. 1897, c. 292, s. 41.

UNION SCHOOL SECTIONS.

45. All school sections existing on the 1st day of April, 1896, and all union school sections which on that day existed in fact, and whether formed in accordance with the provisions of the law in that behalf or not, shall be deemed to have been legally formed, and shall continue to exist, subject, however, to the provisions of this Act so far as applicable as if they had been formed thereunder; and in cases where any union has before said date been adjudged by any Court or Judge to have been illegally formed, or where any proceedings were pending at said date on that ground, further proceedings may be stayed, upon payment of such costs or expenses, if any, as the Court or Judge may award. R. S. O. 1897, c. 292, s. 42.

Unions existing 1st April, 1896.

25

PUBLIC SCHOOLS.

46. A union school section may be established between (a) parts of two or more adjoining townships, or (b) parts of one or more townships and an adjoining urban municipality and union school sections may be formed, altered or dissolved as follows:—

What unions may be formed.

1. On the petition of five ratepayers from each of the municipalities concerned, to their respective municipal councils, asking for the formation, alteration or dissolution of a union school section, each municipal council so petitioned may appoint an arbitrator (who must not be a member of the council), and notice of the appointment shall be sent by the respective clerks to the inspector or inspectors of the district or districts concerned who shall be *ex officio* arbitrators; a council may act upon a petition addressed to the councils concerned or to any two or more of them jointly, if such petition is signed by five ratepayers of the municipality acting thereon.

Procedure for formation, alteration or dissolution of union.

2. In cases where the persons so appointed arbitrators would be an even number, the senior County Court Judge, or some person by him appointed to act in his behalf, shall be added, or in the case of an arbitration affecting two or more counties then the senior County Court Judge of the county having the largest population according to the last Dominion

Where even number of arbitrators appointed county judge to act.

census, or some person by him appointed to act in his behalf shall be added.

First meeting
of arbitrators

3. The first meeting of the arbitrators shall be called by the inspector representing the greatest number of schools, who shall give ten days' notice in writing of such meeting to the 5
clerks of the municipalities concerned.

Award what
to contain.

4. In case the arbitrators determine upon the formation of a new union section, or upon the alteration of the boundaries of an existing union school, they shall in their award set forth the specific parcels of land to be included in 10
such new union school section, or in such altered section as the case may be. In the event of the transfer of any parcel or parcels of land from an existing union section to some other section or sections the arbitrators shall in their award set forth 15
to what other section or sections such transfer shall be made, 15
and any such transfer shall be binding and operative for all school purposes till altered as provided by this Act.

5. In case the arbitrators determine upon the dissolution of an existing union they shall set forth in their award 20
the section or sections to which the parcels of land comprising 20
such union shall be attached for school purposes, and any such transfer of the parcels of land comprising a union school section to an adjoining section or sections shall be binding and operative till the boundaries of such section or sections are 25
altered as provided by this Act.

6. Where the arbitrators find that it would be in the interest of the parties concerned, and where in their opinion it is practicable so to do, they may at their discretion form part of the territory of any union section into a non-union section, or form a new union, and in such cases they shall indicate the 30
parcels of land of which such union or non-union section shall be composed. The remainder of the union section shall be disposed of as hereinbefore provided.

7. When a new union school section is formed or an existing union school section altered the arbitrators shall determine 35
and fix the proportion which the part in each municipality shall be liable to contribute towards the erection and maintenance of the school and other requisite expenses, and such determination shall be binding for a period of three years.

8. In any award made under this section the arbitrators 40
shall value and adjust, in an equitable manner, all rights and claims consequent upon the formation, alteration or dissolution of union sections between the respective municipalities, school sections and ratepayers concerned, and shall also determine in what manner and by what municipality or municipalities, 45
or what portions thereof the same shall be paid and the sum of money to be paid by one portion of the municipalities or school sections concerned to the union schools so formed or altered, and the disposition of the property of the union and any payment by one portion to the other and the right of 50

any ratepayer affected by the award, and such valuation adjustment and determination shall form and be considered an integral portion of their award, and shall be binding on the municipalities and school sections concerned, subject to this Act.

9. When a new union school section is formed by arbitration, as herein provided, the inspector authorized under the clause numbered 3 of this section to call the first meeting of the arbitrators, shall call the first meeting for the election of trustees, and shall proceed as the clerk of the municipality is directed to proceed in the case of the formation of a new section under this Act.

10. Such union, alteration or dissolution shall not take effect until the 25th day of the month of December, after the award of the arbitrators or a certified copy thereof is filed with the clerks of the municipalities concerned.

11. No union school section shall be altered or dissolved for a period of five years after the award of the arbitrators has gone into operation, whether such award did or did not change the boundaries of existing sections, but nothing herein contained shall be construed as restraining any municipal council from enlarging the boundaries of any union school section from time to time as may be deemed expedient.

Provided always that two-thirds of the ratepayers of any union school section may, at the expiration of three years from the date of the formation of such union section, petition the municipal council or councils concerned for a reconsideration of any award for the formation of any union school section made under this Act, and such petition shall be taken in lieu of the petition or petitions for the formation, alteration or dissolution of the union school section concerned, referral to in sub-section 1 of section 43. R.S.O. 1897, c. 292, s. 43; 62 V. (2), c. 36, s. 5.

Reconsideration of union school section award.

The proviso printed in italics in ss. 11 was added to the Rev. Stat. by sec. 5 of c 36 of the Acts of 1899, p. 156. It is printed without alteration.

47. Where the territory which it is proposed to form into a union school section or where the union school section which it is proposed to alter or dissolve, lies wholly within a county the trustees or any five ratepayers in the territory or union section concerned, or the inspector or inspectors, may within one month after the making thereof appeal in writing to the county council against any award made by the arbitrators either for or against the formation, alteration or dissolution of such section, or against the neglect or refusal of the township council or councils concerned to appoint arbitrators, as provided in section 43 of this Act, and on receipt of such appeal the county council shall have power to appoint not more than three arbitrators, who shall neither be ratepayers in the territory or school section concerned, nor members of the muni-

Appeal relating to union school within a county.

cipal councils concerned, and such arbitrators shall have all the powers of arbitrators appointed under section 43, and the decision of a majority of them shall be final and conclusive. The first meeting of such arbitrators shall be called by the county clerk. R. S. O. 1897, c. 292, s. 44. 5

Appeal relating to union school within two or more counties.

48. Where the territory which it is proposed to form into a union school or where the union school section which it is proposed to alter or dissolve, lies partly within two or more counties, the trustees or any five ratepayers in the territory or union school section concerned, or the inspector or inspectors, may within one month after the making thereof appeal against any award made by arbitrators for or against the formation, alteration or dissolution of such section, or against the refusal or neglect of the township council or councils concerned to appoint arbitrators, to the Minister of Education, who shall have power to alter, determine or confirm such award, or where no award was made, then at his discretion to appoint not more than three arbitrators who shall have all the powers of arbitrators appointed under section 43 of this Act, and the decision of a majority of them shall be final and conclusive. The first meeting of such arbitrators shall be called by the Minister of Education. R. S. O. 1897, c. 292, s. 45. 10 15 20

Collection of rates in union school sections.

49. The collectors of each municipality in which a part of a union section is situate shall collect the school rates for that part; and the amount collected from the several ratepayers in each part of the union section shall be paid by the respective collectors to the treasurer of the municipality in which such part of the union section is situate, and the treasurer shall pay over the same without any charge or deduction to the trustees entitled thereto. R. S. O. 1897, c. 292, s. 46 25 30

School sections when municipality divided.

50. When any township municipality is divided by Act of the Legislature for municipal purposes, all school sections which may, by such division, be situated partly in each of the newly formed municipalities, shall be deemed union sections until otherwise altered under the provisions of this Act. R. S. O. 1897, c. 292, s. 47. 35

Election of trustees, and inspection of union school sections.

51. Every union school section shall, for the election of trustees, be deemed one school section, and shall be considered in respect to inspection as within the municipality in which the school-house is situated, or if there be two or more school-houses then in the municipality having the largest amount of assessed property. R. S. O. 1897, c. 292; s. 48. 40

UNIONS WITH URBAN MUNICIPALITIES.

Continuation of boundaries of rural sections.

52. In case a portion of the territory composing one or more school sections becomes incorporated as an urban municipality, the boundaries of such school section or sections shall 45

continue in force and shall be deemed a union school section, and the provisions of this Act respecting the election of public school trustees in urban municipalities shall apply thereto until such union is altered or dissolved as provided by this Act.

5 (2) In the case of an urban municipality divided into wards to which a part of an adjoining township or town- Where rate-
 10 ships is attached for school purposes, the board of trustees of such union school section shall by resolution determine in which payers to vote
 15 ward or wards the ratepayers of the township shall vote when municip-
 for the election of school trustees and at elections on other ality divided
 school questions, and in case of no such resolution, then such into wards.
 portion of the township shall be considered for all election purposes as attached to the ward or wards adjacent, and if two or more wards are adjacent any such ratepayer may vote in
 either of such wards. R. S. O. 1897, c. 292, s. 49.

53. Where any portion of a township municipal- Where part of
 ity is annexed to an urban municipality by proclama- a township is
 tion, the portion so annexed shall for all school purposes annexed to a
 be deemed to be part of such city or town, provided city.
 20 always that when the portion annexed does not include the whole of any contiguous school section, the respective municipalities shall, unless determined by mutual agreement between themselves after such annexation, each appoint an arbit-
 25 rator who, with the senior County Judge of the county, shall value and adjudge in an equitable manner the rights and claims of all parties affected by such annexation, and shall deter-
 mine by what municipality or portion thereof, the same shall be adjusted, paid or settled.

(2) The award of the arbitrators shall be final and con-
 30 clusive, and the money found due, either by mutual agree- ment or under the award, shall be deemed money for school purposes and the provisions of section 70 of this Act shall not apply to the money so required to be paid under the award or mutual agreement, and a debenture or de-
 35 bentures may issue to be payable out of the taxable property of that part of the school section remaining in the indebted municipality, upon a requisition of the trustees of said school section, without calling a special meeting of the electors, and upon the terms and conditions set forth in a by-law of the said
 40 municipality, anything in this Act to the contrary notwith- standing.

(3) In all cases in which two municipal corporations are united by proclamation or by any Act of the Legislature, Adjustment of
 all the assets and liabilities of each school corporation upon union of
 45 shall be assumed by the school corporation of the united municipalities.
 municipality. R. S. O. 1897, c. 292, s. 50.

EQUALIZATION OF UNION SCHOOL ASSESSMENTS.

54. Once in every three years the assessors of the muni- Assessors to
 cipalities in which a union school section is situated, shall, determine
 proportion.

after they have completed their respective assessments and before the first day of June, meet and determine what proportion of the annual requisition made by the trustees for school purposes shall be levied upon and collected from the taxable property of the respective municipalities out of which the union school section is formed. Notice of such determination shall be given forthwith to the secretary-treasurer of the union school section concerned, *and to the clerks of the respective municipalities. In any municipality where more than one assessor is appointed and employed, the reeve or mayor of the municipality shall name the assessor who shall act for and on behalf of such municipality.*

The words in italics printed at the end of the above section were added to the Revised Statute by s. 17 of c. 36 of the Acts of 1899, p. 159.

Arbitration where assessors disagree.

(2) In the event of the assessors disagreeing as to such proportion, as aforesaid, the inspector in whose district the union school section is situated, with the assessors aforesaid shall determine the said matter and report the same to the clerks of the respective municipalities, on or before the first day of July, and the decision of a majority shall be final and conclusive for the period of three years;

When school section lies in two counties.

(3) When the union school section is composed of portions of two adjoining counties, then on the disagreement of the assessors the inspector of the county in which the schoolhouse of the union section is situated shall act as arbitrator, and the decision of a majority shall be final and conclusive for the period of three years;

Meeting of assessors to determine proportion.

(4) The meeting of the assessors, for the purposes herein set forth, shall be called by the assessor of the municipality in which the schoolhouse of the union section is situated;

Reconsideration of award.

(5) The assessors or the assessors and arbitrator appointed as herein required may, at the request of the inspector or five ratepayers, within one month after the filing thereof with the clerk reconsider their award, and alter or amend the same so far as to correct any omission or error in the terms in which such award is expressed. R. S. O. 1897, c. 292, s. 51; 62 V. (2) c. 36, s. 17.

By law altering sections to be valid unless notice to quash given.

55. Any by-law of a municipality for forming, altering or dissolving a school section or sections, and any award made by arbitrators appointed to consider an appeal from a township council with respect to any matter authorized by this Act shall be valid and binding for a period of at least five years notwithstanding any defect in substance or form, or in the manner or time of passing or making the same, unless notice to quash such by-law or to set aside such award is filed in the office of the township clerk within one month of the publication of such by-law or award, and the same is subsequently quashed or set aside.

(2) Such by-law or award shall be deemed to be published when a copy thereof is served upon the secretary or secretary-treasurer of each board of trustees affected thereby.

(3) *The power to form a union school section shall in no way be restricted by any by-law passed by a municipal council for the alteration of the boundaries of one or more sections in any township within the jurisdiction of such council. R.S.O. 1897, c. 292, s. 52 (3); G. V. (2), c. 36, s. 6.* What deemed publication of by-law.

Ss. 3 was added to the Rev. Stat. by s. 6 of c. 36 of the Acts of 1899, p. 156. It is printed without alteration Alteration of school boundaries not to affect unions.

URBAN SCHOOL BOARDS.

56. Every board of public school trustees in urban municipalities, elected as provided by this Act shall be a corporation by the name of "The Public School Board" (prefixing to the words "Public School Board" the name of the city, town or incorporated village for which such trustees are elected), and shall have and possess all the powers usually possessed by corporations, so far as the same are necessary for carrying out the purposes of this Act. Board to be a corporation.

(2) Any ratepayer who is a British subject and resident in the municipality of the full age of twenty-one years may be elected a public school trustee, and every trustee shall continue in office until his successor has been elected and the new board organized. R. S. O. 1897. c. 292, s. 53. Who may be elected trustees.

57. In case any unincorporated village becomes incorporated, or in case a village or town changes its corporate status, the trustees having jurisdiction over the school property situated within such village, or town, prior to its incorporation or prior to the change of its corporate status shall exercise all the powers conferred by this Act upon the trustees of urban municipalities, until a new election of trustees is held, and such trustees shall call a meeting of the ratepayers of such urban municipality within one month after the date of such incorporation for the election of a new public school board ; First election of trustees.

(2) In calling the meeting of the ratepayers of such newly incorporated urban municipality, the provisions of section 57 of this Act shall be complied with so far as the same are applicable. Where the trustees of the municipality whose corporate status was changed were elected by ballot, the provisions of section 58 of this Act shall apply to the election of trustees in such newly incorporated urban municipality. R.S. O. 1897, c. 292, s. 54

58. For every ward into which any urban municipality is divided there shall be two school trustees, each of whom, after the first election of trustees, shall continue in office for two years, and until his successor has been elected and the new board organized, Trustees in city, etc., divided into wards.

(2) One of the trustees in each ward (to be determined by lot at the first meeting of trustees after their election, which determination shall be entered upon the minutes) shall retire from office at the time appointed for the next annual school meeting, and the other shall continue in office one year longer and then retire, after which one trustee shall be elected annually for each ward; 5

(3) When any town or incorporated village is annexed to a city, the town or incorporated village so annexed, shall for all the purposes of this Act, be deemed to be part of the city. 10

54 V. c. 82,
s. 10 not
affected.

(4) The provisions of this section shall not be held to invalidate or make void section 10 of the Act passed in the 54th year of Her Majesty's reign, chaptered 82, relating to the city of Toronto, but the said section 10 and the subsections thereof shall be read and construed as if incorporated in this Act. 15
R. S. O. 1897, c. 292, s. 55.

Trustees in
villages not
divided into
wards.

59. In every incorporated village not divided into wards there shall be six trustees, each of whom, after the first election for trustees, shall continue in office for two years and until his successor has been elected and the new board organized; 20

(2) Three of the trustees (to be determined by lot at the first meeting of trustees after their election which determination shall be entered upon the minutes) shall retire from office at the time appointed for the next annual school election, and the other three shall continue in office one year longer and then retire; after which three trustees shall be elected annually. R. S. O. 1897, c. 292, s. 56. 25

ANNUAL ELECTION OF TRUSTEES.

Provisions for
elections of
trustees.

60. The annual and other elections of public school trustees, unless otherwise ordered, as provided by section 58 of this Act, shall be subject to the following provisions:— 30

Nominations.

1. A meeting of the ratepayers for the nomination of candidates for the office of public school trustee, shall take place at noon on the last Wednesday in the month of December, annually, or if a holiday, on the day following, at such place as shall from time to time be fixed by resolution of the public school board, and in municipalities divided into wards, in each ward thereof, if the board in its discretion thinks fit. 35

Returning
officer.

2. The public school board shall by resolution before the second Wednesday in December each year name the returning officer or officers to preside at the meeting or meetings for the nomination of candidates, and also for holding the election in case of a poll, and in case of the absence of such officer the chairman chosen by the meeting shall preside, and the public school board shall give at least six days' notice of such meeting. 40
45

3. If at such meeting only the necessary number of candidates to fill the vacant offices are proposed and seconded, the returning officer or person presiding, after the lapse of one hour, shall declare such candidates duly elected, and shall so
 5 notify the secretary of the public school board; but if two or more candidates are proposed for any one office and a poll in respect of any such office is demanded by any candidate or elector, the returning officer or chairman shall adjourn the proceedings for filling such office until the first Wednesday
 10 of the month of January then next, or if a holiday, then to the day following, when a poll or polls shall be opened at such place or places, and in each ward, where the municipality is divided into wards, as shall be determined by resolution of the trustees;
- 15 4. The polls shall be opened at the hour of ten of the clock in the forenoon, and shall continue open until five o'clock in the afternoon, and no longer, and any poll may close at any time after eleven o'clock in the forenoon, when a full hour has elapsed without any vote having been
 20 polled;
5. In urban municipalities, and in townships where public school boards exist, the clerk of the municipality shall furnish to the public school board, within three days after request in writing, 'The Voters' List,' of such municipality, together with a supplementary list either printed or in
 25 writing of the names of persons being supporters of separate schools, and also a list of the names, alphabetically arranged, of all ratepayers not being already upon 'The Voters' List.'
6. The public school board shall provide each polling place with the lists aforesaid, and also a poll book; and at every
 30 election at which a poll is demanded, the returning officer or person presiding, or the poll clerk, shall enter in such book in separate columns the names of the candidates proposed and seconded at the nomination, and shall, opposite to such
 35 columns, write the names of the ratepayers offering to vote at the election, and shall, in each column in which is entered the name of a candidate voted for by a voter set the figure '1' opposite the voter's name, with the residence of the voter;
7. The returning officer or person presiding shall, on the day
 40 after the close of the election, return the poll book to the secretary or secretary-treasurer of the public school board, with his solemn declaration thereto annexed, that the poll book has been correctly kept and contains a true record of the votes given at the polling place for which he was returning officer;
- 45 8. The secretary-treasurer shall add up the number of votes for each candidate for any office, as appears from the poll book so returned, and shall declare elected, the candidate or candidates having the highest number of votes, and shall forthwith notify the candidates in writing of the number of
 50 votes polled for each of them respectively in said election.

Proceedings at nominations.

Hours of polling.

In cities and towns divided into wards, clerk of municipality to furnish voters' list to public school boards.

Certified copy of list and a poll book to be provided for each polling place
 Entries in poll book.

Duty of returning officer after close of election.

Duty of secretary

Casting vote.

9. In case two or more candidates have an equal number of votes, the member of the board present at the first meeting thereof after such election and before the organization of the board, who is assessed highest as a ratepayer on the last revised assessment roll, shall give a vote for one or more such candidates, so as to decide the election. R.S.O. 1897, c. 292, s. 57. 5

ELECTION BY BALLOT.

Elections of trustees on same day as municipal elections.

61.—The board of public school trustees of any urban municipality or township may, by resolution of which notice shall be given to the clerk of the municipality on or before the first day of October in any year, require the election of school trustees for such urban municipality, or township, to be held by ballot on the same day as municipal councillors, or aldermen are elected, as the case may be. In like manner any board of trustees may discontinue the use of the ballot in trustee elections on giving notice to the clerk of the municipality to that effect at the time hereinbefore mentioned, and thereafter elections for the purposes of this Act shall be conducted as provided in section 57 of this Act. 10
15
20

Trustees may discontinue use of ballot at elections.

Ballot not to be discontinued or resumed for three years after the change.

(2) Where any board of trustees requires elections to be held by ballot, and elections are so held, no change shall be made in the mode of conducting such election for a period of three years, and should the mode of conducting the elections by ballot be discontinued at any time, then the provisions of section 57 shall apply for a period of three years at least after such discontinuance. 25

Mode of conducting elections by ballot.

(3) In every case in which notice is given as aforesaid requiring the election of public school trustees to be held by ballot, such election shall thereafter be held at the same time and place, and by the same returning officer or officers, and conducted in the same manner as the municipal nominations and elections of aldermen or councillors are conducted; and the provisions of *The Municipal Act* respecting the time for opening and closing the poll, *the mode of receiving the resignation of persons nominated for the office of school trustee before a poll is taken*, the mode of voting, corrupt or improper practices, vacancies, and declarations of office, shall *mutatis mutandis* apply to the election of public school trustees. 30
35
40

Rev. Stat. c. 223.

Ss. 3 is amended by s. 7 of c. 36 of the Acts of 1899 page 156 by inserting the words in italics in the 8th, 9th and 10th lines. It is therefore printed as amended by that section.

Form of ballot papers

(4) A separate set of ballot papers shall be prepared by the clerk of the municipality for all the wards or polling subdivisions, containing the names of the candidates nominated for school trustees, of the same form as those used for coun-

cillors or aldermen, except the substitution of the words "school trustee" for councillors or aldermen, as the case may be; and no ballot shall be delivered to any person who is entered on the list of voters as a supporter of separate schools.

- 5 (5) In case any objection is made to the right of any person to vote at any election of school trustees the deputy returning officer shall require the person whose right of voting is objected to, to make the following oath or affirmation :—
- 10 You swear (or solemnly affirm) that you are the person named, (or intended to be named,) in the list (or supplementary list) of voters now shewn to you (*showing the list to voter*); Oath to be administered when voter objected to. Form of oath.
- That you are a ratepayer ;
- That you are of the full age of twenty-one years ;
- That you are a public school supporter ;
- 15 That you have not voted before at this election, either at this or any other polling place in this Ward or (in this Municipality, where the municipality is not divided into wards) for School Trustee ;
- That you have not directly or indirectly received any reward or gift, nor do you expect to receive any, for the vote which you tender at this election ;
- 20 That you have not received anything, nor has anything been promised to you directly or indirectly, either to induce you to vote at this election, or for loss of time, travelling expenses, hire of team, or any other service connected with this election ;
- 25 And that you have not directly or indirectly paid or promised anything to any person either to induce him to vote or to refrain from voting at this election : So help you God.

- (6) In towns and incorporated villages the trustees may, by resolution, limit the number of trustees constituting the public school board to six provided that at least one month's notice was given of the intention to consider a resolution to that effect. When such resolution has been adopted the election for school trustees shall thereafter be by vote of the electors of the whole municipality. Any reduction so approved shall not come into operation until the close of the school year. The board shall by lot determine what trustee or trustees shall retire in addition to the number retiring by annual rotation in order to admit of the election of three new trustees at the next annual meeting, and thereafter three trustees shall be elected by the ratepayers of the whole municipality each year to fill the place of the same number retiring by rotation annually. R.S.O. 1897, c. 292, s. 58 ; 62 V. (2) c. 36, ss. 7, 8.
- 30
- 35
- 40
- 45
- 50
- Election of trustees where wards abolished.

Ss. 6 was added to the Rev. Stat. by s. 8 of c 36 of the Acts of 1899, p. 156. It is printed without alteration.

62. In case the office of trustee becomes vacant from any cause, the remaining trustees shall, except as provided in the next subsection, forthwith hold a new election in the manner provided by this Act for the annual election of trustees to fill such vacancy, and the person thereupon elected shall hold his seat for the remainder of the term for which his predecessor was elected.
- Vacancy in office of trustee.

(2) In the case of an urban municipality should such vacancy occur within three months of the expiry of the term of office, the remaining trustees may allow the office to remain vacant until the next ensuing election. R. S. O. 1897, c. 292, s. 59.

CONTESTED ELECTIONS.

5

Judge of county court to receive and investigate complaints.

63. Any complaint respecting the validity or mode of conducting the election of school trustees in any urban municipality shall be made to the Judge of the County Court within twenty days after such election, who shall, within a reasonable time, in a summary manner, hear and determine the same; and may cause the assessment rolls, collector's rolls, poll books, and any other records of the election to be brought before him, and may inquire into the facts on affidavit or affirmation, or by oral testimony, and cause such persons to appear before him as he may deem expedient.

15

(2) The Judge may confirm the election or set it aside, or order that some other candidate was duly elected; and the Judge may order the person found by him not to have been elected to be removed; and in case the Judge determines that any other person was duly elected, the Judge may order him to be admitted; and, in case the Judge determines that no person was duly elected, the Judge shall order a new election to be held, and shall report such decision to the secretary-treasurer of the public school board. R. S. O. 1897, c. 292, s. 60.

25

First meeting of Board.

64. Every urban board of school trustees shall hold its first meeting in each year on the third Wednesday in January, at the hour of seven o'clock in the afternoon, or at such other hour and place on the same day as may have been fixed by resolution of the former board.

30

President at first meeting.

(2) At such meeting the secretary of the board shall preside at the election of chairman, or, if there be no secretary, the members present shall appoint one of themselves to preside at such election, and the member so appointed to preside may vote as a member.

35

Casting vote.

(3) In case of an equality of votes at the election of chairman the member who is assessed as a ratepayer for the largest sum on the last revised assessment roll shall have a second or casting vote in addition to his vote as a member.

Quorum of school boards, etc.

(4) A majority of the members of the board shall be necessary to form a quorum, at any meeting and the vote of the majority of such quorum shall be necessary to bind the corporation. R. S. O. 1897, c. 292, s. 61.

40

DUTIES OF TRUSTEES.

- 65.** It shall be the duty of the trustees of all public schools and they shall have power :—
- Duties of Board.
- 5 1. To appoint a secretary and treasurer or secretary-treasurer, and such committees, officers and servants as they may deem expedient ; Appointment of secretary and others.
2. To fix the time and place of meetings of the board, the mode of calling and conducting them, and of keeping a true and correct account of the proceedings of such meetings, and 10 to transmit to the Minister of Education all returns and reports required by the Education Department ; To fix meetings of the board.
3. To provide adequate accommodation for all the children between the ages of five and sixteen years, resident in the municipality (in the case of rural schools for two-thirds of 15 such children resident in the section) as ascertained by the census taken by the municipal council for the next preceding year ; Provided that in computing such residents the children of persons on whose behalf a separate school has been established under *The Separate Schools Act* shall not be included. To provide adequate accommodation. Rev. Stat. c. 294.
- 20 4. To purchase or rent school sites or premises, and to build repair, furnish, and keep in order the schoolhouses, furniture, fences and all other school property : to keep the well, closets and premises, generally in a proper sanitary condition ; to procure registers, maps, globes, apparatus, and, if they deem 25 it expedient, procure prize books and establish and maintain school libraries ; To provide school premises, apparatus, prize books and library.
5. To determine the number, grade, territorial boundaries and description of schools to be opened and maintained ; the teachers to be employed ; the terms on which they are to be 30 employed, and their remuneration and rank (whether principals or assistants) ; and, as they may deem expedient, to establish kindergartens and classes for industrial training and instruction in needle work and domestic economy ; To determine number of schools, etc.
6. To dismiss from the school any pupil who is adjudged so 35 refractory by the trustees and the teacher that his presence in school is deemed injurious to the other pupils, and, where practicable, to remove such pupil to an industrial school ; Dismissal of refractory pupils.
7. To collect, at their discretion, from the parents or guardians of the pupils attending school a sum not exceeding 40 twenty cents per month, per pupil, to defray the cost of text-books, and other school supplies ; or to purchase for the use of pupils text-books and other school supplies at the expense of the corporation ; Trustees may collect a fee from parents, for books, etc.
8. To exempt, in their discretion, from the payment of 45 school rates, wholly or in part, any indigent persons (notice of such exemption to be given by the trustees to the clerk of the municipality, on or before the first day of August) and where Exemption of indigent persons from school rates.

deemed necessary to provide for the children of such persons text-books and other school supplies at the expense of the corporation ;

To lay before council estimates for moneys. 9. To submit to the municipal council, on or before the first day of August, or at such time as may be required by the municipal council, an estimate of the expenses of the schools under their charge for the twelve months next following the date of application ; 5

Payment of teachers' salaries. 10. To provide (in the case of rural schools) for the payment of teachers' salaries quarterly and, if necessary, to borrow on their promissory note, under the seal of the corporation, at interest not exceeding eight per cent. per annum, such moneys as may be required for that purpose, until the taxes imposed therefor are collected ; 10

To publish auditors' report. 11. To submit in the case of urban municipalities all accounts, books and vouchers to be audited by the municipal auditors, (whose duty it shall be to audit the same) and to publish at the end of every year, in one or more of the public newspapers, or otherwise, an abstract of the annual report of the auditors, with such findings and recommendations as the auditors deem expedient ; 15 20

In order to free this ss. from ambiguity the words "whose duty it shall be to audit the same" are placed within brackets There is no other alteration in the ss.

Custody and disposal of school property. 12. To take possession of all property which has been acquired or given for public school purposes, and to hold the same according to the terms on which it was acquired or received ; and to dispose, by sale or otherwise, of any school site or property not required in consequence of a change of site, or other cause ; to convey the same under their corporate seal, and to apply the proceeds thereof to their lawful school purposes or as directed by this Act ; 25 30

Supplementing superannuation allowances. 13. To supplement out of school funds, at their pleasure, any allowance payable under this Act to superannuated teachers. R. S. O. 1897, c. 292, s. 62. 35

Trustees acting under by laws not liable. **66.** Trustees shall not be liable to any prosecution, or the payment of any damages, for acting under any by-law of a municipal council before it has been quashed In case a by-law, order or resolution of a municipal council is illegal, in whole or in part, and in case anything has been done under it, which by reason of the illegality gives any person a right of action, no such action shall be brought until one month has elapsed after the by-law, order or resolution has been quashed or repealed, nor until one month's notice in writing of the intention to bring such action has been given to the corporation. Every such action shall be brought against the municipal corporation alone, and not against any person acting under the by-law, order or resolution. R. S. O. 1897, c. 292, s. 63. 40 45

67. The trustees of cities when so requested by any charitable organization having in charge children of school age shall have power to employ teachers for such children, and to furnish for their use all school supplies if they deem it expedient, and such children shall be considered public school pupils and shall be subject to this Act. R. S. O. 1897, c. 292, s. 64.

Employing teachers in charitable institutions.

68. Every urban school board shall have power to take and acquire land for a school site or for enlarging school premises already held. In the event of any dispute between the owner of the land selected and the trustees, with regard to the price of such land, sections 32 to 37 of this Act shall apply. R. S. O. 1897, c. 292, s. 65; 62 V. (2) c. 36, s. 9.

School sites.

A clerical error in the section of the Rev. Stat. in a cross reference to the sections thereof was corrected by s. 9 of c. 36 of the Acts of 1899, p. 156. The text has been corrected accordingly. These cross references to sections in the text will be finally adjusted when the sections of this Bill are finally numbered.

69. Every urban school board shall have power to expend such sums as they may deem expedient, not exceeding \$200 in any one year, in promoting and encouraging gymnastics and other athletic exercises. 63 V. c. 53, s. 1.

Grants to promote athletics.

The above section was added to the Rev. Stat. by s. 1 of c. 53 of the Acts of 1900, p. 182.

25

TOWNSHIP ASSESSMENTS.

70. The municipal council of every township shall levy and collect by assessment, upon the taxable property of the public school supporters of the whole township, in the manner provided by this Act, and by the Municipal and Assessment Acts, the sum of \$150 at least for every public school which has been kept open the whole year exclusive of vacations. Where the school has been kept open for six months or over, a proportionate amount of the said sum of \$150 at least shall be levied and collected by assessment upon the taxable property of the whole township. An additional sum of \$100 at least shall be levied and collected in a similar manner for every assistant teacher engaged for the whole year, and a proportionate amount if such assistant teacher was engaged for six months or over;

Amount to be levied by township council for school purposes.

(2) In the case of union school sections the municipal council of each municipality of which the union school section is composed shall levy and collect upon the taxable property of the respective municipalities the said sum in the proportion fixed by the equalization provided under section 51 of this Act. This section shall not apply to union sections formed between townships and urban municipalities. R. S. O. 1897, c. 292 s. 66.

Councils to
levy sums
required by
trustees.

71. The council of every municipality shall levy and collect upon the taxable property of the municipality (or of the sections in the case of rural schools), in the manner provided in this Act, and in the Municipal and Assessment Acts, such sums as may be required by the trustees for school purposes ; 5
and shall pay the same to the treasurer of the public school board from time to time as may be required by the board for teachers' salaries and other expenses. In the case of rural schools, all moneys collected shall be paid to the secretary-treasurer of the section on or before the 15th of December ; 10

Establishment of
libraries.

(2) The council of every municipality may, in addition to any requisition of the public school trustees, raise by assessment such other sums as it may deem expedient for the establishment and maintenance of a school library, or for aiding new or weak schools or continuation classes within such 15
municipality, or for the support of model schools, or for supplementing teachers' salaries or retiring allowances;

Correction of
errors in collection of
rates in previous years

(3) Every municipal council shall have power, and it shall be their duty to correct any errors or omissions that may have 20
been made within the three years next preceding such correction in the collection of any school rate duly imposed or intended so to be, to the end that no property shall escape from its proper proportion of the rate and that no property shall be compelled to pay more than its proper proportion of 25
such rate. R. S. O. 1897, c. 292, s. 67.

Apportionment of
school moneys
by township
councils.

(4) *The municipal corporation of every township shall have power to apportion by by-law, among the Public School sections in the township, the principal or interest of any investments held by the corporation for Public School purposes 30
according to the salaries paid the teachers engaged by the respective school sections during the past year, or according to the average attendance of pupils at each school section during the same period, as may be deemed expedient.*

*The above ss. is s. 29 of c. 11 of the Acts of 1899, p. 50. It 35
is inserted in this place without alteration.*

Return shewing
rating of
separate
school
supporters.

72. It shall be the duty of the clerk of every township :—

Separate
school
amounts to be
deducted.

1. To transmit not later than the first day of December in each year to the county school inspector a list of the supporters of separate schools against whom any county rate 40
for public school purposes has been placed upon the collector's roll shewing the amount so rated against each and the total amount so rated. The county inspector shall, before issuing his order for the payment of the county grant to the public school sections, deduct therefrom the amount so certified to 45
him by the clerk of such municipality, and shall give the trustees of the separate school section an order on the township treasurer for the amount thereof, and it shall be the duty of such treasurer to pay over the same ;

2. To give to the public school inspector when requested by him, a statement of the assessed value of each school section as shewn by the revised assessment roll for the year, and at the request of any board of trustees to furnish the board with a statement shewing the several parcels or lots of land composing the school section for which they are trustees, the assessment of each parcel or lot and the amount of taxes entered on the collector's roll against each parcel of such lands, and the population of each school section between the ages of five and sixteen years. The cost of preparing the latter statement shall be paid by the board of trustees applying for the same. R.S.O. 1897, c. 292, s. 68.

Clerk to give copy of assessment to inspector.

Statement to be furnished to board by clerk.

73. It shall be the duty of the clerk of every county to make a return to the Minister of Education showing the population of each minor municipality within the county, and of the clerk of every city and of every town separated from a county to make a return showing the population of such city or town, as shown by their respective assessment rolls for the previous year, said returns to be made on or before the first day of April in each year. R.S.O. 1897, c. 292, s. 69.

Clerks to make returns of population.

DEBENTURES IN RURAL SECTIONS.

74. On the application of any board of rural school trustees for the issue of debentures for the purchase of a school site for the erection of a schoolhouse, or any addition thereto, or for the purchase or erection of a teacher's residence, the municipal council of the township shall pass a by-law for the said purpose, and shall forthwith issue debentures to be repayable out of the taxable property of the school section concerned in such annual amount as they may deem expedient, provided always the proposal for such loan has been submitted by the trustees to and sanctioned at a special meeting of the ratepayers of the section, called for the purpose.

Township school debentures.

(2) All applications for a loan, for the purposes herein mentioned, shall be made by the trustees of a union school section to the council of the municipality within which the school house or site of such union section is situated, and all debentures for the payment of such loan shall be issued by such municipality. Any other municipality or municipalities forming part of the union school section shall pay, on the requisition of the clerk of the municipality by which the debentures were issued, as they come due, its or their share of the loan, including interest, according to its or their liability for school purposes, as determined by section 51 of this Act.

Applications for loans to be made to, and debentures issued by council.

(3) Notwithstanding any alteration which may be made in the boundaries of any school section, the taxable property situated in the school section at the time when such loan was effected, shall continue to be liable for the rate which may be levied by the township council for the repayment of the loan

Liability for loan.

Expenses of publishing by-laws.

(4) The expenses of preparing and publishing any by-laws or debentures, and all other expenses incident thereto, shall be paid by the school section on whose behalf such debentures were issued, and the amount of such expenses may be deducted from any school rates collected by the municipal council for such school section. R.S.O. 1897, c. 292, s. 70. 5

Application to council for school moneys

75. The trustees of any rural school may require the council to raise, by one yearly rate, such sums as may be necessary for the purchase of a schoolhouse or site, or the erection of a schoolhouse or teacher's residence. 10

Council not to levy more than one rate except in certain cases.

(2) No municipal council shall levy or collect during any one year more than one school rate except for the purchase of a school site, or for the erection of a schoolhouse. R.S.O. 1897, c. 292, s. 71.

DEBENTURES IN URBAN MUNICIPALITIES. 15

Submission of question to vote of electors.

76. The municipal council of any urban municipality may, on the application of the board of public school trustees, pass a by-law for any of the purposes mentioned in the preceding sections. Where the municipal council refuses to raise or borrow the sum required, then the question shall be submitted by the municipal council, if requested by the board of trustees, to the vote of the electors qualified to vote under *The Municipal Act* for the creating of debts, who are supporters of public schools, in the manner therein provided, and on the assent of such electors being obtained the council shall raise or borrow such sum. 20

Rev. Stat. c. 223.

Form and term of debenture.

(2) Debentures issued for school purposes may be in the form given by this Act, and for such term of years and for such amount as the council sees fit, not exceeding thirty years, or the municipal council may, in its discretion make the principal and interest of such debt repayable by annual or other instalments, in the manner provided in *The Municipal Act*. 30

Rev. Stat. c. 223.

(3) Application for the issue of debentures for school purposes by the trustees of urban municipalities to which part of an adjoining township is attached shall be subject to the provisions of this section. R.S.O. 1897, c. 292, s. 72. 35

Exemption by by-law not to affect liability for school rates.

77. No by-law passed by any municipality after the 14th day of April, 1892, for exempting any portion of the rateable property of a municipality from taxation in whole or in part shall be held or construed to exempt such property from school rates of any kind whatsoever. R.S.O. 1897, c. 292, s. 73. 40

School corporations may borrow surplus moneys.

78. Any school corporation may, with the consent of the ratepayers first had and obtained at a special meeting duly called for that purpose, by resolution authorize the borrowing from any municipal corporation of any surplus moneys derived from the Ontario Municipalities Fund, or from any other source, 45

for such term and at such rate of interest as may be set forth in such resolution, for the purpose of purchasing a school site, or erecting a schoolhouse; and any sum so borrowed shall be applied to that purpose, and to that only. R. S. O. 1897, c. 292, s. 74.

TREASURERS OF SCHOOL MONEYS.

79. For all school purposes township treasurers shall be considered sub-treasurers of the county treasurer, provided always that the county council may by by-law constitute the county treasurer, the sub-treasurer for municipalities not separated from the county. The treasurer or secretary-treasurer of the school board of each city or town separated from the county shall receive the government grants apportioned to the city or town and shall hold the same for school purposes subject to the order of the board of trustees.

(2) The treasurer and sub-treasurer and their sureties shall be accountable for school moneys to the county city or town (as the case may be), and any bond or security given by them for duly accounting for and paying over moneys coming into their hands, belonging to the county, city or town, shall apply to all school moneys, and may be enforced against the treasurer or his sureties, in case of default on his or their part.

(3) The bond of the treasurer and his sureties shall apply to school moneys, and all public moneys of the Province, and, in case of any default, His Majesty may enforce the responsibility of the county, city or town, either by stopping a like amount out of any public moneys payable to the county, city, or town, or to the treasurer thereof or by action against the corporation.

(4) Any person aggrieved by the default of the municipal treasurer may recover from the corporation of any county, city or town, the amount due or payable to such person as money had and received to his use. R. S. O. 1897, c. 292, s. 75.

DUTIES OF TEACHERS.

80. It shall be the duty of every teacher of a public school,

1. To teach diligently and faithfully all the subjects in the public school course of study; to maintain proper order and discipline in the school; to encourage the pupils in the pursuit of learning; to inculcate by precept and example, respect for religion and the principles of Christian morality, and the highest regard for truth, justice, love of country, humanity, benevolence, sobriety, industry, frugality, purity, temperance and all other virtues;

2. To use the English language in the instruction of the school and in all communications with the pupils in regard to discipline and the management of the school, except where

impracticable by reason of the pupil not understanding English. Recitations requiring the use of a text-book may be conducted in the language of the text-book ;

Duties in and about the school-house, registers, etc.

3. To see that the schoolhouse is ready for the reception of pupils at least fifteen minutes before the time of opening in the morning and five minutes before the time of opening in the afternoon, to call the roll every day according to the register prescribed by the Education Department; to enter in the visitors' book visits made to the school; to give the inspector, trustees and visitors access, at all times, to the register and visitors' book; and to deliver the register, the schoolhouse key and other school property in his possession to the corporation employing him on demand, or when his agreement with such corporation has expired ;

Classification of scholars and conduct of classes.

4. To classify the pupils strictly according to the course of study prescribed by the Education Department; to conduct the school according to a time-table accessible to pupils and visitors; to prevent the use by pupils of unauthorized text-books; to attend regularly the teachers' institutes in the inspectoral division; to notify the trustees and inspector of absence from school, through illness or other unavoidable cause; and to make at the end of each school term, and subject to revision by the inspector such promotions from one class or form to another as he may deem expedient ;

Examinations.

5. To hold during each half year a public examination of the school, and to give due notice thereof to the trustees, to any school visitors who reside in the school section, and through the pupils, to their parents or guardians, and to hold such other examinations as may be required by the inspector for the promotion of pupils, or for any other purpose as the inspector may direct ;

Information for department.

6. To furnish the Minister of Education, or the school inspector with any information which it may be in his power to give respecting the condition of the school premises, the discipline of the school, the progress of the pupils or any other matter affecting the interests of the school, and to prepare such reports of the corporation employing him as are required by the Education Department ;

Care of health of scholars, preservation of school property.

7. To give assiduous attention to the health and comfort of the pupils, to the cleanliness, temperature and ventilation of the school-rooms, to the care of all maps, apparatus and other school property, to the preservation of shade trees and the orderly arrangement of the playgrounds, and to report promptly to the trustees and municipal health officer the appearance of any infectious or contagious disease in the school, or the sanitary condition of outhouses and surroundings ;

Infectious diseases among pupils.

8. To refuse admission to the school of any pupil affected with, or exposed to smallpox, scarlatina, diphtheria, whooping cough, measles, mumps, or other contagious disease until fur-

nished with a certificate of a physician or of a health officer to the effect that all danger from exposure to contact with such pupil has passed away ;

9. To suspend any pupil guilty of persistent truancy, vio- Disciplinary
5 lent opposition to authority, habitual neglect of duty, the use of powers.
profane or improper language or conduct injurious to the moral
tone of the school, and to notify the parent or guardian of the
pupil, and the trustees, of such suspension. The parent or
guardian of any pupil suspended may appeal against the
10 action of the teacher to the trustees, who shall have power to
consider such appeal and remove or confirm such suspension.
R. S. O. 1897, c. 292, s. 76.

AGREEMENTS.

- 81.—(1) All agreements between trustees and teachers shall Valid agree-
15 be in writing, signed by the parties thereto, and shall be sealed ments with
with the seal of the corporation. teachers.
- (2) Any teacher who wilfully neglects or refuses to carry Suspension of
15 out his agreement, shall, on the complaint of the trustees, be certificate
liable to the suspension of his certificate by the inspector under for breach of
whose jurisdiction he may be for the time being. agreement.
- 20 (3) No person engaged to teach a public school shall be Qualified
deemed a qualified teacher who does not at the time of enter- teacher de-
ing into an agreement with the trustees, and during the who'e fined.
20 period of such agreement, hold a legal certificate of qualifica-
tion.
- 25 (4) Any teacher who enters into an agreement with a board Proportion of
of trustees for one year, and who serves under such agreement salary to
for three months or over, shall be entitled to be paid his salary which teacher
in the proportion which the number of days during which entitled.
30 he has taught bears to the whole number of teaching days in
the year.
- (5) Every teacher shall be entitled to his salary during sick- Case of sick-
35 ness, certified by a physician, for a period not exceeding four ness.
weeks for the entire year ; this period may be increased at the
pleasure of the trustees.
- 35 (6) If at the expiration of a teacher's agreement with a Protection of
board of trustees his salary has not been paid in full, the teachers in re-
salary shall continue to run at the rate mentioned in the gard to salary.
agreement until paid, provided always that an action shall be
40 commenced within three months after the salary is due and
payable by the trustees.
- (7) All matters of difference between trustees and teachers, Provision in
in regard to salary or other remuneration under a valid agree- case of differ-
45 ment, shall, whatever may be the amount in question, be ence between
brought in the Division Court of the division where the cause teacher and
of action arose, subject to appeal, as provided by this Act. R. trustees.
S. O. 1897, c. 292, s. 77.

TEACHERS' CERTIFICATES.

- Three classes of certificates. **82.** Any person a subject of His Majesty, who is not less than eighteen years of age, of good moral character and who passes the examinations prescribed by the Education Department, may be awarded a first, second or third-class certificate according to the standards required by such examination. 5
- First, second and third-class certificates. (2) Subject to any regulations of the Education Department with regard to experience in actual teaching, certificates of the first and second class shall be valid during good conduct; certificates of the third class shall be valid for a period of three years. Every third-class certificate shall have the signature of at least one public school inspector. 10
- District certificates. (3) The inspectors of the territorial districts, or any county board of examiners, may issue certificates valid only within the district of such inspector, or the jurisdiction of the county board, for a term not exceeding one year, subject to the 15 regulations of the Education Department.
- Former certificates continued. (4) Certificates granted before the fifteenth day of February, in the year 1871, shall remain in force on the terms of the Act under which they were granted.
- First-class valid. (5) First-class certificates issued under any Act of this 20 Province before the fifteenth day of February, 1871, and valid on the 24th day of March, 1874, shall be valid in the Province during the good conduct of the holder thereof.
- Second-class valid. (6) Second-class certificates issued and valid as aforesaid, shall, when the holders, thereof, have taught for ten years in 15 Ontario, be valid during good conduct within the territory in which they were granted.
- Suspension of certificate for misconduct, etc. (7) The inspector may suspend the certificate of any teacher under his jurisdiction for inefficiency, misconduct, or a violation of this Act or of the regulations of the 30 Education Department. In every case of suspension, he shall notify in writing the trustees concerned, and the teacher, of the reasons for such suspension.
- Meeting of county board, consideration of suspension. (8) The inspector shall forthwith call a meeting of the county board of examiners for the consideration of such sus- 35 pension, of which due notice shall be given to the teacher so suspended, and the decision of the board shall be final. R. S. O. 1897, c. 292, s. 78.

COUNTY BOARDS OF EXAMINERS.

- To examine teachers and give certificates. **83.** The municipal council of each county shall appoint 40 annually a board of examiners, consisting of the inspector or inspectors having jurisdiction within the county, including the inspector or inspectors of the county town or of any town separated from the county or any part thereof, and not more than two other persons holding first-class 45

certificates of qualification, for the purpose of examining candidates for teachers' third class certificates and for such other purposes as are prescribed by this Act. The members so appointed shall continue in office till their successors are appointed, and shall hold at least one examination each year. A majority of the board shall form a quorum.

The words in italics in above s. were inserted in the Rev. Stat. by s. 10 of c. 26 of the Acts of 1899, p. 156. The section is therefore printed as so amended.

- 10 (2) Where deemed necessary from the general use of the French or German language, the county council may appoint additional examiners, not exceeding two, for the purpose of conducting the examination of candidates for a teachers' certificate in either of the languages aforesaid. Additional examiners.
- 15 (3) The treasurer of the county shall, on the requisition of the chairman of the board, pay all the incidental expenses of the examination of third-class teachers. He shall also, on a like requisition, pay each member of the board the sum of \$4 per diem and travelling expenses while engaged as examiner. Expenses of examination.
- 20 (4) Every member of a county board of examiners while engaged in conducting an investigation affecting the standing of any teacher within the jurisdiction of the board shall be paid the sum of \$4 per diem and travelling expenses by the treasurer of the county. Fees of examiner in investigating standing of teacher.
- 25 (5) After the passing of this Act no person shall be appointed a member of a county board of examiners who is not actually engaged in teaching and who has not had at least three years' experience as a teacher in a public or separate school. R.S.O. 1897, c. 292, s. 79 ; 62 V. (2) c. 36, s. 10. None but teachers to be examiners.

30

COUNTY MODEL SCHOOLS.

84. The board of examiners of every county shall, subject to the regulations of the Education Department, set apart at least one public school in each county as a county model school for the training of teachers for third-class certificates. One school in each county to be set apart as county model school.

(2) Where more model schools than one have been established in any county and where the whole number of teachers in training for the two preceding years at such schools has not exceeded twenty-five, the county board of examiners may, with the approval of the Education Department, discontinue one or more of such schools, but not so as to reduce the number below that required by this Act. When model schools may be discontinued.

(3) The municipal council of every county shall pay to the treasurer of each public school within the county to which a model school is attached an amount at least equal to the sum voted by the Legislative Assembly for each county model school, but the amount to be provided by the county Aid to county model schools.

council shall not be less than the sum of \$150 annually, and the council may, if it sees fit, provide a larger amount of aid.

Setting apart school for training third class teachers.

(4) The board of trustees of any city may set apart one or more of such city schools for the training of third-class teachers, subject to the regulations of the Education Department. R.S.O. 1897, c. 292, s. 80.

5

TEACHERS' INSTITUTES.

Organization of teachers' institutes.

85. The teachers of one or more inspectoral districts may organize themselves into a Teachers' Institute for the purpose of receiving instruction in methods of teaching and for discussing educational matters, subject to the regulations of the Education Department.

10

Aid to teachers' institutes.

(2) The Minister of Education may apportion out of any moneys voted by the Legislative Assembly for that purpose the sum of \$25 to each teachers' institute organized and conducted according to the regulations of the Education Department, and the municipal council of each county or city shall pay annually to the order of the president of each teachers' institute within the county or city a sum at least equal to the amount so apportioned by the Minister of Education. R.S.O. 1897, c. 292, s. 81.

15

20

INSPECTORS.

Qualification for appointment as inspector.

86. No person shall be appointed inspector of public schools in any county, city, or town who does not hold an inspector's certificate of qualification, as prescribed by the regulations of the Education Department, and no inspector shall, during his tenure of office, engage in, or hold any other employment, or calling, which interferes with the full discharge of his duties as inspector.

25

When more than one inspector to be appointed.

(2) The board of trustees of every city and town separated from the county shall appoint an inspector of public schools for such city or town. When the teachers engaged by the trustees of any city exceed three hundred in number the board shall appoint two inspectors, and likewise an additional inspector for every three hundred teachers on the staff above six hundred.

30

35

Number of inspectors.

(3) The municipal council of every county shall appoint an inspector for such county, provided always that any inspector appointed hereafter for a county or part of a county, shall be the inspector of the schools of any town not separated from the county in the district to which he has been appointed.

40

Jurisdiction of inspectors.

(4) No county inspector hereafter appointed shall have charge of more than one hundred and twenty schools or less than fifty, but it shall not be necessary to appoint more than one inspector in each electoral division of a county.

45

- (5) In counties containing any municipality wherein the French or German language is the common or prevailing language, an inspector may have charge of any number of schools not less than forty. French or German.
- 5 (6) In counties where there are more than fifty public schools, the county council may appoint two or more inspectors, and prescribe and number the territorial divisions of each, and change or remove the inspectors from one division of the county to another. Counties may appoint additional inspectors and change inspectors.
- 10 (7) In the event of a vacancy occurring in the office of county inspector, the warden of the county may appoint any person legally qualified to fill such vacancy until the next ensuing meeting of the county council. Notice of such appointment or of any appointments by the county council shall be given to
15 the Minister of Education forthwith. Warden may supply vacancies in the office of inspector.
- (8) The county council shall pay quarterly to every county inspector at the rate annually of \$5 for every teacher occupying a separate room with a separate register, and, in addition, reasonable travelling expenses, such expenses to be determined
20 by the county council. Remuneration of county inspector.
- (9) When the public school board of any town not separated from the county has before the passing of this Act appointed an inspector, other than the county inspector within whose district such town is situated, the county
25 treasurer, on demand, shall pay to the order of such board a sum of money equal to the amount collected within such town for the payment of the salary of the county inspector. Payment of inspector's salary in towns not separated
- (10) The sum of \$5 for every teacher occupying a separate room with a separate register, shall be paid out of any sum
30 of money appropriated by the Legislature for that purpose as the Lieutenant-Governor in Council may direct towards the salary of the county inspector and a similar sum to the school board of any city or town separated from the county, towards the payment of the salary of the inspector of the city
35 or town. Grants in aid of inspector's salary.
- (11) In cases where any inspector requires the testimony of witnesses to the truth of any fact alleged in any complaint or appeal made to him or to the Minister of Education or the Education Department, it shall be lawful for such inspector to
40 administer an oath to such witnesses, or to require their solemn affirmation before receiving their testimony. Inspector to swear witnesses in certain cases.
- (12) Any public school inspector shall, in case of misconduct or inefficiency, be subject to dismissal by the Lieutenant-Governor in Council, or by a majority of the members of the
45 council or board of trustees appointing him, or without cause by a vote of two-thirds of such council or board, and no such inspector shall be re-appointed without the concurrence of the party who dismissed him. Conditions of dismissal of inspector.

Appointment
of assistant
inspectors in
counties and
cities.

(13) *The municipal council of every county and the public school board of every city shall have power to appoint an assistant inspector in every county or city where the inspector, by reason of age or infirmity, has become incapacitated for fully discharging the duties of his office, and in such cases it shall be lawful for the municipal or school corporation concerned to apply towards the payment of the salary of such assistant a portion of the grant made by the county council or city towards the inspection of schools, or to supplement the same by further grants, as may be deemed expedient. R.S.O., 1897, c. 292, s. 10 5*
82; 62 V. (2) c. 36, s. 11. 10

Ss. 13 is added to the Rev. Stat. by s. 11 of c. 36 of the Acts of 1899, p. 157. It is printed without alteration.

Duties of
inspectors.

87. It shall be the duty of every public school inspector:—

To visit each
school once a
term

1. To visit every public school within his jurisdiction once 15
in each term, unless otherwise directed by the county council
or board of trustees by which he was appointed; to deliver
from time to time, public lectures in his district on some sub-
ject connected with public school education; to call a special
meeting of the section when deemed expedient and to see that 20
every school is conducted according to this Act and the regu-
lations of the Department;

Examine the
state of the
school.

2. To examine into the condition of the school, as respects
the progress of the pupils in learning, the order and discipline
observed, the system of instruction pursued, the mode of 25
keeping the school registers, the average attendance of pupils,
the character and sanitary condition of the buildings and
premises, and to give such advice to the teachers, pupils and
officers of the school as he may consider proper;

To withhold
order for grant
in certain
cases.

3. To withhold his order for the amount apportioned from 30
the legislative or municipal grant,

(a) Where any school was kept open for less than six months
in the year, or

(b) Where the trustees fail to transmit the annual or semi-
annual school returns properly filled up, or 35

(c) Where the trustees fail to comply with this Act or
the regulations of the Education Department, or

(d) Where the teacher uses, or permits to be used, as a text-
book any book not authorized by the Education De-
partment; and in every case to report to the trustees 40
and to the Education Department his reasons for so
doing;

Report of
health officer.

4. To report to the trustees and to the medical health officer
of the municipality in which the school house is situated, in
every case in which the school premises or buildings are found 45
to be in an unsanitary condition and to withhold the school
grants in all such cases until he receives a certificate from such

health officer or board of health that the provisions of *The Public Health Act* have been duly complied with ; Rev. Stat., c. 248.

5 5. To give when desired any information in his power to the Minister of Education, respecting any matter in connection with a public school within his jurisdiction, and to prepare and transmit to the Minister of Education, on or before the first day of March, an annual report in the form prescribed by the Education Department ; To give information and report to Minister.

10 6. To give, at his discretion, any candidate, on due examination, a certificate of qualification to teach a school within his district until the next ensuing professional examination of teachers ; and to discharge such other duties as may be required by the Minister of Education, the county council or the board of trustees by which he was appointed ; May give temporary certificates to teachers.

15 7. To deliver over to his successor, on retiring from office, copies of his official correspondence, and all school papers in his custody, on the order of the county council or public school board appointing him. R. S. O. 1897, c. 292, s. 83. Deliver up papers on retiring from office.

ALLOWANCE TO ARBITRATORS AND INSPECTORS.

20 88. Arbitrators, in making their award, shall, among other things, determine the liabilities of the parties concerned for the costs of the arbitration, and such determination shall be final and conclusive. R. S. O. 1897, c. 292, s. 84. Costs of arbitration.

25 89. Any person engaged as arbitrator on any matter arising under this Act shall be paid the sum of \$4 per diem and travelling expenses. R. S. O. 1897, c. 292, s. 85. Allowance to arbitrators.

30 90. Where any complaint is made to an inspector with regard to any matter affecting the validity of the election of a public school trustee, or the procedure of a school meeting, requiring the taking of evidence where the cause of complaint arose, the trustees of the school section concerned shall pay the inspector while conducting such investigation the sum of \$4 per diem and travelling expenses. R. S. O. 1897, c. 292, s. 86. Allowance to inspectors in certain cases.

SUPERANNUATION.

35 91.—Every teacher or inspector whose name is entered as having paid into the fund for superannuated teachers, may continue to contribute to such fund in such manner as may be prescribed by the Education Department, the sum of at least \$4 annually, but no payment of arrears to the fund shall be allowed after the 30th day of March, 1886. R. S. O. 1897, c. 292, s. 87. Superannuation fund.

40 92. On the decease of any teacher or inspector, his wife, her husband, or legal representative, shall be entitled to receive back the amount paid into the superannuation fund Repayment to wife, etc., of deceased teacher.

by such teacher or inspector, with interest at the rate of seven per cent. per annum.

(2) No teacher or inspector who has reached the age of sixty years shall be held to be disqualified from superannuation by reason of his having retired from active service before reaching the age of sixty, provided that such teacher or inspector has served for a period of *thirty* years, and that no payment shall be made to such teacher or inspector until he has reached the age of sixty. R. S. O. 1897, c. 292, s 88; 63 V. c. 53, s. 3. 5 10

The word "thirty" in italics in above ss. was substituted for "thirty-five" by s. 3 of c. 53 of the Acts of 1900, p. 182. The section is therefore printed as amended.

Right of teacher to retire on reaching sixty years of age.

93. Every teacher or inspector who, while engaged in his profession, contributes to the superannuated teachers' fund as provided by this Act, shall on reaching the age of sixty years, if he retires from the profession receive an annual allowance at the rate of \$6 per annum, for every year of service in Ontario, upon furnishing evidence of good moral character, age, and length of service. 15 20

Teachers under sixty.

(2) Every teacher or inspector, under sixty years of age who has contributed as aforesaid, and who is disabled from practising his profession, shall be entitled to a like annual allowance upon furnishing evidence as to length of service, moral character, and disability. 25

\$1 per annum extra to certain teachers.

(3) Every superannuated teacher who holds a first or second class provincial certificate, or a first-class county board certificate, and every principal of a high school or collegiate institute shall be entitled to receive a further allowance at the rate of \$1 per annum for every year of service while he held such certificate, or while he acted as principal of a high school or collegiate institute. 30

Proviso in regard to good moral character.

(4) The retiring allowance shall cease at the close of the year of the death of the recipient, and may be discontinued at any time should the teacher's moral character be unsatisfactory to the Education Department. 35

Teacher resuming profession.

(5) If any superannuated teacher or inspector shall, with the consent of the Education Department, resume the profession of teaching or inspecting, his allowance shall be suspended during the time of his being so engaged. In case such teacher or inspector is again placed on the superannuation list an allowance for the additional time of service shall be made on compliance with this Act, and the regulations of the Education Department. 40

Again retiring.

Forfeiture of claims.

(6) Any teacher or inspector who, having resumed his profession, draws or continues to draw upon the superannuation fund for any part of his allowance as a superannuated teacher, shall forfeit all claim to the fund, and his name shall be struck off the list of superannuated teachers. 45

(7) In the case of those teachers or inspectors who may not avail themselves of the provisions of section 87 or subsection 8 of this section of this Act, the provisions of sections 87 to 89 inclusive shall apply so far as relates to all sums of money already paid into the fund for superannuated teachers. Teachers not availing themselves of Act.

(8) Any teacher who retires from the profession, or any teacher or inspector who desires to remove his name from the list of contributors to the superannuated teachers' fund, shall be entitled to receive back from the Minister of Education one half of any sums paid by him or her to the fund, through the public school inspector, or otherwise. R. S. O. 1897, c. 292, s. 89. Repayment to contributors.

94. *Where any teacher retires after serving for 20 years or longer the board of trustees may grant him an annual allowance not exceeding the salary which he was receiving at the time of retirement, or may in lieu of such allowance make a grant to such teacher by way of gratuity of such sum as will represent the present value of an allowance aforesaid for his life computed on the basis of interest at the rate of four per cent. per annum. 63 V. c. 53, s. 2.* Retiring allowances to teachers.

The above section was added to the Rev. Stat. by s. 2 of c. 53 of the Acts of 1900, p. 182. It is printed without alteration.

NON-RESIDENT PUPILS.

95. The trustees of every public school shall admit to their school any non-resident pupils who reside nearer such school than the school in their own section, providing always the inspector reports the accommodation of the school room sufficient for the admission of such pupils. In case of dispute as to the distance from the school, the decision of the inspector shall be final. Admission of non-resident pupils.

(2) The parents or guardians of such non-resident children shall pay to the trustees of the school to which their children have been admitted such fees monthly as may be mutually agreed upon, provided such fees, together with the taxes paid to such school (if any), do not exceed the average cost of the instruction of the pupils of such school. Fees of non-resident pupils.

(3) Any person residing in one school section, and sending his children to a neighboring school, shall be liable for the payment of all rates assessed on his taxable property for the school purposes of the section in which he resides, but it shall be lawful for any board of trustees to remit the fees paid to the trustees of the neighboring section. A resident of one section sending his children to another section.

(4) Where the property of a non-resident is assessed for an amount equal to the average assessment of residents the children of such non-resident shall be admitted to the public school of the section on the same terms and conditions as the children of residents. Attendance of children of non-residents.

Remission of school tax where certain fees paid. (5) When the children attending a neighboring section are three miles or more distant in a direct line from the school-house in the section to which they belong, the trustees of the section in which such children are resident shall remit as much of the taxes chargeable upon the parents or guardians of such children, for school purposes, as would be at least equal to the fees paid to such neighboring section. 5

Pupils in house of refuge. (6) In case a county council establishes a house of refuge in any county any person of school age maintained in such house of refuge shall for the purposes of this Act be deemed a non-resident, and the county council shall pay to the trustees of the school attended by such person or persons such monthly fees as may be mutually agreed upon, provided such fees do not exceed the average cost of the instruction of the pupils of such school. R.S.O. 1897, c. 292, s. 90. 15

HOLIDAYS.

Holidays in rural schools. **96.** The public school teaching year shall consist of two terms: in rural schools the first term shall begin on the third Monday of August, and end on the 22nd day of December; the second term shall begin on the 3rd day of January, and end on the 30th day of June. 20

In urban schools. (2) In urban municipalities the first term shall begin on the first day of September, and end on the 22nd day of December; the second term shall begin on the 3rd day of January, and end on the 30th day of June. 25

Saturdays and other holidays. (3) Every Saturday, every public holiday, the week following Easter Sunday, and every day proclaimed a holiday by the authorities of the municipality in which the teacher is engaged, shall be a holiday in public schools.

In territorial districts. (4) In the territorial districts and in the Provisional County of Haliburton the trustees of any rural school may allot the time herein allowed for holidays at Easter and midsummer to suit the convenience of pupils and teachers, provided always that the same number of holidays be allowed and in periods of the same duration as herein set forth. R.S.O. 1897 c. 292, s. 91. 30 35

AUTHORIZED BOOKS.

Change of text-book. **97.** Any authorized text-book in actual use in any public or model school may be changed by the teacher of such school for any other authorized text-book in the same subject on the written approval of the trustees and the inspector, provided always such change is made at the beginning of a school term, and at least six months after such approval has been given; 40

Substitution of unauthorized text-books. (2) In case any teacher negligently or wilfully permits any unauthorized text-book to be used by the pupils of his school, he shall for each such offence, on conviction thereof 45

before a Police Magistrate or Justice of the Peace, be liable to a penalty payable to the municipality for public school purposes, not exceeding \$10, together with costs, as the Police Magistrate or Justice may think fit. R.S.O. 1897, c. 292, s. 92.

APPEALS FROM DIVISION COURT DECISIONS.

- 5 **98.** The Judge of any Division Court wherein any action between teachers, inspectors, trustees, or others acting under this Act, or *The High Schools Act*, is tried, may, at the request of either party, order the entering of judgment to be delayed for a sufficient time to enable such party to apply to the Minister of Education to appeal the case. Appeals from Division Courts.
- 10 (2) The Minister may, within one month after the rendering of judgment in any such case, appeal from the decision of the Division Court Judge to a Divisional Court of the High Court of Justice, by serving notice in writing of such appeal upon the clerk of the Division Court appealed from, which appeal shall be entitled "The Minister of Education for Ontario, Appellant, in the matter between (A. B. and C. D.)" But nothing herein contained shall be held to interfere with the right of any of the parties to the action to exercise the ordinary right of appeal. Minister may appeal to High Court.
- 15 (3) The Judge whose decision is thus appealed from, shall thereupon certify under his hand, to the Central Office of the High Court at Toronto, the summons and statement of claim and other proceedings in the case, together with the evidence and his own judgment thereon, and all objections made thereto. After notice of appeal has been served as hereinafter provided no further proceedings shall be had in such case until the matter of appeal has been decided by the High Court. Judges to send papers to High Court.
No further proceedings to be taken after notice of appeal.
- 20 (4) On the Judge receiving a notice of appeal from his decision (under the authority of this Act), he shall thereupon certify under his hand, to the Minister of Education, the summons and statement of claim and other proceedings in the case, together with the evidence and his own judgment thereon, and all objections thereto. The High Court shall give such order or decision to the court below, touching the judgment to be given in the matter, as the circumstances of the case require. Upon receipt of such order, direction and certificate, the Judge of the Division Court shall forthwith proceed in accordance therewith. Judge to certify proceedings to the Minister.
Order of Court.
Proceedings in division court when appeal decided.
- 30 (5) The Court may also in its discretion award costs against the appellant, which costs shall be certified to and form part of the judgment of the court below. All costs awarded against an appellant, and all costs incurred by him, may be paid by the Minister, and charged as contingent expenses of his office. R.S.O. 1897 c. 292, s. 93. Costs.
- 40
- 45

SCHOOL VISITORS.

Public school visitors defined.

99. Judges, members of the Legislature, members of county councils, and aldermen shall be school visitors in the municipalities where they respectively reside. All clergymen shall be school visitors in the municipalities where they have pastoral charge. 5

Authority to visit public schools.

(2) School visitors may visit public schools as in this Act provided. They may also attend the examination of schools, and at the time of any such visit, may examine the progress of the pupils, and the state and management of the school, and give such advice to the teacher and pupils, and any others present, as they deem expedient. R.S.O. 1897 c. 292, s. 94. 10

PENALTIES AND PROHIBITIONS.

Clerk neglecting or refusing to perform duties.

100. If any township clerk neglects or refuses to prepare and furnish the map of the school sections of his municipality as required by this Act, or if he neglects for one month to make any return required by this Act, he shall be liable to a penalty not exceeding \$10, to be recovered before a Justice of the Peace, for the school purposes of his municipality, at the instance of any ratepayer thereof. R.S.O. 1897 c. 292, s. 95. 15 20

Also declaration as to right to vote.

101. Any person who wilfully makes a false declaration of his right to vote at any school meeting or election of school trustees shall be liable to a penalty of not less than \$5 nor more than \$10 to be sued for and recovered with costs before a Justice of the Peace, by the public school trustees of the city, town, village, or school section, for its use. R.S.O. 1897 c. 292, s. 96. 25

Disqualified persons acting as trustees.

102. Any public school trustee who refuses to serve after being duly elected shall be liable to a penalty of \$5, and any person elected as a school trustee who attends any meetings of the school board as such, after being disqualified under this Act, shall be liable to a penalty of \$20 for every meeting so attended. R.S.O. 1897 c. 292, s. 97. 30

Trustees not to hold certain offices.

103. No public school trustee shall be eligible to appointment as public school inspector, or teacher, within the section of which he is a trustee; nor shall the teacher of any public, high, or separate school hold the office of public school trustee, nor shall an inspector be a teacher or trustee of any public, high or separate school while he holds the office of inspector. R.S.O. 1897 c. 292, s. 98. 35 40

Seat vacated by conviction for crime, etc.

104. Any trustee who is convicted of any felony or misdemeanor, or becomes insane, or absents himself from the meetings of the board for three consecutive months, without being authorized by resolution entered upon its minutes, or ceases to be an actual resident within the school section for which he is 45

a trustee, shall *ipso facto* vacate his seat and the remaining trustee or trustees shall declare his seat vacant and forthwith order a new election. R.S.O. 1897 c. 292, s. 99.

105. Any trustee who has any pecuniary interest, profit or
 5 promise or expected benefit in, or from any contract, agreement
 or engagement, either in his own name, or in the name of
 another, with the corporation of which he is a member, or who
 receives, or expects to receive any compensation for any work,
 engagement, employment or duty, on behalf of such corpora-
 10 tion, shall *ipso facto* vacate his seat, and every such contract,
 agreement, engagement or promise shall be null and void, and
 on the complaint of two ratepayers of the section or of the
 remaining trustee or trustees, the County Judge may declare the
 seat vacant, and forthwith order a new election, provided
 15 always that it shall be lawful for the trustees of any rural
 school section to allow the secretary or secretary-treasurer such
 compensation for his services, for the purposes specified in this
 Act, as may be approved at the annual meeting of the rate-
 payers and duly entered in the minutes.

Seat vacated
by interest in
contract with
corporation.

20 *Provided further that any journalist or the publisher of any
 periodical who may be elected public school trustee shall
 not by reason of the publication of any advertisement in the
 regular course of business in any newspaper or periodical of
 which such trustee is proprietor or in which he is the holder
 25 of any shares or stock, be deemed to be disqualified to serve
 as school trustee. R.S.O. 1897, c. 292, s. 100; 62 V. (2) c. 36,
 s. 16.*

*The above proviso printed in italics was added to the Rev.
 Stat. by s. 16 of c. 36 of the Acts of 1899, p. 159. It is sub-
 30 mitted that it is included in the following section and that it
 is unnecessary to retain it in the Rev. Stat.*

106. No person shall be disqualified from being elected a
 member of any public school board, or from sitting and voting
 in such board by reason only of his being proprietor of or other-
 wise interested in a newspaper or other periodical publication
 35 in which from time to time official advertisements are inserted
 by the board which appear in other newspapers or publica-
 tions in the school district, or which is subscribed for by
 the board or by any of the departments or offices of the
 40 school district, although such advertisements or subscriptions
 are paid for at the usual rate out of the moneys of the
 school board, but this shall not apply to any person who
 has entered into an agreement or contract with a school
 board, to do at a specified rate all or the greater part of the
 45 printing required by such board during the term of such agree-
 ment or contract, but such member of school board shall not
 be entitled to vote where his own account is in question.
 62 V. (2) c. 11, s. 22.

Newspaper
proprietors
inserting
official adver-
tisements not
disqualified
from sitting
in boards, etc.

*The above section is s. 22 of c. 11 of the Acts of 1899, p. 49.
 50 It is inserted here without alteration so far as it applies to*

Public Schools. It is repeated in the High Schools Bill so far as it relates to High Schools. It also relates to members of municipal councils. See note to last section.

Penalty for not calling school meetings.

107. In case any annual or other rural school meeting has not been held for want of the proper notice, every trustee or other person whose duty it was to give the notice, shall forfeit the sum of \$5 to be sued for and recovered before a Justice of the Peace, by any resident inhabitant in the rural school section, for the use thereof. R.S.O. 1897, c. 292, s. 101. 5

Penalty for disturbing a school or school meeting.

108. Any person who wilfully disturbs, interrupts, or disquiets the proceedings of any school meeting authorized to be held by this Act, or anyone who wilfully interrupts or disquiets any public school established and conducted under its authority, or other school, by rude or indecent behaviour, or by making a noise either within the place or where such school is kept or held, or so near thereto as to disturb the order of exercises of the school, shall, for each offence, on conviction thereof before a Justice of the Peace, on the oath of one credible witness, forfeit and pay for public school purposes to the school section, city, town, or village within which the offence was committed, a sum not exceeding \$20 together with the costs of the conviction, as the said Justice may think fit. R.S.O. 1897, c. 292, s. 102. 10 15 20

Penalty for refusing to perform duties.

109. Every person elected as trustee who has not refused to accept the office, and who at any time refuses or neglects to perform its duties, shall forfeit the sum of \$20 to be sued for and recovered before a Justice of the Peace, by the trustees, or any person whomsoever for the purposes of such trustees. R.S.O. 1897, c. 292, s. 103. d 25

Penalty for refusing to exercise corporate powers.

110. Any trustee or public school corporation who wilfully neglects or refuses to exercise all the corporate powers vested in them by this Act, for the fulfilment of any contract or agreement made by them, shall be held to be personally responsible for the fulfilment of such contract or agreement. R.S.O. 1897, c. 292, s. 104. 30 35

Penalty on chairman for neglect.

111. Any chairman who neglects to transmit to the county inspector a minute of the proceedings of any annual or other rural school section meeting over which he has presided, within ten days after the holding of such meeting shall be liable, on the complaint of any ratepayer, to a fine of not more than \$5 to be recovered as provided by this Act. R.S.O. 1897 c. 292, s. 105. 40

Liability for neglect to take security.

112. If any trustees refuse or neglect to take proper security from the secretary-treasurer, or other person to whom they entrust school moneys, they shall be held personally responsible for the moneys. R.S.O. 1897, c. 292, s. 106. 45

113. If any part of the public school fund or moneys is embezzled or lost, through the dishonesty or faithlessness of any trustee, secretary-treasurer, or other person to whom it has been entrusted, and proper security against the loss has not
 5 been taken, the person or persons whose duty it was to have exacted the security shall be personally responsible for the sums so embezzled or lost; and such sums may be recovered from him or them by the person entitled to receive the same, by action in any court having jurisdiction to the amount, or
 10 by information at the suit of the Crown. R.S.O. 1897, c. 292, s. 107.

Responsibility in case of lost school moneys.

114. No secretary-treasurer appointed by the school trustees of any school section, and no person having been such secretary-treasurer, and no trustee or other person who may
 15 have in his possession any books, papers, chattels, or moneys, which came into his possession as such secretary-treasurer, trustee or otherwise, shall wrongfully withhold, or neglect or refuse to deliver up, or account for, and pay over the same or any part thereof to the person, and in the manner directed
 20 by the school corporation then in office, or by other competent authority; and such withholding, neglect or refusal to deliver up or account for, shall be punishable, as provided in the three following sections of this Act. R.S.O. 1897, c. 292, s. 108.

Penalty on secretary-treasurer, or trustee for refusing to account.

115. Upon application to the Judge of the County
 25 Court, by a majority of the trustees, or by any two ratepayers of the section supported by their affidavit made before some Justice of the Peace, of such wrongful withholding or refusal, the Judge shall make an order that such secretary-treasurer, or person having been such secretary-treasurer or trustee,
 30 other person, do appear before him at a time and place to be appointed in the order.

Mode of proceeding.

(2) Any bailiff of a Division Court, upon being required by the Judge, shall serve the order personally on the person complained against, or leave the same with a grown-up person at
 35 his residence.

Service of order.

(3) At the time and place so appointed, the Judge being satisfied that service has been made, shall, in a summary manner, and whether the person complained of does or does not appear, hear the complaint, and if he is of opinion that the
 40 complaint is well founded, the Judge shall order the person complained of to deliver up, account for, and pay over the books, papers, chattels, or moneys as aforesaid, by a certain day to be named by the Judge in the order, together with such reasonable costs incurred in making the application as
 45 the Judge may tax.

Judge to issue order.

(4) In the event of non-compliance with the terms specified in such order, or any of them, the Judge shall order the said person to be forthwith arrested by the sheriff of any county in which he may be found, and to be committed to

Effects of non-compliance with judge's order.

the common gaol of his county, there to remain without bail until the Judge is satisfied that the person has delivered up, accounted for, or paid over the books, papers, chattels or moneys in question, in the manner directed by the majority of the trustees, or other competent authority as aforesaid; upon 5 proof of his having so done, the Judge shall make an order for his discharge, and he shall be discharged accordingly.

Other remedy not affected. (5) No such proceedings shall impair or affect any other remedy which the said trustees, or other competent authority, may have against the secretary-treasurer, or person having 10 been such secretary-treasurer or his sureties, or against any trustee or other person as aforesaid. R.S.O. 1897, c. 292, s. 109.

Penalty on trustees refusing information, etc., to auditor. **116.** The trustees, or their secretary-treasurer in their behalf, shall not refuse to furnish the auditors of any accounts of the school corporation, or either of them, with any papers 15 or information in their power, which may be required of them relative to their school accounts, and for any contravention of this section upon prosecution therefor by either of the auditors, or any ratepayer, shall be liable to a penalty of \$20. R.S.O. 1897, c. 292, s. 110. 20

Penalty for neglect to send half-yearly returns. **117.** In case the trustees of any rural school section neglect to transmit to the county inspector, on or before the 15th day of January in every year, a correct and verified statement of the average attendance of pupils in each of the schools under their charge during the twelve months then immediately 25 preceding, then the school section shall not be entitled to the apportionment from the school fund for the said twelve months, and the trustees so neglecting shall be personally responsible for the amount of the loss of such apportionment. R.S.O. 1897, c. 292, s. 111. 30

Penalty for delaying yearly report. **118.** In case the trustees of any school section neglect to prepare and forward the aforesaid annual report to their county inspector by the 15th day of January in every year, each of them shall, for every week after such 15th day of January, and until such report has been prepared and presented, for 35 feet the sum of \$5 to be sued for by the county inspector, and collected and applied in the manner provided for by this Act. R.S.O. 1897, c. 292, s. 112.

Penalty for false school reports and registers. **119.** If any trustee of a public school knowingly signs a false report, or if any teacher of a public school keeps a false 40 school register, or makes a false return, with the view of obtaining a larger sum than the just proportion of school moneys coming to such school, or for any other improper purpose, the trustee or teacher shall, for every offence, forfeit to the public school fund of the municipality the sum of \$20 for 45 which any person whatever may prosecute him before a Justice of the Peace, and the trustee or teacher may be convicted on the oath of one credible witness other than the prosecutor.

(2) If upon conviction, the penalty is not forthwith paid, the same shall, under the warrant of the Justice, be levied with costs by distress and sale of the goods and chattels of the offender, and shall be paid by the Justice to the public school board. R.S.O. 1897, c. 292, s. 113. Recovery by distress.

120. The trustees of every school section shall be personally responsible for the amount of any school moneys forfeited by or lost to the school section in consequence of the neglect of duty of the trustees during their continuance in office. The amount thus forfeited or lost shall be collected and applied in the manner provided for by this Act. R.S.O. 1897, c. 292, s. 114. Trustees personally responsible for moneys lost.

GENERAL PROHIBITIONS.

121. No teacher, trustee, inspector, or other person officially connected with the Education Department, the normal, model, public, or high schools or collegiate institutes, shall become or act as agent for any person or persons to sell, or in any way to promote the sale for such person or persons, of any school, library, prize or text-book, map, chart, school apparatus, furniture or stationery, or shall receive compensation or other remuneration or equivalent for such sale, or for the promotion of sale in any way whatsoever. No inspector, trustee, teacher, etc., to act as agent for the sale of books, maps, etc.

(2) Any teacher who refuses to give up to the school trustees possession of any visitor's book, school register, schoolhouse key or any other school property in his possession shall not be deemed a qualified teacher until restitution is made, and shall also forfeit any claim which he may have against the said trustees. R.S.O. 1897, c. 292, s. 115. Refusal to give up key, etc.

HOW FINES AND PENALTIES MAY BE RECOVERED.

122. Unless it is in this Act otherwise provided, all fines, penalties, and forfeitures recoverable by summary proceedings, may be sued for, recovered, and enforced with costs, by and before any Police Magistrate or Justice of the Peace having jurisdiction within the municipality in which such fine or penalty has been incurred. How penalties under this Act shall be recoverable.

(2) If the fine or penalty and costs are not forthwith paid, the same shall, by and under the warrant of the convicting Justice, be enforced, levied and collected with costs, by distress and sale of the goods and chattels of the offender, and shall be by the Police Magistrate or Justice paid over to the school treasurer of the school section, city, town, or village, or other party entitled thereto.

(3) In default of such distress, the Police Magistrate or Justice shall, by his warrant, cause the offender to be imprisoned for any time not exceeding thirty days, unless the fine and costs, and the reasonable expenses of endeavouring to collect the same, are sooner paid. R.S.O. 1897, c. 292, s. 116.

CONFIRMING AND SAVING CLAUSES.

School land granted before 1850 vested in trustees for school purposes.

123. All lands which previous to the 24th day of July 1850, were granted, devised or otherwise conveyed to any person or persons in trust for common school purposes, and held by such person or persons and their heirs or other successors in the trust, and have been heretofore vested in the public school trustees of the school section or municipality in which such lands are respectively situate, shall continue vested in such trustees, and shall continue to be held by the said trustees and their successors upon the like trusts and subject to the same conditions and estates upon or subject to which the said lands are now respectively held. R.S.O. 1897, c. 292, s. 117. 5 10

123. The following Acts and parts of Acts of the Legislature of Ontario are hereby repealed. Revised Statutes of Ontario 1897, chapter 292—62 Victoria (Second Session) chapter 11, sections 22 and 29 and chapter 36 so far as the same relate to Public Schools. 63 Victoria, chapter 53. 15

FORM A.

(Section 72.)

FORM OF SCHOOL DEBENTURE.

PROVINCE OF ONTARIO.

§
Debenture of the School Loan. of County of No. , for

The corporation of the of hereby promises to pay to Bearer at the Bank of , at the sum of dollars, in lawful money of Canada, year from the date hereof; and to pay interest at the rate of per cent. per annum, half yearly, to the Bearer of the annexed coupons respectively, upon the presentation thereof at the said bank.

Issued at , this day of 19 , by virtue and under the authority of *The Public Schools Act*, and pursuant to By-law No of said of , passed on the day of , A.D. 19 , intituled "A By-law to raise by way of loan the sum of dollars for the purpose therein mentioned (or as the case may be)."

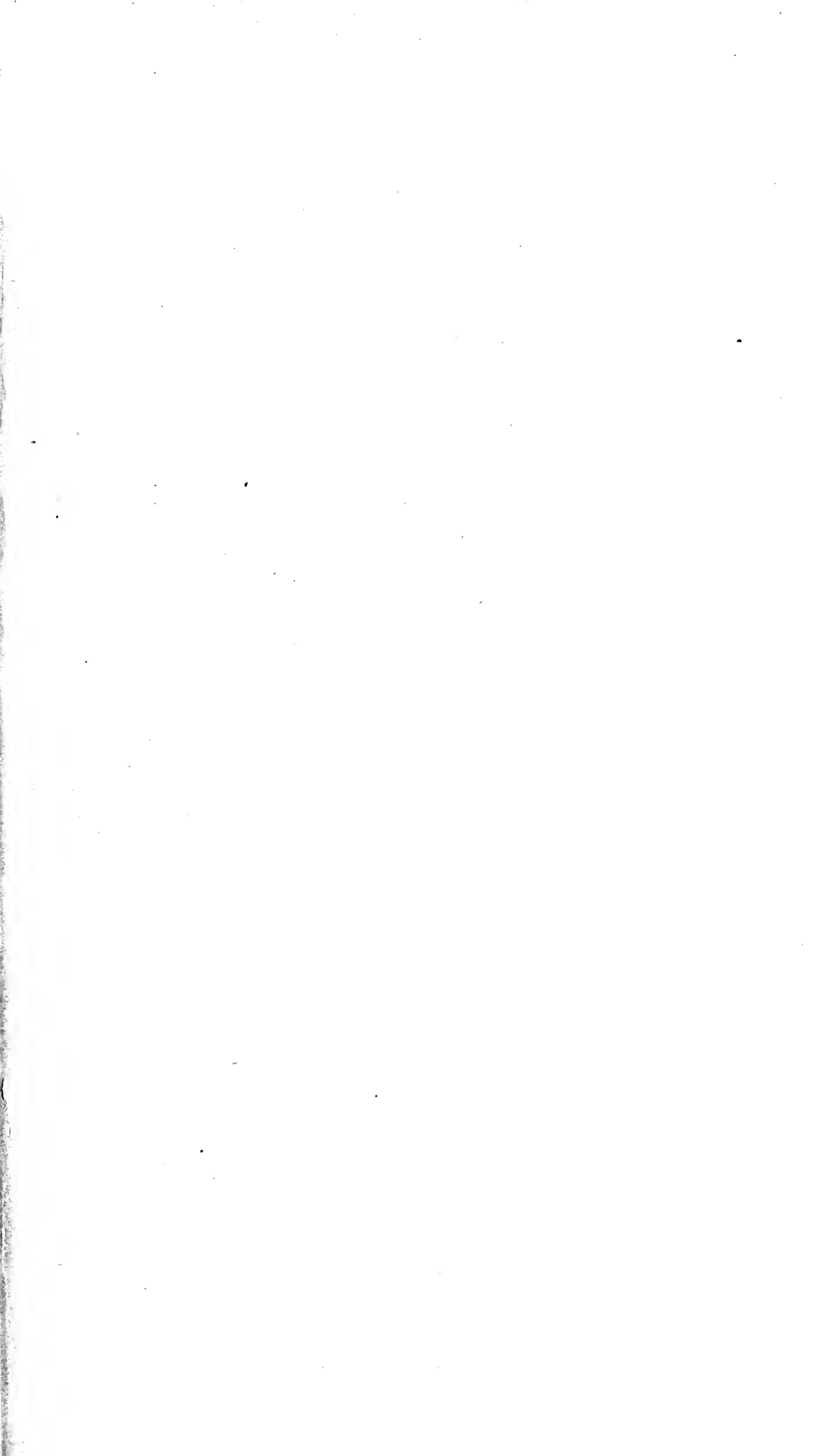
A. B.,
Reeve or Mayor.

C. D.
Treasurer.

<p>COUPON No. .</p> <p>The Corporation of the of will pay the Bearer at the Bank of , on the day of , the sum of dollars, interest due on that day on Debenture No. .</p> <p style="text-align: right;">C. D., Treasurer.</p>

R.S.O. 1897, c. 292.

This section is new.



No. 67.

4th Session, 9th Legislature,
1 Edward VII., 1901.

BILL.

An Act respecting Public Schools.

First Reading,
, 1901.

Mr.

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





