

An Act respecting Canadian Oil Fields, Limited.

WHEREAS the Petrolea Crude Oil and Tanking Company, Preamble.
 and the Canadian Oil Fields Limited have by petition
 represented that by an Act passed in the 42nd year of the
 Reign of Her late Majesty Queen Victoria, chaptered 82, cer-
 5 tain powers, rights and privileges were conferred upon the
 said The Petrolea Crude Oil and Tanking Company, a com-
 pany incorporated under *The Ontario Joint Stock Companies*
Letters Patent Act 1874; and whereas the said, The Petrolea
 Crude Oil and Tanking Company is a valid and subsisting com-
 10 pany and is and has been in actual operation ever since its
 incorporation; and whereas the said, The Petrolea Crude Oil
 and Tanking Company by virtue of the powers on it confer-
 red has laid down great quantities of pipe lines throughout
 the County of Lambton for the transportation of crude and
 15 refined petroleum; and whereas the said, The Petrolea Crude
 Oil and tanking Company has sold, conveyed, transferred and
 assigned all its assets including the powers by the above
 recited Act conferred, to Canadian Oil Fields, Limited, a com-
 pany incorporated under the *Imperial Companies Act 1862*
 20 *to 1900*, and duly licensed by the Province of Ontario to carry
 on business within the Province, including the business here-
 tofore carried on by the said, The Petrolea Crude Oil and
 Tanking Company; and whereas the said companies have
 prayed that an Act may be passed to confirm and validate the said
 25 sale and transfer; 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:—

- 30 **1.** The transfer and assignment of the powers, rights and
 privileges by the above recited Act conferred upon The Petro-
 lea Crude Oil and Tanking Company to Canadian Oil Fields,
 Limited, is hereby legalized and confirmed, and “Canadian
 Oil Fields, Limited,” in addition to its present powers may
 35 exercise and enjoy all the powers, rights and privileges by above
 recited Act conferred upon The Petrolea Crude Oil and Tank-
 ing Company, Limited, subject however to all the provisoes
 and conditions in said Act contained.

Transfer to
 the Petrolea
 Crude Oil and
 Tanking Co.,
 to Canadian
 Oil Fields,
 Limited,
 confirmed.

No. 1.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting Canadian Oil Fields,
Limited.

First Reading 1903.

(Private Bill.)

Mr. PETTYPIECE.

TORONTO:

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

An Act respecting Canadian Oil Fields, Limited.

WHEREAS the Petrolea Crude Oil and Tanking Company, Pr. amble. and Canadian Oil Fields, Limited, have by petition represented that by an Act passed in the 42nd year of the Reign of Her late Majesty Queen Victoria, chaptered 82, certain powers, rights and privileges were conferred upon The Petrolea Crude Oil and Tanking Company, a company incorporated under *The Ontario Joint Stock Companies Letters Patent Act 1874*; and whereas The Petrolea Crude Oil and Tanking Company is a valid and subsisting company and is and has been in actual operation ever since its incorporation; and whereas The Petrolea Crude Oil and Tanking Company by virtue of the powers on it conferred has laid down great quantities of pipe lines throughout the County of Lambton for the transportation of crude and refined petroleum; and whereas The Petrolea Crude Oil and Tanking Company has sold, conveyed, transferred and assigned all its assets including the powers by the above recited Act conferred, to Canadian Oil Fields, Limited, a company incorporated under the *Imperial Companies Acts 1862 to 1900*, and duly licensed by the Province of Ontario to carry on business within the Province, including the business heretofore carried on by The Petrolea Crude Oil and Tanking Company; and whereas the said companies have prayed that an Act may be passed to confirm and validate the said transfer ^{and} and assignment to Canadian Oil Fields, Limited, of the powers, rights and privileges by the above recited Act conferred upon The Petrolea Crude Oil and Tanking Company; ^{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 assignment by The Petrolea Crude Oil and Tanking Company to Canadian Oil Fields, Limited, ^{as} set forth as a Schedule to this Act ^{is} is legalized and confirmed, and Canadian Oil Fields, Limited, in addition to its present powers may exercise and enjoy all the powers, rights and privileges conferred upon The Petrolea Crude Oil and Tanking Company, Limited, ^{as} by the Act passed in the 42nd year of the Reign of Her late Majesty Queen Victoria, chaptered 82. ^{is}

Transfer from the Petrolea Crude Oil and Tanking Co., to Canadian Oil Fields, Limited, confirmed.

SCHEDULE.

THIS INDENTURE OF ASSIGNMENT made in duplicate this first day of May, in the year of our Lord, 1902, between The Petrolia Crude Oil and Tanking Company, Limited, hereinafter called the parties of the first part, and Canadian Oil Fields, Limited, hereinafter called the parties of the second part.

Whereas the Petrolia Crude Oil and Tanking Company, Limited, a Company incorporated under *The Ontario Joint Stock Companies' Letters Patent Act, 1874*, have been carrying on the business of purchasing or leasing Petroleum oil wells and oil lands and testing for, pumping, producing, buying, selling, piping, tanking and warehousing such oil and transacting all business relating to petroleum oil and its products and establishing, erecting and maintaining all necessary premises, building works and appliances for the proper working and carrying on of the said business.

And whereas under and by an Act of the Legislature of the Province of Ontario passed in the session thereof held in the forty-second year of the reign of Her late Majesty Queen Victoria and intituled *An Act to give further powers to the Petrolia Crude Oil and Tanking Company*, the parties of the first part were granted among other powers, the right to lay beneath the ground a continuous pipe or pipes between all or any of certain points in the County of Lambton in the said Act mentioned, for the purpose of carrying along or through the said pipe or pipes the crude oils distillate or refined oils of petroleum from place or places of its production and manufacture in the said County of Lambton, to certain points in said Act mentioned in the said County of Lambton, with powers to erect, maintain, operate and carry on all tanks, reservoirs, engines, machinery, houses and erections and all other matters and things whatsoever necessary or expedient for the said undertaking as set forth in said Act.

And whereas the Canadian Oil Fields, Limited, a Corporation incorporated under the laws of the Imperial Parliament of Great Britain and Ireland has under an Act intituled *An Act respecting the licensing of Extra Provincial Corporations*, been granted a license by the Lieutenant-Governor of the Province of Ontario in Council to carry on among other businesses the following business, that is to say :—To purchase, lease, license or otherwise acquire any petroleum or oil bearing lands or any other interest in any such lands or any rights of or connected with the getting or winning of any petroleum or other oil and to sink wells, to make borings and otherwise to search for and get petroleum and other mineral oils and products thereof and to warehouse and transport crude and refined petroleum by means of pipe-lines. And to apply for, obtain and acquire, by purchase or otherwise, among other things Letters Patent, Licenses, Protections, Concessions, grants and authorities for or in respect of exclusive and non-exclusive privileges and rights relating to all or any of the businesses or operations of the Canadian Oil Fields, Limited, or any benefit or interest therein, in any manner and on any terms, and to unite and absorb into the Canadian Oil Fields, Limited any other company or the members of any other company having objects similar, analagous or subsidiary to any of the objects of the Canadian Oil Fields, Limited, or carrying on any business capable of being conducted so as directly or indirectly to benefit the said Canadian Oil Fields, Limited.

And whereas the parties of the first part have this first day of May sold to the parties of the second part all the real estate, lands, tenements, hereditaments and appurtenances belonging thereto, the oil wells, oil well plant and machinery of whatever nature and kind situate thereon, together with all the underground fire-proof tankage and the iron pipe lines laid underground and generally all the land, premises, underground

tanks, oil wells, plant and chattel property of the parties of the first part, together with the whole of the goodwill of the parties of the first part, and the right title and interest in any Act of Parliament, Concessions, Letters Patent, Contracts and other instruments conferring any privilege, power or advantage, commercial or otherwise, in connection with the business of the said parties of the first part.

Now therefore this indenture witnesseth that for and in consideration of the sum of fifty thousand dollars paid by the said parties of the second part to the said parties of the first part, the said parties of the first part do hereby grant, assign, transfer and set over unto the said parties of the second part, all the rights, interests, powers and privileges granted or conferred upon or possessed by the said parties of the first part under and by virtue of the Letters Patent granted to them by the Lieutenant-Governor of the Province of Ontario in Council on the 12th day of December, 1874, and under and by virtue of any and all Acts of the Legislature of the Province of Ontario granting powers or privileges or any rights whatever to the said parties of the first part and particularly all the rights, interests, powers and privileges granted or conferred upon or possessed by the said parties of the first part under and by virtue of an Act of the Legislature of the Province of Ontario, (42 Vic. Cap. 82, 1879), intituled *An Act to give further powers to the Petrolia Crude Oil and Tanking Company*.

And the said parties of the first part do hereby grant and assign to the said parties of the second part all the rights, interests, powers and privileges which they the said parties of the first part have heretofore acquired or might have acquired or may or might hereafter acquire by virtue of said Act, and generally all the right, title, interest, property, benefit, claim and demand whatsoever both at law and in equity or otherwise howsoever vested in them the said parties of the first part under the said Act, and to take and do all such matters and things as fully and effectually as if the parties of the second part were the original receivers of such powers, in place of the said parties of the first part.

In witness whereof the said Petrolia Crude Oil and Tanking Company, Limited, has hereunto affixed its Corporate Seal attested by the signature of the President of said Company.

THE PETROLIA CRUDE OIL AND TANKING COMPANY, LIMITED.

CHARLES JENKINS, President.

[Seal.]

No. 1.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting Canadian Oil Fields,
Limited.

First Reading, 24th April, 1903.

(Reprinted as amended by Private Bills
Committee.)

Mr. PETTYPIECE.

TORONTO:

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

An Act respecting the Municipality of Dysart

WHEREAS the Municipality of Dysart, The Canadian Land and Immigration Company of Haliburton, Limited, The Canadian Bank of Commerce and William Henry Lockhart Gordon, of the City of Toronto in the County of York, Esquire, did enter into an agreement on the first day of November, A. D. 1902, extending for a further period of five years from the date of the said agreement the provisions of an agreement made between the said parties on the twenty-fifth day of November, A. D. 1896, which last mentioned agreement adopted and extended the provisions of an agreement made by the Municipality of Dysart on the thirty-first day of July, A. D. 1885, regarding the assessment of the real and personal property within the Municipality of Dysart owned on joint account by the said Canadian Land and Immigration Company of Haliburton, Limited, The Canadian Bank of Commerce and the said William Henry Lockhart Gordon; and whereas the said agreements of the thirty-first day of July, A. D. 1885, and the twenty-fifth day of November, A. D. 1896, have already been confirmed by Acts of the Legislature, passed respectively on the twenty-third day of April, 1887, and the thirteenth day of April, 1897; 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 agreement entered into by and between the Municipality of Dysart, The Canadian Land and Immigration Company of Haliburton, Limited, The Canadian Bank of Commerce and William Henry Lockhart Gordon on the first day of November, A. D. 1902, and a copy of which is set out in the Schedule to this Act is hereby legalized and confirmed.

Agreement between the Municipality of Dysart and others confirmed.

SCHEDULE.

This indenture made this first day of November one thousand nine hundred and two, between the Municipality of Dysart, hereinafter

called the "Municipality" and of the first part; the Canadian Land and Immigration Company of Haliburton, Limited, the Canadian Bank of Commerce, and William Henry Lockhart Gordon, of the City of Toronto, in the County of York Esquire, of the second part.

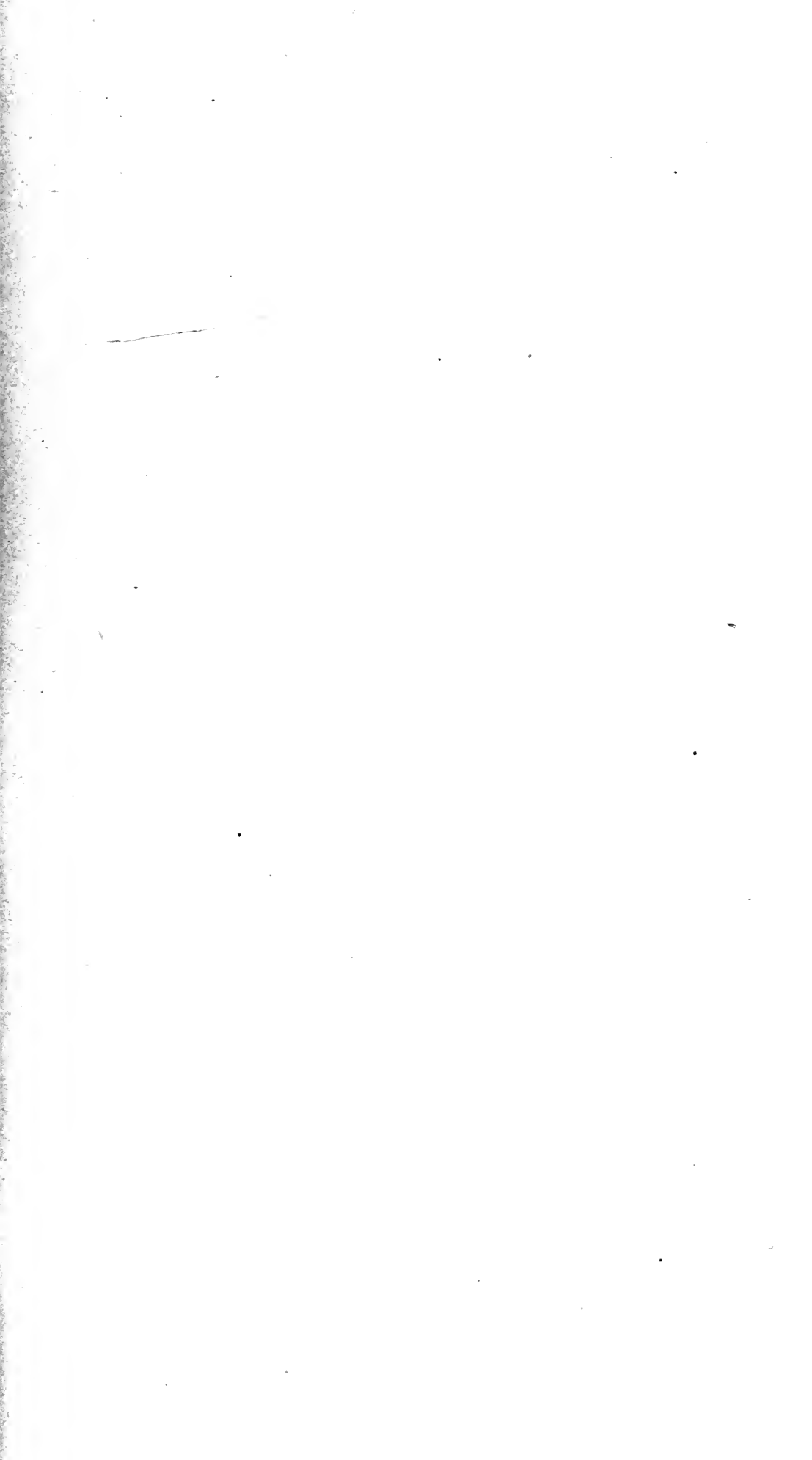
Whereas the said Municipality did enter into an agreement with the said parties hereto of the second part on the 25th day of November, A. D. 1896, making an agreement entered into with the Canadian Land and Immigration Company Limited, on the 31st day of July, A. D. 1885, regarding the manner in which the said company's real and personal property within the Municipality of Dysart should be assessed applicable to the property which the said parties of the second part acquired from the said Company and binding on the parties hereto for the period of five years from the date of the said agreement.

And whereas the said agreement having worked satisfactorily to all the parties to this agreement, they are desirous of extending the same for a further period of five years from the date of these presents.

Now therefore this indenture witnesseth that the parties hereto agree that the said agreements are to be and remain in full force and effect for a period of five years from the date of these presents.

In witness whereof the said Municipality, the said Company and the said Bank have hereunto caused to be affixed their corporate seals, and the said William Henry Lockhart Gordon his hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of W. PRUST, as to execution by J. R. ERSKINE, Reeve of Dysart.	}	(Sgd.) J. R. ERSKINE, Reeve of Dysart. (S.)
EDWARD V. O'SULLIVAN, as to execution by William Henry Lockhart Gordon and the Canadian Land and Immigration Company of Haliburton, Ltd.	}	(Sgd.) W. H. LOCKHART GORDON, President. (S.) (Sgd.) H. D. LOCKHART GORDON, Secretary. (S.)
Witness : E. B. MACKENZIE.	}	(Sgd.) GEO. A. COX, President. (S.) (Sgd.) J. H. PLUMMER, A. G. M. (S.) (Sgd.) W. H. LOCKHART GORDON, (S.)



1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act respecting the Municipality of
Dysart.

First Reading, _____, 1903.

(Private Bill.)

Mr. CARNEGIE.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting the Municipality of Dysart.

WHEREAS the Municipality of Dysart, The Canadian Land and Immigration Company of Haliburton, Limited, The Canadian Bank of Commerce and William Henry Lockhart Gordon, of the City of Toronto in the County of York, Esquire, did enter into an agreement on the *1st* day of November, 1902, extending for a further period of five years from the date of the said agreement the provisions of an agreement made between the said parties on the *25th* day of November, 1896, which last mentioned agreement adopted and extended the provisions of an agreement made by the Municipality of Dysart on the *31st* day of July, 1885, regarding the assessment of the real and personal property within the Municipality of Dysart owned on joint account by The Canadian Land and Immigration Company of Haliburton, Limited, The Canadian Bank of Commerce and the said William Henry Lockhart Gordon ; and whereas the said agreements of the *31st* day of July, 1885, and the *25th* day of November, 1896, have already been confirmed by Acts of the Legislature, ~~viz.~~ being respectively the Act passed in the 50th year of the reign of Her Late Majesty Queen Victoria, chaptered 49, and the Act passed in the 60th year of the reign of Her Late Majesty Queen Victoria, chaptered 63 ; ~~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 said agreement entered into by and between the Municipality of Dysart, The Canadian Land and Immigration Company of Haliburton, Limited, The Canadian Bank of Commerce and William Henry Lockhart Gordon on the *1st* day of November, A. D. 1902, a copy of which is set out in the Schedule to this Act is hereby legalized and confirmed.

Agreement between the Municipality of Dysart and others confirmed.

SCHEDULE.

This indenture made this first day of November one thousand nine hundred and two, between the Municipality of Dysart, hereinafter called the "Municipality" and of the first part; the Canadian Land and Immigration Company of Haliburton, Limited, the Canadian Bank of Commerce, and William Henry Lockhart Gordon, of the City of Toronto, in the County of York Esquire, of the second part.

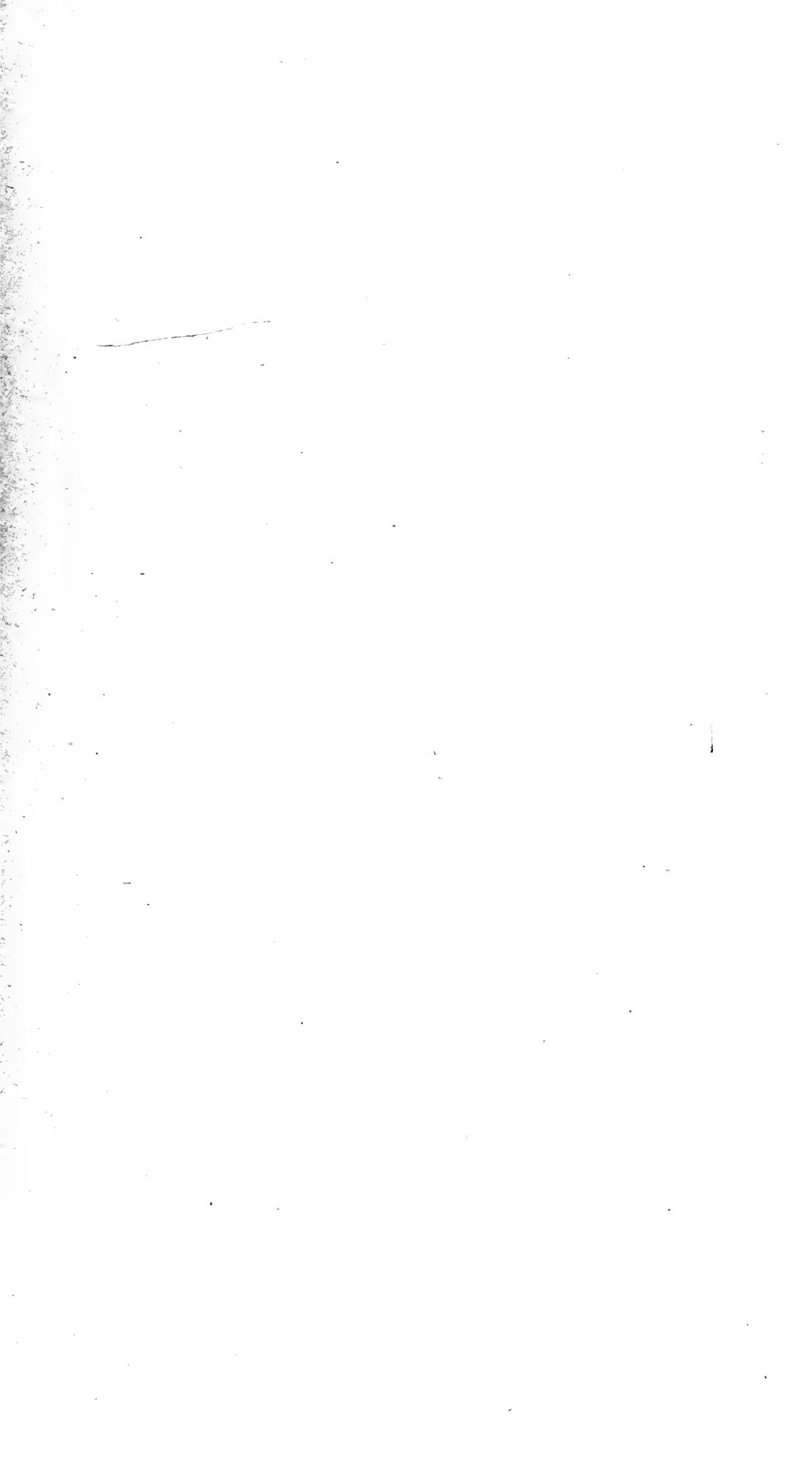
Whereas the said Municipality did enter into an agreement with the said parties hereto of the second part on the 25th day of November, A. D. 1896, making an agreement entered into with the Canadian Land and Immigration Company Limited, on the 31st day of July, A. D. 1885, regarding the manner in which the said company's real and personal property within the Municipality of Dysart should be assessed applicable to the property which the said parties of the second part acquired from the said Company and binding on the parties hereto for the period of five years from the date of the said agreement.

And whereas the said agreement having worked satisfactorily to all the parties to this agreement, they are desirous of extending the same for a further period of five years from the date of these presents.

Now therefore this indenture witnesseth that the parties hereto agree that the said agreements are to be and remain in full force and effect for a period of five years from the date of these presents.

In witness whereof the said Municipality, the said Company and the said Bank have hereunto caused to be affixed their corporate seals, and the said William Henry Lockhart Gordon his hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of W. PRUST, as to execution by J. R. ERSKINE, Reeve of Dysart.	}	(Sgd.) J. R. ERSKINE, Reeve of Dysart. (S.)
EDWARD V. O'SULLIVAN, as to execution by William Henry Lockhart Gordon and the Canadian Land and Immigration Company of Haliburton, Ltd.	}	(Sgd.) W. H. LOCKHART GORDON, President. (S.) (Sgd.) H. D. LOCKHART GORDON, Secretary. (S.)
Witness : E. B. MACKENZIE.	}	(Sgd.) GEO. A. COX, President. (S.) (Sgd.) J. H. PLUMMER, A. G. M. (S.) (Sgd.) W. H. LOCKHART GORDON, (S.)



1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act respecting the Municipality of
Dysart.

First Reading, 24th April, 1903.

(Reprinted as amended by Private Bills
Committee.)

Mr. CARNEGIE.

TORONTO :

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act to Legalize and confirm By-Law No. 679 of
the Town of Petrolia.

WHEREAS the Municipal Corporation of the Town of Petrolia has by its Petition represented that The Canadian Oil Refining Company, Limited is the owner of certain lands in the Town of Petrolia and that the said lands for years prior to its purchase by the said Company were of comparatively small value, and that the said Company have without any bonus or other assistance from the said Town of Petrolia constructed an oil refinery and works for the purpose of manufacturing illuminating oil from petroleum and of manufacturing the by-products of petroleum and have contributed a large amount of taxes and water rates to the said Town of Petrolia during the year 1902 and purposes enlarging the works and plant to a still greater extent and has represented to the said Corporation of Petrolia that the said Company will operate the said Refinery and works for such period of each year as the work to be done will justify and will employ daily during such operation at least twenty men; and that the total assessment of the said lands at the time they were purchased by the Company was less than \$10,000 and not more than \$1,500; and whereas the said Petition sets forth that the Municipal Council of the Town of Petrolia did on the Eleventh day of November, 1902, by unanimous vote finally pass a By law No. 679, fixing the assessment on the lands and plant of the said The Canadian Oil Refinery Company, Limited, at Ten thousand dollars for a period of twenty years from the First day of January, 1903, upon the terms and conditions in said By-law set forth, which said By-law is fully set out in the Schedule to this Act; and whereas the said Municipal Corporation has by the said petition prayed that an Act may be passed to legalize and 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. The said By-law No. 679 of the Municipal Corporation of the Town of Petrolia as set out in the Schedule to this Act is confirmed and declared to be legal, valid and binding upon the said Municipal Corporation, notwithstanding any want of

Preamble.

By-law No. 679.

jurisdiction in said Municipality to pass such By-law and notwithstanding any defect in substance or in the form of the said By-law or in the manner of passing the same.

SCHEDULE.

BY-LAW No. 679.

A By-Law to fix the Assessment of The Canadian Oil Refining Company, Limited, at the sum of ten thousand dollars for twenty years, on certain conditions.

Whereas The Canadian Oil Refining Company, Limited, is the owner of the land in the Town of Petrolia in the County of Lambton, described as follows :—

Being all and singular that portion of the subdivision of the west quarter of lot number thirteen in the twelfth concession, formerly in the Township of Enniskillen but now of the Town of Petrolia, according to a plan and survey thereof made by J. J. Francis, P. L.S. and registered in the Registry Office for the County of Lambton, described as being sub-lots numbers forty-one, forty-two, forty-three, forty-four, forty-five and forty-seven.

Also all and singular that certain portion of sub-lots numbers forty-eight and forty-nine and forty-six according to said plan and survey described as follows :—Commencing at the north-west corner of the east half of said sub-lot number forty-eight, thence easterly along the northerly limits of sub-lots forty-eight, forty-nine and forty-six to the north-east angle of said sub-lot number forty-six ; thence southerly along the east limit of said sub-lot number forty-six sixty feet ; thence westerly parallel to the said north limit of said sub-lots forty-six, forty-nine and forty-eight, to the west limit of the east half of said sub-lot number forty-eight ; thence northerly along the said west limit to the east half of said sub-lot forty eight, sixty feet to the place of beginning.

Also that portion of said sub-lot number forty-eight in said survey described as being the south-west quarter thereof.

Also that portion of sub-lots numbers forty-eight and forty-nine in said survey and subdivision described as follows :— Commencing at the south-west angle of the east half of sub-lot number forty-eight ; thence easterly along the southern boundary of said sub-lots numbers forty-eight and forty-nine, one hundred feet to a point ; thence northerly parallel to the east and west boundary of said sub-lots forty-eight and forty-nine, two hundred feet to a point ; thence westerly parallel to the southern boundary of said sub-lots forty-nine and forty-eight, one hundred feet to a point in the boundary line between the east and west halves of said sub-lot forty-eight ; thence southerly along said dividing line between the east and west halves of lot forty-eight, two hundred feet to the place of beginning.

And whereas the said land was for years prior to being purchased by the said company in 1901 of comparative small value.

And whereas the total assessment of said land at the time same was purchased by said company was less than ten thousand dollars and not more than fifteen hundred dollars.

And whereas the said company has without bonus or other assistance from the Town of Petrolia constructed an oil refinery and works for the purpose of manufacturing illuminating oil from petroleum and of manufacturing the by-products of petroleum, and has contributed a large

amount of taxes and water rates to the said town during the year 1902, and purposes enlarging the works and plant to a still greater extent.

And whereas the said company has represented to the Town of Petrolia that it and its successors and assigns will operate the said oil refinery and works for such portion of each year of said terms as the business to be done will justify and will employ daily during the time of such operation at least twenty men.

And whereas the said company has agreed to defray the expenses of Legislation validating and making operative this by-law.

Therefore the Municipal Council of the Town of Petrolia subject to this By-law being validated, affirmed and made operative by the Legislature of the Province of Ontario, enacts as follows :

1st. That the annual assessment of the aforesaid real property of the said Company, their successors and assigns, including any pipe lines in connection therewith and situate in the Town of Petrolia, and the personal property of the said Company, their successors and assigns, shall, for all purposes whatsoever, including school taxes, be fixed at the sum of ten thousand dollars for a period of twenty years from and inclusive of the first day of January, 1903.

2nd. That all property which the said Company, their successors or assigns, shall hereafter acquire in the said Town of Petrolia for the purposes of and to be used in connection with their business, provided such after acquired property lies adjacent to the hereinbefore described land, shall for the portion of said period of twenty years which shall not then have elapsed, be assessed annually for the same amount as the assessment thereof in the year next before the same shall be so purchased, and which said assessment of property which may be so hereafter acquired, shall be in addition to the said fixed assessment of ten thousand dollars.

3rd. Should the said Company, their successors or assigns, fail in any year during said term to carry on the said works on the said lands for at least eight months thereof or to employ at least twenty persons therein for eight months in any year, the Town of Petrolia may in the next year after such default and as often as such default shall be made, assess the said real and personal property as if this By-law and any Act validating the same had not been passed ; but the said Company, their successors and assigns, shall, upon payment of the taxes levied upon the assessment made by reason of such default, be thereafter entitled to the benefit of the assessment fixed by this by-law upon compliance with the conditions thereof.

5th. That all labour employed shall become residents of the Town.

Passed this eleventh day of November, 1902.

(Sgd) WILLIAM ENGLISH,
Mayor.

(Sgd) JOHN MCHATTIE,
Clerk. (L.S.)

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL

An Act to legalize and confirm By-law No.
679, of the Town of Petrolia.

First Reading,	1903.
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Mr. HANNA.

TORONTO:

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

An Act to Legalize and confirm By-Law No. 679 of
the Town of Petrolia.

WHEREAS the Municipal Corporation of the Town of Petrolia has by petition represented that The Canadian Oil Refining Company, Limited is the owner of certain lands in the Town of Petrolia, and that the said lands for *many* years prior to *the purchase thereof* by the said company were of comparatively small value, and that the said company *has* without any bonus or other assistance from the said town constructed an oil refinery and works for the purpose of manufacturing illuminating oil from petroleum and of manufacturing the by-products of petroleum, and *that the said company* purposes enlarging the *said* works to a still greater extent, and has represented to the *Municipal Council* of Petrolia that the said company will operate the said refinery and works for such period of each year as the work to be done will justify and will employ daily during such operation at least twenty men; and, *whereas it appears* that the assessment of the said lands at the time they were purchased by the company was \$1,500; and whereas the said petition sets forth that the Municipal Council of the Town of Petrolia did on the *11th* day of November, 1902, by unanimous vote finally pass a by-law fixing the assessment on the lands and plant of the said The Canadian Oil Refinery Company, Limited, at \$10,000 for a period of twenty years from the *1st* day of January, 1903, upon the terms and conditions in *the* said by-law set forth; and whereas the said municipal corporation has by the said petition prayed that an Act may be passed to legalize and 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 No. 679 of the Municipal Corporation of the Town of Petrolia as set out in the Schedule to this Act is confirmed and declared to be legal, valid and binding upon the said municipal corporation, notwithstanding any want of jurisdiction in said municipality to pass such by-law and notwithstanding any defect in substance or in the form of the said by-law or in the manner of passing the same.

Preamble.

By-law No. 679.

SCHEDULE.

BY-LAW No. 679.

A By-Law to fix the Assessment of The Canadian Oil Refining Company, Limited, at the sum of ten thousand dollars for twenty years, on certain conditions.

Whereas The Canadian Oil Refining Company, Limited, is the owner of the land in the Town of Petrolia in the County of Lambton, described as follows :—

Being all and singular that portion of the subdivision of the west quarter of lot number thirteen in the twelfth concession, formerly in the Township of Enniskillen but now of the Town of Petrolia, according to a plan and survey thereof made by J. J. Francis, P. L.S. and registered in the Registry Office for the County of Lambton, described as being sub-lots numbers forty-one, forty-two, forty-three, forty-four, forty-five and forty-seven.

Also all and singular that certain portion of sub-lots numbers forty-eight and forty-nine and forty-six according to said plan and survey described as follows :—Commencing at the north-west corner of the east half of said sub-lot number forty-eight, thence easterly along the northerly limits of sub-lots forty-eight, forty-nine and forty-six to the north-east angle of said sub-lot number forty-six ; thence southerly along the east limit of said sub-lot number forty-six sixty feet ; thence westerly parallel to the said north limit of said sub-lots forty-six, forty-nine and forty-eight, to the west limit of the east half of said sub-lot number forty-eight ; thence northerly along the said west limit to the east half of said sub-lot forty eight, sixty feet to the place of beginning.

Also that portion of said sub-lot number forty-eight in said survey described as being the south-west quarter thereof.

Also that portion of sub-lots numbers forty-eight and forty-nine in said survey and subdivision described as follows :—Commencing at the south-west angle of the east half of sub-lot number forty-eight ; thence easterly along the southern boundary of said sub-lots numbers forty-eight and forty-nine, one hundred feet to a point ; thence northerly parallel to the east and west boundary of said sub-lots forty-eight and forty-nine, two hundred feet to a point ; thence westerly parallel to the southern boundary of said sub-lots forty-nine and forty-eight, one hundred feet to a point in the boundary line between the east and west halves of said sub-lot forty-eight ; thence southerly along said dividing line between the east and west halves of lot forty-eight, two hundred feet to the place of beginning.

And whereas the said land was for years prior to being purchased by the said company in 1901 of comparative small value.

And whereas the total assessment of said land at the time same was purchased by said company was less than ten thousand dollars and not more than fifteen hundred dollars.

And whereas the said company has without bonus or other assistance from the Town of Petrolia constructed an oil refinery and works for the purpose of manufacturing illuminating oil from petroleum and of manufacturing the by-products of petroleum, and has contributed a large amount of taxes and water rates to the said town during the year 1902, and purposes enlarging the works and plant to a still greater extent.

And whereas the said company has represented to the Town of Petrolia that it and its successors and assigns will operate the said oil refinery and works for such portion of each year of said terms as the business to be done will justify and will employ daily during the time of such operation at least twenty men.

And whereas the said company has agreed to defray the expenses of Legislation validating and making operative this by-law.

Therefore the Municipal Council of the Town of Petrolia subject to this By-law being validated, affirmed and made operative by the Legislature of the Province of Ontario, enacts as follows :

1st. That the annual assessment of the aforesaid real property of the said Company, their successors and assigns, including any pipe lines in connection therewith and situate in the Town of Petrolia, and the personal property of the said Company, their successors and assigns, shall, for all purposes whatsoever, including school taxes, be fixed at the sum of ten thousand dollars for a period of twenty years from and inclusive of the first day of January, 1903.

2nd. That all property which the said Company, their successors or assigns, shall hereafter acquire in the said Town of Petrolia for the purposes of and to be used in connection with their business, provided such after acquired property lies adjacent to the hereinbefore described land, shall for the portion of said period of twenty years which shall not then have elapsed, be assessed annually for the same amount as the assessment thereof in the year next before the same shall be so purchased, and which said assessment of property which may be so hereafter acquired, shall be in addition to the said fixed assessment of ten thousand dollars.

3rd. Should the said Company, their successors or assigns, fail in any year during said term to carry on the said works on the said lands for at least eight months thereof or to employ at least twenty persons therein for eight months in any year, the Town of Petrolia may in the next year after such default and as often as such default shall be made, assess the said real and personal property as if this By-law and any Act validating the same had not been passed ; but the said Company, their successors and assigns, shall, upon payment of the taxes levied upon the assessment made by reason of such default, be thereafter entitled to the benefit of the assessment fixed by this by-law upon compliance with the conditions thereof.

5th. That all labour employed shall become residents of the Town.

Passed this eleventh day of November, 1902.

(Sgd) WILLIAM ENGLISH,
Mayor.

(Sgd) JOHN MCHATTIE,
Clerk. (L.S.)

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL

An Act to legalize and confirm By-law No.
679, of the Town of Petrolia.

First Reading, 24th April, 1903.

(Reprinted as amended by Private Bills
Committee.)

Mr. HANNA.

TORONTO:

PRINTED BY I. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act to incorporate The Brantford Young Men's
Christian Association.

WHEREAS an association under the name of The Brantford Young Men's Christian Association was incorporated on the 30th day of March, 1874, under the Provisions of an Act passed in the 37th year of the reign of Her late Majesty Queen Victoria, Chaptered 34, and intituled "An Act respecting Benevolent, Provident and other Societies," and has since existed in the City of Brantford, having for its object the improvement and advancement of the social, intellectual and spiritual condition of young men, and the promotion of christian work in the City then Town of Brantford, 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 said association has by petition prayed that the said incorporation may be confirmed as hereinafter provided, and its buildings and real estate in the City of Brantford may be exempted from taxation except for local improvements, and that the powers of the said corporation may be otherwise defined and enlarged; 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 incorporation of the said association is confirmed, and The Brantford Young Men's Christian Association is declared to be a body corporate and politic and to have been duly incorporated under the provisions of the Act respecting Benevolent, Provident and other Societies, with the rights, powers and privileges in the said Act, and the certificate of incorporation of the said association mentioned, and all the real and personal estate, property, assets and effects, and all present and future grants, devises, legacies and bequests, and all titles, securities and instruments and all rights, claims and liabilities in favor of or against The Brantford Young Men's Christian Association are declared to be vested in and shall enure to or against The Brantford Young Men's Christian

Preamble.

Incorporation confirmed.

- Association as fully and effectually to all intents and purposes as if the said association had been incorporated by an Act of the Province of Ontario. And the said corporation shall have power to acquire and hold real estate in the City of Brantford providing the annual value of the 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, county or other municipal debentures or other approved 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 10 15 20
- Powers as to holding real estate.**
- 2.** The object of the said corporation shall be the promotion of the spiritual, intellectual, social and physical welfare of young men by the maintenance and support of meetings, lectures, classes, reading rooms, library, gymnasium and such other means as may from time to time be determined upon and the promotion of Christian work in the said city. 25
- Objects of corporation.**
- 3.** The constitution and by-laws by which the association is now governed shall continue to 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. 30 35
- Constitution and by-laws.**
- 4.** 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. 40
- Officers and members.**
- 5.** 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.
- Annual return.**
- 6.** The funds of the said corporation shall be used for the purposes authorized by this act, and nothing herein contained 45
- Application of funds.**

shall authorize the said corporation to engage in the business of trading in real estate.

7. The real estate vested in the said corporation shall continue to be subject to existing incumbrances thereon, and shall
5 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
10 the consent of at least three-fourths of the members of the board of directors, expressed by resolution duly passed and recorded

Management
of real estate.

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

Directors.

9. 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
20 to time determine.

Technical
instruction.

10. The buildings of The Brantford Young Men's Christian
Association and the land whereon the same are erected, so long
as the same are occupied by and used for the purposes of the
association shall be exempt from taxation except as to local
25 improvements.

Exemption of
buildings and
site from
taxation.

11.—(1) Every contract, agreement, engagement or bargain
made and every bill of exchange drawn, accepted or endorsed,
and every promissory note and cheque made, drawn or en-
dorsed on behalf of the said corporation by any agent, officer
30 or servant of the corporation, in general accordance with his powers as such under the by-laws of the corporation, shall be binding upon the corporation, and in no case shall it be necessary to have the seal of the corporation affixed to any such contract, agreement, engagement, bargain, bill of exchange,
35 promissory note or cheque, or to prove that the same was made, drawn, accepted or endorsed as the case may be, in pursuance of any by-law or special vote or order; nor shall the party so acting as agent, officer or servant of the corporation be thereby subjected individually to any liability whatsoever to any third party therefor.

Execution of
contracts
making notes,
cheques, etc.

(2) Nothing in this section shall be construed to authorize the corporation to issue any note payable to the bearer thereof, or any promissory note intended to be circulated as money or as the note of a bank.

No. 4

1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act to incorporate The Brantford Young
Men's Christian Association.

First Reading, 1903.

(Private Bill)

Mr. PRESTON.

TORONTO:

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

An Act to incorporate The Brantford Young Men's
Christian Association.

WHEREAS an association under the name of The Brant- Preamble
ford Young Men's Christian Association was incorporated
on the 30th day of March, 1874, under the provisions of
an Act passed in the 37th year of the reign of Her late
5 Majesty Queen Victoria, chaptered 34, and intituled "An
Act respecting Benevolent, Provident and other Societies,"
and has since existed in the City of Brantford, having for its
object the improvement and advancement of the social, intel-
lectual and spiritual condition of young men, and the pro-
10 motion of Christian work in the City of Brantford, and is governed
by a constitution and by-laws which have received the assent of
the members of the said association; and whereas the said associ-
ation has by petition prayed that the said incorporation may
be confirmed as hereinafter provided, and its buildings and
15 real estate in the City of Brantford may be exempted from
taxation except for local improvements, and that the powers
of the said corporation may be otherwise defined and enlarged;
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. The incorporation of the said association is confirmed, Incorporation
25 and The Brantford Young Men's Christian Association is confirmed.
declared to be a body corporate and politic and to have been
duly incorporated under the provisions of the *said* Act respecting
Benevolent, Provident and other Societies, with the rights,
powers and privileges in the said Act, and the certificate of
30 incorporation of the said association, mentioned, and all the
real and personal estate, property, assets and effects, and all
present and future grants, devises, legacies and bequests, and
all titles, securities and instruments and all rights, claims and
liabilities in favor of or against The Brantford Young Men's
35 Christian Association are declared to be vested in and shall
enure to or against The Brantford Young Men's Christian

Association as fully and effectually to all intents and purposes as if the said association had been incorporated by an Act of the Province of Ontario; and the said corporation shall have power to acquire and hold real estate in the City of Brantford providing the annual value of the 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, county or other municipal debentures or other approved 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.

Powers as to holding real estate.

Objects of corporation.

2. The object of the said corporation shall be the promotion of the spiritual, intellectual, social and physical welfare of young men by the maintenance and support of meetings, lectures, classes, reading rooms, library, gymnasium and such other means as may from time to time be determined upon and the promotion of Christian work in the said city.

Constitution and by-laws.

3. The constitution and by-laws by which the association is now governed shall continue to 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.

4. 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.

5. 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.

Application of funds.

6. 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.

7. The real estate vested in the said corporation shall continue to be subject to existing incumbrances thereon, and shall Management of real estate.
 5 be managed and controlled by a 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
 10 the consent of at least three-fourths of the members of the board of directors, expressed by resolution duly passed and recorded.

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

9. The said corporation shall have power to establish a Technical instruction.
 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
 20 to time determine.

10. *Such part of* the buildings of The Brantford Young Men's Christian Association and the land whereon the same are erected, are occupied by and used for the purposes of the association shall be exempt from taxation except as to local im- Exemption of buildings and site from taxation.
 25 provements *as long as the same are so occupied and used.*

11.—(1) Every contract, agreement, engagement or bargain made and every bill of exchange drawn, accepted or endorsed, and every promissory note and cheque made, drawn or endorsed on behalf of the said corporation by any agent, officer
 30 or servant of the corporation, in general accordance with his powers as such under the by-laws of the corporation, shall be binding upon the corporation, and in no case shall it be necessary to have the seal of the corporation affixed to any such contract, agreement, engagement, bargain, bill of exchange,
 35 promissory note or cheque, or to prove that the same was made, drawn, accepted or endorsed as the case may be, in pursuance of any by-law or special vote or order; nor shall the party so acting as agent, officer or servant of the corporation be thereby subjected individually to any liability whatsoever to any third party therefor.
 40

(2) Nothing in this section shall be construed to authorize the corporation to issue any note payable to the bearer thereof, or any promissory note intended to be circulated as money or as the note of a bank.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act to incorporate The Brantford Young
Men's Christian Association.

First Reading, 24th April, 1903.

(Reprinted as amended by Private Bills
Committee.)

Mr. PRESTON.
(Brant.)

TORONTO:

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

An Act to confirm By-law No. 575 of the Town of
Sarnia.

Preamble.

WHEREAS the Sarnia Gas and Electric Light Company, Limited, and the Municipal Corporation of the Town of Sarnia have petitioned praying that an Act may be passed to legalize, ratify and confirm By-law number 575 of the said
5 Town of Sarnia passed on the 20th day of October A.D. 1902, intituled "A By-law authorizing The Sarnia Gas and Electric Light Company, Limited, to erect poles and string wires in the Town of Sarnia," a copy of which By-law is set forth in the schedule to this Act ; and whereas the said corporation
10 has prayed that an Act may be passed to confirm and legalize the said By-law No. 575 ; 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 By-law No. 575 of the Municipal Corporation of the Town of Sarnia set forth in schedule "A" to this Act is hereby confirmed and declared legal, valid and binding upon the said Municipal Corporation and the ratepayers thereof
20 and upon all parties affected thereby, notwithstanding any want of jurisdiction on the part of the said municipality to pass the said By-law and notwithstanding any defect in substance or in form of the said By-law, or in the manner of passing the same, and the said corporation is hereby authorized
25 and empowered to do all necessary acts for the full and proper carrying out of the said By-law No. 575.

By-Law
No. 575
confirmed.

—————
SCHEDULE A.

BY-LAW 575.

A By-law authorizing The Sarnia Gas and Electric Light Company Limited, to erect poles and string wires in the Town of Sarnia.

Whereas The Sarnia Gas and Electric Light Company, Limited, hereinafter called the "Company," is duly authorized by law to supply gas and electric light to the Corporation of the Town of Sarnia, hereinafter called the "Corporation"

And whereas doubts have arisen as to the rights which the said company has heretofore exercised and will hereafter require to exercise in order to furnish the said corporation and the inhabitants thereof with electric light and power, and it is desirable that the said doubts should be removed.

Be it therefore enacted by the Municipal Council of the Town of Sarnia, as follows :—

1. The said company is hereby authorized and empowered, subject as hereinafter set out, to erect and maintain all the poles, wires, guys, guy posts, electric appliances and overhead construction on and along the streets, highways and public places of the Town of Sarnia necessary for the full and complete carrying on of the business of the company in supplying electricity as aforesaid.

2. The said company shall not erect or maintain any pole less than twenty-two feet in height from the surface of the ground and shall not be required to erect or maintain any pole more than thirty-five feet in height from the surface of the ground.

3. Where it shall be necessary to top off branches, or trim trees along the said streets, highways and public places in order that the wires or other appliances of the company shall not come in contact therewith, the said company shall have the right to top off such branches and to trim said trees subject only as hereinafter set out.

4. The placing of the said poles and wires, and the position they shall occupy, and the topping of off the branches and trimming of trees as aforesaid shall be subject to the supervision of the avenue committee or inspector or other person appointed by the Municipal Council of the Town of Sarnia in that behalf ; provided that whenever the consent of the adjacent owner is obtained to the topping off of branches and trimming of trees as aforesaid, or whenever the notice hereinafter provided for shall have been sent by the company and shall be unheeded by the corporation, the supervision by the said committee, inspector or other person shall not be necessary.

5. The company, in order that the said corporation may exercise the said right of supervision, shall give notice in writing to the clerk of the Town of Sarnia by letter or otherwise at least three clear days in advance of when the company proposes to go over and locate any part of their line or to top off any branches or trim any trees as aforesaid, and said notice shall state upon what streets said work is to be done, and the date when said work will be commenced.

6. All poles, wires, guys, guy posts, electric appliances and overhead construction on and along said streets, highways and public places and now operated by the said company, shall, for all purposes, be taken as erected under the provisions of this By-law.

7. If any person, firm or corporation, requires the removal of any part of the wires or overhead construction of the said company to permit of the passing along the street of any building or other large substance that requires such removal or cutting, the said person, firm or corporation shall first give to the said company forty-eight hours notice of the time and place for such removal and shall at the time of giving such notice pay to the company a reasonable sum to cover the costs of cutting or otherwise removing and replacing said overhead construction, upon which the said company shall cut or otherwise remove their said overhead construction so as to permit of the passing of the said building or other large substance as aforesaid, such charge not to exceed in any case five dollars.

8. This By-law shall remain in full force and effect as long as the said company is empowered to supply electricity to the said corporation and its inhabitants.

9. The corporation shall join with the company in applying to the Legislature of the Province of Ontario for legislation confirming, ratifying

and legalizing this By-law, but the said company shall pay all the costs of the said legislation, and this By-law is passed subject to such confirmation and legalization.

This By-law shall be known as By-law number 575 of the Town of Sarnia.

Finally passed this 20th day of October, 1902.

WILLIAM LOGIE,
Mayor.

J. D. STEWART,
Town Clerk,

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act to confirm By-law No. 575 of the
Town of Sarnia.

First Reading. 1903.

(Private Bill.)

Mr. HANNA.

TORONTO :

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

An Act to confirm By-law No. 575 of the Town of
Sarnia.

WHEREAS The Sarnia Gas and Electric Light Company, Preamble.
Limited, and the Municipal Corporation of the Town
of Sarnia have petitioned praying that an Act may be passed
to legalize, ratify and confirm a by-law of the said Town of
Sarnia passed on the 20th day of October, 1902, authorizing
The Sarnia Gas and Electric Light Company, Limited, to erect
poles and string wires in the Town of Sarnia ; 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 No. 575 of the Municipal Corporation of the By-Law
No. 575
confirmed.
Town of Sarnia set forth in *the* schedule to this Act is
hereby confirmed and declared legal, valid and binding upon
the said municipal corporation and the ratepayers thereof
and upon all parties affected thereby, notwithstanding any
want of jurisdiction on the part of the said municipality to
pass the said by-law and notwithstanding any defect in sub-
stance or in form of the said by law, or in the manner of pass-
ing the same, and the said corporation is hereby authorized
and empowered to do all necessary acts for the full and proper
carrying out of the said by-law.

—————
SCHEDULE.

BY-LAW 575.

A By-law authorizing The Sarnia Gas and Electric Light Company
Limited, to erect poles and string wires in the Town of Sarnia.

Whereas The Sarnia Gas and Electric Light Company, Limited, here-
inafter called the " Company," is duly authorized by law to supply gas
and electric light to the Corporation of the Town of Sarnia, hereinafter
called the " Corporation "

And whereas doubts have arisen as to the rights which the said company has heretofore exercised and will hereafter require to exercise in order to furnish the said corporation and the inhabitants thereof with electric light and power, and it is desirable that the said doubts should be removed.

Be it therefore enacted by the Municipal Council of the Town of Sarnia, as follows :—

1. The said company is hereby authorized and empowered, subject as hereinafter set out, to erect and maintain all the poles, wires, guys, guy posts, electric appliances and overhead construction on and along the streets, highways and public places of the Town of Sarnia necessary for the full and complete carrying on of the business of the company in supplying electricity as aforesaid.

2. The said company shall not erect or maintain any pole less than twenty-two feet in height from the surface of the ground and shall not be required to erect or maintain any pole more than thirty-five feet in height from the surface of the ground.

3. Where it shall be necessary to top off branches, or trim trees along the said streets, highways and public places in order that the wires or other appliances of the company shall not come in contact therewith, the said company shall have the right to top off such branches and to trim said trees subject only as hereinafter set out.

4. The placing of the said poles and wires, and the position they shall occupy, and the topping off of the branches and trimming of trees as aforesaid shall be subject to the supervision of the avenue committee or inspector or other person appointed by the Municipal Council of the Town of Sarnia in that behalf ; provided that whenever the consent of the adjacent owner is obtained to the topping off of branches and trimming of trees as aforesaid, or whenever the notice hereinafter provided for shall have been sent by the company and shall be unheeded by the corporation, the supervision by the said committee, inspector or other person shall not be necessary.

5. The company, in order that the said corporation may exercise the said right of supervision, shall give notice in writing to the clerk of the Town of Sarnia by letter or otherwise at least three clear days in advance of when the company proposes to go over and locate any part of their line or to top off any branches or trim any trees as aforesaid, and said notice shall state upon what streets said work is to be done, and the date when said work will be commenced.

6. All poles, wires, guys, guy posts, electric appliances and overhead construction on and along said streets, highways and public places and now operated by the said company, shall, for all purposes, be taken as erected under the provisions of this By-law.

7. If any person, firm or corporation, requires the removal of any part of the wires or overhead construction of the said company to permit of the passing along the street of any building or other large substance that requires such removal or cutting, the said person, firm or corporation shall first give to the said company forty-eight hours notice of the time and place for such removal and shall at the time of giving such notice pay to the company a reasonable sum to cover the costs of cutting or otherwise removing and replacing said overhead construction, upon which the said company shall cut or otherwise remove their said overhead construction so as to permit of the passing of the said building or other large substance as aforesaid, such charge not to exceed in any case five dollars.

8. This By-law shall remain in full force and effect as long as the said company is empowered to supply electricity to the said corporation and its inhabitants.

9. The corporation shall join with the company in applying to the Legislature of the Province of Ontario for legislation confirming, ratifying

and legalizing this By-law, but the said company shall pay all the costs of the said legislation, and this By-law is passed subject to such confirmation and legalization.

This By-law shall be known as By-law number 575 of the Town of Sarnia.

Finally passed this 20th day of October, 1902.

WILLIAM LOGIE,
Mayor.

J. D. STEWART,
Town Clerk,

1st Session 10th Legislature,
3 Edward VII., 1908.

BILL.

An Act to confirm By-law No. 575 of the
Town of Sarnia.

First Reading, 28th April, 1908.

(Reprinted as amended by Private Bills
Committee.)

Mr. HANNA.

TORONTO:

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

An Act to Incorporate The Lac Seul Rat Portage
and Keewatin Railway.

WHEREAS Charles Walter Chadwick, Manager; Alexander Marshall Hay, Capitalist; Albert Henry Edmison, Physician; Charles Edgar Neads, Manager; Alexander Mason Rose, Accountant; John Robert Bunn, Insurance Agent, and
5 Alfred Joseph Parsons, Agent, all of the Town of Rat Portage in the District of Rainy River and Province of Ontario; have by their petition prayed for an Act of Incorporation, under the name of "The Lac Seul Rat Portage and Keewatin Rail-
10 way," for the purposes of constructing, maintaining and oper-
ating a railway from a point at or near Lac Seul in the District of Rainy River and Province of Ontario and continuing in a southerly direction through the Town of Rat Portage and Township of Keewatin to a point at or near Shoal Lake in the same province and district aforesaid; with power also to
15 dam the Wabigoon River at or near the point where the proposed railway line will cross the said river, for the purpose of developing power and with power also to develop water power Location Number 227 P. (when acquired from the present owners) in the Town of Rat Portage for the said
20 purposes; and it has been represented that the line of railway of the company so to be incorporated will, for the most part be constructed in the unorganized part of the province; and it is proposed to operate the same by steam or electricity; and whereas owing to the location of the line of the said
25 railway, the provisions of *The Electric Railway Act* are not applicable to the company so to be incorporated, and the said petitioners have prayed that there be conferred upon them the powers ordinarily given upon the incorporation of a railway to be operated by steam; and whereas for the reasons aforesaid the
30 circumstances of the said proposed line of railway are exceptional; 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
35 as follows:—

1. The said Charles Walter Chadwick, Alexander Marshall Hay, Albert Henry Edmison, Charles Edgar Neads, Alexander Mason Rose, John Robert Bunn and Alfred Joseph Parsons
Incorporation.

and such other persons as shall become provisional directors, 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 Lac Seul Rat Portage and Keewatin Railway" hereinafter 5 called "the company."

Location of
Line.

2. The company is hereby authorized and empowered to survey lay out, construct, build, equip and maintain a railway, to be operated by steam or electricity, with double or single iron or steel tracks, from a point at or near Lac Seul in the 10 District of Rainy River and continuing in a southerly direction by the most feasible route via Rat Portage and the Township of Keewatin to a point at or near Shoal Lake in the District of Rainy River, and to construct branch lines, none of which are to exceed 20 miles in length, and to exercise all 15 the powers, rights and privileges required therefor in as full and ample a manner as for the main line of the said railway. And the said railway, or any 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 20 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 the said corporations, and between the company and the road companies 25 (if any) interested in such highways, and the company may make and enter into any agreement 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, *The Electric Railway Act* and in *The* 30 *Municipal Act* and any Act or Acts amending the same; provided that *The Electric Railway Act* shall not apply to the company except in so far as their railway is constructed along or upon a public highway.

Rev. Stat. c.
209.
Rev. Stat. c.
223.

Gauge.

3. The gauge of the said railway shall be four feet, eight 35 and one-half inches.

Provisional
directors.

4.—(1) The said Charles Walter Chadwick, Alexander Marshall Hay, Albert Henry Edmison, Charles Edgar Needs, Alexander Mason Rose, John Robert Bunn, and Alfred Joseph Parsons shall be and are hereby constituted a board of provi- 40 sional 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.

(2) The said provisional directors shall have power to add 45 to their number, or to substitute for any member of the said board of provisional directors (whether named in this Act, or by the said provisional directors) who may desire to resign or

withdraw from his position as a provisional director of the said company, any other person as a provisional director thereof; and all such persons as shall, from time to time, be provisional directors of the said company, pursuant to the provisions of this Act, shall constitute the board of provisional directors thereof.

(3) The first meeting of the board of provisional directors may be called upon notice signed by or on behalf of three provisional directors; such notice to be mailed to the said provisional directors at their respective places of address, as set forth in this Act; and the said board of provisional directors may, from time to time, pass resolutions or by-laws providing for the time, place or manner of calling future meetings of the said board of provisional directors.

15 5. The said board of provisional directors shall have power forthwith to open stock books and procure subscriptions of stock for the undertaking and to allot the stock and to receive payments on account of stock subscribed, and to make calls upon subscribers in respect of their stock, and to sue for and
 20 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 shall have all such
 25 other powers as under *The Railway Act of Ontario* are vested in ordinary directors. The said provisional directors, or a majority of them, or the board of directors to be elected as hereinafter mentioned, may, in their discretion exclude anyone from subscribing for stock, who, in their judgment, would
 30 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
 35 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 rail-
 40 way; and all meetings of the provisional board of directors shall be held at the Town of Rat Portage or at such other place as may best suit the interests of the company.

Powers of
provisional
directors.

Rev. Stat.
c. 207.

The provisional directors or the elected directors may pay or agree to pay in paid up stock or in the bonds of the com-
 45 pany, 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
 50 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.

Capital stock. **6.** The capital stock of the company hereby incorporated shall be one hundred thousand dollars (with power to increase the same in the manner provided by *The Railway Act of Ontario*) to be divided into one thousand shares of one hundred dollars, each and shall be raised by the persons and corporations who may become shareholders in the company, and the money so raised shall be applied, in the first place, to the payment of all fees, expenses and disbursements of and incidental to the passing of the Act, and for making the surveys, plans and estimates connected with the work 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 meeting for election of directors. **7.** When and so soon as shares to the amount of \$5,000 of the 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 District of Rainy River, of the time, place and purpose of the said meeting.

Directors first election of. **8.** 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 of the stock subscribed by them, shall elect not less than five and not more than twelve persons to be directors of the company in manner and qualified as hereinafter mentioned, who shall constitute a board of directors, and shall hold office until the next general annual meeting, and a majority of the directors shall form a quorum of the board, and may pass such rules, regulations and by-laws as may be deemed expedient and are not inconsistent with this Act and *The Railway Act of Ontario*, and the said board may employ and pay one of their number as managing director.

Qualification. **9.** No person shall be qualified to be elected as such director by the shareholders unless he is a shareholder holding at least five shares of stock in the company, and unless he has paid up all calls thereon.

Rights of aliens. **10.** 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.

5 **11.** The directors may, from time to time, make calls on the subscribed stock of the said company, 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 such
10 call, as hereinafter provided in section 13 of this Act.

12. The head office of the company shall be at the Town Head office of Rat Portage in the District of Rainy River.

13. The general annual meeting of the shareholders of the company shall be held in such place in the said Town of Rat
15 Portage or at such other place in the Province of Ontario, 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, by publishing the same in the *Ontario Gazette* and once a week in one newspaper published
20 in the District of Rainy River during the four weeks immediately proceeding the week in which such meeting is to take place.

14. Special general meetings of the shareholders of the said company may be held at such places, at such times, in
25 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.

15. At all meetings of the company the shareholders thereof may vote by proxy, and the proxy may be appointed
30 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.

16. No subscription for stock in the capital of the company shall be binding on the company unless it shall be ap-
35 proved by resolution of the directors, or unless ten per centum of the amount subscribed shall be actually paid thereon within one month after subscription.

17. 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.

Bonds,

18. The directors of the company shall have power to issue bonds of the company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all the sum of \$20,000 for each mile of the said railway and branches, and the provisions of sub-sections 19, 20, 22 and 23 of section 9 of *The Railway Act of Ontario* shall apply to such bonds and the issue thereof, and such bonds shall be issued subject and according to, and in conformity with the provisions of the said sub-sections.

Bonds how transferable.

19. All such bonds, debentures and other securities and coupons, and interest warrants thereon respectively may be made payable to bearer and transferable by delivery, and any holder of any such securities so made payable to bearer, may sue at law thereon in his own name.

Negotiable instruments.

20. The 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 shewn, and in no case shall it be necessary to have the seal of the said company affixed to said 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 said company to issue any promissory note or bill of exchange payable to bearer, or intended to be circulated as money, or as the notes or bills of a bank.

Pledging bonds.

21. 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.

Directors empowered to pay in stock.

22. The directors may enter into a contract or contracts with any individual, corporation or association of individuals for the construction or equipment of a railway or any part thereof, including or excluding the purchase of right of way, and may pay therefore either in whole or in part, either in cash or bonds, or in paid up stock, and may pay or agree to pay in paid up stock or in bonds of the said company such sums as they may deem expedient to engineers, or for the

right of way or material, plant or rolling stock, and also for the services of the promoters or other persons who may be employed by the directors for the purpose of assisting the directors and furthering the undertaking, or for the purchase of
 5 right of way, material, plant or rolling stock, whether such promoters or other persons be provisional or elected directors or not, provided that no such contract shall be of any force or validity unless first authorized by resolution passed by the votes of the shareholders in person or by proxy, representing
 10 two thirds in value of the subscribed capital stock, and on which no call is in default and unpaid at a general meeting specially called for that purpose.

23. The company is hereby authorized and empowered to take and make the surveys and levels of the lands through
 15 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*
 20 *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 ;
 25 and upon such deposit as aforesaid of the map or plan and book of reference of any and each of the said sections of said railway, 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
 30 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
 35 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 and the amendments thereof, with respect to plans and surveys.

24. Whenever it shall be necessary for the purpose of
 40 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
 45 same at a more reasonable price or at a greater advantage than by purchasing sufficient land for 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
 50 thereof, from time to time as they may deem expedient ; but

Construction
of line in
section.

Rev. Stat.
c. 207.

Power to
purchase
whole lots.

Rev. Stat.
c. 207.

the compulsory clauses of *The Railway Act of Ontario* shall not apply to this section.

Taking land
for gravel
pits, etc.

25. When stone, gravel, earth or sand is or are required for the construction or maintenance of said railway, or any part thereof, the company may, in case they cannot agree with the owner of the lands on which the same are situated 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 the case of acquiring the roadway, and the notice of arbitration, the tender of compensation and the award 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 land may be taken, or who may sell, shall apply to the subject matter of this action, 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

Rev. Stat.
c. 207.

Sidings to
gravel pits.

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 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 lands 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.

Rev. Stat.
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.

Telegraph and
telephone line.

27. 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 said railway or branches, and for the purpose of constructing, working and protecting the said telegraph and telephone lines, the powers conferred upon telegraph companies by *The Act*

Respecting Telegraph Companies, being chapter 192, of the Revised Statutes of Ontario, 1897, are hereby conferred upon the company; provided, that no poles shall be erected in the construction of either of the said lines in or through any city, 5 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. And with the con- 10 sent of the Lieutenant-Governor in Council, to enter upon, use, occupy and enjoy any unoccupied lands of the Crown for any or all the purposes aforesaid.

28. The company shall have power and authority:—

(1) To purchase land for, and erect power houses, ware- 15 houses, elevators, docks, stations, workshops, machine shops, foundries and offices, and to sell and convey such land as may be found necessary 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 20 vessels as the directors of the company may deem requisite, from time to time, to facilitate the carriage of passengers, freight and other traffic in connection with the railway.

General powers
Power houses,
docks, etc.

(2) To erect and maintain all necessary and convenient 25 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, wagons and other machinery and contrivances necessary or convenient for the working of the railway and the accommodation and use of the passengers, freight and business of the railway;

Stations,
wharfs, etc.

(3) To construct, maintain and operate works for the pro- 30 duction of electricity for the motive power of the said railway, and for the lighting and heating the rolling stock and other property of the company;

Production
of electricity.

(4) To sell or lease in the unorganized territory, and in any 35 municipality where such sale or lease is authorized by by-law of the council of the municipality and subject to the terms and conditions of such by-law, any such electricity not required for the purposes aforesaid, to any person or corporation, and the company in that behalf shall, subject to the 40 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 Heating, Light or Power*, and 45 to acquire and hold any property necessary for the purposes mentioned in this subsection;

Disposing of
electric power.

Rev. Stat.
c. 207.

(5) To acquire, by purchase or lease, the right to convey 50 electricity required for the working of the railway and light-

Bringing
electricity
through
other lands.

ing 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 said works, or any part thereof, or of the railway, may be situate, and under and subject to any by-law or by-laws of the council of such municipality passed in pursuance thereof. And with the consent of the Lieutenant-Governor in Council to enter upon, use, occupy and enjoy any unoccupied lands of the Crown for any or all the purposes aforesaid.

Form of conveyance to company.

29. 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 duplicate thereof.

Construction line on highways.

30. (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 section 2 of this Act. and of any By-law or By-laws of the council of said municipality to be passed in pursuance thereof; and in all such cases any and every work, matter or thing in connection with electricity or other motor power, and the application and using thereof in so constructing, operating and working such railway, or the cars, carriages, engines motors or machines aforesaid shall be so constructed, erected, laid down and arranged as to impede or incommode the public use of such street, highway or public place as little as possible, and so as not to be a nuisance thereto, nor to interfere with the free access to any house or other building erected in the vicinity of the same, and the electric and other appliances shall be of such an improved manufacture, and so placed as to avoid, so far as possible, any dangers 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 river.

(2) The By-laws mentioned in section 2, sub-section 5 of section 28, and in this section shall be subject to the conditions and provisions of section 632 of *The Municipal Act*. Rev. Stat. c. 223.

31. 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 May next following. Snow fence.

32. 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 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 or otherwise, as may be agreed on. Agreements for leasing its rolling stock.

33. The company is authorized to contract and agree with the Canadian Pacific Railway Company, the Grand Trunk Railway Company of Canada, the Ontario, Hudson's Bay and Western Railways Company, the Algoma Central Railway Company, the Canada Northern Railway Company, and any other railway company the lines of which are approached or crossed by the line or lines of the company, if lawfully authorized to enter into such arrangements, for amalgamation with any or either of them, provided that no such contract shall be of any force or validity unless first authorized by resolution passed by the votes of the shareholders, in person or by proxy, representing two-thirds in value of the subscribed capital stock and on which no call is in default and unpaid at a general meeting especially called for that purpose. Agreements with other companies.

34. The company shall have power to agree for connections and make running arrangements with the Canadian Pacific Railway Company, the Grand Trunk Railway Company of Canada, the Ontario Hudson's Bay and Western Railways Running arrangements with other companies.

Company, the Algema Central Railway Company, the Canada Northern Railway Company, and any other railway company, the lines of which are approached or crossed by the line or lines of the company, if lawfully empowered to enter into such agreements, upon terms to be first authorized by two-thirds 5 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 any agreement with any or either of the said railway companies, if lawfully authorized to enter into such agreement, for the sale or leasing or hiring of the 10 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 one company to the other, and the compensation therefore, if the 15 arrangements and agreements shall be so authorized 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 such agreement shall be valid and binding, according to the terms and tenor thereof, and the company purchasing, leasing, or entering into such agreement for using the said railway, may and are hereby authorized to work the said railway, and in the same manner as if incorporated with their own line; but nothing in this or in the preceding section shall be construed as purporting or intending to confer rights 25 or powers upon any company which is not within the legislative authority of the Province of Ontario.

Power to make connections, to be subject to subsequent legislation.

35. The authority and power conferred on the company by this Act to enter into agreements with any other railway company for connections, running arrangements, sale, lease, 30 amalgamation, or hiring of the said railway or to sell or lease or transmit electrical power, shall be subject to such terms, conditions and regulations as may be provided and enacted by any general or special Act or Acts which may at the time such agreement is entered into be in force and to such terms, 35 conditions and regulations general or special as the Lieutenant-Governor in Council or any Special Committee of the Executive Council of Ontario appointed for that purpose may from time to time order.

Aid for construction of.

36. The company may receive from any government, or 40 persons or bodies corporate, municipal or politic, who 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 45 condition as may be agreed upon.

Municipal bonuses.

37. 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 rate-payers 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 bonus to railways.

38. Such by-law shall be submitted by the municipal council to the vote of the ratepayers in manner following, namely:—

Submitting
bonus
by-laws.

(1) The proper petition shall first be presented to the council, expressing the desire to aid the railway, and stating in what way and for what amount; and the council shall within six weeks after the receipt of such petition by the clerk of the municipality, introduce a by-law to the effect petitioned for, and submit the same to the approval of the qualified voters.

(2) In the case of a county municipality, the petition shall be that of a majority of the members of the county council, or of fifty resident freeholders, in each of the minor municipalities of the county, who are qualified voters under *The Municipal Act* and the amendments thereto.

(3) In the case of other municipalities, the petition shall be that of a majority of the council thereof, or of fifty resident freeholders, being duly qualified voters under *The Municipal Act* and amendments thereto as aforesaid.

(4) In the case of a section of a township municipality, the petition is to be presented to the council, defining the section by metes and bounds, or lots and concessions, and shall be that of 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.

39. Such by-law shall, in each instance, provide:—

Provisions
in bonus
by-laws.

(1) For raising the amount petitioned for in the municipality, or portion of the township municipality (as the case may be) mentioned in the petition, by the issue of debentures of the county or minor municipality respectively, and shall also provide for the delivery of the said debentures, or the application of the amount to be raised thereby, as may be expressed in the said by-law.

(2) For assessing and levying upon all rateable property lying within the municipality, or portion of the township municipality defined in such 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.

5

Deposit of expenses of bonus by-law.

40. 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.

Council to pass by-law if assented to.

41. In case the by law submitted to 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.

10

Issue of debentures.

42. Within one month after the passing of such by law the said council, mayor, warden, reeve 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.

15

Aid from portion of township.

43. 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 said municipality.

20

Application of Rev. Stat. c. 223, to bonus by-laws.

44. 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.

25

By-law extending time commencement.

45. 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 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.

30

35

By-law extending time for completion.

46. It shall and may be lawful for the council of any municipality that may grant aid by way of bonus to the 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 said bonus), from time to time, provided that no such extension shall be for a longer period than one year at a time.

40

Bonus may increase rate to three cents.

47. Any municipality, or portion of a township municipality, interested in the construction of the railway of the

company, may grant aid by way of bonus to the company towards the construction of such railway notwithstanding that such aid may increase the municipal taxation of such municipality, or portion thereof, beyond what is allowed by 5 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.

48. 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 situated, by by-law especially passed for that purpose, to exempt the railway and its property within such municipality, either in whole or in part from municipal assessment or taxation, or to agree to a certain sum 15 per annum, in 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, 20 and no such by-law shall be repealed unless in conformity with a condition contained therein.

By-laws exempting from municipal taxation.

49. 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 25 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 30 shall have power to sell or otherwise dispose of the same for the benefit of the company.

Grant of land from municipalities.

50. Whenever any municipality or portion of a township municipality shall grant aid by way of bonus or gift to the railway company, the debentures thereof shall within six 35 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 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 40 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 45 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

Trustees of municipality debentures.

Trusts of
debentures.

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.

51. The said trustee shall receive the said debentures or bonds in trust, firstly, under the directions of the company, but subject to the conditions of the by-laws in relation thereto as to time or manner, to convert the same into money or otherwise dispose of them; secondly, to deposit the debentures or amount realized from the sale in some chartered bank having an office in the Province of Ontario in the name of "The Lac Seul, Rat Portage and Keewatin Electric Railway" Municipal Trust Account, and to pay the same out to the company from time to time as the company becomes entitled thereto, under the conditions of the by-law granting the said bonus, and on the certificate of the chief engineer of the said railway for the time being, in the form set out in Schedule B, hereto or to the like effect, which certificate shall set forth that the conditions of the by-law have been complied with, and is to be attached to the cheque or order drawn by the said trustees for such payment or delivery of debentures, and such engineer shall not wrongfully grant any such certificate under a penalty of \$500, recoverable in any court of competent jurisdiction by any person who may sue therefor.

Fees of
trustees

52. The trustees shall be entitled to their reasonable fees and charges from the said trust fund, and the act of any two of such trustees shall be as valid and binding as if the three had agreed.

Collecting
back charges
on goods.

53. The company shall have power to collect and receive all charges subject to which goods or commodities may come into their possession, and on payment of such back charges, and without any formal transfer, shall have the same lien for the amount thereof upon such goods and commodities as the person to whom such charges were originally due, and shall be subrogated by such payment in all the rights and remedies of such persons for such charges.

Application of
Rev. Stat.
c. 207.

54. Save as expressly provided by this Act 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.

55. The company may dam the Wabigoon River at or near the point where the proposed railway line will cross the said river for the purpose of developing power.

56. The said company may develop water power Location Number 227 P. (when acquired from the present owners) in the Town of Rat Portage for the purposes of developing power.

57. The railway hereby authorized shall be commenced within three years and finished and put in operation within seven years after the passing of this Act, and in default thereof the powers hereby conferred shall absolutely cease with respect to so much of the railway as then remains incomplete. Time for commencement and completion.

58. Notwithstanding anything contained in this Act, or in any statute of the Province, no municipality shall have the power to grant to said railway any exclusive rights, privileges or franchise as to the transmission of electrical energy for power, light and heat over or across any public highway or street in said municipality. Limitation of transmission of electrical energy.

SCHEDULE A.

Know all men by these presents that I (or we) (insert the name or names of the vendor or vendors) in consideration of dollars paid to me (or us) by The Lac Seul, Rat Portage and Keewatin Railway, 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 purpose of its railway, to hold with the appurtenances unto the said The Lac Seul, Rat Portage and Keewatin Railway, their successors and assigns forever (here insert any other clauses, covenant 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.]

SCHEDULE B.

CHIEF ENGINEER'S CERTIFICATE.

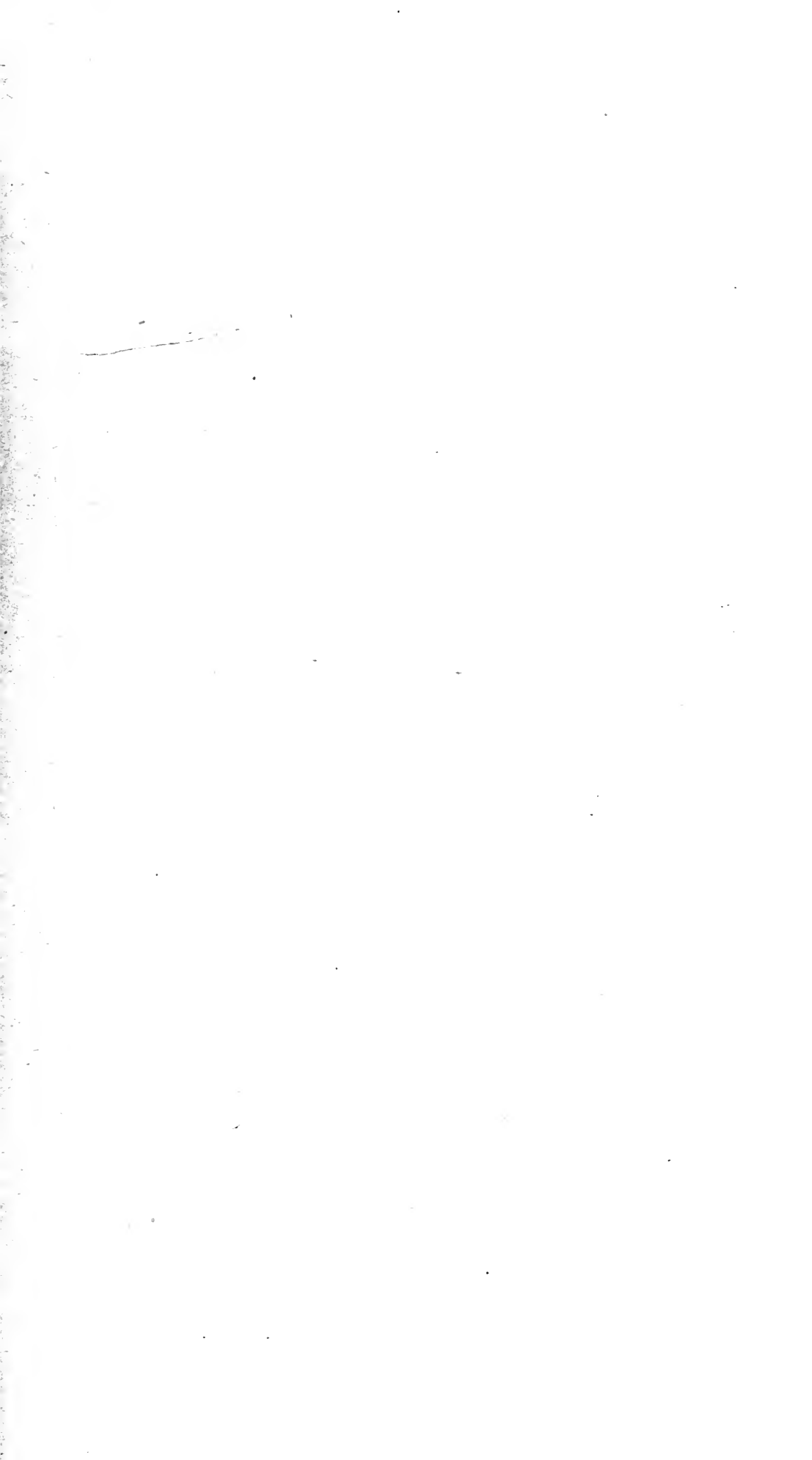
The Lac Seul, Rat Portage and Keewatin Railway's office.

No. A. D. 190 .
 Engineer's Department.

Certificates to be attached to cheques drawn on The Lac Seul, Rat Portage and Keewatin Railway Municipal Trust account given under 3—6

section _____ chapter _____ of the Acts of the Legisla-
 ture of Ontario, passed in the _____ year of His Majesty's reign.

1. _____ chief eng-
 gineer of The Lac Seul, Rat Portage and Keewatin Railway, do hereby
 certify that that the said company has fulfilled the terms and conditions
 necessary to be fulfilled under the by-law No. _____
 of the Township of _____ (or under the agreement dated the
 _____ day of _____ 19 _____ between the corporation of _____
 and the said company) to entitle the said company
 to receive from the said trust the sum of _____
 (here set out the terms and condition, if any,
 which have been fulfilled).



No. 6.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act to incorporate The Lac Seul Rat
Portage and Keewatin Railway.

First Reading, _____, 1903.

(Private Bill.)

Mr. D. C. CAMERON.

TORONTO:

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

An Act to Incorporate The Lac Seul, Rat Portage and Keewatin Railway *Company*.

WHEREAS Charles Walter Chadwick, Manager; Alexander Marshall Hay, Capitalist; Albert Henry Edmison, Physician; Charles Edgar Neads, Manager; Alexander Mason Rose, Accountant; John Robert Bunn, Insurance Agent, and Alfred Joseph Parsons, Agent, all of the Town of Rat Portage in the District of Rainy River and Province of Ontario; have by their petition prayed for an Act of Incorporation, under the name of "The Lac Seul, Rat Portage and Keewatin Railway *Company*," for the purposes of constructing maintaining and operating a railway from a point at or near Lac Seul in the District of Rainy River and Province of Ontario and continuing in a southerly direction through the Town of Rat Portage and Township of Keewatin to a point at or near Shoal Lake in the *said* province and district aforesaid; and it has been represented that the line of railway of the company so to be incorporated will, for the most part be constructed in the unorganized part of the province; and it is proposed to operate the same by steam or electricity; and whereas owing to the location of the line of the *said* railway, the provisions of *The Electric Railway Act* are not applicable to the company so to be incorporated, and the *said* petitioners have prayed that there *may* be conferred upon them the powers ordinarily given upon the incorporation of a railway to be operated by steam; and whereas for the reasons aforesaid the circumstances of the *said* proposed line of railway are exceptional; and whereas it is expedient to grant the prayer of the *said* petition;

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* Charles Walter Chadwick, Alexander Marshall Hay, Albert Henry Edmison, Charles Edgar Neads, Alexander Mason Rose, John Robert Bunn and Alfred Joseph Parsons and such other persons as shall become provisional directors, 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 Lac Seul, Rat Portage and Keewatin Railway *Company*" hereinafter called "the company."

Location of
Line.

2. The company is hereby authorized and empowered to survey lay out, construct, build, equip and maintain a railway, to be operated by steam or electricity, with double or single iron or steel tracks, from a point at or near Lac Seul in the District of Rainy River and continuing in a southerly direction by the most feasible route via Rat Portage and the Township of Keewatin to a point at or near Shoal Lake in the District of Rainy River, and to construct branch lines, none of which are to exceed 12 miles in length, and to exercise all the powers, rights and privileges required therefor in as full and ample a manner as for the main line of the said railway. And the said railway, or any part thereof, so far as the same may be operated by electricity, may be carried along and upon such public highways as may be authorized by the by-laws of the respective corporations having jurisdiction over the same, and subject to the restrictions and provisions therein and in this Act contained, and under and subject to any agreements between the company and the councils of 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 agreement 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, *The Electric Railway Act* and in *The Municipal Act* and any Act or Acts amending the same; provided that *The Electric Railway Act* shall not apply to the company except in so far as their railway is constructed along or upon a public highway.

Rev. Stat. c.
209.
Rev. Stat. c.
223.

Gauge.

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

Provisional
directors.

4.—(1) The said Charles Walter Chadwick, Alexander Marshall Hay, Albert Henry Edmison, Charles Edgar Neads, Alexander Mason Rose, John Robert Bunn, and Alfred Joseph Parsons 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.

(2) The said provisional directors shall have power to add to their number, or to substitute for any member of the said board of provisional directors (whether named in this Act, or by the said provisional directors) who may desire to resign or withdraw from his position as a provisional director of the said company, any other person as a provisional director thereof; and all such persons as shall, from time to time, be provisional directors of the said company, pursuant to the provisions of this Act, shall constitute the board of provisional directors thereof.

(3) The first meeting of the board of provisional directors

may be called upon notice signed by or on behalf of three provisional directors: such notice to be mailed to the said provisional directors at the respective places of address, as set forth in this Act; and the said board of provisional directors may, from time to time, pass resolutions or by-laws providing for the time, place or manner of calling future meetings of the said board of provisional directors.

5. The said board of provisional directors shall have power forthwith to open stock books and procure subscriptions of stock for the undertaking and to allot the stock and to receive payments on account of stock subscribed, and to make calls upon subscribers in respect of their stock, and to sue for and recover the same, and to cause plans and surveys to be made and to receive for the company any grant, loan, bonus or gift made to it, or in aid of the undertaking, and to enter into any agreement respecting the conditions or disposition of any gift or bonus in aid of the railway; and shall have all such other powers as under *The Railway Act of Ontario* are vested in ordinary directors. The said provisional 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 Town of Rat Portage or at such other place as may best suit the interests of the company.

Powers of
provisional
directors.

Rev. Stat.
c. 207.

6. The capital stock of the company hereby incorporated shall be one hundred thousand dollars (with power to increase the same in the manner provided by *The Railway Act of Ontario*) to be divided into one thousand shares of one hundred dollars, each and shall be raised by the persons and corporations who may become shareholders in the company, and the money so raised shall be applied, in the first place, to the payment of all fees, expenses and disbursements of and incidental to the passing of *this Act*, and for making the surveys, plans and estimates connected with the work 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.

First meeting
for election
of directors.

7. When and so soon as shares to the amount of \$20,000 of the 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 District of Rainy River, of the time, place and purpose of the said meeting.

Directors
first election
of.

8. 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 of the stock subscribed by them, shall elect not less than five and not more than twelve persons to be directors of the company in manner and qualified as hereinafter mentioned, who shall constitute a board of directors, and shall hold office until the next general annual meeting, and a majority of the directors shall form a quorum of the board, and may pass such rules, regulations and by-laws as may be deemed expedient and are not inconsistent with this Act and *The Railway Act of Ontario*, and the said board may employ and pay one of their number as managing director.

Rev. Stat.
c. 207.

Qualification.

9. No person shall be qualified to be elected as such director by the shareholders unless he is a shareholder holding at least 10 shares of stock in the company, and unless he has paid up all calls thereon.

Rights of
aliens.

10. 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.

11. The directors may, from time to time, make calls on the subscribed stock of the said company, 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 such call, as hereinafter provided in section 13 of this Act.

Head office.

12. The head office of the company shall be at the Town of Rat Portage in the District of Rainy River.

General
annual
meetings.

13. The general annual meeting of the shareholders of the company shall be held in such place in the said Town of Rat

Portage or at such other place in the Province of Ontario, 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, by publishing the same in the *Ontario Gazette* and once a week in one newspaper published in the District of Rainy River during the four weeks immediately *preceding* the week in which such meeting is to take place

14. Special general meetings of the shareholders of the said company may be held at such places, at such times, 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.

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. Voting by proxy.

16. 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 shall be actually paid thereon within one month after subscription. Subscriptions not binding till approved.

17. 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. Shares transfer of.

18. The directors of the company shall have power to issue bonds of the company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all the sum of \$20,000 for each mile of the said railway 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. Bonds.

19. All such bonds, debentures and other securities and coupons, and interest warrants thereon respectively may be made payable to bearer and transferable by delivery, and any holder of any such securities so made payable to bearer, may sue at law thereon in his own name. Bonds how transferable.

Negotiable
instruments.

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, 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 shewn, and in no case shall it be necessary to have the seal of the said company affixed to said 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 said company to issue any promissory note or bill of exchange payable to bearer, or intended to be circulated as money, or as the notes or bills of a bank.

Pledging
bonds.

21. 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.

Directors
empowered to
pay in stock.

22. The directors may enter into a contract or contracts with any individual, corporation or association of individuals for the construction or equipment of the railway or any part thereof, including or excluding the purchase of right of way, and may pay therefor either in whole or in part, either in cash or bonds, or in paid up stock, and may pay or agree to pay in paid up stock or in bonds of the said company such sums as they may deem expedient to engineers, or for the right of way or material, plant or rolling stock, and also for the services of the promoters or other persons who may be employed by the directors for the purpose of assisting the directors and 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, provided that no such contract shall be of any force or validity unless first authorized by resolution passed by the votes of the shareholders in person or by proxy, representing two thirds in value of the subscribed capital stock, and on which no call is in default and unpaid at a general meeting specially called for that purpose.

Construction
of line in
section.

23. 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, 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 the said sections of said railway, or portions of the said railway, all and every of the clauses of the said Railway Act and the amendments thereof applied to, included in or incorporated with this Act, shall apply and extend to any and each of such sections or portions of the said railway as fully and effectually as if the surveys and levels had been taken and made of the lands through which the whole of the said railway is to pass, together with the map or plan of the whole thereof and of their whole course and direction, and of the lands intended to be passed over and taken, and the book of reference of the whole of the said railway had been taken, made, examined, certified and deposited according to the said clauses of the said Railway Act and the amendments thereof, with respect to plans and surveys.

Rev. Stat.
c. 207.

24. Whenever it shall be necessary for the purpose of procuring sufficient land for stations or gravel pits, or for constructing, maintaining and using the said railway, and in case, by purchasing the whole of any lot or parcel of land over which the railway is to run, the company can obtain the same at a more reasonable price or at a greater advantage than by purchasing sufficient land for 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.

25. When stone, gravel, earth or sand is or are required for the construction or maintenance of said railway, or any part thereof, the company may, in case they cannot agree with the owner of the lands on which the same are situated 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 the case of acquiring the roadway, and the notice of arbitration, the tender of compensation and the award 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,

Taking land
for gravel
pits, etc.

Rev. Stat.
c. 207.

the right to convey, and the parties from whom the land may be taken, or who may sell, shall apply to the subject matter of this *section*, as to the obtaining materials as aforesaid; and such proceedings may be had by the 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.

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 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 lands 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.

Telegraph and
telephone line.

27. 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 said railway or branches, and for the purpose of constructing, working and protecting the said telegraph and telephones lines, the powers conferred upon telegraph companies by *The Act Respecting Telegraph Companies*, being chapter 192, of the Revised Statutes of Ontario, 1897, are hereby conferred upon the company; provided, that no poles shall be erected in the construction of either of the said lines in or through any city, town or incorporated village, without the consent of the council of such city, town or village being first obtained by the company; and the company may undertake the transmission of messages for the public by such line or lines of telegraph or telephone, and collect tolls for so doing. And with the consent of the Lieutenant-Governor in Council, to enter upon, use, occupy and enjoy any unoccupied lands of the Crown for any or all the purposes aforesaid.

28. The company shall have power and authority:—

(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 necessary 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.

General
powers
Power 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, wagons and other machinery and contrivances necessary or convenient for the working of the railway and the accommodation and use of the passengers, freight and business of the railway ;

Stations,
wharfs, etc.

(3) To ~~to~~ lease, purchase and acquire water powers within twenty miles of the railway and branches thereof herein authorized and to ~~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 ;

Production
of electricity.

(4) To sell or lease in the unorganized territory, and in any municipality where such sale or lease is authorized by by-law of the council of the municipality and subject to the terms and conditions of such by-law, any such electricity not required for the purposes aforesaid, to any person or corporation, and the company in that behalf shall, subject to the provisions and restrictions of this Act, possess the powers, rights and privileges, and be subject to all the obligations and restrictions of joint stock companies incorporated under *The Act Respecting Companies for Supplying Steam, Heat, Electricity, or Natural Gas for Heat, Light or Power*, and to acquire and hold any property necessary for the purposes mentioned in this subsection;

Disposing of
electric power.

Rev. Stat.
c. 207.

(5) To acquire, by purchase or lease, 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 said works, or any part thereof, or of

Bringing
electricity
through
other lands.

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. And with the consent of the Lieutenant-Governor in Council to enter upon, use, occupy and enjoy any unoccupied lands of the Crown for any or all the purposes aforesaid.

Form of conveyance to company.

29. 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 duplicate thereof.

Construction line on highways.

30. (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 section 2 of this Act, and of any By-law or By-laws of the council of said municipality to be passed in pursuance thereof; and in all such cases any and every work, matter or thing in connection with electricity or other motor power, and the application and using thereof in so constructing, operating and working such railway, or the cars, carriages, engines motors or machines aforesaid shall be so constructed, erected, laid down and arranged as to impede or incommode the public use of such street, highway or public place as little as possible, and so as not to be a nuisance thereto, nor to interfere with the free access to any house or other building erected in the vicinity of the same, and the electric and other appliances shall be of such an improved manufacture, and so placed as to avoid, so far as possible, any dangers 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 river.

Rev. Stat. c. 223.

(2) The By-laws mentioned in section 2, sub-section 5 of section 23, and in this section shall be subject to the conditions and provisions of section 632 of *The Municipal Act*.

Snow fence.

31. 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.

32. 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 or otherwise, as may be agreed on.

Agreements
for leasing its
rolling stock.

33. The company is authorized to contract and agree with the Canadian Pacific Railway Company, the Grand Trunk Railway Company of Canada, the Ontario, Hudson's Bay and Western Railways Company, the Algoma Central Railway Company, the Canada Northern Railway Company, and any other railway company the lines of which are approached or crossed by the line or lines of the company, if lawfully authorized to enter into such arrangements, for amalgamation with any or either of them, provided that no such contract shall be of any force or validity unless first authorized by resolution passed by the votes of the shareholders, in person or by proxy, representing two-thirds in value of the subscribed capital stock and on which no call is in default and unpaid at a general meeting especially called for that purpose.

Agreements
with other
companies.

34. The company shall have power to agree for connections and make running arrangements with the Canadian Pacific Railway Company, the Grand Trunk Railway Company of Canada, the Ontario Hudson's Bay and Western Railways Company, the Algoma Central Railway Company, the Canada Northern Railway Company, and any other railway company, the lines of which are approached or crossed by the line or lines of the company, if lawfully empowered to enter into such agreements, upon terms to be first authorized 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 any agreement with any or either of the said railway companies, if lawfully authorized to enter into such 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

Running
arrangements
with other
companies.

part thereof, or touching any service to be rendered by one company to the other, and the compensation therefor, if the arrangements and agreements shall be so authorized 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 such *an* 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 or in 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 the Province of Ontario.

Power to make connections, to be subject to subsequent legislation.

35. The authority and power conferred on the company by this Act to enter into agreements with any other railway company for connections, running arrangements, sale, lease, amalgamation, or hiring of the said railway or to sell or lease or transmit electrical power, shall be subject to such terms, conditions and regulations as may be provided and enacted by any general or special Act or Acts which may at the time such agreement is entered into be in force and to such terms, conditions and regulations general or special as the Lieutenant-Governor in Council or any Special Committee of the Executive Council of Ontario appointed for that purpose may from time to time order.

Aid for construction of.

36. The company may receive from any government, or persons or bodies corporate, municipal or politic, who 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.

Municipal bonuses.

37. 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 rate-payers 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.

38. Such by-law shall be submitted by the municipal council to the vote of the ratepayers in manner following, namely :—

Submitting
bonus
by-laws.

(1) The proper petition shall first be presented to the council, expressing the desire to aid the railway, and stating in what way and for what amount ; and the council shall within six weeks after the receipt of such petition by the clerk of the municipality, introduce a by-law to the effect petitioned for, and submit the same to the approval of the qualified voters.

(2) In the case of a county municipality, the petition shall be that of a majority of the members of the county council, or of fifty resident freeholders, in each of the minor municipalities of the county, who are qualified voters under *The Municipal Act* and the amendments thereto.

(3) In the case of other municipalities, the petition shall be that of a majority of the council thereof, or of fifty resident freeholders, being duly qualified voters under *The Municipal Act* and amendments thereto as aforesaid.

(4) In the case of a section of a township municipality, the petition is to be presented to the council, defining the section by metes and bounds, or lots and concessions, and shall be that of a majority of the council of such township municipality, or of fifty resident freeholders in such section of the municipality, being duly qualified voters as aforesaid.

39. Such by-law shall, in each instance, provide :—

Provisions
in bonus
by-laws.

(1) For raising the amount petitioned for in the municipality, or portion of the township municipality (as the case may be) mentioned in the petition, by the issue of debentures of the county or minor municipality respectively, and shall also provide for the delivery of the said debentures, or the application of the amount to be raised thereby, as may be expressed in the said by-law.

(2) For assessing and levying upon all rateable property lying within the municipality, or portion of the township municipality defined in such 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.

40 In case of aid from a county municipality fifty resident freeholders of the county may petition the county council against submitting the said by-law, upon the ground that certain minor municipalities or portions thereof comprised in

Petition
against aid
from
County.

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 petitioner with the treasurer of the county of a sum sufficient to defray the expenses of such reference the said council shall forthwith refer the said petition to three arbitrators, one being the Judge of the County Court, or district objecting, one being the registrar of the county or of the riding in which the county town is situated, and one being an engineer appointed by the Commissioner of Public Works for Ontario, who shall have power to confirm or amend the said by-law by excluding any minor municipality or any section thereof therefrom; and the decision of any two of them shall be final, and the by-law so confirmed or amended shall thereupon, at the option of the railway company, be submitted by the Council to the duly qualified voters, and in case the by-law is confirmed by the arbitrators, the expense of the reference shall be borne by the petitioners against the same, but if amended, then by the railway company or the county, as the arbitrators may order.

“ Minor Municipality ” meaning of ~~§ 41~~

41. The term “ minor municipality ” shall be construed to mean any town not separated from the municipal county, township or incorporated village, situate in the county or district municipality.

Deposit of expenses of bonus by-law.

42. 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.

Council to pass by-law if assented to.

43. 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.

Issue of debentures.

44. Within one month after the passing of such by law the said council, mayor, warden, reeve 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.

Aid from portion of township.

45. 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 said municipality.

Application of Rev. Stat. c. 223, to bonus by-laws.

46. 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 por-

tion of a township municipality to the same extent as if the same had been passed by or for the whole municipality.

47. 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 that stipulated for in the by law or by-laws granting such aid, from time to time ; provided that no such extension shall be for a longer period than one year.

By-law extending time commencement.

48. It shall and may be lawful for the council of any municipality that may grant aid by way of bonus to the 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 said bonus), from time to time, provided that no such extension shall be for a longer period than one year at a time.

By-law extending time for completion.

49. Any municipality, or portion of a township municipality, interested in the construction of the railway of the company, may grant aid by way of bonus to the company towards the construction of such railway notwithstanding that such aid may increase the municipal taxation of such municipality, or portion thereof, beyond what is allowed by law ; provided that such aid shall not require the levying of a greater aggregate annual rate for all purposes, exclusive of school rates, than three cents in the dollar upon the value of the rateable property therein.

Bonus may increase rate to three cents.

50. 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 situated, by by-law especially passed for that purpose, to exempt the railway 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 exempting from municipal taxation.

51. 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

Grant of land from municipalities.

shall have power to sell or otherwise dispose of the same for the benefit of the company.

Trustees of
municipality
debentures.

52. 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 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
debentures.

53. The said trustees shall receive the said debentures or bonds in trust, firstly, under the directions of the company, but subject to the conditions of the by-laws in relation thereto as to time or manner, to convert the same into money or otherwise dispose of them; secondly, to deposit the debentures or amount realized from the sale in some chartered bank having an office in the Province of Ontario in the name of "The Lac Seul, Rat Portage and Keewatin Electric Railway Municipal Trust Account," and to pay the same out to the company from time to time as the company becomes entitled thereto, under the conditions of the by-law granting the said bonus, and on the certificate of the chief engineer of the said railway for the time being, in the form set out in Schedule B, hereto or to the like effect, which certificate shall set forth that the conditions of the by-law have been complied with, and is to be attached to the cheque or order drawn by the said trustees for such payment or delivery of debentures, and such engineer shall not wrongfully grant any such certificate under a penalty of \$500, recoverable in any court of competent jurisdiction by any person who may sue therefor.

Fees of
trustees

54. The trustees shall be entitled to their reasonable fees and charges from the said trust fund, and the act of any two of such trustees shall be as valid and binding as if the three had agreed.

55. The company shall have power to collect and receive all charges subject to which goods or commodities may come into their possession, and on payment of such back charges, and without any formal transfer, shall have the same lien for the amount thereof upon such goods and commodities as the person to whom such charges were originally due, and shall be subrogated by such payment in all the rights and remedies of such persons for such charges. Collecting back charges on goods.

56. Save as expressly provided by this Act 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. Application of Rev. Stat. c. 207.

57. The railway hereby authorized shall be commenced within three years and finished and put in operation within seven years after the passing of this Act, and in default thereof the powers hereby conferred shall absolutely cease with respect to so much of the railway as then remains incomplete. Time for commencement and completion.

58. Notwithstanding anything contained in this Act, or in any statute of the Province, no municipality shall have the power to grant to said railway any exclusive rights, privileges or franchise as to the transmission of electrical energy for power, light and heat over or across any public highway or street in said municipality. Limitation of transmission of electrical energy.

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 Lac Seul, Rat Portage and Keewatin 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 Lac Seul, Rat Portage and Keewatin Railway, Com-

pany, 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.]

SCHEDULE. B.

(Section 53.)

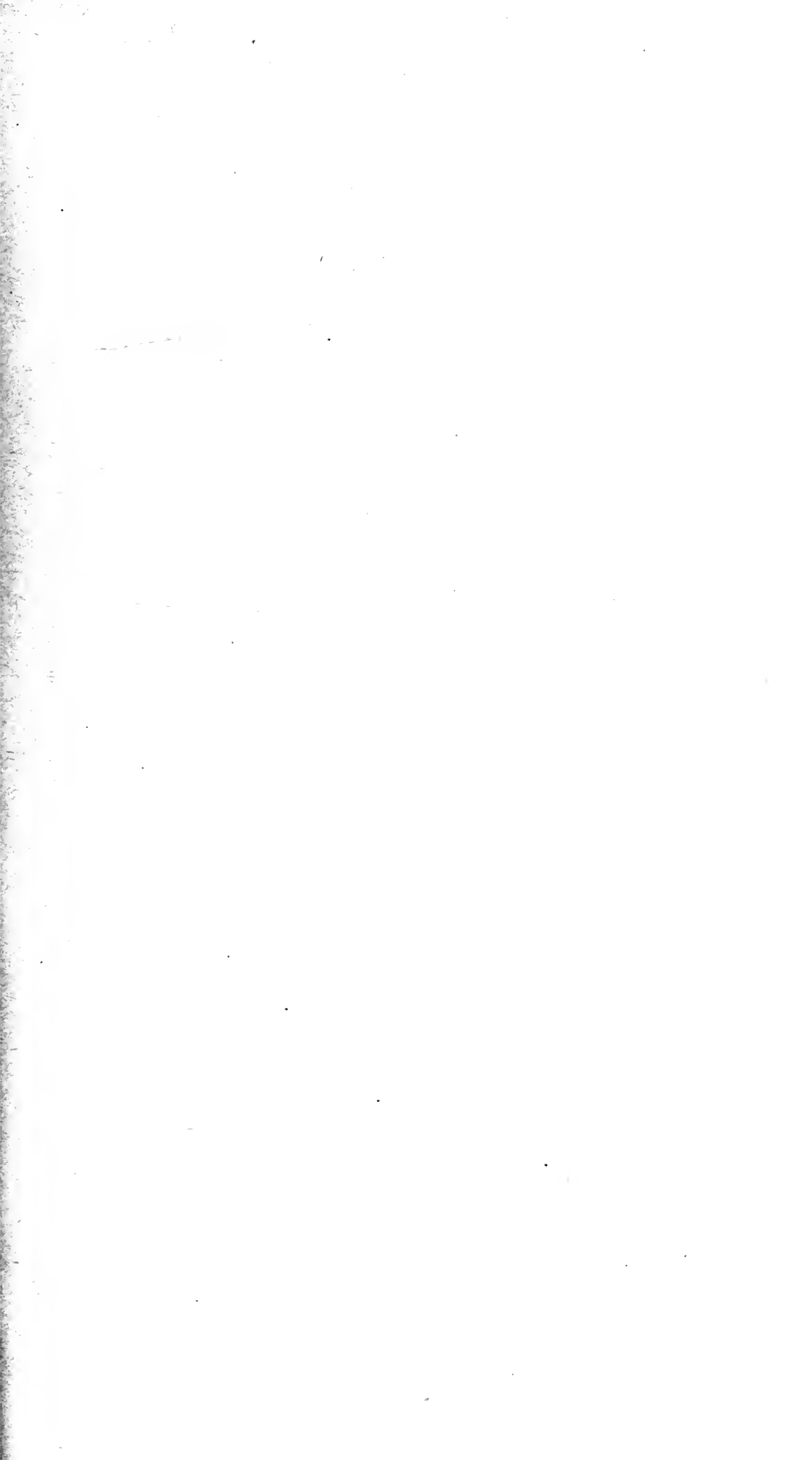
CHIEF ENGINEER'S CERTIFICATE.

The Lac Seul, Rat Portage and Keewatin Railway Company's Office.

No. A. D. 190 Engineer's Department.

Certificates to be attached to cheques drawn on The Lac Seul, Rat Portage and Keewatin Railway Company Municipal Trust account given under section chapter of the Acts of the Legislature of Ontario, passed in the year of His Majesty's reign.

1. chief engineer of The Lac Seul, Rat Portage and Keewatin Railway Company, do hereby certify that that the said company has fulfilled the terms and conditions necessary to be fulfilled under the by-law No. of the Township of (or under the agreement dated the day of 19 between the corporation of and the said company) to entitle the said company to receive from the said trust the sum of (here set out the terms and condition, if any, which have been fulfilled).



No. 6.

1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act to incorporate The Lac Seul Rat
Portage and Keewatin Railway Company.

First Reading: 28th April, 1903.

(Reprinted as amended by Railway
Committee.)

Mr. CAMERON,
(Fort William.)

TORONTO:

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

An Act respecting the Town of Listowel.

WHEREAS by virtue of By-law Number 391 of the Municipality of the Town of Listowel duly passed in open Council on the tenth day of May, 1901, and of an agreement dated the fifteenth day of May, 1901, with the Listowel Gas and Electric Light Company, Limited, (hereinafter called the company) the said municipality is entitled to purchase from said company all the property of the said company in actual use for electric light purposes only in the Town of Listowel in the manner and upon the terms in said by-law and agreement contained and set forth; and whereas it has been deemed expedient by said municipality to avail itself of the right to purchase the said property and thereafter to supply electric light in the said Town of Listowel and for such purposes to acquire such property and privileges as may be deemed advisable; and whereas uncertainty having arisen as to the best mode of carrying out said purchase it has been deemed advisable by the corporation of the said Town of Listowel to apply for the passing of this Act; and whereas the amount required to expend in order to effect said purchase is estimated at about the sum of \$1500; and whereas the said municipal corporation is desirous that power be given to issue debentures of the said Town of Listowel for the payment of said electric light property payable in five years in such sums annually that the principal and interest computed at four per cent per annum payable in each of the said five years shall in the aggregate equal the aggregate amount payable for principal and interest in each of the other years of said period and that such annual amounts be raised by special rate annually during said period upon all the rateable property of the Town of Listowel; and whereas it appears by the votes cast pursuant to the provisions of a certain resolution passed by the Municipal Council of the Town of Listowel on the 1st day of December, 1902, and voted upon by the ratepayers of the said municipality on the 5th day of January, 1903, that a majority of the ratepayers entitled to vote on by-laws requiring the assent of electors are in favor of the granting of the powers hereby conferred; and whereas it is expedient to grant the prayer of the said petitioners;

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

Town authorized to purchase property of Listowel Gas and Electric Light Co.

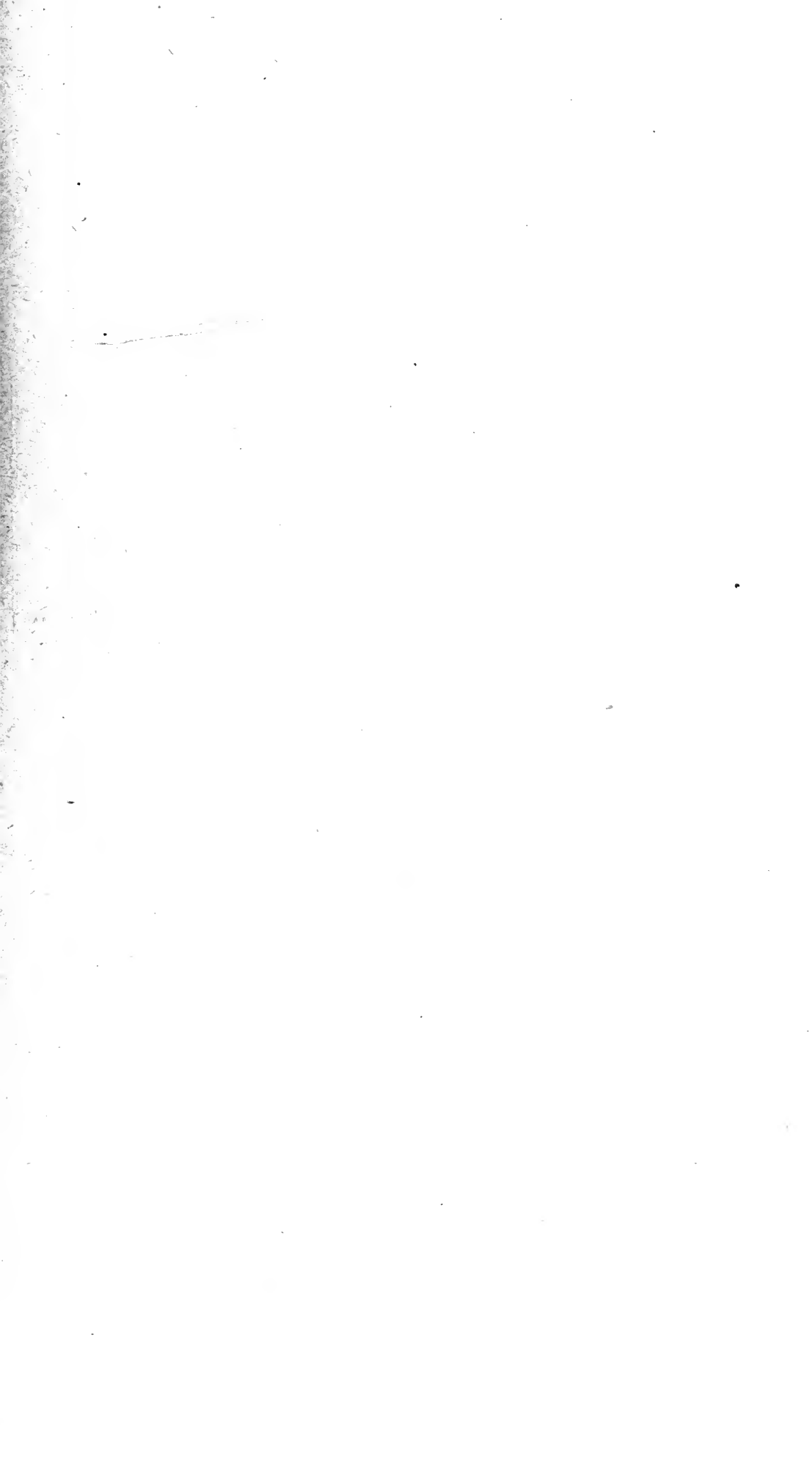
1. The Municipal Corporation of the Town of Listowel is hereby empowered and authorized to avail itself of the right to purchase the property of the Listowel Gas and Electric Light Company in actual use for electric light purposes only in the Town of Listowel aforesaid pursuant to the powers contained in said by-law number 391 and said agreement and if necessary to arbitrate with the said Gas and Electric Light Company as to the price to be paid therefor, and may after taking over said electric light plant supply electric light in the said Town of Listowel and for such purposes may acquire such property and privileges as may be deemed advisable. 5 10

Rev. Stat. c. 62 to apply to procedure.

2. The provisions of *The Arbitration Act* shall, so far as same are applicable thereto, govern the procedure to be taken in case arbitration is found necessary.

Town authorized to construct and maintain electric light works.

3. The said municipal corporation is hereby empowered to acquire, construct, maintain and carry on electric light works in the said Town of Listowel and for such purposes to acquire such property and privileges as may be deemed advisable and without submission to the said electors is hereby empowered to pass the necessary by-law and borrow upon its debentures which it is hereby authorized to issue therefor the sum of \$1500 or such sum as may be found sufficient for the purchase of the said electric light property and other incidental expenses and providing that the sum so borrowed shall be repaid within five years from the date of the issue of said debentures with interest at four per cent. per annum on the unpaid portion thereof payable yearly. Said by-law shall provide that such yearly payments of principal and interest shall in the aggregate equal the aggregate amount payable for principal and interest in each of the other years of said period and shall also provide for the paying off of the said debentures as they become due and shall also provide for the raising annually during said period upon all the rateable property in the said municipality of the amount required to meet the respective annual payments of principal and interest and that the debentures required to raise said loan shall be issued and disposed of by the Treasurer of the said municipality when and as directed by resolution of the municipal council and that they shall be payable at the office of the said Treasurer in Listowel. The Mayor and Treasurer shall sign each debenture and the Clerk shall affix thereto the Corporate Seal. 15 20 25 30 35 40



Ist Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Town of Listowel.

First Reading, 1903.

Private Bill.

Mr. BROWN.

TORONTO :

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

An Act respecting the Town of Listowel.

WHEREAS by virtue of a by-law of the Municipality ^{Preamble.} of the Town of Listowel duly passed in open Council on the tenth day of May, 1901, and of an agreement dated the fifteenth day of May, 1901, with the Listowel Gas and Electric Light Company, Limited, (hereinafter called the company) the said municipality is entitled to purchase from said company all the property of the said company in actual use for electric light purposes only in the Town of Listowel in the manner and upon the terms in said by-law and agreement contained and set forth; and whereas it has been deemed expedient by said municipality to avail itself of the right to purchase the said property and thereafter to supply electric light in the said Town of Listowel and for such purposes to acquire such property and privileges as may be deemed advisable; and whereas the amount required to expend in order to effect said purchase is estimated at about the sum of \$1500; and whereas the said municipal corporation is desirous that power be given to issue debentures of the said Town of Listowel for the payment of said electric light property; and whereas it appears that a majority of the ratepayers entitled to vote on by-laws requiring the assent conferred; and whereas the Council of the said Municipality has by petition prayed that an Act may be passed for the purposes aforesaid; and whereas it is expedient to grant the prayer of the said petitioners;

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 Town of Listowel is empowered and authorized to purchase the property of The Listowel Gas and Electric Light Company in actual use for electric light purposes only in the Town of Listowel aforesaid pursuant to the provisions of said By-law number 391 of the said Corporation which said by-law is set forth in the Schedule to this Act, and if necessary to arbitrate with The Listowel Gas and Electric Light Company as to the price to be paid therefor, and may after taking over said electric light plant supply electric light in the said town and for such

Town authorized to purchase property of Listowel Gas and Electric Light Co.

purposes may acquire such property and privileges as may be deemed advisable.

Rev. Stat.
c. 62 to
apply to
procedure.

2. The provisions of *The Arbitration Act* shall, so far as the same are applicable thereto, govern the procedure to be taken in case arbitration is found necessary.

Town author-
ized to
construct and
maintain elec-
tric light
works.

3. The said municipal corporation is hereby empowered to acquire, construct, maintain and carry on electric light works in the said Town of Listowel and for such purposes to acquire such property and privileges as may be deemed advisable and without submission to the said electors is hereby empowered to pass the necessary by-law and borrow upon its debentures which it is hereby authorized to issue therefor the sum of \$1500 or such sum as may be found sufficient for the purchase of the said electric light property and other incidental expenses and providing that the sum so borrowed shall be repaid within five years from the date of the issue of said debentures with interest at four per cent. per annum on the unpaid portion thereof payable yearly. *The* said by-law shall provide that such yearly payments of principal and interest shall equal the amount payable for principal and interest in each of the other years of said period and shall also provide for the paying off of the said debentures as they become due and shall also provide for the raising annually during said period upon all the rateable property in the said municipality of the amount required to meet the respective annual payments of principal and interest and that the debentures required to raise *the* said loan shall be issued and disposed of by the treasurer of the said municipality when and as directed by resolution of the municipal council and that they shall be payable at the office of the said treasurer in Listowel. The mayor and treasurer shall sign each debenture and the clerk shall affix thereto the corporate seal.

SCHEDULE A.

BY-LAW NO. 391 OF THE TOWN OF LISTOWEL.

A By-Law for the purpose of Providing Electric Street Lighting for the Town of Listowel.

Whereas, the Listowel Gas and Electric Company, Limited, has made application for the Electric Light franchise of the Town of Listowel, therefore the Municipal Council of the Corporation of the Town of Listowel, enacts as follows, pursuant to the powers vested in them by 55 Victoria, chapter 42, section 480, and other statutes, them thereunto enabling :

1. That the said Corporation grant to the Listowel Gas and Electric Light Company, Limited, a franchise, or right, for a period of six and one-half years, from the first day of June, A.D., 1901, to place poles on

the public streets of the said Town, string wires and do all other necessary acts for the successfully operating an electric light plant.

2. That the Council of the said Corporation also grant to the said Listowel Gas and Electric Light Company, Limited, the right to cut through the tops of the trees for the electric light wires, such cutting to be done not less than twenty-four feet from the ground, under the supervision of a Committee of the Council, duly appointed, but in no instance shall such cutting be allowed to such an extent as to permanently injure any tree or destroy the appearance of any tree.

3. The Council of the said Corporation also grant to the said Listowel Gas and Electric Light Company, Limited, the sum of \$45.48 for each Arc Lamp per year, on the said streets of Listowel, and there shall be 25 Arc Lamps on the said streets, or more, if the Corporation by resolution of the Council, so orders them, such lamps to be the same price, namely \$45.48 per year; this to continue for six and one-half years from the first day of June, 1901, payable quarterly, on the first day of March, June, September and December in each year; the first payment to be due and to be paid on the first day of September, 1901.

4. The following grants are made, subject to the following conditions:

5. That the said Listowel Gas and Electric Light Company, Limited, shall place on the streets of the said Town of Listowel, on poles now erected, or to be erected as directed by the Committee of the Council, 25 enclosed Arc Lamps of the type, and equal in every respect to the lamps now hung at the Grand Central Hotel corner, and to be of strength equal to 8 amperes, or nominal 2000 candle power.

6. That all the Arc Lamps shall be burning 300 night in the year. The exempt nights shall be bright moonlight nights only.

7. That such Arc Lights shall be run from sunset until 12 o'clock midnight.

8. That the said Listowel Gas and Electric Light Company, Limited, shall furnish power for three Incandescent Lamps, sixteen candle power in the council chamber of the Town of Listowel for the use of the Council and School Board, free of charge, such lights to burn on Council meeting or School Board meeting nights and on such other occasions as the Council requires the same for Town purposes, and that all wires shall be strung so as not to cause any increase of the rate of insurance to any ratepayer.

9. The Council shall have the right to deduct 15 cents per night for each Arc Lamp that is not burning between the hours from 7 to 10 o'clock, P.M. during the months from October 1st to March 31st and from 8 to eleven P.M. from April 1st to September 30th, being a part of the 300 nights on which the lamps are to be burning. The said Listowel Gas and Electric Light Company, Limited, agrees to use due diligence to keep all lamps continuously burning from the hour of starting up until closing time.

10. That the said Listowel Gas and Electric Light Company, Limited, shall sell the said Electric Light plant to the Corporation of the Town of Listowel, at a fair price, providing the Corporation shall hereafter decide to purchase the same, but in such case the Corporation shall take all property connected with the Electric Light plant; such properties shall consist of the properties in actual use for Electric Light purposes only in the Town of Listowel at the time of such purchase, and if the price or value of such plant cannot be agreed upon it shall be left to arbitration, in which case one arbitrator is to be appointed by the Corporation of the Town of Listowel, and one by the said Listowel Gas and Electric Light Company, Limited, and in case of a disagreement such two arbitrators are to appoint a third and the decision of two of such arbitrators shall in that case be final.

11. All poles on the street shall be peeled and painted and the poles shall be placed where directed by the Committee appointed by the

Council and shall be placed sufficiently close to safely carry the electric light wires and fixtures for the successful lighting of the town and business places, all wires to be properly insulated and protected according to the underwriters' regulations.

12. All disputes between the said Corporation and the said Listowel Gas and Electric Light Company, Limited, as to the rights and privileges granted to and regarding the duties and obligations of the said Listowel Gas and Electric Light Company, Limited, herein set unto shall be left to the decision of two expert electricians, one to be chosen by the Municipal Council and the other to be chosen by the Listowel Gas and Electric Light Company, Limited, and if necessary these two shall choose a third and the decision of two of such arbitrators shall be final.

JOHN WATSON,
Mayor. (Seal.)
WILLIAM BRIGHT,
Clerk.

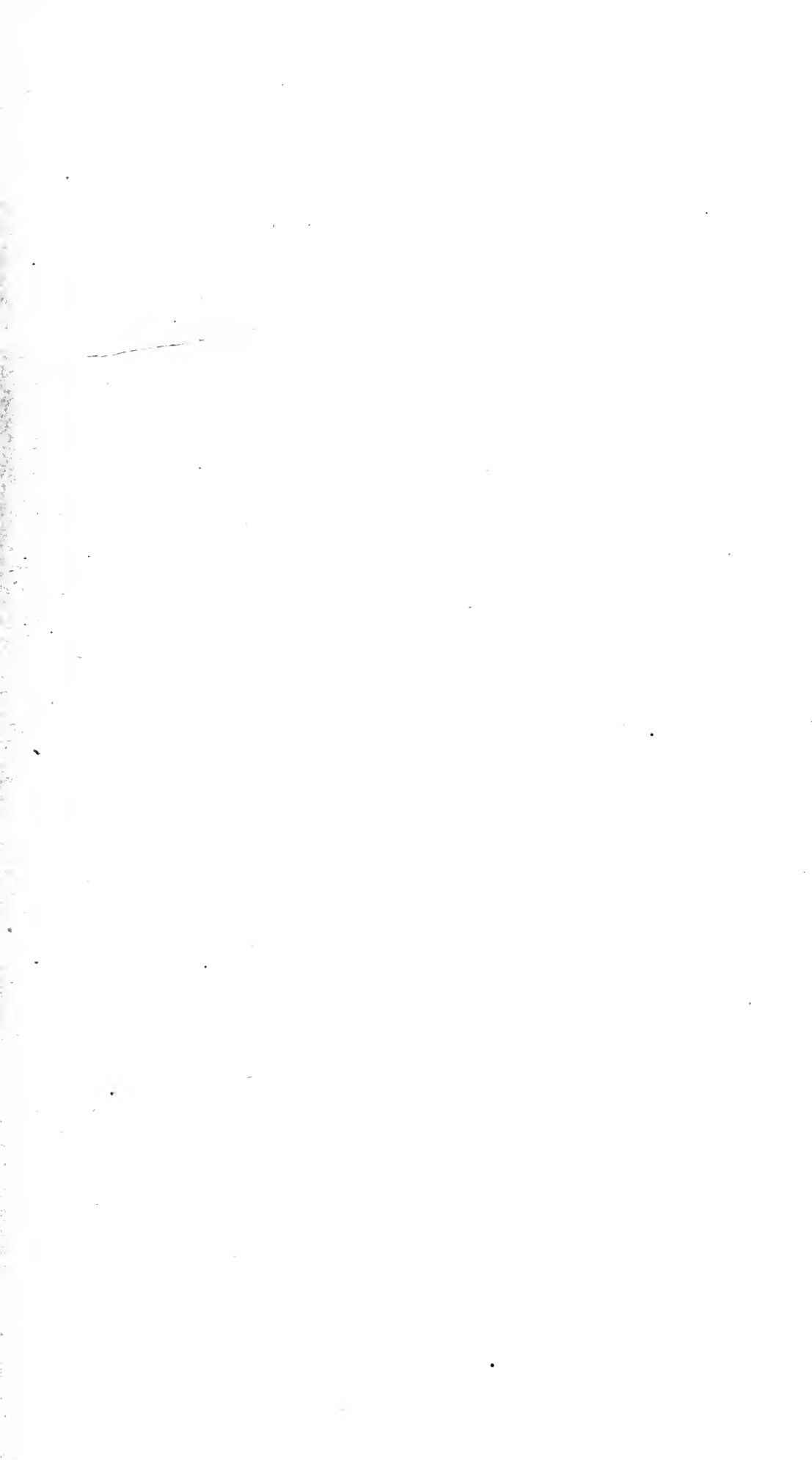
Passed this 10th day of May,
A.D. 1901, at the hour of 9.50.

I, John C. Hay, President of the Listowel Gas and Electric Light Company, Limited, of the Town of Listowel in the County of Perth and the Province of Ontario, Electrician, being the party referred to in the above By-law, to whom the electric light franchise is by said By-law, granted, do hereby accept the same on the terms, conditions and privileges therein embodied.

JOHN C. HAY.
President and Secretary.

Dated at Listowel this
15th day of May, A.D. 1901.

(Corporate Seal.)



1st Session, 10th Legislature,
3 Edward VII, 1908.

BILL.

An Act respecting the Town of Listowel.

First Reading, 1908.

(Reprinted as amended for Private Bills
Committee.)

Mr. BROWN.

TORONTO :

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

— An Act respecting the Town of Listowel.

WHEREAS ^{Preamble.} the Municipal Corporation of the Town of Listowel has by petition represented that ^{by} by virtue of a by-law of the *said* town duly passed in open council on the 10th day of May, 1901, and of an agreement dated the 15th day of May, 1901, with The Listowel Gas and Electric Light Company, Limited, (hereinafter called the company) the *said municipal corporation* is entitled to purchase from the company all the property of the said company in actual use for electric light purposes only in the Town of Listowel in the manner and upon the terms in *the* said by-law and agreement set forth; and whereas it has been deemed expedient by *the* said municipality to avail itself of the right to purchase the said property and thereafter to supply electric light in the said town; and whereas the amount required to be expended in order to effect *the* said purchase is estimated at about the sum of \$1500; and whereas the said municipal corporation is desirous that power be given to issue debentures of the town for the payment of *the purchase price* of the said electric light property; and whereas it appears that a majority of the ratepayers entitled to vote on by-laws requiring the assent of electors are in favor of the granting of the powers hereby conferred and whereas the council of the said municipality has by *the said* petition prayed that an Act may be passed for the purposes aforesaid; 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 Corporation of the Town of Listowel is empowered and authorized to purchase the property of The Listowel Gas and Electric Light Company in actual use for electric light purposes only in the Town of Listowel pursuant to the provisions of By-law number 391 of the said corporation which said by-law is set forth in the Schedule to this Act, and if necessary to arbitrate with The Listowel Gas and Electric Light Company as to the price to be paid therefor, and may after taking over *the* said electric light plant supply electric light in the said town and for such

Town authorized to purchase property of Listowel Gas and Electric Light Co.

purposes may acquire such property and privileges as may be deemed advisable.

Rev. Stat.
c. 62 to
apply to
procedure.

2. The provisions of *The Arbitration Act* shall, so far as the same are applicable thereto, govern the procedure to be taken in case arbitration is found necessary.

Town author-
ized to
construct and
maintain elec-
tric light
works.

3. The said municipal corporation is empowered to acquire, construct, maintain and carry on *a system of electric lighting* in the said Town of Listowel and for such purposes to acquire such property and privileges as may be deemed advisable.

Power to
issue debentures for
\$1,500.

4. The said municipal corporation may issue debentures under its corporate seal, signed by the mayor and countersigned by the treasurer, for the time being, for such sums, not less than \$100 each, and for such sum not exceeding \$3,000 *in the whole* as may be found sufficient for the purchase of the said electric light property and incidental expenses, and as the said corporation may by by-law from time to time direct, and the principal sum of the said debentures and the interest thereon may be made payable at such place as the corporation may deem expedient, and may be expressed in either sterling money of Great Britain or currency of Canada.

Power to
raise money
on debentures.

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

Form of
debentures.

6. The said debentures shall be made payable in not more than five years from the date of the issue thereof. Coupons shall be attached to the said debentures for the payment of the interest thereon, and such interest shall be payable at such rate, not exceeding four per centum per annum, as the said corporation shall direct, and shall be payable yearly.

Interest
coupons.

Payment
of debt in
annual in-
stalments.

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

Assent of
electors not
required.

8. It shall not be necessary to obtain the assent of the electors of the said town 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

Rev. Stat.
223.

be inconsistent with the provisions of this Act, or any of them, shall not apply to the by-law or by-laws to be passed by the said corporation under the provisions of this Act. ¹³

~~12~~ 9. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issuing thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the amount of the said debentures and interest thereon, or any or either of them, or any part thereof, and a purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such a by-law or issue of debentures, or as to the application of the proceeds thereof. ¹³ ¹⁴ Irregularity of form not to invalidate ¹⁵

SCHEDULE A.

BY-LAW No. 391 OF THE TOWN OF LISTOWEL.

A By-Law for the purpose of Providing Electric Street Lighting for the Town of Listowel.

Whereas, the Listowel Gas and Electric Company, Limited, has made application for the Electric Light franchise of the Town of Listowel, therefore the Municipal Council of the Corporation of the Town of Listowel, enacts as follows, pursuant to the powers vested in them by 55 Victoria, chapter 42, section 480, and other statutes, them thereunto enabling :

1. That the said Corporation grant to the Listowel Gas and Electric Light Company, Limited, a franchise, or right, for a period of six and one-half years, from the first day of June, A.D., 1901, to place poles on the public streets of the said Town, string wires and do all other necessary acts for the successfully operating an electric light plant.

2. That the Council of the said Corporation also grant to the said Listowel Gas and Electric Light Company, Limited, the right to cut through the tops of the trees for the electric light wires, such cutting to be done not less than twenty-four feet from the ground, under the supervision of a Committee of the Council, duly appointed, but in no instance shall such cutting be allowed to such an extent as to permanently injure any tree or destroy the appearance of any tree.

3. The Council of the said Corporation also grant to the said Listowel Gas and Electric Light Company, Limited, the sum of \$45.48 for each Arc Lamp per year, on the said streets of Listowel, and there shall be 25 Arc Lamps on the said streets, or more, if the Corporation by resolution of the Council, so orders them, such lamps to be the same price, namely \$45.48 per year ; this to continue for six and one-half years from the first day of June, 1901, payable quarterly, on the first day of March, June, September and December in each year ; the first payment to be due and to be paid on the first day of September, 1901.

4. The following grants are made, subject to the following conditions :

5. That the said Listowel Gas and Electric Light Company, Limited, shall place on the streets of the said Town of Listowel, on poles now erected, or to be erected as directed by the Committee of the Council, 25 enclosed Arc Lamps of the type, and equal in every respect to the lamps now hung at the Grand Central Hotel corner, and to be of strength equal to 8 amp'ers, or nominal 2000 candle power.

6. That all the Arc Lamps shall be burning 300 night in the year. The exempt nights shall be bright moonlight nights only.

7. That such Arc Lights shall be run from sunset until 12 o'clock midnight.

8. That the said Listowel Gas and Electric Light Company, Limited, shall furnish power for three Incandescent Lamps, sixteen candle power in the council chamber of the Town of Listowel for the use of the Council and School Board, free of charge, such lights to burn on Council meeting or School Board meeting nights and on such other occasions as the Council requires the same for Town purposes, and that all wires shall be strung so as not to cause any increase in the rate of insurance to any ratepayer.

9. The said Council shall have the right to deduct 15 cents per night for each Arc Lamp that is not burning between the hours from 7 to 10 o'clock, P.M. during the months from October 1st to March 31st and from 8 to eleven P.M. from April 1st to September 30th, being a part of the 300 nights on which the lamps are to be burning. The said Listowel Gas and Electric Light Company, Limited, agrees to use due diligence to keep all lights continuously burning from the hour of starting up until closing time.

10. That the said Listowel Gas and Electric Light Company, Limited, shall sell the said Electric Light plant to the Corporation of the Town of Listowel, at a fair price, providing the Corporation shall hereafter decide to purchase the same, but in such case the Corporation shall take all property connected with the Electric Light plant; such properties shall consist of the properties in actual use for Electric Light purposes only in the Town of Listowel at the time of such purchase, and if the price or value of such plant cannot be agreed upon it shall be left to arbitration, in which case one arbitrator is to be appointed by the Corporation of the Town of Listowel, and one by the said Listowel Gas and Electric Light Company, Limited, and in case of a disagreement such two arbitrators are to appoint a third and the decision of two of such arbitrators shall in that case be final.

11. All poles on the street shall be peeled and painted and the poles shall be placed where directed by the Committee appointed by the Council and shall be placed sufficiently close to safely carry the electric light wires and fixtures for the successful lighting of the town and business places, all wires to be properly insulated and protected according to the underwriters' regulations.

12. All disputes between the said Corporation and the said Listowel Gas and Electric Light Company, Limited, as to the rights and privileges granted to and regarding the duties and obligations of the said Listowel Gas and Electric Light Company, Limited, herein set unto shall be left to the decision of two expert electricians, one to be chosen by the Municipal Council and the other to be chosen by the Listowel Gas and Electric Light Company, Limited, and if necessary these two shall choose a third and the decision of two of such arbitrators shall be final.

JOHN WATSON,
Mayor. (Seal.)
WILLIAM BRIGHT,
Clerk.

Passed this 10th day of May,
A.D. 1901, at the hour of 9.50.

I, John C. Hay, President of the Listowel Gas and Electric Light Company, Limited, of the Town of Listowel in the County of Perth and the Province of Ontario, Electrician, being the party referred to in the above By-law, to whom the electric light franchise is by said By-law, granted, do hereby accept the same on the terms, conditions and privileges therein embodied.

JOHN C. HAY,
President and Secretary.

Dated at Listowel this
15th day of May, A.D. 1901.

(Corporate Seal.)



No. 7.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Town of Listowel.

First Reading, 14th May, 1903.
Second Reading, 15th May, 1903.

(Reprinted as amended by Private Bills
Committee.)

Mr. BROWN.

TORONTO:

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

An Act Respecting The Ross Memorial Hospital.

WHEREAS James Ross, formerly of the Town of Lindsay, Preamble.
in the Province of Ontario, and now of the City of
Montreal, in the Province of Quebec, Civil Engineer, has, by
Indenture bearing date the ninth day of January, 1903,
5 granted unto John Dundas Flavelle, of the Town of Lindsay,
Manufacturer, James Richardson McNeillie, of the same place,
Treasurer of the County of Victoria, Thomas Stewart, of the
same place, Barrister-at-Law, Robert Bryans, of the same
place, Lumber Merchant, Mary Grace, of the City of Toronto,
10 wife of James C. Grace, of the same place, Esquire, the
Warden of the said County of Lindsay, the Mayor of the
said Town of Lindsay, and the said James Ross, as Trustees,
certain land in the said Town of Lindsay, and has, to perpet-
uate the memory of his parents, built thereon and equipped
15 an hospital, for the benefit primarily of the inhabitants of
the said County of Victoria, including the said Town of
Lindsay, and has appointed the said trustees as governors
of the said hospital; and whereas the said trustees have, by
their petition, prayed to be incorporated by a special Act of
20 the Legislature of Ontario, and that the said Indenture, dated
the ninth day of January, 1903, a true copy of which is set
forth in the schedule to this Act, be confirmed; and whereas
the said trustees have, by their petition, prayed that the
County of Victoria and the local municipalities of that county,
25 including the Town of Lindsay, may be empowered to assist
in the maintenance of the said hospital; 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 the Province of Ontario,
30 enacts as follows:—

1. The said John Dundas Flavelle, James Richardson Incorpor-
McNeillie, Thomas Stewart, Robert Bryans, Mary Grace, the ation.
Warden of the said County of Victoria, the Mayor of the said
Town of Lindsay and the said James Ross, and their successors,
35 are hereby constituted and declared a body corporate and
politic by the name of The Ross Memorial Hospital.

2. The Indenture forming the schedule to this Act, and Indenture
bearing date the 9th day of January, 1903, between the said confirmed.

James Ross, of the first part, and John Dundas Flavelle, James Richardson McNeillie, Thomas Stewart, Robert Byrans, Mary Grace, the Warden of the County of Victoria, the Mayor of the Town of Lindsay and the said James Ross, of the second part, is hereby sanctioned and confirmed, and all the clauses and provisions of the said Indenture are hereby declared to be part of this Act and of the same force and effect as if enacted in the body of this Act; and, without further conveyance, the right, title and interest of the said recited trustees in the real estate in the said Indenture described, and the hospital and buildings thereon erected, and the hospital plant, equipment and appurtenances thereto belonging, are hereby vested in The Ross Memorial Hospital. 5 10

Corporate powers.

3. The corporation hereby constituted, and their successors, shall have all the powers in the said Indenture mentioned and provided for, and, in the event of any contingency not being provided for in the said Indenture, shall have power to make all by-laws, rules and regulations for the effective government and management of the affairs of the said corporation, and so as to carry out the intention of the said Indenture. 15 20

Contributions from municipalities.

4. It shall be lawful for the Corporation of the County of Victoria, and for the several local municipalities in the said county, including the Town of Lindsay, in addition to the powers to aid indigent persons given under *The Municipal Act*, from time to time to contribute a sum or sums of money for the enlargement or permanent improvement of the said hospital and its surroundings, and to contribute towards the maintenance thereof, and to make by-laws to carry this into effect, and also to levy a special rate in each and every year upon the ratepayers of the municipalities for the purpose of providing funds for such contributions; and the erection of the Town of Lindsay into a city or its becoming a town separated for municipal purposes from the County of Victoria, shall not effect the rights hereby conferred. 25 30 35

SCHEDULE

being the Indenture, dated 9th day of January, 1903, referred to in the foregoing Act.

This indenture, made (in triplicate) this ninth day of January, in the year of Our Lord, one thousand nine hundred and three, between James Ross, sometime of the Town of Lindsay, in the Province of Ontario, and now of the City of Montreal, in the Province of Quebec, civil engineer, hereinafter called "the donor," of the first part: and John Dundas Flavelle, of the said Town of Lindsay, manufacturer, James Richardson McNeillie, of the same place, treasurer of the County of Victoria, Thomas Stewart, of the same place, barrister-

at-law, Robert Bryans, of the said place, lumber merchant, Mary Grace, of the City of Toronto, wife of James C. Grace, of the same place, esquire, the Warden of the said County of Victoria, and the Mayor of the said Town of Lindsay, and the said James Ross, hereinafter called "the trustees," of the second part.

Whereas the said donor is the owner in fee simple of the land hereinafter described, and has built thereon and equipped an hospital, for the benefit primarily of the inhabitants of the County of Victoria and the Town of Lindsay; and, with a view of raising a memorial of respect and affection to his parents, the late John Ross and Mary Ross, of the said Town of Lindsay, has named the said hospital The Ross Memorial Hospital;

And whereas the said donor has agreed to give the said land and hospital for the purposes hereinafter mentioned, and to convey the same to the said trustees;

And whereas the said donor has obtained adequate assurances from the said trustees and other inhabitants of the County of Victoria and the Town of Lindsay that the inhabitants of those localities would properly maintain the said hospital;

And whereas the said donor has stipulated that the said trustees shall become an incorporated body, if possible by special Act of the Legislature of the Province of Ontario, and the trustees have agreed to make application for such Act;

Now this indenture witnesseth that, until incorporation aforesaid is obtained, the said trustees shall manage the said hospital in the same manner and with all the powers and privileges hereinafter given to governors for the management of the said hospital;

And this indenture further witnesseth that in consideration of the said assurances, and in consideration of the promises, the said donor doth hereby convey unto the said trustees all and singular that certain parcel or tract of land situate, lying and being in the Town of Lindsay, in the County of Victoria, and Province of Ontario, and being composed of lots numbers one, two, three, four, five and six, north of Kent street, in the Town of Lindsay; lots numbers one, two and three, west of Jane street, in the said Town of Lindsay; lots numbers one and two south of Henry street, in the said Town of Lindsay; lots numbers one, two and three east of Angeline street in the said Town of Lindsay, all as laid down on a plan of the sub division of Park lots, numbers eight and nine, west of Adelaide street in the said Town of Lindsay, and duly registered in the Registry Office for the County of Victoria;

To have and to hold the same unto and to the use of the said trustees in fee simple in trust to use the same upon the conditions of this Deed of Trust, and for the reception of sick and injured persons of all races and creeds without distinction, and for the benefit of those who are in indigent circumstances, and wholly or partially unable to provide medical or surgical treatment for themselves, but preference is to be given to the inhabitants of the County of Victoria, including the Town of Lindsay, subject to such rules and regulations as shall for the time being be in force for the management and government of the said hospital, and subject to the following provisions, namely:

1. As far as is practicable, without interfering with medical or surgical treatment, provision shall be made for the attendance upon patients in the hospital of all creeds by the ministers of religion of such creeds respectively, upon terms of absolute equality as to all such ministers of all creeds and churches, and in such manner as shall be provided by the By-laws.

2. The trustees shall forthwith apply for, and endeavor to obtain, an Act from the Legislature of the Province of Ontario, incorporating the trustees under the name of The Ross Memorial Hospital. After such

incorporation, the property hereby conveyed shall be vested in the said corporate body, to be called The Ross Memorial Hospital, hereinafter to be referred to as the corporation; and the affairs of such corporate body shall thereupon and thereafter be managed by a board, who shall have and bear the name of Governors, and be known as The Board of Governors of the Ross Memorial Hospital, hereinafter referred to as the Governors; and the first board shall consist of the trustees, parties hereto of the second part.

3. The said donor shall during his lifetime be a governor of the said corporation, and, after his decease, the right to be a governor shall from time to time vest in that one of his descendants who would according to the rules of primo-geniture at present prevailing in England be his heir, provided that should such heir at any time be two or more females, then the eldest or elder of such females and her descendants, shall for this purpose be deemed the heir in preference to such younger female or females; and the said donor, and such of his descendants as may from time to time be entitled to such office of governor, shall, during his and their respective lives, have the power of substituting any person to act as governor in his or their place and stead, or may from time to time appoint an attorney or proxy to attend meetings of the governors in his or their place.

4. The warden, for the time being, of the County of Victoria, and the mayor, for the time being, of the Town of Lindsay, shall be *ex officio* governors.

5. The Governor-General of Canada, for the time being, or the high official who is at the head of public affairs in Canada, by whatever title he may be known, shall be the visitor of the said hospital. In addition to his ordinary powers, the visitor shall have the right to set aside and annul any by-law, rule or regulation made under the provisions hereof, which, in his opinion, conflicts or is inconsistent with the true intent of this deed of trust or the Act to be applied for incorporating The Ross Memorial Hospital, and with the intention of the founder of the said hospital; and such powers may be exercised by him upon application in writing by any two of the governors of the hospital, stating succinctly their objection to such by-law, rule or regulation, after the expiration of one month from the service upon the corporation of a copy of such application, and notice of the time and place of the intended presentation thereof, and after hearing any parties thereon who shall present themselves for that purpose; the visitor upon such application, may, in his discretion, set aside and annul such by-law, and the same shall thereafter be annulled, and shall have no further force and effect; and his decision thereon shall be final and absolute, and shall not be set aside or disregarded by any tribunal whatever. But nothing herein contained shall be construed to prevent any interested person who contends that the enactment of any by-law, rule or regulation is illegal, from taking any lawful proceedings before any competent court to set aside the same.

6. The governors, and their successors in office, shall, subject to the provisions of this trust deed and the Act incorporating The Ross Memorial Hospital, have the power, from time to time, to make and from time to time to amend by-laws, rules and regulations for the management and good government of the hospital and its branches, and all the property and financial affairs of the corporation; to provide for and regulate the forms and proceedings incidental to the election of governors thereof, and the meetings and order of proceedings of the governors; the internal and external management of the hospital and its branches, including all matters and things incidental thereto, and necessary and expedient for the management and use thereof, as well in respect to the officials and surgical and medical attendants thereof, as of the patients admitted therein, the terms and conditions of the reception, treatment and dismissal of patients; the conduct and management of any dispensary therein or connected therewith, and of the medical, surgical, chemical

or other scientific lectures, classes and other educational methods connected therewith, or under the control of the corporation thereof; the appointment of all officials, internal or external, and the regulation of their powers, duties and obligations to the corporation; the attendance upon the said hospital, and the patients thereof, by the members of medical or other scientific or educational bodies or faculties; the attendance and discipline of sick and hospital nurses, and their effective education and training as such for professional and other purposes; and finally, to provide for and regulate all matters and things falling within the powers of the said corporation, except as to matters and things for which provision is made in this trust deed.

7. Three governors shall be required to constitute a quorum of the board.

8. In addition to the governors, every person shall become an associate of the corporation who subscribes, or has heretofore subscribed, and pays, or has heretofore paid, to the general funds thereof a sum not less than one hundred dollars, and pays annually towards its support and maintenance a sum of not less than ten dollars, or who pays to the general funds a sum of not less than five hundred dollars without any annual contribution; and also every person who establishes or endows, to the satisfaction of the governors, any department, ward, bed or beds, or other sectional division of the hospital, with an amount at least equivalent to either of the foregoing qualifications; and in the event of any devise or bequest by will of any contributions or endowment at least equal to one of the qualifications hereby established, the testator shall have the right to name a person to become an associate of the trust by virtue of such contribution or endowment, as if such person himself were the donor of such contribution or endowment. Where vacancies occur in the board, other than those to be filled *ex officio*, or by the nominee of James Ross, only persons who are associates of the trust can be elected to such vacancies, unless there be none such available.

9. The office of governor shall become vacant by resignation, insanity or other mental incapacity of the holder thereof, his insolvency, bankruptcy or conviction of any offence against the criminal law; and upon the occurring of any vacancy, the remaining governors, acting as a board, shall have the power to appoint, and shall forthwith appoint, a governor to fill the vacancy, and, if any vacancy remains unfilled for a period of six months from the time of its occurrence, the visitor hereinbefore provided for may appoint a person to be a governor to fill such vacancy; and such person shall be appointed from among those who might have been lawfully so appointed by the governors.

10. The corporation may take and hold the lands and premises above described; and the said hospital is authorized and empowered to take all gifts, legacies, bequests of money or personalty, and to acquire, hold and possess so much land as may from time to time be necessary for the actual use and occupation of the said corporation, whether the same be acquired by gift, devise, bequest or by purchase; and the said corporation, in addition to such lands as may be required for its actual use and occupation as aforesaid, is hereby authorized and empowered to take by gift, devise or bequest lands, tenements or hereditaments, or interests therein, the annual value of which together with all other lands, tenements and hereditaments, or any interest therein, theretofore acquired by like means and then held by the corporation, shall not exceed in the whole the annual value of fifteen thousand dollars, but such last mentioned lands, tenements or hereditaments, or interests therein, shall not be held for a longer period than seven years from the acquisition thereof, and within that period shall be absolutely disposed of by the said corporation, and such lands, tenements or hereditaments, or interests therein, as have not within the said period been so disposed of, shall come under the operation of section 5 of *Mortmain and Charitable Uses Act*, and the proceeds of the sales of all or any part of the moneys derived therefrom, or from any other source, may be invested from time

to time in mortgage securities upon real estate, whether freehold or leasehold, and also in municipal debentures, and also in any security which trustees may invest in under the laws of the Province of Ontario, and also in the bonds or debenture stock of any railway company in America which has paid dividends upon its common stock for at least three years.

11. The governors shall have power to make arrangements with any other hospital corporation for the acquisition thereof, or for the amalgamation thereof with and under the name of the hospital hereby created; provided that such terms and conditions shall not change or modify in any respect the constitution of the governing body of the corporation, or the powers or duties of the visitor hereby provided for, or the offices, qualities or other characteristics hereby provided for as a requisite, in persons who may become governors thereof; and upon the completion of such amalgamation, the amalgamated corporation shall be governed by the provisions of this trust deed.

12. There shall be no power to sell or mortgage or place any lien upon the said hospital.

13. The officers of the Board of Governors shall consist of a chairman and a secretary-treasurer.

14. Any endowment that may now exist, or any future endowment that may be made, shall not be diminished for any purpose whatever.

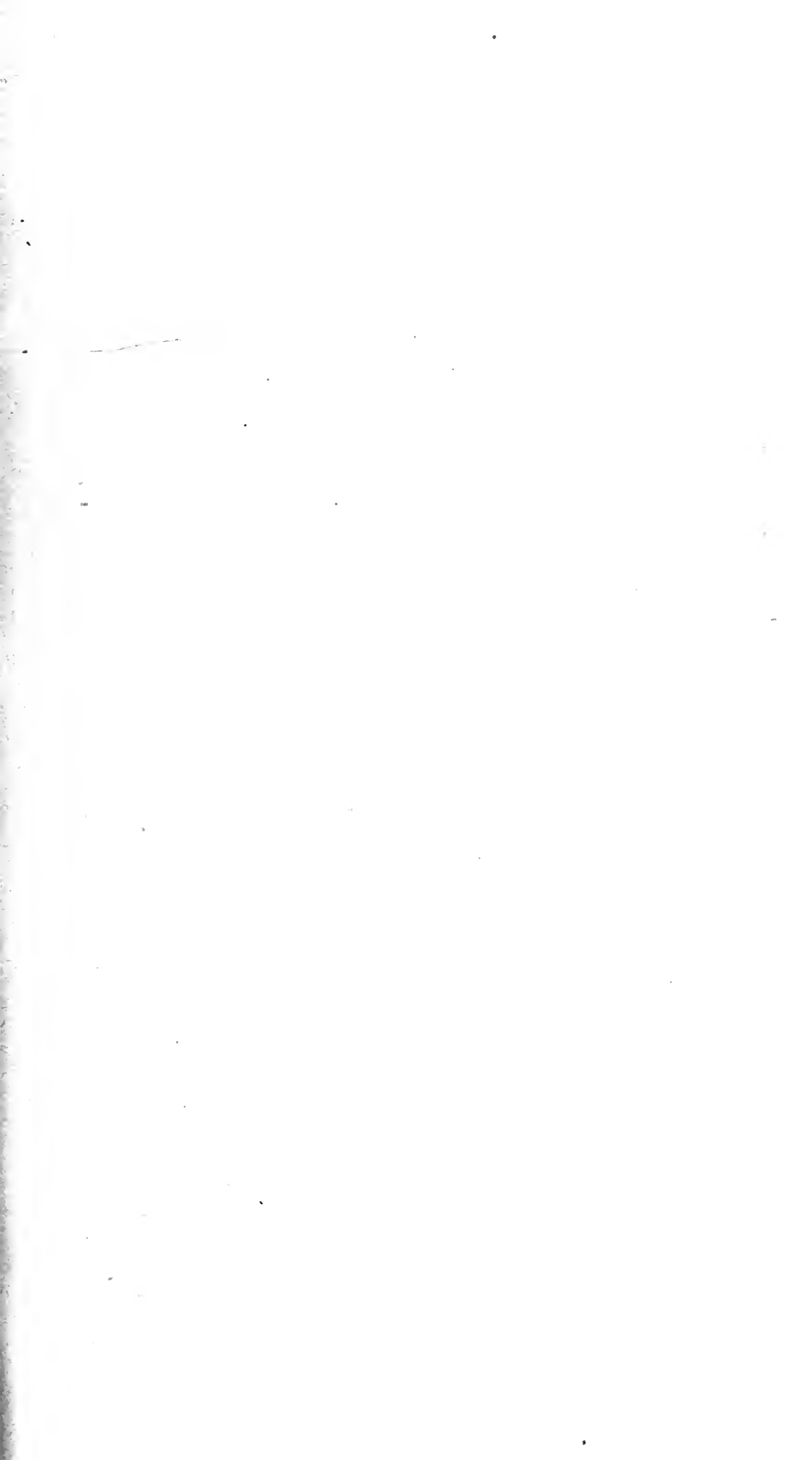
15. All questions arising from the interpretation of the provisions of this trust deed or of the provisions of the Act to be obtained, shall be referred to the said donor as sole arbitrator, and, failing the said donor, or his representatives, to the Attorney-General of the Province of Ontario.

In witness whereof the parties hereto have hereunto respectively set their hands and seals on the day and year first above written.

Signed, sealed and delivered by the said James Ross in the presence of	}	(Sgd.) JAMES ROSS.	[Seal.]
		(Sgd.) D. N. C. HOGG.	

Signed, sealed and delivered by the said Mary C. Grace in the presence of	}	(Sgd.) J. D. FLAVELLE.	[Seal.]
		(Sgd.) J. L. PATIENT.	

Signed, sealed and delivered by the said John Dundas Flavelle, James Richard- son McNeillie, Thomas Stewart, Robert Bryans, Jno. Austin, Warden, and J. H. Sootheran, Mayor, in the presence of	}	(Sgd.) J. R. MCNEILLIE	[Seal.]
		" THOS. STEWART.	"
		" R. BRYANS.	"
		" MARY M. GRACE.	"
		" J. AUSTIN, Warden.	"
		" J. H. SOOTHERAN, Mayor.	"
(Sgd.) L. V. O'CONNOR.	"	JAMES ROSS.	"



1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting The Ross Memorial
Hospital.

First Reading, , 1903.

(Private Bill.)

Mr. FOX.

TORONTO :

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting the Sarnia Street Railway Company.

WHEREAS the Sarnia Street Railway Company was in- Preamble.
 corporated by an Act of the Ontario Legislature passed
 in the 37th year of the reign of Her late Majesty Queen Vic-
 toria, chaptered 61, and was by the said Act authorized and
 5 empowered to construct, maintain, complete and operate a
 double or single iron railway for the passage of cars, carriages
 or other vehicles adapted to the same, upon and along the
 streets and highways within the jurisdiction of the Corpora-
 tion of the Town of Sarnia and the adjoining municipalities,
 10 subject to an agreement thereafter to be made between the
 said company and the council of the said town and of the
 adjoining municipalities; and whereas the Corporation of the
 Township of Sarnia is an adjoining municipality within the
 meaning of the said Act; and whereas under By-law Number
 15 60½ C of the Corporation of the Township of Sarnia passed the
 19th day of December, A.D. 1902, and a certain agreement
 made in pursuance thereof between the said company and the
 Corporation of the Township of Sarnia bearing date the 29th
 day of December, A.D. 1902, certain powers were conferred
 20 upon the said company respecting the construction and opera-
 tion of their railway upon certain roads and highways in the
 said Township of Sarnia, and by the said by law it was pro-
 vided that the said company was to be at liberty to apply for
 an Act confirming the same; and whereas by petition the said
 25 company and the said Corporation of the Township of Sarnia
 have prayed that the said by-law and the said agreement may
 be confirmed; 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. The said agreement between the said company and the Corporation of the Township of Sarnia and the said By-law Number 60½ C hereinbefore referred to, which said agreement and by-law are set out in Schedule A to this Act, are confirmed and declared to be valid and binding on the said corporation and upon all parties affected thereby. Agreement between company and township confirmed.

By-laws extending time for commencement and completion.

2. It shall be lawful for the Municipal Council of the Township of Sarnia aforesaid by by-law to extend from time to time and as often as the same may appear to the said council to be advisable the times in the said By-law Number 60½ C and the agreement made in pursuance thereof specified for the commencement and completion of the construction of the said railway and to grant to the said company by by-law and agreement the right to construct, maintain and operate a street railway on such other streets and highways of the said township as the council may from time to time see fit, subject to the terms and conditions, so far as applicable thereto set out in the said By-law Number 60½ C.

SCHEDULE.

Articles of agreement made this 29th day of December, A. D. 1902, between the Corporation of the Township of Sarnia, (herinafter called the Corporation) of the first part, and the Sarnia Street Railway Company, Limited, (herinafter called the Company) of the second part.

Whereas by an Act of the Legislature of the Province of Ontario passed on the twenty-fourth day of March, A. D. 1874, entitled, "*An Act to incorporate The Sarnia Street Railway Company,*" it is amongst other things provided that the council of the said corporation (as well as the councils of other corporations adjoining the Town of Sarnia) and the company may make and enter into any agreements respecting the construction of the said railway and the location thereof and for the paving, macadamizing, repairing and grading of the streets or highways and the construction, opening of drains or sewers in said streets and highways and the particular streets and highways along which the said railway shall be laid, the pattern of the rail, the time and speed of running the cars, the time within which the works are to be commenced, the manner of proceeding with the same and the time for completion and generally for the safety and convenience of passengers the conduct of the agents and servants of the company and the non-obstructing or impeding of the ordinary traffic.

And whereas the council of the said corporation on the 19th day of December, A. D. 1902, passed a By-law Numbered 60½ C, granting to the company certain rights for the construction and maintenance and operation of a street railway upon and along certain highways of the said corporation upon and subject to the terms, conditions, agreements, stipulations, regulations, obligations, provisions and things therein contained, a copy of which said by-law is hereto annexed.

And whereas these presents are intended to give effect to said by-law and the same have been approved of by the township solicitor.

Now these presents witnesseth that in consideration of the granting of the rights and privileges which are by the said by-law granted by the corporation to the company, the company do, for themselves, their successors and assigns, covenant, promise and agree to and with the corporation and their successors in manner following, that is to say,—

That the company do hereby accept the said by-law and that the company, their successors and assigns, will in all things conform to, obey, perform, observe, fulfil and keep all and every the terms, conditions, agreements, stipulations, regulations, obligations, provisions and things

in the said by-law contained, upon, under and subject to which the said rights and privileges are by the said by-law granted to the company, and will do and perform all acts, matters and things, which the said by-law provides are to be done by or on behalf of the company, and will not do anything which the said by-law provides is not to be done by the company.

And the corporation do hereby ratify and confirm the said by-law and the rights and privileges hereby granted to the company, subject however, to all the terms, conditions, agreements, stipulations, regulations, obligations, provisoes and things in the said by-law contained.

In witness whereof the corporation has caused to be affixed its corporate seal and the reeve and township clerk have set their hands and the company has caused to be affixed its corporate seal and their president and secretary have set their hands the day and year first above written.

Signed, sealed and delivered
in the presence of :

(Seal) Tp. of Sarnia.

(Seal) St. Ry. Co.

Sgd. GEORGE COLE,
Reeve Tp. of Sarnia.
MAGGIE LOWRIE,
Clerk Tp. of Sarnia.
JOHN D. BEATTY,
Pres Sarnia St. Ry. Co.
H. W. MILLS,
Sect. Sarnia St. Ry. Co.

Province of Ontario, To Wit :

To all to whom these presents may come, be seen or known.

I, Maitland S. McCarthy, a Notary Public for the Province of Ontario, by royal authority duly appointed, residing at the Town of Sarnia in the said Province, do certify and attest that the paper writing hereto annexed is a true copy of a document produced and shown to me, and purporting to be an agreement made between the Corporation of the Township of Sarnia and the Sarnia Street Railway Company, and dated the 29th day of December, 1902, the said copy having been compared by me with the said original document, an act whereof being requested I have granted under my notarial form and seal of office to serve and avail as occasion shall or may require.

M. S. MCCARTHY,
A Notary Public.

BY-LAW No. 60½, C.

Respecting the Sarnia Street Railway Company.

Whereas the Legislature of the Province of Ontario did on the 24th day of March, A.D. 1874, pass an Act, Chapter 61, 37 Victoria, entitled *An Act to incorporate the Sarnia Street Railway Company*, by which the said company (hereinafter called the company) is authorized and empowered to construct, maintain, complete and operate a double or single iron railway, with the necessary side tracks, switches and turnouts for the passage of cars, carriages and other vehicles adapted to the same, upon and along such streets and highways within the jurisdiction of the corporation of the Town of Sarnia and of any of the adjoining municipalities as the company may be authorized to pass along, under and subject to any agreement thereafter to be made between the council of the said town or of said municipalities respectively, or any of them and the said company, in pursuance of said Act, and to take, transport and carry passengers and freight upon the same by the force or power of animals or such other motive power as the company may be authorized by the council of said town and municipalities respectively by By-law to use, and to construct and maintain all necessary work, buildings, appliances and conveyances connected therewith.

And whereas the corporation of the Township of Sarnia (hereinafter called the corporation) is a neighboring municipality of the Town of Sarnia aforesaid within the meaning of said Act.

And whereas the company desires to construct a surface electric street railway on the trolley system on the roads and highways hereinafter mentioned.

Be it therefore enacted by the municipal council of the corporation of the Township of Sarnia as follows:—

(1) That in so far as the corporation of the Township of Sarnia have power to grant the same, the consent, permission and authority of the corporation is hereby given and granted to the company to construct, complete and operate during the term of thirty years from the first day of January, 1903, a surface street railway with electricity on the trolley system as the motive power therefor, consisting of a single track, with the necessary side tracks, turnouts or switches, for the passage of cars, carriages or other vehicles adapted to the same, upon and along the following roads and highways in the Township of Sarnia, namely:—

(a) The road known as the Errol Road commencing at the eastern limit of Point Edward, thence along the said Errol Road to a point west of Lakeview Cemetery where the said Errol Road joins the highway known as Weesbeach sideroad, thence northerly along Weesbeach sideroad to a point at or near the shore of Lake Huron, or

(b) Along Weesbeach sideroad from Exmouth street to a point at or near the shore of Lake Huron.

(2) The construction of the said surface street railway over the roads and highways hereinbefore mentioned along which ever route the said street railway shall select shall be commenced on or before the first day of August, 1904, and shall be completed and running efficiently thereon by the first day of November, A. D. 1905.

(3) Such railway shall consist of a single track with all necessary switches, sidetracks and turnouts, laid down as required by law and shall be laid down in such position on such highway and in such manner as shall be approved of by the township council, but in no case except when crossing the highway shall the track be laid on the graded portion of the highway, or between the ditches except with the consent of the corporation expressed by resolution of the council, but shall be laid on the side of the road, and at such distance from the travelled portion thereof as shall be approved by the township council.

(4) The location of the line of railway in the said highways shall not be made until the plans thereof showing the position of the rails and other works on said highways shall have been submitted to and approved of by the township council.

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

(6) The rails to be used shall be a substantial T rail and shall be laid down in such a manner as shall least obstruct the passage of vehicles and carriages over the same.

(7) The tracks of the said railway and all works necessary for constructing and laying the same, shall be constructed in a substantial manner according to the best modern practice. During the operation of laying, removing and relaying the rails a free passage for carriages and vehicles over the streets and highways shall be kept open and not obstructed, and immediately after the rails shall have been laid or relaid, as the case may be, the material removed or dug up in laying or relaying as aforesaid, shall be either removed from or spread over the street or highway from which the same shall have been taken as shall be directed by the township council or such person as they may depute.

(8) Space between the rails of the said railway and the roadway where the same shall be constructed on the travelled portion of the roadway to

a distance of eighteen inches on both sides thereof shall be kept in a good state of repair by the company and where the said road shall be constructed on the highway, or where it shall cross the highway, it shall be constructed and maintained even with the grade of the highway and to the satisfaction of the said municipal council, and the said company shall also be bound to construct and keep in repair crossings of a character provided for by the said municipality, and which shall be planked between the rails and for one foot on each side thereof, which planks shall be kept one-half inch higher than the rails, and wherever farm crossings, bridges, culverts or waterways, including drains of all kinds, are found by the municipal council to be necessary for drainage or other purposes, the same shall be constructed and maintained by the said company in a manner to be approved of by the said municipal council, but in case of tile drains the owners of the adjoining lands shall pay the company such sum as it would have cost to have put in the drain across the railroad had such railroad not been there, and every owner of adjacent land whether as now or hereafter sub-divided, shall be entitled to a farm crossing over the company's road.

9. The cars upon the said railroad shall be of a modern type propelled by electricity, or with the consent of the said corporation expressed by by-law, by other motive power suitable for railway purposes, and all motive cars shall be provided with fenders of a modern and up-to-date type.

10. Suitable crossings of a character satisfactory to the council shall be constructed and kept in good repair by the company at all highways and farm crossings. All necessary poles shall be located next to the fence line of the said road and between the said railroad and the fence nearest the track, and the wires and overhead construction shall not be less than eighteen feet above the rails.

11. The fares to be charged by the said company shall not exceed a rate of five cents for each person to or from the town or point of commencement to the cemetery or from the beach to the cemetery and ten cents for each person to or from any point beyond the cemetery but all children under five years of age when accompanied by parent or other person having them in charge shall be carried free, but the company shall not be bound to carry any passenger any distance for less than five cents, except children as aforesaid, and between the hours of eleven o'clock in the evening and six o'clock in the morning the company shall have the right to charge double the said fare.

12. Whenever it shall become necessary to remove snow or ice from the track or tracks of the said company, the same shall be by the said company evenly spread over the highway so as to not obstruct the free passage of sleighs or other vehicles along the said highway, or removed by the said company as shall be directed by the proper officer of the said corporation.

13. Whenever by reason of snow or ice, the tracks of the said company shall be obstructed to such an extent as to interfere with the running of cars of the said company, the said company is authorized to use sufficient number of sleighs, waggons or other vehicles to answer the requirements of traffic until such time as the said cars can be again used, and the said company can charge fares for carriage on the said sleighs, wagons or other vehicles as if the same were cars of the said company and being run on the track of the said company.

14. The number of trips shall not be less than four each way daily, during the season in which the cars are being run by the company, unless prevented by unavoidable accident or obstruction caused by storms, and the said company shall operate their cars for at least ten weeks each year.

15. The said corporation shall have the right to fix the maximum rate of speed that the motor and cars of the railway or either of them shall run at on any portion of the railway within the corporation but so that the rate of speed so fixed shall not be less than ten miles per hour.

16. No cars shall be allowed to stop in front of an intersecting highway except to avoid collision or to prevent injury to persons on the highways or for other unavoidable reason.

17. After sunset the cars shall be provided with colored signal lights for front and rear.

18. The cars shall be entitled to the track and every vehicle upon the track of the company shall turn out when any car comes up so as to leave the track unobstructed, and any driver of a vehicle refusing to turn out when warned or requested so to do by the driver of any car, shall be liable to a fine not exceeding ten dollars (\$10.00) exclusive of costs to be imposed by any Justice of the Peace for the County of Lambton, having jurisdiction in the said township, and in case of non-payment to be collected by distress and sale of goods of the offender, and in default of sufficient distress, the offender may be imprisoned in the county jail for the said County of Lambton for a period not exceeding twenty-one days without or with hard labor.

19. The company shall cross the channels of all the creeks and streams which intersect the said railroad, crossing any of the roads on separate bridges of their own construction, and in no event shall the said company lay their track on the public highway bridges or culverts across those streams.

20. The said railway shall be constructed, erected, laid down and arranged as to impede or incommode the public use of any street or 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.

21. Where it is necessary in constructing their railway for the boundary fences to be set back so that the company's track shall not interfere with the travelled portion of the highway, the company shall deal with the owners of the adjacent land.

22. The rights and privileges granted by these by-laws shall extend for a period of thirty years from the date of its acceptance by the said company, and shall be renewable for a further period of twenty years upon such terms and conditions as may be agreed upon between the said corporation and the said company, or in case of disagreement between the said parties, upon such terms and conditions as may be determined by arbitration, under the provisions of *The Municipal Act*, and in the event of legislation being sought to legalize or authorize such renewal or renewals for such further term of years, the said corporation shall, at once, on request being made by the said company aid in procuring such legislation, provided the terms and conditions upon which such renewal is asked for are satisfactory to the corporation, or in accordance with the final award made pursuant to such arbitration.

23. All the property of the company used in connection with the construction and operation of the railway and other objects covered by this By-law and appertaining thereto, and the income derived therefrom by the company, shall be exempt from taxation and from all local rates and charges for a period of ten years from the date hereof, and the said township shall consent to any necessary legislation in that behalf, provided, however, that this exemption shall not apply to school rates.

24. The company shall have the right to carry freight, express or mail matter within or through the said municipality, and charge a reasonable compensation for carrying the same. In the event of the said company seeing fit to run cars for carrying milk the said cars may be operated on Sundays for that purpose (but not for any other purpose except as hereinafter provided) and a reasonable compensation charged therefor.

25. The said company shall have the right to run their cars to and from the cemetery on Sunday afternoons and to run a car to the beach in the Sunday mornings in time to bring people into town for church service, and to run a car back to beach again with people immediately

after church service, but not to otherwise operate the road or their cars on Sundays.

26. So far as the municipal council has power to grant the same, the company may deflect its line from the said streets, roads and highways, and operate the same along and across private properties, after expropriating the necessary rights of way under the provisions of the statutes in that behalf, or otherwise acquiring the same, and in the event of there not being sufficient room between the ditch and the side of the road for the railway track, the said corporation shall in no case be held under any obligation to provide a right of way for same.

27. Where the said company shall operate their line along a private right of way, and the said railway crosses the highways intersecting the said highways, the privileges and exemptions hereby granted by these By-laws shall extend and be applicable to such crossings of said intersecting highways.

28. The company shall have the right to lease its works or any part thereof or dispose otherwise of the same and also the rights and privileges hereby granted to any person or corporation but subject to the provision of this By-law.

29. The municipality shall join with the company in any petition or application which the company may make to obtain the privilege of crossing the railway track of any steam railway which it may be necessary for the company to cross under the provisions of this By-law, but the corporation shall not be required or compelled to incur any expense therewith and the company shall pay all expenses the corporation may incur.

30. All provisions of this By-law, if any, which are beyond the jurisdiction of the said corporation to enact, shall not operate or come into force until the same is sanctioned, ratified and confirmed by the legislature of the Province of Ontario.

31. The corporation shall join with the company in applying to the legislature of the Province of Ontario for legislation confirming, ratifying and legalizing this By-law and the agreement to be entered into between the corporation and the company pursuant thereto, but the said company shall pay all the costs of such legislation including the costs of the corporation (if any).

32. This By-law and the powers and privileges hereby granted shall not take effect or be binding on the said corporation unless and until formally accepted by the said company within sixty days after its incorporation by an agreement that shall legally bind the said company to observe and comply with all the agreements, obligations, terms and conditions herein contained and which agreement shall be approved by the township solicitor and executed by the company, and under the seal of the said corporation by the reeve and clerk.

33. The corporation shall not be liable to the company for any encroachment of ditches or drains upon, toward or under the tracks of the company and the corporation shall have the right to require the said tracks to be located at such a distance from said drains and ditches as it may appear necessary to the said corporation to have the same, in order that such tracks may not interfere with such drains or ditches.

34. If any person, persons or corporation shall desire to remove any building or buildings, or any other large substance across, or along the track of the railway where the same is situated upon the highway, they shall have the right to do so and have a reasonable time therefor, provided that the said person, persons or corporation shall give the company two days notice of their intention to remove such building or buildings or other large substance, and the company's wires and overhead construction shall be removed for that purpose by and at the expense of the company.

35. The rights, privileges and franchises granted by this By-law shall be subject to all the conditions, provisions and stipulations contained in this By-law, and also subject to the provisions contained in *The Electric Railway Act*, and in every Act in amendment thereof, or substitution therefor, but where the provisions of said Acts and this By-law are dissimilar then the provisions of this By-law shall govern.

36. Should the company fail to complete said railway, or to commence operating the same within the time limited by this By-law, or should the said company after completion fail to continue to operate the same, or to comply with the provisions in this By-law contained for the space of one month after written notice of such neglect or default shall be served on the company, then the said persons and company shall forfeit all privileges and rights which they have acquired by said grant or under this By-law, and the corporation shall have the right to remove all materials and obstructions from the highways at the expense of the company, but in respect to those portions of the proposed road from Exmouth street along the Weesbeach road to the junction of the Errol road with the Weesbeach road near the cemetery and that portion of the Errol road to the Weesbeach road, in the event of their or either of their non-construction or non-user the said forfeiture shall only apply to such respective portions.

37. The company will indemnify and hold harmless the said corporation from all loss, costs, damages and expenses of any kind which may be incurred in consequence of any litigation in connection with anything done or permitted under the provisions of this By-law or by reason of the passing thereof, or in consequence of the construction or operation or existence of the company's railway or other works.

38. The franchise by this By-law granted is subject to the right of the corporation to grant to other persons or other companies the right to cross with their railways the tracks of the company at any such places as to the said corporation may appear necessary or advisable, but such crossings are to be put in at the expense of the company applying for the same, and this franchise is granted subject to all existing rights in any person or persons or company whatsoever outstanding against the township.

This By-law shall be known as By-law Number 60½ C of 1902, of the Township of Sarnia.

Finally passed this 19th day of December, A.D., 1902.

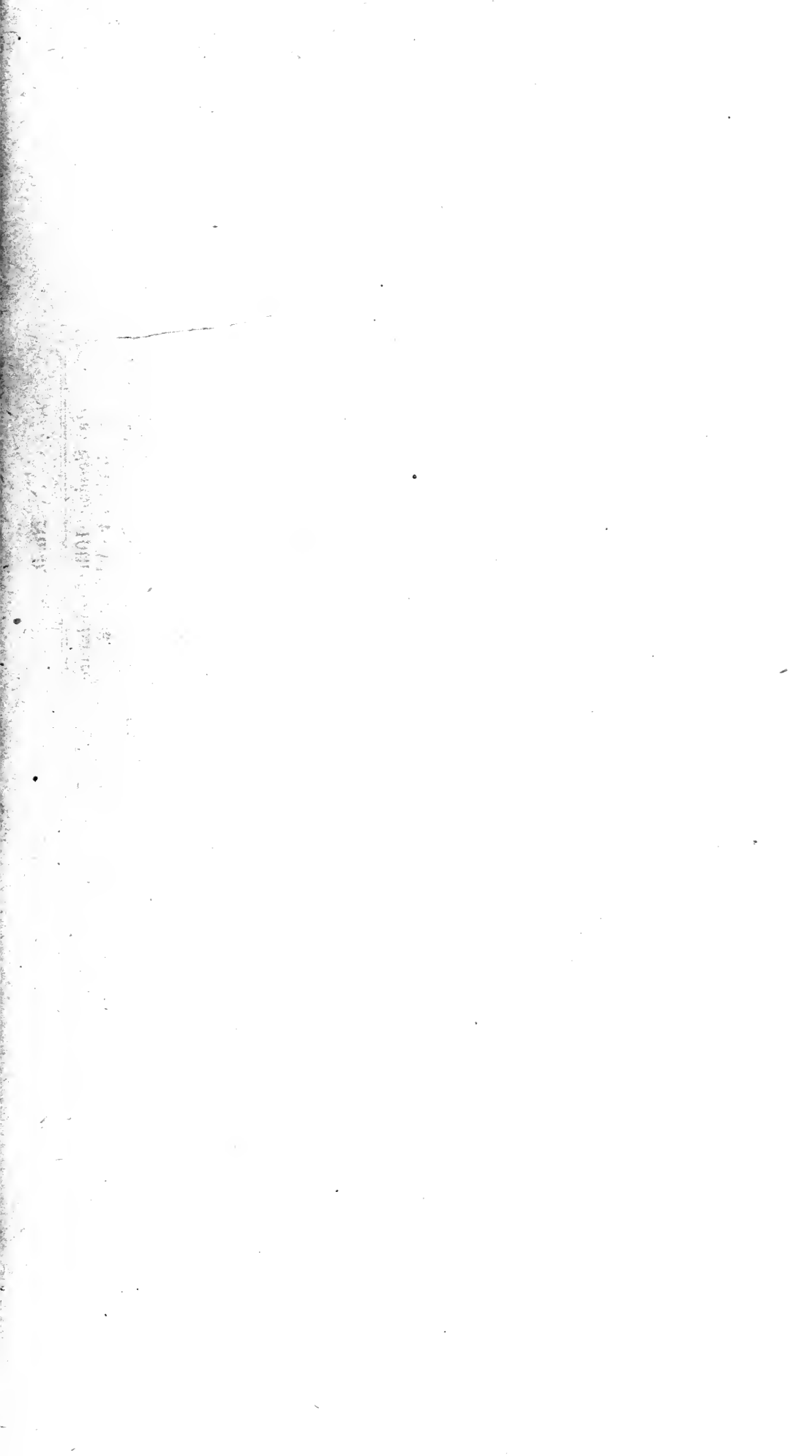
GEORGE COLE,
Reeve.

MAGGIE LOWRIE,
Clerk.

The foregoing is hereby certified to be a true and accurate account of By-law Number 60½ C, of the corporation of the Township of Sarnia, finally passed on the 19th day of December, A.D. 1902, as witness the seal of the said corporation and the hands of the Reeve and Clerk thereof.

GEORGE COLE,
Reeve.

MAGGIE LOWRIE,
Clerk.



No. 9.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting The Sarnia Street Rail-
way Company.

First Reading, 1903.

(Private Bill.)

Mr. HANNA.

TORONTO.

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

An Act respecting the Sarnia Street Railway Company.

WHEREAS the Sarnia Street Railway Company was incorporated by an Act of the Ontario Legislature passed in the 37th year of the reign of Her late Majesty Queen Victoria, chaptered 61, and was by the said Act authorized and empowered to construct, maintain, complete and operate a double or single iron railway for the passage of cars, carriages or other vehicles adapted to the same, upon and along the streets and highways within the jurisdiction of the Corporation of the Town of Sarnia and the adjoining municipalities, subject to an agreement thereafter to be made between the said company and the council of the said town and of the adjoining municipalities; and whereas the Corporation of the Township of Sarnia is an adjoining municipality within the meaning of the said Act; and whereas under By-law Number 60½ C of the Corporation of the Township of Sarnia passed the 19th day of December, A.D. 1902, and a certain agreement made in pursuance thereof between the said company and the Corporation of the Township of Sarnia bearing date the 29th day of December, A.D. 1902, certain powers were conferred upon the said company respecting the construction and operation of their railway upon certain roads and highways in the said Township of Sarnia, and by the said by-law it was provided that the said company was to be at liberty to apply for an Act confirming the same; and whereas by petition the said company and the said Corporation of the Township of Sarnia have prayed that the said by-law and the said agreement may be confirmed; 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 said agreement between the said company and the Corporation of the Township of Sarnia and the said by-law Number 60½ C hereinbefore referred to, which said agreement and by-law are set out in Schedule A to this Act, are confirmed and declared to be valid and binding on the said corporation and upon all parties affected thereby, ^{and} but notwithstanding anything in the said agreement or by-law or in this Agreement between company and township confirmed.

Act contained it shall not be lawful for the Company to operate any car or cars on the Lords Day on the extensions authorized by the said by-law and this Act, and section 136 of *The Electric Railway Act* shall apply to the Company in so far as the operation of the extensions of the line of the said Company authorized by this Act and by the by-law and Agreement hereby confirmed is concerned and to any and all further extensions which may from time to time be permitted or authorized by the Municipal Council of the Township of Sarnia.

By-laws extending time for commencement and completion.

2. It shall be lawful for the Municipal Council of the Township of Sarnia aforesaid by by-law to extend from time to time and as often as the same may appear to the said council to be advisable the times in the said By-law Number 60½ C and the agreement made in pursuance thereof specified for the commencement and completion of the construction of the said railway and to grant to the said company by by-law and agreement the right to construct, maintain and operate a street railway on such other streets and highways of the said township as the council may from time to time see fit, subject to the terms and conditions, so far as applicable thereto set out in the said By-law Number 60½ C.

SCHEDULE A.

Articles of agreement made this 29th day of December, A. D. 1902, between the Corporation of the Township of Sarnia, (hereinafter called the Corporation) of the first part, and the Sarnia Street Railway Company, Limited, (hereinafter called the Company) of the second part.

Whereas by an Act of the Legislature of the Province of Ontario passed on the twenty-fourth day of March, A. D. 1874, entitled, "*An Act to incorporate The Sarnia Street Railway Company,*" it is amongst other things provided that the council of the said corporation (as well as the councils of other corporations adjoining the Town of Sarnia) and the company may make and enter into any agreements respecting the construction of the said railway and the location thereof and for the paving, macadamizing, repairing and grading of the streets or highways and the construction, opening of drains or sewers in said streets and highways and the particular streets and highways along which the said railway shall be laid, the pattern of the rail, the time and speed of running the cars, the time within which the works are to be commenced, the manner of proceeding with the same and the time for completion and generally for the safety and convenience of passengers the conduct of the agents and servants of the company and the non-obstructing or impeding of the ordinary traffic.

And whereas the council of the said corporation on the 19th day of December, A. D. 1902, passed a By-law Numbered 60½ C, granting to the company certain rights for the construction and maintenance and operation of a street railway upon and along certain highways of the said corporation upon and subject to the terms, conditions, agreements, stipulations, regulations, obligations, provisions and things therein contained, a copy of which said by-law is hereto annexed.

And whereas these presents are intended to give effect to said by-law and the same have been approved of by the township solicitor.

Now these presents witnesseth that in consideration of the granting of the rights and privileges which are by the said by-law granted by the corporation to the company, the company do, for themselves, their successors and assigns, covenant, promise and agree to and with the corporation and their successors in manner following, that is to say,—

That the company do hereby accept the said by-law and that the company, their successors and assigns, will in all things conform to, obey, perform, observe, fulfil and keep all and every the terms, conditions, agreements, stipulations, regulations obligations, provisions and things in the said by-law contained, upon, under and subject to which the said rights and privileges are by the said by-law granted to the company, and will do and perform all acts, matters and things, which the said by-law provides are to be done by or on behalf of the company, and will not do anything which the said by-law provides is not to be done by the company.

And the corporation do hereby ratify and confirm the said by-law and the rights and privileges hereby granted to the company, subject however, to all the terms, conditions, agreements, stipulations, regulations, obligations, provisoes and things in the said by-law contained.

In witness whereof the corporation has caused to be affixed its corporate seal and the reeve and township clerk have set their hands and the company has caused to be affixed its corporate seal and their president and secretary have set their hands the day and year first above written.

Signed, sealed and delivered
in the presence of :

(Seal) Tp. of Sarnia.

(Seal) St. Ry. Co.

Sgd. GEORGE COLE,
Reeve Tp. of Sarnia.
MAGGIE LOWRIE,
Clerk Tp. of Sarnia.
JOHN D. BEATTY,
Pres. Sarnia St. Ry. Co.
H. W. MILLS,
Sect. Sarnia St. Ry. Co.

BY-LAW No. 60½, C.

Respecting the Sarnia Street Railway Company.

Whereas the Legislature of the Province of Ontario did on the 24th day of March, A.D. 1874, pass an Act, Chapter 61, 37 Victoria, entitled *An Act to incorporate the Sarnia Street Railway Company*, by which the said company (hereinafter called the company) is authorized and empowered to construct, maintain, complete and operate a double or single iron railway, with the necessary side tracks, switches and turnouts for the passage of cars, carriages and other vehicles adapted to the same, upon and along such streets and highways within the jurisdiction of the corporation of the Town of Sarnia and of any of the adjoining municipalities as the company may be authorized to pass along, under and subject to any agreement thereafter to be made between the council of the said town or of said municipalities respectively, or any of them and the said company, in pursuance of said Act, and to take, transport and carry passengers and freight upon the same by the force or power of animals or such other motive power as the company may be authorized by the council of said town and municipalities respectively by By-law to use, and to construct and maintain all necessary work, buildings, appliances and conveyances connected therewith.

And whereas the corporation of the Township of Sarnia (hereinafter called the corporation) is a neighboring municipality of the Town of Sarnia aforesaid within the meaning of said Act.

And whereas the company desires to construct a surface electric street railway on the trolley system on the roads and highways hereinafter mentioned.

Be it therefore enacted by the municipal council of the corporation of the Township of Sarnia as follows:—

(1) That in so far as the corporation of the Township of Sarnia have power to grant the same, the consent, permission and authority of the corporation is hereby given and granted to the company to construct, complete and operate during the term of thirty years from the first day of January, 1903, a surface street railway with electricity on the trolley system as the motive power therefor, consisting of a single track, with the necessary side tracks, turnouts or switches, for the passage of cars, carriages or other vehicles adapted to the same, upon and along the following roads and highways in the Township of Sarnia, namely:—

(a) The road known as the Errol Road commencing at the eastern limit of Point Edward, thence along the said Errol Road to a point west of Lakeview Cemetery where the said Errol Road joins the highway known as Weesbeach sideroad, thence northerly along Weesbeach sideroad to a point at or near the shore of Lake Huron, or

(b) Along Weesbeach sideroad from Exmouth street to a point at or near the shore of Lake Huron.

(2) The construction of the said surface street railway over the roads and highways hereinbefore mentioned along which ever route the said street railway shall select shall be commenced on or before the first day of August, 1904, and shall be completed and running efficiently thereon by the first day of November, A. D. 1905.

(3) Such railway shall consist of a single track with all necessary switches, sidetracks and turnouts, laid down as required by law and shall be laid down in such position on such highway and in such manner as shall be approved of by the township council, but in no case except when crossing the highway shall the track be laid on the graded portion of the highway, or between the ditches except with the consent of the corporation expressed by resolution of the council, but shall be laid on the side of the road, and at such distance from the travelled portion thereof as shall be approved by the township council.

(4) The location of the line of railway in the said highways shall not be made until the plans thereof showing the position of the rails and other works on said highways shall have been submitted to and approved of by the township council.

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

(6) The rails to be used shall be a substantial T rail and shall be laid down in such a manner as shall least obstruct the passage of vehicles and carriages over the same.

(7) The tracks of the said railway and all works necessary for constructing and laying the same, shall be constructed in a substantial manner according to the best modern practice. During the operation of laying, removing and relaying the rails a free passage for carriages and vehicles over the streets and highways shall be kept open and not obstructed, and immediately after the rails shall have been laid or relaid, as the case may be, the material removed or dug up in laying or relaying as aforesaid, shall be either removed from or spread over the street or highway from which the same shall have been taken as shall be directed by the township council or such person as they may depute.

(8) Space between the rails of the said railway and the roadway where the same shall be constructed on the travelled portion of the roadway to

a distance of eighteen inches on both sides thereof shall be kept in a good state of repair by the company and where the said road shall be constructed on the highway, or where it shall cross the highway, it shall be constructed and maintained even with the grade of the highway and to the satisfaction of the said municipal council, and the said company shall also be bound to construct and keep in repair crossings of a character provided for by the said municipality, and which shall be planked between the rails and for one foot on each side thereof, which planks shall be kept one-half inch higher than the rails, and wherever farm crossings, bridges, culverts or waterways, including drains of all kinds, are found by the municipal council to be necessary for drainage or other purposes, the same shall be constructed and maintained by the said company in a manner to be approved of by the said municipal council, but in case of tile drains the owners of the adjoining lands shall pay the company such sum as it would have cost to have put in the drain across the railroad had such railroad not been there, and every owner of adjacent land whether as now or hereafter sub-divided, shall be entitled to a farm crossing over the company's road.

9. The cars upon the said railroad shall be of a modern type propelled by electricity, or with the consent of the said corporation expressed by by-law, by other motive power suitable for railway purposes, and all motive cars shall be provided with fenders of a modern and up-to-date type.

10. Suitable crossings of a character satisfactory to the council shall be constructed and kept in good repair by the company at all highways and farm crossings. All necessary poles shall be located next to the fence line of the said road and between the said railroad and the fence nearest the track, and the wires and overhead construction shall not be less than eighteen feet above the rails.

11. The fares to be charged by the said company shall not exceed a rate of five cents for each person to or from the town or point of commencement to the cemetery or from the beach to the cemetery and ten cents for each person to or from any point beyond the cemetery but all children under five years of age when accompanied by parent or other person having them in charge shall be carried free, but the company shall not be bound to carry any passenger any distance for less than five cents, except children as aforesaid, and between the hours of eleven o'clock in the evening and six o'clock in the morning the company shall have the right to charge double the said fare.

12. Whenever it shall become necessary to remove snow or ice from the track or tracks of the said company, the same shall be by the said company evenly spread over the highway so as to not obstruct the free passage of sleighs or other vehicles along the said highway, or removed by the said company as shall be directed by the proper officer of the said corporation.

13. Whenever by reason of snow or ice, the tracks of the said company shall be obstructed to such an extent as to interfere with the running of cars of the said company, the said company is authorized to use sufficient number of sleighs, waggons or other vehicles to answer the requirements of traffic until such time as the said cars can be again used, and the said company can charge fares for carriage on the said sleighs, wagons or other vehicles as if the same were cars of the said company and being run on the track of the said company.

14. The number of trips shall not be less than four each way daily, during the season in which the cars are being run by the company, unless prevented by unavoidable accident or obstruction caused by storms, and the said company shall operate their cars for at least ten weeks each year.

15. The said corporation shall have the right to fix the maximum rate of speed that the motor and cars of the railway or either of them shall run at on any portion of the railway within the corporation but so that the rate of speed so fixed shall not be less than ten miles per hour.

16. No cars shall be allowed to stop in front of an intersecting highway except to avoid collision or to prevent injury to persons on the highways or for other unavoidable reason.

17. After sunset the cars shall be provided with colored signal lights for front and rear.

18. The cars shall be entitled to the track and every vehicle upon the track of the company shall turn out when any car comes up so as to leave the track unobstructed, and any driver of a vehicle refusing to turn out when warned or requested so to do by the driver of any car, shall be liable to a fine not exceeding ten dollars (\$10.00) exclusive of costs to be imposed by any Justice of the Peace for the County of Lambton, having jurisdiction in the said township, and in case of non-payment to be collected by distress and sale of goods of the offender, and in default of sufficient distress, the offender may be imprisoned in the county jail for the said County of Lambton for a period not exceeding twenty-one days without or with hard labor.

19. The company shall cross the channels of all the creeks and streams which intersect the said railroad, crossing any of the roads on separate bridges of their own construction, and in no event shall the said company lay their track on the public highway bridges or culverts across those streams.

20. The said railway shall be constructed, erected, laid down and arranged as to impede or incommode the public use of any street or 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.

21. Where it is necessary in constructing their railway for the boundary fences to be set back so that the company's track shall not interfere with the travelled portion of the highway, the company shall deal with the owners of the adjacent land.

22. The rights and privileges granted by these by-laws shall extend for a period of thirty years from the date of its acceptance by the said company, and shall be renewable for a further period of twenty years upon such terms and conditions as may be agreed upon between the said corporation and the said company, or in case of disagreement between the said parties, upon such terms and conditions as may be determined by arbitration, under the provisions of *The Municipal Act*, and in the event of legislation being sought to legalize or authorize such renewal or renewals for such further term of years, the said corporation shall, at once, on request being made by the said company aid in procuring such legislation, provided the terms and conditions upon which such renewal is asked for are satisfactory to the corporation, or in accordance with the final award made pursuant to such arbitration.

23. All the property of the company used in connection with the construction and operation of the railway and other objects covered by this By-law and appertaining thereto, and the income derived therefrom by the company, shall be exempt from taxation and from all local rates and charges for a period of ten years from the date hereof, and the said township shall consent to any necessary legislation in that behalf, provided, however, that this exemption shall not apply to school rates.

24. The company shall have the right to carry freight, express or mail matter within or through the said municipality, and charge a reasonable compensation for carrying the same. In the event of the said company seeing fit to run cars for carrying milk the said cars may be operated on Sundays for that purpose (but not for any other purpose except as hereinafter provided) and a reasonable compensation charged therefor.

25. The said company shall have the right to run their cars to and from the cemetery on Sunday afternoons and to run a car to the beach in the Sunday mornings in time to bring people into town for church service, and to run a car back to beach again with people immediately

after church service, but not to otherwise operate the road or their cars on Sundays.

26. So far as the municipal council has power to grant the same, the company may deflect its line from the said streets, roads and highways, and operate the same along and across private properties, after expropriating the necessary rights of way under the provisions of the statutes in that behalf, or otherwise acquiring the same, and in the event of there not being sufficient room between the ditch and the side of the road for the railway track, the said corporation shall in no case be held under any obligation to provide a right of way for same.

27. Where the said company shall operate their line along a private right of way, and the said railway crosses the highways intersecting the said highways, the privileges and exemptions hereby granted by these By-laws shall extend and be applicable to such crossings of said intersecting highways.

28. The company shall have the right to lease its works or any part thereof or dispose otherwise of the same and also the rights and privileges hereby granted to any person or corporation but subject to the provision of this By-law.

29. The municipality shall join with the company in any petition or application which the company may make to obtain the privilege of crossing the railway track of any steam railway which it may be necessary for the company to cross under the provisions of this By-law, but the corporation shall not be required or compelled to incur any expense therewith and the company shall pay all expenses the corporation may incur.

30. All provisions of this By-law, if any, which are beyond the jurisdiction of the said corporation to enact, shall not operate or come into force until the same is sanctioned, ratified and confirmed by the legislature of the Province of Ontario.

31. The corporation shall join with the company in applying to the legislature of the Province of Ontario for legislation confirming, ratifying and legalizing this By-law and the agreement to be entered into between the corporation and the company pursuant thereto, but the said company shall pay all the costs of such legislation including the costs of the corporation (if any).

32. This By-law and the powers and privileges hereby granted shall not take effect or be binding on the said corporation unless and until formally accepted by the said company within sixty days after its incorporation by an agreement that shall legally bind the said company to observe and comply with all the agreements, obligations, terms and conditions herein contained and which agreement shall be approved by the township solicitor and executed by the company, and under the seal of the said corporation by the reeve and clerk.

33. The corporation shall not be liable to the company for any encroachment of ditches or drains upon, toward or under the tracks of the company and the corporation shall have the right to require the said tracks to be located at such a distance from said drains and ditches as it may appear necessary to the said corporation to have the same, in order that such tracks may not interfere with such drains or ditches.

34. If any person, persons or corporation shall desire to remove any building or buildings, or any other large substance across, or along the track of the railway where the same is situated upon the highway, they shall have the right to do so and have a reasonable time therefor, provided that the said person, persons or corporation shall give the company two days notice of their intention to remove such building or buildings or other large substance, and the company's wires and overhead construction shall be removed for that purpose by and at the expense of the company.

35. The rights, privileges and franchises granted by this By-law shall be subject to all the conditions, provisions and stipulations contained in this By-law, and also subject to the provisions contained in *The Electric Railway Act*, and in every Act in amendment thereof, or substitution therefor, but where the provisions of said Acts and this By-law are dissimilar then the provisions of this By-law shall govern.

36. Should the company fail to complete said railway, or to commence operating the same within the time limited by this By-law, or should the said company after completion fail to continue to operate the same, or to comply with the provisions in this By-law contained for the space of one month after written notice of such neglect or default shall be served on the company, then the said persons and company shall forfeit all privileges and rights which they have acquired by said grant or under this By-law, and the corporation shall have the right to remove all materials and obstructions from the highways at the expense of the company, but in respect to those portions of the proposed road from Exmouth street along the Weesbeach road to the junction of the Errol road with the Weesbeach road near the cemetery and that portion of the Errol road to the Weesbeach road, in the event of their or either of their non-construction or non-user the said forfeiture shall only apply to such respective portions.

37. The company will indemnify and hold harmless the said corporation from all loss, costs, damages and expenses of any kind which may be incurred in consequence of any litigation in connection with anything done or permitted under the provisions of this By-law or by reason of the passing thereof, or in consequence of the construction or operation or existence of the company's railway or other works.

38. The franchise by this By-law granted is subject to the right of the corporation to grant to other persons or other companies the right to cross with their railways the tracks of the company at any such places as to the said corporation may appear necessary or advisable, but such crossings are to be put in at the expense of the company applying for the same, and this franchise is granted subject to all existing rights in any person or persons or company whatsoever outstanding against the township.

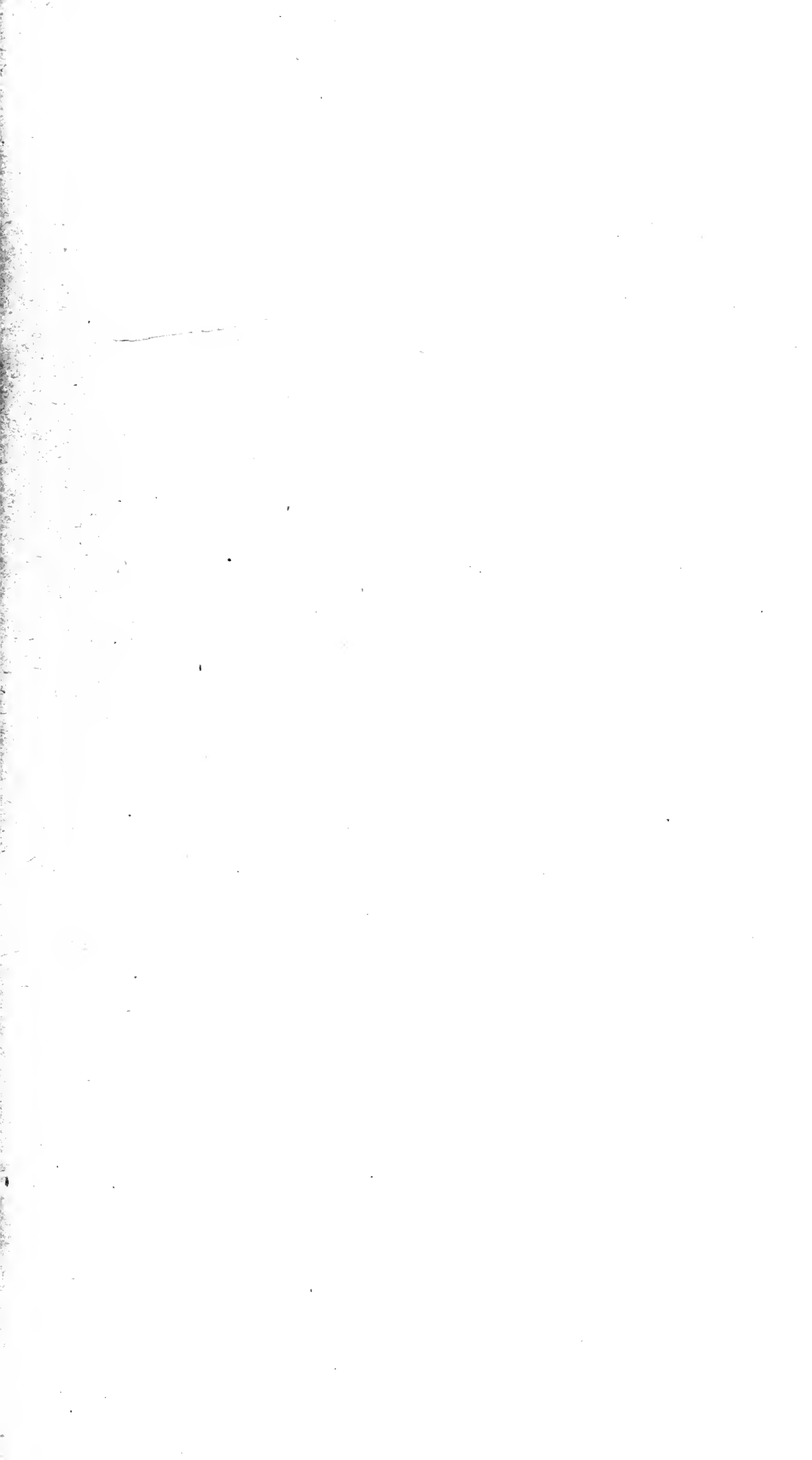
This By-law shall be known as By-law Number 60½ C of 1902, of the Township of Sarnia.

Finally passed this 19th day of December, A.D., 1902.

GEORGE COLE,
Reeve.

(Seal) Tp. of Sarnia.

MAGGIE LOWRIE,
Clerk.



No. 9.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting The Sarnia Street Railway Company.

First Reading, 24th April, 1903.

(Reprinted as amended by Railway Committee.)

Mr. HANNA.

TORONTO.

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

An Act respecting the Ontario & Sault Ste Marie
Railway Company.

WHEREAS by an Act passed by the Legislative Assembly Preamble.
of the Province of Ontario in the 44th year of Her late
Majesty's reign, chaptered 68, certain persons therein named
were constituted a body corporate and politic by and under
5 the name of the Ontario & Sault Ste. Marie Railway Company
with the powers set out in the said Act ; and whereas by an
Act passed by the said Legislative Assembly in the 50th year
of Her late Majesty's reign, chaptered 78, it was among other
things enacted that the time for the completion of the rail-
10 way and branches which the company was authorized to con-
struct should be extended to six years from the third day of
March, 1887 ; and whereas the said company has expended a
considerable sum of money in organization, preparing plans,
making surveys, locating the line, and for other purposes, but
15 it was not found practicable to construct the railway author-
ized within the time limited by the said last mentioned Act,
50 Victoria, chapter 78 ; and whereas, in pursuance of the
powers conferred the organization of the said company was
duly completed and continued up to the year 1893,
20 but since that date no annual or other meeting of the share-
holders of the said company has been held ; and whereas the
said company and John Bell and others of the directors elected
at the last annual meeting of the shareholders held on the
15th day of March, 1893, have by their petition prayed that
25 the said hereinbefore recited Acts and the powers thereby
conferred upon the said company may be revived and
amended, and also that the time fixed for the commencement
and completion of the said railway and branches may be ex-
tended ; and whereas it is expedient to grant the prayer of
30 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 Acts hereinbefore recited, and all the provisions Incorporation
and Acts
revived.
35 thereof not inconsistent with or repealed by this Act, and all
the powers heretofore conferred upon the said company are
revived and declared to be in full force and effect, and all by-

laws passed and Acts and things done and rights acquired under the authority of the said Acts or either of them are hereby validated and confirmed.

Directors.

2. Such of the directors elected at the last meeting of shareholders of the said company held at the City of Toronto on the fifteenth day of March, 1893, as are living at the passing of this Act, are declared to be the directors of the said company and to be vested with all the powers conferred upon the Directors of the company by the Acts hereinbefore recited or either of them, or by *The Railway Act of Ontario* and any amendments thereto now in force, and shall continue in office until the meeting of shareholders provided for in the next section is held. 5 10

General meeting of shareholders to elect directors.

3. A general meeting of the shareholders of the said Company for the purpose of electing directors and the transaction of general business shall be held at the City of Toronto within two months from the passage of this Act, and the directors then chosen shall hold office until the next annual general meeting of the company or until successors are appointed as provided by law. Notice of the time and place of holding the meeting of shareholders hereby directed shall be duly given as required by section 12 of the Act hereinbefore recited, 44 Victoria, chapter 68. 15 20

44 V., c. 68, s. 5, repealed.

4. Section 5 of the said Act, 44 Victoria, chapter 68, is hereby repealed and the following substituted therefor: 25

Power to receive gifts in aid of undertaking.

The company may receive from any Government, or from any person or bodies corporate, municipal or politic, who may have power to make or grant the same, aid towards the construction, equipment or maintenance of the said railway by way of gift, bonus or loan of money or debentures or other securities for money, or by way of guarantee upon such terms and conditions as may be agreed upon. 30

44 V. c. 68, s. 8, amended.

5. Section 8 of the said Act is amended by adding after the word "company" in the second line thereof the words "unless it shall be approved by resolution of the directors nor," and adding at the end of the said section the words "within one month after subscription." 35

Rights of aliens.

6. 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. 40

Shares and their transfer.

7. Shares in the capital stock of the company may be transferred by any form of instrument in writing, but no 45

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 **8.** Section 10 of the said Act is amended by striking out all the words therein after the words *The Railway Act of Ontario* in the seventh line thereof and substituting the following "and the said board may employ and pay one of their number as managing director." Managing director.
- 10 **9.** The head office of the company shall be at the City of Toronto or at such other place in this province as the company determines by by-law. Head Office.
- 15 **10.** At all the 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 at meetings.
- 20 **11.** It shall be lawful for the directors of the company to enter into 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 for such companies or persons for such time or times and for 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. Agreements as to rolling stock.
- 30 **12.** Section 21 of the said Act, 44 Victoria, chapter 68, is repealed and the following substituted therefor: 44 V., c. 68, s. 21, repealed.
- 35 The company may also construct an electric telegraph line and a telephone line throughout and along the whole line of their railway and the branches thereof or any part of the said railway or branches and for the purpose of constructing, working and protecting the said telegraph and telephone lines the powers conferred upon telegraph companies by the Act respecting telegraph companies, being chapter 192 of the Revised Statutes of Ontario, 1897, are hereby conferred upon the company; provided that no poles shall be erected in the construction of either of the said lines in or through any city, town, or incorporated village without the consent of the council of such city, town or village being first obtained by the company; and the company may undertake the transmission of messages for the public by such line or lines of telegraph or telephone and collect tolls for so doing. Telegraph and telephone lines.
- 45

Exemptions
from taxation.

13. 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. 5 10

(2) The assent of the electors of such municipality shall not be required to render valid any such by-law which provides only for the payment of a certain sum per annum or otherwise in gross by way of commutation or composition or in lieu of all or any municipal rates or assessment to be imposed by such municipal corporation.

Grant's of
lands from
municipal
ities.

14. 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. 20 25

Snow fences.

15. 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. 30 35

Taking
materials for
roadbed.

16. 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 40 45

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.

17. 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 lands on which said material shall be found, whatever the distance may be ; and all the provisions of the *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.

Sidings to
gravel pits.

(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.

18. 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, and shall also have power to build, own and manage hotels for the accommodation of tourists and the general public in the vicinity of its railway or branches, and mortgage, lease, sell or otherwise dispose of the same, 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.

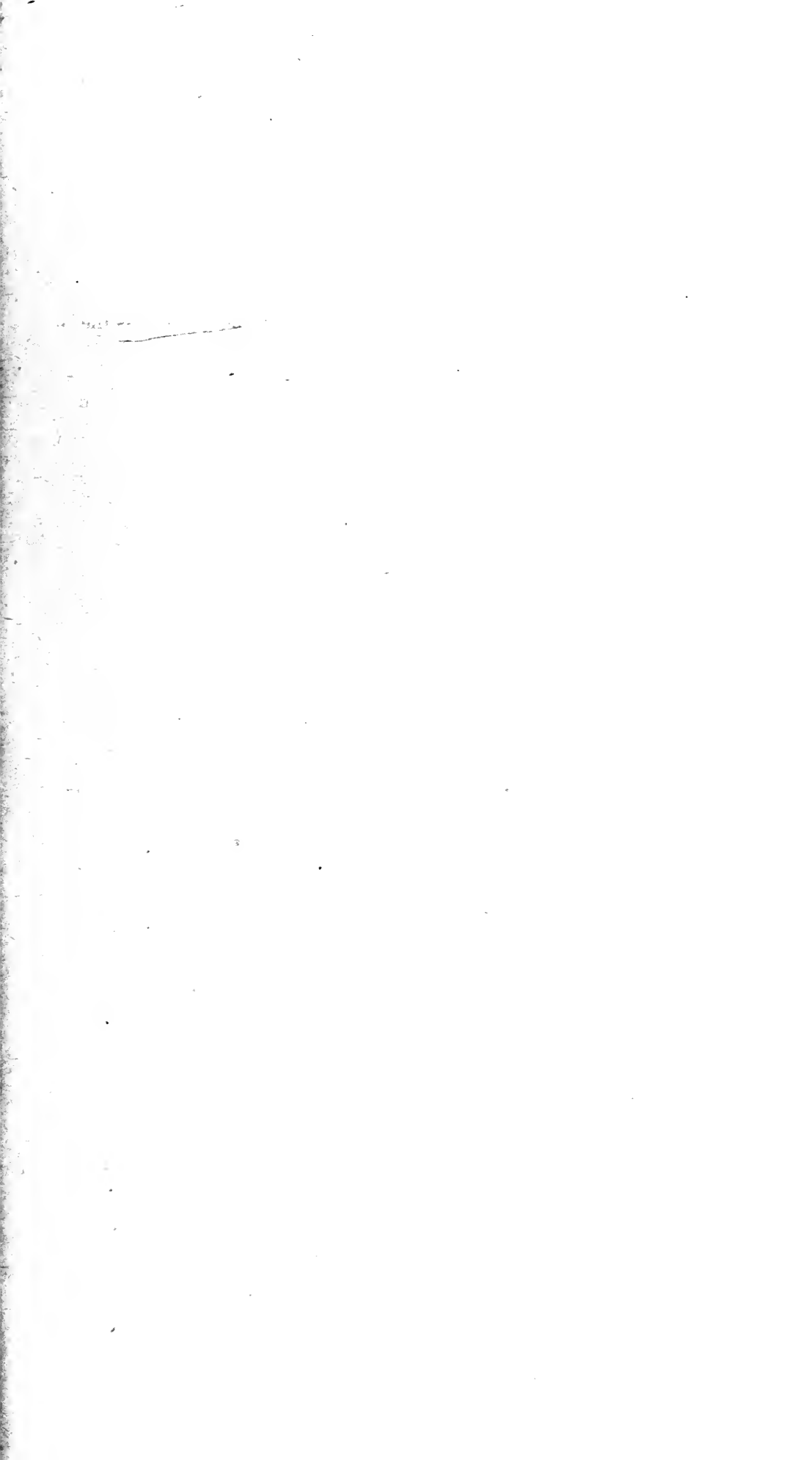
Warehouses,
elevators,
docks, etc.

Power to collect back charges on goods.

19. 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. 5

Time for completion of line extended.

20. The time for the completion of the said railway is extended to six years from the passing of this Act and this section shall have the same effect as if the time herein mentioned was the period fixed for the completion of the said railway by the Acts hereinbefore recited or either of them. 10



1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act Respecting the Ontario & Sault
Ste. Marie Railway Company.

First Reading, 1903.

(Private Bill).

Mr. CAMERON

TORONTO.

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

An Act respecting the Ontario Sault Ste. Marie
Railway Company.

WHEREAS by an Act passed by the Legislative Assembly Preamble.
of the Province of Ontario in the 44th year of Her late
Majesty's reign, chaptered 68, certain persons therein named
were constituted a body corporate and politic by and under
the name of the Ontario Sault Ste. Marie Railway Company
with the powers set out in the said Act; and whereas by an
Act passed by the said Legislative Assembly in the 50th year
of Her late Majesty's reign, chaptered 78, it was among other
things enacted that the time for the completion of the rail-
way and branches which the company was authorized to con-
struct should be extended to six years from the third day of
March, 1887; and whereas the said company has expended a
considerable sum of money in organization, preparing plans,
making surveys, locating the line, and for other purposes, but
it was not found practicable to construct the railway author-
ized within the time limited by the said last mentioned Act,
50 Victoria, chapter 78; and whereas, in pursuance of the
powers conferred the organization of the said company was
duly completed and continued up to the year 1893,
but since that date no annual or other meeting of the share-
holders of the said company has been held; and whereas the
said company and John Bell and others of the directors elected
at the last annual meeting of the shareholders held on the
15th day of March, 1893, have by their petition prayed that
the said hereinbefore recited Acts and the powers thereby
conferred upon the said company may be revived and
amended, and also that the time fixed for the commencement
and completion of the said railway and branches may be ex-
tended; 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 Acts hereinbefore recited, and all the provisions Incorporation
and Acts
revived.
thereof not inconsistent with or repealed by this Act, and all
the powers heretofore conferred upon the said company are
revived and declared to be in full force and effect, and all by-

laws passed and Acts and things done and rights acquired under the authority of the said Acts⁴⁷ or either of them shall be construed, held and enjoyed as if the said Acts had not lapsed but had continued to be in full force and effect; but this shall not be held to prejudice any rights legally acquired since the 23rd day of April, 1893.⁴⁸

Directors.

2. Such of the directors elected at the last meeting of shareholders of the said company held at the City of Toronto on the fifteenth day of March, 1893, as are living at the passing of this Act, are declared to be the directors of the said company and to be vested with all the powers conferred upon the directors of the company by the Acts hereinbefore recited or either of them, or by *The Railway Act of Ontario* and any amendments thereto now in force, and shall continue in office until the meeting of shareholders provided for in the next section is held.

General meeting of shareholders to elect directors.

3. A general meeting of the shareholders of the said Company for the purpose of electing directors and the transaction of general business shall be held at the City of Toronto within two months from the passage of this Act, and the directors then chosen shall hold office until the next annual general meeting of the company or until successors are appointed as provided by law. Notice of the time and place of holding the meeting of shareholders hereby directed shall be duly given as required by section 12 of the said Act passed in the 44th year of Her late Majesty's reign and chaptered 68.

44 V., c. 68, s. 5, repealed.

4. Section 5 of the said Act, 44 Victoria, chapter 68, is hereby repealed and the following substituted therefor:

Power to receive gifts in aid of undertaking.

The company may receive from any Government, or from any person or bodies corporate, municipal or politic, who may have power to make or grant the same, aid towards the construction, equipment or maintenance of the said railway by way of gift, bonus or loan of money or debentures or other securities for money, or by way of guarantee upon such terms and conditions as may be agreed upon.

44 V. c. 68, s. 8, amended.

5. Section 8 of the said Act is amended by adding after the word "company" in the second line thereof the words "unless it shall be approved by resolution of the directors nor," and adding at the end of the said section the words "within one month after subscription."

Rights of aliens.

6. 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.

7. 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. Shares and their transfer.

8. Section 10 of the said Act is amended by striking out all the words therein after the words *The Railway Act of Ontario* in the seventh line thereof and substituting the following "and the said board may employ and pay one of their number as managing director." Managing director.

9. The head office of the company shall be at the City of Toronto or at such other place in *the Province of Ontario* as the company determines by by-law. Head Office.

10. 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 at meetings.

11. 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 or otherwise as may be agreed upon. Agreements as to rolling stock.

12. Section 21 of the said Act, 44 Victoria, chapter 68, is repealed and the following substituted therefor: 44 V., c. 68,
s. 21,
repealed.

The company may also construct an electric telegraph line and a telephone line throughout and along the whole line of their railway and the branches thereof or any part of the said railway or branches and for the purpose of constructing, working and protecting the said telegraph and telephone lines the powers conferred upon telegraph companies by *The Act respecting Telegraph Companies*, being chapter 192 of the Revised Statutes of Ontario, 1897, are hereby conferred upon the company; provided that no poles shall be erected in the construction of either of the said lines in or through any city, town, or incorporated village without the consent of the council of such city, town or village being first obtained by the company; and the company may undertake the trans- Telegraph and telephone lines.

mission of messages for the public by such line or lines of telegraph and collect tolls for so doing.

Exemptions
from taxation.

13. 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 *railway* 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.

Grants of
lands from
municipal-
ities.

14. 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.

15. 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.

Taking
materials for
roadbed.

16. 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

Rev. Stat.
c. 207.

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.

17. (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 *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.

18. 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, and shall also have power to build, own and manage hotels for the accommodation of tourists and the general public in the vicinity of its railway or branches, and mortgage, lease, sell or otherwise dispose of the same, 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.

Warehouses,
elevators,
docks, etc.

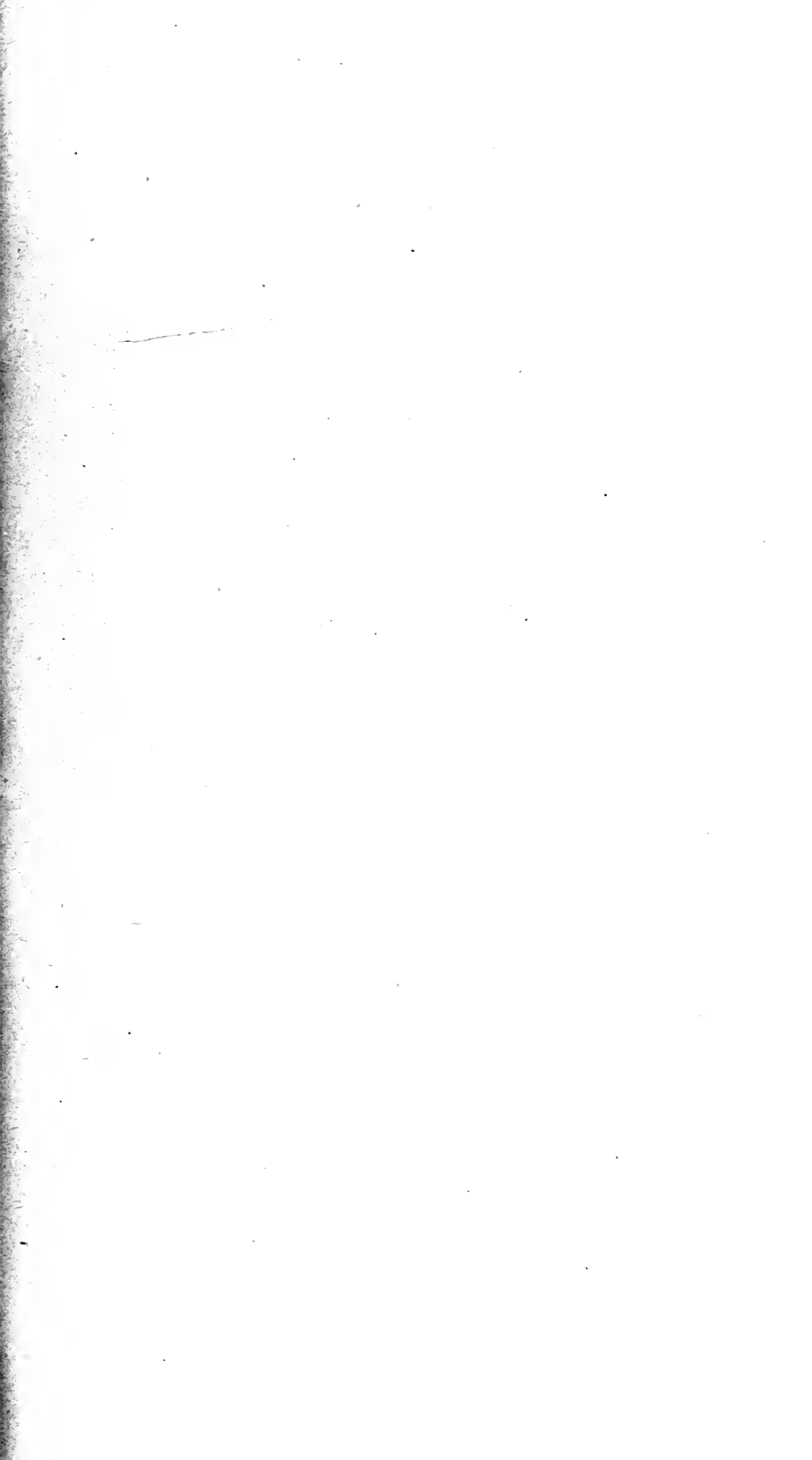
19. The company shall have power to collect and receive all charges subject to which goods or commodities may come into their possession, and on payment of such back charges, and without any formal transfer shall have the same lien for

Powers to col-
lect back
charges on
goods.

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.

Time for completion of line extended.

20. The time for the completion of the said railway is extended to *five* years from the passing of this Act and this section shall have the same effect as if the time herein mentioned was the period fixed for the completion of the said railway by the Acts hereinbefore recited or either of them.



No. 10.

1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act Respecting the Ontario Sault
Ste. Marie Railway Company.

First Reading, 24th April, 1903.

(Reprinted as amended by Railway
Committee.)

Mr. CAMERON
(Huron.)

TORONTO.

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

An Act to confirm By-Law No. 610 of the Town
of Ingersoll.

WHEREAS the Corporation of the Town of Ingersoll have Preamble.
by their petition shown that under by-law of the said
corporation, number 235, passed on the 8th day of April,
1887, in pursuance of the statutes then in force in Ontario,
5 a bonus of \$16,000 was granted to the Hault Manufacturing
Company to enable them to erect and operate a fac-
tory in the said town for the manufacture of upholsterers'
materials and upholstered goods and furniture, on condition
that they should furnish employment for from ninety to one
10 hundred men and boys for ten years from the 1st of August,
1887, and a mortgage was given on the said property to secure
the performance of these conditions; and whereas the said
property has become vested in the Ellis Furniture Company,
subject to the terms of said mortgage; and whereas it has
15 been found that said industry has not kept a sufficient num-
ber of men employed to entitle it to a discharge of the said
mortgage, within the said term of ten years; and whereas
the Council of the said corporation have by by-law of the
said council, passed on the 17th day of November, 1897,
20 and numbered 479, enacted that an extension of time for the
period of five years from the 17th day of November, 1897,
be granted to the Ellis Furniture Company for fulfilling
the terms and conditions of the said mortgage hereintofore
referred to, on condition that the said Ellis Furniture Com-
25 pany employ on an average not less than sixty skilled
workmen for the term of five years from the 17th day of
November, 1897; and whereas by Act of the Legislative As-
sembly of the Province of Ontario, the said by-law, numbered
479, was confirmed and declared valid and binding on the
30 said corporation; and whereas it has been found that the said
Ellis Furniture Company has not kept a sufficient number of
men employed to entitle it to a discharge of the said mortgage,
within the said period of five years from the 17th day of
November, 1897; and whereas the council of the said corpora-
35 tion have by by-law of the said council, passed on the 20th
November, 1902, and numbered 610, enacted that an extension
of time for the period of five years from the 20th Nov-
ember, 1902, be granted to the Ellis Furniture Company, for
fulfilling the terms and conditions of the said mortgage here-

inbefore referred to, on condition that they employ not less than an average of sixty skilled workman; and whereas doubts exist as to the validity of the said by-law granting such extension, and the corporation have prayed that the same and all acts done by the corporation thereunder may be confirmed and declared legal and valid; 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:— 10

By-law No.
610 confirmed.

1. That the said By-law, Number 610, of the Corporation of the Town of Ingersoll, passed on the 20th November, 1902, referred to in the preamble to this Act, is confirmed and declared valid and binding on the corporation from the time of the passing thereof to all intents and purposes, and the municipal council of the said corporation of the Town of Ingersoll is declared to have been authorized to pass the said by-law for the purposes therein mentioned, and all acts done or to be done by the said corporation pursuant to the said by-law are declared to be valid and binding on the said corporation, anything and any Act to the contrary notwithstanding. 15 20

SCHEDULE.

BY-LAW No. 610.

A By-law of the municipal council of the Town of Ingersoll authorizing an extension of time to the Ellis Furniture Company, for carrying out the provisions of By-law Number 240 of the said Town of Ingersoll and the agreement incorporated therewith.

Whereas by a certain by-law, Number 240, of the said Town of Ingersoll, passed on the eleventh day of July, A. D. 1887, a bonus for the sum of sixteen thousand dollars was granted to the Hault Manufacturing Company, Limited, to enable them to purchase a site and erect a building thereon suitable for the manufacture of upholsterers' materials, upholstered goods and furniture.

And whereas the said bonus was subsequently granted to the said Hault Manufacturing Company, Limited, and they erected on a site purchased with the said bonus money of sixteen thousand dollars a building for the manufacture of upholsterers' materials, upholstered goods and furniture, and for the further securing the repayment to the corporation of the said Town of Ingersoll of the said bonus money, a mortgage was given by them, the said Hault Manufacturing Company, Limited, to the municipal corporation of the Town of Ingersoll, conditioned for the same becoming void at the expiration of ten years from the first day of August, A. D. 1887, on their proving to the satisfaction of the said corporation that they had in the meantime, during each of the said ten years, employed and furnished employment in their factory for not less than from ninety to one hundred men and boys, earning the ordinary wages for adults, and for the further securing of carrying out the conditions on which the said bonus was granted, a mortgage was given on the thirtieth day of January, A. D. 1888, by the said Hault Manufacturing Company, Limited,

to the said Town of Ingersoll, whereby it was agreed that the said corporation should credit on the said mortgage in each year for the next ensuing ten years, subsequent to the first day of August, A. D. 1887, at the rate of eighteen dollars per head per man, that they should have employed in their said factory during the time aforesaid.

And whereas since the granting of such bonus to the Hault Manufacturing Company all their estate and interest in the said land and premises covered by the said mortgage, and also their interest in the said bonus of sixteen thousand dollars, has become vested by various mesne assignments in the Ellis Furniture Company to which no objection has been raised by the said corporation.

And whereas by a certain by-law numbered 479 of the said Town of Ingersoll passed on the 17th day of November, 1897 an extension of time was granted to the Ellis Furniture Company for carrying out the provisions of by law number 240 by extending the time for the carrying out of the provisions of the said mortgage for five years from the seventeenth day of November 1897.

And whereas by a certain Act of the Legislative Assembly of the Province of Ontario numbered 32 in the year 1897 the said by-law numbered 479 was confirmed and declared valid and binding on the said Corporation.

And whereas the said terms of ten years granted by by-law number 240 and the term of five years granted by by-law numbered 479 have now expired in which the whole of the bonus money aforesaid should have been earned by the said Ellis Furniture Company, but the conditions of the said mortgage have not been fulfilled by them and they are now in default.

And whereas an application has been made by the last named Company for a further extension of five years for the carrying out by them of the terms of the said mortgage, which application the said council has agreed to grant for five years and on the terms hereinafter provided for.

Be it therefore enacted by the municipal council of the Town of Ingersoll that an extension of time for the period of five years from the date hereof be granted to the Ellis Furniture Company, for fulfilling the terms and conditions of the mortgage given on the thirtieth day of January, A. D. 1888, by the Hault Manufacturing Company to the corporation of the Town of Ingersoll on condition that they employ in their factory, on which the said town hold their mortgage, in the meantime an average of not less than sixty skilled workmen, in each of the years for which the extension is hereby granted, and that if at the expiration of the said extension of five years hereby granted the whole of the unpaid portion of the mortgage money has not been earned, the same is to be paid in cash by the Ellis Furniture Company to the corporation of the said town.

This by-law shall come into force and take effect immediately from and after the time when the same shall have been legalised by the Legislative Assembly of the Province of Ontario, and nothing herein contained shall affect the rights of the municipality of the said town to assess the said above properties for municipal and all other taxes.

Read a first and second time the 17th day of November, A. D. 1902.

Read a third time and finally passed the 20th day of November, A. D. 1902.

WALTER MILLS, [SEAL]
Mayor.

W. R. SMITH,
Clerk.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

To confirm By-Law No. 610 of the Town
of Ingersoll.

First Reading,	1903.
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(Private Bill.)

Mr. PATUULLO.

TORONTO :

PRINTED BY I. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act to confirm By-Law No. 610 of the Town
of Ingersoll.

WHEREAS the Corporation of the Town of Ingersoll has Preamble.
by their petition shown that under by-law of the said
corporation, numbered 235, passed on the 8th day of April,
1887, in pursuance of the statutes then in force in Ontario,
a bonus of \$16,000 was granted to The Hault Manufacturing
Company to enable them to erect and operate a factory
in the said town for the manufacture of upholsterers'
materials and upholstered goods and furniture, on condition
that they should furnish employment for from ninety to one
hundred men and boys for ten years from the 1st of August,
1887, and a mortgage was given on the said property to secure
the performance of these conditions; and whereas the said
property has become vested in The Ellis Furniture Company,
subject to the terms of said mortgage; and whereas it *was*
found that *the* said industry had not kept a sufficient number
of men employed to entitle it to a discharge of the said
mortgage, within the said term of ten years; and whereas
the council of the said corporation, by by-law passed
on the 17th day of November, 1897, and numbered 479,
enacted that an extension of time for the period of five years
from the 17th day of November, 1897, be granted to The
Ellis Furniture Company for fulfilling the terms and condi-
tions of the said mortgage, on condition that The Ellis
Furniture Company employ on an average not less than
sixty skilled workmen for the term of five years from the
17th day of November, 1897; and whereas by ^{Act} an Act
passed in the 61st year of the reign of Her late Majesty
Queen Victoria, chaptered 45, ^{the} the said by law, numbered
479, was confirmed and declared valid and binding on the
said corporation; and whereas it has been found that The
Ellis Furniture Company has not kept a sufficient number of
men employed to entitle it to a discharge of the said mortgage,
within the said period of five years from the 17th day of
November, 1897; and whereas the council of the said corpora-
tion has by by-law passed on the 20th November, 1902, and
numbered 610, enacted that an extension of time for the period
of five years from the 20th November, 1902, be granted to
The Ellis Furniture Company, for fulfilling the terms and
conditions of the said mortgage, on condition that they employ

not less than an average of sixty skilled workman ; and whereas doubts exist as to the validity of the said by-law granting such extension, and the said municipal corporation has prayed that the same and all acts done by the corporation thereunder may be confirmed and declared legal and valid ; 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 :—

By-law No.
610 confirmed.

1. By-law Number 610, of the Corporation of the Town of Ingersoll, passed on the 20th November, 1902, set forth in the *Schedule* to this Act, is confirmed and declared valid and binding on the Corporation from the time of the passing thereof to all intents and purposes, and the Municipal Council of the Town of Ingersoll is declared to have been authorized to pass the said by-law for the purposes therein mentioned, and all acts done or to be done by the said corporation pursuant to the said by-law are declared to be valid and binding on the said corporation, anything and any Act to the contrary notwithstanding.

SCHEDULE.

By-Law No. 610.

A By-law of the municipal council of the Town of Ingersoll authorizing an extension of time to the Ellis Furniture Company, for carrying out the provisions of By-law Number 240 of the said Town of Ingersoll and the agreement incorporated therewith.

Whereas by a certain by-law, Number 240, of the said Town of Ingersoll, passed on the eleventh day of July, A. D. 1887, a bonus for the sum of sixteen thousand dollars was granted to the Hault Manufacturing Company, Limited, to enable them to purchase a site and erect a building thereon suitable for the manufacture of upholsterers' materials, upholstered goods and furniture.

And whereas the said bonus was subsequently granted to the said Hault Manufacturing Company, Limited, and they erected on a site purchased with the said bonus money of sixteen thousand dollars a building for the manufacture of upholsterers' materials, upholstered goods and furniture, and for the further securing the repayment to the corporation of the said Town of Ingersoll of the said bonus money, a mortgage was given by them, the said Hault Manufacturing Company, Limited, to the municipal corporation of the Town of Ingersoll, conditioned for the same becoming void at the expiration of ten years from the first day of August, A. D. 1887, on their proving to the satisfaction of the said corporation that they had in the meantime, during each of the said ten years, employed and furnished employment in their factory for not less than from ninety to one hundred men and boys, earning the ordinary wages for adults, and for the further securing of carrying out the conditions on which the said bonus was granted, a mortgage was given on the thirtieth day of January, A. D. 1888, by the said Hault Manufacturing Company, Limited,

to the said Town of Ingersoll, whereby it was agreed that the said corporation should credit on the said mortgage in each year for the next ensuing ten years, subsequent to the first day of August, A. D. 1887, at the rate of eighteen dollars per head per man, that they should have employed in their said factory during the time aforesaid.

And whereas since the granting of such bonus to the Hault Manufacturing Company all their estate and interest in the said land and premises covered by the said mortgage, and also their interest in the said bonus of sixteen thousand dollars, has become vested by various mesne assignments in the Ellis Furniture Company to which no objection has been raised by the said corporation.

And whereas by a certain by-law numbered 479 of the said Town of Ingersoll passed on the 17th day of November, 1897 an extension of time was granted to the Ellis Furniture Company for carrying out the provisions of by law number 240 by extending the time for the carrying out of the provisions of the said mortgage for five years from the seventeenth day of November 1897.

And whereas by a certain Act of the Legislative Assembly of the Province of Ontario numbered 32 in the year 1897 the said by-law numbered 749 was confirmed and declared valid and binding on the said Corporation.

And whereas the said terms of ten years granted by by-law number 240 and the term of years granted by by-law numbered 479 have now expired in which the whole of the bonus money aforesaid should have been earned by the said Ellis Furniture Company, but the conditions of the said mortgage have not been fulfilled by them and they are now in default.

And whereas an application has been made by the last named Company for a further extension of five years for the carrying out by them of the terms of the said mortgage, which application the said council has agreed to grant for five years and on the terms hereinafter provided for.

Be it therefore enacted by the municipal council of the Town of Ingersoll that an extension of time for the period of five years from the date hereof be granted to the Ellis Furniture Company, for fulfilling the terms and conditions of the mortgage given on the thirtieth day of January, A. D. 1888, by the Hault Manufacturing Company to the corporation of the Town of Ingersoll on condition that they employ in their factory, on which the said town hold their mortgage, in the meantime an average of not less than sixty skilled workmen, in each of the years for which the extension is hereby granted, and that if at the expiration of the said extension of five years hereby granted, the whole of the unpaid portion of the mortgage money has not been earned, the same is to be paid in cash by the Ellis Furniture Company to the corporation of the said town.

This by-law shall come into force and take effect immediately from and after the time when the same shall have been legalised by the Legislative Assembly of the Province of Ontario, and nothing herein contained shall affect the rights of the municipality of the said town to assess the said above properties for municipal and all other taxes.

Read a first and second time the 17th day of November, A. D. 1902.

Read a third time and finally passed the 20th day of November, A. D. 1902.

WALTER MILLS, [SEAL]
Mayor.

W. R. SMITH,
Clerk.

1st Session, 10th Legislature,
3 Edward VII., 1908.

BILL.

To confirm By-Law No. 610 of the Town
of Ingersoll.

First Reading, 24th April, 1908.

(Private Bill.)

(Reprinted as amended by Private Bills
Committee.)

Mr. PATTULLO.

TORONTO:

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

An Act respecting the Assessment of the Town of
North Toronto.

WHEREAS the Municipal Corporation of the Town of North Toronto has by petition set forth that in the year 1902 and for some years prior thereto in accordance with a by-law passed on the 4th day of April, 1893, by the council of the said town, the annual assessment for the said municipality has been made as provided by section 58 of *The Assessment Act*; and whereas the said Corporation has by the said petition further represented that it is necessary and expedient and of advantage to the said Corporation that the assessment roll for the town should be made and completed in accordance with the provisions of sections 55 and 56 of the said *Assessment Act*, in order that each year's taxes may be levied on the assessment made and completed between the 15th of February and the 30th of April in the same year, and has prayed that authority may be given to take the assessment of the said municipality and to make and complete the assessment roll thereof in accordance with the said last mentioned provisions; 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 said Town of North Toronto may repeal the said by-law passed on the 4th day of April, 1893, and may in and by the repealing by-law declare that thereafter the assessment of the said municipality shall be made and completed within the times mentioned in sections 55 and 56 of *The Assessment Act*; provided that such repealing by-law shall not apply to the assessment for the year in which it is passed, and it shall not be necessary to make an assessment in that year in case an assessment roll has been finally revised in the next preceding year in accordance with the provisions of section 58 of *The Assessment Act*, and the taxes for the year in which the said repealing by-law is passed shall be levied upon the assessment roll so finally revised.

Preamble.

Time for taking assessment

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Assessment of the
Town of North Toronto.

First Reading. 1903.

(Private Bill.)

Mr. ST. JOHN.

TORONTO :

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

An Act to incorporate the Jane Laycock Children's Home.

WHEREAS an institution commonly known as the Sheridan Street Orphanage has for some time existed and still exists in the City of Brantford in this Province, having for its object the maintaining and educating of destitute girls and training them to habits of industry and virtue; and whereas the property and management of the affairs of the said institution has hitherto been and is now vested in a Board of Trustees appointed under the provisions of a certain conveyance bearing date the 12th day of May, 1873, registered in the Registry Office for the County of Brant on the said 12th day of May, 1873, in Book L, for the city (then town) of Brantford as number 6802, the provisions of which said trust deed or conveyance are more fully set forth in Schedule A to this Act; and whereas William Foster Cockshutt, Frank Cockshutt and Thomas Foster are the present trustees and managers of the said institution; and whereas under and by virtue of a certain indenture of assignment of mortgage, bearing date the first day of March, 1881, and registered in the said registry office on the 11th day of April, 1881, in Book V, for the City of Brantford as number 11,630, and more fully set forth in Schedule B to this Act, one Ignatius Cockshutt of the said City of Brantford, since deceased, assigned and transferred the mortgage therein mentioned and the moneys thereby secured to the trustees therein mentioned upon trust among other things for the benefit of the said above mentioned institution; and whereas William Nichol, Charles Stephen Jones, the said Frank Cockshutt, William Foster Cockshutt and Thomas Foster are the present trustees under the said in part recited assignment; and whereas a certain other institution known as the Jane Laycock Orphanage has for some time existed and still exists in the Township of Brantford in this Province, having similar objects to those of the institution firstly above mentioned; and whereas under and by virtue of the provisions of an Act of the Legislative Assembly of the Province of Ontario, passed in the second year of the reign of His Majesty King Edward the Seventh, chaptered 115, entitled "*An Act to enable the trustees of the Jane Laycock Orphanage to sell certain lands in the County of Brant,*" the lands and premises in the said Act mentioned

were declared to be vested in Mary Margaret Kippax and Charles Cockshutt as trustees upon the trusts and for the purposes in the said Act declared, and by the said Act the said trustees were authorized and empowered to sell the same for the purposes of the said trust; and whereas the said trustees have by their petition represented that the said institutions would be rendered much more efficient by uniting the same under one management and giving to the same the character of a corporation and have prayed that an Act may be passed for that purpose; and it is expedient to grant their prayer;

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

Trustees
incorporated.

1. The said Mary Margaret Kippax, Charles Cockshutt, William Foster Cockshutt, Frank Cockshutt and Ellen R. Cockshutt trustees, and all others who may from time to time be elected to succeed them in manner hereinafter mentioned, shall be and they are hereby nominated and constituted a body corporate and politic under the name of *The Jane Laycock Children's Home*, for the maintenance and education of poor children and training them to habits of industry and virtue, and shall by that name have perpetual succession and shall have a common seal; and the said corporation shall further have the right to make and establish so many by-laws, orders and regulations (not being contrary to the laws of this Province or to this Act) as they shall deem useful and necessary for the conduct or government of the said institution; provided always that no act done by the said trustees shall be valid and effectual unless a majority of the trustees shall be present and assent thereto.

Property
vested in present trustees
transferred
to new
Corporation.

2. All the real and personal estate, property, assets and effects now vested in the several trustees in the preamble to this Act mentioned are declared to be vested in and to enure to said corporation, and the said corporation shall have power from time to time and at all times to acquire and hold as purchasers any interest in lands and tenements, providing the annual value of the real estate so held and not actually used for the work of the said corporation shall not exceed at any one time ten thousand dollars, 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 five thousand dollars) 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, county or other municipal debentures, mortgages or other approved securities for the use of the said corporation; and such estate or interest therein as 5 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.

3. The real estate vested in the said corporation shall continue to be subject to any existing encumbrances thereon and 10 shall be managed and controlled by a Board of Trustees elected in accordance with the constitution and by-laws of the corporation, and the said real estate shall not nor shall any part thereof be liable for any future debts or obligations unless such debt or obligation shall have been contracted with the 15 consent of the Board of Trustees expressed by resolution duly passed and recorded.

Encumbrances on property not affected.

4. The Board of Trustees hereinbefore named and their successors shall have the management of the affairs of the said corporation and shall appoint all officers for conducting its 20 affairs and shall regulate the discipline and government of the said institutions as to them shall seem meet and expedient and may make by-laws, rules and regulations for any of the said purposes.

Powers of Board.

5. In case of the death, resignation, incompetency, refusal 25 to act or residence out of the Province of Ontario of any of the said trustees, the vacancy so caused shall be filled at a regular meeting by a majority of the remaining trustees, the name of the proposed trustee or trustees being sent to each trustee at least one week prior to the meeting at which such 30 new trustee or trustees is or are to be appointed.

Vacancies among trustees.

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

Changing number of trustees.

7. All property which shall at any time belong to the said 35 corporation as well as the revenues thereof shall at all times be appropriated and applied exclusively to the objects and purposes of the said corporation and nothing herein contained shall authorize the said corporation to engage in the business of trading in real estate.

Application of property and revenues.

40 8. The buildings of the said corporation and the land whereon the same are erected so long as the same are occupied by and used for the purposes of the corporation, shall be exempt from taxation except as to local improvements.

Exemption from municipal taxation.

9.—(1) Every contract, agreement, engagement or bargain 45 made and every bill of exchange drawn, accepted or endorsed

Contracts not under seal when binding.

and every promissory note and cheque made, drawn or endorsed on behalf of the said corporation by any agent, officer or servant of the corporation, in general accordance with his powers as such under the by-laws of the corporation, shall be binding upon the corporation, and in no case shall it be necessary to have the seal of the corporation affixed to any such contract, agreement, engagement, bargain, bill of exchange, promissory note or cheque or to prove that the same was made, drawn, accepted or endorsed, as the case may be, in pursuance of any by-law or special vote or order; nor shall the party so acting as agent, officer or servant of the corporation be thereby subjected individually to any liability whatsoever to any third party therefor. 5

(2) Nothing in this section shall be construed to authorize the corporation to issue any note payable to the bearer thereof or any promissory note intended to be circulated as money or as the note of a bank. 15

Annual returns to be made when required.

10. 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. 20

Right to apprentice children to trades, etc.

11. The said trustees may send out to service or apprentice thereto or to any healthy trade or business all children having the protection of the corporation aforesaid to such person or persons and upon such terms as to the said trustees shall seem fit and proper, and for that purpose on behalf of and for such child and themselves may enter into and make, with any person or persons with whom such child may be placed by the said trustees, articles of apprenticeship or agreement, and such articles or agreement may be enforced as well by action for breach thereof warranting such action as by summary application to a Magistrate or Justice of the Peace who is hereby authorized and empowered to act thereon in any such action as would according to the laws of this province warrant the interference or adjudication of any one or more Justice or Justices of the Peace in dispute and difficulties between masters and apprentices; provided always that a copy of the articles of indenture apprenticing such child shall within six days from the time such articles were executed be lodged with the clerk of the municipal council of the City of Brantford who is hereby required to file such copy; and provided moreover that no child having attained the age of 14 years shall be sent out to service or apprenticed unless he consents thereto. 35 40

Trustees to have rights of parents or guardians.

12. The said trustees may exercise over and with respect to children having the protection of the said corporation such powers as their parents or guardians would have or might exercise. 45

SCHEDULE A.

This Indenture made in duplicate the twelfth day of May one thousand eight hundred and seventy-three, in pursuance of the Act respecting short forms of conveyances, between Ignatius Cockshutt, of the Town of Brantford, in the County of Brant, Esquire, of the first part; Elizabeth Cockshutt of the same place, the wife of the said party of the first part, of the second part, and Thomas S. Shenston, of the same place, Esquire, and James George Cockshutt and Charles Cockshutt, the two eldest sons of the said Ignatius Cockshutt, both of the same place, gentlemen, hereinafter called the "Trustees" of the third part.

Whereas the party of the first part is seized in fee simple of the lands hereinafter mentioned and is desirous of dedicating them and the buildings thereon as a home for destitute girls, under the regulations herein pointed out.

And whereas the said party of the first part by indenture by way of lease dated the twenty-first day of December, one thousand eight hundred and sixty-eight, demised the said lands to the said Thomas S. Shenston, for the term and for the purposes in said lease mentioned, and this conveyance of said lands is intended to be subject to said lease which is to be in no way affected by this conveyance.

Now this indenture witnesseth that the said party of the first part in pursuance of the premises and in consideration of the sum of one dollar of lawful money of Canada now paid by the said trustees to the said party of the first part, (the receipt whereof is hereby by him acknowledged) doth grant, not by way of bargain and sale or otherwise than by way of gift at the common law, unto the said parties of the third part all and singular those certain parcels or tracts of land situate, lying and being in the Town of Brantford, in the County of Brant, being composed firstly, of lot number three on the south side of Sheridan street and secondly of thirty-three feet off the west side of lot number four on the south side of Sheridan street, which last named parcels contains, by admeasurement, four thousand three hundred and fifty-six square feet, more or less.

To have and to hold the same with the appurtenance (subject however, to the terms created by such lease and to the said lease) to the said parties of the third part, and their heirs to the use of the said parties of the third part for and during the full period of their joint lives provided they shall so long continue competent, be willing to act and reside within the County of Brant.

And on the death of the said Thomas S. Shenston or on his becoming incompetent or unwilling to act or residing out of the County of Brant, to the use of the other trustees and the person residing in the County of Brant, of the protestant faith they may appoint to succeed him as hereinafter is provided for and during the full period of their joint lives, provided they shall so long continue competent, be willing to act and reside within the County of Brant, and on the death incompetency, refusal to act or residence out of the County of Brant of any trustee being a son of the said Ignatius Cockshutt, to the use of the surviving trustees and the next eldest son living of the said Ignatius Cockshutt, for and during the full period of their joint lives, provided, they shall continue competent, be willing to act and reside within the County of Brant until the said lands shall vest in the two last surviving sons of the said Ignatius Cockshutt, who shall be competent and willing to act and reside within the County of Brant, and the said Thomas S. Shenston, (or such other trustee as shall have been appointed in his place as hereinafter is provided) then to the use of such last surviving sons of the said Ignatius Cockshutt, and such remaining trustee and their heirs as joint

tenants provided, they shall continue competent, be willing to act and reside within the County of Brant.

It is hereby provided that on the death incompetency, refusal to act or residence out of the County of Brant, of the said Thomas S. Shenston or of any person from time to time appointed in his place, it shall be the duty of the other trustees, as soon as convenient, by deed, to appoint another person of the protestant faith and a resident of the County of Brant, in his place.

Also upon the said lands becoming vested in the two last surviving sons of the said Ignatius Cockshutt and the said other trustee it is provided that as often as any trustee shall die, become incompetent or reside out of the County of Brant it shall be the duty of the surviving trustees for the time being as soon as convenient to appoint another in his place such new trustee to be a protestant and reside within the County of Brant and to cause the said lands to become vested in him and them in fee simple upon the trusts herein declared in respect thereto.

It is hereby declared that the said lands shall at all times be held by the said trustees upon trust to use the same and the buildings thereon as a home for destitute girls to be called the "Orphanage" under such regulations as the trustees shall from time to time make.

Also that there shall be read daily in the hearing of the inmates of said Orphanage at least one chapter from the New Testament in the English language.

Also that it shall be the duty of the trustees to keep insured the buildings on said lands to the extent of one half at least of the cash value thereof in some good insurance company and to keep such buildings in repair (reasonable wear and tear excepted) and to pay all taxes and outgoings in respect to such buildings and lands and to pay the costs of the management of such Orphanage out of money to be voluntarily supplied to them for such purposes and in the event of loss by fire happening to such buildings to rebuild the same or restore them to their former condition or one equally suitable having regard to the object for which they are dedicated out of the moneys to be received from the insurance company and from voluntary subscription.

Also that the word "Trustees" used herein shall apply to those who may succeed those hereby appointed as well as those hereby appointed.

And the said Elizabeth Cockshutt the wife of the said Ignatius Cockshutt hereby bars her dower in the said lands.

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 it is finally declared herein that the residence out of the County of Brant referred to in this conveyance means permanent and not temporary residence out of said County.

In witness whereof the parties hereto have hereto set their hands and seals on the day and year first above writted.

Signed, sealed and delivered

In presence of	}	Sgd. IGNATIUS COCKSHUTT, [Seal]
		Sgd. ELIZABETH COCKSHUTT, [Seal]
		Sgd. T. S. SHENSTON, [Seal]
		Sgd. H. NICHOLAS MILLER
		Sgd. CHARLES COCKSHUTT, [Seal]

SCHEDULE B.

This Indenture made in duplicate the first day of March one thousand eight hundred and eighty one, between Ignatius Cockshutt of the City of Brantford in the County of Brant, Esquire, hereinafter called the Assignor of the first part and John Harris of the said City of

Brantford manufacturer, William Nichol of the same place, doctor of medicine, Frank Cockshutt of the same place, clerk, Robert Charles Smyth of the same place, barrister at law and Charles Stephen Jones of the same place, barrister at law as trustees upon the trusts hereinafter mentioned hereinafter called the Assignees of the second part.

Whereas by a mortgage dated on the sixteenth day of June one thousand eight hundred and seventy five The Brantford Young Men's Christian Association did grant and mortgage the land and promises therein and hereinafter described to the said assignor his heirs and assigns for securing the payment of twelve thousand dollars and interest as therein mentioned and there is now owing upon the said mortgage the sum of ten thousand dollars and the assignor has agreed to assign the same upon the trusts hereinafter mentioned.

Now this indenture witnesseth that in consideration of the premises and of the sum of one dollar of lawful money of Canada now paid by the said assignees to the said assignor the receipt whereof is hereby acknowledged the said assignor doth hereby assign and set over unto the said assignees upon the trusts hereinafter mentioned all that the said before in part recited mortgage and also the said sum of ten thousand dollars now owing as aforesaid together with all moneys that may hereafter become due owing in respect of said mortgage and the full benefit of all powers and of all covenants and provisoes contained in said mortgage and the said assignor doth hereby grant and convey unto the said assignees and their successors to be appointed as hereinafter mentioned and assigns all and singular that certain parcel or tract of land and premises situate, lying and being in the said City of Brantford being composed of lot number twenty-three on the south side of Colburne Street in the said City of Brantford, to have and to hold the said mortgage and all moneys arising in respect of the same and to accrue thereon and also the said land and premises thereby granted and mortgaged to the use of the said assignees their successors and assigns absolutely forever, but subject to the terms contained in such mortgage and upon the hereinafter mentioned trusts.

And the said assignor for himself his heirs, executors, administrators and assigns doth hereby covenant with the said assignees their successors and assigns that the said mortgage hereby assigned is a good and valid security and that the said sum of ten thousand dollars is now owing and unpaid and that he has not done or permitted any act matter or thing whereby the said mortgage has been released or discharged either partly or in entirety and that he will upon request do, perform and execute every act necessary to enforce the full performance of the covenants and other matters contained therein.

The following are hereby declared to be the trusts upon which this assignment is executed by the said assignor and accepted by the said assignees: First—Upon trust to receive the interest on the principal money mentioned in said mortgage and so often as default may happen in payment of the said interest, to receive the rents until the said interest is satisfied and thereupon to give up possession to the mortgagors said interest henceforward from the date hereof to be computed at the rate of six per cent per annum payable quarterly. Second—Upon trust to pay over such interest or rent as the same is received to the managers of the Girls Orphan Home on Sheridan Street in the City of Brantford to be applied by the managers thereof for the time being for the purposes of said home. Third—to receive and re-invest said principal money in such securities on real estate as the said trustees may deem sufficient and apply the proceeds thereof to the said home as aforesaid. Fourth to allow said principal money to remain out upon the present mortgage so long as the interest thereon is paid or satisfied and the present mortgagors are willing or desire it. Fifth—upon trust in any event and

whether default is made by mortgagors or not to allow the mortgagors the the free undisturbed use occupation and enjoyment of present Reading Room, Office Hall, Gymnasium Room and Caretaker's apartments in the building erected on said premises and free access to and exit from the same and in case of foreclosure being absolutely necessary to grant to or allow the said mortgagors the use occupation and enjoyment of the aforesaid Reading Room, Office Hall, Gymnasium and Caretaker's apartments and free access and exit as aforesaid together with all other appurtenances thereto belonging so long as the present building stands. And the said assignor doth hereby nominate, constitute and appoint the said Assignee his true and lawful attorneys for him and in his name but upon the trusts hereinbefore mentioned to do, perform and execute every act, matter and thing necessary to give effect to the objects and purposes of this assignment and of the trusts hereby declared, with full powers of substitution and revocation, the said assignor hereby retifying and confirming and agreeing to ratify and confirm all and whatsoever his said attorneys or their substitute or substitutes shall lawfully do or cause to be done in or about the premises by virtue hereof.

It is hereby declared that each of the said trustees and the successors of said trustees shall be liable only for such of the said trust moneys as shall actually be received by them and only for his own acts, neglects and defaults and not for moneys received by or acts, neglects and defaults of any co-trustee or co-trustees.

It is also further declared to be the wish of the said assignor that the interest of said moneys shall be used for the benefit of the said Girls Orphans' Home and in the event of such interest being in arrear then the said trustees are to receive the rents of those parts of present building not exempted as hereinbefore mentioned, until such interest is paid and then the said rents are to revert to the mortgagors. The mortgagors are to have the use of the exempted portions of said building free, the intention being to assist the orphanage and at the same time to secure the mortgagors the association in the use of said exempted portions of said building. A majority of said trustees shall have power to carry out the trusts hereby created.

All matters and things not herein provided for are to be left in the discretion of said trustees or a majority of them as aforesaid.

In the event of the death, resignation or incapacity of any of said trustees or their successors the remaining trustees shall appoint a person of the same christian church or denomination to fill the place of the trustee so dying, resigning or becoming incapable of acting.

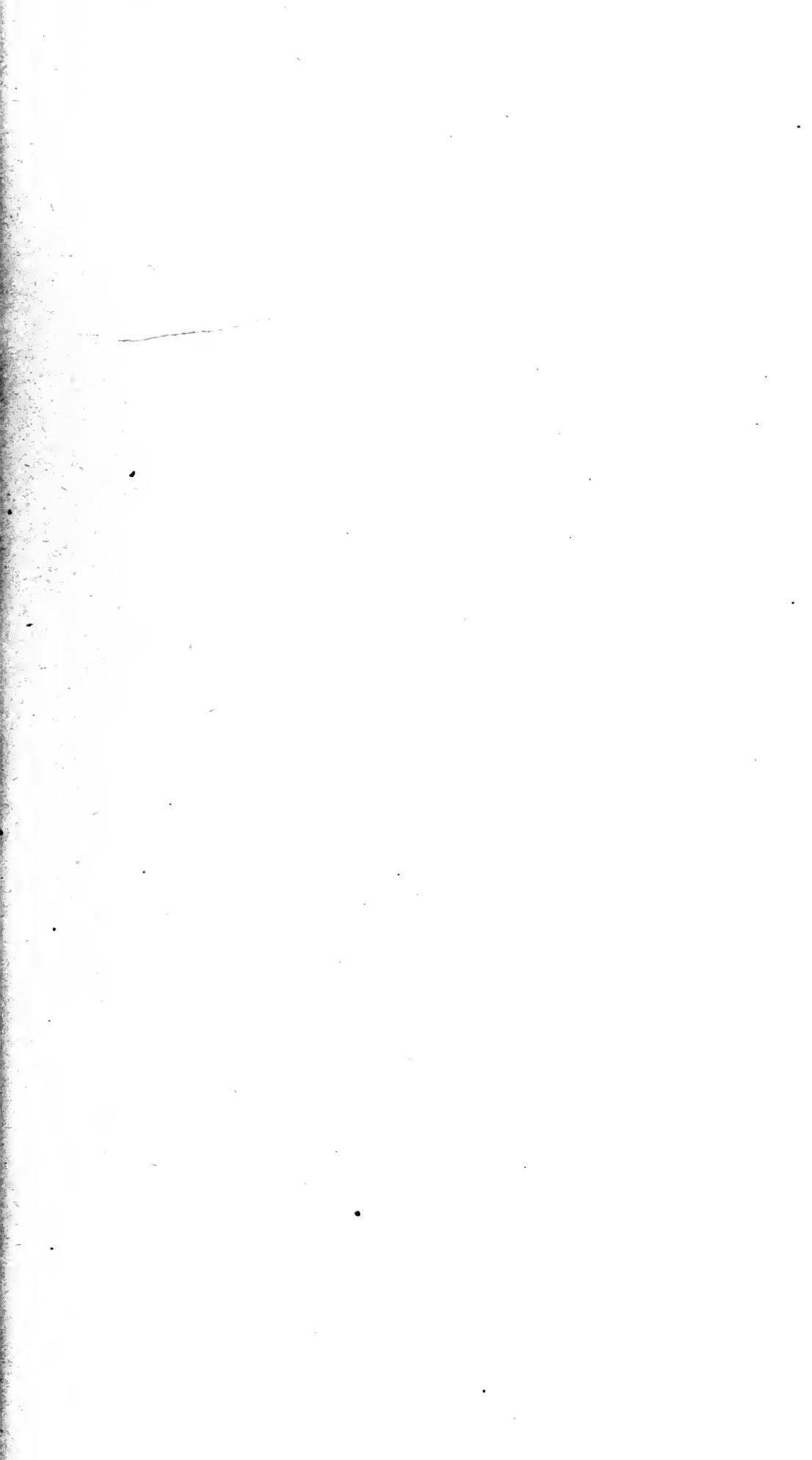
In witness whereof the parties hereto have hereunto set their hands and seals.

Signed, sealed and delivered

In the presence of

Sgd. GEO. H. MUIRHEAD.

{ Sgd. I. COCKSHUTT, [Seal]
 { Sgd. JOHN HARRIS, [Seal]
 { Sgd. WM. NICHOL, [Seal]
 { Sgd. FRANK COCKSHUTT, [Seal]
 { Sgd. R. C. SMITH, [Seal]
 { Sgd. C. S. JONES, [Seal]



No. 13.

1st Session, 10th Legislature,
3^d Edward VII., 1903.

BILL.

An Act respecting The Jane Laycock
Children's Home.

First Reading.

(Private Bill)

Mr. PRESTON.

TORONTO :

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act to incorporate the Jane Laycock Children's
Home.

WHEREAS an institution commonly known as the Sheri- Preamble.
dan Street Orphanage has for some time existed and still exists in the City of Brantford in this Province, having for its object the maintaining and educating of destitute girls and training them to habits of industry and virtue; and whereas the property and management of the affairs of the said institution has hitherto been and is now vested in a Board of Trustees appointed under the provisions of a certain conveyance bearing date the 12th day of May, 1873, registered in the Registry Office for the County of Brant on the said 12th day of May, 1873, in Book L, for the city (then town) of Brantford as number 6802, the provisions of which said trust deed or conveyance are more fully set forth in Schedule A to this Act; and whereas William Foster Cockshutt, Frank Cockshutt and Thomas Foster are the present trustees and managers of the said institution; and whereas under and by virtue of a certain indenture of assignment of mortgage, bearing date the first day of March, 1881, and registered in the said registry office on the 11th day of April, 1881, in Book V, for the City of Brantford as number 11,630, and more fully set forth in Schedule B to this Act, one Ignatius Cockshutt of the said City of Brantford, since deceased, assigned and transferred the mortgage therein mentioned and the moneys thereby secured to the trustees therein mentioned upon trust among other things for the benefit of the said above mentioned institution; and whereas William Nichol, Charles Stephen Jones, the said Frank Cockshutt, William Foster Cockshutt and Thomas Foster are the present trustees under the said in part recited assignment; and whereas a certain other institution known as the Jane Laycock Orphanage has for some time existed and still exists in the Township of Brantford in this Province, having similar objects to those of the institution firstly above mentioned; and whereas under and by virtue of the provisions of an Act of the Legislative Assembly of the Province of Ontario, passed in the second year of the reign of His Majesty King Edward the Seventh, chaptered 115, entitled "*An Act to enable the trustees of the Jane Laycock Orphanage to sell certain lands in the County of Brant,*" the lands and premises in the said Act mentioned

were declared to be vested in Mary Margaret Kippax and Charles Cockshutt as trustees upon the trusts and for the purposes in the said Act declared, and by the said Act the said trustees were authorized and empowered to sell the same for the purposes of the said trust; and whereas the said trustees have by their petition represented that the said institutions would be rendered much more efficient by uniting the same under one management and giving to the same the character of a corporation and have prayed that an Act may be passed for that purpose; and *whereas* it is expedient to grant *the said* prayer;

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

Trustees
incorporated.

1. The said Mary Margaret Kippax, Charles Cockshutt, William Foster Cockshutt, Frank Cockshutt and *one* Ellen R. Cockshutt trustees, and all others who may from time to time be elected to succeed them in manner hereinafter mentioned, shall be and they are hereby nominated and constituted a body corporate and politic under the name of *The Jane Laycock Children's Home*, for the maintenance and education of poor children and training them to habits of industry and virtue, and shall by that name have perpetual succession and shall have a common seal; and the said corporation shall further have the right to make and establish *such* by-laws, orders and regulations (not being contrary to the laws of this Province or to this Act) as they shall deem useful and necessary for the conduct or government of the said institution; provided always that no act done by the said trustees shall be valid and effectual unless a majority of the trustees shall be present and assent thereto.

Property
vested in present
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Corporation.

2. All the real and personal estate, property, assets and effects now vested in the several trustees in the preamble to this Act mentioned⁴²⁷ and all present and future devises, legacies, and bequests and all titles, securities and instruments and rights, claims and liabilities in favor of or against the said several trustees⁴²⁸ are declared to be vested in and to enure to *or against* the said corporation,⁴²⁹ according to the tenor thereof respectively,⁴³⁰ and the said corporation shall have power from time to time and at all times to acquire and hold as purchasers any interest in lands and tenements, providing the annual value of the real estate so held and not actually used for the work of the said corporation 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, county or other municipal debentures, mortgages or other approved 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.

3. The real estate vested in the said corporation shall continue to be subject to any existing encumbrances thereon and shall be managed and controlled by a Board of Trustees elected in accordance with the constitution and by-laws of the corporation, and the said real estate shall not nor shall any part thereof be liable for any future debts or obligations unless such debt or obligation shall have been contracted with the consent of the Board of Trustees expressed by resolution duly passed and recorded.

Encumbrances on property not affected.

4. The Board of Trustees hereinbefore named and their successors shall have the management of the affairs of the said corporation and shall appoint all officers for conducting its affairs and shall regulate the discipline and government of the said institutions as to them shall seem meet and expedient and may make by-laws, rules and regulations for any of the said purposes.

Powers of Board.

5. In case of the death, resignation, incompetency, refusal to act or residence out of the Province of Ontario of any of the said trustees, the vacancy so caused shall be filled at a regular meeting by a majority of the remaining trustees, the name of the proposed trustee or trustees being sent to each trustee at least one week prior to the meeting at which such new trustee or trustees is or are to be appointed.

Vacancies among trustees.

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

Changing number of trustees.

7. All property which shall at any time belong to the said corporation as well as the revenues thereof shall at all times be appropriated and applied exclusively to the objects and purposes of the said corporation and nothing herein contained shall authorize the said corporation to engage in the business of trading in real estate.

Application of property and revenues.

8. The buildings of the said corporation and the land whereon the same are erected so long as the same are *actually* occupied by and used for the purposes of the corporation, shall be exempt from taxation except as to local improvements.

Exemption from municipal taxation.

Contracts not
under seal
when binding.

9.—(1) Every contract, agreement, engagement or bargain made and every bill of exchange drawn, accepted or endorsed and every promissory note and cheque made, drawn or endorsed on behalf of the said corporation by any agent, officer or servant of the corporation, in general accordance with his powers as such under the by-laws of the corporation, shall be binding upon the corporation, and in no case shall it be necessary to have the seal of the corporation affixed to any such contract, agreement, engagement, bargain, bill of exchange, promissory note or cheque or to prove that the same was made, drawn, accepted or endorsed, as the case may be, in pursuance of any by-law or special vote or order; nor shall the party so acting as agent, officer or servant of the corporation be thereby subjected individually to any liability whatsoever to any third party therefor.

(2) Nothing in this section shall be construed to authorize the corporation to issue any note payable to the bearer thereof or any promissory note intended to be circulated as money or as the note of a bank.

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Trustees to
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11. The said trustees may exercise over and with respect to children having the protection of the said corporation such powers as their parents or guardians would have or might exercise.

SCHEDULE A.

This Indenture made in duplicate the twelfth day of May one thousand eight hundred and seventy-three, in pursuance of the Act respecting short forms of conveyances, between Ignatius Cockshutt, of the Town of Brantford, in the County of Brant, Esquire, of the first part; Elizabeth Cockshutt of the same place, the wife of the said party of the first part, of the second part, and Thomas S. Shenston, of the same place, Esquire, and James George Cockshutt and Charles Cockshutt, the two eldest sons of the said Ignatius Cockshutt, both of the same place, gentlemen, hereinafter called the "Trustees" of the third part.

Whereas the party of the first part is seized in fee simple of the lands hereinafter mentioned and is desirous of dedicating them and the buildings thereon as a home for destitute girls, under the regulations herein pointed out.

And whereas the said party of the first part by indenture by way of lease dated the twenty-first day of December, one thousand eight hundred and sixty-eight, demised the said lands to the said Thomas S. Shenston, for the term and for the purposes in said lease mentioned, and

this conveyance of said lands is intended to be subject to said lease which is to be in no way affected by this conveyance.

Now this indenture witnesseth that the said party of the first part in pursuance of the premises and in consideration of the sum of one dollar of lawful money of Canada now paid by the said trustees to the said party of the first part, (the receipt whereof is hereby by him acknowledged) doth grant, not by way of bargain and sale or otherwise than by way of gift at the common law, unto the said parties of the third part all and singular those certain parcels or tracts of land situate, lying and being in the Town of Brantford, in the County of Brant, being composed firstly, of lot number three on the south side of Sheridan street and secondly of thirty-three feet off the west side of lot number four on the south side of Sheridan street, which last named parcel contains, by admeasurement, four thousand three hundred and fifty-six square feet, more or less.

To have and to hold the same with the appurtenance (subject however, to the term created by such lease and to the said lease) to the said parties of the third part, and their heirs to the use of the said parties of the third part for and during the full period of their joint lives provided they shall so long continue competent, be willing to act and reside within the County of Brant.

And on the death of the said Thomas S. Shenston or on his becoming incompetent or unwilling to act or residing out of the County of Brant, to the use of the other trustees and the person residing in the County of Brant, of the protestant faith they may appoint to succeed him as hereinafter is provided for and during the full period of their joint lives, provided they shall so long continue competent be willing to act and reside within the County of Brant, and on the death incompetency, refusal to act or residence out of the County of Brant of any trustee being a son of the said Ignatius Cockshutt, to the use of the surviving trustees and the next eldest son living of the said Ignatius Cockshutt, for and during the full period of their joint lives, provided, they shall continue competent, be willing to act and reside within the County of Brant until the said lands shall vest in the two last surviving sons of the said Ignatius Cockshutt, who shall be competent and willing to act and reside within the County of Brant, and the said Thomas S. Shenston, (or such other trustee as shall have been appointed in his place as hereinafter is provided) then to the use of such last surviving sons of the said Ignatius Cockshutt, and such remaining trustee and their heirs as joint tenants provided, they shall continue competent, be willing to act and reside within the County of Brant.

It is hereby provided that on the death incompetency, refusal to act or residence out of the County of Brant, of the said Thomas S. Shenston or of any person from time to time appointed in his place, it shall be the duty of the other trustees, as soon as convenient, by deed, to appoint another person of the protestant faith and a resident of the County of Brant, in his place.

Also upon the said lands becoming vested in the two last surviving sons of the said Ignatius Cockshutt and the said other trustee it is provided that as often as any trustee shall die, become incompetent or reside out of the County of Brant it shall be the duty of the surviving trustees for the time being as soon as convenient to appoint another in his place such new trustee to be a protestant and reside within the County of Brant and to cause the said lands to become vested in him and them in fee simple upon the trusts herein declared in respect thereto.

It is hereby declared that the said lands shall at all times be held by the said trustees upon trust to use the same and the buildings thereon as a home for destitute girls to be called the "Orphanage" under such regulations as the trustees shall from time to time make.

Also that there shall be read daily in the hearing of the inmates of said Orphanage at least one chapter from the New Testament in the English language.

Also that it shall be the duty of the trustees to keep insured the buildings on said lands to the extent of one half at least of the cash value thereof in some good insurance company and to keep such buildings in repair (reasonable wear and tear excepted) and to pay all taxes and outgoings in respect to such buildings and lands and to pay the costs of the management of such Orphanage out of moneys to be voluntarily supplied to them for such purposes and in the event of loss by fire happening to such buildings to rebuild the same or restore them to their former condition or one equally suitable having regard to the object for which they are dedicated out of the moneys to be received from the insurance company and from voluntary subscription.

Also that the word "Trustees" used herein shall apply to those who may succeed those hereby appointed as well as those hereby appointed.

And the said Elizabeth Cockshutt the wife of the said Ignatius Cockshutt hereby bars her dower in the said lands.

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 it is finally declared herein that the residence out of the County of Brant referred to in this conveyance means permanent and not temporary residence out of said County.

In witness whereof the parties hereto have hereto set their hands and seals on the day and year first above written.

Signed, sealed and delivered

In presence of	}	Sgd. IGNATIUS COCKSHUTT, [Seal]
	}	Sgd. ELIZABETH COCKSHUTT, [Seal]
Sgd. W. NICHOLAS MILLER	}	Sgd. T. S. SHENSTON, [Seal]
	}	Sgd. JAMES GEO. COCKSHUTT, [Seal]
	}	Sgd. CHARLES COCKSHUTT, [Seal]

SCHEDULE B.

This Indenture made in duplicate the first day of March one thousand eight hundred and eighty one, between Ignatius Cockshutt of the City of Brantford in the County of Brant, Esquire, hereinafter called the Assignor of the first part and John Harris of the said City of Brantford manufacturer, William Nichol of the same place, doctor of medicine, Frank Cockshutt of the same place, clerk, Robert Charles Smyth of the same place, barrister at law and Charles Stephen Jones of the same place, barrister at law as trustees upon the trusts hereinafter mentioned hereinafter called the Assignees of the second part.

Whereas by a mortgage dated on the sixteenth day of June one thousand eight hundred and seventy five The Brantford Young Men's Christian Association did grant and mortgage the land and promises therein and hereinafter described to the said assignor his heirs and assigns for securing the payment of twelve thousand dollars and interest as therein mentioned and there is now owing upon the said mortgage the sum of ten thousand dollars and the assignor has agreed to assign the same upon the trusts hereinafter mentioned.

Now this indenture witnesseth that in consideration of the premises and of the sum of one dollar of lawful money of Canada now paid by the said assignees to the said assignor the receipt whereof is hereby acknowledged the said assignor doth hereby assign and set over unto the said assignees upon the trusts hereinafter mentioned all that the said before in part recited mortgage and also the said sum of ten thousand dollars

now owing as aforesaid together with all moneys that may hereafter become due or owing in respect of said mortgage and the full benefit of all powers and of all covenants and provisoes contained in said mortgage and the said assignor doth hereby grant and convey unto the said assignees and their successors to be appointed as hereinafter mentioned and assigns all and singular that certain parcel or tract of land and premises situate, lying and being in the said City of Brantford being composed of lot number twenty-three on the south side of Colburne Street in the said City of Brantford, to have and to hold the said mortgage and all moneys arising in respect of the same and to accrue thereon and also the said land and premises thereby granted and mortgaged to the use of the said assignees their successors and assigns absolutely forever, but subject to the terms contained in such mortgage and upon the hereinafter mentioned trusts.

And the said assignor for himself his heirs, executors, administrators and assigns doth hereby covenant with the said assignees their successors and assigns that the said mortgage hereby assigned is a good and valid security and that the said sum of ten thousand dollars is now owing and unpaid and that he has not done or permitted any act matter or thing whereby the said mortgage has been released or discharged either partly or in entirety and that he will upon request do, perform and execute every act necessary to enforce the full performance of the covenants and other matters contained therein.

The following are hereby declared to be the trusts upon which this assignment is executed by the said assignor and accepted by the said assignees: First—Upon trust to receive the interest on the principal money mentioned in said mortgage and so often as default may happen in payment of the said interest, to receive the rents until the said interest is satisfied and thereupon to give up possession to the mortgagors said interest henceforward from the date hereof to be computed at the rate of six per cent per annum payable quarterly. Second—Upon trust to pay over such interest or rent as the same is received to the managers of the Girls Orphan Home on Sheridan Street in the City of Brantford to be applied by the managers thereof for the time being for the purposes of said home. Third—to receive and re-invest said principal money in such securities on real estate as the said trustees may deem sufficient and apply the proceeds thereof to the said home as aforesaid. Fourth to allow said principal money to remain out upon the present mortgage so long as the interest thereon is paid or satisfied and the present mortgagors are willing or desire it. Fifth—upon trust in any event and whether default is made by mortgagors or not to allow the mortgagors the free undisturbed use occupation and enjoyment of present Reading Room, Office Hall, Gymnasium Room and Caretaker's apartments in the building erected on said premises and free access to and exit from the same and in case of foreclosure being absolutely necessary to grant to or allow the said mortgagors the use occupation and enjoyment of the aforesaid Reading Room, Office Hall, Gymnasium and Caretaker's apartments and free access and exit as aforesaid together with all other appurtenances thereto belonging so long as the present building stands. And the said assignor doth hereby nominate, constitute and appoint the said Assignee his true and lawful attorneys for him and in his name but upon the trusts hereinbefore mentioned to do, perform and execute every act, matter and thing necessary to give effect to the objects and purposes of this assignment and of the trusts hereby declared, with full powers of substitution and revocation, the said assignor hereby ratifying and confirming and agreeing to ratify and confirm all and whatsoever his said attorneys or their substitute or substitutes shall lawfully do or cause to be done in or about the premises by virtue hereof.

It is hereby declared that each of the said trustees and the successors of said trustees shall be liable only for such of the said trust moneys as shall actually be received by him and only for his own acts, neglects and defaults and not for moneys received by or acts, neglects and defaults of any co-trustee or co-trustees.

It is also further declared to be the wish of the said assignor that the interest of said moneys shall be used for the benefit of the said Girls Orphans' Home and in the event of such interest being in arrear then the said trustees are to receive the rents of those parts of present building not exempted as hereinbefore mentioned, until such interest is paid and then the said rents are to revert to the mortgagors. The mortgagors are to have the use of the exempted portions of said building free, the intention being to assist the orphanage and at the same time to secure the mortgagors the association in the use of said exempted portions of said building. A majority of said trustees shall have power to carry out the trusts hereby created.

All matters and things not herein provided for are to be left in the discretion of said trustees or a majority of them as aforesaid.

In the event of the death, resignation or incapacity of any of said trustees or their successors the remaining trustees shall appoint a person of the same Christian church or denomination to fill the place of the trustee so dying, resigning or becoming incapable of acting.

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

Signed, sealed and delivered

In the presence of
Sgd. GEO. H. MUIRHEAD.

{ Sgd. I. COCKSHUTT, [Seal]
Sgd. JOHN HARRIS, [Seal]
Sgd. WM. NICHOL, [Seal]
Sgd. FRANK COCKSHUTT, [Seal]
Sgd. R. C. SMITH, [Seal]
Sgd. C. S. JONES, [Seal]

No. 13.

1st Session, 10th Legislature,
3 Edward VII., 1903

BILL.

An Act respecting The Jane Laycock
Children's Home.

First Reading, 24th April, 1903.

(Reprinted as amended by Private Bills
Committee).

Mr. PRESTON (Brant).

TORONTO:

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

An Act respecting the Town of Bracebridge.

WHEREAS the municipal corporation of the Town of Bracebridge has by its petition prayed that an Act may be passed to confirm and legalize By-law No. 146 of the said town, and the debentures issued or to be issued under said 5 by-law intituled a by-law to authorize the council of the corporation of the Town of Bracebridge to grant aid by way of a loan to the extent of \$15,000 for the purpose of establishing a furniture and chair factory in the said town and to borrow the said sum of \$15,000 for the said purpose and to authorize 10 the issuing of debentures therefor, 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 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 15 ratepayers voting thereon, and was finally passed by the council of the said town on the 9th day of June, 1902; and whereas the said by-law was duly registered in the Registry Office for the District of Muskoka on the 13th day of June, 1902; and whereas no application has been made to set aside 20 or quash the said by-law; and whereas the sale of the debentures to be issued under said by-law will be facilitated were the said By-law No. 146 ratified and declared legal and binding on the municipality; and whereas it is expedient to grant the prayer of the said petition;

25 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. 146 of the municipal corporation of the Town of Bracebridge, which is set forth as Schedule A to this 30 Act, is hereby confirmed and declared legal, valid and binding from the date of the passing of the said by-law upon the municipal corporation of the Town of Bracebridge and the ratepayers thereof and upon all others mentioned in said by-law, and the debentures issued or to be issued under the said 35 by-law are hereby declared legal and binding upon the said municipality; and the said corporation is hereby authorized and empowered to do all necessary acts for the full and proper carrying out of the said by-law.

By-law
No. 146 of
Bracebridge
confirmed.

SCHEDULE A.

BY-LAW No. 146.

A By-law to authorize the council of the corporation of the Town of Bracebridge to grant aid by way of a loan to the extent of \$15,000 for the purpose of establishing a furniture and chair factory in the said town and to borrow the said sum of \$15,000 for the said purpose, and to authorize the issuing of debentures therefor.

Whereas William Hess of the Town of Listowel, furniture designer and manufacturer, and Valentine Schinbein of Listowel, aforesaid furniture finisher, have agreed to erect and establish a furniture and chair factory in the said Town of Bracebridge in accordance with the terms of an agreement dated the 5th day of March, A. D. 1902, on file in the Clerk's office of the said Town of Bracebridge, in consideration of a loan of \$15,000 without interest, repayable as follows:—\$500.00 at the end of two years, \$800.00 at the end of three years, and the balance to be paid in equal annual instalments of \$1,000.00 each, except the last payment which will be \$700.00, computed from the date of the issuing of the debentures hereinafter provided, to be secured by first mortgage on the land and plant of the said factory and by an assignment to the said corporation as collateral security of \$15,000 of the capital stock fully paid and non-assessable of a company to be incorporated by the said parties under *The Ontario Companies Act*.

And whereas the council of the said town have established and erected a power plant suitable for the purpose of furnishing power to manufacturers, and believing it would be in the interests of the citizens of said town to grant such loan for the establishment and operation of such factory have decided to submit a by-law for such purpose for the approval of the ratepayers qualified to vote on by-laws.

And whereas in order to carry into effect the said object it will be necessary for the said council to issue debentures of the corporation of the Town of Bracebridge for the said amount, the said council has decided to make the principal money of the debt thereby created repayable in twenty yearly instalments with interest at four and a half per cent. per annum as hereinafter provided.

And whereas the total amount required to be raised annually by special rate for paying such debt and interest under the terms of this by-law is the sum of \$1,153 14, on account of the principal and interest of the said debt.

And whereas the amount of the whole rateable property of the said corporation, irrespective of any future increase, according to the last revised assessment roll thereof, is the sum of \$505,788.00.

And whereas the amount of the existing debenture debt of the said corporation is the sum of \$84,405.12, and no part of the principal or interest thereof is in arrears.

Therefore the council of the corporation of the Town of Bracebridge enacts as follows:—

1. That it shall be lawful for the Mayor of the said town for the purpose aforesaid to borrow the said sum of \$15,000 and issue debentures of the said corporation to that amount in sums of not less than \$100 each, payable yearly with interest at the rate of four and a half per cent. per annum on the 15th day of November in each and every year during the currency of the said debentures.

2. That the said debentures shall be sealed with the seal of the said corporation and be signed by the Mayor and Treasurer thereof and the interest coupons attached thereto shall also be signed by the Treasurer of the said corporation and that the said debentures and interest coupons shall be made payable at the Bank of Ottawa in the Town of Bracebridge.

3. That it shall be lawful for the Mayor of the said corporation to sell such debentures to any person or persons, body or bodies corporate and to cause the amount realized therefor to be paid to the Treasurer of the said corporation for the purpose above recited.

4. That for the purpose of paying said debt and interest there shall be raised and levied annually by a special rate upon all the rateable property of the said corporation in addition to all other rates the sum of \$1,153.14, being a sum sufficient to pay the said several instalments of principal and interest as the same shall become payable according to the following schedule:—

No.	Year.	Prin.	Int.	Total.
1	1902	\$ 478.14	\$675.00	\$1,153.14
2	1904	499.66	653.48	1,153.14
3	1905	522.14	631.00	1,153.14
4	1906	545.64	607.50	1,153.14
5	1907	570.19	682.95	1,153.14
6	1908	595.85	557.29	1,153.14
7	1909	622.66	530.48	1,153.14
8	1910	550.69	502.45	1,153.14
9	1911	679.97	473.17	1,153.14
10	1912	710.56	442.58	1,153.14
11	1913	742.55	410.59	1,153.14
12	1914	775.96	377.18	1,153.14
13	1915	810.87	342.27	1,153.14
14	1916	847.36	305.78	1,153.14
15	1917	885.49	267.65	1,153.14
16	1918	925.35	227.80	1,153.14
17	1919	966.98	186.16	1,153.14
18	1920	1,010.50	142.64	1,153.14
19	1921	1,055.97	97.17	1,153.14
20	1922	1,103.48	49.66	1,153.14

5. That the said several sums hereinbefore recited provided to be repaid by the said William Hess and Valentine Schinbein, their successors or assigns, shall be applied for the purpose of paying the debt and interest hereby created, and that the amounts to be raised annually as aforesaid upon the rateable property of the said corporation may be decreased year by year to the extent of the several sums received on account of the return of the said loan, which money when so repaid shall be used in payment of said debentures and in no other way.

6. That the vote of the said ratepayers shall be taken on this by-law on the 5th day of May, A.D. 1902, between the hours of nine o'clock in the forenoon and five o'clock in the afternoon of the same day at the town hall for Wards 1, 2 and 3, and at Thomas Hunt's house for Ward 4, and that Alex. C. Salmon be and he is hereby appointed Returning Officer.

7. That on the 3rd day of May, A. D. 1902, the Mayor shall attend at the office of the Clerk of the said corporation at 10 o'clock in the forenoon to appoint persons to attend at the polling places and at the final summing up of the votes by the Clerk on behalf of the persons respectively interested in promoting or opposing the passing of this by-law.

8. That the Clerk of the council of the said corporation shall attend at his office in the Town of Bracebridge at 12 o'clock noon of the 7th day of May, A.D. 1902, and sum up the number of votes given for and against this by-law, and if there is a majority therefore issue his certificate in pursuance of the provisions of *The Municipal Act*.

9. That this by-law shall take effect and come into operation forthwith after the passing thereof.

Finally passed the 9th day of June, 1902.

(Signed) J. D. SHIER, Mayor.
ALEX. C. SALMON, Clerk.

[SEAL.]

No. 14.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Town of Bracebridge.

First Reading, 1903.

(Private Bill.)

Mr. BRIDGLAND.

TORONTO:

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

An Act respecting the Town of Bracebridge.

WHEREAS the Municipal Corporation of the Town of Bracebridge has by its petition prayed that an Act may be passed to confirm and legalize a by-law of the said corporation authorizing the council thereof to grant aid by way of a loan of \$15,000 to the persons therein named for the purpose of establishing a furniture and chair factory in the said town and to borrow the said sum of \$15,000 for the said purpose and to authorize the issuing of debentures therefor; and whereas before the final passing thereof the said by-law was 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 of the said town (only four ratepayers voting against the said by-law), and was finally passed by the council of the said town; and whereas the said by-law was duly registered in the Registry Office for the District of Muskoka on the 13th day of June, 1902, and no application has been made to set aside or quash the *same*; and whereas the sale of the debentures to be issued under the said by-law will be facilitated if the said by-law is ratified and declared legal and binding on the municipality; 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 No. 146 of the Municipal Corporation of the Town of Bracebridge, set forth as a Schedule to this Act, is confirmed and declared legal, valid and binding from the date of the passing of the said by-law upon the Municipal Corporation of the Town of Bracebridge and the ratepayers thereof and upon all others mentioned in the said by-law, and the debentures issued or to be issued under the said by-law are hereby declared legal and binding upon the said municipality; and the said corporation is hereby authorized and empowered to do all necessary acts for the full and proper carrying out of the said by-law.

By-law
No. 146 of
Bracebridge
confirmed.

SCHEDULE.

BY-LAW No. 146.

A By-law to authorize the council of the corporation of the Town of Bracebridge to grant aid by way of a loan to the extent of \$15,000 for the purpose of establishing a furniture and chair factory in the said town and to borrow the said sum of \$15,000 for the said purpose, and to authorize the issuing of debentures therefor.

Whereas William Hess of the Town of Listowel, furniture designer and manufacturer, and Valentine Schinbein of Listowel, aforesaid furniture finisher, have agreed to erect and establish a furniture and chair factory in the said Town of Bracebridge in accordance with the terms of an agreement dated the 5th day of March, A. D. 1902. on file in the Clerk's office of the said Town of Bracebridge, in consideration of a loan of \$15,000 without interest, repayable as follows:—\$500.00 at the end of two years, \$800.00 at the end of three years, and the balance to be paid in equal annual instalments of \$1,000.00 each, except the last payment which will be \$700.00, computed from the date of the issuing of the debentures hereinafter provided, to be secured by first mortgage on the land and plant of the said factory and by an assignment to the said corporation as collateral security of \$15,000 of the capital stock fully paid and non-assessable of a company to be incorporated by the said parties under *The Ontario Companies Act*.

And whereas the council of the said town have established and erected a power plant suitable for the purpose of furnishing power to manufacturers, and believing it would be in the interests of the citizens of said town to grant such loan for the establishment and operation of such factory have decided to submit a by-law for such purpose for the approval of the ratepayers qualified to vote on by-laws.

And whereas in order to carry into effect the said object it will be necessary for the said council to issue debentures of the corporation of the Town of Bracebridge for the said amount, the said council has decided to make the principal money of the debt thereby created repayable in twenty yearly instalments with interest at four and a half per cent. per annum as hereinafter provided.

And whereas the total amount required to be raised annually by special rate for paying such debt and interest under the terms of this by-law is the sum of \$1,153 14, on account of the principal and interest of the said debt.

And whereas the amount of the whole rateable property of the said corporation, irrespective of any future increase, according to the last revised assessment roll thereof, is the sum of \$505 788.00.

And whereas the amount of the existing debenture debt of the said corporation is the sum of \$84,405.12, and no part of the principal or interest thereof is in arrears.

Therefore the council of the corporation of the Town of Bracebridge enacts as follows:—

1. That it shall be lawful for the Mayor of the said town for the purpose aforesaid to borrow the said sum of \$15,000 and issue debentures of the said corporation to that amount in sums of not less than \$100 each, payable yearly with interest at the rate of four and a half per cent. per annum on the 15th day of November in each and every year during the currency of the said debentures.

2. That the said debentures shall be sealed with the seal of the said corporation and be signed by the Mayor and Treasurer thereof and the interest coupons attached thereto shall also be signed by the Treasurer of the said corporation and that the said debentures and interest coupons shall be made payable at the Bank of Ottawa in the Town of Bracebridge.

3. That it shall be lawful for the Mayor of the said corporation to sell such debentures to any person or persons, body or bodies corporate and to cause the amount realized therefor to be paid to the Treasurer of the said corporation for the purpose above recited.

4. That for the purpose of paying said debt and interest there shall be raised and levied annually by a special rate upon all the rateable property of the said corporation in addition to all other rates the sum of \$1,153.14, being a sum sufficient to pay the said several instalments of principal and interest as the same shall become payable according to the following schedule:—

No.	Year.	Prin.	Int.	Total.
1	1903	\$ 478.14	\$675.00	\$1,153.14
2	1904	499.66	653.48	1,153.14
3	1905	522.14	631.00	1,153.14
4	1906	545.64	607.50	1,153.14
5	1907	570.19	582.95	1,153.14
6	1908	595.85	557.29	1,153.14
7	1909	622.66	530.48	1,153.14
8	1910	650.69	502.45	1,153.14
9	1911	679.97	473.17	1,153.14
10	1912	710.56	442.58	1,153.14
11	1913	742.55	410.59	1,153.14
12	1914	775.96	377.18	1,153.14
13	1915	810.87	342.27	1,153.14
14	1916	847.36	305.78	1,153.14
15	1917	885.49	267.65	1,153.14
16	1918	925.34	227.80	1,153.14
17	1919	966.98	186.16	1,153.14
18	1920	1,010.50	142.64	1,153.14
19	1921	1,055.97	97.17	1,153.14
20	1922	1,103.48	49.66	1,153.14

5. That the said several sums hereinbefore recited provided to be repaid by the said William Hess and Valentine Schinbein, their successors or assigns, shall be applied for the purpose of paying the debt and interest hereby created, and that the amounts to be raised annually as aforesaid upon the rateable property of the said corporation may be decreased year by year to the extent of the several sums received on account of the return of the said loan, which money when so repaid shall be used in payment of said debentures and in no other way.

6. That the vote of the said ratepayers shall be taken on this by-law on the 5th day of May, A.D. 1902, between the hours of nine o'clock in the forenoon and five o'clock in the afternoon of the same day at the town hall for Wards 1, 2 and 3, and at Thomas Hunt's house for Ward 4, and that Alex. C. Salmon be and he is hereby appointed Returning Officer.

7. That on the 3rd day of May, A. D. 1902, the Mayor shall attend at the office of the Clerk of the said corporation at 10 o'clock in the forenoon to appoint persons to attend at the polling places and at the final summing up of the votes by the Clerk on behalf of the persons respectively interested in promoting or opposing the passing of this by-law.

8. That the Clerk of the council of the said corporation shall attend at his office in the Town of Bracebridge at 12 o'clock noon of the 7th day of May, A.D. 1902, and sum up the number of votes given for and against this by-law, and if there is a majority therefore issue his certificate in pursuance of the provisions of *The Municipal Act*.

9. That this by-law shall take effect and come into operation forthwith after the passing thereof.

Finally passed the 9th day of June, 1902.

(Signed)

J. D. SHIER, Mayor.

ALEX. C. SALMON, Clerk.

[SEAL.]

1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act respecting the Town of Bracebridge.

First Reading, 24th April, 1903.

(Reprinted as amended by Private Bills
Committee.)

Mr. BRIDGLAND.

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

An Act respecting the Town of Whitby.

WHEREAS certain owners of lands in blocks of at least Preamble.
 twenty acres used wholly for farming purposes in the
 Town of Whitby, have by their petition to the Town of
 Whitby, prayed that their said lands might be relieved
 5 from the ordinary rate of taxation by the said council
 for electric lighting, fire protection, the construction of side-
 walks and other general rates of the town to a certain extent,
 and that the said lands be wholly exempt from future debenture
 debts, except for school purposes, the payment of the
 10 present debt and for the re-building of municipal buildings;
 and whereas the said council has consented that some
 adequate and proper relief shall be afforded to all owners of
 such farm lands in said town, and have adopted a By-law No.
 631 which is set forth in full in Schedule A to this Act for
 15 regulating a fixed rate of taxation for all farm lands in the
 said town during the period mentioned therein and during any
 extension of said period made in pursuance of the provisions
 of said by-law, and exempting said farm lands while used for
 such purposes from all bonuses to manufacturers, the estab-
 20 lishment of water-works or electric light plant in said town
 while said by-law is in force, and conditioned that such
 owners of farm lands shall not vote in respect of such lands
 upon any by-law for creating such last-mentioned debts; and
 whereas the said municipal council of the said Town of
 25 Whitby, and the said petitioners are desirous that an Act may
 be passed to confirm the said by-law; and whereas it is exped-
 ient to grant the prayer of the said petition;

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

1. By-law No. 631 of the Municipal Corporation of the Town By-law 631
(Assessment
of certain
farm lands)
confirmed.
 of Whitby, set forth in full in the Schedule A to this Act, is
 confirmed and declared to be legal, valid and binding upon all
 parties owning farm lands as set forth in said by-law, and
 35 upon the Corporation of the Town of Whitby, notwithstanding
 anything contained in any law to the contrary.

SCHEDULE A.

BY-LAW No. 631.

“ A By-law of the Council of the Corporation of the Town of Whitby respecting the assessment of lands in blocks of twenty acres wholly used for farming purposes in the Town of Whitby.”

“ Whereas Joseph B. Mitchell, David Ormiston, William Jeffrey, John E. Farewell, Emanuel Sleep, John D. Howden, O. Dingman, Robert L. Huggard, Charlotte F. Annis and George Hewis, owners of lands in blocks of at least twenty acres used wholly for farming purposes, situate within the Town of Whitby, have by their petition to the Municipal Council of the Town of Whitby asked that their said lands while used only for farming purposes shall for the period of ten years be rated for taxation on the assessed value thereof as hereinafter mentioned, and that their said lands while used for farming purposes shall be wholly exempt from taxation for the payment of any future debenture debt of the said town except such as is contracted for school purposes, or for the renewal or consolidation of the present existing debenture debt or debts or some part thereof, or for the re building of the municipal buildings of the town in case of destruction by fire or otherwise after the application of the insurance money thereon, and that the rate hereby given the said lands shall not be lessened by any of the exemptions mentioned in section 8 of Chapter 224 of the Revised Statutes of Ontario, 1897, and by their petition have expressed their willingness that no owner or lessee in respect of such lands shall have the right to vote upon any By-law for the creating of any future debenture debts except such as are heretofore mentioned, and that the said Town Council may apply for legislative sanction if necessary or expedient in respect of any By-law to grant them the relief asked for, and that the said Council shall be at liberty to have embodied in such By-law a provision that the Council may submit By-laws to the electors as hereinafter mentioned for granting bonuses to manufacturers or for raising monies to pay for establishing water-works in the said town, conditioned that no rate to raise monies for such By-laws shall be levied on lands used as farm lands in blocks of twenty acres, and that no owners of such lands shall be allowed to vote upon the said By-laws in respect of the said lands, and

Whereas the said owners have agreed with the said Municipal Council to accept the relief which will be furnished by the Legislative Assembly of the Province of Ontario confirming if it will the following By-law which the said Municipal Council has agreed to pass for the relief of the said owners and the owners of all other farm lands in the said town used, held and owned as farm lands only in blocks of not less than twenty acres and,

Whereas it is expedient to grant the prayer of the said petitioners and to provide as well that the relief granted to the petitioners shall apply to all owners of such farm lands in the Town of Whitby during the period aforesaid,

Therefore the Council of the Corporation of the Town of Whitby enacts as follows :—

1. That the said lands of the said owners and all other lands in the said Town of Whitby owned and used as farm lands only in blocks of not less than twenty acres shall hereafter and while used as farm lands only and in blocks of not less than twenty acres as aforesaid be rated on the present assessed value thereof in manner following, that is to say :—

(a) For expenditure for general town purposes not more than four mills on the dollar ;

(b) For the payment of the present debenture debt or debts of the town, the same rate as is required and is from time to time levied on other town property.

(c) " For expenditure for school purposes the same rate as is required and is from time to time levied on other town property ;

(d) " For County purposes the same rate as is required and is from time to time levied upon other town property ;

" And that no further or other rate be levied on said lands by the Council of the Town of Whitby.

2. " That the lands mentioned in clause 1 hereof shall be wholly exempt from taxation for the payment of any future debenture debt of this Town except such as is contracted for school purposes or for the renewal or consolidation of the present existing debenture debt, or debts, or some part thereof or for the rebuilding of the present Municipal buildings in case of their destruction by fire or otherwise after the application of the insurance money thereon.

3. " That the rate hereby given the said lands mentioned in clause 1 hereof, shall not be lessened by any of the exceptions mentioned in section 8 of chapter 224 Revised Statutes of Ontario, 1897.

4. " That no owner or lessee of any of the lands mentioned in clause 1 hereof shall in respect of any such lands have the right to vote on any By-law for the creating or contracting of any future debenture debt except such as is for school purposes or for the renewal or consolidation of the present existing debenture debt or debts or some part thereof, or for the re-building of the present Municipal buildings, (in case of destruction by fire or otherwise where such re-building is necessary) after the application of the insurance monies thereon.

5 " The Council of the said Town may submit By-laws for granting aid to manufacturers in accordance with and subject to the provisions of the Municipal Act or for the establishment of waterworks or an electric light plant, or the purchase of any existing electric light plant : but no rate shall be levied on said lands while used as farm lands in blocks of at least twenty acres in respect of debts created thereby, nor shall the owners of such lands vote on said By-laws in respect of the same.

6. " Provided that when any parts of such lands shall become divided up and held by owners in parcels less than twenty acres or be not used for farm purposes they shall become liable to the general tax of the Town in common with other than farm lands.

7 " That the proportion which the assessment of the properties in the Town of Whitby, other than farm lands bears to the present assessment of the said farm lands, shall not be changed during the period of ten years so that the aggregate thereof shall be reduced.

8. " Such agreement as to the rate of assessment and the right to vote on debenture By-laws shall be in force for ten years and may be renewable from time to time by the Council of the Town of Whitby on the petition of the majority of the then owners of farm lands in blocks of twenty acres and upwards used as farm lands.

9. " This By-law shall come into force immediately on the confirmation thereof by the Legislative Assembly of the Province of Ontario and shall thereafter continue as in effect and in force from the beginning of the year 1903,

10. " The Mayor and the Clerk of the Town of Whitby are hereby " authorized to give the necessary notices, sign the necessary petition " and pay all fees for procuring the confirmation of this By-Law by the Act of the said Legislative Assembly.

Passed this fifteenth day of December, A. D. 1902.

(Sgd.) JOSEPH WHITE, (Sgd.) A. M. ROSS,
Clerk. Mayor, (L.S.)

1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL

An Act respecting the Town of Whitty.

1st Reading, _____, 1903.

(Private Bill.)

Mr. DRYDEN.

An Act respecting the Town of Whitby.

WHEREAS certain owners of lands in blocks of at least Preamble. twenty acres used wholly for farming purposes in the Town of Whitby, have by their petition to the Town of Whitby, prayed that their said lands might be relieved from the ordinary rate of taxation by the said council for electric lighting, fire protection, the construction of sidewalks and other general rates of the town to a certain extent, and that the said lands be wholly exempt from future debenture debts, except for school purposes, the payment of the present debt and for the re-building of municipal buildings; and whereas the said council has consented that some adequate and proper relief shall be afforded to all owners of such farm lands in said town, and have adopted a by-law for regulating taxation of all farm lands in the said town; and whereas the said municipal council of the said town, and the said petitioners are desirous that an Act may be passed to confirm the said by-law; and whereas it is expedient to grant the prayer of the said petition;

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

1. By-law No. 631 of the Municipal Corporation of the Town of Whitby, set forth in full in the Schedule to this Act, is confirmed and declared to be legal, valid and binding upon all parties owning farm lands as set forth in the said by-law, and upon the Corporation of the Town of Whitby, notwithstanding anything contained in any law to the contrary; ^{By-law 631 (Assessment of certain farm lands) confirmed.} provided that the said by-law shall be read subject to an exception in the case of that part of the south half of township lot No. 22 (being a part of the lands referred to in clause 1 of the said by-law) now owned by one Milton H. Starr, physician, which said excepted lands shall, subject to the other provisions of the said by-law, be rated and assessed at \$38 per acre so long as the said by-law remains in force.

SCHEDULE.**By-Law No. 631.**

“A By-law of the Council of the Corporation of the Town of Whitby respecting the assessment of lands in blocks of twenty acres wholly used for farming purposes in the Town of Whitby.”

“Whereas Joseph B. Mitchell, David Ormiston, William Jeffrey, John E. Farewell, Emanuel Sleep, John D. Howden, O. Dingman, Robert L. Huggard, Charlotte F. Annis and George Hewis, owners of lands in blocks of at least twenty acres used wholly for farming purposes, situate within the Town of Whitby, have by their petition to the Municipal Council of the Town of Whitby asked that their said lands while used only for farming purposes shall for the period of ten years be rated for taxation on the assessed value thereof as hereinafter mentioned, and that their said lands while used for farming purposes shall be wholly exempt from taxation for the payment of any future debenture debt of the said town except such as is contracted for school purposes, or for the renewal or consolidation of the present existing debenture debt or debts or some part thereof, or for the re building of the municipal buildings of the town in case of destruction by fire or otherwise after the application of the insurance money thereon, and that the rate hereby given the said lands shall not be lessened by any of the exemptions mentioned in section 8 of Chapter 224 of the Revised Statutes of Ontario, 1897, and by their petition have expressed their willingness that no owner or lessee in respect of such lands shall have the right to vote upon any By-law for the creating of any future debenture debts except such as are heretofore mentioned, and that the said Town Council may apply for legislative sanction if necessary or expedient in respect of any By-law to grant them the relief asked for, and that the said Council shall be at liberty to have embodied in such By-law a provision that the Council may submit By-laws to the electors as hereinafter mentioned for granting bonuses to manufacturers or for raising monies to pay for establishing water-works in the said town, conditioned that no rate to raise monies for such By-laws shall be levied on lands used as farm lands in blocks of twenty acres, and that no owners of such lands shall be allowed to vote upon the said By-laws in respect of the said lands, and

Whereas the said owners have agreed with the said Municipal Council to accept the relief which will be furnished by the Legislative Assembly of the Province of Ontario confirming if it will the following By-law which the said Municipal Council has agreed to pass for the relief of the said owners and the owners of all other farm lands in the said town used, held and owned as farm lands only in blocks of not less than twenty acres and,

Whereas it is expedient to grant the prayer of the said petitioners and to provide as well that the relief granted to the petitioners shall apply to all owners of such farm lands in the Town of Whitby during the period aforesaid,

Therefore the Council of the Corporation of the Town of Whitby enacts as follows :—

1. That the said lands of the said owners and all other lands in the said Town of Whitby owned and used as farm lands only in blocks of not less than twenty acres shall hereafter and while used as farm lands only and in blocks of not less than twenty acres as aforesaid be rated on the present assessed value thereof in manner following, that is to say :—

(a) For expenditure for general town purposes not more than four mills on the dollar ;

(b) For the payment of the present debenture debt or debts of the town, the same rate as is required and is from time to time levied on other town property.

(c) “ For expenditure for school purposes the same rate as is required and is from time to time levied on other town property ;

(d) “ For County purposes the same rate as is required and is from time to time levied upon other town property ;

“ And that no further or other rate be levied on said lands by the Council of the Town of Whitby.

2. " That the lands mentioned in clause 1 hereof shall be wholly exempt from taxation for the payment of any future debenture debt of this Town except such as is contracted for school purposes or for the renewal or consolidation of the present existing debenture debt, or debts, or some part thereof or for the rebuilding of the present Municipal buildings in case of their destruction by fire or otherwise after the application of the insurance money thereon.

3. " That the rate hereby given the said lands mentioned in clause 1 hereof, shall not be lessened by any of the exceptions mentioned in section 8 of chapter 224 Revised Statutes of Ontario, 1897.

4. " That no owner or lessee of any of the lands mentioned in clause 1 hereof shall in respect of any such lands have the right to vote on any By-law for the creating or contracting of any future debenture debt except such as is for school purposes or for the renewal or consolidation of the present existing debenture debt or debts or some part thereof, or for the re-building of the present Municipal buildings, (in case of destruction by fire or otherwise where such re-building is necessary) after the application of the insurance monies thereon.

5 " The Council of the said Town may submit By-laws for granting aid to manufacturers in accordance with and subject to the provisions of the Municipal Act or for the establishment of waterworks or an electric light plant, or the purchase of any existing electric light plant ; but no rate shall be levied on said lands while used as farm lands in blocks of at least twenty acres in respect of debts created thereby, nor shall the owners of such lands vote on said By-laws in respect of the same.

6. " Provided that when any parts of such lands shall become divided up and held by owners in parcels less than twenty acres or be not used for farm purposes ~~the~~ the parts so divided up or ceased to be used for farm purposes ~~they~~ they shall become liable to the general tax of the Town in common with other than farm lands.

7 " That the proportion which the assessment of the properties in the Town of Whitby, other than farm lands bears to the present assessment of the said farm lands, shall not be changed during the period of ten years so that the aggregate thereof shall be reduced.

8. " Such agreement as to the rate of assessment and the right to vote on debenture By-laws shall be in force for ten years and may be renewable from time to time by the Council of the Town of Whitby on the petition of the majority of the then owners of farm lands in blocks of twenty acres and upwards used as farm lands.

9. " This By-law shall come into force immediately on the confirmation thereof by the Legislative Assembly of the Province of Ontario and shall thereafter continue as in effect and in force from the beginning of the year 1903,

10. " The Mayor and the Clerk of the Town of Whitby are hereby " authorized to give the necessary notices, sign the necessary petition " and pay all fees for procuring the confirmation of this By-Law by the Act of the said Legislative Assembly.

Passed this fifteenth day of December, A. D. 1902.

(Sgd.) JOSEPH WHITE,
Clerk.

(Sgd.) A. M. ROSS,
Mayor, (L.S.)

1st Session, 10th Legislature,
3 Edward VII, 1908.

BILL
An Act respecting the Town of Whitby.

1st Reading, 24th April, 1908.

(Reprinted as amended by 'Private Bills
Committee.)

Mr. DRYDEN.

An Act respecting the City of St. Thomas.

WHEREAS the Corporation of the City of St. Thomas Preamble.
 have by their petition represented, that pursuant to
 the provisions of Chapter 74 of the Act passed in the 27th
 and 28th years of the reign of Her late Majesty Queen Vic-
 5 toria, debentures were issued by the then Town of St. Thomas,
 for the sum of one hundred and ten thousand dollars for
 the purpose of consolidating and paying the debenture debt
 of the said town, and that such debentures should be payable
 on the 1st day of July, A.D. 1904, and that in the meantime
 10 a sinking fund should be provided for the purpose of paying
 the said debentures at maturity as set forth in the said Act; and
 whereas the amount of the said debentures now outstanding is
 the sum of \$93,100, and the amount of the sinking fund on
 hand as provided by the said Act is the sum of \$43,472.50, leav-
 15 ing the sum of \$49,627.50, payable on the 1st day of July,
 1904, for which no provision was made by the said Act, and
 to pay which the said corporation now seeks authority to
 issue new debentures; and whereas it is expedient to grant the
 prayer of the said petitioners;

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

1. The Corporation of the City of St. Thomas is hereby Issue of de-
 authorized and empowered on or before the first day of July, debentures for
 25 A.D. 1904, to issue debentures to the amount of \$50,000 for \$50,000
 the purpose of redeeming the debentures issued under *The* authorized.
Town of St. Thomas Debentures Act, 1864.

2. The said debentures shall be signed by the Mayor and Execution of
 Treasurer of the said City of St. Thomas, and sealed with the debentures.
 30 corporate seal of the said city, and shall be payable within
 twenty years from the date of the issue thereof.

3. The said Corporation may raise by way of loan, from any Power to
 person or persons, body or bodies corporate, who may be borrow on
 willing to advance the same, upon the security of the said debentures.
 35 debentures, a sum of money not exceeding \$50,000 of lawful
 money of Canada.

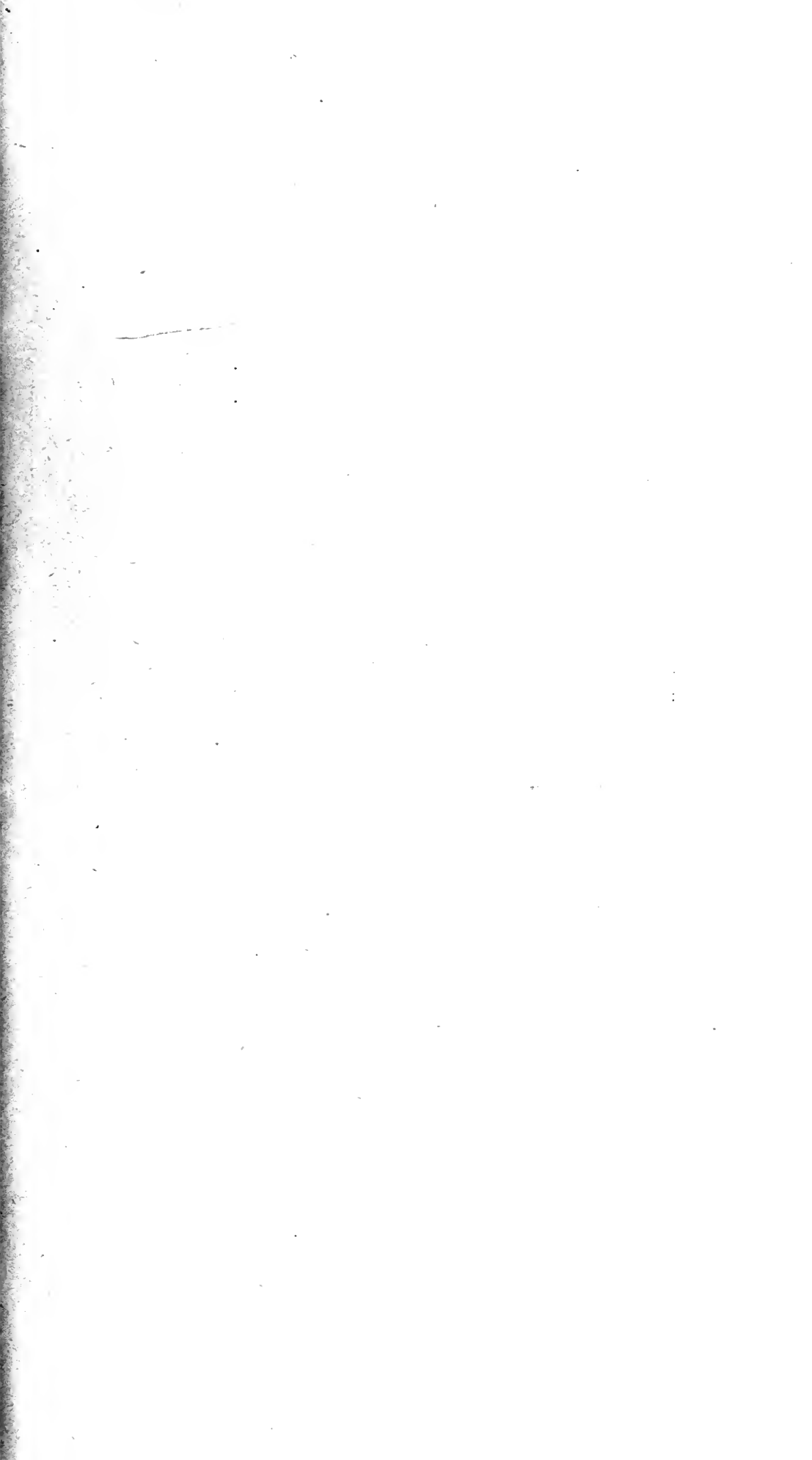
How payable. 4. The said debentures shall be payable in annual instalments within twenty years from the date of the issue thereof, such instalments to be of such amounts that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of such period of twenty years. 5

Interest. 5. The said debentures shall bear interest at a rate not exceeding four per cent. per annum from the date of the issue thereof, which interest shall be payable at the office of the City Treasurer in the City of St. Thomas, and the said debentures shall have coupons attached thereto for the interest and such coupons shall be signed by the City Treasurer. 10

Special rate. 6. For payment of the said debentures and interest, the Municipal Council of the City of St. Thomas shall impose on all the rateable property in the said city, a special annual rate (over and above and in addition to all other rates and taxes) during the said period of twenty years, which special rate shall be sufficient to produce in each year the sum required to be raised for payment of the annual instalment of principal and interest falling due on the said debentures. 15 20

Application of proceeds of debentures. 7. The monies derived from the sale of the said debentures shall be applied by the said council in and towards the redemption of the debentures issued and outstanding under *The Town of St. Thomas Debentures Act, 1864*, and for no other purpose whatever. 25

Informalities not to invalidate debentures. 8. No irregularity in the form of the said debentures shall render the same invalid or illegal.



1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the City of St. Thomas.

First Reading, _____, 1903.

(Private Bill.)

Mr. McDIARMID.

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

An Act respecting the City of St. Thomas.

WHEREAS the Corporation of the City of St. Thomas Preamble.
has by petition represented, that pursuant to the provisions of *an Act* passed in the 27th and 28th years of the reign of Her late Majesty Queen Victoria, *chaptered 74*, debentures were issued by the then Town of St. Thomas, for the sum of \$110,000 for the purpose of consolidating and paying the debenture debt of the said town, and that such debentures, ^{as} by the terms thereof are ^{to} payable on the 1st day of July, 1904; ~~and~~ whereas the said Act provided for the creation of a sinking fund; ~~and~~ whereas the amount of the said debentures now outstanding is \$93,100, and the amount of the sinking fund on hand as provided by the said Act is \$43,472.50, leaving the sum of \$49,627.50, payable on the 1st day of July, 1904, for which no provision was made by the said Act; ^{and} whereas the said corporation has by the said petition prayed for authority to issue new debentures to cover the amount of the said deficiency; ~~and~~ whereas it is expedient to grant the prayer of the said petitioners;

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

1. The Corporation of the City of St. Thomas is authorized and empowered on or before the first day of July, 1904, to issue debentures to the amount of \$50,000 for the purpose of redeeming the debentures issued under *The Town of St. Thomas Debentures Act, 1864*. Issue of debentures for \$50,000 authorized.
2. The said debentures shall be signed by the mayor and treasurer of the said City of St. Thomas, and sealed with the corporate seal of the said city, and shall be payable within twenty years from the date of the issue thereof. Execution of debentures.
3. The said corporation may raise by way of loan, from any person or persons, body or bodies corporate, who may be willing to advance the same, upon the security of the said debentures, a sum of money not exceeding \$50,000. Power to borrow on debentures.
4. The said debentures shall be payable in annual instalments within twenty years from the date of the issue thereof, How payable.

such instalments to be of such amounts that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of such period of twenty years.

Interest.

5. The said debentures shall bear interest at a rate not exceeding four per cent. per annum from the date of the issue thereof, which interest shall be payable at the office of the city treasurer in the City of St. Thomas, and the said debentures shall have coupons attached thereto for the interest and such coupons shall be signed by the city treasurer.

Special rate.

6. For payment of the said debentures and interest, the Municipal Council of the City of St. Thomas shall impose on all the rateable property in the said city, a special annual rate (over and above and in addition to all other rates and taxes) during the said period of twenty years, which special rate shall be sufficient to produce in each year the sum required to be raised for payment of the annual instalment of principal and interest falling due on the said debentures.

Application of proceeds of debentures.

7. The monies derived from the sale of the said debentures shall be applied by the said council in and towards the redemption of the debentures issued and outstanding under *The Town of St. Thomas Debentures Act, 1864*, and for no other purpose whatever.

Informalities not to invalidate debentures.

8. No irregularity in the form of the said debentures shall render the same invalid or illegal.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the City of St. Thomas.

First Reading, 24th April, 1903.
Second Reading, 4th May, 1903.

(Private Bill.)

(Reprinted as amended by Private Bills
Committee.)

Mr. MCDIARMID.

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

An Act respecting the Township of York

WHEREAS the Municipal Corporation of the Township of York has by petition prayed for special legislation in respect of the several matters hereinafter set forth; and whereas the said municipal corporation agreed with the Canadian General Electric Company, Limited, that the annual assessment of the lands, buildings and personal property hereinafter described of the said company, situate within the said Township of York, should be fixed at \$150,000, and no more, for the period of twenty years, and pursuant to such agreement the By-law Number 1889 of the said Municipal Corporation, as set forth in Schedule A hereto, was passed on the 6th day of October, 1902, whereby it was enacted that the lands of the company, together with all buildings and personal property described in said by-law shall be so assessed for the said period of twenty years, to be computed from the first day of January, 1903, and that the said Municipal Corporation should make application to the Legislature of the Province of Ontario to confirm the said by-law; and whereas it has been made to appear that the said the Canadian General Electric Company, Limited, and the business to be carried on by the said company upon the said lands are and will be of much benefit to the said Municipal Corporation; and whereas the said company, acting under and on the faith of the said agreement and by-law, has erected and equipped its buildings, factories and works and intends further to extend and enlarge its buildings, factories and works; and whereas the said by-law has not been moved against nor have any proceedings been taken to quash or set aside the said by-law, nor have any objections been made to the said by-law; and whereas it has been made to appear that the said company carries on a large trade throughout and beyond the Province of Ontario and has numerous agencies and business connections; and whereas the nature and importance of the intended operations of the said company are of special interest throughout the province, and the business industries and enterprises of the said company are, and are calculated to continue and be of general public advantage and the carrying out of the said business and the continuance and extension of its operations will impart a large increase in value to other properties

in the immediate vicinity of the said works, and also to other properties in the said municipality and in the adjacent municipalities and will greatly and generally promote business activity and prosperity; and whereas the said Municipal Corporation has by its petition prayed that an Act may be passed confirming the said by-law; and whereas it appears to be desirable and expedient, and to the public interests, that the said by-law should be confirmed and validated; and whereas it is expedient to grant the prayer of the said petition respecting the said by-law and otherwise as hereinafter set forth;

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

Assessment
rolls con-
firmed.

1. All assessment rolls of the said township heretofore finally revised, all collectors' rolls of the said township heretofore returned by the collectors thereof, and all collectors' returns heretofore made, are hereby validated and confirmed notwithstanding any irregularity, fault or omission in the said assessments, collectors' rolls or collectors' returns, or in any matter or thing done or omitted to be done in relation thereto, and notwithstanding anything contained in any Act or Acts to the contrary.

Tax sales
confirmed.

2. All sales of land within the said township made before the 1st day of January, A. D. 1902, and purporting to be made for arrears of taxes in respect of the lands so sold, including sales of land which may have been purchased by the council of the said corporation or by anyone on behalf of the said council, under the provisions of *The Assessment Act*, and all tax deeds purporting to be issued in pursuance of such sales are hereby validated and confirmed, notwithstanding any error of description and notwithstanding any irregularity in the assessments or any 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* or of any Act or Acts amending the same 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 the return of any collectors' roll of the said township, or in regard to the furnishing, authenticating or depositing of any list of land in arrear for taxes within the said township or the furnishing by the collector of any account of the taxes remaining due on any and all collectors' rolls, 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, omission or mistake of any kind whatsoever in or about the said sale on the part of any official of the said township, and notwithstanding anything to the contrary in any of the said Acts contained.

Rev. Stat.
c. 224.

3. The Municipal Council of the Township of York may by by-law divide the Municipality into two or more sub-divisions as the said Council shall deem expedient, and may define the limits of such sub-divisions, and may discriminate between such sub-divisions in imposing the various township rates and the said Council shall have power to levy and collect such rates.

Power to sub-divide township and discriminate as to rate of taxation.

4. The said Municipal Council is hereby empowered to pass a by-Law requiring all owners of dogs over six months of age within the municipality to cause the same to be registered and licensed in the office of the Clerk of the township or such other place as may by by-law be designated and to cause the dog to wear around its neck a collar to which shall be attached a tag. And the said council may by by-law impose a fee for such registration, license and tag, and may by by-law designate an officer or officers to issue such tags, collect such fee and enforce the provisions of such by-law.

Dog licenses.

5. When any property within the municipality of the Township of York exempt from taxation, local improvement, school debenture or other rates, shall be sold to a person who would have been liable for such rates on such property if he had been the owner thereof at the time the exemption arose, then, immediately upon such sale, such property shall be and become rateable for taxation and for all local improvement, school debenture and other rates current at the time of such sale as though the said property had never been exempt therefrom; and this provision shall apply to all sales of such property as aforesaid made after the first day of January, 1903.

Exemptions to cease on sale of property.

6. The provisions of sub section 2 of Section 109 of *The Assessment Act* shall not apply to property within the township of York.

Rev. Stat. c. 224, s. 109, sub. 2.

7. Notwithstanding the division of the municipality of the Township of York into East and West York with a separate Board of License Commissioners for each, the said council shall have the same powers under *The Liquor License Act* that the said council would have were the municipality not so divided as aforesaid and the said council may pass a by-law limiting the number of licenses in each of the two said sub-divisions of East and West York respectively and for the carrying out of the provisions of the said Act in so far as it affects the Township of York.

Limiting number of licenses under Rev. Stat. c. 245

8. By-law No. 1889 of the Municipal Council of the Corporation of the Township of York passed on the sixth day of October, 1902, and set out in Schedule A to this Act is confirmed and declared to be legal and binding on the said Township of York and the ratepayers thereof, notwithstanding

By-law No. 1889 fixing assessment of Canadian General Electric Co. confirmed.

ing anything in any Act to the contrary, and the said council may pass all by-laws and do all such acts as may be necessary to give effect to the said by-law No. 1889, according to the true intent and meaning thereof.

SCHEDULE A.

BY-LAW No. 1889.

A by-law providing that the assessment of the lands and property hereinafter described be fixed at \$150,000 per annum for a period of twenty years.

Whereas The Canadian General Electric Company, Limited, have by their Petition represented that the said Company are now seized of the lands and premises hereinafter described, and that a large sum of money has been and will be expended by the said Company upon the said lands in erecting buildings thereon and installing therein the necessary plant and machinery for the purposes of the business there carried on under the name of "The Canada Foundry Company."

And whereas the said Company have by their said Petition requested that a by-law be passed providing that the annual assessment of the said lands and other property be fixed at not more than the sum of one hundred and fifty thousand dollars each year for a period of twenty years, to be computed from the first day of January, A.D., 1903.

And whereas it appears expedient to accede to said request,

Be it therefore enacted by the Municipal Council of the Corporation of the Township of York,—

1. That all and singular those certain parcels or tracts of land and premises owned by the said company situate lying and being in the Township of York, in the County of York, and Province of Ontario, containing by admeasurement about twenty-seven and a half acres more or less, and being composed of blocks "O" and "P" as shown on a plan filed in the said Office of Land Titles in Toronto and designated therein as M. 203 and that part of block "H" owned by the Company, as the same are shewn on a plan filed in the Office of Land Titles in Toronto, and designated therein as M. 58, together with all buildings, stock-in-trade, plant, machinery, fixtures and materials now or hereafter thereon or therein and all other personal and other assessable property of the Company for a period of twenty years to be computed from the first day of January, A.D. 1903, shall be annually assessed for all purposes en bloc at the sum of one hundred and fifty thousand dollars (\$150,000) and no more, as a fixed assessment and the said lands and premises and property shall be for such time exempt from any special assessment for any improvement or work of that class of improvements or works where the costs thereof or any part thereof is or would otherwise be charged against the lands specially benefited thereby, except in respect of local improvement rates heretofore assessed against the said lands for local improvements on Davenport Road under by-law No. 1621.

2. In case any part or parts of said lands shall be used for the purpose of dwelling-houses or for any purpose not connected with the business of the Company 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, and in the event of the destruction of the said buildings or property or any part

thereof so that the value of the same with the said lands and other property shall not be equal to the said sum of one hundred and fifty thousand dollars (\$150,000) the assessment shall be made while such value is under one hundred and fifty thousand dollars (\$150,000) as if this by-law had not been passed.

3. The assessors and other officers making such assessment are hereby authorized and required to so make their assessments and returns as to conform to the provisions of this by-law.

4. Application shall be made by the said Municipal Corporation or the said Company to the Legislature of the Province of Ontario to confirm this by-law and to carry the provisions thereof into effect and if such application be made by the Company the Municipal Corporation will give its consent thereto.

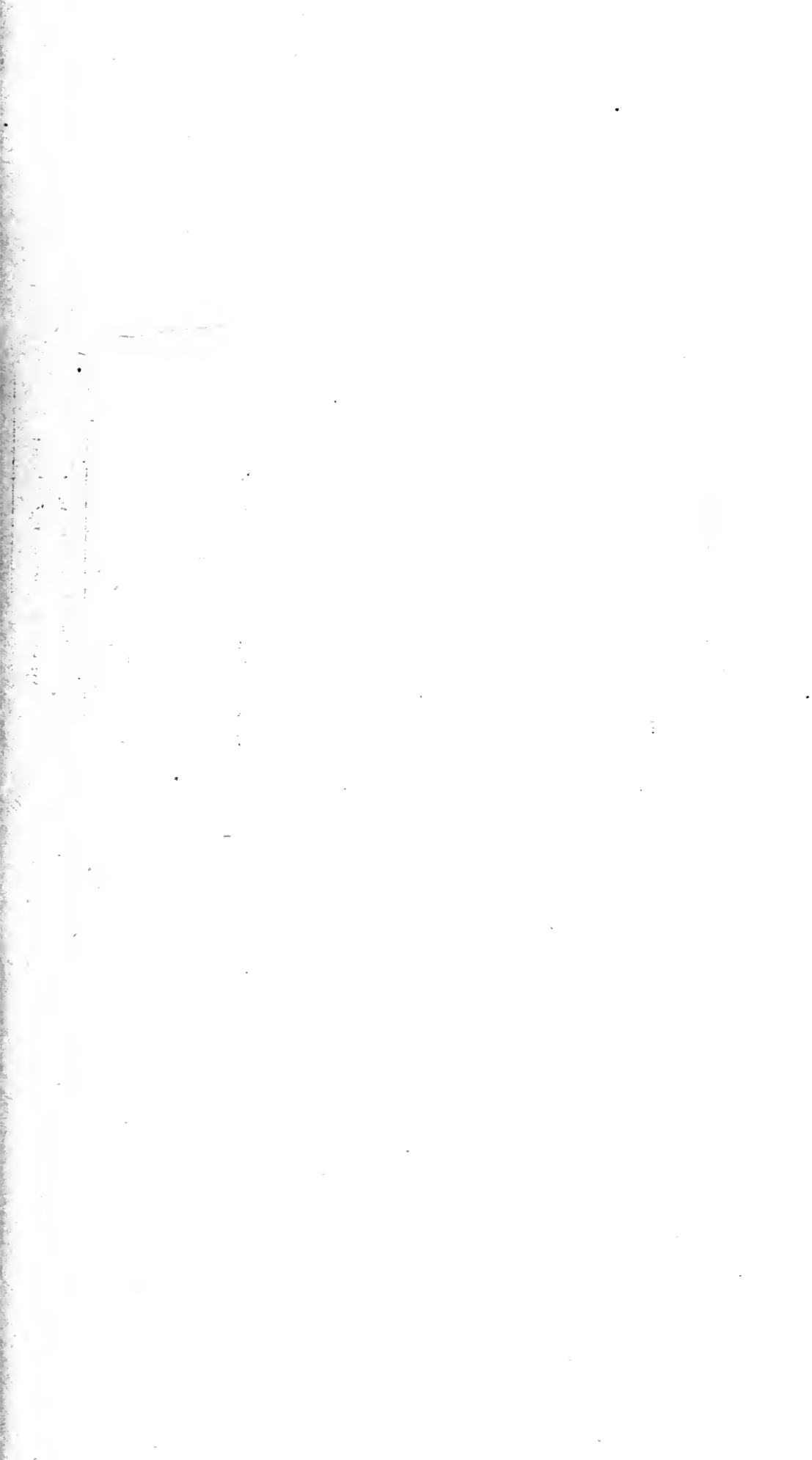
5. On such legislation being obtained this by-law shall come into effect.

Passed October 6th, 1902.

W. A. CLARKE,
Clerk.

HENRY DUNCAN,
Reeve.

[SEAL.]



1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Township of York.

First Reading, 1903.

(Private Bill.)

Mr. ST. JOHN.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting the Township of York.

WHEREAS the Municipal Corporation of the Township of Preamble.
York has by petition prayed for special legislation in respect of the several matters hereinafter set forth; and whereas the said municipal corporation agreed with The Canadian General Electric Company, Limited, that the annual assessment of the lands, buildings and personal property hereinafter described of the said company, situate within the Township of York, should be fixed at \$150,000, for the period of twenty years, and pursuant to such agreement a by-law of the said municipal corporation was passed; and whereas it has been made to appear that the said The Canadian General Electric Company, Limited, and the business to be carried on by the said company upon the said lands are and will be of much benefit to the said municipal corporation; and whereas the said company, acting under and on the faith of the said agreement and by-law, has erected and equipped its buildings, factories and works and intends further to extend and enlarge its buildings, factories and works; and whereas the said by-law has not been moved against nor have any objections been made to the said by-law; and whereas it has been made to appear that the said company carries on a large trade throughout and beyond the Province of Ontario and has numerous agencies and business connections; and whereas the nature and importance of the intended operations of the said company are of special interest throughout the province, and the business industries and enterprises of the said company are, and are calculated to continue and be of general public advantage and the carrying out of the said business and the continuance and extension of its operations will impart a large increase in value to other properties in the immediate vicinity of the said works, and also to other properties in the said municipality and in the adjacent municipalities and will greatly and generally promote business activity and prosperity; and whereas the said municipal corporation has by its petition prayed that an Act may be passed confirming the said by-law; and whereas it appears to be desirable and expedient, and to the public interests, that the said by-law should be confirmed and validated; and whereas it is expedient to grant the prayer of the said petition respecting the said by-law and otherwise as hereinafter set forth;

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

Assessment rolls confirmed.

1. All assessment rolls of the said township heretofore finally revised, all collectors' rolls of the said township heretofore returned by the collectors thereof, and all collectors' returns heretofore made, are hereby validated and confirmed notwithstanding any irregularity, fault or omission in the said assessments, collectors' rolls or collectors' returns, or in any matter or thing done or omitted to be done in relation thereto, and notwithstanding anything contained in any Act or Acts to the contrary.

Tax sales confirmed.

2. All sales of land within the said township made before the 1st day of January, A. D. 1907, and purporting to be made for arrears of taxes in respect of the lands so sold, including sales of land which may have been purchased by the council of the said corporation or by anyone on behalf of the said council, under the provisions of *The Assessment Act*, and all tax deeds purporting to be issued in pursuance of such sales are hereby validated and confirmed, notwithstanding any error of description and notwithstanding any irregularity in the assessments or any 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* or of any Act or Acts amending the same 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 the return of any collectors' roll of the said township, or in regard to the furnishing, authenticating or depositing of any list of land in arrear for taxes within the said township or the furnishing by the collector of any account of the taxes remaining due on any and all collectors' rolls, 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, omission or mistake of any kind whatsoever in or about the said sale on the part of any official of the said township, and notwithstanding anything to the contrary in any of the said Acts contained.

Power to subdivide township and discriminate as to rate of taxation.

3. The Municipal Council of the Township of York may by by-law divide the municipality into two or more sub-divisions as the said council shall deem expedient, and may define the limits of such sub-divisions, and may discriminate between such sub-divisions in imposing the township rate and the said council shall have power to levy and collect such rates.

4. By-law No. 1889 of the Municipal Council of the Corporation of the Township of York passed on the sixth day of October, 1902, and set out in *the* Schedule to this Act is confirmed and declared to be legal and binding⁴⁷ for all purposes including school rates⁴⁸ on the said Township of York and the ratepayers thereof, notwithstanding anything in any Act to the contrary, and the said council may pass all by-laws and do all such acts as may be necessary to give effect to the said by-law No. 1889, according to the true intent and meaning thereof.

By-law No.
1889 fixing
assessment of
Canadian
General
Electric Co.
confirmed.

SCHEDULE.

BY-LAW No. 1889.

A by-law providing that the assessment of the lands and property hereinafter described be fixed at \$150,000 per annum for a period of twenty years.

Whereas The Canadian General Electric Company, Limited, have by their Petition represented that the said Company are now seized of the lands and premises hereinafter described, and that a large sum of money has been and will be expended by the said Company upon the said lands in erecting buildings thereon and installing therein the necessary plant and machinery for the purposes of the business there carried on under the name of "The Canada Foundry Company."

And whereas the said Company have by their said Petition requested that a by-law be passed providing that the annual assessment of the said lands and other property be fixed at not more than the sum of one hundred and fifty thousand dollars each year for a period of twenty years, to be computed from the first day of January, A.D., 1903.

And whereas it appears expedient to accede to said request,

Be it therefore enacted by the Municipal Council of the Corporation of the Township of York,—

1. That all and singular those certain parcels or tracts of land and premises owned by the said company situate lying and being in the Township of York, in the County of York, and Province of Ontario, containing by admeasurement about twenty-seven and a half acres more or less, and being composed of blocks "O" and "P" as shown on a plan filed in the said Office of Land Titles in Toronto and designated therein as M. 203 and that part of block "H" owned by the Company, as the same are shewn on a plan filed in the Office of Land Titles in Toronto, and designated therein as M. 58, together with all buildings, stock-in-trade, plant, machinery, fixtures and materials now or hereafter thereon or therein and all other personal and other assessable property of the Company for a period of twenty years to be computed from the first day of January, A.D. 1903, shall be annually assessed for all purposes en bloc at the sum of one hundred and fifty thousand dollars (\$150,000) and no more, as a fixed assessment and the said lands and premises and property shall be for such time exempt from any special assessment for any improvement or work of that class of improvements or works where the costs thereof or any part thereof is or would otherwise be charged against the lands specially benefited thereby, except in respect of local improvement rates heretofore assessed against the said lands for local improvements on Davenport Road under by-law No. 1621.

2. In case any part or parts of said lands shall be used for the purpose of dwelling-houses or for any purpose not connected with the business of the Company 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, and in the event of the destruction of the said buildings or property or any part thereof so that the value of the same with the said lands and other property shall not be equal to the said sum of one hundred and fifty thousand dollars (\$150,000) the assessment shall be made while such value is under one hundred and fifty thousand dollars (\$150,000) as if this by-law had not been passed.

3. The assessors and other officers making such assessment are hereby authorized and required to so make their assessments and returns as to conform to the provisions of this by-law.

4. Application shall be made by the said Municipal Corporation or the said Company to the Legislature of the Province of Ontario to confirm this by-law and to carry the provisions thereof into effect and if such application be made by the Company the Municipal Corporation will give its consent thereto.

5. On such legislation being obtained this by-law shall come into effect.

Passed October 6th, 1902.

W. A. CLARKE,
Clerk.

HENRY DUNCAN,
Reeve.

[SEAL.]

1st Session 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Township of York.

First Reading, 1st May, 1903.

(Reprinted as amended by Private Bills
Committee.)

Mr. ST. JOHN.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act to incorporate the Point Ann Railway Company.

WHEREAS, The Belleville Portland Cement Company, Limited, have by their petition prayed that Alfred A. Ansley, wholesale merchant; William Pinkerton, barrister-at-law, both of the City of Toronto, in the County of York; John McGowan, of the Town of Elora, in the County of Wellington, member of Parliament; Thomas Samuel Carman, Esquire; Uriah E. Thompson, banker, and Joseph W. McNab, Secretary-Treasurer of The Belleville Portland Cement Company, Limited, all of the City of Belleville, in the County of Hastings, be incorporated under the name of "The Point Ann Railway Company," for the purpose of constructing, maintaining and operating a steam railway from a point on the Grand Trunk Railway line, in the Township of Thurlow; thence through a portion of the said Township to the shore of the Bay of Quinte, at a point known as Point Ann, all within the County of Hastings, in the said Province of Ontario, and the said Company have prayed that an Act may be passed for that purpose; 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 said Alfred A. Ansley, William Pinkerton, Thomas Samuel Carman, Uriah E. Thompson, John McGowan and Joseph W. McNab, together with such other persons as shall in pursuance of this Act, become shareholders in the Company hereby incorporated, are hereby constituted and declared to be a body corporate and politic by the name of "The Point Ann Railway Company," hereinafter called "the Company."

Incorporation.

2. The Company is hereby authorized and empowered to survey, lay out, construct, complete, and operate a steam railway, from a point on the Grand Trunk Railway line, in the Township of Thurlow; thence through a portion of the said Township to the shore of the Bay of Quinte, at a point known as Point Ann, all within the County of Hastings, in the said Province of Ontario.

Location of line.

Gauge.

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

Provisional directors.

4. From and after the passing of this Act the said Alfred A. Ansley, William Pinkerton, Thomas Samuel Carman, Uriah E. Thompson, John McGowan and Joseph W. McNab, with 5 power to add to their number, shall be and are hereby constituted a Board of Provisional Directors of the Company, and shall hold office as such until the first election of directors under this Act.

Powers of provisional directors.

5. The said Board of Provisional Directors shall have 10 power forthwith to open stock books and procure subscriptions of stock for the undertaking, and to allot the stock and receive payment on account of stock subscribed, and to make calls upon subscribers in respect of their stock, and to sue for and recover the same; and to cause plans and surveys to be 15 made, 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 20 judgment, would hinder, delay or prevent the Company hereby incorporated from proceeding with and completing their undertaking under the provisions of this Acts. If at any time a portion or more than the whole of the stock has been 25 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 30 best secure the building of the said line of railway; and all meetings of the said provisional board of directors shall be held at the City of Belleville, or at such other place as may best suit the interests of the said Company.

Rev. stat., c. 207.

Subscriptions for stock when binding.

6. No subscriptions for stock in the capital of the Company 35 shall be binding on the said Company unless it shall be approved by resolution of the directors, nor unless ten per centum of the amount subscribed has been actually paid thereon within one month after subscription.

Capital stock.

7. The capital of the Company shall be \$50,000, with power 40 to increase the same in a manner provided by *The Railway Act of Ontario*, to be divided into 500 shares of \$100 each, and shall be raised by the persons who may become shareholders in the company; and the money so raised shall be applied in the first place to the payment of all fees, expenses 45 and disbursements of and incidental to the, obtaining of this Act and for making the surveys, plans and estimates connected with the works hereby authorized; and the remainder

of such money shall be applied to the making, equipment, completion and maintaining of the said line of railway and to the other purposes of this Act.

8. When and so soon as shares to the amount of \$5,000 First general meeting.
 5 of the capital stock of the Company shall have been sub-
 scribed 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
 10 the Company, the provisional directors, or a majority of them,
 present at a meeting duly convened for the purpose, shall call
 a general meeting of the shareholders who shall have so paid
 ten per centum upon the amounts subscribed by them, for the
 purpose of electing directors of the Company.

15 9. In case the provisional directors neglect to call a When sub-
 scribers may
 call first
 meeting.
 meeting for the space of three months after \$5,000 of the
 capital stock shall have been subscribed, and ten per centum
 thereof so paid up, the same may be called by any five of the
 subscribers who shall have so paid up ten per centum and
 20 who are subscribers collectively for not less than \$500 of
 the capital stock and who have paid up all calls thereon.

10. In either of the cases last mentioned, notice of the Notice of
 meeting.
 time and place of holding such general meeting shall be given
 by publication in at least one newspaper in the said City of
 25 Belleville, once in each week for the space of at least one
 month and in *The Ontario Gazette*; and such meeting shall be
 held in the said City of Belleville, at such place therein and
 on such day and at such hours as may be named and set forth
 in such notice.

30 11. At such general meeting the shareholders present Election of
 directors.
 either in person or by proxy, who shall at the opening of
 such meeting have paid up ten per centum on the stock sub-
 scribed by them, shall choose not less than three nor more
 than five persons to be directors of the Company in manner
 35 and qualified as hereinafter mentioned who shall constitute a
 board of directors and shall hold office until the next annual
 general meeting; and may pass such rules, regulations and
 by-laws as may be deemed expedient, provided they be not
 inconsistent with this Act and *The Railway Act of Ontario*. Rev. Stat.
 c. 207.

40 12. No person shall be qualified to be a director unless he Qualification
 of directors.
 be a shareholder holding at least ten shares of the stock in
 the Company, and unless he has paid up all calls thereon.

13. Aliens as well as British subjects, and, whether resi- Rights of
 aliens.
 dents within this Province or elsewhere, may be shareholders
 45 in the Company; and all such shareholders shall be entitled
 to vote on their shares equally with British subjects and shall
 also be eligible to hold office as directors in the Company.

Sub-sequent
annual
meetings.

14. The annual general meetings of the Company shall be held at such place in the City of Belleville 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 thirty days previously in *The Ontario Gazette*, and once in each week during the four weeks preceding the week in which such meeting is to be held in at least one newspaper published in the City of Belleville. 5

Special
general
meetings.

15. Special general meetings of the shareholders of the Company may be held at such places in the said City of Belleville as may be provided by the by-laws of the Company upon such notice as is provided in the last preceding section. 10

Number of
votes.

16. Every shareholder of one or more shares of the said capital stock shall at any general meeting of the shareholders be entitled to one vote for every share so held. 15

Representa-
tives of muni-
cipalities, etc.
at meetings.

17. At all meetings of the shareholders of the Company the stock held by such corporations as may be legally entitled to invest in the stock of the Company may be represented by such persons as they shall respectively have appointed in that behalf by resolution under the seal of the corporation; and such persons shall at such meetings be entitled equally with other shareholders to vote by proxy; and no shareholder shall be entitled to vote on any matter whatever unless all calls due on the stock held by such shareholder shall have been paid up at least one week before the day appointed for such meeting. 20 25

Power of
directors in
session.

18. Any meeting of the provisional or elected directors of the Company regularly summoned, at which at least a majority are present, shall be competent and entitled to exercise and use all and every of the powers hereby vested in the said directors, and the said board may employ and pay one of their number as managing director. 30

Calls

19. Calls on the subscribed capital of the Company may be made by the directors for the time being as they shall see fit, provided that no calls shall be made at any one time for more than ten per centum of the amount subscribed by each subscriber, and at no less intervals than one month, and notice of such call shall be given as provided in section 14 of this Act. 35

Transfer of
shares.

20. 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. 40 45

21. The directors of the Company shall have power to issue bonds of the Company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all the sum of \$10,000 for each mile of the said railway, and the provisions of sub-sections 19, 20, 21, 22 and 23 of section 9 of *The Railway Act of Ontario* shall apply to all such bonds and the issue thereof, and such bonds shall be issued subject and according to and in conformity with the provisions of the said sub-sections.

Bonding powers.

Rev. Stat. c. 207.

22. The Company may from time to time, for advances of money to be made thereon, mortgage or pledge any bonds which they may be enabled under the powers of this Act to issue for the construction of the said railway.

Mortgaging or pledging bonds.

23. 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 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 be used exclusively for the purposes of the business of the Company.

Telegraph and telephone lines.

24. 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 conveyances 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.

Form of conveyance of land to company.

25. It shall and may be lawful for any municipality through which the said line of railway passes and having jurisdiction in the premises, to pass a by-law or by-laws empowering the Company to make their road and lay their rails along any of the highways within such municipality and whether or not the same be in the possession of or under the control of any joint stock company; and if such highways be in the possession of or under the control of any joint stock company, then also with the assent of such company and under and subject

Constructing line on highways.

to any agreement or agreements hereafter to be made between any such municipality and the Company ; and it shall and may be lawful for the Company to enter into and perform any such agreements as they may from time to time deem expedient, and with any municipality, corporation or person for the construction and for the maintenance and repair of gravel and other public roads leading to the said line of railway. 5

Contracts
for construction
or
equipment.

26. It shall be lawful for the directors of the Company to enter into a contract or contracts with any individual or association of individuals for the construction or equipment of the said line of railway or any portion thereof, including or excluding the purchase of the right of way and to 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 until approved of by two-thirds of the shareholders present in person or by proxy at a meeting specially convened for considering the same. 10 15

Agreements
with other
companies.

27. It shall be lawful for the directors of the Company to enter into an agreement with any company or companies (if lawfully authorized to enter into such an agreement), person or persons, for the leasing, hiring or use of any locomotives, carriages, rolling stock or any other movable property from such companies and persons for such time and times and on such terms as may be agreed on ; and also to enter into an agreement with any railway company or companies (if so lawfully authorized) for the use by one or more of such contracting companies of the locomotives, carriages, rolling stock and other moveable property of the other or others of them, on such terms as to compensation and otherwise as may be agreed upon. 20 25 30

Payments in
bonds or paid-
up stock.

28. The said provisional directors, or elected directors may pay or agree to pay, in paid up stock or in bonds of the, Company such sums as they deem expedient to engineers or contractors, or for the right of way or material, plant, rolling stock, and also, when sanctioned by a vote of the majority of the shareholders present at any general meeting, for the services of promoters or other persons who may be employed by the directors in the furtherance of the undertaking or purchase of the right of way, material, plant or rolling stock, whether such promoters or other persons be provisional or elected directors or not ; and any such agreements so made shall be binding on the Company. 35 40

Agreement
with Grand
Trunk and
Canadian Pa-
cific com-
panies.

29. The Company may enter into an arrangement with the Grand Trunk Railway Company of Canada and the Canadian Pacific Railway Company, if lawfully authorized to enter into such arrangements, for the leasing or working of the said line of railway, either wholly or partially, or for running powers over same on such terms and conditions as the directors of 45

the several contracting companies may agree on ; and generally may make any agreement or agreements with either or both of the said companies ; if so lawfully authorized, touching the use by one or the other or by both companies of the railway or 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, 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 or companies leasing or entering into such an agreement for using the said line of railway may, and are hereby authorized to work the said line of railway, and in the same manner as if incorporated with their own line ; but this section shall not be construed as purporting or intending to confer rights or powers upon any company which is not within the legislative authority of the Province of Ontario.

20 **30.** The several clauses of *The Railway Act of Ontario*, and of every Act in amendment thereof, shall be incorporated with, and be deemed to be part of this Act, and shall apply to the Company and to the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof ; and the expression " this Act " when used herein shall be understood to include the clauses of the said Railway Act, and of every Act in amendment thereof so incorporated with this Act. Application of
Rev. Stat.
c. 207.

30 **31.** The railway shall be commenced within one year, and finally completed within two years after the passing of this Act Commence-
ment and
completion.

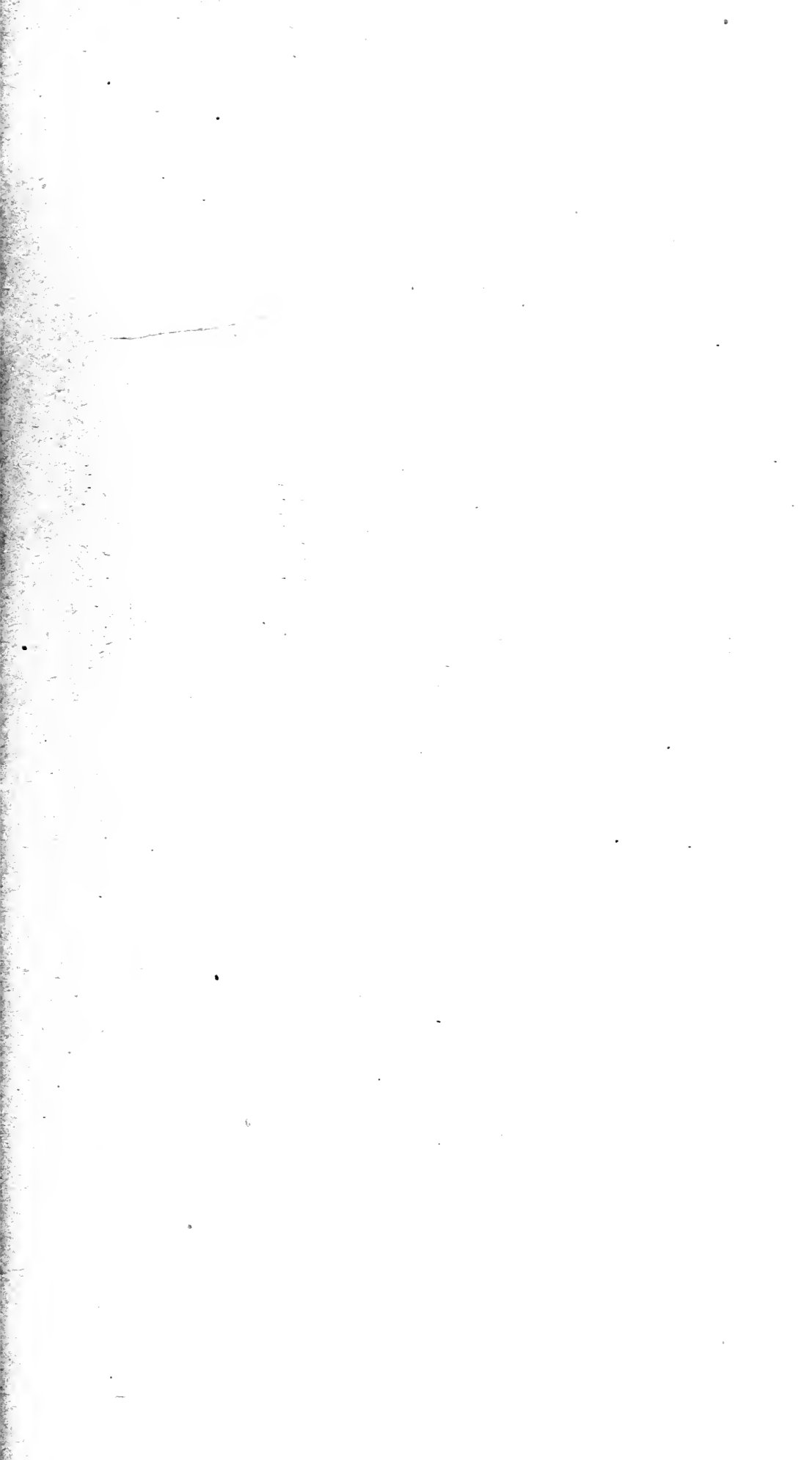
SCHEDULE A.

(Section 24.)

Know all men by these presents that
in consideration of dollars paid to
 by the Point Ann Railway Company, the receipt
whereof is hereby acknowledged, do grant and convey unto the said
company, and
in consideration of dollars paid to by the
said company, the receipt whereof is hereby acknowledged, do grant and
release all those certain parcels of land (description) the same having
been selected and laid out by the said company for the purposes of their
line of railway to hold with the appurtenances unto the said the Point
Ann Railway Company, their successors and assigns; and
 the wife of the said do hereby bar my
dower in the said lands.

As witness our hands and seals this day of
A. D. 1903.

Signed, sealed and delivered }
in the presence of }



No. 18.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act to incorporate the Point Ann Railway Company.

First Reading. , 1903.

(Private Bill.)

Mr. RUSSELL.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act to incorporate The Belleville and Point
Ann Railway Company.

WHEREAS, The Belleville Portland Cement Company, Preamble
Limited, have by their petition prayed that Alfred A. Ansley, wholesale merchant; William Pinkerton, barrister-at-law, both of the City of Toronto, in the County of York; John McGowan, of the Town of Elora, in the County of Wellington, member of Parliament; Thomas Samuel Carman, Esquire; Uriah E. Thompson, banker, and Joseph W. McNab, Secretary-Treasurer of The Belleville Portland Cement Company, Limited, all of the City of Belleville, in the County of Hastings, be incorporated under the name of "The *Belleville and Point Ann Railway Company*," for the purpose of constructing, maintaining and operating a steam railway from a point on the Grand Trunk Railway line, in the Township of Thurlow; thence through a portion of the said Township to the shore of the Bay of Quinte, at a point known as Point Ann, all within the County of Hastings, and the said Company have prayed that an Act may be passed for that purpose; 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 Alfred A. Ansley, William Pinkerton, Thomas Samuel Carman, Uriah E. Thompson, John McGowan and Joseph W. McNab, together with such other persons as shall in pursuance of this Act, become shareholders in the Company hereby incorporated, are hereby constituted and declared to be a body corporate and politic by the name of "The *Belleville and Point Ann Railway Company*," hereinafter called "the Company." Incorporation.

2. The Company is hereby authorized and empowered to survey, lay out, construct, complete, and operate a steam railway, from a point on the Grand Trunk Railway line, in the Township of Thurlow; thence through a portion of the said Township to the shore of the Bay of Quinte, at a point known as Point Ann, all within the County of Hastings. Location of line.

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

Provisional directors. 4. From and after the passing of this Act the said Alfred A. Ansley, William Pinkerton, Thomas Samuel Carman, Uriah E. Thompson, John McGowan and Joseph W. McNab, with power to add to their number, shall be and are hereby constituted a Board of Provisional Directors of the Company, and shall hold office as such until the first election of directors under this Act.

Powers of provisional directors. 5. The said Board of Provisional Directors shall have power forthwith to open stock books and procure subscriptions of stock for the undertaking, and to allot the stock and receive payment on account of stock subscribed, and to make calls upon subscribers in respect of their stock, and to sue for and recover the same; and to cause plans and surveys to be made, and 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 hereby incorporated from proceeding with and completing their undertaking under the provisions of this Act. If at any time a portion or more than the whole of the stock has 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 line of railway; and all meetings of the provisional board of directors shall be held at the City of Belleville, or at such other place as may best suit the interests of the said Company.

Rev. stat., c. 207.

Subscriptions for stock when binding. 6. No subscriptions for stock in the capital of the Company shall be binding on the said Company unless it shall be approved by resolution of the directors, nor unless ten per centum of the amount subscribed has been actually paid thereon within one month after subscription.

Capital stock. 7. The capital stock of the Company shall be \$50,000, with power to increase the same in the manner provided by *The Railway Act of Ontario*, to be divided into 500 shares of \$100 each, and shall be raised by the persons who may become shareholders in the company; and the money so raised shall be applied in the first place to the payment of all fees, expenses and disbursements of and incidental to the obtaining of this Act and for making the surveys, plans and estimates connected with the works hereby authorized; and the remainder

Rev. Stat., c. 207.

of such money shall be applied to the making, equipment, completion and maintaining of the said line of railway and to the other purposes of this Act.

8. When and so soon as shares to the amount of \$5,000 of 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 convened for the purpose, shall call a general meeting of the shareholders who shall have so paid ten per centum upon the amounts subscribed by them, for the purpose of electing directors of the Company. First general meeting.

9. In case the provisional directors neglect to call a meeting for the space of three months after \$5,000 of the capital stock shall have been subscribed, and ten per centum thereof so paid up, the same may be called by any five of the subscribers who shall have so paid up ten per centum and who are subscribers collectively for not less than \$500 of the capital stock and who have paid up all calls thereon. When subscribers may call first meeting.

10. In either of the cases last mentioned, notice of the time and place of holding such general meeting shall be given by publication in at least one newspaper in the said City of Belleville, once in each week for the space of at least one month and in *The Ontario Gazette*; and such meeting shall be held in the said City of Belleville, at such place therein and on such days and at such hours as may be named and set forth in such notice. Notice of 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 them, shall choose not less than three nor more than five persons to be directors of the Company in manner and qualified as hereinafter mentioned who shall constitute a board of directors and shall hold office until the next annual general meeting; and may pass such rules, regulations and by-laws as may be deemed expedient, provided they be not inconsistent with this Act and *The Railway Act of Ontario*. Election of directors. Rev. Stat. c. 207.

12. No person shall be qualified to be a director unless he be a shareholder holding at least ten shares of stock in the Company, and unless he has paid up all calls thereon. Qualification of directors.

13. Aliens as well as British subjects, and, whether resident within this Province or elsewhere, may be shareholders in the Company; and all such shareholders shall be entitled to vote on their shares equally with British subjects and shall also be eligible to hold office as directors in the Company. Rights of aliens

Subsequent
annual
meetings.

14. The annual general meetings of the Company shall be held at such place in the *said* City of Belleville 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 thirty days previously in *The Ontario Gazette*, and once in each week during the four weeks preceding the week in which such meeting is to be held in at least one newspaper published in the *said* City of Belleville.

Special
general
meetings.

15. Special general meetings of the shareholders of the Company may be held at such places in the *said* City of Belleville *and at such times 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.

Number of
votes.

16. Every shareholder of one or more shares of the *said* capital stock shall at any general meeting of the shareholders be entitled to one vote for every share so held.

Representa-
tives of muni-
cipalities, etc.
at meetings.

17. At all meetings of the shareholders of the Company the stock held by such corporations as may be legally entitled to invest in the stock of the Company may be represented by such persons as they shall respectively have appointed in that behalf by resolution under the seal of the corporation; and such persons shall at such meetings be entitled equally with other shareholders to vote by proxy; and no shareholder shall be entitled to vote on any matter whatever unless all calls due on the stock held by such shareholder shall have been paid up at least one week before the day appointed for such meeting.

Power of
directors in
session.

18. Any meeting of the provisional or elected directors of the Company regularly summoned, at which at least a majority are present, shall be competent and entitled to exercise and use all and every of the powers hereby vested in the *said* directors, and the *said* board may employ and pay one of their number as managing director.

Calls.

19. Calls on the subscribed capital of the Company may be made by the directors for the time being as they shall see fit, provided that no calls shall be made at any one time for more than ten per centum of the amount subscribed by each subscriber, and at no less intervals than one month, and notice of each call shall be given as provided in section 14 of this Act.

Transfer of
shares.

20. 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.

21. The directors of the Company shall have power to issue bonds of the Company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all the sum of \$10,000 for each mile of the said railway, and the provisions of sub-sections 19, 20, 21, 22 and 23 of section 9 of *The Railway Act of Ontario* shall apply to all such bonds and the issue thereof, and such bonds shall be issued subject and according to and in conformity with the provisions of the said sub-sections.

Bonding
powers

Rev. Stat
c. 207.

22. The Company may from time to time, for advances of money to be made thereon, mortgage or pledge any bonds which they may be enabled under the powers of this Act to issue for the construction of the said railway.

Mortgaging or
pledging
bonds.

23. 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 be used exclusively for the purposes of the business of the Company.

Telegraph and
telephone
lines.

24. 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.

Form of con-
veyance of
land to
com any.

25. Any municipality through which the said railway passes, and having jurisdiction in the premises may, subject to the provisions and conditions contained in this Act, *The Municipal Act* and any Act or Acts amending the same, and subject also to the terms of, and, unless restricted by any agreement lawfully entered into between any such municipality and any other railway or street railway company, pass a by-law or by-laws empowering the said company to make their road and lay their rails along any of the highways with-

Construct-
ing line on
highways.

in such municipality, including any road in the possession or under the control of any road company, and if such highways be in the possession of or under the control of any road company, then also with the consent of and subject to the conditions imposed by such road company, and under and subject to any agreement or agreements hereafter to be made between any such municipality and the said company, and it shall and may be lawful for the said company to enter into and perform any such agreements as they may from time to time deem expedient with any municipality, corporation or person for the construction or for the maintenance and repair of gravel or other public roads leading to or used by the said railway.

22. Directors empowered to pay in cash.

26. The directors may enter into a contract or contracts with any individual, corporation or association of individuals for the construction or equipment of the railway or any part thereof, including or excluding the purchase of right of way and may pay therefor either in whole or in part, either in cash or bonds, or in paid up stock and may pay or agree to pay in paid up stock or in bonds of the said company such sums as they may deem expedient to engineers or for the right of way or material, plant or rolling stock and also for the services of the promoters, or other persons who may be employed by the directors for the purpose of assisting the directors and 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, provided that no such contract shall be of any force or validity unless first authorized by resolution passed by the votes of the shareholders in person or by proxy, representing two-thirds in value of the whole amount paid up of the total capital stock of the company then issued and outstanding at a general meeting of the shareholders specially called for the purpose of considering such matters, and the stock so acquired by any person shall for all purposes be deemed to be paid up in cash.

Agreements with other companies.

27. It shall be lawful for the directors of the Company to enter into an agreement with any company or companies (if lawfully authorized to enter into such an agreement), person or persons, for the leasing, hiring or use of any locomotives, carriages, rolling stock or any other movable property from such companies and persons for such time and times and on such terms as may be agreed on; and also to enter into an agreement with any railway company or companies (if so lawfully authorized) for the use by one or more of such contracting companies of the locomotives, carriages, rolling stock and other moveable property of the other or others of them, on such terms as to compensation and otherwise as may be agreed upon.

28. The Company may enter into an arrangement with the Grand Trunk Railway Company of Canada and the Canadian Pacific Railway Company, if lawfully authorized to enter into such arrangements, for the leasing or working of the said line of railway, either wholly or partially, or for running powers over *the* same on such terms and conditions as the directors of the several contracting companies may agree on; and generally may make any agreement or agreements with either or both of the said companies: if so lawfully authorized, touching the use by one or the other or by both companies of the railway or 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, 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 or companies leasing or entering into such an agreement for using the said line of railway may, and are hereby authorized to work the said line of railway, and in the same manner as if incorporated with their own line; but this section shall not be construed as purporting or intending to confer rights or powers upon any company which is not within the legislative authority of the Province of Ontario.

Agreement with Grand Trunk and Canadian Pacific companies.

29. The authority and power conferred upon the company by this Act to enter into agreements with any other railway company for connections, running arrangements, lease, or hiring the said railway shall be subject to such terms, conditions and regulations as may be provided and enacted by any general or special Act or Acts which may at the time such agreement is entered into be in force and to such terms, conditions and regulations general or special as the Lieutenant-Governor in Council or any Special Committee of the Executive Council of Ontario appointed for that purpose may from time to time order.

Power as to agreements with other companies to be subject to regulations.

30. The several clauses of *The Railway Act of Ontario*, and of every Act in amendment thereof, shall be incorporated with, and be deemed to be part of this Act, and shall apply to the Company and to the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof; and the expression "this Act" when used herein shall be understood to include the clauses of the said Railway Act, and of every Act in amendment thereof so incorporated with this Act.

Application of Rev. Stat. c. 207.


31. The railway shall be commenced within one year, and finally completed within two years after the passing of this Act.

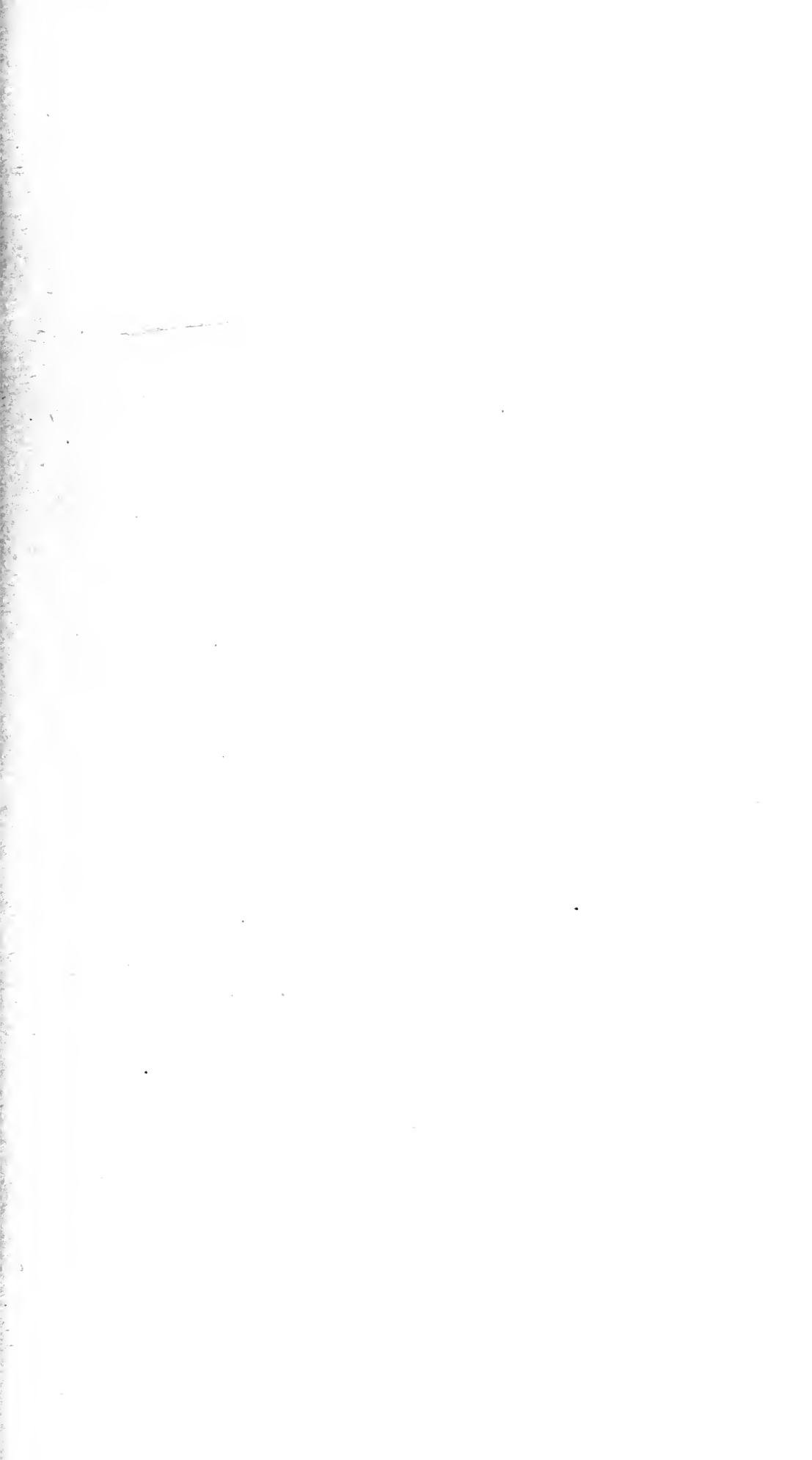
Commencement and completion.

SCHEDULE A.

Know all men by these presents that I (or we) (*insert the name or names of the vendor or vendors*) in consideration of _____ dollars paid to me (or us) by The Belleville and Point Ann 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 maybe*) 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 Belleville and Point Ann Railway Company, their successors and assigns (*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 



No. 18.

1st Session, 10th Legislature,
3 Edward VII., 1903;

BILL.

An Act to incorporate The Belleville and
Point Ann Railway Company.

First Reading, 30th April, 1903.

(Reprinted as amended by Railway Com-
mittee.)

(Private Bill.)

Mr. RUSSELL.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting St. James' Cathedral Toronto.

WHEREAS the Rector and Churchwardens of St. James' Cathedral Toronto (hereinafter called the Corporation) have by their petition represented that it is desirable to amend the descriptions of certain lands described in statutes relating to the Corporation and to declare the same and other lands to be vested in the Corporation and to give the Corporation increased powers of obtaining, improving, mortgaging and disposing of lands and of investing their funds and to define the status of certain members of the Corporation and to declare the powers of the Corporation to regulate their cemetery and burial grounds and to enable the Corporation to erect and operate a crematorium; 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 lands described in Schedules A, B, C and D, to this Act are declared to be vested in fee simple in the Rector and Churchwardens of St. James' Cathedral Toronto and their successors as a Corporation subject nevertheless to all incumbrances now existing thereon respectively. Lands vested in Corporation by descriptions in schedules.
2. The lands described in Schedules E and F to this Act are declared to be vested in fee simple in the Rector and Churchwardens of St. James' Cathedral Toronto and their successors as a Corporation upon such and the same trusts as the lands are now held upon respectively or such of the said trusts as are now capable of taking effect, but subject nevertheless to all incumbrances now existing thereon respectively. Lands vested in corporation by descriptions in schedules upon certain trusts.
3. All the assets, interests, rights, franchises, credits, effects and property real and personal of whatsoever kind belonging to St. James' Church Toronto are hereby transferred to and vested in the Corporation their successors and assigns subject as aforesaid. Assets and property vested in Corporation.
4. The Corporation are hereby declared to have and to have had the power to make by-laws, rules and regulations for the proper care, improvement and management of St. James' Cemetery. Regulation of St. James' cemetery.

tery and any burial grounds of the Corporation and any parts thereof and to enforce the observance of such by-laws, rules and regulations within the limits of the said cemetery and burial grounds and any parts thereof.

- Power to erect buildings etc. on lands of Corporation.** **5.** The Corporation shall have power and they are hereby authorized with the approval of the vestry to erect buildings and to improve, alter and re build any buildings now erected or which may hereafter be erected on any lands owned by the Corporation, and, for such purposes, to use any moneys which now are or hereafter may be held by them. 5 10
- Power to lease sell or mortgage lands.** **6.** The Corporation shall be entitled to lease or sell and convey or agree to lease or sell and convey and, with the approval of the vestry, to mortgage all or any part of the lands owned by the Corporation save and except those certain lands described in Schedules E and F hereto respectively. 15
- Investment of funds.** **7.** The Corporation are hereby authorized to invest funds held by them in the purchase of any lands required by them for a cemetery or burial purposes, and in any stocks, funds or securities authorized by any statute in force in the Province of Ontario respecting the investment of trust funds, or in any stocks, shares or securities of the Government of Great Britain or of any British Colony or Dependency, or in or upon the stocks, shares or other securities of any chartered bank, municipal corporation, loan company or other incorporated company or corporation or public body whether in Canada or elsewhere. Provided that none of the said funds shall be invested nor shall any of the investments when made be sold disposed of or varied without the consent of the vestry or of a committee to be appointed by the vestry for that purpose. 25
- Members of vestry.** **8.** All persons who may from time to time rent or hold pews or sittings in pews in St. James' Cathedral, whether they rent or hold the same from pew-owners or from the Churchwardens and who hold certificates from the Churchwardens that they are such tenants or holders and that they have been members of the congregation of St. James' Cathedral for a period of at least six months immediately preceding the date of such certificate, are hereby declared to be members of the Vestry of St. James' Cathedral at the date of such certificate and to so continue as long as they remain members of the said congregation and such tenants or holders, and are not in arrear for rent in respect of such tenancy. 30 35 40
- Erection of crematory in cemetery.** **9.** The Corporation is hereby empowered with the approval of the Vestry to erect on their lands for the purpose of cremation or incineration a building or buildings, and to provide the same with such fixtures, appliances and facilities as may be deemed necessary in order that such cremation or incineration may be carried on in accordance with accepted scientific 45

principles, and shall have power to operate any crematorium or any building or buildings in connection therewith upon the said lands, and with the approval of the Vestry may use, in so erecting, furnishing and operating such building, buildings or crematorium, any funds held by them.

10. The Corporation shall have power from time to time to frame by-laws, rules and regulations for the reception, burial cremation or incineration of the bodies of deceased persons for the deposit of ashes remaining therefrom in a suitable Columbarium or for otherwise disposing of the same in accordance with the wishes of the deceased or their representatives of the deceased or the person from whom the body is received, and for the fees and rates to be charged, provided always that no body shall be cremated unless a medical certificate similar to that now required for burial has been produced, nor within forty-eight hours after decease unless under an order or permit from a duly constituted Board of Health or unless death has been occasioned by infectious or contagious disease and a certificate of a duly qualified medical practitioner or permit to that effect is presented to the Corporation or to the officer appointed by them for such purpose, and provided also that the Corporation shall not by cremation or incineration dispose of the bodies of persons who have died a sudden or violent death, without permission from a Coroner of the district in which such persons die.

Regulation of cremation and burial of ashes.

11. The Corporation shall have the right to refuse to cremate in any case without assigning reasons.

Right to refuse cremation

12. Any devise, bequest, deed, conveyance or transfer of real or personal property that may be made to or for the use and benefit of the said St. James' Cathedral or to the Corporation or to the Rectors or to the Churchwardens or otherwise howsoever, for the use and benefit of the said St. James' Cathedral, shall be valid and effectual, and the property so devised, bequeathed, conveyed or transferred shall vest in the Corporation which is hereby empowered to take and hold the same upon and for the uses and purposes in such devise, bequest, deed, conveyance or transfer declared, mentioned or set forth, any law, usage or custom to the contrary notwithstanding.

Devises and gifts, conveyances, etc., when to be valid.

13. Nothing herein contained shall alter, diminish or injuriously effect the rights, remedies, or securities of holders of any debentures or other securities heretofore issued by the Corporation or the Churchwardens of St. James' Cathedral, Toronto, or the Corporation or the Churchwardens of St. James' Church, Toronto, or the rights, or remedies of any creditor of St. James' Church, Toronto, or of St. James' Cathedral, Toronto, but all such rights, remedies and securities shall continue, and have the same force and effect as if this Act had not been passed.

Rights of debenture-holders, etc., preserved.

SCHEDULE A.

All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Toronto and Township of York, containing by admeasurement sixty-five acres of land be the same more or less, being composed of parts of park lots, numbers one and two, lying and being on the west side of the River Don and butted and bounded as follows : Commencing where a post has been planted on the limit between lots numbers two and three, at a distance of seventy-five chains ninety-three links, more or less, from the front of the first concession on a course north sixteen degrees west ; thence north seventy-four degrees east thirty chains fifteen links, more or less, into the mill dam ; thence north sixteen degrees east two chains, more or less, to where a post has been planted ; thence north seventy-four degrees east eight chains thirty-eight links, more or less, to the River Don ; thence in a northerly direction following the windings of the river to within eleven chains of the south side of the allowances for road on the front of the second concession, and to the eastern boundary of land belonging to Francis Melville Cayley, Esquire ; thence south seventy-four degrees west thirty chains, more or less, to where a post has been planted marked C, one number ; thence south sixteen degrees east, thirteen chains thirty one links, more or less, to the place of commencement, being the parcel of land referred to and described in Schedule A to 29 and 30 Vic., chap. 151, saving and excepting thereout those parcels of lands comprised in two certain conveyances from the corporation respectively, registered in the Registry Office for the Eastern Division of the City of Toronto, on the 3rd day of February, 1892, as No. 7667 N, and on the 2nd day of January, 1895, as No. 3670 T.

SCHEDULE B.

All that parcel or tract of land and premises being part of Park lot No. one, with part of what is sometimes known as township lot No. 16 in the City of Toronto, more particularly described as follows, commencing at the intersection of the westerly limit of Sumach street, with the northerly limit of Amelia street, thence north, 16 degrees west along the westerly limit of Sumach street and production 594 feet to the southerly fence of the original 65 acres of St. James' cemetery, thence north 74 degrees east along last mentioned limit 495 feet, more or less, to a point near the centre of a former mill dam, thence north 16 degrees west 132 feet, thence north 74 degrees east 581 feet to the west bank of the River Don, thence southerly along the west bank of River Don and the west limit of the Don Mills Road to the northerly limit of the Necropolis, thence north 54 degrees 30 minutes west along the northerly limit of the Necropolis 245 feet, thence north 47 degrees 30 minutes west 156 feet, thence north 63 degrees 30 minutes west 141 feet and 9 inches, thence south 62 degrees 30 minutes west 343 feet, thence south 74 degrees west 205 feet, thence south 74 degrees west 185 feet and 8 inches to the north west angle of Lamb's land, thence south 16 degrees east along Lamb's land 167 feet to the north limit of Amelia street, thence westerly along said limit of Amelia street 264 feet to the point of commencement, being the two parcels referred to in Schedules E and F to 52 Vict. (Ont.) Cap. 95 subject nevertheless to conveyances leases encumbrances and agreements hitherto made or created by the corporation and to all rights of the City of Toronto to or over any streets or lanes forming part of the said land.

SCHEDULE C.

All that parcel or tract of land and premises being part of Park lot No. 2 in the City of Toronto more particularly described as follows, commencing at the intersection of northerly limit of Wellesley street with the

easterly limit of Parliament street, thence easterly along the northerly limit of Wellesley street 140 feet, thence northerly parallel with Parliament street along the existing limits 266 feet and 8 inches to fence line, thence south 74 degrees west along last mentioned line and face of buildings and production, in all, 140 feet, more or less, to Parliament street, thence southerly along the easterly limit of Parliament street 266 feet, more or less, to the point of commencement.

SCHEDULE D.

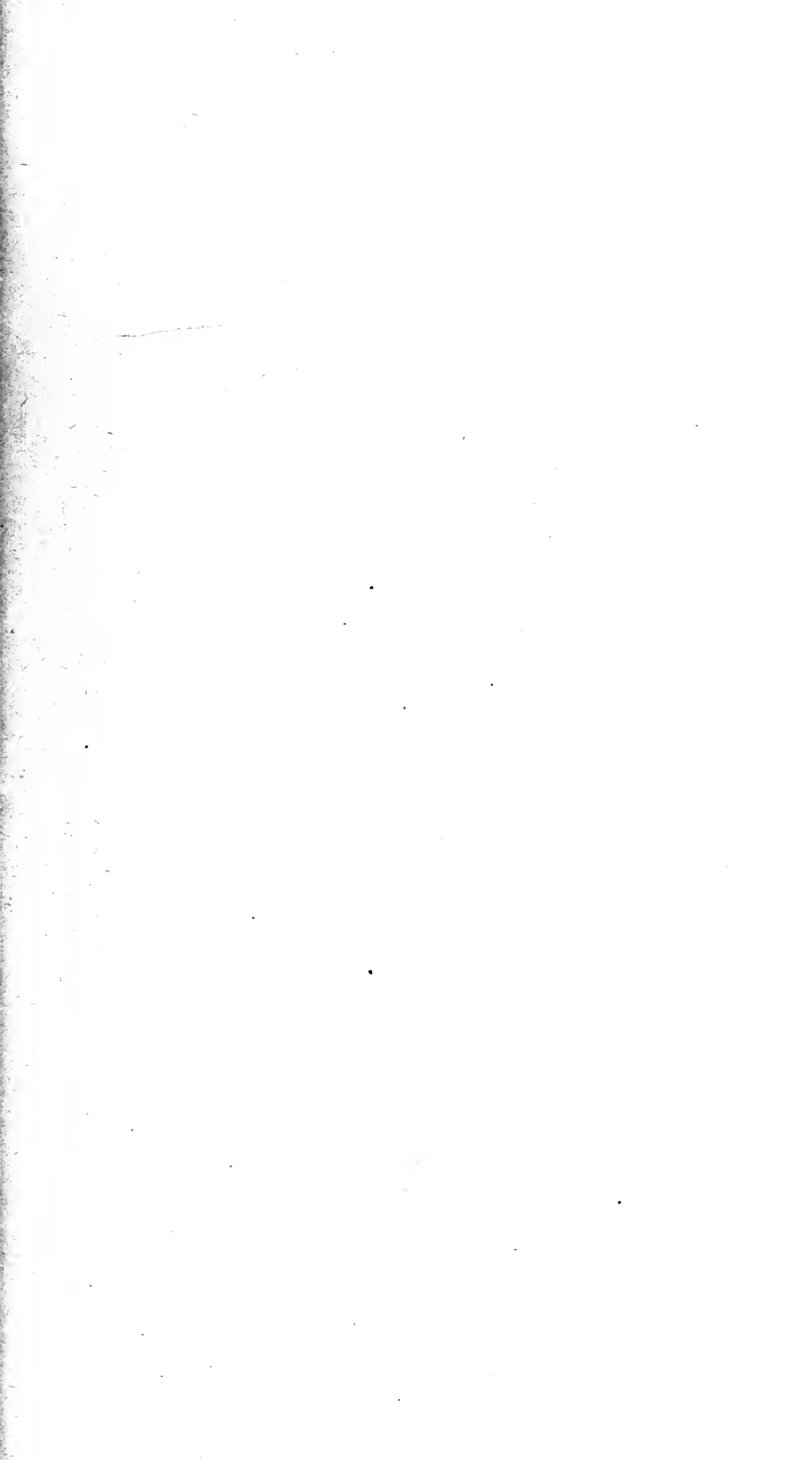
All that block of land situate in the City of Toronto, bounded on the west by Parliament street, on the south by Sydenham street, on the east by Sackville street, and on the north by Wilton avenue excepting therefrom Regent street and St. David street, the said premises being otherwise known as the premises shewn on a plan of building lots registered in the Registry office for the eastern division of the City of Toronto, and designated in said office as plan D 100, the said premises being also otherwise described by metes and bounds in Schedule A to 52 Vict. (Ont.) Cap. 95.

SCHEDULE E.

All that parcel or tract of land and premises being part of a 4 acre block of land granted by the crown to St. James' Cathedral, September 4th, 1820, in the Town of York, now in the City of Toronto more particularly described as follows—Commencing at a point in the southerly limit of Adelaide street distant 257 feet easterly from the easterly limit of Church street, which point is at present defined by the intersection of a fence line, thence easterly along the southerly limit of Adelaide street. 103 feet and 10 inches to the intersection of the production of west face of house No. 141, thence south 16 degrees 35 minutes east along said production and face of house and premises in rear, in all 178 feet and 9 inches to a fence line, thence south 73 degrees west along said fence line 102 feet to fence line on the easterly limit of cathedral grounds, thence north 17 degrees 11 minutes west along last mentioned fence line 181 feet to the point of commencement.

SCHEDULE F.

All that parcel or tract of land and premises, being part of a 4 acre block granted to St. James' Cathedral by the crown on September 4th, 1820, in the Town of York, now in the City of Toronto, more particularly described as follows—Commencing at the intersection of the northerly limit of King street with the easterly limit of Church Street, thence northerly along the easterly limit of Church street 414 feet and 6 inches to the intersection of the southerly limit of Adelaide street, thence easterly along the southerly limit of Adelaide street 257 feet to the intersection of a fence line, thence south 17 degrees 11 minutes east along said fence line 209 feet and 5 inches to a point distant 260 feet and 8 inches easterly from Church street, thence easterly parallel with King Street 2 feet to the westerly face of House No. 118, thence southerly along said face of house 207 feet and 3 inches to the northerly limit of King street and thence westerly along the northerly limit of King street 254 feet and 2 inches more or less to the point of commencement.



1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting St. James' Cathedral,
Toronto.

First Reading,	1903.
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(Private Bill.)

Mr. PYNE.

TORONTO:

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

An Act respecting St. James' Cathedral Toronto.

WHEREAS the Rector and Churchwardens of St James' Cathedral, Toronto, (hereinafter called the Corporation) have by petition represented that some of the lands described in the Schedules to this Act are vested in the Rector and Churchwardens of St. James' Church, Toronto, and that certain lands described in the said Schedules are vested in the Rector and Churchwardens of St. James' Cathedral, Toronto, and that other lands described in some of the said Schedules are vested in the Rector of St. James' Church, Toronto, as a Corporation sole, and that it is desirable that all the said lands should be vested in the Rector and Churchwardens of St. James' Cathedral, Toronto; and that it is desirable to amend the descriptions of certain of the lands in the said Schedules which were mis-described in former statutes relating thereto; and that it is desirable to give the Corporation increased powers of obtaining, improving, mortgaging and disposing of lands and of investing their funds, and to define the status of certain members of the Corporation, and to declare the powers of the Corporation to regulate their cemetery and burial grounds; and to enable the Corporation to erect and operate a crematorium; 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 lands described in Schedules A, B, C and D, to this Act are hereby vested in the Rector and Churchwardens of St. James' Cathedral Toronto and their successors as a Corporation for all the estate and interest in the said lands which the Rector and Churchwardens of St. James' Church, Toronto, or the Rector and Churchwardens of St. James' Cathedral, Toronto, now have in said lands, subject nevertheless to all incumbrances now existing thereon respectively.

Lands vested in Corporation by descriptions in schedules.

2. The lands described in Schedules E and F to this Act are declared to be vested in the Rector and Churchwardens of St. James' Cathedral, Toronto, and their successors as a Corporation for all the estate and interest in the said lands which the Rector of St. James' Church, Toronto, as a Corpor-

Lands vested in corporation by descriptions in schedules upon certain trusts.

ation sole, now has in the said lands, upon such and the same trusts as the said lands are now held upon respectively, or such of the said trusts as are now capable of taking effect, subject to all incumbrances (if any) now existing thereon respectively.

Assets and property vested in Corporation.

3. All the assets, interests, rights, franchises, credits, effects and property real and personal of whatsoever kind belonging to St. James' Church, Toronto, are hereby transferred to and vested in the Corporation their successors and assigns subject as aforesaid.

Regulation of St. James' cemetery.

4. The Corporation *is* hereby declared to have and to have had the power to make by-laws, rules and regulations for the proper care, improvement and management of St James' Cemetery and any burial grounds of the Corporation and any parts thereof and to enforce the observance of such by-laws, rules and regulations within the limits of the said cemetery and burial grounds and any parts thereof.

Power to erect buildings etc on lands of Corporation.

5. The Corporation shall have power and *is* hereby authorized with the approval of the vestry to erect buildings and to improve, alter and re-build any buildings now erected or which may hereafter be erected on any lands owned by the Corporation, and, for such purposes, to use any moneys which now are or hereafter may be held by them.

Power to lease sell or mortgage lands.

6. The Corporation shall be entitled to lease or sell and convey or agree to lease or sell and convey and, with the approval of the vestry, to mortgage all or any part of the lands owned by the Corporation save and except those certain lands described in Schedules E and F hereto respectively.

Investment of funds.

7. The Corporation *is* hereby authorized to invest funds held by *it* in the purchase of any lands required by *it* for a cemetery or burial purposes, and in any stocks, funds or securities authorized by any statute in force in the Province of Ontario respecting the investment of trust funds, or in any stocks, shares or securities of the Government of Great Britain or of any British colony or dependency, or in or upon the stocks, shares or other securities of any chartered bank, municipal corporation, loan company or other incorporated company or corporation or public body whether in Canada or elsewhere. Provided that none of the said funds shall be invested nor shall any of the investments when made be sold, disposed of or varied without the consent of the vestry or of a committee to be appointed by the vestry for that purpose.

Members of vestry.

8. All persons who may from time to time rent or hold pews or sittings in pews in St. James' Cathedral, whether they rent or hold the same from pew-owners or from the churchwardens and who hold certificates from the churchwardens that they

are such tenants or holders and that they have been members of the congregation of St. James' Cathedral for a period of at least six months immediately preceding the date of such certificate, are hereby declared to be members of the vestry of St. James' Cathedral at the date of such certificate and to so continue as long as they remain members of the said congregation and such tenants or holders, and are not in arrear for rent in respect of such tenancy.

9. The Corporation is hereby empowered with the approval of the vestry to erect on their lands for the purpose of cremation or incineration a building or buildings, and to provide the same with such fixtures, appliances and facilities as may be deemed necessary in order that such cremation or incineration may be carried on in accordance with accepted scientific principles, and shall have power to operate any crematorium or any building or buildings in connection therewith upon the said lands, and with the approval of the vestry may use, in so erecting, furnishing and operating such building, buildings or crematorium, any funds held by them.

Erection of
crematory in
cemetery

10. The Corporation shall have power from time to time to frame by-laws, rules and regulations for the reception, burial, cremation or incineration of the bodies of deceased persons for the deposit of ashes remaining therefrom in a suitable columbarium or for otherwise disposing of the same in accordance with the wishes of the deceased or their representatives of the deceased or the person from whom the body is received, and for the fees and rates to be charged, provided always that no body shall be cremated unless a medical certificate similar to that now required for burial has been produced, nor within forty-eight hours after decease unless under an order or permit from a duly constituted board of health or unless death has been occasioned by infectious or contagious disease and a certificate of a duly qualified medical practitioner or permit to that effect is presented to the Corporation or to the officer appointed by them for such purpose, and provided also that the Corporation shall not by cremation or incineration dispose of the bodies of persons who have died a sudden or violent death, without permission from a coroner of the district in which such persons die.

Regulation of
cremation and
burial of ashes.

11. The Corporation shall have the right to refuse to cremate in any case without assigning reasons.

Right to re-
fuse cremation

12. Any devise, bequest, deed, conveyance or transfer of real or personal property that may be made to or for the use and benefit of the said St. James' Cathedral or to the Corporation or to the Rectors or to the Churchwardens or otherwise howsoever, for the use and benefit of the said St. James' Cathedral, shall be valid and effectual, and the property so devised, bequeath-

Devises and
gifts, convey-
ances, etc.,
when to be
valid.

ed, conveyed or transferred shall vest in the Corporation which is hereby empowered to take and hold the same upon and for the uses and purposes in such devise, bequest, deed, conveyance or transfer declared, mentioned or set forth, any law, usage or custom to the contrary notwithstanding: ⁴²⁷ but nothing herein contained shall be deemed to render valid any such devise, bequest, conveyance or transfer of real or personal property which under any general law or statute would otherwise be illegal or invalid. ⁴²⁸

Rights of
debenture-
holders, etc.,
preserve 1.

13. Nothing herein contained shall alter, diminish or injuriously affect the rights, remedies, or securities of holders of any debentures or other securities heretofore issued by the Corporation or the Churchwardens of St. James' Cathedral, Toronto, or the Corporation or the Churchwardens of St. James' Church, Toronto, or the rights, or remedies of any creditor of St. James' Church, Toronto, or of St. James' Cathedral, Toronto, but all such rights, remedies and securities shall continue, and have the same force and effect as if this Act had not been passed.

SCHEDULE A.

All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Toronto and Township of York, containing by admeasurement sixty-five acres of land be the same more or less, being composed of parts of park lots, numbers one and two, lying and being on the west side of the River Don and butted and bounded as follows: Commencing where a post has been planted on the limit between lots numbers two and three, at a distance of seventy-five chains ninety-three links, more or less, from the front of the first concession on a course north sixteen degrees west; thence north seventy-four degrees east thirty chains fifteen links, more or less, into the mill dam; thence north sixteen degrees east two chains, more or less, to where a post has been planted; thence north seventy-four degrees east eight chains thirty-eight links, more or less, to the River Don; thence in a northerly direction following the windings of the river to within eleven chains of the south side of the allowances for road on the front of the second concession, and to the eastern boundry of land belonging to Francis Melville Cayley, Esquire; thence south seventy-four degrees west thirty chains, more or less, to where a post has been planted marked C, one number; thence south sixteen degrees east, thirteen chains thirty one links, more or less, to the place of commencement, being the parcel of land referred to and described in Schedule A to 29 and 30 Vic., chap. 151, saving and excepting thereout those parcels of lands comprised in two certain conveyances from the corporation respectively, registered in the Registry Office for the Eastern Division of the City of Toronto, on the 3rd day of February, 1892, as No. 7567 N, and on the 2nd day of January, 1895, as No. 3670 T.

SCHEDULE B.

All that parcel or tract of land and premises being part of Park lot No. one, with part of what is sometimes known as township lot No. 16 in the City of Toronto, more particularly described as follows, commencing at the intersection of the westerly limit of Sumach street, with the northerly limit of Amelia street, thence north, 16 degrees west along the westerly limit of Sumach street and production 594 feet to the southerly fence of the original 65 acres of St. James' cemetery, thence north 74 degrees east along last mentioned limit 495 feet, more or less, to a point near the centre of a former mill dam, thence north 16 degrees west 132 feet, thence north 74 degrees east 581 feet to the west bank of the River Don, thence southerly along the west bank of River Don and the west limit of the Don Mills Road to the northerly limit of the Necropolis, thence north 54 degrees 30 minutes west along the northerly limit of the Necropolis 245 feet, thence north 47 degrees 30 minutes west 156 feet, thence north 63 degrees 30 minutes west 141 feet and 9 inches, thence south 62 degrees 30 minutes west 343 feet, thence south 74 degrees west 205 feet, thence south 74 degrees west 185 feet and 8 inches to the north west angle of Lamb's land, thence south 16 degrees east along Lamb's land 167 feet to the north limit of Amelia street, thence westerly along said limit of Amelia street 264 feet to the point of commencement, being the two parcels referred to in Schedules E and F to 52 Vict. (Ont.) Cap. 95 subject nevertheless to conveyances leases encumbrances and agreements hitherto made or created by the corporation and to all rights of the City of Toronto to or over any streets or lanes forming part of the said land.

SCHEDULE C.

All that parcel or tract of land and premises being part of Park lot No. 2 in the City of Toronto more particularly described as follows, commencing at the intersection of northerly limit of Wellesley street with the easterly limit of Parliament street, thence easterly along the northerly limit of Wellesley street 140 feet, thence northerly parallel with Parliament street along the existing limits 266 feet and 8 inches to fence line, thence south 74 degrees west along last mentioned line and face of buildings and production, in all, 140 feet, more or less, to Parliament street, thence southerly along the easterly limit of Parliament street 266 feet, more or less, to the point of commencement.

SCHEDULE D.

All that block of land situate in the City of Toronto, bounded on the west by Parliament street, on the south by Sydenham street, on the east by Sackville street, and on the north by Wilton avenue excepting therefrom Regent street and St. David street, the said premises being otherwise known as the premises shewn on a plan of building lots registered in the Registry office for the eastern division of the City of Toronto, and designated in said office as plan D 100, the said premises being also otherwise described by metes and bounds in Schedule A to 52 Vict. (Ont.) Cap. 95.

SCHEDULE E.

All that parcel or tract of land and premises being part of a 4 acre block of land granted by the crown to St. James' Cathedral, September 4th, 1820, in the Town of York, now in the City of Toronto more particularly described as follows—Commencing at a point in the southerly limit of Adelaide street distant 257 feet easterly from the easterly limit of Church street, which point is at present defined by the intersection of a fence line, thence easterly along the southerly limit of Adelaide street 103 feet and 10 inches to the intersection of the production of west face of house No. 141, thence south 16 degrees 35 minutes east along said production and face of house and premises in rear, in all 178 feet and 9 inches to a fence line, thence south 73 degrees west along said fence line 102 feet to fence line on the easterly limit of cathedral grounds, thence north 17 degrees 11 minutes west along last mentioned fence line 181 feet to the point of commencement.

SCHEDULE F.

All that parcel or tract of land and premises, being part of a 4 acre block granted to St. James' Cathedral by the crown on September 4th, 1820, in the Town of York, now in the City of Toronto, more particularly described as follows—Commencing at the intersection of the northerly limit of King street with the easterly limit of Church Street, thence northerly along the easterly limit of Church street 414 feet and 6 inches to the intersection of the southerly limit of Adelaide street, thence easterly along the southerly limit of Adelaide street 257 feet to the intersection of a fence line, thence south 17 degrees 11 minutes east along said fence line 209 feet and 5 inches to a point distant 260 feet and 8 inches easterly from Church street, thence easterly parallel with King Street 2 feet to the westerly face of House No. 118, thence southerly along said face of house 207 feet and 3 inches to the northerly limit of King street and thence westerly along the northerly limit of King street 254 feet and 2 inches more or less to the point of commencement.

1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act respecting St. James' Cathedral,
Toronto.

First Reading, 24th April, 1903.

(Reprinted as amended by Private Bill
Committee.)

Mr. PYNE.

TORONTO:

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

An Act respecting the Town of Peterborough.

- W**HEREAS the Corporation of the Town of Peterborough Preamble.
 has by petition prayed that an Act may be passed to
 amend subsection 1 of section 2 of the Act passed at the 2nd
 session, held in the 62nd year of the reign of Her late Majesty
 5 Queen Victoria, chapter 71, so as to remove the restrictions
 imposed on the said corporation by said subsection ; to author-
 10 ize and empower the said corporation to erect, construct and
 maintain poles, wires and other appliances on the streets
 and public places of the said town for the transmis-
 15 sion of electricity in and through the said Town of
 Peterborough and to charge rentals therefor, and to
 make regulations for the use, management, maintenance
 and control of same, and to enter into agreements with
 20 any company, firm or person for the use of said appliances
 on such terms as may be agreed upon ; to authorize and em-
 power the said corporation to issue debentures of the said
 corporation without the assent of the rate-payers for the sum
 of \$7,000, to meet the deficiency on the sale of waterworks'
 25 debentures issued for the purchase of the waterworks ; to
 authorize and empower the commissioners of the waterworks
 to form a contingent fund and to retain out of the revenue
 derived from the said waterworks an annual sum not exceed-
 ing one-half of the net revenue for that purpose ; and whereas
 it is expedient to grant the prayer of the said petition ;
- 25 Therefore, His Majesty, by and with the advice and con-
 sent of the Legislative Assembly of the Province of Ontario,
 enacts as follows :—

1. Subsection 1 of section 2 of the Act passed at the 2nd
 session held in the 62nd year of the reign of Her late Majesty
 30 Queen Victoria, chapter 71 is amended by adding after the word
 "Otonabee in the 3rd line thereof the words "and the tribu-
 taries thereof within the County of Peterborough," and by
 striking out the words "at any point thereon south of and in
 no way using power obtained from the dam known as the
 35 Nassau Dam on the said River Otonabee " in the 3rd, 4th and
 5th lines thereof ; the words "for municipal purposes only "
 in the 17th line thereof, and the words "except commercial
 lighting or private lighting " in the 18 and 19th lines thereof.
- 62 V. (2) c. 71,
s. 2, subs 1,
amended.

Erection of necessary appliances for transmission of electric power.

2. It shall be lawful for the Council of the Corporation of the Town of Peterborough to erect, construct and maintain all necessary appliances on the streets and public places of the said town for use for the transmission of electricity in and through the Town of Peterborough, and to charge rentals therefor, and to make regulations for the use, management, maintenance and control of the same and to enter into agreements with any company, firm or person for the use of the said appliances on such terms and under such regulations as may be fixed by the Council of the Town. 5 10

Issue of debentures for \$7,000 to pay deficiencies in proceeds of waterworks debentures.

3. It shall be lawful for the Council of the Corporation of the said Town of Peterborough without the assent of the rate-payers of the said municipality to pass a by-law providing for and authorizing the borrowing on the credit of the municipal waterworks and the said municipality of the sum of \$7,000 for the purpose of paying the deficiency occurring on the sale of the waterworks debentures issued for the purchase of waterworks, and to issue the debentures of the municipal corporation therefor to be called "waterworks debentures," and to sell, pledge, hypothecate and dispose of the same, and the provisions of section 36 of *The Municipal Waterworks Act*, and of sections 396, 399, 400, 401, 429 and 431 of *The Municipal Act* shall apply to such by-law and the debentures issued under the provisions hereof. 15 20

Contingent fund for waterworks.

4. It shall be lawful for the Commissioners of the Municipal Waterworks to form and maintain a contingent fund not to exceed at any time the sum of \$50,000, and to use such portion of such contingent fund from time to time as may be necessary for making extensions, repairs, improvements and alterations in the said waterworks, and the dam, power house plant, mains and other appliances and appurtenances of the waterworks system, and if considered advisable for purchasing land for a reservoir and constructing and connecting same with the present waterworks system, and if considered advisable putting in filtering appliances and such other improvements as may be found necessary for a proper and efficient waterworks system—provided however that any contract, scheme or work involving an expenditure of over \$5,000 shall first require the approval of the Council of the Corporation of the said Town—such contingent fund to be invested by the water commissioners until it is needed for the purpose aforesaid, and for the purpose of forming such contingent fund it shall be lawful for the said water commissioners to retain out of the surplus annual revenue derived from the said waterworks after providing for all ordinary expenses of management and maintenance and a sum sufficient to meet the interest and sinking fund on the waterworks debentures a sum not exceeding one-half of the said surplus annual revenue while the contingent fund remains under the sum of \$10,000, and to retain out of such surplus annual revenue a sum not exceed- 25 30 35 40 45 50

ing one quarter of the said surplus annual revenue, while the contingent fund remains over the sum of \$10,000 and under the sum of \$50,000, and while the said contingent fund remains at the sum of \$50,000 the whole of the said surplus
5 annual revenue shall form part of the general fund of the Corporation of the Town of Peterborough.

1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act respecting the Town of
Peterborough.

First Reading, , 1903.

(Private Bill.)

Mr. STRATTON.

TORONTO:

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

An Act respecting the Town of Peterborough.

WHEREAS the Corporation of the Town of Peterborough Preamble. has by petition prayed that an Act may be passed to amend subsection 1 of section 2 of the Act passed at the 2nd session, held in the 62nd year of the reign of Her late Majesty Queen Victoria, chaptered 71, so as to remove the restrictions imposed on the said corporation by said subsection ; to authorize and empower the said corporation to erect, construct and maintain poles, wires and other appliances on the streets and public places of the said town for the transmission of electricity in and through the Town of Peterborough and to charge rentals therefor, and to make regulations for the use, management, maintenance and control of *the* same, and to enter into agreements with any company, firm or person for the use of *the* said appliances on such terms as may be agreed upon ; to authorize and empower the said corporation to issue debentures of the said corporation without the assent of the rate-payers for the sum of \$7,000, to meet the deficiency on the sale of waterworks' debentures issued for the purchase of the waterworks ; to authorize and empower the commissioners of the waterworks to form a contingent fund and to retain out of the revenue derived from the said waterworks an annual sum not exceeding one-half of the net revenue for that purpose ; 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. Subsection 1 of section 2 of the Act passed at the 2nd session held in the 62nd year of the reign of Her late Majesty, Queen Victoria, chaptered 71 is repealed and the following substituted therefor :— 62 V. (2) c. 71, s. 2, subs. 1, amended.

(1a) It shall and may be lawful for the said Corporation to acquire by purchase, agreement or lease, and to develop and improve water powers, together with such lands as may be necessary for the purposes and objects of this Act, and to erect or purchase buildings, machinery, poles, wires and other appliances, and to transmit and supply electric light, heat and Erection of necessary appliances for transmission of electric power.

power for all purposes within the authority of municipal corporations under any general Act now in force or hereafter passed respecting municipal corporations, on such terms and conditions as the council of *the said town* may from time to time determine, but subject, however, to the conditions and provisions in such general Acts contained, except that any money borrowed or debentures issued for the purposes in this subsection mentioned shall be deemed to be in addition to the debentures authorized by the Act passed in the 53rd year of Her late Majesty, Queen Victoria, chaptered 99.

(1b) Notwithstanding anything to the contrary contained in any Act relating to the Town of Peterborough, the corporation of the said town may take advantage of and exercise all powers which are now or may hereafter be conferred upon municipal corporations by any general Act, subject, however, to the conditions and provisions in said general Acts contained.

Issue of debentures for \$7,000 to pay deficiencies in proceeds of waterworks debentures.

2. It shall be lawful for the Council of the Corporation of the Town of Peterborough without the assent of the rate-payers of the said municipality to pass a by-law providing for and authorizing the borrowing on the credit of the municipal waterworks and the said municipality of the sum of \$7,000 for the purpose of paying the deficiency occurring on the sale of the waterworks debentures issued for the purchase of waterworks, and to issue the debentures of the municipal corporation therefor to be called "Waterworks Debentures," and to sell, pledge, hypothecate and dispose of the same, and the provisions of section 36 of *The Municipal Waterworks Act*, and of sections 396, 399, 400, 401, 429 and 431 of *The Municipal Act* shall apply to such by-law and the debentures issued under the provisions hereof.

Contingent fund for waterworks.

3. It shall be lawful for the Commissioners of the Municipal Waterworks to form and maintain a contingent fund not to exceed at any time the sum of \$50,000, and to use such portion of such contingent fund from time to time as may be necessary for making extensions, repairs, improvements and alterations in the said waterworks, and the dam, power house plant, mains and other appliances and appurtenances of the waterworks system, and if considered advisable for purchasing land for a reservoir and constructing and connecting the same with the present waterworks system, and if considered advisable putting in filtering appliances and such other improvements as may be found necessary for a proper and efficient waterworks system—provided however that any contract, scheme or work involving an expenditure of over \$5,000 shall first require the approval of the council of the corporation of the said town—such contingent fund to be invested by the water commissioners until it is needed for the purpose afore-

said, and for the purpose of forming such contingent fund it shall be lawful for the said water commissioners to retain out of the surplus annual revenue derived from the said waterworks after providing for all ordinary expenses of management and maintenance and a sum sufficient to meet the interest and sinking fund on the waterworks debentures, a sum not exceeding one-half of the said surplus annual revenue while the contingent fund remains under the sum of \$10,000, and to retain out of such surplus annual revenue a sum not exceeding one quarter of the said surplus annual revenue, while the contingent fund remains over the sum of \$10,000 and under the sum of \$50,000, and while the said contingent fund remains at the sum of \$50,000 the whole of the said surplus annual revenue shall form part of the general fund of the Corporation of the Town of Peterborough.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Town of
Peterborough.

First Reading, 24th April, 1903.

(Reprinted as amended by Private Bills
Committee.)

Mr. STRATTON.

TORONTO:

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

An Act respecting the Township of Thorah and the
Village of Beaverton.

WHEREAS under and by virtue of an Indenture Preamble.
bearing date the 12th day of May, 1846, and
made between Alexander Calder and Duncan Calder
(then) of the Township of Thorah in the County of
5 Ontario (with their respective wives to bar dower
only) of the first part, and Kenneth Cameron, Archibald
McMillan and John Bruce, Wardens of the said Township
of Thorah, of the second part, after reciting therein as follows:
“Whereas the said Alexander Calder and Duncan Calder are
10 and stand jointly seized to them and their heirs of and in all
and singular a certain lot of land and hereditaments, being
Lot Fourteen in the Fifth Concession of the said Township of
Thorah, and part of which lot of land is lying situate in the
Village of Beaverton, in the said Township of Thorah; and
15 whereas it has been deemed advisable and necessary that there
should be erected and built a house, to be called a Town Hall,
for the purpose of holding the township meetings and trans-
acting other matters of business of the township generally,
and there has also been lately established a Division Court.
20 which is held in the said Village of Beaverton, and it has be-
come necessary for the accommodation of the said Court that
there should be a Court House for the holding of the said
Court; and whereas the said Alexander Calder and Duncan
Calder have agreed to give, grant, enfeoff and confirm unto
25 the said parties of the second part, Wardens of the said Town-
ship of Thorah as aforesaid and their successors in office, a
certain piece of land, hereinafter more particularly described
and set forth, for the purpose of building and erecting a Town-
ship Hall and Court House for the purposes aforesaid, the con-
30 veyance of the said land and the custody and safe-keeping of
the said Township Hall and Court House being vested in the
Wardens of the said Township of Thorah for the time being as
Trustees for the inhabitants of the said Township of Thorah.”
The said Alexander Calder and Duncan Calder did thereby
35 give, grant, alien, enfeoff and confirm unto the said parties
thereto of the second part and to their successors in office for
the time being forever: “All that lot or piece of ground
lying and being in the Village of Beaverton, containing by
admeasurement one-quarter of an acre, and bounded and fur-
40 ther described as follows: Commencing at a post planted on

the north-easterly limit of the Whitby road, south sixty degrees and thirty minutes east two chains from an angle in the said north-easterly limit, which angle bears south seventy-three degrees east three chains and seventy-two links from the intersection of the easterly limit of the road leading 5
across the Beaver River, above Calder's mill, with the north-erly limit of the said Whitby road and running thence north twenty-nine degrees and thirty minutes east two chains and fifty links, then south sixty degrees and thirty minutes, east one chain, then south twenty-nine degrees and thirty min- 10
utes, west two chains and fifty links, then north sixty degrees and thirty minutes west one chain to the place of beginning." Together with all the rights, privileges and advantages thereto belonging or appertaining, and the reversions and remainders, rents, issues and profits thereof. To have and to hold the said 15
lot or piece of ground and all other the premises thereby granted and confirmed unto and to the proper use and behoof of the said parties thereto of the second part and their successors in office for the time being to be elected and chosen according to law forever, to and for the uses and purposes and 20
upon the terms and conditions thereinbefore recited, but for no other purposes. And whereas the Corporation of the Township of Thorah, shortly after the date of the said deed, caused a Town Hall to be erected on the said lands; and whereas the Village of Beaverton was incorporated into a 25
separate Municipality in the year 1884, and thereafter pursuant to agreement under their corporate Seals, the Councils of the said Municipalities have ever since jointly held and used the said Town Hall for Municipal purposes; and whereas the said Town Hall building having become wholly 30
inadequate for the purposes for which it is intended, the Councils of the said Municipalities by their petitions have prayed for power to dispose of the said lands, notwithstanding the terms of the trusts upon which the same were granted, and jointly to acquire other lands in the Village of 35
Beaverton, and for power to erect a new Town Hall for joint user; 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 40
as follows:

Township and
Village
authorized to
sell present
town hall.

1. The Corporation of the Township of Thorah and the Corporation of the Village of Beaverton, are authorized and empowered to sell or otherwise dispose of the said lands and premises hereinbefore described and by joint deed 45
to convey the same to the purchaser or purchasers thereof freed and discharged from the trusts expressed and declared of and concerning the same in the hereinbefore in part recited Indenture and no such purchaser shall be bound to see to the application of the purchase money. 50

2. The said Corporations are authorized jointly to acquire lands within the limits of the said village of Beaverton and to erect thereon or upon the lands in the hereinbefore in part recited deed mentioned, should the same not be disposed of, a
 5 Town Hall and such other houses and buildings that may be required for the joint user thereof by the said Municipalities

Power to acquire new site and erect hall, etc.

3. The provisions of paragraph (a) of subsection 3 of section 534 of *The Municipal Act* are extended to and shall apply to the said municipalities in so far as may be necessary to
 10 validate the using of the said Town Hall houses and buildings when erected.

Application of Rev. Stat. c. 223 s. 534

4. The Councils of the said Municipalities respectively are authorized and empowered to pass such by-law and by-laws as may be required for the carrying out of the powers hereby
 15 granted and such by-laws shall be in accordance with the provisions of section 534 of *The Municipal Act*, and shall have the force and effect of by-laws passed thereunder.

Power to pass necessary by-laws.

5. The Councils of the said Municipalities are further authorized and empowered to pass by-laws in accordance with
 20 the terms of *The Municipal Act* respecting money by-laws for the issuing of debentures for the payment of their respective shares of the moneys required for the purposes aforesaid in the like manner and to the same effect as if acting independently the one of the other.

By-laws for raising necessary funds.

1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act respecting the Township of Thorah
and the Village of Beaverton.

First Reading,

1903.

(Private Bill.)

Mr. HOYLE.

TORONTO

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting the Township of Thorah and the
Village of Beaverton.

WHEREAS by the petitions of the Municipal Corpora- Preamble.
tions of the Township of Thorah and the Village of
Beaverton it is represented that under and by virtue of an
Indenture bearing date the 12th day of May, 1846, and
made between Alexander Calder and Duncan Calder
of the Township of Thorah in the County of Ontario
(with their respective wives to bar dower only) of the
first part, and Kenneth Cameron, Archibald McMillan and
John Bruce, Wardens of the said Township of Thorah,
of the second part, after reciting therein as follows:
“Whereas the said Alexander Calder and Duncan Calder are
and stand jointly seized to them and their heirs of and in all
and singular a certain lot of land and hereditaments, being
Lot Fourteen in the Fifth Concession of the said Township of
Thorah, and part of which lot of land is lying situate in the
Village of Beaverton, in the said Township of Thorah; and
whereas it has been deemed advisable and necessary that there
should be erected and built a house, to be called a Town Hall,
for the purpose of holding the township meetings and tran-
sacting other matters of business of the township generally,
and there has also been lately established a Division Court,
which is held in the said Village of Beaverton, and it has be-
come necessary for the accommodation of the said Court that
there should be a Court House for the holding of the said
Court; and whereas the said Alexander Calder and Duncan
Calder have agreed to give, grant, enfeoff and confirm unto
the said parties of the second part, Wardens of the said Town-
ship of Thorah as aforesaid and their successors in office, a
certain piece of land, hereinafter more particularly described
and set forth, for the purpose of building and erecting a Town-
ship Hall and Court House for the purposes aforesaid, the con-
veyance of the said land and the custody and safe-keeping of
the said Township Hall and Court House being vested in the
Wardens of the said Township of Thorah for the time being as
Trustees for the inhabitants of the said Township of Thorah;”
the said Alexander Calder and Duncan Calder did grant
unto the said parties thereto of the second part and to their
successors in office forever all that lot or piece of ground
lying and being in the Village of Beaverton, containing by
admeasurement one-quarter of an acre, and bounded and fur-

ther described as follows : commencing at a post planted on the north-easterly limit of the Whitby road, south sixty degrees and thirty minutes east two chains from an angle in the said north-easterly limit, which angle bears south seventy-three degrees east three chains and seventy-two links from the intersection of the easterly limit of the road leading across the Beaver River, above Calder's mill, with the northerly limit of the said Whitby road and running thence north twenty-nine degrees and thirty minutes east two chains and fifty links, then south sixty degrees and thirty minutes, east one chain, then south twenty-nine degrees and thirty minutes, west two chains and fifty links, then north sixty degrees and thirty minutes west one chain to the place of beginning," together with all the rights, privileges and advantages thereto belonging or appertaining, and the reversions and remainders, rents, issues and profits thereof, to have and to hold the said lot or piece of ground and all other the premises thereby granted and confirmed unto and to the proper use and behoof of the said parties thereto of the second part and their successors in office for the time being to be elected and chosen according to law forever, to and for the uses and purposes and upon the terms and conditions thereinbefore recited, but for no other purposes ; and whereas *it has been shown that* the Corporation of the Township of Thorah, shortly after the date of the said deed, caused a town hall to be erected on the said lands ; and whereas the Village of Beaverton was incorporated into a separate municipality in the year 1884, and thereafter pursuant to agreement under their corporate seals, the councils of the said municipalities have ever since jointly held and used the said town hall for municipal purposes ; and whereas the said town hall having become wholly inadequate for the purposes for which it is intended, the said municipal *corporations now ask* for power to dispose of the said lands, notwithstanding the terms of the trusts upon which the same were granted, and jointly to acquire other lands in the Village of Beaverton, and for power to erect a new town hall for joint user ; 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 :—

**Township and
Village
authorized to
sell present
town hall.**

1. The Corporation of the Township of Thorah and the Corporation of the Village of Beaverton, are authorized and empowered to sell or otherwise dispose of the said lands and premises hereinbefore described and by joint deed to convey the same to the purchaser or purchasers thereof freed and discharged from the trusts expressed and declared of and concerning the same in the hereinbefore in part recited Indenture and no such purchaser shall be bound to see to the application of the purchase money.

2. The said corporations are authorized jointly to acquire Power to acquire new site and erect hall, etc.
 lands within the limits of the said Village of Beaverton and to erect thereon or upon the lands in the hereinbefore in part cited deed mentioned, should the same not be disposed of, a town hall and such other houses and buildings as may be required for the joint *purposes of* the said municipalities.

3. The provisions of paragraph (a) of subsection 3 of section 534 of *The Municipal Act* are extended to and shall apply to the said municipalities in so far as may be necessary to validate the using of the said town hall houses and buildings when erected. Application of Rev. Stat. c. 223 s. 534

4. The councils of the said municipalities respectively are authorized and empowered to pass such by-law or by-laws as may be required for the carrying out of the powers hereby granted and such *by-law or by-laws* shall be in accordance with the provisions of section 534 of *The Municipal Act*, and shall have the force and effect of by-laws passed thereunder. Power to pass necessary by-laws.

5. The councils of the said municipalities are further authorized and empowered to pass by-laws in accordance with the terms of *The Municipal Act* respecting money by-laws for the issuing of debentures for the payment of their respective shares of the moneys required for the purposes aforesaid in the like manner and to the same effect as if acting independently the one of the other. By-laws for raising necessary funds.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Township of Thorah
and the Village of Beaverton.

First Reading: 24th April, 1903.

Reprinted as amended by Private Bills
Committee.

Mr. HOYLE.

TORONTO

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act to confirm By-law No. 455 of the City of Guelph and for other purposes.

WHEREAS the Municipal Corporation of the City of Guelph has by petition represented that the said corporation passed a By-law No. 455, being a by-law to authorize the purchase of the works and property of the Guelph Light and Power Company, Limited, and for that purpose to provide for the issue of debentures to the amount of \$155,000; and whereas it has been made to appear that the said by-law was submitted to a vote of the ratepayers of the said city entitled to vote on money by-laws as provided by *The Municipal Act*, and was duly carried by the said ratepayers; and whereas under the Act passed in the first year of His Majesty's reign, chapter 53 entitled "*An Act to consolidate and re-arrange the Debenture Debt of the City of Guelph*," section 11, it was enacted that it should not be lawful for the Council of the Municipal Corporation of the City of Guelph until the time therein mentioned to assess, levy or collect upon the whole rateable property of the said city a rate higher in the aggregate than 15 mills on the dollar on the assessed value thereof exclusive of the school and local improvement rates; and whereas it has been further made to appear that the revenue which will be produced to the said city from the operation of the said works will be more than sufficient to pay the instalments of principal money and interest falling due under the debentures to be issued in pursuance of the said by-law; and whereas it has thus been made to appear that the issue of debentures under the said by-law for the purchase of the said works by the said city will not have the effect of infringing upon the provisions of the said section 11 of the said Act; and whereas the said corporation have prayed that an Act may be passed to confirm the said by-law so as to remove any doubts as to the validity of the debentures to be issued thereunder in view of the provisions of the said section 11 of chapter 53 aforesaid and for other purposes as 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:—

By-law 455
(for purchase
of Guelph
Light and
Power Works)
confirmed.

1. By-law No. 455 of the Corporation of the City of Guelph set forth in Schedule A to this Act is confirmed and declared legal, valid and binding upon the said municipal corporation and the ratepayers thereof to all intents and purposes, notwithstanding the said section 11 of the said chapter 53 and notwithstanding any want of jurisdiction on the part of the said municipality to pass the said by-law, and notwithstanding any defect or error in substance or in form of the said by-law or in the manner of passing the same; and the debentures to be issued under the said by-law are hereby declared valid, legal and binding upon the said corporation and the ratepayers thereof; and the said corporation is hereby authorized and empowered to do all necessary acts for the full and proper carrying out of the said by-law and of the purchase thereby authorized. 5
10
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Accounts to
be kept of
revenues
from works.

2. A special and separate bank account shall be kept by the said municipal corporation in respect to the revenues produced by the operation of the said works, and the Council shall pay into said special account quarterly the same amount as it paid in the year 1902 to the Guelph Light and Power 20 Company, Limited, for public lighting and other public services and shall also pay into such special account all moneys otherwise received from the operation of the said works; and it shall charge against said payments and receipts all expenditure connected with the operation and management of said 25 works including the maintenance and repair thereof; and the surplus or net revenue shall be applied yearly or oftener in payment of the instalment of principal and interest due in each year upon the said debentures to be issued under the said by-law; and any further balance of net revenue remaining, 30 if not required for extensions of the works, may be applied to the general purposes of the municipality; and the current or accruing yearly instalment of principal and interest shall be a first charge upon the net revenue produced or derived from the operation of the said works for or during such year. 35
Provided, however, that the said municipal corporation shall be bound to provide and make good in each year the difference (if any) which may arise in such year between the said net revenue produced or derived from the management and operation of the said works and the amount required to discharge the instalment of debt and interest falling due in such 40 year; and nothing herein shall in any manner impair or affect the rights of the holders of the said debentures as against the said corporation to recover from it the full amount of principal and interest due thereon according to the tenor and effect 45 thereof.

Proviso.

SCHEDULE A.

THE CORPORATION OF THE CITY OF GUELPH.

By-law No. 455. A By-law to authorize the purchase of the works and property of the Guelph Light and Power Company, Limited, and for that purpose to provide for the issue of Debentures to the amount of \$155,000.00.

Whereas the Council of the Corporation of the City of Guelph being desirous of acquiring, purchasing and taking over for the said Corporation the works and property of The Guelph Light and Power Company, Limited, being a company owning and carrying on Gas and Electric Light works in the said city, have entered into negotiations with the company for the purchase of the works, property and assets of the company as a going concern, and as a result of such negotiations an agreement has been arrived at between the said Company and the Council of the said City Corporation for the use of such corporation and of all persons the works, property and assets of the said Company in the said City of Guelph and including the plant of the Company in the Township of Guelph as a going concern at or for the price or sum of \$155,000 ;

And whereas the said agreement has been reduced to writing and has been executed by the said Company and by the said City Corporation, but the same is subject to the assent of the electors being given to this by-law ;

And whereas it is expedient in the interest of the said City to acquire the works of the said Company as aforesaid ;

And whereas in order to pay the said purchase money it will be necessary for the Corporation of the City of Guelph to raise the sum of \$155,000 by way of loan in manner hereinafter set forth ;

And whereas it will require the sums mentioned and set forth in the schedule hereunto annexed marked "A" to be raised annually for a period of thirty years, being the period of the currency of the debentures to be issued under this By-law to pay the principal money and interest of the said sum of \$155,000, the said sums set forth in the said schedule being sufficient to discharge the said debt and interest within the period aforesaid as the same become payable ;

And whereas the aggregate amount payable in each year for principal money and interest in respect to the said debt is as nearly as possible equal to the amount payable in each of the other years in respect of the said debt and interest as shown in the said schedule, the total amount to be raised in each year for principal and interest during the said period of thirty years being the sum of \$8,693.58 ;

And whereas the amount of the whole rateable property in the City of Guelph, according to the last revised assessment thereof being for the year 1902, is the sum of \$3,803,535.

And Whereas it will require the sum mentioned above, namely \$8,693.58 to be raised annually for the payment of the said sum of \$155,000 with interest ; the said interest being at the rate of 3 3-4 per cent. per annum ;

And Whereas the amount of the existing debenture debt of the City of Guelph is the sum of \$507,400.00 and no part of the principal or interest thereof is in arrear ;

Therefore the Municipal Council of the Corporation of the City of Guelph enacts as follows :—

(1) The Municipal Council of the said City shall expend the sum of \$155,000 in the purchase of the works and property of the said The Guelph Light and Power Company, Limited, under the said agreement and for the purpose of raising the said sum, debentures of the said

City to the amount of \$155,000 as aforesaid, payable in accordance with the said schedule and in sums of not less than \$100 each shall be issued on the 15th day of April, 1903, each of which debentures shall be dated on the day of issue thereof, and shall be payable in accordance with the said schedule and within thirty years thereafter at the office of the City Treasurer of the City of Guelph.

(2) The said debentures shall be signed by the Mayor of the said City and by the Treasurer thereof and shall have attached thereto the Corporate Seal of the municipality.

(3) The said debentures shall bear interest at the rate of 3 3/4 per cent. per annum, payable yearly at the office of the City Treasurer on the 15th day April in each and every year during the currency thereof and shall have attached to them coupons for payment of the said interest, which coupons shall be signed by the said Mayor and City Treasurer.

(4) During the currency of the said debentures there shall be raised annually by special rates on all the rateable property in the City of Guelph the sum of \$8,693.58, for the purpose of paying the amount due in each of the said years for principal and interest in respect of the said debt as shown in the schedule "A" hereunto annexed.

(5) The By-law shall take effect and come into operation on the day of the passing thereof.

(6) The votes of the electors of the said City of Guelph shall be taken on this By-law on Monday, the 5th day of January, 1903, commencing at the hour of nine o'clock in the forenoon and continuing until five o'clock in the afternoon of the said day, at the following places and by the following Deputy Returning Officers, that is to say :—

1. Polling Subdivision No. 1, at St. Patrick's Ward School House, with Joshua Kribs, Deputy Returning Officer.

2. Polling Subdivision No. 2, at Presant's Office, Wellington Street, with Harvey McCullough, Deputy Returning Officer.

3. Polling Subdivision No. 3, at the City Hall, with M. J. Doran, Deputy Returning Officer.

4. Polling Subdivision No. 4, at the Victoria Rink on Baker Street, with James J. Thorp, Deputy Returning Officer.

5. Polling Subdivision No. 5, at the Court House, with Caleb Chase, Deputy Returning Officer.

6. Polling Subdivision No. 6, at St. George's Ward School House, with James U. Barry, Deputy Returning Officer.

7. Polling Subdivision No. 7, at Mrs. Johnston's House, Palmer Street, with Edwin Parkinson, Deputy Returning Officer.

8. Polling Subdivision No. 8, at Read's Gallery, King Street, with W. J. Kenning, Deputy Returning Officer.

9. Polling Subdivision No. 9, at Jarrett's Store, Perth Street, with Samuel Law, Deputy Returning Officer.

10. Polling Subdivision No. 10, at St. John's Ward School House, with Wm. M. Mann, Deputy Returning Officer.

11. Polling Subdivision No. 11, at Harry Kellett's House on the London Road, with A. C. R. Saunders, Deputy Returning Officer.

12. Polling Subdivision No. 12, at St. David's Ward School House on Suffolk Street, with C. J. Eisele, Deputy Returning Officer.

13. Polling Subdivision No. 13, at Gowdy's Office, Suffolk Street, with Malcolm McLean, Deputy Returning Officer.

14. Polling Subdivision No. 14, at the Collegiate Institute, with D. A. Scroggie, Deputy Returning Officer.

15. Polling Subdivision No. 15, at Senior Girls' School, Dublin street, with Robert McKenzie, Deputy Returning Officer.

16. Polling Subdivision No. 16, at P. Stevens' store, Northumberland street, with George Poole, Deputy Returning Officer.

17. Polling Subdivision No. 17, at the Waterloo Avenue School, with Peter Gould, Deputy Returning Officer.

18. Polling Subdivision No. 18, at Brills' Office, Gordon street, with Walter Grierson, Deputy Returning Officer.

19. Polling Subdivision No. 19, at Joseph Shaw's House, Albert street, with Joseph Shaw, Deputy Returning Officer.

(7) On the second day of January, 1903, the Mayor of the City of Guelph, shall attend at the City Hall, Guelph, at ten o'clock in the forenoon to appoint persons to attend at the various polling places aforesaid and at the final summing up of the votes by the Clerk on behalf of the persons interested in, and promoting or opposing the passing of this By-law respectively :—

(8) The Clerk of the Council of the said City shall attend at the City Hall at ten o'clock in the forenoon on the 7th day of January, 1903, to sum up the number of votes for and against the By-law.

Passed on the 9th day of February, A.D., 1903.

[Sgd.] J. H. HAMILTON,
Mayor.

[Sgd.] RICHARD MITCHELL,
Clerk.

SCHEDULE "A" REFERRED TO IN THE BY-LAW HERETO
ANNEXED.

Amount of principal and interest required yearly to retire \$155,000:
Debentures, in 30 years at 3½ per cent. payable by instalment, as follows.

Year.	Interest.	Principal.
1.....	\$5,812.50	\$2,881.08
2.....	5,704.45	2,989.13
3.....	5,592.36	3,101.32
4.....	5,476.07	3,217.51
5.....	5,355.41	3,338.17
6.....	5,230.23	3,463.35
7.....	5,100.35	3,593.23
8.....	4,965.61	3,727.97
9.....	4,825.81	3,867.77
10.....	4,680.77	4,012.81
11.....	4,530.29	4,163.29
12.....	4,374.16	4,319.42
13.....	4,212.18	4,481.40
14.....	4,044.13	4,649.45
15.....	3,869.78	4,823.80
16.....	3,688.89	5,004.69
17.....	3,501.21	5,192.37
18.....	3,306.50	5,387.08
19.....	3,104.48	5,589.10
20.....	2,894.90	5,798.68
21.....	2,677.45	6,016.13
22.....	2,451.84	6,241.74
23.....	2,217.78	6,475.80
24.....	1,974.93	6,718.65
25.....	1,722.99	6,970.59
26.....	1,461.59	7,231.99
27.....	1,190.39	7,503.19
28.....	909.02	7,784.56
29.....	617.10	8,076.48
30.....	314.23	8,379.35
	<u>\$105,807.40</u>	<u>\$155,000.00</u>

Amount to be raised annually, \$8,693.58.

1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act to confirm By-law No. 455 of the
City of Guelph and for other purposes.

First Reading	1903.
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(Private Bill.)

Mr. DOWNEY.

TORONTO.

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act to confirm By-law No 455 of the City of
Guelph and for other purposes.

WHEREAS the Municipal Corporation of the City of Guelph has by petition represented that the said corporation *has* passed a by-law to authorize the purchase of the works and property of the Guelph Light and Power Company, Limited, and for that purpose to provide for the issue of debentures to the amount of \$155,000; and whereas it has been made to appear that the said by-law was submitted to a vote of the ratepayers of the said city entitled to vote on money by-laws as provided by *The Municipal Act*, and was duly carried by the said ratepayers; and whereas under the Act passed in the first year of His Majesty's reign, chapter 53 entitled "*An Act to consolidate and re-arrange the Debenture Debt of the City of Guelph*," section 11, it was enacted that it should not be lawful for the Council of the Municipal Corporation of the City of Guelph until the time therein mentioned to assess, levy or collect upon the whole rateable property of the said city a rate higher in the aggregate than 15 mills on the dollar on the assessed value thereof exclusive of the school and local improvement rates; and whereas it has been further made to appear that the revenue which will be produced to the said city from the operation of the said works will be more than sufficient to pay the instalments of principal money and interest falling due under the debentures to be issued in pursuance of the said by-law; and whereas it has thus been made to appear that the issue of debentures under the said by-law for the purchase of the said works by the said city will not have the effect of infringing upon the provisions of the said section 11 of the said Act; and whereas the said corporation have prayed that an Act may be passed to confirm the said by-law so as to remove any doubts as to the validity of the debentures to be issued thereunder in view of the provisions of the said section 11 of chapter 53 aforesaid and for other purposes as 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:—

By-law 455
(for purchase
of Guelph
Light and
Power Works)
confirmed.

1. By-law No. 455 of the Corporation of the City of Guelph set forth in *the* Schedule to this Act is confirmed and declared legal, valid and binding upon the said municipal corporation and the ratepayers thereof to all intents and purposes, notwithstanding the said section 11 of the said chapter 53 and notwithstanding any want of jurisdiction on the part of the said municipality to pass the said by-law, and notwithstanding any defect or error in substance or in form of the said by-law or in the manner of passing the same; and the debentures to be issued under the said by-law are declared valid, legal and binding upon the said corporation and the ratepayers thereof; and the said corporation is authorized and empowered to do all necessary acts for the full and proper carrying out of the said by-law and of the purchase thereby authorized.

Accounts to
be kept of
revenue;
from works.

2. A special and separate bank account shall be kept by the said municipal corporation in respect to the revenues produced by the operation of the said works, and the Council shall pay into *the* said special account quarterly the same amount as it paid in the year 1902 to The Guelph Light and Power Company, Limited, for public lighting and other public services and shall also pay into such special account all moneys otherwise received from the operation of the said works; and it shall charge against *the* said payments and receipts all expenditure connected with the operation and management of *the* said works including the maintenance and repair thereof; and the surplus or net revenue shall be applied yearly or oftener in payment of the instalment of principal and interest due in each year upon the said debentures to be issued under the said by-law; and any further balance of net revenue remaining, if not required for extensions of the works, may be applied to the general purposes of the municipality; and the current or accruing yearly instalment of principal and interest shall be a first charge upon the net revenue produced or derived from the operation of the said works for or during such year. Provided, however, that the said municipal corporation shall be bound to provide and make good in each year the difference (if any) which may arise in such year between the said net revenue produced or derived from the management and operation of the said works and the amount required to discharge the instalment of debt and interest falling due in such year; and nothing herein shall in any manner impair or affect the rights of the holders of the said debentures as against the said corporation to recover from it the full amount of principal and interest due thereon according to the tenor and effect thereof.

Proviso.

Costs of pending litigation not affected.

3. Nothing in this Act contained shall affect the question of costs in any action, matter or other proceeding pending at the time of the passing hereof. The costs shall be awarded in every such case in the same manner and to the same parties as if this Act had not been passed.

SCHEDULE.

THE CORPORATION OF THE CITY OF GUELPH.

By-law No. 455. A By-law to authorize the purchase of the works and property of the Guelph Light and Power Company, Limited, and for that purpose to provide for the issue of Debentures to the amount of \$155,000.00.

Whereas the Council of the Corporation of the City of Guelph being desirous of acquiring, purchasing and taking over for the said Corporation the works and property of The Guelph Light and Power Company, Limited, being a company owning and carrying on Gas and Electric Light works in the said city, have entered into negotiations with the company for the purchase of the works, property and assets of the company as a going concern, and as a result of such negotiations an agreement has been arrived at between the said Company and the Council of the said City Corporation for the purchase by the City Corporation for the use of such corporation and of all persons the works, property and assets of the said Company in the said City of Guelph and including the plant of the Company in the Township of Guelph as a going concern at or for the price or sum of \$155,000 ;

And whereas the said agreement has been reduced to writing and has been executed by the said Company and by the said City Corporation, but the same is subject to the assent of the electors being given to this by-law ;

And whereas it is expedient in the interest of the said City to acquire the works of the said Company as aforesaid ;

And whereas in order to pay the said purchase money it will be necessary for the Corporation of the City of Guelph to raise the sum of \$155,000 by way of loan in manner hereinafter set forth ;

And whereas it will require the sums mentioned and set forth in the schedule hereunto annexed marked "A" to be raised annually for a period of thirty years, being the period of the currency of the debentures to be issued under this By-law to pay the principal money and interest of the said sum of \$155,000, the said sums set forth in the said schedule being sufficient to discharge the said debt and interest within the period aforesaid as the same become payable ;

And whereas the aggregate amount payable in each year for principal money and interest in respect to the said debt is as nearly as possible equal to the amount payable in each of the other years in respect of the said debt and interest as shown in the said schedule, the total amount to be raised in each year for principal and interest during the said period of thirty years being the sum of \$8,693.58 ;

And whereas the amount of the whole rateable property in the City of Guelph, according to the last revised assessment thereof being for the year 1902, is the sum of \$3,803,535.

And Whereas it will require the sum mentioned above, namely \$8,693.58 to be raised annually for the payment of the said sum of \$155,000 with interest ; the said interest being at the rate of 3 3-4 per cent. per annum ;

And Whereas the amount of the existing debenture debt of the City of Guelph is the sum of \$507,400.00 and no part of the principal or interest thereof is in arrear ;

Therefore the Municipal Council of the Corporation of the City of Guelph enacts as follows :—

(1) The Municipal Council of the said City shall expend the sum of \$155,000 in the purchase of the works and property of the said The Guelph Light and Power Company, Limited, under the said agreement and for the purpose of raising the said sum, debentures of the said

City to the amount of \$155,000 as aforesaid, payable in accordance with the said schedule and in sums of not less than \$100 each shall be issued on the 15th day of April, 1903, each of which debentures shall be dated on the day of issue thereof, and shall be payable in accordance with the said schedule and within thirty years thereafter at the office of the City Treasurer of the City of Guelph.

(2) The said debentures shall be signed by the Mayor of the said City and by the Treasurer thereof and shall have attached thereto the Corporate Seal of the municipality.

(3) The said debentures shall bear interest at the rate of 3-3-4 per cent. per annum, payable yearly at the office of the City Treasurer on the 15th day April in each and every year during the currency thereof and shall have attached to them coupons for payment of the said interest, which coupons shall be signed by the said Mayor and City Treasurer.

(4) During the currency of the said debentures there shall be raised annually by special rates on all the rateable property in the City of Guelph the sum of \$8,693.58, for the purpose of paying the amount due in each of the said years for principal and interest in respect of the said debt as shown in the schedule "A" hereunto annexed.

(5) The By-law shall take effect and come into operation on the day of the passing thereof.

(6) The votes of the electors of the said City of Guelph shall be taken on this By-law on Monday, the 5th day of January, 1903, commencing at the hour of nine o'clock in the forenoon and continuing until five o'clock in the afternoon of the said day, at the following places and by the following Deputy Returning Officers, that is to say :—

1. Polling Subdivision No. 1, at St. Patrick's Ward School House, with Joshua Kribs, Deputy Returning Officer.
2. Polling Subdivision No. 2, at Presant's Office, Wellington Street, with Harvey McCullough, Deputy Returning Officer.
3. Polling Subdivision No. 3, at the City Hall, with M. J. Doran, Deputy Returning Officer.
4. Polling Subdivision No. 4, at the Victoria Rink on Baker Street, with James J. Thorp, Deputy Returning Officer.
5. Polling Subdivision No. 5, at the Court House, with Caleb Chase, Deputy Returning Officer.
6. Polling Subdivision No. 6, at St. George's Ward School House, with James U. Barry, Deputy Returning Officer.
7. Polling Subdivision No. 7, at Mrs. Johnston's House, Palmer Street, with Edwin Parkinson, Deputy Returning Officer.
8. Polling Subdivision No. 8, at Read's Gallery, King Street, with W. J. Kenning, Deputy Returning Officer.
9. Polling Subdivision No. 9, at Jarrett's Store, Perth Street, with Samuel Law, Deputy Returning Officer.
10. Polling Subdivision No. 10, at St. John's Ward School House, with Wm M. Mann, Deputy Returning Officer.
11. Polling Subdivision No. 11, at Harry Kellett's House on the London Road, with A. C. R. Saunders, Deputy Returning Officer.
12. Polling Subdivision No. 12, at St. David's Ward School House on Suffolk Street, with C. J. Eisele, Deputy Returning Officer.
13. Polling Subdivision No. 13, at Gowdy's Office, Suffolk Street, with Malcolm McLean, Deputy Returning Officer.
14. Polling Subdivision No. 14, at the Collegiate Institute, with D. A. Scroggie, Deputy Returning Officer.
15. Polling Subdivision No. 15, at Senior Girls' School, Dublin street, with Robert McKenzie, Deputy Returning Officer.
16. Polling Subdivision No. 16, at P. Stevens' store, Northumberland street, with George Poole, Deputy Returning Officer.
17. Polling Subdivision No. 17, at the Waterloo Avenue School, with Peter Gould, Deputy Returning Officer.
18. Polling Subdivision No. 18, at Brills' Office, Gordon street, with Walter Grierson, Deputy Returning Officer.

19. Polling Subdivision No. 19, at Joseph Shaw's House, Albert street, with Joseph Shaw, Deputy Returning Officer.

(7) On the second day of January, 1903, the Mayor of the City of Guelph, shall attend at the City Hall, Guelph, at ten o'clock in the forenoon to appoint persons to attend at the various polling places aforesaid and at the final summing up of the votes by the Clerk on behalf of the persons interested in, and promoting or opposing the passing of this By-law respectively :—

(8) The Clerk of the Council of the said City shall attend at the City Hall at ten o'clock in the forenoon on the 7th day of January, 1903, to sum up the number of votes for and against the By-law.

Passed on the 9th day of Febuary, A.D., 1903.

[Sgd.] J. H. HAMILTON,
Mayor.

[Sgd.] RICHARD MITCHELL,
Clerk.

SCHEDULE "A" REFERRED TO IN THE BY-LAW HERETO ANNEXED.

Amount of principal and interest required yearly to retire \$155,000. Debentures, in 30 years at $3\frac{3}{4}$ per cent. payable by instalment, as follows:

Year.	Interest.	Principal.
1.....	\$5,812.50	\$2,881.08
2.....	5,704.45	2,989.13
3.....	5,592.36	3,101.32
4.....	5,476.07	3,217.51
5.....	5,355.41	3,338.17
6.....	5,230.23	3,463.35
7.....	5,100.35	3,593.23
8.....	4,965.61	3,727.97
9.....	4,825.81	3,867.77
10.....	4,680.77	4,012.81
11.....	4,530.29	4,163.29
12.....	4,374.16	4,319.42
13.....	4,212.18	4,481.40
14.....	4,044.13	4,649.45
15.....	3,869.78	4,823.80
16.....	3,688.89	5,004.69
17.....	3,501.21	5,192.37
18.....	3,306.50	5,387.08
19.....	3,104.48	5,589.10
20.....	2,894.90	5,798.68
21.....	2,677.45	6,016.13
22.....	2,451.84	6,241.74
23.....	2,217.78	6,475.80
24.....	1,974.93	6,718.65
25.....	1,722.99	6,970.59
26.....	1,461.59	7,231.99
27.....	1,190.39	7,503.19
28.....	909.02	7,784.56
29.....	617.10	8,076.48
30.....	314.23	8,379.35
	<hr/>	<hr/>
	\$105,807.40	\$155,000.00

Amount to be raised annually, \$8,693.58.



1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act to confirm By-law No. 455 of the
City of Guelph and for other purposes.

First Reading, 4th May, 1903.

(Reprinted as amended by Private Bills
Committee.)

Mr. DOWNEY.

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 have, by their petition prayed for special legislation in respect of the several matters hereinafter set forth; and whereas no objections have been made to any of the by-laws set out or referred to in Schedule D hereto; and whereas no opposition has been offered to the confirmation of the said by-laws; 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 Trust Deed set out in Schedule A to this act relating to the Firemen's Permanent Relief Fund is hereby declared to be legal and valid for the purpose of establishing the said fund, and to authorize the persons therein named, and their successors in office from time to time, to form a Trustee Board for the purpose of receiving and distributing relief for and on behalf of firemen belonging to the Toronto Fire Brigade in accordance with the provisions of the said Trust Deed; and the said trustees are hereby declared to be a body corporate to manage, invest and deal with all such moneys as may be received by them, and to distribute the same to the parties entitled thereto as provided in the said Trust Deed.

Firemen's Relief Fund legalized.

The Corporation of the City of Toronto is hereby authorized to pay to the said trustees the sum of \$25,000 to form part of the said Relief Fund, the same to be paid out of the estimates and taxes for the year 1903, or partly in that year and partly in each of the years from 1904 to 1908 inclusive as the said corporation may deem proper, the said corporation in the meantime to pay interest at the rate of four per cent. upon the said sum of \$25,000 from the date of the said Trust Deed until the money is paid over to the said trustees. The trustees are to be at liberty to loan the said \$25,000 and any other moneys which may be in their hands to the said corporation at such rate of interest as may be agreed upon by the corporation and the said trustees. In the event of such loan being effected then the said corporation is to pay

City to pay \$25,000 towards it.

Trustees may loan money to city.

the interest thereon half-yearly to the said trustees at the rate so agreed upon.

Amends sec. 6
of 50 Vic. cap.
85 respecting
Gas Company.

2. Section 6 of the act passed in the 50th year of the reign of Her Late Majesty Queen Victoria, and chaptered 85, entitled "An Act to further extend the powers of The Consumers' Gas Company of Toronto" is amended by adding at the end of the section the following words—"Provided however that the said fund shall never exceed the sum of \$100,000". 5

By-law No.
4186 and fuel
supply.

3. The corporation having borrowed by means of By-law Number 4186, set out as Schedule B hereto, entitled "A by-law to authorize the City Treasurer to borrow such sum or sums of money as may be necessary, not exceeding \$50,000 in all, for the purpose of purchasing and supplying fuel to charitable institutions and citizens in limited quantities", certain sums of money for the purpose of purchasing and supplying fuel to charitable institutions and citizens in limited quantities, and having paid out certain sums of money in contracts and otherwise for the purchase of fuel, all sums of money so borrowed and all sums so paid are hereby declared to have been and to be legal and valid and to that extent within the powers of the said corporation. 10 15 20

Amend Patent
of 18th May,
1880 of marsh
lands at
Ashbridge
Bay.

4. The patent granted by Her Late Majesty Queen Victoria represented by the Ontario Government, to the City of Toronto on the 18th of May, 1880 is amended by striking out the words:— 25
"and upon and subject to the condition that all leases and conveyances of any portions of the said lands which may be made by the said city shall be subject to the approval of our Lieutenant-Governor in-Council, or as our said Lieutenant-Governor-in-Council may direct; and that all net rents and profits derived by the said city from the said lands shall be expended in improving the Queen's Park from time to time in any way expressed by our Commissioner of Public Works for the time being, and with respect to which no provision is made by the existing lease from the University of Toronto to the said city, or any such other improvement in the City of Toronto of a public and municipal character as our said Lieutenant-Governor may direct". 30 35

Agreement
between City
and University
validated.

5. The agreements entered into between the Trustees of the University of Toronto and the corporation of the City of Toronto, and set out in Schedule C to this act respecting the assessment of certain local improvements upon Duncan street, are hereby declared to be valid and within the powers of the parties thereto. 40 45

Authority to
set apart lands

6. The council of the said corporation is hereby authorized by by-law to set apart any of the lands purchased by the city

at tax sales to be used by the said city for park, playground or other municipal purposes, and the said city shall not be required to sell the said lands within seven years from the time they were acquired by the city, but upon the passing of said by-law or by laws by the council the obligation to sell the same shall be at once removed

purchased for taxes for playgrounds, etc.

7. The said corporation is hereby authorized to issue debentures from time to time for such sum or sums as the council may deem necessary, but not exceeding in any one year one mill on the dollar on the assessed value in such year for the purposes of parks and playgrounds in the city, without submitting the by-law or by-laws for the same to the ratepayers entitled to vote on money by-laws; and if debentures to the amount of one mill on the dollar on the assessed value are not issued, or the proceeds thereof in any one or more years not expended, then the amount not issued and the sum not expended, in any such year or years may be issued or expended in any subsequent year. The debentures to be issued under the said by-laws shall be payable within such period as may be thought right by the council, but not exceeding forty years from the date of the issue thereof, and the interest and sinking fund therefor shall be raised annually during the period provided in the said by-law or by-laws, and the interest shall be payable to the holders of such debentures half-yearly as the same falls due, but the debentures shall be payable at the end of the period or periods fixed by the said by-law.

Parks and playgrounds.

Debentures therefor.

8. The said corporation, in obtaining lands for parks and playgrounds, may agree to pay for the same in annual sums either for a limited number of years, or during the lifetime of the owner, or otherwise as may be deemed prudent by the council of the said corporation, and as may be agreed upon with the person from whom the said lands may be purchased; or the said corporation may obtain any such lands by lease or otherwise for any number of years on an agreement or option to pay and with power to pay the purchase money at any subsequent period.

Lands purchased for parks, etc., may be purchased on time.

9. The council of the said corporation may expend such sum as may be deemed prudent during the year 1903, in holding a festival or re-union for the former residents of the city and may include the same in the estimates for such year.

Expend money on re-union of former residents.

10. The said corporation is hereby authorized and empowered to generate or develop electric energy by means of water power or otherwise, either within the said city or elsewhere, and are further authorized and empowered to enter into contracts or agreements with companies or persons for the purchase of electric energy and for the purpose of transporting and carrying electric energy so developed or pur-

Electric energy, may generate, etc.

chased is hereby authorized to exercise, and is hereby given
 the powers conferred upon the Bell Telephone Company of
 Canada to erect or construct poles, wires and conduits along
 the sides of and across, or under any public highways, streets,
 bridges, water-courses or other such places under and by virtue
 of a certain Act of the Legislature of the Province of Ontario
 intituled "An Act to confer certain powers upon the Bell
 Telephone Company of Canada," being 45 Victoria and chap-
 tered 71, subject to the restrictions imposed therein, and is
 further authorized to contract and agree with any municipi- 10
 ality, corporation, company or person for the purchase or lease
 of water power and lands in connection therewith, and for
 erecting and constructing buildings, plant, machinery and
 appliances for the purpose of such development, and is hereby
 given the power to purchase such lands and erect such build- 15
 ings, plant, machinery and appliances and is further author-
 ized and empowered to contract and agree with any municipi-
 lity, corporation, company or person for the right to erect, con-
 struct, lay or affix any poles, conduits or wires, or other
 necessary appliances, over, under or along the lands, ways, 20
 roads, public places or real property of such municipality
 corporation, company or person, and is hereby authorized to
 carry or transport electric energy so developed or purchased
 thereon, and may enter upon, take or use for the purpose
 herein authorized, any and all real property of any private 25
 corporation, company or person to the extent that may be
 necessary for the purposes herein authorized, making due com-
 pensation to the owners, occupiers of, or other persons inter-
 ested in, such real property so entered upon, taken or used or
 injuriously affected thereby, to the extent and in the manner 30
 and subject to the limitations provided for "compensation for
 lands taken or injured" in *The Municipal Act* and is further
 authorized to use, distribute, supply, sell or dispose of such
 electric energy in the city or the vicinity thereof to any corpor-
 ation, company or person, or to any municipality desiring to 35
 purchase, use, distribute, sell or dispose of electric energy
 along the route by which such electric energy may be carried
 or transported, and either for use or distribution, and is further
 authorized to build, erect, construct, lease or purchase and
 operate buildings, plant, machinery or appliances for produc- 40
 ing or transforming such electric energy for any purpose for
 which it is or may be used, or for any of the purposes herein-
 before specified, and may enter into a contract with any
 other municipality for doing jointly any matter or thing
 which is herein provided may be done by such corporation, 45
 and any other municipality desiring to enter into a contract
 with the said corporation, for any of the purposes herein
 specified is hereby authorized so to do.

Contracts
 may be for
 agreed times.

(2) Any contract or agreement herein provided for may
 be made for such time as the council of any such municipality 50
 may deem proper.

(3) And for any purposes herein authorized the said corporation shall be at liberty from time to time to issue debentures by or with the consent of the ratepayers authorized to vote upon money by-laws, or to pay such portions thereof out of the year's taxation as to the council of the said corporation may seem right and proper.

Issue debentures with consent of ratepayers.

11. Notwithstanding the provisions of section 9 of the Act passed in the 54th year of the reign of Her Late Majesty Queen Victoria and chaptered 82, upon and from the date of the next municipal elections, and for the purposes thereof, the municipal council of the said corporation shall thereafter consist of the mayor and four controllers to be elected from the city at large, and eighteen aldermen, three of whom shall be elected from each of the six wards of the city.

Amend 54 Vic. c. 82 as to composition of city council.

(1) Each elector entitled to vote for mayor shall also be entitled to vote for four persons to be elected controllers, and the aldermen shall be elected in the manner at present provided by law by the municipal electors entitled to vote in each of the wards in which they may be qualified so to vote.

Election of controllers and aldermen.

(2) No person shall be qualified to be elected to the position of controller who has not served at least for two years prior thereto as a member of the city council, in addition to possessing the property and other qualification as required for mayor by section 76 of *The Municipal Act*.

Additional qualifications.

12. The said corporation is hereby authorized to sell hay or other feed at the cattle market if the city council so determine, and the said council is authorized by by-law to exclude other persons, companies, or corporations from selling hay or other feed therein.

Cattle feed at market.

13. All tax sales held by the City of Toronto up to and including the one held in the year 1902 are hereby validated and confirmed, except such as are the subject matter of any pending action. Provided, however, that any land so sold for taxes which is still held by the corporation may be redeemed by the owner thereof or any mortgagee thereon within three months from the passing of this Act, by such owner or mortgagee paying to the corporation the full amount which would have been necessary to redeem the same, within one year from the day of sale as provided in the Assessment Act, including interest, the costs and charges of the sale, and also all taxes which have accrued subsequent to the sale, and a sum for any year or years in which the same may not have been rated for taxes equal to what would have been the taxes thereon at the current rate for such year or years if the land had been assessed to a private person, and also interest upon the several sums to the time of such redemption.

Tax sales validated.

Proviso as to further time to redeem.

14. The by-laws of the corporation of the City of Toronto Validate

debenture
by-laws.

specified in Schedule D 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 No. 4138 as imposes an assessment upon lots 26 and 27 plan 101 "E" on the south side of Bloor street, having a frontage of 102 feet on Bloor street, assessed to W. Hamilton Merritt, but now the property of the trustees of the University of Toronto, which assessment shall not be collectable unless and until the said lots have been sold or leased by the said trustees, and then shall be collectable for such time as shall follow such sale or lease, which assessment shall attach upon the land or the lessees' interest therein respectively, according to whether the said land shall have been sold or leased.

SCHEDULE A.

Know all men by these presents—

Whereas certain persons, firms and corporations residing or doing business in the City of Toronto, hereinafter called the contributors, have deemed it expedient that a permanent fund should be created for the benefit of widows, orphans, relatives and others dependent for their support upon members of the Toronto Fire Department, who have died or may hereafter die by accident or from the result of accident while engaged in the actual performance of their duties ;

And whereas the contributors have already subscribed a sum of twenty-eight thousand dollars and upwards for the purposes of such fund, and the Corporation of the City of Toronto has agreed to pay a sum of twenty-five thousand dollars to the trustees of the fund ;

And whereas it is expedient that trustees for the fund should be appointed and their duties and responsibilities defined, and the trusts in respect thereof specifically declared ;

And whereas certain of the contributors representing all the contributors and the Council of the Corporation of the City of Toronto have requested the parties hereinafter named to act during the tenure of their present official positions as trustees of the fund upon the terms and conditions hereinafter declared which the said parties have agreed to do, as evidenced by their respective signatures hereto ;

And whereas it is intended that upon any trustee ceasing to hold the official position now held by him, his successor in such office shall thereupon become a trustee hereunder ;

Now therefore we Oliver Aiken Howland, Mayor of the City of Toronto, Alfred Ernest Ames, President of the Board of Trade of Toronto, Henry Dixon Phillips Armstrong, President of the Board of Fire Underwriters of the City of Toronto, and John Thompson, Chief of the Toronto Fire Department, do hereby publicly acknowledge and declare :

1. That we will jointly act, without remuneration, as trustees for the purposes hereinafter declared of the said fund and of any further moneys which may hereafter be received by us for the purposes hereof.

2. That we will from time to time invest, re-invest and keep invested the said fund in securities authorized by *The Trustee Investment Act*, as from time to time in force other than securities which are a first charge on land held in fee simple or will from time to time loan the fund or a portion thereof to the Corporation of the City of Toronto, or will leave the same or portions thereof on deposit in chartered banks of the Dominion of Canada, or will transfer for investment the fund or such portion or portions thereof as the trustees may from time to time deem

proper, to any authorized trust company or trust companies, provided such trust company or trust companies invest, re-invest and keep invested the same in securities authorized by *The Trustee Investment Act*, including and not excluding securities which are a first charge on land held in fee simple; and provided further that such trust company or trust companies shall invest such fund, or such portion thereof as may be transferred to them, in such manner that the securities, documents and properties representing the same shall be earmarked with this trust, and shall guarantee to the trustees hereunder the due payment of the principal and interest in respect thereof.

3. That we, or a majority of us, will from time to time apply the income to be derived from the fund, or such portion of the income as we, or a majority of us, in our absolute discretion, may deem expedient for the purpose of giving financial assistance to or for relieving from distress or want, or otherwise applying same for the benefit of such of the widows, children, relatives and others dependent for their support upon members of the Toronto Fire Department, who have died, or may hereafter die, from the result of injuries received while engaged in the actual performance of their duties as we, the trustees, or a majority of us, from time to time, may, in our absolute discretion, deem proper; and will likewise pay out of such income any expenses properly incurred in the administration or carrying out of the trusts hereof.

4. When we, or any of us, cease to hold the respective official positions hereinbefore mentioned, we and each of us shall thereupon cease to be and act as trustees hereunder, and shall and will execute such deed or document as may be necessary to vest any moneys received by us under this trust, or any securities or investments received or held by us as trustees as aforesaid in our successors in office as completely as if our said successors in office had been named or been parties to this declaration of trust, and our respective successors in office are thereupon to be and become trustees hereunder and shall receive the funds upon the terms hereof.

5. Pending the acceptance of such trust by any of our successors in office, or during the absence or incapacity of any trustee, a majority of the trustees may and shall act as trustees hereunder, and in such case such acts are to have the same validity as if every trustee had concurred and joined therein.

6. That we will do all such other acts, matters and things, including the obtaining of legislation, as in our absolute discretion may be deemed expedient for the permanent and effectual carrying out of the foregoing purposes or any of them.

In witness whereof we, and each of us, have hereunto set our hands and seals, this eighth day of August one thousand nine hundred and two,
 Signed, sealed and delivered in the presence of
 (sgd) R. T. COADY,
 THOMAS CASWELL,
 GEO. B. WILSON. } (sgd) OLIVER A. HOWLAND, (seal)
 Mayor.
 A. E. AMES,
 HY. D. P. ARMSTRONG,
 JOHN THOMPSON.

SCHEDULE B.

No. 4186. A BY-LAW.

To authorize the City Treasurer to borrow such sum or sums of money as may be necessary, not exceeding \$50,000 in all, for the purpose of purchasing and supplying fuel to charitable institutions and citizens in limited quantities.

[Passed October 13th, 1902.]

Whereas, owing to the scarcity of fuel in the City of Toronto, occasioned by the coal strike in the State of Pennsylvania, it is apparently impossible

to obtain by the ordinary channels of trade coal or wood at reasonable rates, so that charitable institutions and citizens in the City of Toronto may be supplied even in limited quantities for the coming winter.

And whereas it is imperatively necessary that something should be done by this corporation to provide fuel for such institutions and citizens in limited quantities, or there will be extreme suffering and probably death in Toronto resulting therefrom.

And whereas, at a meeting of the City Council held on the 6th day of October, 1902, a resolution was passed in the following words :

“Resolved, that this Council instruct the Board of Control to provide an appropriation, not exceeding \$50,000, for the purchase of fuel to be sold at cost to charitable institutions and citizens in limited quantities ; that towards the above end a competent man, conversant with the fuel trade, be employed, with power to employ such assistance as he may deem necessary to properly carry out the intention of this resolution, the above party to report to and receive instructions from the Board of Control.”

And whereas, at a conference held on the ninth day of October, 1902, between the Honorable George W. Ross, Premier of the Province of Ontario, and a deputation of this Council, the said Premier agreed, in view of the emergency above specified, that in case a by-law should be passed by this Council authorizing the City Treasurer to borrow such sum or sums of money, not exceeding in the amount of the liability, the sum of \$50,000, as might be necessary for the purpose of carrying out the foregoing resolution, the Government would, at the next session of the Ontario Legislature, support a Bill legalizing such loan and providing for the repayment thereof.

Therefore the municipal council of the corporation of the City of Toronto enacts as follows :

I.

The City Treasurer is hereby authorized and empowered to borrow from such banks, corporations, or persons as may be willing to lend the same, and upon such terms as may be necessary from time to time, such sum or sums of money, not exceeding \$50,000 in all, as may be required for the purpose of purchasing and supplying fuel to charitable institutions and citizens in limited quantities, until the same can be obtained in the usual way by the ordinary channels and at reasonable rates, the intention of this by-law being that the money may be borrowed from time to time in such quantities as may be required, and if necessary further sums if the earlier loans have been repaid, but so that the existing liability shall not at any one time exceed the said sum of \$50,000.

II.

The said moneys so to be borrowed shall, until repaid, be and constitute a charge on all real and personal property, assets and effects of the said the corporation of the City of Toronto.

W. A. LITTLEJOHN,
City Clerk.

COUNCIL CHAMBER,
Toronto, October 13th, 1902.

[L.S.] O. A. HOWLAND,
Mayor.

SCHEDULE C.

This agreement made in triplicate the 13th day of September, one thousand nine hundred and two; between the Trustees of the University of Toronto hereinafter called the trustees of the first part, and the corporation of the City of Toronto hereinafter called the corporation of the second part.

Whereas the said trustees with others have petitioned the said corporation to construct a brick pavement and concrete sidewalks upon Duncan Street, between King Street and Adelaide Street, which pavement and sidewalks have been recommended by the City Engineer to the Committee on Works, and the recommendations therefor have passed the said committee, and also the council of the said corporation,

And whereas the chairman of the Board of Trustees in signing the said petition placed a memorandum thereon that the trustees claimed no exemption for the property fronting upon Duncan Street from the assessment for the cost of the said works.

And whereas the said trustees duly appeared before the Court of Revision having jurisdiction in this matter on the fifth day of August, 1902, and submitted to be assessed for the proportionate cost of the said pavement and sidewalks to the extent of one hundred and twenty-eight feet four inches on the east side of Duncan Street, measured from the south-east angle of Adelaide and Duncan Streets.

And whereas it is deemed expedient to have a proper agreement executed by the said trustees binding them and the university which they represent for their proportionate part of the cost of the said pavement and sidewalks as aforesaid, as though the said trustees were a private corporation, and not holding land exempt from taxation.

Now therefore this agreement witnesseth as follows ;

(1) That if the said corporation will proceed with the construction of the said pavement and sidewalks upon Duncan Street, between King Street and Adelaide Street in accordance with the said petition, the said lands of the said trustees upon Duncan Street being the said frontage of one hundred and twenty-eight feet four inches may be assessed for their proportionate part of the cost of the said pavement and sidewalks, as determined by the Court of Revision, and that the said lands of the trustees will be charged with the sum which may be rated against the said lands for their proportionate part of the cost of the said pavement and sidewalks as aforesaid, the same as if the said lands held by them were held by them as private persons, and that the said lands were not exempt from taxation therefor.

(2) The said trustees agree that the said lands will stand liable for the annual rate which may be fixed for the cost of the said pavement and sidewalks upon the said frontage of one hundred and twenty-eight feet four inches of the lands belonging to them, as if the said lands were not exempt from taxation.

In Witness whereof the said trustees have hereunto set the hands of the chairman of the said trustees and the bursar of the university, and affixed the seal of office of the said trustees, and the said corporation have affixed their corporate seal under the hands of Oliver Aiken Howland, Esquire, Mayor, and Richard Theodore Coady, Esquire, treasurer of the said city and keeper of the city seal.

Signed, Sealed and Delivered
in the presence of

(Sgd.) JOHN A. PATERSON.

(Trustees Seal)

(Sgd.) JOHN HOSKIN

Chairman of Trustees
of University of Toronto.

(Sgd.) O. A. HOWLAND,

Mayor,

R. T. COADY,
Treasurer.

City's
Seal.

SCHEDULE D.

By-law No.	Nature of Work under By-law.	When passed by Council.	Amount of Debt Created.	Amount to be borne by City.	Amount to be borne by Ratepayers.	Period of Payment.	Rate of Interest.
			\$	\$	\$	Years.	
4,121	General consolidated loan debentures to complete Bathurst street school.....	Dec. 23, 1901.....	26,000 00	26,000 00	.....	27	3½
4,124	General consolidated loan debentures to erect certain buildings in the Exhibition Park.....	Jan. 27, 1902.....	133,500 00	133,500 00	.....	40	3½
4,134	Local Improvement debentures to defray the rate-payers' share of the cost of certain concrete sidewalks laid down in the year 1901.....	Feb. 10, ".....	36,459 56	6,535 82	29,923 74	10	3½
4,135	Local Improvement debentures to defray the rate-payers' share of the cost of certain concrete sidewalks laid down in the year 1901.....	" 10, ".....	19,380 15	4,158 70	15,221 45	10	3½
4,136	Local Improvement debentures to defray the rate-payers' share of the cost of certain plank sidewalks laid down in the year 1901.....	" 10, ".....	10,035 42	1,838 12	8,197 30	3	3½
4,137	Local Improvement debentures to defray the rate-payers' share of the cost of certain plank sidewalks laid down in the year 1901.....	" 10, ".....	10,232 93	1,714 27	8,518 66	3	3½
4,138	Local Improvement debentures to defray the rate-payers' share of the cost of certain concrete sidewalks laid down in the year 1901.....	" 24, ".....	32,062 04	4,962 90	27,099 14	10	3½
4,139	Local Improvement debentures to defray the rate-payers' share of the cost of certain macadam pavements constructed in the year 1901.....	" 24, ".....	61,483 74	18,044 87	43,438 87	Various.	3½

SCHEDULE D.—Continued.

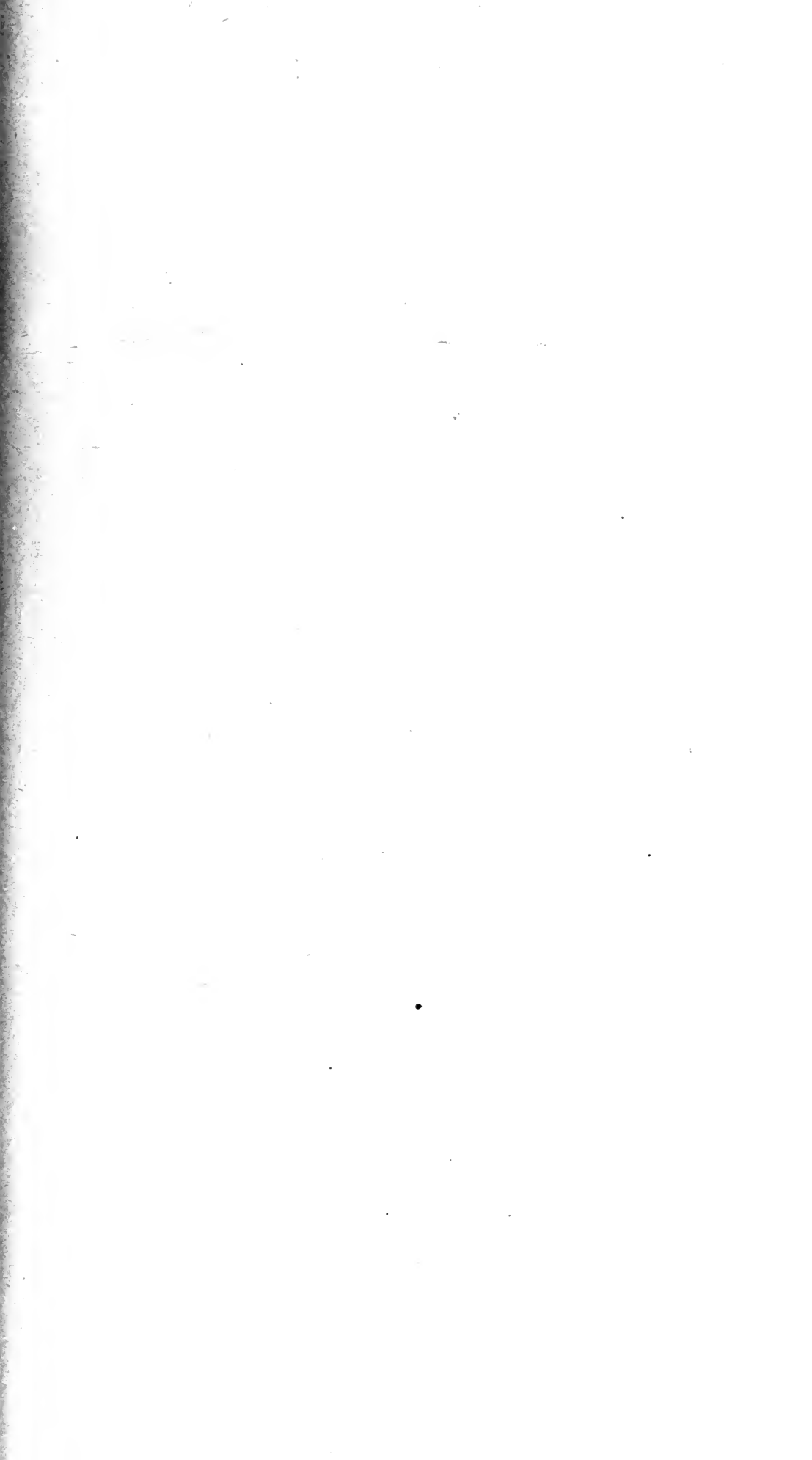
No. of By-law.	Nature of Work under By-law.	When passed by Council.	Amount of Debt Created.	Amount to be borne by City.	Amount to be borne by Ratepayers.	Period of Payment.	Rate of Interest.
4,140	Local Improvement debentures to defray the rate-payers' share of the cost of certain asphalt pavements constructed in the year 1901.....	March 24, 1902.....	\$ 270,559 70	88,999 05	181,560 65	10	3½
4,141	Local Improvement debentures to defray the rate-payers' share of the cost of certain brick pavements constructed in the year 1901.....	" 24, 1902.....	54,702 24	13,172 43	41,529 81	10	3½
4,142	Local Improvement debentures to defray the rate-payers' share of the cost of certain cedar block pavements constructed in the year 1901.....	" 24, "	55,781 28	16,442 96	39,338 32	Various.	3½
4,143	Local Improvement debentures to defray the rate-payers' share of the cost of certain sewers constructed in the year 1901.....	" 24, "	5,588 08	1,233 55	4,354 53	Various.	3½
4,144	Local Improvement debentures to defray the rate-payers' share of the cost of certain plank sidewalks laid down in the year 1901.....	" 24, "	20,069 72	2,831 81	17,237 91	3	3½
4,145	Local Improvement debentures to defray the rate-payers' share of the cost of certain wooden curbing constructed in the year 1901.....	" 24, "	511 58	161 03	350 55	3	3½
4,146	Sewer on Summerhill avenue, between Yonge street and a point distant seven hundred and thirty-nine feet easterly therefrom.....	" 24, "	900 68	70 00	830 68	10	3½

SCHEDULE D.—Continued.

By-law No.	Nature of Work under By-law.	When passed by Council.	Amount of Debt Created.	Amount to be borne by City.	Amount to be borne by Ratepayers.	Period of Payment.	Rate of Interest.
			\$	\$	\$	Years.	
4,147	Concrete sidewalk on the east side of Pembroke street, between Shuter street and Wilton avenue.....	March 24, 1902.....	745 03	111 43	633 60	10	3½
4,148	Granite sett and Scoria block on Custom House lane, between Yonge street and Bay street....	" 24, "	6,040 65	.....	6,040 65	10	3½
4,154	Local Improvement debentures to defray the ratepayers' share of the cost of certain concrete sidewalks laid down in the year 1901.....	April 7, "	1,671 96	255 36	1,416 60	10	3½
4,155	Local Improvement debentures to defray the ratepayers' share of the cost of certain plank sidewalks laid down in the year 1901.....	" 7, "	2,172 65	377 15	1,795 50	3	3½
4,157	Local Improvement debentures to defray the ratepayers' share of the cost of certain plank sidewalks laid down in the year 1901.....	" 21, "	4,583 40	855 17	3,728 23	3	3½
4,161	The Extension of Noble street, from its present east end and southerly to Queen street	May 5, "	4,404 10	.....	4,404 10	5	3½
4,163	Local Improvement debentures, consolidating the broken amounts, being the ratepayers share named in certain local improvement by-laws....	" 19, "	435,620 29	.....	435,620 29	Various.	3½
4,164	Local Improvement debentures consolidating the City's proportion of the amounts named in certain local improvement by-laws.....	" 19, "	161,764 62	161,764 62	.....	10	3½

SCHEDULE D.—*Concluded.*

No. of By-law.	Nature of Work under By-law.	When passed by Council.	Amount of Debt Created.	Amount to be borne by City.	Amount to be borne by Ratepayers.	Period of Payment.	Rate of Interest.
4,185	General consolidated loan debentures to pay for certain works for the Sunlight Soap Company and to pay for the laying of water mains upon certain streets and to improve the Cattle Market	Oct. 6, 1902.....	\$ 82,215 00	\$ 82,215 00	.....	27	3½
4,186	Purchasing and supplying fuel to charitable institutions and citizens, in limited quantities	" 13, "	\$ 50,000 00	\$ 50,000 00	.....	.....	.....



1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act respecting the City of Toronto.

First Reading, 1903.

(Private Bill.)

Mr. CRAWFORD.

TORONTO :

PRINTED BY L. K. GARROD,
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 petition prayed for special legislation in respect of the several matters hereinafter set forth; and whereas no objections have been made to any of the by-laws set out or referred to in Schedule D hereto; and whereas no opposition has been offered to the confirmation of the said by-laws; 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. (1) The Trust Deed set out in Schedule A to this act relating to the Firemen's Permanent Relief Fund is hereby declared to be legal and valid for the purpose of establishing the said fund, and to authorize the persons therein named, and their successors in office from time to time, to form a Trustee Board for the purpose of receiving and distributing relief for and on behalf of firemen belonging to the Toronto Fire Brigade in accordance with the provisions of the said Trust Deed; and the said trustees are hereby declared to be a body corporate to manage, invest and deal with all such moneys as may be received by them, and to distribute the same to the parties entitled thereto as provided in the said Trust Deed.

Firemen's Relief Fund legalized.

(2) The Corporation of the City of Toronto is hereby authorized to pay to the said trustees the sum of \$25,000 to form part of the said Relief Fund, the same to be paid out of the estimates and taxes for the year 1904, or partly in that year and partly in each of the years from 1905 to 1908 inclusive as the said corporation may deem proper, the said corporation in the meantime to pay interest at the rate of four per cent. *per annum* upon the said sum of \$25,000 from the date of the said Trust Deed until the money is paid over to the said trustees. The trustees are to be at liberty to loan the said \$25,000 and any other moneys which may be in their hands to the said corporation at such rate of interest as may be agreed upon by the corporation and the said trustees. In the event of such loan being effected then the said corporation

City to pay \$25,000 towards it.

Trustees may loan money to city.

is to pay the interest thereon half-yearly to the said trustees at the rate so agreed upon.

By-law No. 4186 and fuel supply.

2. The corporation having borrowed by means of By-law Number 4186, set out as Schedule B hereto, entitled "A by-law to authorize the City Treasurer to borrow such sum or sums of money as may be necessary, not exceeding \$50,000 in all, for the purpose of purchasing and supplying fuel to charitable institutions and citizens in limited quantities", certain sums of money for the purpose of purchasing and supplying fuel to charitable institutions and citizens in limited quantities, and having paid out certain sums of money in contracts and otherwise for the purchase of fuel, all sums of money so borrowed and all sums so paid are hereby declared to have been and to be legal and valid and to that extent within the powers of the said corporation.

Agreement between City and University validated.

3. The agreements entered into between the Trustees of the University of Toronto and the corporation of the City of Toronto, and set out in Schedule C to this act respecting the assessment of certain local improvements upon Duncan street, are hereby declared to be valid and within the powers of the parties thereto.

Authority to set apart lands purchased for taxes for playgrounds, etc.

4. The council of the said corporation is hereby authorized by by-law to set apart any of the lands purchased by the city at tax sales to be used by the said city for park, playground or other municipal purposes, and the said city shall not be required to sell the said lands within seven years from the time they were acquired by the city; but, upon the passing of such by-law or by laws by the council, the obligation to sell the same shall be at once removed.

Parks and playgrounds.

5. The said corporation is hereby authorized to issue debentures from time to time ^{and} within five years from the passing of this Act ^{and} for such sum or sums as the council may deem necessary, but not exceeding in any one year one mill on the dollar on the assessed value ^{and} of all the real and personal property in the cities ^{and} in such year, according to the last revised assessment roll, for the purpose of *purchasing* parks and playgrounds in the city, and for making permanent improvements thereon, without submitting the by-law or by-laws for the same to the ratepayers entitled to vote on money by-laws; and if debentures to the amount of one mill on the dollar on such assessed value are not issued, or the proceeds thereof in any one or more years not expended, then the amount not issued *or* the sum not expended, in any such year or years, ^{and} not exceeding the sum of \$500,000, ^{and} may be issued or expended in any subsequent year. The debentures to be issued under the said by-laws shall be payable within such period as may be thought right by the council, but not exceeding forty years from the date of the issue thereof, and the interest and sink-

Debentures therefor.

ing fund therefor shall be raised annually during the period provided in the said by-law or by-laws, and the interest shall be payable to the holders of such debentures half-yearly as the same falls due, but the debentures shall be payable at the end of the period or periods fixed by the said by-law.

6. The said corporation, in obtaining lands for parks and playgrounds, may agree to pay for the same in annual sums either for a limited number of years, or during the lifetime of the owner, or otherwise as may be deemed prudent by the council of the said corporation, and as may be agreed upon with the person from whom the said lands may be purchased; or the said corporation may obtain any such lands by lease or otherwise for any number of years on an agreement or option to pay and with power to pay the purchase money at any subsequent period.

Lands purchased for parks, etc., may be purchased on time.

7. The council of the said corporation may expend such sum, not exceeding \$5,000, as may be deemed prudent during the year 1903, in holding a festival or re-union for the former residents of the city and may include the same in the estimates for the year 1904.

Expend money on re union of former residents.

8. All sales of lands within the said city, up to and including the one held in the year 1902, 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 roll or collectors roll of the said city 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 the return of any collector's roll of the said city, or in regard to the furnishing, authenticating, or depositing of any list of lands in arrear for taxes within the said city, 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 said city to comply with any requirements of the said Acts, and notwithstanding anything to the contrary in either of the said Acts contained. Provided, however, that any land so sold for taxes which is still held by the corporation may be redeemed by the owner thereof or any mortgagee thereon within three months from the passing of this Act, by such owner or mortgagee paying to the corporation the full amount which would have been necessary to redeem the same, within one year from the day of sale as provided in *The Assessment Act*, including interest, the costs and charges of the sale, and also all

Tax sales validated.

Proviso as to further time to redeem.

taxes which have accrued subsequent to the sale, and a sum for any year or years in which the same may not have been rated for taxes equal to what would have been the taxes thereon at the current rate for such year or years if the land had been assessed to a private person, and also interest upon the several sums to the time of such redemption; and provided further that nothing in this section contained shall affect any rights which are the subject of litigation at the time of the passing of this Act.

Validated
debenture
by-laws.

9. The by-laws of the corporation of the City of Toronto specified in Schedule D 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 No. 4138 as imposes an assessment upon lots 26 and 27 plan 101 "E" on the south side of Bloor street, having a frontage of 102 feet on Bloor street, assessed to W. Hamilton Merritt, but now the property of the trustees of the University of Toronto, which assessment shall not be collectable unless and until the said lots have been sold or leased by the said trustees, and then shall be collectable for such time as shall follow such sale or lease, which assessment shall attach upon the land or the lessees' interest therein respectively, according to whether the said land shall have been sold or leased.

City empow-
ered to pur-
chase Garri-
son Commons.

10. (1) The Corporation of the City of Toronto may, upon a three-fourths vote of the city council, purchase from the Dominion Government the lands known as the Garrison Commons in the City of Toronto, upon such terms as may be agreed upon between the council of the said corporation and the said government, and may pay the price agreed to be paid therefor.

(2) Or the said corporation may purchase any land in any of the municipalities in the County of York to be used for military purposes, and may erect suitable buildings thereon for such purposes, if the said government wish them so to do, and shall have full powers to appropriate such land in any of the said municipalities for the said purposes, making due compensation therefor according to the provisions of *The Municipal Act* providing for compensation for lands taken or injured, and, with the consent of the council of the local municipality wherein such land may be situate, may close up streets, lanes or other public places which it may be found necessary to include in the land required for such military purposes.

(3) The said corporation may exchange the lands so acquired as aforesaid with the Dominion Government for the Garrison Commons property, upon such terms as may be agreed upon between the council thereof and the said government, and may pay to or receive from the said government

such a sum beyond the value of the lands so exchanged as may be agreed upon between the said council and said government.

(4) For any of the purposes aforesaid the council of the said corporation may, without submitting the same to the ratepayers qualified to vote on money by-laws, pass such by-laws as may be necessary therefor, and may issue any number of debentures payable in this Province or elsewhere in sums of not less than \$100 each, which may be requisite and necessary therefor, which debentures shall be payable within 40 years from the respective dates thereof, with interest thereon in the meantime at a rate not exceeding 4 per cent. per annum, payable half yearly; and for the purpose of redeeming such debentures and paying the interest thereon, the council of the said corporation may, in any by-law or by-laws to be passed authorizing any such loan or loans, or any part thereof, and the issue of debentures therefor, impose a rate per annum upon all ratable real and personal property in the said municipality over and above, and in addition to all other rates to be levied in each year, which shall be sufficient over and above the interest payable on such debentures to form a sinking fund to pay off the said debentures at maturity.

(5) The powers conferred by this section shall be in addition to the powers conferred by sections 5 and 6 of this Act.

(6) Any lands acquired within the City of Toronto by the Corporation of the City of Toronto under the powers by this section conferred shall be used for park or industrial exhibition purposes only.

SCHEDULE A.

Know all men by these presents—

Whereas certain persons, firms and corporations residing or doing business in the City of Toronto, hereinafter called the contributors, have deemed it expedient that a permanent fund should be created for the benefit of widows, orphans, relatives and others dependent for their support upon members of the Toronto Fire Department, who have died or may hereafter die by accident or from the result of accident while engaged in the actual performance of their duties;

And whereas the contributors have already subscribed a sum of twenty-eight thousand dollars and upwards for the purposes of such fund, and the Corporation of the City of Toronto has agreed to pay a sum of twenty-five thousand dollars to the trustees of the fund;

And whereas it is expedient that trustees for the fund should be appointed and their duties and responsibilities defined, and the trusts in respect thereof specifically declared;

And whereas certain of the contributors representing all the contributors and the Council of the Corporation of the City of Toronto have requested the parties hereinafter named to act during the tenure of their present official positions as trustees of the fund upon the terms and conditions hereinafter declared, which the said parties have agreed to do, as evidenced by their respective signatures hereto;

And whereas it is intended that upon any trustee ceasing to hold the official position now held by him, his successor in such office shall thereupon become a trustee hereunder ;

Now therefore we Oliver Aiken Howland, Mayor of the City of Toronto, Alfred Ernest Ames, President of the Board of Trade of Toronto, Henry Dixon Phillips Armstrong, President of the Board of Fire Underwriters of the City of Toronto, and John Thompson, Chief of the Toronto Fire Department, do hereby publicly acknowledge and declare :

1. That we will jointly act, without remuneration, as trustees for the purposes hereinafter declared of the said fund and of any further moneys which may hereafter be received by us for the purposes hereof.

2. That we will from time to time invest, re-invest and keep invested the said fund in securities authorized by *The Trustee Investment Act*, as from time to time in force other than securities which are a first charge on land held in fee simple or will from time to time loan the fund or a portion thereof to the Corporation of the City of Toronto, or will leave the same or portions thereof on deposit in chartered banks of the Dominion of Canada, or will transfer for investment the fund or such portion or portions thereof as the trustees may from time to time deem proper, to any authorized trust company or trust companies, provided such trust company or trust companies invest, re-invest and keep invested the same in securities authorized by *The Trustee Investment Act*, including and not excluding securities which are a first charge on land held in fee simple ; and provided further that such trust company or trust companies shall invest such fund, or such portion thereof as may be transferred to them, in such manner that the securities, documents and properties representing the same shall be earmarked with this trust, and shall guarantee to the trustees hereunder the due payment of the principal and interest in respect thereof.

3. That we, or a majority of us, will from time to time apply the income to be derived from the fund, or such portion of the income as we, or a majority of us, in our absolute discretion, may deem expedient for the purpose of giving financial assistance to or for relieving from distress or want, or otherwise applying same for the benefit of such of the widows, children, relatives and others dependent for their support upon members of the Toronto Fire Department, who have died, or may hereafter die, from the result of injuries received while engaged in the actual performance of their duties as we, the trustees, or a majority of us, from time to time, may, in our absolute discretion, deem proper ; and will likewise pay out of such income any expenses properly incurred in the administration or carrying out of the trusts hereof.

4. When we, or any of us, cease to hold the respective official positions hereinbefore mentioned, we and each of us shall thereupon cease to be and act as trustees hereunder, and shall and will execute such deed or document as may be necessary to vest any moneys received by us under this trust, or any securities or investments received or held by us as trustees as aforesaid in our successors in office as completely as if our said successors in office had been named or been parties to this declaration of trust, and our respective successors in office are thereupon to be and become trustees hereunder and shall receive the funds upon the terms hereof.

5. Pending the acceptance of such trust by any of our successors in office, or during the absence or incapacity of any trustee, a majority of the trustees may and shall act as trustees hereunder, and in such case such acts are to have the same validity as if every trustee had concurred and joined therein.

6. That we will do all such other acts, matters and things, including the obtaining of legislation, as in our absolute discretion may be deemed expedient for the permanent and effectual carrying out of the foregoing purposes or any of them.

In witness whereof we, and each of us, have hereunto set our hands and seals, this eighth day of August one thousand nine hundred and two, Signed, sealed and delivered in the presence of

(sgd) R. T. COADY, THOMAS CASWELL, GEO. B. WILSON.	}	(sgd) OLIVER A. HOWLAND, (seal) Mayor. A. E. AMES, HY. D. P. ARMSTRONG, JOHN THOMPSON.
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SCHEDULE B.

No. 4186. A BY-LAW.

To authorize the City Treasurer to borrow such sum or sums of money as may be necessary, not exceeding \$50,000 in all, for the purpose of purchasing and supplying fuel to charitable institutions and citizens in limited quantities.

[Passed October 13th, 1902.]

Whereas, owing to the scarcity of fuel in the City of Toronto, occasioned by the coal strike in the State of Pennsylvania, it is apparently impossible to obtain by the ordinary channels of trade coal or wood at reasonable rates, so that charitable institutions and citizens in the City of Toronto may be supplied even in limited quantities for the coming winter.

And whereas it is imperatively necessary that something should be done by this corporation to provide fuel for such institutions and citizens in limited quantities, or there will be extreme suffering and probably death in Toronto resulting therefrom.

And whereas, at a meeting of the City Council held on the 6th day of October, 1902, a resolution was passed in the following words :

“Resolved, that this Council instruct the Board of Control to provide an appropriation, not exceeding \$50,000, for the purchase of fuel to be sold at cost to charitable institutions and citizens in limited quantities ; that towards the above end a competent man, conversant with the fuel trade, be employed, with power to employ such assistance as he may deem necessary to properly carry out the intention of this resolution, the above party to report to and receive instructions from the Board of Control.”

And whereas, at a conference held on the ninth day of October, 1902, between the Honorable George W. Ross, Premier of the Province of Ontario, and a deputation of this Council, the said Premier agreed, in view of the emergency above specified, that in case a by-law should be passed by this Council authorizing the City Treasurer to borrow such sum or sums of money, not exceeding in the amount of the liability, the sum of \$ 50,000, as might be necessary for the purpose of carrying out the foregoing resolution, the Government would, at the next session of the Ontario Legislature, support a Bill legalizing such loan and providing for the repayment thereof.

Therefore the municipal council of the corporation of the City of Toronto enacts as follows :

I.

The City Treasurer is hereby authorized and empowered to borrow from such banks, corporations, or persons as may be willing to lend the same, and upon such terms as may be necessary from time to time, such sum or sums of money, not exceeding \$50,000 in all, as may be required for the purpose of purchasing and supplying fuel to charitable institutions and citizens in limited quantities, until the same can be obtained in the usual way by the ordinary channels and at reasonable rates, the intention of this by-law being that the money may be borrowed from time to time in such quantities as may be required, and if necessary further sums if the earlier loans have been repaid, but so that the existing liability shall not at any one time exceed the said sum of \$50,000.

II.

The said moneys so to be borrowed shall, until repaid, be and constitute a charge on all real and personal property, assets and effects of the said the corporation of the City of Toronto.

W. A. LITTLEJOHN,
City Clerk.

COUNCIL CHAMBER,
Toronto, October 13th, 1902.

[L.S.] O. A. HOWLAND,
Mayor.

SCHEDULE C.

This agreement made in triplicate the fifth day of May, one thousand nine hundred and two ; between the Trustees of the University of Toronto, hereinafter called the Trustees, of the first part ; and the Corporation of the City of Toronto, hereinafter called the Corporation of the second part.

Whereas the said trustees with others have petitioned the said corporation to construct a sewer upon Duncan Street between King Street and Adelaide Street, and which sewer has been recommended by the City Engineer to the Committee on Works and has passed the said committee, but has not yet been presented to the council of the said corporation ;

And whereas the solicitor for the said trustees, before the recommendation of the construction of such sewer by the City Engineer, undertook that a proper agreement would be executed by the said trustees binding them and the university which they represent for their proportionate part of the cost of the said sewer as though the said trustees were a private corporation and not holding land exempt from taxation.

Now therefore this agreement witnesseth that the said trustees hereby agree with the said corporation as follows :—

1. That, if the said corporation will proceed with the construction of the said sewer upon Duncan Street between King Street and Adelaide Street in accordance with the said petition the lands of the said trustees upon the east side of Duncan Street extending from King Street to Adelaide Street may be assessed for their proportionate part of the cost of the said sewer as determined by the Court of Revision, or in case of an appeal therefrom, by the County Judge ; and that the said trustees will pay the sum which may be rated against them and the said lands for their proportionate part of the cost of the said sewer the same as if the said lands held by them were held by them as private persons, and that the said lands and trustees were not exempt from taxation therefor.

2. The said trustees agree that they will pay the annual rate which may be fixed for the cost of the said sewer upon the said lands belonging to them in all respects as if the said lands were not exempt from taxation.

This agreement is accepted by the city without waiving the city's contention that Russell Square is a public park or square which the city is entitled to and the agreement is entered into without prejudice to the city's claim to the square.

In witness whereof the said trustees have hereunto set the hand of the Vice-Chairman of the said trustees and the Bursar of the University and

affixed the seal of office of the said trustees ; and the said corporation have affixed their corporate seal under the hands of Oliver Aiken Howland, Esquire, Mayor, and Richard Theodore Coady, Esquire, Treasurer of the said City and keeper of the said seal.

(Sgd.) J. LOUDON

(seal

Vice Chairman.

“ J. E. BERKLEY SMITH

Bursar.

SCHEDULE C.

This agreement made in triplicate the 13th day of September, one thousand nine hundred and two ; between the Trustees of the University of Toronto hereinafter called the trustees of the first part, and the corporation of the City of Toronto hereinafter called the corporation of the second part.

Whereas the said trustees with others have petitioned the said corporation to construct a brick pavement and concrete sidewalks upon Duncan Street, between King Street and Adelaide Street, which pavement and sidewalks have been recommended by the City Engineer to the Committee on Works, and the recommendations therefor have passed the said committee, and also the council of the said corporation

And whereas the chairman of the Board of Trustees in signing the said petition placed a memorandum thereon that the trustees claimed no exemption for the property fronting upon Duncan Street from the assessment for the cost of the said works.

And whereas the said trustees duly appeared before the Court of Revision having jurisdiction in this matter on the fifth day of August, 1902, and submitted to be assessed for the proportionate cost of the said pavement and sidewalks to the extent of one hundred and twenty-eight feet four inches on the east side of Duncan Street, measured from the south-east angle of Adelaide and Duncan Streets.

And whereas it is deemed expedient to have a proper agreement executed by the said trustees binding them and the university which they represent for their proportionate part of the cost of the said pavement and sidewalks as aforesaid, as though the said trustees were a private corporation, and not holding land exempt from taxation.


Now therefore this agreement witnesseth as follows ;

(1) That if the said corporation will proceed with the construction of the said pavement and sidewalks upon Duncan Street, between King Street and Adelaide Street in accordance with the said petition, the said lands of the said trustees upon Duncan Street being the said frontage of one hundred and twenty-eight feet four inches may be assessed for their proportionate part of the cost of the said pavement and sidewalks, as determined by the Court of Revision, and that the said lands of the trustees will be charged with the sum which may be rated against the said lands for their proportionate part of the cost of the said pavement and sidewalks as aforesaid, the same as if the said lands held by them were held by them as private persons, and that the said lands were not exempt from taxation therefor.

(2) The said trustees agree that the said lands will stand liable for the annual rate which may be fixed for the cost of the said pavement and

sidewalks upon the said frontage of one hundred and twenty-eight feet four inches of the lands belonging to them, as if the said lands were not exempt from taxation.

In Witness whereof the said trustees have hereunto set the hands of the chairman of the said trustees and the bursar of the university, and affixed the seal of office of the said trustees, and the said corporation have affixed their corporate seal under the hands of Oliver Aiken Howland, Esquire, Mayor, and Richard Theodore Coady, Esquire, treasurer of the said city and keeper of the city seal.

Signed, Sealed and Delivered in the presence of	}	(Sgd.) JOHN HOSKIN Chairman of Trustees of University of Toronto.
(Sgd.) JOHN A. PATERSON.	}	(Sgd.) O. A. HOWLAND, Mayor,
(Trustees Seal)	}	R. T. COADY, Treasurer. 

SCHEDULE D.

By-law.	Nature of Work under By-law.	When passed by Council.	Amount of Debt Created.	Amount to be borne by City.	Amount to be borne by Ratepayers.	Period of Payment.	Rate of Interest.
			\$	\$	\$	Years.	
4,121	General consolidated loan debentures to complete Bathurst street school.....	Dec. 23, 1901	26,000 00	26,000 00	.....	27	3½
4,124	General consolidated loan debentures to erect certain buildings in the Exhibition Park.....	Jan. 27, 1902.....	133,500 00	133,500 00	.....	40	3½
4,134	Local Improvement debentures to defray the ratepayers' share of the cost of certain concrete sidewalks laid down in the year 1901.....	Feb. 10, " ...	36,459 56	6,535 82	29,923 74	10	3½
4,135	Local Improvement debentures to defray the ratepayers' share of the cost of certain concrete sidewalks laid down in the year 1901.....	" 10, "	19,380 15	4,158 70	15,221 45	10	3½
4,136	Local Improvement debentures to defray the ratepayers' share of the cost of certain plank sidewalks laid down in the year 1901.....	" 10, "	10,035 42	1,838 12	8,197 30	3	3½
4,137	Local Improvement debentures to defray the ratepayers' share of the cost of certain plank sidewalks laid down in the year 1901.....	" 10, "	10,232 93	1,714 27	8,518 66	3	3½
4,138	Local Improvement debentures to defray the ratepayers' share of the cost of certain concrete sidewalks laid down in the year 1901.....	" 24, "	32,062 04	4,962 90	27,099 14	10	3½
4,139	Local Improvement debentures to defray the ratepayers' share of the cost of certain macadam pavements constructed in the year 1901.....	" 24, "	61,483 74	18,044 87	43,438 87	Various.	3½

SCHEDULE D.—Continued.

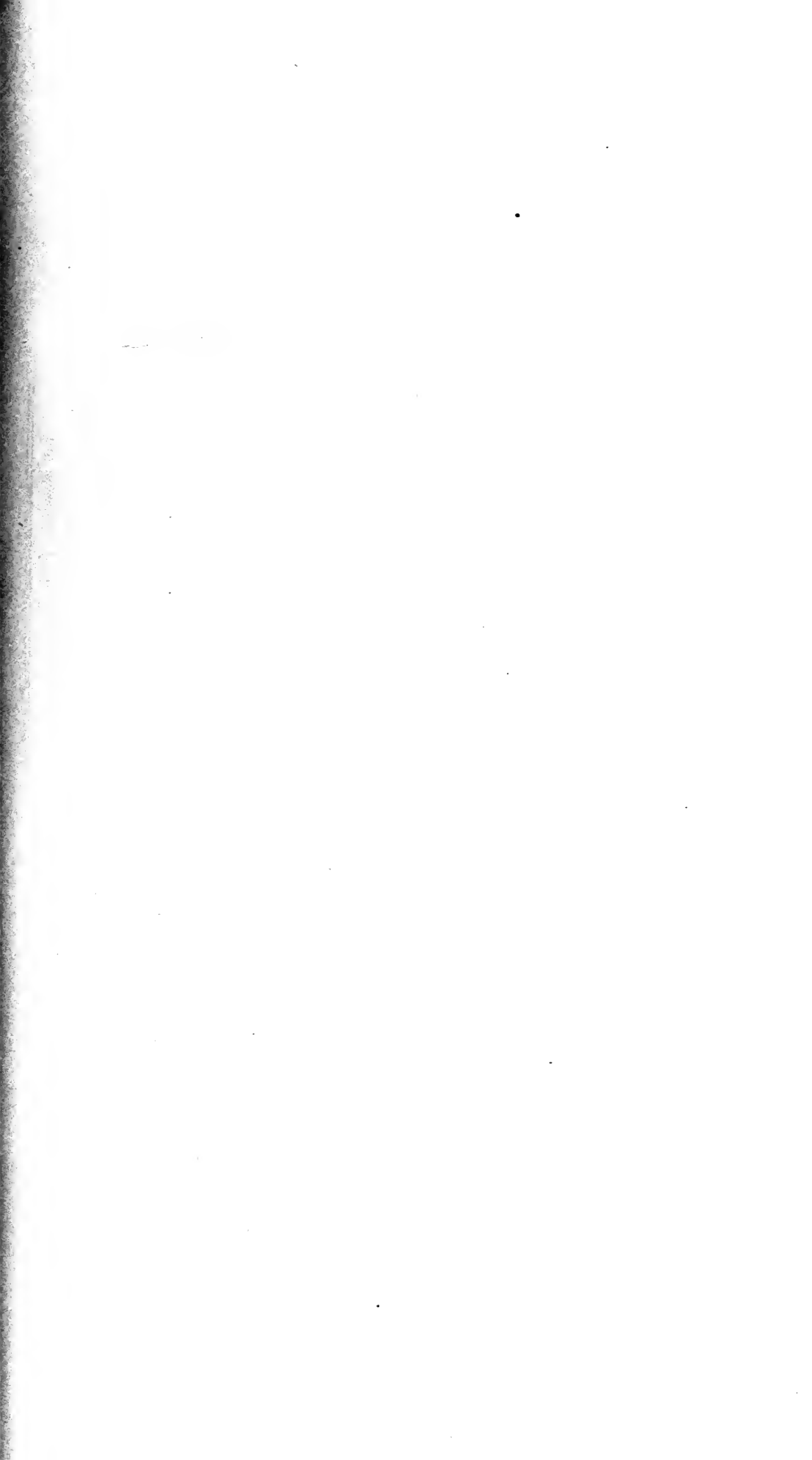
No. of By-law.	Nature of Work under By-law.	When passed by Council.	Amount of Debt Created.	Amount to be borne by City.	Amount to be borne by Ratepayers.	Period of Payment.	Rate of Interest.
			\$	\$	\$	Years.	
4,140	Local Improvement debentures to defray the rate-payers' share of the cost of certain asphalt pavements constructed in the year 1901.....	March 24, 1902.....	270,559 70	88,999 05	181,560 65	10	3½
4,141	Local Improvement debentures to defray the rate-payers' share of the cost of certain brick pavements constructed in the year 1901.....	" 24, 1902.....	54,702 24	13,172 43	41,529 81	10	3½
4,142	Local Improvement debentures to defray the rate-payers' share of the cost of certain cedar block pavements constructed in the year 1901.....	" 24, "	55,781 28	16,442 96	39,338 32	Various.	3½
4,143	Local Improvement debentures to defray the rate-payers' share of the cost of certain sewers constructed in the year 1901.....	" 24, "	5,588 08	1,233 55	4,354 53	Various.	3½
4,144	Local Improvement debentures to defray the rate-payers' share of the cost of certain plank sidewalks laid down in the year 1901.....	" 24, "	20,069 72	2,831 81	17,237 91	3	3½
4,145	Local Improvement debentures to defray the rate-payers' share of the cost of certain wooden curbing constructed in the year 1901.....	" 24, "	511 58	161 03	350 55	3	3½
4,146	Sewer on Summerhill avenue, between Yonge street and a point distant seven hundred and thirty-nine feet easterly therefrom.....	" 24, "	900 68	70 00	830 68	10	3½

SCHEDULE D — Continued.

No. of By-law.	Nature of Work under By-law.	When passed by Council.	Amount of Debt Created.	Amount to be borne by City.	Amount to be borne by Ratepayers.	Period of Payment.	Rate of Interest.
4,147	Concrete sidewalk on the east side of Pembroke street, between Shuter street and Wilton avenue.....	March 24, 1902.....	\$ 745 03	\$ 111 43	\$ 633 60	10	3½
4,148	Granite sett and Scoria block on Custom House lane, between Yonge street and Bay street....	" 24, "	6,040 65	.....	6,040 65	10	3½
4,154	Local Improvement debentures to defray the ratepayers' share of the cost of certain concrete sidewalks laid down in the year 1901.....	April 7, "	1,671 96	255 36	1,416 60	10	3½
4,155	Local Improvement debentures to defray the ratepayers' share of the cost of certain plank sidewalks laid down in the year 1901.....	" 7, "	2,172 65	377 15	1,795 50	3	3½
4,157	Local Improvement debentures to defray the ratepayers' share of the cost of certain plank sidewalks laid down in the year 1901.....	" 21, "	4,583 40	855 17	3,728 23	3	3½
4,161	The Extension of Noble street, from its present east end and southerly to Queen street.....	May 5, "	4,404 10	.....	4,404 10	5	3½
4,163	Local Improvement debentures, consolidating the broken amounts, being the ratepayers share named in certain local improvement by-laws...	" 19, "	435,620 29	.....	435,620 29	Various.	3½
4,164	Local Improvement debentures consolidating the City's proportion of the amounts named in certain local improvement by-laws.....	" 19, "	161,764 62	161,764 62	.....	10	3½

SCHEDULE D.—*Concluded.*

No. of By-law.	Nature of Work under By-law.	When passed by Council.	Amount of Debt Created.	Amount to be borne by City.	Amount to be borne by Ratepayers.	Period of Payment.	Rate of Interest.
4,185	General consolidated loan debentures to pay for certain works for the Sunlight Soap Company and to pay for the laying of water mains upon certain streets and to improve the Cattle Market	Oct. 6, 1902.....	\$ 82,215 00	\$ 82,215 00	.....	27	3½
4,186	Purchasing and supplying fuel to charitable institutions and citizens, in limited quantities	" 13, "	\$ 50,000 00	\$ 50,000 00	.....	.....	.....



1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the City of Toronto.

First Reading, 24th April, 1903.

(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 to Consolidate the Debt of the Town of
Deseronto.

WHEREAS the Municipal Corporation of the Town of Preamble.

Deseronto has by petition represented that the said corporation has incurred debts to the amount of \$61,897, being \$23,120 on account of railway debentures, \$5,572 for high school debentures, \$30,870 for waterworks debentures, \$2,335 for fire appliance debentures; and whereas the sum of \$34,103 will be required as requested by the public school board of Deseronto to erect a public school building, furnish it and remodel the old school building, making in all \$96,000; and whereas the annual payments that have to be made on account of said debentures and speedy provision for the proposed public school improvements would make taxation unduly burdensome and oppressive to the ratepayers of the said town; and whereas the said corporation by its petition has prayed that the said debts secured and unsecured may be consolidated, and that the said corporation may issue debentures for that purpose; and whereas the said petition has not been opposed; and whereas it is expedient to grant the prayer of the said petition;

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

1. The said debts of the Town of Deseronto are hereby consolidated at the sum of \$96,000, and it shall be lawful for the Town of Deseronto aforesaid to raise by way of loan on the credit of the debentures hereinafter mentioned, and to be issued under authority of this Act, from any person or persons or body corporate, a sufficient sum or sums to retire the said debentures amounting to \$61,897, and to erect a public school building, furnish it and remodel the old school building, amounting to \$34,103, not exceeding in the whole the said sum of \$96,000, exclusive of interest thereon. Debt consolidated and debentures for \$96,000 authorized.

2. It shall be lawful for the said corporation of the Town of Deseronto from time to time to pass a by-law or by-laws providing for the issue of debentures under their corporate seal, signed by the Mayor and countersigned by the Treasurer for the time being, in such sums not exceeding \$100 each, and Issue of debentures.

not exceeding in the aggregate \$96,000, payable at such places as the corporation may deem expedient.

Power to sell or borrow on debentures.

3. The said corporation may for the purposes herein mentioned raise the money by way of loan on the said debentures or sell and dispose of the said debentures from time to time as it may deem expedient. 5

Payment of debentures and interest.

4. The said debentures shall be payable in not more than three years from issue thereof, as the said corporation may direct. Coupons shall be attached to the said debentures for the payment of the interest thereon, and such interest shall be payable yearly at the places mentioned therein, and in the coupons attached thereto, and such debentures may bear interest at any rate not exceeding four per cent. per annum. 10

Term of debentures.

5. A portion of the \$96,000 of debentures to be issued under this Act shall be made payable each year for a period not exceeding thirty years from the issue thereof, and so that the aggregate amount payable for principal and interest in any one year shall be equal as nearly as may be to what is payable for principal and interest for each of the other years of the period within which the debt is to be discharged. 15 20

Special rate.

6. The said corporation shall levy in addition to all other rates to be levied in each year a special rate sufficient to pay the amount falling due annually for principal and interest in respect of the debentures authorized to be issued under this Act to be called the "consolidated debenture rate," and it shall not be necessary to levy for, or to provide any sinking fund to retire the said debentures or any of them. 25

Application of proceeds of debentures.

7. The said debentures and all moneys arising therefrom shall be applied by the said corporation in the redemption of the debentures of the Town of Deseronto to the amount of \$61,897, and in the erection and furnishing of a public school building and remodelling the old school building, amounting to \$34,103, and in no other manner, and for no other purpose whatsoever, and such debentures may be known as the "consolidated debt debentures." 30 35

Retirement of outstanding debentures.

8. The Treasurer of the said town shall, on receiving instructions from the council so to do, from time to time, but only with the consent of the holders thereof, call in any of the outstanding debentures, and shall discharge the same with the funds raised under the preceding sections of this Act; or may, with the like consent, substitute therefor the said debentures or any of them hereinbefore authorized to be issued, upon such terms as may be agreed upon between the said council and the holders of the said outstanding debentures. 40

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

By-law not to be repealed until debt satisfied.

10. It shall not be necessary to obtain the assent of the electors of the said Town of Deseronto to 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*.

Assent of electors not required.
Rev. Stat. c. 223.

11. It shall be the duty of the Treasurer, for the time being, of the said town 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 sales 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 town, and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Treasurer to keep proper books of account.

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

Indebtedness of town not discharged.

13. The debentures issued under this Act may be in the form contained in Schedule A to this Act, and the by-law or by-laws authorizing the same may be in the form of Schedule B to this Act.

Form of debentures

14. Any provisions in the Acts respecting municipal institutions in the Province of Ontario, which are or may be inconsistent with the provisions of this Act, or any of them shall not apply to the by-law or by-laws to be passed by the said corporation under the provisions of this Act, and no irregularity in the form of the said debentures, or any of them, authorized to be issued by this Act, or of the by-law or by-laws authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the corporation for the recovery of the amount of the said debentures and interest, or any or either of them, or any part thereof, and the purchaser or holder

Inconsistent enactments not to apply.

thereof shall not be bound to enquire as to the necessity of passing such by-law or issue of debentures, or as to the application of the proceeds thereof.

Short title. **15** This Act may be cited as *The Town of Deseronto Debenture Act, 1903.*

SCHEDULE A.

(Section 13.) -

DEBENTURE.

PROVINCE OF ONTARIO, TOWN OF DESERONTO.

No.

§

Under and by virtue of *The Town of Deseronto Debenture Act, 1903*, and By-law No. _____ of the corporation of the Town of Deseronto, passed under the provisions contained in the said Act, the corporation of the Town of Deseronto promises to pay the bearer at _____ in the sum of _____ on the _____ day of _____ A. D. _____ and the yearly coupons hereto attached, as the same shall severally become due.

Dated at Deseronto, in the County of Hastings, this day of _____ A. D. _____

Mayor.

Treasurer.

SCHEDULE B.

(Section 13.)

BY-LAW NO. _____ TO AUTHORIZE THE ISSUE OF DEBENTURES UNDER THE AUTHORITY OF THE TOWN OF DESERONTO DEBENTURE ACT, 1903.

Whereas the said Act authorizes the issue of debentures for the purposes therein mentioned, not exceeding \$96,000 in the whole as the corporation of the Town of Deseronto may, in pursuance of and in conformity with the provisions of the said Act, direct.

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

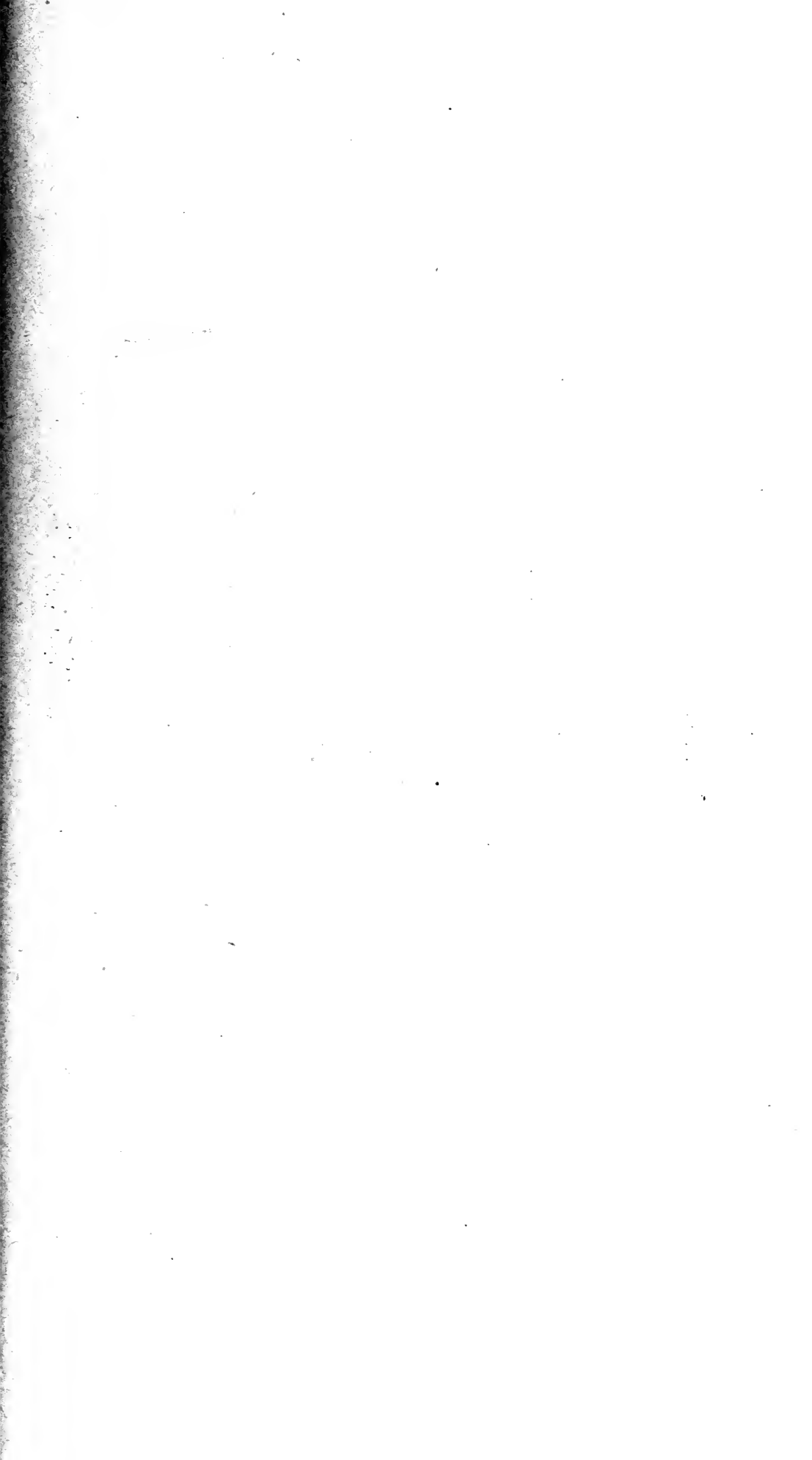
And whereas the amount of the whole rateable property of the said Town of Deseronto, according to the last revised assessment roll of the said town, being for the year _____, was \$ _____.

Therefore, the municipal corporation of the Town of Deseronto enacts as follows :—

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

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

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



1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.
An Act to Consolidate the Debt of the
Town of Deseronto.

First Reading 1903

(Private Bill.)

Mr. ROSSELL.

TORONTO:

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

An Act to Consolidate the Debt of the Town of
Deseronto.

WHEREAS the Municipal Corporation of the Town of Deseronto has by petition represented that the said corporation has incurred debts to the amount of \$61,897, being \$23,120 on account of railway debentures, \$5,572 for high school debentures, \$30,870 for waterworks debentures, and \$2,335 for fire appliance debentures, and that the sum of \$34,103 is required as requested by the public school board of Deseronto to erect a public school building, furnish it and remodel the old school building, making in all \$96,000; and whereas it has been made to appear that the members of the council of the said municipal corporation and of the public school board thereof are unanimously in favor of the said expenditure for school purposes and that the citizens of the said town have had an opportunity of carefully considering the said matter and are practically unanimous in approving of the same; and whereas the said corporation by its said petition has prayed that the said debts may be consolidated, and that the said corporation may issue *new* debentures for the amount thereof and the amount required for school purposes aforesaid; 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. It shall be lawful for the *Corporation of the Town of Deseronto* aforesaid to raise by way of loan on the credit of the debentures to be issued under authority of this Act, from any person or persons or body corporate, a sufficient sum or sums to retire the said *existing* debentures amounting to \$61,897, and to erect a public school building, furnish it and remodel the old school building, amounting to \$34,103 not exceeding in the whole the said sum of \$96,000, exclusive of interest thereon.

Debt consolidated and debentures for \$96,000 authorized.

2. It shall be lawful for the said corporation from time to time to pass a by-law or by-laws providing for the issue of debentures under their corporate seal, signed by the mayor and countersigned by the treasurer for the time being, in

Issue of debentures.

such sums not *less than* \$100 each, and not exceeding in the aggregate \$96,000, *and* payable at such places as the corporation may deem expedient.

Power to sell or borrow on debentures.

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

Payment of debentures and interest.

4. The said debentures shall be payable in not more than thirty years from *the* issue thereof, as the said corporation may direct. Coupons shall be attached to the said debentures for the payment of the interest thereon, and such interest shall be payable yearly at the places mentioned therein, and in the coupons attached thereto, and such debentures may bear interest at any rate not exceeding four per cent. per annum.

Term of debentures.

5. A portion of the \$96,000 of debentures to be issued under this Act shall be made payable each year for a period not exceeding thirty years from the issue thereof, and so that the aggregate amount payable for principal and interest in any one year shall be equal as nearly as may be to what is payable for principal and interest for each of the other years of the period within which the debt is to be discharged.

Special rate.

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

Application of proceeds of debentures.

7. The said debentures and all moneys arising therefrom shall be applied by the said corporation in the redemption of the debentures of the Town of Deseronto to the amount of \$61 897, and in the erection and furnishing of a public school building and remodelling the old school building, amounting to \$34,103, and in no other manner, and for no other purpose whatsoever, and such debentures may be known as the "consolidated debt debentures."

Retirement of outstanding debentures.

8. The treasurer of the said town shall, on receiving instructions from the council so to do, from time to time, but only with the consent of the holders thereof, call in any of the outstanding debentures, and shall discharge the same with the funds raised under the preceding sections of this Act; or may, with the like consent, substitute therefor the said debentures or any of them hereinbefore authorized to be issued, upon such terms as may be agreed upon between the said council and the holders of the said outstanding debentures.

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

10. It shall not be necessary to obtain the assent of the electors of the said Town of Deseronto to 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*. Assent of electors not required.
Rev. Stat. c. 223.

11. It shall be the duty of the treasurer, for the time being, of the said town 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 sales 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 town, and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures. Treasurer to keep proper books of account.

12. Nothing in this Act contained, shall be held or taken to discharge the Corporation of the Town of Deseronto from any indebtedness or liability which may not be included in the said debt of the said Town of Deseronto. Indebtedness of town not discharged.

13. The debentures issued under this Act may be in the form contained in Schedule A to this Act, and the by-law or by-laws authorizing the same may be in the form of Schedule B to this Act. Form of debentures

14. Any provisions in the Acts respecting municipal institutions in the Province of Ontario, which are or may be inconsistent with the provisions of this Act, or any of them shall not apply to the by-law or by-laws to be passed by the said corporation under the provisions of this Act, and no irregularity in the form of the said debentures, or any of them, authorized to be issued by this Act, or of the by-law or by-laws authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the corporation for the recovery of the amount of the said debentures and interest, or any of either of them, or any part thereof, and the purchaser or holder Inconsistent enactments not to apply.

thereof shall not be bound to enquire as to the necessity of passing such by-law or issue of debentures, or as to the application of the proceeds thereof.

Short title. **15** This Act may be cited as *The Town of Deseronto Debenture Act, 1903*.

SCHEDULE A.

(Section 13.)

DEBENTURE.

PROVINCE OF ONTARIO, TOWN OF DESERONTO.

No.

\$

Under and by virtue of *The Town of Deseronto Debenture Act, 1903*, and By-law No. of the corporation of the Town of Deseronto, passed under the provisions contained in the said Act, the corporation of the Town of Deseronto promises to pay the bearer at the sum of on the day of A. D. and the yearly coupons hereto attached, as the same shall severally become due.

Dated at Deseronto, in the County of Hastings, this day of A. D.

Mayor.

Treasurer.

SCHEDULE B.

(Section 13.)

BY-LAW NO. TO AUTHORIZE THE ISSUE OF DEBENTURES UNDER THE AUTHORITY OF THE TOWN OF DESERONTO DEBENTURE ACT, 1903.

Whereas the said Act authorizes the issue of debentures for the purposes therein mentioned, not exceeding \$96,000 in the whole as the corporation of the Town of Deseronto may, in pursuance of and in conformity with the provisions of the said Act, direct.

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

And whereas the amount of the whole rateable property of the said Town of Deseronto, according to the last revised assessment roll of the said town, being for the year , was \$

Therefore, the municipal corporation of the Town of Deseronto enacts as follows :—

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

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

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

1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act to Consolidate the Debt of the
Town of Deseronto.

First Reading, 24th April, 1903.
Second Reading, 4th May, 1903.

(Reprinted as amended by Private Bills
Committee.)

(Private Bill.)

Mr. RUSSELL.

TORONTO:

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

An Act to confirm By-law No. 31, 1902, of the
Town of Goderich.

WHEREAS in and by By-law No. 9 of 1901, of the Town ^{Preamble.}
of Goderich, as validated and confirmed by the Act of
the Legislature of the Province of Ontario, passed in the
second year of His Majesty's Reign, chaptered 50 and entitled
5 *An Act respecting the Town of Goderich*, the corporation
of the said Town of Goderich was authorized and empowered
to borrow the sum of \$10,000 and to lend the same to any
person or persons proposing to erect and establish a summer
hotel in the said town, and to issue the debentures of the
10 said corporation for the said sum and to levy and raise an
annual rate sufficient to pay the said debentures and the
interest thereon at the rate of four per cent. per annum; and
whereas by clerical error in the said by-law, so validated and
confirmed as aforesaid the amount directed to be levied and
15 raised in each year for the purpose of paying the said debentures
was erroneously fixed at \$1,200.61, which said annual amount
was insufficient for the purposes aforesaid; and whereas in
order to correct the said error the said corporation on the
24th day of July, 1902, passed By-law No. 31, of 1902, set
20 forth in the Schedule A to this Act; and whereas in consequence
of the said error the said debentures so authorized to be issued
could not be sold, and the said rate was not levied for the
year 1902, being the first year in which the same is directed
to be levied; and whereas before the discovery of the said
25 error the construction of the said summer hotel had been
commenced and contracts made in respect thereof, and it be-
came necessary to borrow the said sum, and the same or the
greater portion thereof was borrowed by the said town from
the Bank of Montreal and loaned to the persons so construct-
30 ing the said hotel, and it is necessary to repay the said sums
so borrowed to the said bank; and whereas the said corpora-
tion has by its petition prayed that the said by-law (hereinafter
set forth) may be confirmed and declared to be legal and
valid, and that the further relief herein set out should be
35 granted; 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 the Province of Ontario,
enacts as follows:—

Amending
by-law
confirmed.

1. The said By-law No. 31 for 1902, of the Corporation of the Town of Goderich, amending and correcting By-law No. 9 for 1901, of the said corporation as confirmed by the said Act, and set forth in Schedule A to this Act, is hereby confirmed and declared to be valid and binding from the time of the passing thereof to all intents and purposes. 5

2 Edw. VII,
c. 50,
Schedule A (2)
repealed.

2.—(1) And in order to more effectually carry out and express the said amendment and for the purpose of changing the periods of payment of the said debentures and the times when the levy for the payment thereof shall be made, paragraph 2 of By-law No. 9 of 1901, of the said Town of Goderich, as set forth in Schedule A of the Act passed in the second year of His Majesty's reign, chapter 50, is hereby repealed and the following is substituted in place thereof :— 10

(2) And for the repayment of the said sum of \$10,000 and interest thereon at the rate of four per cent. per annum there shall be assessed and levied over and above all other rates and taxes upon the whole taxable property within the said municipality during each and every year in this paragraph set out, the following sums, namely :— 20

In the year 1903.....	the sum of \$1,232	92	
“ “ “ 1904.....	“ “ “	1,232	92
“ “ “ 1905.....	“ “ “	1,232	92
“ “ “ 1906.....	“ “ “	1,232	92
“ “ “ 1907.....	“ “ “	1,232	92
“ “ “ 1908.....	“ “ “	1,232	92
“ “ “ 1909.....	“ “ “	1,232	92
“ “ “ 1910.....	“ “ “	1,232	92
“ “ “ 1911.....	“ “ “	1,232	92
“ “ “ 1912.....	“ “ “	1,232	92

And the said debentures shall be for the respective amounts above set out, and shall be repayable on the 31st day of December in each of the said years respectively.

2 Edward VII
c. 50,
Schedule A (1)
amended.

3. Paragraph 1 of the said by-law contained in Schedule A of chapter 50 of the said Act passed in the 2nd year of His Majesty's reign, is hereby amended by striking out the words “ with coupons attached for the payment of interest” in the 9th and 10th lines thereof. 35

Application of
proceeds.

4. The proceeds of the said debentures shall be applied in repayment of the monies borrowed by the said Town of Goderich from the Bank of Montreal for the purposes of the said loan to the person so erecting the said summer hotel, so far as may be necessary for that purpose, and the balance (if any) shall be applied as directed by the said by-law and for no other purpose whatever. 45

SCHEDULE A.

By-law No. 31, of 1902, of the Town of Goderich. To amend By-law No. 9, of 1901, of the said Town of Goderich.

WHEREAS, in the said By-law No. 9, of 1901, the amount necessary to be levied and collected in each year for payment of interest and principal on the debt therein proposed to be created is stated to be \$1,200.61.

And whereas it has been discovered that the amount is incorrectly stated, and the amount necessary to be levied annually for repayment in ten years of the sum of \$10,000 with interest at four per cent. is actually \$1,232.92.

And whereas the Legislature of the Province of Ontario has passed a Special Act in this connection, known as 2 Edward VII, chapter 50, *An Act respecting the Town of Goderich*, in which Act express power is given to the corporation of the said town "to levy and raise an annual rate on all the rateable property within the said town sufficient to pay the said debentures and the interest thereon as in the said by-law set forth, and all acts done or to be done, and all payments made or to be made by the said corporation, pursuant to the said by-law are hereby declared to be valid and binding, anything in the Act to the contrary notwithstanding."

Be it therefore enacted and it is hereby enacted that, wherever in the said By-law No. 9, of 1901, the said amount of \$1,200.61 appears the same shall be deleted and in its place shall be inserted the said amount of \$1,232.92, and, further, if such a course should be found necessary, that the corporation shall apply to the Legislative Assembly of the Province of Ontario, at its next meeting, for a Special Act confirming this by-law.

This by-law shall come into force as soon as passed.

Passed this 24th day of July, 1902.

M. G. CAMERON, (Seal)
Mayor.

WM. MITCHELL,
Clerk.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act to confirm By-law 31, 1902, of the
Town of Goderich.

First Reading, 1903.

(Private Bill.)

Mr. CAMERON.

TORONTO

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act to confirm By-law No. 31, 1902, of the
Town of Goderich.

WHEREAS in and by By-law No. 9 of 1901, of the Town **Preamble.**
of Goderich, as validated and confirmed by an Act of
the Legislature of the Province of Ontario, passed in the second
year of *the Reign of His Majesty*, chaptered 50 the Corpora-
tion of the said Town of Goderich was authorized and em-
powered to borrow the sum of \$10,000 and to lend the same to
any person or persons proposing to erect and establish a
summer hotel in the said town, and to issue the debentures of
the said corporation for the said sum and to levy and raise an
annual rate sufficient to pay the said debentures and the
interest thereon at the rate of four per cent. per annum; and
whereas by clerical error in the said by-law, so validated and
confirmed as aforesaid the amount directed to be levied and
raised in each year for the purpose of paying the said debentures
was erroneously fixed at \$1,200.61, which said annual amount
was insufficient for the purposes aforesaid; and whereas in
order to correct the said error the said corporation on the
24th day of July, 1902, passed *the by-law hereinafter* set
forth; and whereas in consequence of the said error the said
debentures so authorized to be issued could not be sold, and
the said rate was not levied for the year 1902, being the
first year in which the same is directed to be levied; and
whereas before the discovery of the said error the con-
struction of the said summer hotel had been commenced
and contracts made in respect thereof, and it became neces-
sary to borrow the said sum, and the same or the greater
portion thereof was borrowed by the said town from the
Bank of Montreal and loaned to the persons so constructing
the said hotel; and whereas the said corporation has by its
petition prayed that the said by-law may be confirmed and
declared to be legal and valid, and that the further relief
hereinafter set out should be granted; 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 the Province of Ontario,
enacts as follows:—

Amending
by-law
confirmed.

1. By-law No. 31 for 1902, of the Corporation of the Town of Goderich, amending and correcting By-law No. 9 for 1901, of the said corporation as confirmed by the said Act, and set forth in *the* Schedule to this Act, is hereby confirmed and declared to be valid and binding from the time of the passing thereof to all intents and purposes.

2 Edw. VII,
c. 50,
Schedule A (2)
repealed.

2.—(1) And in order to more effectually carry out and express the said amendment and for the purpose of changing the periods of payment of the said debentures and the times when the levy for the payment thereof shall be made, paragraph 2 of By-law No. 9 of 1901, of the said Town of Goderich, as set forth in Schedule A of the Act passed in the second year of *His Majesty's Reign*, chaptered 50, is hereby repealed and the following is substituted in place thereof :—

(2) And for the repayment of the said sum of \$10,000 and interest thereon at the rate of four per cent. per annum there shall be assessed and levied over and above all other rates and taxes upon the whole taxable property within the said municipality during each and every year in this paragraph set out, the following sums, namely :—

In the year 1903.....	the sum of	\$1,232	92
“ “ “ 1904.....	“ “ “	1,232	92
“ “ “ 1905.....	“ “ “	1,232	92
“ “ “ 1906.....	“ “ “	1,232	92
“ “ “ 1907.....	“ “ “	1,232	92
“ “ “ 1908.....	“ “ “	1,232	92
“ “ “ 1909.....	“ “ “	1,232	92
“ “ “ 1910.....	“ “ “	1,232	92
“ “ “ 1911.....	“ “ “	1,232	92
“ “ “ 1912.....	“ “ “	1,232	92

And the said debentures shall be for the respective amounts above set out, and shall be repayable on the 31st day of December in each of the said years respectively.

2 Edward VII
c 50
Schedule A (1)
Mended.

3. Paragraph 1 of the said by-law contained in Schedule A to the said Act passed in the 2nd year of His Majesty's Reign, is hereby amended by striking out the words “with coupons attached for the payment of interest” in the 9th and 10th lines thereof.

Application of
proceeds.

4. The proceeds of the said debentures shall be applied in repayment of the moneys borrowed by the said Town of Goderich from the Bank of Montreal for the purposes of the said loan to the person so erecting the said summer hotel, so far as may be necessary for that purpose, and the balance (if any) shall be applied as directed by the said by-law and for no other purpose whatever.

SCHEDULE

By-law No. 31, of 1902, of the Town of Goderich. To amend By-law No. 9, of 1901, of the said Town of Goderich.

WHEREAS, in the said By-law No. 9, of 1901, the amount necessary to be levied and collected in each year for payment of principal and interest on the debt therein proposed to be created is stated to be \$1,200.61.

And whereas it has been discovered that the amount is incorrectly stated, and that the amount necessary to be levied and collected annually for repayment in ten years of the sum of \$10,000 with interest at four per cent. is actually \$1,232.92.

And whereas the Legislature of the Province of Ontario has passed a Special Act in this connection, known as 2 Edward VII, chapter 50, *An Act respecting the Town of Goderich*, in which Act express power is given to the corporation of the said town "to levy and raise an annual rate on all the rateable property within the said town sufficient to pay the said debentures and the interest thereon as in the said by-law set forth, and all acts done or to be done, and all payments made or to be made by the said corporation, pursuant to the said by-law are hereby declared to be valid and binding, anything in any Act to the contrary notwithstanding."

Be it therefore enacted and it is hereby enacted that, wherever in the said By-law No. 9, of 1901, the said amount of \$1,200.61 appears the same shall be deleted and in its place shall be inserted the said amount of \$1,232.92, and, further, if such a course should be found necessary, that the corporation shall apply to the Legislative Assembly of the Province of Ontario, at its next meeting, for a Special Act confirming this by-law.

This by-law shall come into force as soon as passed.

Passed this 24th day of July, 1902.

M. G. CAMERON, (Seal)
Mayor.

WM. MITCHELL,
Clerk.

1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act to confirm By-law 31, 1902, of the
Town of Goderich.

First Reading, 24 April, 1903.

(Reprinted as amended by Private Bills
Committee.)

Mr. CAMERON.

TORONTO

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

An Act to incorporate The Stratford Radial
Railway Company.

WHEREAS Harry M. Sloan, of the City of Chicago, in the Preamble.
State of Illinois, one of the United States of America,
Railway Manager, John Jamison, of the said City of Chicago,
Publisher, Robert Paxton, of Port Dover, in the County of
5 Norfolk, Banker, James E. Ferguson, of the Town of Ingersoll,
in the County of Oxford, Cattle Dealer, and George Sutherland,
of the said City of Chicago, Journalist, have by their petition
prayed that they may be incorporated under the name of "The
10 Stratford Radial Railway Company" for the purpose of constructing,
equipping and operating an electric line of railway to run in
and through the city of Stratford and thence along the road
known as the Huron Road or adjacent thereto through the
Village of Sebringville to the Town of Mitchell and also from
15 the City of Stratford along the centre line of the Township
of Downie and through the Township of Blanshard or by some
other convenient route to the Town of St. Marys, and through
the Townships of Downie and West Zorra to Embro Station on
the Canadian Pacific Railway with branch line to the Village
20 of Embro and also with such lines through upon and over the
lands, streets and highways in the said several municipalities
as may be authorized by the said municipalities; and whereas
it is expedient to grant the prayer of the said petition:

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

1. The said Harry M. Sloan, John Jamison, Robert Paxton, Incorporation.
James E. Ferguson and George Sutherland and such other
persons and corporations as shall hereafter become shareholders
30 of the said company are hereby constituted a body corporate
and politic under the name of "The Stratford Radial Railway
Company."

2. The said company is hereby authorized and empowered Location of line.
to survey, lay out, make, construct, equip, complete, maintain,
35 alter and repair iron or steel railways, to be operated by
electricity, with double or single iron or steel tracks and with
all the necessary branches, switches, side-tracks, and turn-outs
for the passage of cars, motors and other vehicles adapted

thereto, in and through the City of Stratford and thence along the road known as the Huron Road (upon obtaining authority from the corporation or corporations having jurisdiction thereover) or by a route adjacent thereto through the Townships of Downie, Ellice, Fullarton and Logan, or such of them as may be selected as a route for the said railway, through the Village of Sebringville to the Town of Mitchell and also from a point in the City of Stratford along the centre line of the Township of Downie (upon obtaining authority from the corporation of the said township) or by some other convenient route through said township and through the Townships of Blanshard, West Zorra and East Nissouri or such of them as may be selected as a route for the said railway to the Town of St. Marys and through the Townships of Downie and West Zorra to Embro Station on the line of the Canadian Pacific Railway, with a branch therefrom to the Village of Embro; and the said railways or any of them 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* and hereinafter contained and under and subject to any agreements hereafter to be made between the said company and 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 agreement with any municipal corporation or road company as to the terms of the use and occupancy of any street or highway subject to the provisions and conditions in *The Electric Railway Act* and in *The Municipal Act* and any Act or Acts amending the same and in this Act contained.

Running
arrangements
with other
companies.

3. The said company shall have power to agree for connections and making running arrangements with any company or companies now or hereafter lawfully authorized to construct and operate a railway or railways in the municipalities named in section 2 of this Act, if lawfully empowered to enter into any such agreement, upon terms to be approved by two-thirds in value of the shareholders at a special general meeting to be held for that purpose; and it shall also be lawful for the said company to enter into an agreement or agreements with the said companies or any of them, if lawfully authorized to enter into any such agreement, for the sale or leasing or hiring of any portion of the railway herein authorized or the use thereof, or for the sale or leasing or hiring any motors, carriages or cars or any of them or of any part thereof, or touching any service to be rendered by one company to the other, and the compensation therefor, if the arrangements and agreements shall be approved of by two-thirds in value of the shareholders voting in person or by proxy at a special general meeting to be called for that purpose; and every such

agreement shall be valid and binding according to the terms and tenor thereof; and the company purchasing, leasing or entering into such agreement for using the said railway, may and are hereby authorized to work the said railway in the
 5 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
 10 that electric power shall only 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
 15 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
 20 authority of the Province of Ontario.

4. The authority and power conferred on the company by this Act to enter into agreements with any other railway company for connections, running arrangements, sale, lease or hiring of the said railways shall be subject to such terms,
 25 conditions and regulations as may be provided and enacted by any general or special act or acts which may, at the time such agreement is entered into, be in force, and to such terms, conditions and regulations general or special as the Lieutenant-Governor in Council or any special Committee of the Executive
 30 Council of Ontario appointed for that purpose may from time to time order.

Running arrangements to be subject to approval of Government.

5. The said Harry M. Sloan, John Jamison, Robert Paxton, James E. Ferguson and George Sutherland, with power to add to their number, shall be and are hereby constituted a
 35 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.

6. All meetings of the provisional board of directors of the said company shall be held at the City of Stratford in the
 40 County of Perth.

Meetings of provisional directors.

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

Annual meeting.

8. The capital stock of the said company shall be \$500,000 to be divided into 5,000 shares of \$100 each.

Capital stock.

45 9. The said capital stock of the said company of \$500,000 shall be applied and appropriated towards the construction of

Application of capital.

the said railways in the following manner:—\$200,000 to the section thereof within the City of Stratford and from the City of Stratford to the Town of Mitchell; \$150,000 to the section thereof from the City of Stratford to the Town of St. Marys; and \$150,000 to the section thereof running to Embro station and the branch therefrom to the Village of Embro. When and so soon as twenty-five per centum of the authorized capital appropriated to any such section shall be subscribed and ten per centum thereof has been paid into some chartered bank in Ontario the provisional directors shall call a meeting of the shareholders of the said company for the purpose of organization at the City of Stratford at such time as they think proper, giving the notice prescribed by *The Electric Railway Act*, at which meeting the shareholders who have paid at least ten per centum of the amount of stock subscribed for by them shall, from the shareholders possessing the qualifications in the said Act mentioned, elect five persons to be directors of the said company.

Rev. Stat.
c. 209.

Head Office.

10. The head office of the said company shall be at the City of Stratford, in the County of Perth.

Traffic—
what may be
carried.

11. The said company may take, receive and store and transport and carry over their said railway and over any other lines of railway upon which it may obtain running arrangements, goods, freight, produce and express and mail matter, and may acquire, construct and maintain all necessary works, buildings, appliances and conveniences therewith and take and use the lands necessary for such purposes; and the said company may make uniform special rates for the storage and carriage of fruit, milk and any other perishable goods.

Bonds.

12. The directors of the said company shall have power to issue bonds and debentures of the company for the purpose of raising money for prosecuting the undertaking, but the whole amount of the issue of such bonds or debentures shall not exceed \$20,000 for each mile of said railways, and no bonds or debentures shall be issued until twenty-five per centum of the authorized capital appropriated to any one of the sections has been actually expended on such section; and, except as herein provided, the borrowing powers of the company shall be governed by the said *Electric Railway Act*.

Rev. Stat.
c. 209.

Construction
of line by
sections.

13. 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 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

Rev. Stat.
c. 209.

plans and surveys, by sections or portions less than the length of the whole railways 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 five miles in length; 5 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 railways, 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 10 any and 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 the said railways are to pass, together with the map or plan of the whole thereof, and of their whole course and direction 15 and of the lands intended to be passed over and taken, and the statement of the whole of said railways had been taken, made, examined, certified and deposited according to the said clauses of the said *Electric Railway Act* and the amend- 20 ments thereof with respect to "plans and surveys." The construction of the railways in sections may be commenced at such point on the line of railway as the directors may determine, but the said work of construction shall be carried on from such point by sections continuing therefrom so as to form at all times one continuous line of railway. Provided, 25 however, that the Lieutenant-Governor-in-Council may sanction and approve of the construction by sections at different points, and not continuously along the said line of railway.

Rev. Stat.
c. 209.

14. The company may manufacture and generate, purchase or lease electricity or electric power for the purposes of the 30 railways and may acquire and hold lands for the erection of power-houses and other buildings for any of the purposes aforesaid, and may construct, maintain and operate the necessary works in connection with supplying electricity for the motive power of the railways and for lighting and heating 35 the rolling stock and property of the company, and may, in all municipalities where such sale or lease is authorized by by-law of the council of the municipality and subject to the terms and conditions imposed by such by-law, sell or lease any such electricity or electric power not required for the 40 purposes aforesaid to any person, firm or corporation; and in that behalf shall possess the powers, rights and privileges and shall be subject to 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 the company may acquire 45 and hold any property necessary for the purposes mentioned in this section.

Rev. Stat.
c. 200.

15. Notwithstanding anything contained in this Act, or in any Statutes of the Province, no municipality shall have the 50 power to grant to said railways any exclusive rights, privi- Exclusive rights not to be granted to company.

leges, or franchise as to the transmission of electrical energy for power, light and heat, over or across any public highway or street in said municipality.

Payments in
paid up stock
or bonds.

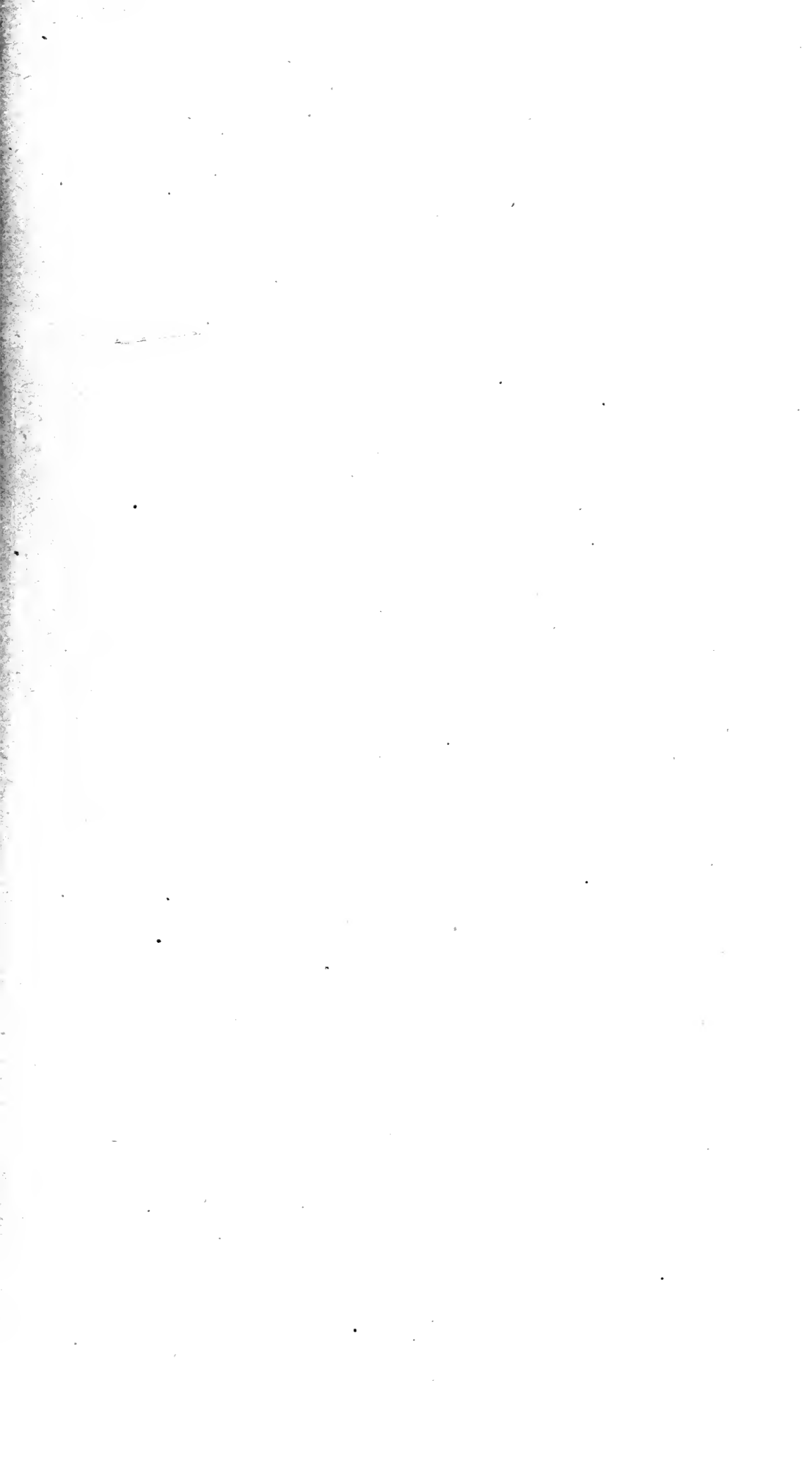
16. The directors may enter into a contract or contracts with any individual, corporation or association of individuals for the construction or equipment of a railway or any part thereof, including or excluding the purchase of right of way, and may pay therefor either in whole or in part, either in cash or in bonds, or in paid-up stock, and may pay or agree to pay in paid-up stock or in bonds of the said company such sums as they may deem expedient to engineers or for the right of way or material, plant or rolling stock, and also for the services of the promoters or other persons who may be employed by the directors for the purpose of assisting the directors and 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. Provided that no such contract shall be of any force or validity till sanctioned by resolution passed by the votes of the shareholders in person or by proxy representing two-thirds in value of the whole amount paid up of the total capital stock of the company then issued and outstanding at a general meeting of the shareholders specially called for the purpose of considering such matters.

Application of
Rev. Stat.
c. 209.

17. 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 railways 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.

Time for com-
mencement
and comple-
tion.

18. The railways, or such sections thereof as are authorized by this Act, shall be commenced within two years and shall be completed within five years from the passing hereof.



1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act to Incorporate The Stratford
Radial Railway Company.

First Reading, 1903.

(Private Bill)

Mr. BROWN.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act to incorporate The Stratford Radial
Railway Company.

WHEREAS Harry M. Sloan, of the City of Chicago, in the State of Illinois, one of the United States of America, Railway Manager, John Jamieson, of the said City of Chicago, Publisher, Robert Paxton, of Port Dover, in the County of Norfolk, Banker, James E. Ferguson, of the Town of Ingersoll, in the County of Oxford, Cattle Dealer, and George Sutherland, of the said City of Chicago, Journalist, have by their petition prayed that they may be incorporated under the name of "The Stratford Radial Railway Company" for the purpose of constructing, equipping and operating an electric line of railway to run in and through the city of Stratford and thence ^{2^d} westerly along the road known as the Huron Road, or by a route adjacent thereto, through the Townships of Downie, Ellice, Fullarton and Logan in the County of Perth, or through any two or more of them, and through the Village of Sebringville to the Town of Mitchell in the said County of Perth; and a line from a point on the said line of railway at or near the centre line of the said Township of Downie, thence in a southerly direction along the said centre line or by a route adjacent thereto through the said Township of Downie and through the Township of Blanshard in the County of Oxford, to the Town of St. Mary's; and also a line from a point in the City of Stratford running in a southerly direction through the said Township of Downie, and the Township of West Zorra *and the Village of Embro*, in the County of Oxford to Embro Station on the Canadian Pacific Railway, together with a branch line from a point on the railway lastly authorized, running in an easterly direction through the said Townships of West Zorra, Downie and Blanshard and the Township of East Nissouri in the County of Oxford, or any two or more of the said Townships, to the said Town of St. Mary's, ^{and also with such lines through upon and over the lands, streets and highways in the said several municipalities as may be authorized by the said municipalities; 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 Harry M. Sloan, John Jamieson, Robert Paxton, James E. Ferguson and George Sutherland and such other

persons and corporations as shall hereafter become shareholders of the said company are hereby constituted a body corporate and politic under the name of "The Stratford Radial Railway Company."

¹²³
Location of
line.

¹²³ 2. The said company is hereby authorized and empowered to survey, lay out, make, construct, equip, complete, maintain, alter and *keep in* repair iron or steel railways, to be operated by electricity, with double or single iron or steel tracks and with all the necessary branches, switches, side-tracks, and turn-outs for the passage of cars, motors and other vehicles adapted thereto, in and through the City of Stratford and thence ¹²³ westerly along the road known as the Huron Road (upon obtaining authority from the Corporation or Corporations having jurisdiction thereover) or by a route adjacent thereto, through the Townships of Downie, Ellice, Fullarton and Logan in the County of Perth, or through any two or more of them, and through the Village of Sebringville to the Town of Mitchell in the said County of Perth; and a line from a point on the said line of railway at or near the centre line of the said Township of Downie, thence in a southerly direction along the said centre line (upon obtaining authority from the Corporation ¹²³ of the said township) or ¹²³ by a route adjacent thereto through the said Township of Downie and through the Township of Blanshard in the County of Oxford, to the Town of St. Mary's; and also a line from a point in the City of Stratford running in a southerly direction through the said Township of Downie, and the Township of West Zorra *and the Village of Embro*, in the County of Oxford to Embro Station on the Canadian Pacific Railway, together with a branch line from a point on the railway lastly authorized, running in an easterly direction through the said Townships of West Zorra, Downie and Blanshard and the Township of East Nisoury in the County of Oxford, or any two or more of the said Townships, to the said Town of St. Mary's ¹²³ and the said railways or any of them 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 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 agreement with any municipal corporation or road company as to the terms of the use and occupancy of any street or highway subject to the provisions and conditions *contained in this Act, The Electric Railway Act* and in *The Municipal Act* and any Act or Acts amending the same.

Running
arrangements
with other
companies.

3. The said company shall have power to agree for connections and making running arrangements with any company

or companies now or hereafter lawfully authorized to construct and operate a railway or railways in the municipalities named in section 2 of this Act, if lawfully empowered to enter into any such agreement, upon terms to be approved by two-thirds in value of the shareholders at a special general meeting to be held for that purpose; and it shall also be lawful for the said company to enter into an agreement or agreements with the said companies or any of them, if lawfully authorized to enter into any such agreement, for the sale or leasing or hiring of any portion of the railway herein authorized or the use thereof, or for the sale or leasing or hiring any motors, carriages or cars or any of them or of any part thereof, or touching any service to be rendered by one company to the other, and the compensation therefor, if the arrangements and agreements shall be approved of by two-thirds in value of the shareholders voting in person or by proxy at a special general meeting to be called for that purpose; and every such agreement shall be valid and binding according to the terms and tenor thereof; and the company purchasing, leasing or entering into such agreement for using the said railway, may 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 *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.

4. The authority and power conferred on the company by this Act to enter into agreements with any other railway company for connections, running arrangements, sale, lease or hiring of the said railways⁴²⁷ or to sell or lease or transmit electrical power⁴²⁸ shall be subject to such terms, conditions and regulations as may be provided and enacted by any general or special Act or Acts which may, at the time such agreement is entered into, be in force, and to such terms, conditions and regulations general or special as the Lieutenant-Governor in Council or any Special Committee of the Executive Council of Ontario appointed for that purpose may from time to time order.

Running arrangements to be subject to approval of Government.

5. The said Harry M. Sloan, John Jamieson, Robert Pax-

Provisional directors.

ton, James E. Ferguson and George Sutherland, 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.

6. All meetings of the provisional board of directors of the said company shall be held at the City of Stratford in the County of Perth.

Annual
meeting.

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

Capital stock.

8. The capital stock of the said company shall be \$500,000 to be divided into 5,000 shares of \$100 each.

Application
of capital.

9. The said capital stock of the said company of \$500,000 shall be applied and appropriated towards the construction of the said railways in the following manner:—\$200,000 to the section thereof within the City of Stratford and from the City of Stratford to the Town of Mitchell; \$150,000 to the section thereof from the City of Stratford to the Town of St. Marys; and \$150,000 to the section thereof running to Embro station and the branch therefrom to the Village of Embro. When and so soon as twenty-five per centum of the authorized capital appropriated to any such section shall be subscribed and ten per centum thereof has been paid 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 unless for the services of the company, ^{the} provisional directors ^{or} a majority of them present at a meeting duly called for that purpose ^{shall} call a *general* meeting of the shareholders of the said company for the purpose of organization at the City of Stratford at such time as they think proper, giving the notice prescribed by *The Electric Railway Act*, at which meeting the shareholders who have paid at least ten per centum of the amount of stock subscribed for by them, shall, from the shareholders possessing the qualifications in the said Act mentioned, elect ^{not} less than five or more than nine ^{or} persons to be directors of the said company.

Rev. Stat.
c. 209.

Head Office.

10. The head office of the said company shall be at the City of Stratford, in the County of Perth.

Traffic—
what may be
carried.

11. The said company may make uniform special rates for the storage and carriage of fruit, milk and any other perishable goods.

Fonds.

12. The directors of the said company shall have power to issue bonds and debentures of the company for the purpose of

raising money for prosecuting the undertaking, but the whole amount of the issue of such bonds or debentures shall not exceed \$20,000 for each mile of said railways, and no bonds or debentures shall be issued until twenty-five per centum of the authorized capital appropriated to any one of the sections has been actually expended on such section; and, except as herein provided, the borrowing powers of the company shall be governed by the said Electric Railway Act.

Rev. Stat. c. 209.

13.—(1) The directors may make a by-law for creating and issuing any part of the capital stock as preference stock, giving the same such preference and priority as respects dividends and otherwise over ordinary stock as may be declared by the by law.

reference stock, by-law for issuing.

(2) The by-law may provide that the holders of shares of such preference stock shall have the right to select a certain stated proportion of the board of directors, or may give them such other control over the affairs of the company as may be considered expedient.

Special rights of preference shareholders

(3) No such by-law shall have any force or effect whatever until after it has been unanimously sanctioned by a vote of the shareholders present in person or by proxy at a general meeting of the company duly called for considering the same or unanimously sanctioned in writing by the shareholders of the company; provided, however, that if the by-law be sanctioned by three-fourths in value of the shareholders of the company, the company may, through the Provincial Secretary, petition the Lieutenant-Governor in Council for an order approving the said by law, and the Lieutenant Governor may, if he sees fit, approve thereof, and from the date of such approval the by law shall be valid and may be acted upon.

Unanimous sanction required.

(4) Holders of shares of such preference stock shall be shareholders within the meaning of this Act, and shall in all respects possess the rights and be subject to the liabilities of shareholders within the meaning of this Act, provided however that in respect of dividends and otherwise, they shall as against the ordinary shareholders be entitled to the preferences and rights given by such by-law.

Special proviso. Rights and liabilities of preference shareholders.

(5) Nothing in this section contained or done in pursuance thereof, shall affect or impair the rights of creditors of the company.

Rights of creditors preserved.

14. 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 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 Elec-

Construction of line by sections.

Rev. Stat. c. 209.

tric Railway Act and amendments thereto, with respect to plans and surveys, by sections or portions less than the length of the whole railways 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 five 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 railways, 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 railways 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 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 statement of the whole of said railways 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." The construction of the railways in sections may be commenced at such point on the line of railway as the directors may determine, but the said work of construction shall be carried on from such point by sections continuing therefrom so as to form at all times one continuous line of railway; provided, however, that the Lieutenant-Governor in Council may sanction and approve of the construction by sections at different points, and not continuously along the said line of railway.

Rev. Stat.
c. 209.

Powers as to
production
and supply of
electric power.

Rev. Stat.
c. 200.

Exclusive
rights not to
be granted to
company.

Payments in
paid up stock
or bonds.

15. The company, may, in all municipalities where such sale or lease is authorized by by-law of the council of the municipality and subject to the terms and conditions imposed by such by-law, sell or lease any such electricity or electric power not required for the purposes of *the Company* to any person, firm or corporation; and in that behalf shall possess the powers, rights and privileges and shall be subject to 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 the company may acquire and hold any property necessary for the purposes mentioned in this section.

16. Notwithstanding anything contained in this Act, or in any Statutes of the Province, no municipality shall have the power to grant to said railways any exclusive rights, privileges, or franchise as to the transmission of electrical energy for power, light and heat, over or across any public highway or street in said municipality.

17. The directors may enter into a contract or contracts with any individual, corporation or association of individuals for the construction or equipment of a railway or any part

thereof, including or excluding the purchase of right of way, and may pay therefor either in whole or in part, either in cash or in bonds, or in paid-up stock, and may pay or agree to pay in paid-up stock or in bonds of the said company such sums as they may deem expedient to engineers or for the right of way or material, plant or rolling stock, and also for the services of the promoters or other persons who may be employed by the directors for the purpose of assisting the directors and 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; provided that no such contract shall be of any force or validity till sanctioned by resolution passed by the votes of the shareholders in person or by proxy representing two-thirds in value of the whole amount paid up of the total capital stock of the company then issued and outstanding at a general meeting of the shareholders specially called for the purpose of considering such matters.

18. 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 railways 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.

Application of
Rev. Stat.
c. 209.

19. The railways, or such sections thereof as are authorized by this Act, shall be commenced within two years and shall be completed within five years from the passing hereof.

Time for com-
mencement
and comple-
tion.

20. Notwithstanding anything in this Act contained, the railway shall not be constructed within the limits of any city except upon and subject to such terms and conditions as may mutually be agreed upon between the company and any street railway or electric railway already operating in such city, provided always that if the council of such city shall by by-law or resolution request the street railway company or electric railway companies to allow its tracks or any of the city streets to be used for the entrance of the railway to be constructed under this Act into such city, the company shall permit its tracks or any city streets to be so used to some central point in the said city to be named by the city council upon such terms and conditions as to compensation and otherwise as may be mutually agreed upon between the company authorized by this Act to construct a railway, the city corporation and such street railway or electric railway company, or as shall be settled and determined by the Lieutenant Governor in Council in case the city corporation and the said two companies are unable to agree upon the same.

Operating
in cities.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act to Incorporate The Stratford
Radial Railway Company.

First Reading, 28th April, 1903.

Reprinted as amended by Railway
Committee.

(Private Bill)

Mr. BROWN.

TORONTO:

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

An Act to amend the Act incorporating the North
Lanark Railway Company.

WHEREAS the North Lanark Railway Company have Preamble.
by their petition prayed that an Act may be passed
authorizing the company to extend their line easterly to the
City of Ottawa passing through the townships of Fitzroy,
5 Torbolton, March, Nepean and Gloucester in the county of
Carleton and westerly to a point at or near lot number
thirteen or fourteen in the second concession of the town-
ship of Blythfield and for such powers and amendments as
may be found necessary for the purposes aforesaid and to
10 extend the time for the completion of the said railway ;

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 100 of the Acts passed in the 62nd 62 V. (2) c. 100
15 year of the reign of Her late Majesty Queen Victoria, inti- s. 2. repealed.
tuled *An Act to incorporate the North Lanark Railway*
Company, is repealed and the following substituted therefor :—

(2) The company shall have full power and authority to Location of
survey, lay out and construct, complete and equip a line.
20 railway to be operated by steam or electricity with single
or double iron or steel tracks from a point at or near
lot number thirteen or fourteen in the second concession
in the township of Blythfield in the county of Renfrew :
thence passing through the township of Bagot, in the county
25 of Renfrew, and through the townships of Darling and Pak-
enham in the county of Lanark and through the township
of McNab in the county of Renfrew, to a point at or near the
village of Braeside on the Ottawa River ; thence continuing
through the said township of McNab to a point at or near the
30 town of Arnprior ; thence continuing through the said township
of McNab, and through the township of Fitzroy in the county of
Carleton to a point at or near the village of Fitzroy Harbor
on the Ottawa River ; thence continuing through the said
township of Fitzroy and through the townships of Torbolton,
35 March, Nepean and Gloucester in the county of Carleton to
the city of Ottawa, and the said railway or any part thereof,
so far as the same may be operated by electricity may be carried

along and upon such public highways as may be authorized by the by-laws of the respective corporations having jurisdiction over the same, and subject to the restrictions and provisions therein and in this Act contained, and under and subject to any agreements between the company and the councils of any of the said corporations and between the company and the road companies (if any) interested in such highways; and the company may make and enter into any agreements with any municipal corporation or road company as to the terms of occupancy of any street or highway subject to the provisions and conditions contained in this Act and in *The Municipal Act*.

Rev. Stat.
c. 223.

62 V. (2) c. 100
s. 9, amended.
Capital Stock.

2. Section 9 of the said Act is amended by striking out the figures "\$250,000" in the second line thereof and substituting therefor the figures "\$450,000" and by striking out the words "two thousand five hundred" in the fourth line of said section and substituting therefor the words "four thousand five hundred."

62 V. (2) c. 100
s. 11,
amended.
Number of
directors.

3. Section 11 of the said Act is amended by striking out the word "Five" and substituting therefor the words "Not less than five nor more than seven."

62 V. (2) c. 100
s. 39,
amended.
Bonding
powers.

4. Section 39 of the said Act is amended by striking out the figures "\$10,000" in the fifth line thereof and substituting therefor the figures "\$20,000."

62 V. (2) c. 100
ss. 43 and 44,
amended.
Agreements
with other
companies.

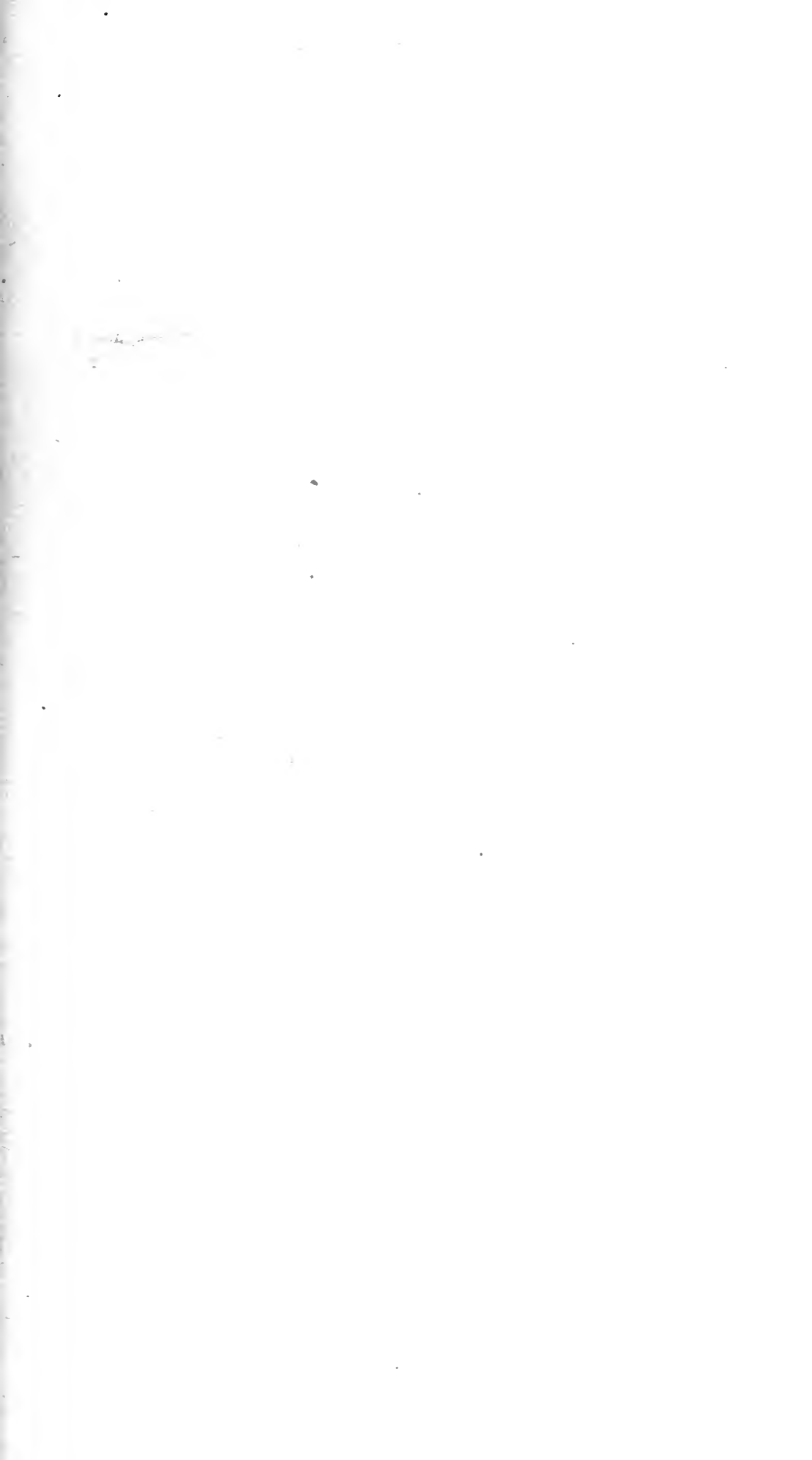
5. Sections 43 and 44 of the said Act are hereby amended by striking out the words "the Ottawa, Arnprior and Parry Sound Railway Company" where they occur in said sections and substituting therefor the words "the Canada Atlantic Railway Company, or the Ottawa and New York Railway Company."

Time for
completion.

6. The said Railway shall be completed within five years from the passing of this Act.

62 V. (2) c. 100
s. 51, repealed.

7. Section 51 of the said Act is hereby repealed.



1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act to amend the Act Incorporating
the North Lanark Railway Company.

First Reading, March 1903.

(Private Bill.)

MR. CALDWELL.

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

An Act to amend the Act incorporating The North
Lanark Railway Company.

WHEREAS the North Lanark Railway Company have Preamble.
by their petition prayed that an Act may be passed
authorizing the company to extend their line easterly to the
City of Ottawa passing through the townships of Fitzroy,
Torbolton, March, Nepean and Gloucester in the county of
Carleton and westerly to a point at or near lot number
thirteen or fourteen in the second concession of the town-
ship of Blythfield and for such powers and amendments as
may be found necessary for the purposes aforesaid and to
extend the time for the completion of the said railway ;

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 100 of the Acts passed in the 62nd 62 V. (2) c. 100
year of the reign of Her late Majesty Queen Victoria, inti- s. 2, repealed.
tuled *An Act to incorporate the North Lanark Railway
Company*, is repealed and the following substituted therefor :—

(2) The company shall have full power and authority to Location of
survey, lay out and construct, complete and equip a line.
railway to be operated by steam or electricity with single
or double iron or steel tracks from a point at or near
lot number thirteen or fourteen in the second concession
in the township of Blythfield in the county of Renfrew ;
thence passing through the township of Bagot, in the county
of Renfrew, and through the townships of Darling and Pak-
enham in the county of Lanark and through the township
of McNab in the county of Renfrew, to a point at or near the
village of Braeside on the Ottawa River ; thence continuing
through the said township of McNab to a point at or near the
town of Arnprior ; thence continuing through the said township
of McNab, and through the township of Fitzroy in the county of
Carleton to a point at or near the village of Fitzroy Harbor
on the Ottawa River ; thence continuing through the said
township of Fitzroy and through the townships of Torbolton,
March, Nepean and Gloucester in the county of Carleton to
the city of Ottawa, and the said railway or any part thereof,
so far as the same may be operated by electricity may be carried

along and upon such public highways as may be authorized by the by-laws of the respective corporations having jurisdiction over the same, and subject to the restrictions and provisions therein and in this Act contained, and under and subject to any agreements between the company and the councils of any of the said corporations and between the company and the road companies (if any) interested in such highways; and the company may make and enter into any agreements with any municipal corporation or road company as to the terms of occupancy of any street or highway subject to the provisions and conditions contained in this Act *The Electric Railway Act* and in *The Municipal Act* and any Act or Acts amending the same.

Rev. Stat.
c. 223.

62 V. (2) c. 100
s. 9, amended.
Capital Stock.

2. Section 9 of the said Act is amended by striking out the figures "\$250,000" in the second line thereof and substituting therefor the figures "\$450,000" and by striking out the words "two thousand five hundred" in the fourth line of said section and substituting therefor the words "four thousand five hundred."

62 V. (2) c. 100.
s. 11,
amended.
Number of
directors.

3. Section 11 of the said Act is amended by striking out the word "five" in the fourth line thereof and substituting therefor the words "not less than five nor more than seven."

62 V. (2) c. 100
s. 39,
amended.
Bonding
powers.

4. Section 39 of the said Act is amended by striking out the figures "\$10,000" in the fifth line thereof and substituting therefor the figures "\$20,000."

62 V. (2) c. 100
ss. 43 and 44,
amended.
Agreements
with other
companies.

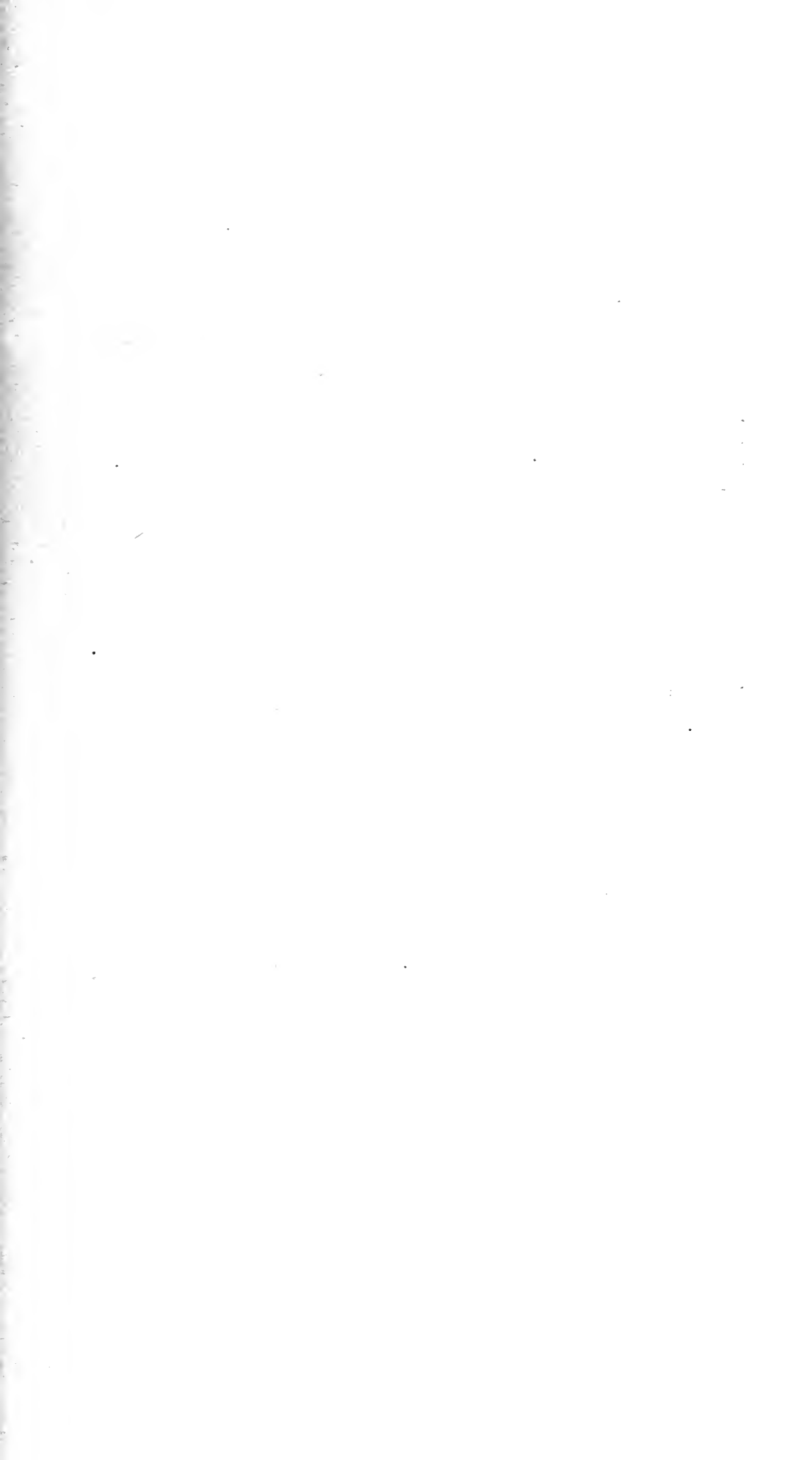
5. Sections 43 and 44 of the said Act are hereby amended by striking out the words "the Ottawa, Arnprior and Parry Sound Railway Company" where they occur in said sections and substituting therefor the words "the Canada Atlantic Railway Company, or the Ottawa and New York Railway Company."

Time for
completion.

6. The said Railway shall be completed within five years from the passing of this Act.

62 V. (2) c. 100
s. 51, repealed.

7. Section 51 of the said Act is hereby repealed.



1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act to amend the Act Incorporating
The North Lanark Railway Company

First Reading, 24th April, 1903.

(Reprinted as amended by Railway
Committee.)

Mr. CALDWELL.

TORONTO :

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

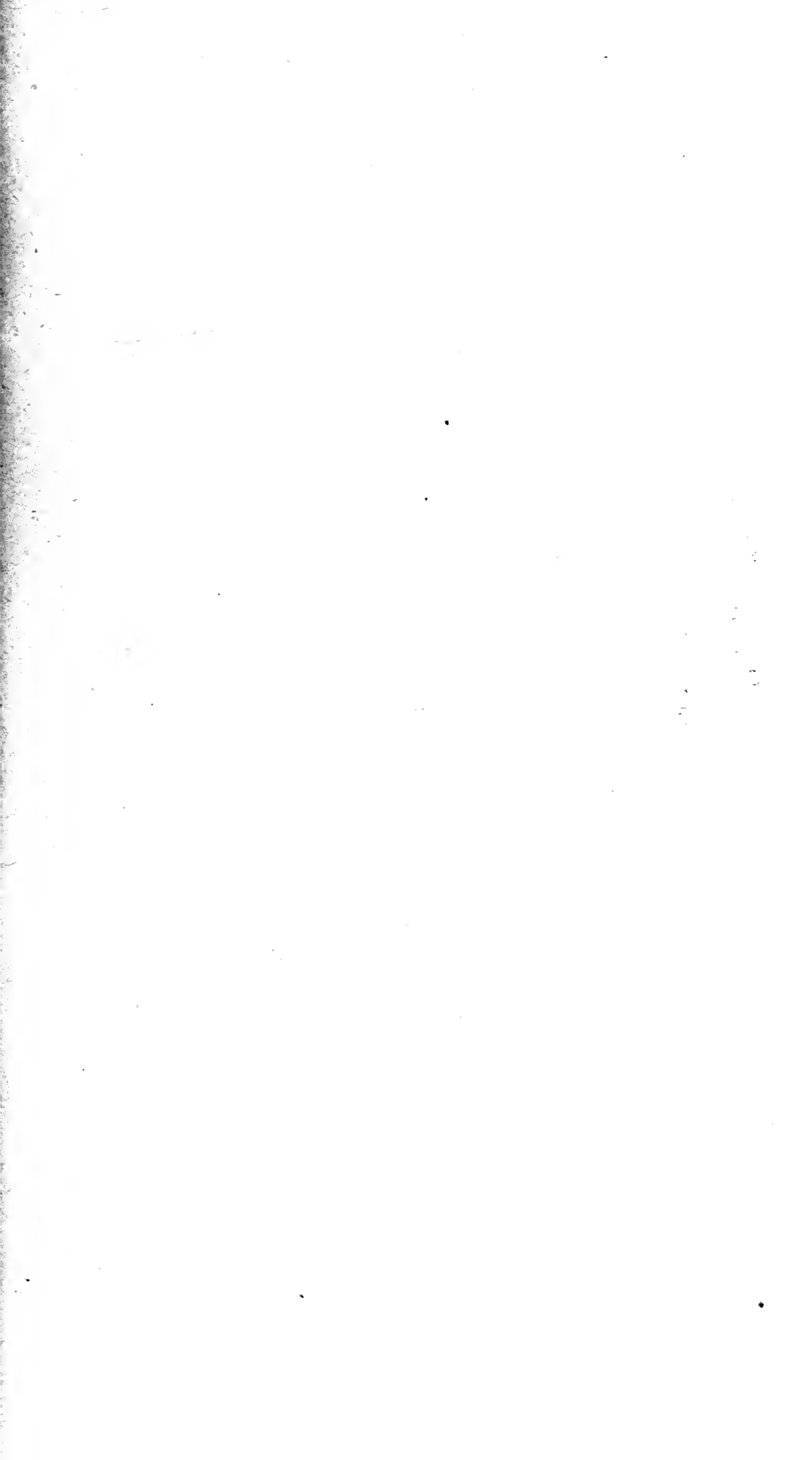
An Act respecting the assessment of the property of
James Playfair in the Town of Midland.

WHEREAS in the year 1894 certain negotiations took Preamble
place between the Town of Midland through the
town council of that year and James Playfair, a lumberman,
then carrying on business at Sturgeon Bay in the Township
5 of Tay, a point remote from the Town of Midland, with a
view to inducing the said Playfair to purchase the British
Canadian Mill in the Town of Midland, and to oper-
ate the same; and whereas it was thereupon agreed
between the Town of Midland and the said Playfair
10 that if he the said Playfair would purchase the said
mill and would operate the same to its full capacity, that the
assessment of the said mill and of the yard thereof and of
the dwellings forming part of the said mill premises and used
therewith, and of all other property of the said Playfair
15 within the Town of Midland should, during a period of ten
years from the year 1894, or up to and inclusive of the year
1904, should be fixed for all purposes at the sum of \$10,000:
and whereas on the 3rd day of October, A.D. 1894, at a
meeting of the town council of the Town of Midland held
20 on that day a resolution of the town council was passed
fixing the assessment of the said property at the sum of
\$10,000 for the said period of ten years or until the year
1904 inclusive of the said year 1904; and whereas the said
Playfair purchased the said mill premises, and has practically
25 rebuilt the same, and has very much increased the capacity of
the same, and has expended large sums of money thereon, and
has since continuously run the same to their full capacity;
and whereas the assessor of the said Town of Midland has,
under direction of the said town council, assessed the said
30 premises at the sum of \$10,000 for all purposes during the
years 1895, 1896, 1897, 1898 and 1899, and in the years 1900
and 1901, with the assent and concurrence of the said Play-
fair, at the sum of \$13,000; and whereas in the year 1902, the
said assessor of the said Town, under direction of the said
35 town council has, without any change in the circumstances
of the parties to the said agreement, assessed the property of
the said Playfair at the sum of \$68,750: and whereas it is
desirable to carry out the said agreement so entered into in
the year 1894, and carried out by the said Playfair, and to
40 fix the assessment of the said Playfair at the sum of \$10,000

for the years 1902, 1903 and 1904, and to ratify and confirm the assessments made during the preceeding years between the years 1894 and 1902;

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

1. The said assessment of the said property of the said James Playfair within the limits of the Town of Midland, and being all the property of the said Playfair within the said Town of Midland, is fixed at the sum of \$10,000 (ten thousand dollars) for the years 1902, 1903 and 1904, and on the said amount only the said Playfair shall be required to pay such rates as may be levied in each of the said years, and the said Playfair shall not be called upon to pay, nor shall his property be liable for any local improvement taxes during the years, and all the assessment of the said property during the years preceding the year 1902 from the year 1894, and the said agreement between the said Town and the said Playfair are ratified and confirmed and made valid and legal. 15



An Act respecting the assessment of the property of
James Playfair in the Town of Midland.

¹²**W**HEREAS by the petition of James Playfair of the Town of Midland it is made to appear that in the year 1894 certain negotiations took place between the Municipal Corporation of the Town of Midland and the said Playfair, then a lumberman carrying on business at Sturgeon Bay in the Township of Tay, a point remote from the Town of Midland, with a view to inducing the said James Playfair to acquire the property then known as the British Canadian Mill, in the Town of Midland, and to operate the same, and that it was eventually agreed between the municipal council of the said town and the said Playfair that if he, the said Playfair, would purchase the said mill and operate the same to its full capacity the said property should during a term of ten years beginning with the year 1895 be assessed for all purposes at the sum of \$10,000; and whereas in and by the said petition it is further represented that on the 3rd day of October, 1894, at a meeting of the Council of the Town of Midland a resolution was passed fixing the assessment of the said property pursuant to the terms of the said agreement and that immediately thereafter the said Playfair acquired the said property and has since then very much increased the capacity of the said mill and has expended large sums of money thereon, and has continuously since 1894 operated the said mill at its full capacity; and whereas it is further represented in and by the said petition that pursuant to the said agreement and resolution the said property was assessed at the sum of \$10,000 for the years 1895, 1896, 1897, 1898 and 1899, and, with the assent and concurrence of the said Playfair, at the sum of \$13,000 for the years 1900 and 1901, but that in the year 1902, the assessor of the said town, contrary to the terms of the said agreement assessed the said property at the sum of \$68,750; and whereas the facts alleged in the said petition have been satisfactorily established and the case appears to be that of an agreement existing at the time of the amendment of *The Municipal Act* requiring the assent of the electors in such cases; and whereas the said Playfair has by his petition prayed that an Act be passed giving him the benefit of the agreement entered into by him with the said municipal corporation and acted upon by both parties as aforesaid; and

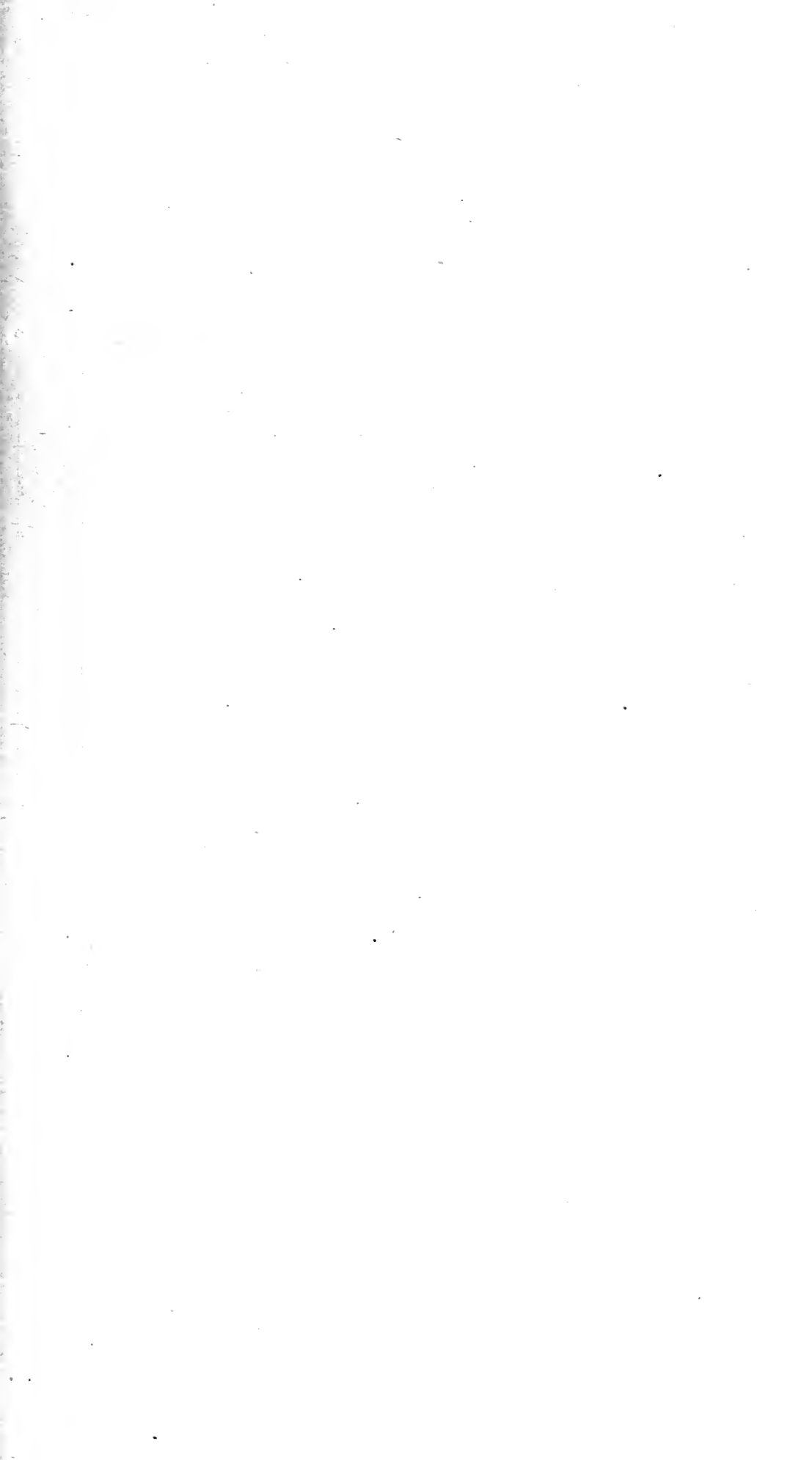
Preamble

whereas it is expedient that effect should be given as far as possible to the said agreement and to 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 :—

Assessment
fixed for 1903,
1904 and 1905.

1. The assessment of the said property of the said James Playfair within the limits of the Town of Midland, and being the property known at the time of the purchase thereof by the said Playfair as aforesaid, as the British Canadian Mill property, is fixed for all purposes including school rates at the sum of \$10,000 for the years 1903, 1904 and 1905; provided, however, that the house and premises occupied by the said Playfair in the said Town of Midland as a residence shall not be included in the assessment, but shall be liable to separate assessment, as though this Act had not been passed.



1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL

An Act respecting the assessment of the property of James Playfair, in the Town of Midland.

First Reading, 28th April, 1903.

(Reprinted as amended by Private Bills
Committee.)

Mr. TUDHOPE.

TORONTO

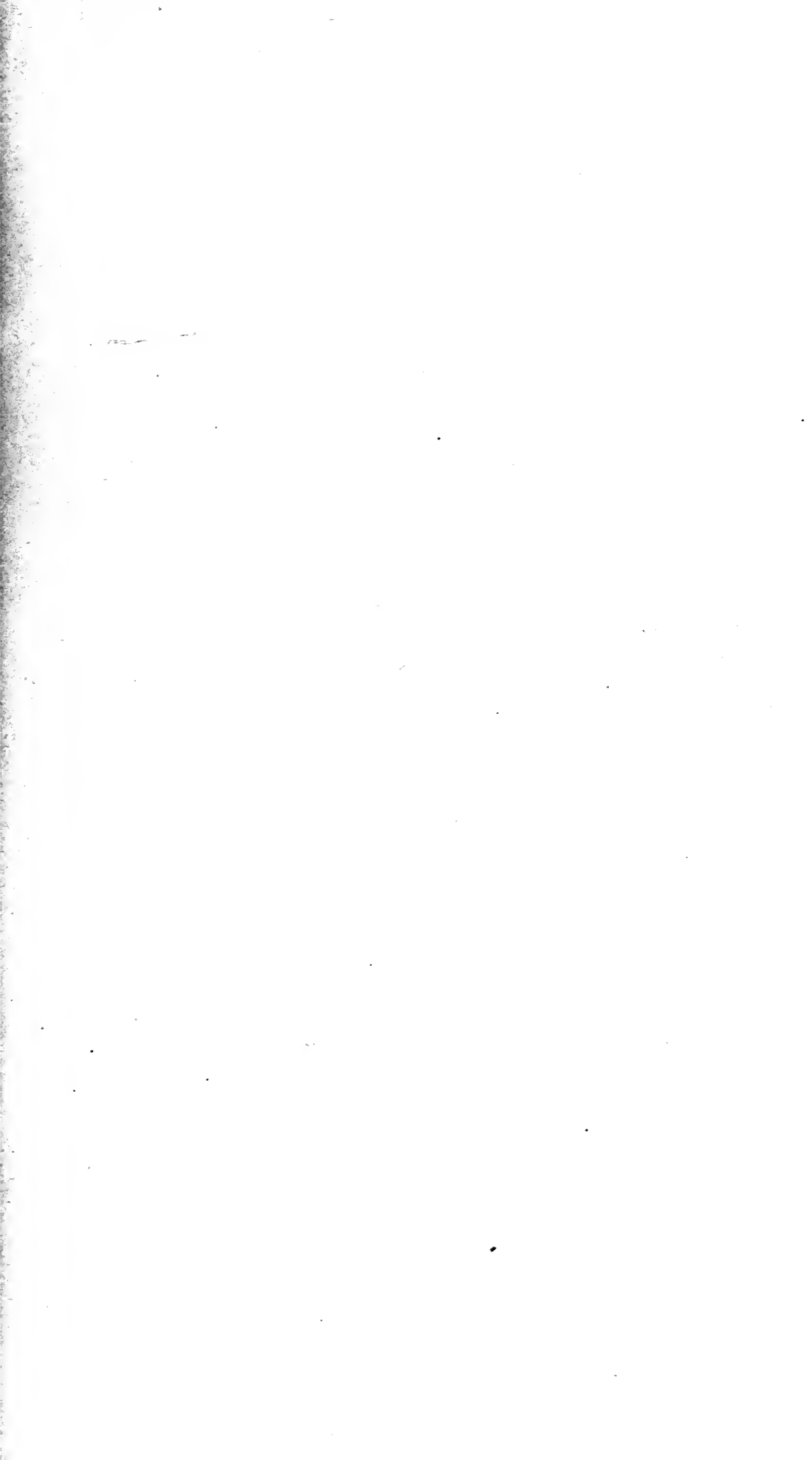
PRINTED BY L. K. CAMERON,
Printer to the King's Most Excellent Majesty

An Act respecting the assessment of the property of
Chew Brothers in the Town of Midland.

WHEREAS in the year 1894, certain negotiations took ^{Preamble}
place between the Town of Midland through the town
council of that year, and the said Chew Brothers, Lumber-
men, then carrying on a lumbering business in the Town of
5 Midland, with a view to the said Chew Brothers enlarging
and practically rebuilding their said mill, and operating the
same during a term of ten years to its full capacity; and
whereas it was thereupon agreed between the said Town of
Midland and the said Chew Brothers that if they, the said
10 Chew Brothers would rebuild their mill and would operate
the same to its full capacity during the said period of ten
years that the assessments of the said mill and mill yard and
the buildings forming part of the said mill premises and used
therewith within the Town of Midland should during the
15 period of ten years from the year 1894 or up to and inclusive
of the year 1904 be fixed for all purposes at the sum of \$2,000 ;
and whereas on the 3rd day of October, 1894 at a meeting of
the town council of the Town of Midland held on that day,
a resolution of the town council was passed fixing the assess-
20 ment of the said property at the sum of \$2,000 for the said
period of ten years or until the year 1904, inclusive of the said
year 1904; and whereas the said Chew Brothers greatly en-
larged the said mill and practically rebuilt the same and very
much increased its capacity and have expended large sums of
25 money thereon, and since the said year 1894 have continuously
run the same to its full capacity; and whereas the assessor
of the said Town of Midland has under direction of the
said town council assessed the said premises for all purposes
at the sum of \$2,000 during the years 1895, 1896, 1897, 1898
30 and 1899, and in the years 1900 and 1901 with the assent
and concurrence of the said Chew Brothers at the sum of
\$4,000; and whereas in the year 1902, the said assessor of the
said town under direction of the town council of that year
has without any change in the circumstances of the parties to
35 the said agreement assessed the property of the said Chew
Brothers at the sum of \$22,000 which said assessment was
subsequently reduced on an appeal to the Court of Revision
to the Board of County Judges to the sum of \$20,000 ;

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 assessment of the said property of the said Chew Brothers within the limits of the Town of Midland and being the mill, mill yard and the buildings connected with and used by the said business within the Town of Midland is fixed at the sum of \$2,000 for the years 1902, 1903, and 1904, and on the said amount only, the said Chew Brothers shall be required to pay such rates as may be levied in each of the said years and the said Chew Brothers shall not be called upon to pay, nor shall their property be liable for local improvement taxes during the said years, and all assessments of the said properties during the said years preceeding the year 1902 from the year 1894 and the said agreement between the said town and the said Chew Brothers are ratified and confirmed and made valid and legal.



1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act respecting the assessment of the
property of Chew Brothers in the
Town of Midland.

First Reading	March, 1903.
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(Private Bill)

Mr. TUDHOPE.

TORONTO :

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

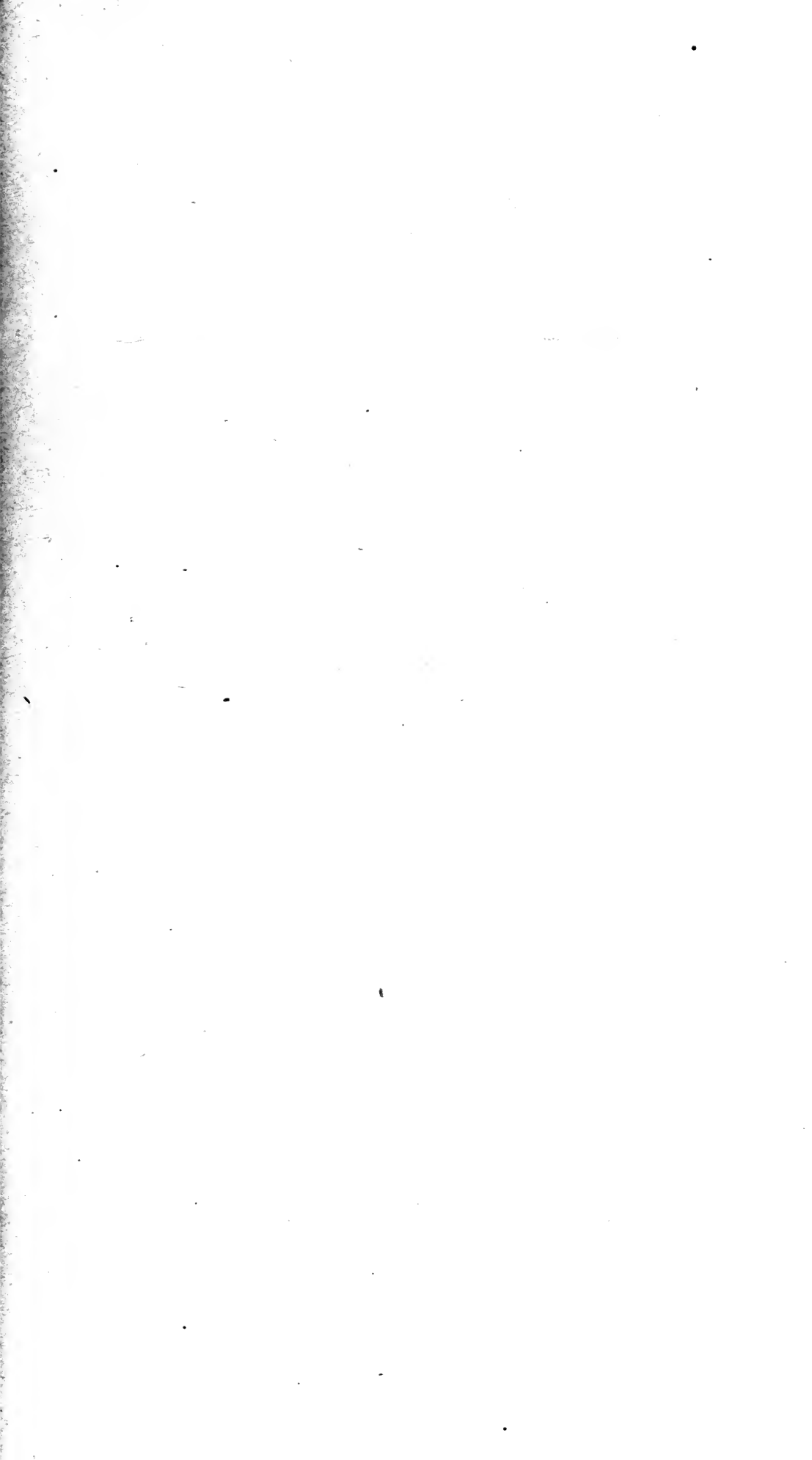
An Act respecting the assessment of the property of
Chew Brothers in the Town of Midland.

WHEREAS by the petition of Chew Brothers, of the Town of Midland, it is made to appear that in the year 1894 certain negotiations took place between the Council of the Town of Midland and the said Chew Brothers, then carrying on a lumbering business in the said town, with a view to the said Chew Brothers enlarging and practically rebuilding their mill *in the said town* and that the said negotiations resulted in an agreement between the said council and the said Chew Brothers that if they, the said Chew Brothers, would rebuild their mill and would operate it to its full capacity during a period of ten years that the assessment of the said mill property within the Town of Midland should be fixed during the said period at the sum of \$2,000; and whereas in and by the said petition it is further represented that on the third day of October, 1894, at a meeting of the council of the Town of Midland a resolution was passed fixing the assessment of the said property at \$2,000, pursuant to the terms of the said agreement, for a period of ten years beginning with the year 1895, and that relying upon the said agreement and resolution, the said Chew Brothers greatly enlarged their said mill and practically rebuilt the same and expended large sums of money thereon, and since the year 1894 have continuously operated the same to its full capacity; and whereas it is further shown in and by the said petition that the said property was assessed pursuant to the said agreement at \$2,000 during the years 1895, 1896, 1897, 1898 and 1899, and, with the assent and concurrence of the said Chew Brothers, at the sum of \$4,000 for the years 1900 and 1901, but that in the year 1902, the assessor of the said town assessed the said property at the sum of \$22,000 which said assessment was subsequently reduced by appeal to the Court of Revision, to the sum of \$20,000; and whereas the statements alleged in the said petition have been satisfactorily established and the case appears to be that of an agreement existing at the time of the amendment of *The Municipal Act* requiring the assent of the electors in such cases; and whereas the said Chew Brothers have by their said petition prayed that an Act may be passed giving them the benefit of the agreement entered into by them with the said municipal cor-

poration and acted upon by both parties aforesaid ; and whereas it is expedient that effect should be given as far as possible to the said agreement and to the prayer of the said petition ⁶³

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

⁶⁴1. The assessment of the said property of the said Chew Brothers, being the mill-yard and buildings connected with and used by the said Chew Brothers in their business, within the Town of Midland, is fixed for all purposes, including school rates, at the sum of \$2,000 for the years 1903, 1904, and 1905. ⁶⁵



1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the assessment of the
property of Chew Brothers in the
Town of Midland.

First Reading, 28th April, 1903.

(Reprinted as amended by Private Bills
Committee.)

Mr. TUDHOPE.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting the Debenture debt of the Town
of Gananoque.

- W**HEREAS the Corporation of the Town of Gananoque Preamble.
(formerly the Village of Gananoque), under their by-law
number 170, passed on the 14th day of June, 1883, incurred a de-
benture debt of \$10,000 in aid of The Thousand Islands Railway
5 Company, maturing on the 1st of August, 1903 ; and whereas
prior to 1891 no proper or sufficient sinking funds were pro-
vided for redeeming the various debentures of the said Village
of Gananoque, but at that time a sum of \$3,574, or thereabouts,
had been raised by way of sinking fund with respect to the
10 said debenture debts, but it could not be ascertained what
proportions were applicable to the several debenture debts
so incurred ; and whereas, by 54 Victoria chapter 68, said
sum of \$3,574 was authorized to be applied in or towards
the retirement of debentures issued under authority of by-
15 laws number 59 and 89 of the Village of Gananoque ; and
whereas there has been raised by way of sinking fund with
respect to the retirement of the debentures issued under
by-law 170, the sum of \$4,300, or thereabouts ; and whereas
it is desirable to make provision for the redemption of the
20 residue of the said debenture debt incurred under said by-law
number 170, and the said corporation has by its petition
prayed that an Act may be passed for that purpose ; and
whereas it is expedient to grant the prayer of the said
petition ;
- 25 Therefore His Majesty, by and with the advice and con-
sent of the Legislative Assembly of the Province of Ontario,
enacts as follows :
1. For the purpose of redeeming the said debenture debt
of \$10,000, incurred under the said by-law number 170, and
30 maturing on August 1st, 1903, the said corporation may
pass a by-law authorizing the issue of debentures of the said
town for a sum not exceeding the sum of \$5,700, which
with the sinking fund provided for said debentures and the
accumulated interest thereon, namely \$4,300, shall be used
35 in payment of the said debentures. Issue of
debentures to
redeem debentures now
outstanding.
2. The by-law passed under the authority of this Act
shall be according to the form and effect provided by *The*

Municipal Act, but it shall not be necessary in any case to submit the same to the electors or to obtain their assent thereto, and no irregularity in the form thereof, or the formalities attending the passing of the same, or in the debentures to be issued thereunder, shall render the by-law 5 or debentures invalid or illegal, or be allowed as a defence to any action brought against the corporation for the recovery of the debenture debt so to be incurred, and the interest thereon; and after the passing of the said by-law they shall be subject to the provisions of *The Municipal Act* respecting 10 by-laws for the incurring of debenture debts.

Term of debentures.

3. The debentures to be issued under the authority of this Act shall be payable at such place as the council may determine, and shall mature on a date or dates not more than twenty years from the date or dates thereof, and the interest 15 thereon shall not exceed four per centum per annum, and may be made payable yearly or half yearly as the council may determine.

Special rate.

4. For the payment of the debentures to be issued under the authority of this Act, the council shall impose a special 20 rate in each year (over and above all other rates to be levied in each year), which shall be sufficient to pay the interest on the said debentures and form a sinking fund for the purpose of paying the principal thereof.

Treasurer to keep book of account.

5. It shall be the duty of the treasurer, from time to time, 25 of the said town 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 to 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 shew the 30 number of debentures which shall from time to time be issued under the powers conferred by this Act, and the times at which the said debentures shall respectively become due and payable, and the amount realizable from the sale thereof and the application which shall be made of the said amount and 35 the investments which shall from time be made of the sinking fund, 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 town, and of any of the holders from time to time of the debentures which shall be issued under 40 the powers hereby conferred.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Debenture debt of
the Town of Gananoque.

First Reading. 1903.

(Private Bill.)

MR. BEATTY.

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

An Act respecting the Debenture debt of the Town
of Gananoque.

WHEREAS the Corporation of the Town of Gananoque Preamble.
(formerly the Village of Gananoque), under their By-law
number 170, passed on the 14th day of June, 1883, incurred a de-
benture debt of \$10,000 in aid of The Thousand Islands Railway
Company, maturing on the 1st of August, 1903 ; and whereas
prior to 1891 no proper or sufficient sinking funds were pro-
vided for redeeming the various debentures of the said Village
of Gananoque, but at that time a sum of \$3,574, or thereabouts,
had been raised by way of sinking fund with respect to the
said debenture debts, but it could not be ascertained what
proportions were applicable to the several debenture debts
so incurred; and whereas, by ~~an~~ an Act passed in the 54th year
of the Reign of Her late Majesty Queen Victoria ~~the~~ chaptered
68, ~~the~~ said sum of \$3,574 was authorized to be applied in or
towards the retirement of debentures issued under authority of
by-laws numbered 59 and 89 of the Village of Gananoque ; and
whereas there has been raised by way of sinking fund with
respect to the retirement of the debentures issued under ~~the~~
said By-law number 170, the sum of \$4,300, or thereabouts ;
and whereas it is desirable to make provision for the redemp-
tion of the residue of the said debenture debt incurred under
said By-law number 170, and the said corporation has by its
petition prayed that an Act may be passed for that purpose ;
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 the Province of Ontario,
enacts as follows :

1. For the purpose of redeeming the said debenture debt Issue of
debentures to
redeem debentures now
out-standing.
of \$10,000, incurred under the said By-law number 170, and
maturing on August 1st, 1903, the said corporation may
pass a by-law authorizing the issue of debentures of the said
town for a sum not exceeding the sum of \$5,700, which with
the sinking fund provided for *the* said debentures and the
accumulated interest thereon, namely \$4,300, shall be used
in payment of the said debentures.

2. Any by-law passed under the authority of this Act
shall ~~be~~ be passed in accordance with the provisions of ~~the~~ *The*

Municipal Act, but it shall not be necessary in any case to submit the same to the electors or to obtain their assent thereto, and no irregularity in the form thereof, or the formalities attending the passing of the same, or in the debentures to be issued thereunder, shall render the by-law or debentures invalid or illegal, or be allowed as a defence to any action brought against the corporation for the recovery of the debenture debt so to be incurred, and the interest thereon.

Term of
debentures.

3. The debentures to be issued under the authority of this Act shall be payable at such place as the council may determine, and shall mature on a date or dates not more than twenty years from the date or dates thereof, and the interest thereon shall not exceed four per centum per annum, and may be made payable yearly or half yearly as the council may determine.

Special rate.

4. For the payment of the debentures to be issued under the authority of this Act, the council shall impose a special rate in each year (over and above all other rates to be levied in each year), which shall be sufficient to pay the interest on the said debentures and form a sinking fund for the purpose of paying the principal thereof.

Treasurer to
keep book of
account.

5. It shall be the duty of the treasurer, from time to time, of the said town 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 to 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 shew the number of debentures which shall from time to time be issued under the powers conferred by this Act, and the times at which the said debentures shall respectively become due and payable, and the amount realized from the sale thereof and the application which shall be made of the said amount and the investments which shall from time be made of the sinking fund, 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 town, and of any of the holders from time to time of the debentures which shall be issued under the powers hereby conferred.



1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act respecting the Debiture debt of
the Town of Gananoque.

First Reading. 24th April, 1903.

(Reprinted as amended by Private Bills
Committee.)

Mr. BEATTY.

TORONTO :

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting the County of Lanark.

WHEREAS the Municipal Corporation of the County of Lanark has by petition shown that the council of the said corporation in accordance with the provisions of *The Act for the Improvement of Public Highways* passed By-law number 486 of the said County of Lanark designating the highways to be improved and toll roads to be purchased in accordance with the provisions of the said Act and authorizing the issue of debentures to the amount of \$65,000 for the purpose of raising the sum required therefor and that the said council also passed By-law number 509 of the said county amending said By-law number 486 in the manner in the said by-law set out; and whereas the said municipal corporation has by its said petition prayed for special legislation validating and confirming the by-laws and debentures hereinafter referred to and enacting that the said council should make the annual grants hereinafter referred to to the Townships of Montague and Elmsley North within the said county; 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 486 of the Corporation of the County of Lanark, finally passed by the municipal council of the said County of Lanark on the 28th day of June, 1902, providing for the issue of debentures to the amount of \$65,000, payable in twenty annual instalments, and bearing interest at the rate of three and three-quarters per cent. per annum, for the improvement of the public highways and the purchase of the toll roads designated in the said by-law, as amended by By-law number 509, of the said corporation of the County of Lanark, finally passed by the municipal council of the said county, on the 11th day of February, 1903, and the said By-law number 509 and all debentures issued or to be issued thereunder are hereby validated, confirmed and declared to be legal and binding upon the said municipal corporation.

By-law No. 486 of County of Lanark, for improvement of public highways.

2. The debentures authorized by the said by-law, number 86, may be issued in such amounts and at such times as the

Issue of debentures.

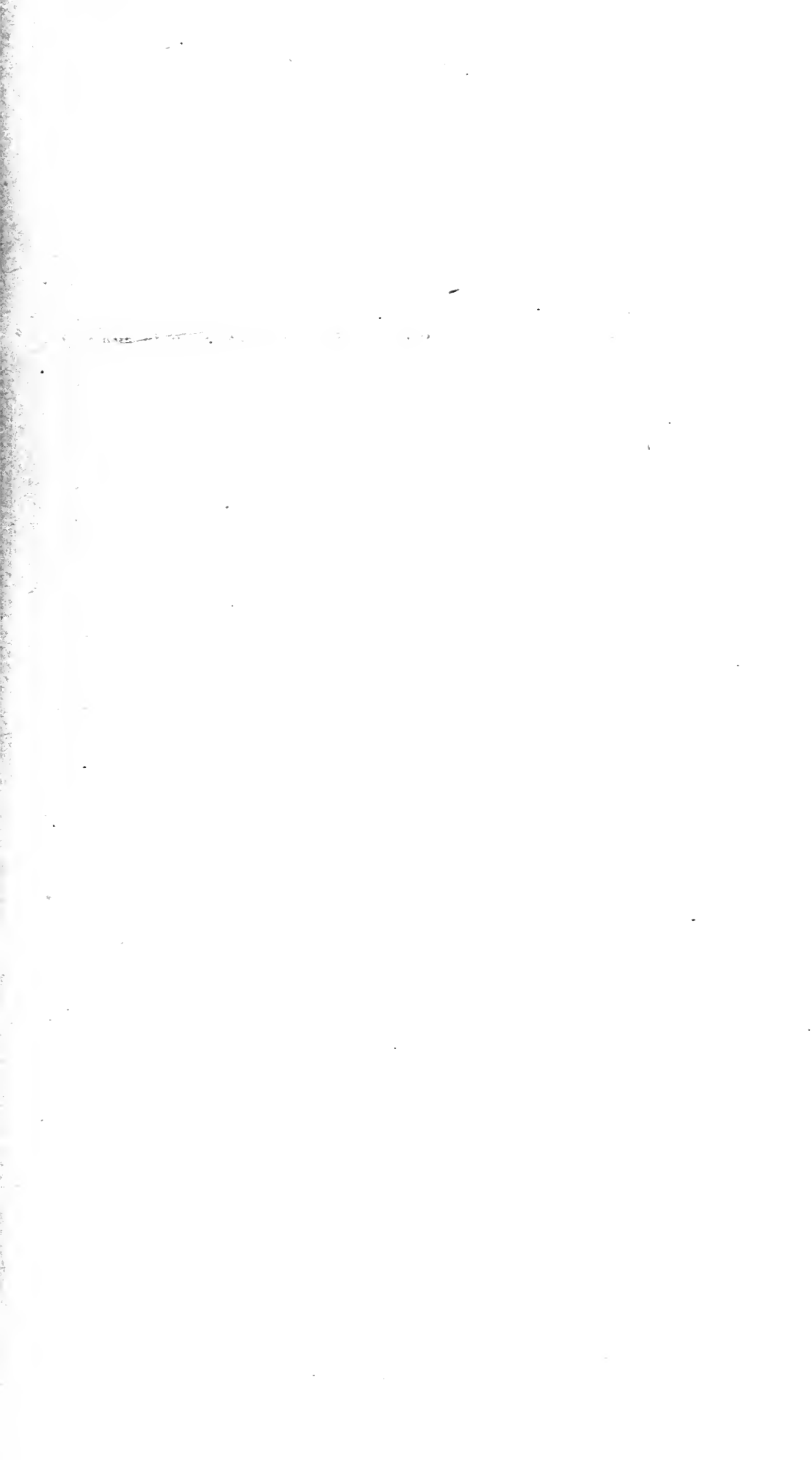
moneys may be required for the purposes of the said by-law, and the same and all interest coupons thereto attached may be signed by the Warden of the County at the time of such issue.

Grants to
certain town-
ships for
maintenance.

3. After the expenditure within the Townships of Mon- 5
tague and Elmsley North in the said county of the respective
sums mentioned in the said by-law, number 486, as amended
by By-law number 509, in accordance with the provisions of
the said by-laws, as so amended, the Corporation of the
County of Lanark shall grant annually during the currency 10
of the debentures to be issued under said by-laws to each of
the said townships for maintenance and repair of the roads
therein, improved under the terms of the said by-laws, an
amount bearing the same proportion to the amount of the
revised and equalized assessment of such township, as the 15
total amount, if any, to be expended in maintenance and
repair, of the County Highway System bears to the total
amount of the revised and equalized assessment of the said
county.

Rates for
payment of
debentures.

4. The rates to be levied for the payment of the said debent- 20
tures and the interest thereon, and for maintenance of the
said county roads, shall be levied as other county rates on the
local municipalities in the County of Lanark, other than the
Town of Smith's Falls, now separated from the said county,
according to the revised and equalized assessment of the said 25
county.



No. 31.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the County of Lanark.

First Reading, 1903

(Private Bill.)

Mr. MATHESON.

TORONTO

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

An Act respecting the County of Lanark.

WHEREAS the Municipal Corporation of the County of Lanark has by petition shown that the Council of the said corporation in accordance with the provisions of *The Act for the Improvement of Public Highways* passed a by-law designating the highways to be improved and toll roads to be purchased in accordance with the provisions of the said Act and authorizing the issue of debentures to the amount of \$65,000 for the purpose of raising the sum required therefor, and that the said council also passed By-law number 509 of the said county amending said By-law number 486 in the manner in the said by-law set out; and whereas the said municipal corporation has by its said petition prayed for special legislation validating and confirming the by-laws and debentures hereinafter referred to and enacting that the said council should make the annual grants hereinafter referred to to the Townships of Montague and Elmsley North within the said county; 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 486 of the Corporation of the County of Lanark, set forth as Schedule A to this Act, as amended by By-law number 509, of the said corporation of the County of Lanark, set forth as Schedule B to this Act, and the said By-law number 509 and all debentures issued or to be issued thereunder are hereby validated, confirmed and declared to be legal and binding upon the said municipal corporation.

By-law No. 486 of County of Lanark, for improvement of public highways.

2. The debentures authorized by the said By-law number 486, may be issued in such amounts and at such times as the moneys may be required for the purposes of the said by-law, and the same and all interest coupons thereto attached may be signed by the Warden of the County at the time of such issue.

Issue of debentures.

3. After the expenditure within the Townships of Montague and Elmsley North in the said county of the respective sums mentioned in the said by-law, number 486, as amended

Grants to certain townships for maintenance.

by By-law number 509, in accordance with the provisions of the said by-laws, as so amended, the Corporation of the County of Lanark shall grant annually during the currency of the debentures to be issued under said by-laws to each of the said townships for maintenance and repair of the roads therein, improved under the terms of the said by-laws, an amount bearing the same proportion to the amount of the revised and equalized assessment of such township, as the total amount, if any, to be expended in maintenance and repair, of the County Highway System bears to the total amount of the revised and equalized assessment of the said county.

Rates for
payment of
debentures.

4. The rates to be levied for the payment of the said debentures and the interest thereon, and for maintenance of the said county roads, shall be levied as other county rates on the local municipalities in the County of Lanark, other than the Town of Smith's Falls, now separated from the said county, according to the revised and equalized assessment of the said county.

SCHEDULE A.

(To the Act.)

BY-LAW No. 486.

By-law designating highways to be improved and toll roads to be purchased in accordance with the "Act for the improvement of public Highways" and authorizing the issue of debentures of the County of Lanark to the amount of \$65,000 for the purpose of raising the sum required therefor.

Passed June 28th, A.D. 1902.

Whereas by an Act entitled *An Act for the improvement of Public Highways* the sum of \$100,000 was set apart to be paid out of the Consolidated Revenue Fund of the Province of Ontario to aid in the improvement of public highways upon the terms and conditions in the said Act set forth ;

And whereas it is desirable that the County of Lanark should participate in the said sum so set apart and for that purpose should adopt a system of County Roads and construct or repair the same in accordance with the regulations of the Public Works Department with respect to highways as in the said Act prescribed ;

And whereas it is necessary to designate the highways to be improved in accordance with the provisions of the said Act ;

And whereas it is desirable to raise the sum of \$65,000 to be applied for the improvement of the said highways and the purchase of certain toll roads ;

And whereas in order thereto, it will be necessary to issue debentures of the said county for the sum of \$65,000 as hereinafter provided which is the debt intended to be created by this By-law ;

And whereas it is desirable to make the principal of the said debt repayable by yearly sums during the period of twenty years, being the currency of the said debentures ; said yearly sums being of such respective amounts that the aggregate amount payable in each year for principal and interest in respect of said debt shall be as nearly as possible equal to the amount so payable in each of the other nineteen years of the said period ;

And whereas the total amount required by the *The Municipal Act* to be raised annually by special rate for paying the said debt and interest as hereinafter provided is a sum sufficient to discharge the instalment of principal and interest accruing due on the said debt for such year as shown in the fourth column of Schedule A hereto annexed ;

And whereas the amount of the whole rateable property of the County of Lanark, according to the last revised and equalized assessment roll, is \$10,531 883 ;

And whereas the existing debenture debt of the said county is the sum of \$20,000 of which no principal or interest is in arrear ;

Therefore the Council of the Corporation of the County of Lanark enacts as follows :

1. The toll roads in the County of Lanark which are as follows :

(1) Commencing at the westerly limit of the Town of Perth at the intersection of Dufferin Street in the said town with the boundary line between the Townships of Bathurst and Drummond, thence along the present macadamized road to the southern boundary of the Village of Lanark.

(2) Commencing at the intersection of the Eighth Concession Line of the Township of Bathurst with the said boundary line between the Townships of Bathurst and Drummond, thence westerly along the present toll road to the Village of Fallbrooke in the said Township of Bathurst, and

(3) Commencing at the intersection of the Third Concession Line with the said boundary line between the Townships of Bathurst and Drummond, thence westerly along the Third Concession Line to the end of the present macadamized road, being at or near the side line between lots numbers eighteen and nineteen in the said Third Concession, shall be purchased by the said County and freed from tolls, and the same when so purchased shall be assumed by the said County and form part of the County Highway System.

2 The following highways are hereby designated as the highways to be improved in accordance with the provisions of *The Act for the improvement of Public Highways*, namely :—

(1) Commencing in the Township of Montague on the road between Smith's Falls and Merrickville, at a point about eight miles distant from the eastern boundary of the Town of Smith's Falls, (and being at or near Kilmariock) thence northerly, westerly, and again northerly along the said Merrickville road to the said boundary line to the Town of Smith's Falls.

(2) Commencing at the northwestern boundary of the Town of Smith's Falls on the old Perth toll road, thence westerly following the old Perth toll road by way of the Village of Port Elmsley to the eastern boundary of the Town of Perth.

(3) Commencing at the northern boundary of the Town of Perth at the intersection of Drummond Street in the said town with the Third Concession Line of the Township of Drummond, thence northerly along the road commonly known as the Innisville road through the Township of Drummond by way of the Village of Innisville and along

the present travelled road through the Townships of Lanark, Ramsay and Beckwith to the western boundary of the Town of Carleton Place.

(4) Commencing on the above mentioned road from Perth to Carleton Place at the intersection of the Third concession line of the Township of Ramsay with the said road, thence northerly and westerly along the present travelled road to the Second concession line and thence north-westerly along the said Second concession line as travelled to the side line between lots numbers 20 and 21.

(5) Commencing at the north-western boundary of the Town of Almonte, thence north-westerly along the Ninth concession line of the Township of Ramsay to the side line between lots numbers 20 and 21, thence westerly along the said side line to the Second concession line.

(6) Commencing on the Ninth concession line of the Township of Ramsay at the intersection of the side line between lots numbers 20 and 21, thence north-westerly along the said Ninth concession line to the boundary line between the Townships of Ramsay and Pakenham, thence north-westerly along the Ninth concession line of the Township of Pakenham to the side line between lots numbers 5 and 6 in the said concession, thence northerly along the present travelled road to the Village of Pakenham, thence north westerly along the Eleventh concession line to a point at or near lot number 15, where the travelled road turns to the west, thence westerly along the present travelled road to the side line between lots numbers 16 and 17, in the Tenth concession of the said Township of Pakenham.

(7) Commencing at the Southern boundary of the Town of Carleton Place where the Franktown Road intersects the same, thence southerly along the present travelled road leading to Franktown through the Township of Beckwith to the Third concession line of the said township; again commencing at the intersection of the Franktown Road with the Eleventh concession line, thence north-easterly along the said eleventh concession line to the boundary line between the Townships of Beckwith and Goulbourn.

(8) Commencing in the Sixth concession of the Township of South Sherbrooke where the line of the Canadian Pacific Railway Company crosses the present travelled road at or near the Maberly Station of the said railway company, thence north-westerly along the said travelled road through the Village of Maberly to the Eleventh concession line of the said township.

(9) Commencing at the northern boundary of the Village of Lanark, thence northerly along the present travelled road by way of Herron's Mills to the Village of Middleville in the Township of Lanark.

(10) Commencing on the said travelled road between Lanark and Middleville at Herron's Mills, thence northerly and westerly along the present travelled road through the Townships of Lanark and Dalhousie to Watson's Corners.

(11) Commencing at the north-western end of the stone road at or near the Fall river in the Village of Fallbrooke and thence northerly and westerly along the usual travelled road in the Townships of Bathurst and Dalhousie to the Village of McDonald's Corners.

(12) Commencing at the Fourth concession line of the Township of Darling on the present travelled road from Brightside to Tatlock, thence northerly along the said road to Tatlock, thence easterly along the side line between lots numbers 5 and 6 in the 5th and 6th concessions of the said township to the Seventh concession line, thence in a southerly direction along the present travelled road to the boundary line between the Townships of Darling and Lanark at the Eighth concession line.

(13) Commencing on the boundary line between Dalhousie and Lavant Townships on the present travelled road on lot number one in the Sixth

concession, thence northerly passing through lots numbers one, two, three, four and five to the Eighth concession line; also commencing on the said boundary line between the aforesaid townships on the present travelled road at lot number one on the Fifth concession passing through lots number one and part two on the Fifth concession in an easterly direction, thence following the present travelled road through Fifth and Fourth concessions of the said township to the division line between lots twelve and thirteen in the said Fourth concession.

(14) Commencing on the boundary line between the Townships of Elmsley and Bathurst at the intersection of the same with the boundary line between the Townships of Bathurst and Drummond, thence westerly along the said boundary line between the townships of Elmsley and Bathurst and Burgess and Bathurst to Grant's Creek, thence southerly along the main travelled road in the Township of Burgess a distance of two miles.

And the said highways when so improved shall, with the Toll Roads purchased as hereinbefore provided, be assumed and maintained by the County Highway System for the County of Lanark.

3. The sum of \$65,000 shall be expended by this County in the improvement of the said highways hereinbefore mentioned and the purchase of the said Toll Roads; and for the purpose of raising the said sum debentures of the said county to the amount of \$65,000, in sums of not less than \$100, each shall be issued on the eighteenth day of December, A. D. 1902; each of which debentures shall be dated on the day of the issue thereof and shall be payable within twenty years thereafter.

4. Each of the said debentures shall be signed by the Warden of the said county and countersigned by the Treasurer and the Clerk of the said county shall attach thereto the corporate seal of the said corporation.

5. The said debt and the debentures issued therefor shall bear interest at the rate of three and three quarters per cent. per annum from the date thereof, and the said debentures, both as principal and interest, shall be payable annually on the eighteenth day of December at the Bank of Montreal at the Town of Perth and shall have attached to them coupons for payment of said interest, which coupons shall be signed by the Warden and Treasurer of the said County of Lanark.

6. During the currency of the said debentures there shall be raised annually by special rate on all the rateable property in the County of Lanark, the sum required for the purpose of paying the amount due in each of the said years for principal and interest in respect of the said debt as shown in Schedule A hereto annexed.

7. This by-law shall take effect upon the final passing thereof.

SCHEDULE A.
(To above By-law.)

Referred to in the foregoing by-law showing how the amount there by required to be raised annually by special rate is apportioned.

Year	Principal	Interest	Total
1903	2,200 00	2,437 50	4,637 50
1904	2,300 00	2,355 00	4,655 00
1905	2,400 00	2,268 75	4,668 75
1906	2,500 00	2,178 75	4,678 75
1907	2,600 00	2,085 00	4,685 00
1908	2,700 00	1,987 50	4,687 50
1909	2,800 00	1,886 25	4,686 25
1910	2,900 00	1,781 25	4,681 25
1911	3,000 00	1,672 50	4,672 50
1912	3,200 00	1,560 00	4,760 00

Year	Principal	Interest	Total
1913	3,300 00	1,440 00	4,740 00
1914	3,400 00	1,316 25	4,716 25
1915	3 500 00	1,188 75	4,688 75
1916	3,700 00	1,057 50	4,757 50
1917	3,800 00	918 75	4,718 75
1918	3,900 00	776 25	4,676 25
1919	4,000 00	630 00	4,630 00
1920	4,200 00	480 00	4,680 00
1921	4,300 00	322 50	4 622 50
1922	4,300 00	161 25	4,461 25

(Signed) W. J. ANDERSON,
Warden.

SCHEDULE B.
(To the Act.)

BY-LAW No. 509.

By-law to amend By-law No. 486, entitled, "By-law designating highways to be improved and toll roads to be purchased in accordance with the "Act for the Improvement of Public Highways," and authorizing the issue of debentures of the County of Lanark to the amount of \$65,000, for the purpose of raising the sum required therefor."

Passed February 11th, A.D. 1903.

Whereas, it is desirable to amend By-law No. 486 of this Council by striking thereout the designation of highways within the Townships of Montague and Elmsley North to be improved in accordance with the terms of the said by-law, and to provide in lieu thereof for the payment to each of the said Townships of a certain sum to be expended in the improvement of highways within such Townships.

Therefore the Council of the Corporation of the County of Lanark enacts as follows :

1. By-law No. 486 of this Council is hereby amended by adding to the fourth recital in the preamble to the said By-law the words "and the grants to the Townships hereinafter named "

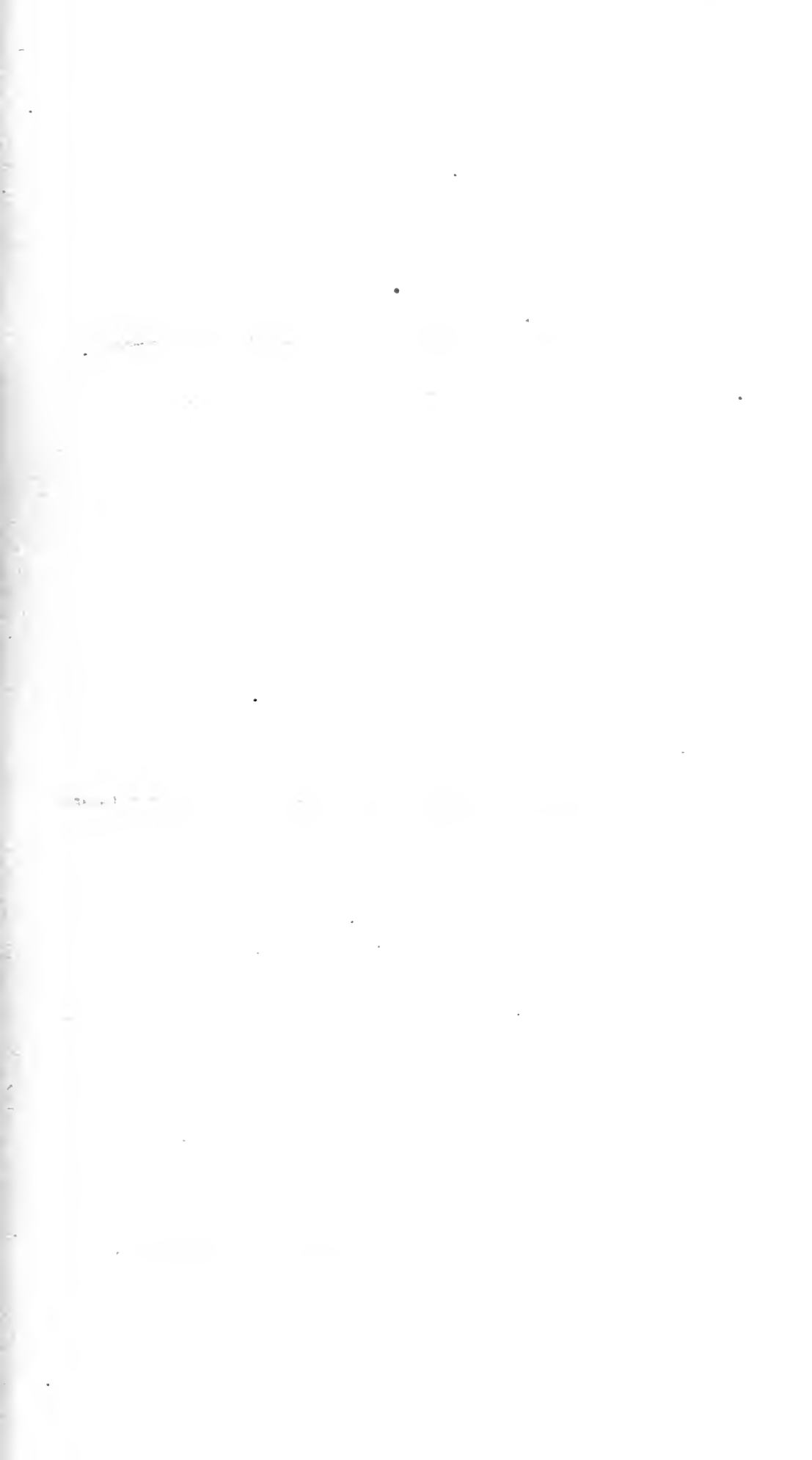
2. The said By-law No. 486 is hereby further amended by striking thereout subsections 1 and 2 of the 2nd section thereof, and by inserting at the end of the said section the following :

2a. There shall be paid to the Municipal Council of the Township of Montague the sum of \$7,160 to be expended in the improvement, in accordance with the regulations of the Public Works Department, of such roads within the said Township as may be selected by the Council thereof, which roads so selected and improved shall not form part of the County Highway System, but shall remain within the jurisdiction and under the control of the said Township.

2b. There shall be paid to the Municipal Council of the Township of Elmsley North the sum of \$4,000 to be expended in the improvement, in accordance with the regulations of the Public Works Department, of such roads within the said Township as may be selected by the Council thereof, which roads so selected and improved shall not form part of the County Highway System, but shall remain within the jurisdiction and under the control of the Council of the said Township.

3. The third section of the said By-law is hereby amended by inserting after the word "roads," where the same is found therein the words "and the grants to the said Townships of Montague and Elmsley North.

(Signed) W. A. MOORE, County Clerk.
(Signed) W. G. CAMERON, Warden.



1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the County of Lanark.

First Reading, 1903

(Private Bill)

Mr. MATHESON.

TORONTO

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

An Act respecting the County of Lanark.

WHEREAS the Municipal Corporation of the County of Lanark has by petition shown that the council of the said corporation in accordance with the provisions of *The Act for the Improvement of Public Highways* passed a by-law designating the highways to be improved and toll roads to be purchased in accordance with the provisions of the said Act and authorizing the issue of debentures to the amount of \$65,000 for the purpose of raising the sum required therefor; and whereas the said municipal corporation has by its said petition prayed for special legislation validating and confirming the by-laws and debentures hereinafter referred to and empowering the said council to make the annual grants hereinafter referred to to the Townships of Montague and Elmsley North within the said county; 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 number 486 of the Corporation of the County of Lanark, set forth as Schedule A to this Act, as amended by By-law number 509, of the said Corporation of the County of Lanark, set forth as Schedule B to this Act, and the said By-law number 509 and all debentures issued or to be issued thereunder are hereby validated, confirmed and declared to be legal and binding upon the said municipal corporation.

By-law No. 486 of County of Lanark, for improvement of public highways.
2. The debentures authorized by the said By-law number 486, may be issued in such amounts and at such times as the moneys may be required for the purposes of the said by-law, and the same and all interest coupons thereto attached may be signed by the Warden of the County at the time of such issue.

Issue of debentures.
3. After the expenditure within the Townships of Montague and Elmsley North in the said county of the respective sums mentioned in the said by-law, number 486, as amended by By-law number 509, in accordance with the provisions of

Grants to certain townships for maintenance.

the said by-laws, as so amended, the Corporation of the County of Lanark shall grant annually during the currency of the debentures to be issued under said by-laws to each of the said townships for maintenance and repair of the roads therein improved under the terms of the said by-laws, an amount bearing the same proportion to the amount of the revised and equalized assessment of such township, as the total amount, if any, to be expended in maintenance and repair, of the County Highway System bears to the total amount of the revised and equalized assessment of the said county.

Rates for
payment of
debentures.

4. The rates to be levied for the payment of the said debentures and the interest thereon, and for maintenance of the said county roads, shall be levied as *are* other county rates on the local municipalities in the County of Lanark, other than the Town of Smith's Falls, now separated from the said county, according to the revised and equalized assessment of the said county.

Appropriation
of township
contributions.

5. There shall be expended in each township municipality not less than the contribution of the said township towards the said \$65,000, in addition to a proportionate amount of the grant from the Province under the said Act, and in the event of any dispute the Assistant Commissioner of Public Works shall be sole arbitrator and his decision shall be final.

Appropriation
of contribu-
tion of Village
of Lanark.

6. The contribution of the Village of Lanark towards the said fund shall be expended on a county road from the Village of Lanark to Sheridan's Rapids in the Township of Dalhousie.

SCHEDULE A.

(To the Act.)

BY-LAW No. 486.

By-law designating highways to be improved and toll roads to be purchased in accordance with the "Act for the improvement of public Highways" and authorizing the issue of debentures of the County of Lanark to the amount of \$65,000 for the purpose of raising the sum required therefor.

Passed June 28th, A.D. 1902.

Whereas by an Act entitled *An Act for the improvement of Public Highways* the sum of \$1,000,000 was set apart to be paid out of the Consolidated Revenue Fund of the Province of Ontario to aid in the improvement of public highways upon the terms and conditions in the said Act set forth ;

And whereas it is desirable to make the principal of the said debt repayable by yearly sums during the period of twenty years, being the currency of the said debentures; said yearly sums being of such respective amounts that the aggregate amount payable in each year for principal and interest in respect of said debt shall be as nearly as possible equal to the amount so payable in each of the other nineteen years of the said period;

And whereas the total amount required by the *The Municipal Act* to be raised annually by special rate for paying the said debt and interest as hereinafter provided is a sum sufficient to discharge the instalment of principal and interest accruing due on the said debt for such year as shown in the fourth column of Schedule A hereto annexed;

And whereas the amount of the whole rateable property of the County of Lanark, according to the last revised and equalized assessment roll, is \$10,531,883;

And whereas the existing debenture debt of the said county is the sum of \$20,000 of which no principal or interest is in arrear;

Therefore the Council of the Corporation of the County of Lanark enacts as follows:

1. The toll roads in the County of Lanark which are as follows:

(1) Commencing at the westerly limit of the Town of Perth at the intersection of Dufferin Street in the said town with the boundary line between the Townships of Bathurst and Drummond, thence along the present macadamized road to the southern boundary of the Village of Lanark.

(2) Commencing at the intersection of the Eighth Concession Line of the Township of Bathurst with the said boundary line between the Townships of Bathurst and Drummond, thence westerly along the present toll road to the Village of Fallbrooke in the said Township of Bathurst, and

(3) Commencing at the intersection of the Third Concession Line with the said boundary line between the Townships of Bathurst and Drummond, thence westerly along the Third Concession Line to the end of the present macadamized road, being at or near the side line between lots numbers eighteen and nineteen in the said Third Concession, shall be purchased by the said County and freed from tolls, and the same when so purchased shall be assumed by the said County and form part of the County Highway System.

2 The following highways are hereby designated as the highways to be improved in accordance with the provisions of *The Act for the improvement of Public Highways*, namely:—

And whereas it is desirable that the County of Lanark should participate in the said sum so set apart and for that purpose should adopt a system of County Roads and construct or repair the same in accordance with the regulations of the Public Works Department with respect to highways as in the said Act prescribed;

And whereas it is necessary to designate the highways to be improved in accordance with the provisions of the said Act;

And whereas it is desirable to raise the sum of \$65,000 to be applied for the improvement of the said highways and the purchase of certain toll roads;

And whereas in order thereto, it will be necessary to issue debentures of the said county for the sum of \$65,000 as hereinafter provided which is the debt intended to be created by this By-law;

the said by-laws, as so amended, the Corporation of the County of Lanark shall grant annually during the currency of the debentures to be issued under said by-laws to each of the said townships for maintenance and repair of the roads therein improved under the terms of the said by-laws, an amount bearing the same proportion to the amount of the revised and equalized assessment of such township, as the total amount, if any, to be expended in maintenance and repair, of the County Highway System bears to the total amount of the revised and equalized assessment of the said county.

Rates for
payment of
debentures.

4. The rates to be levied for the payment of the said debentures and the interest thereon, and for maintenance of the said county roads, shall be levied as *are* other county rates on the local municipalities in the County of Lanark, other than the Town of Smith's Falls, now separated from the said county, according to the revised and equalized assessment of the said county.

Appropriation
of township
contributions.

5. There shall be expended in each township municipality not less than the contribution of the said township towards the said \$65,000, in addition to a proportionate amount of the grant from the Province under the said Act, and in the event of any dispute the Assistant Commissioner of Public Works shall be sole arbitrator and his decision shall be final.

Appropriation
of contribu-
tion of Village
of Lanark.

6. The contribution of the Village of Lanark towards the said fund shall be expended on a county road from the Village of Lanark to Sheridan's Rapids in the Township of Dalhousie.

SCHEDULE A.

(To the Act.)

BY-LAW No. 486.

By-law designating highways to be improved and toll roads to be purchased in accordance with the "Act for the improvement of public Highways" and authorizing the issue of debentures of the County of Lanark to the amount of \$65,000 for the purpose of raising the sum required therefor.

Passed June 28th, A.D. 1902.

Whereas by an Act entitled *An Act for the improvement of Public Highways* the sum of \$1,000,000 was set apart to be paid out of the Consolidated Revenue Fund of the Province of Ontario to aid in the improvement of public highways upon the terms and conditions in the said Act set forth ;

And whereas it is desirable to make the principal of the said debt repayable by yearly sums during the period of twenty years, being the currency of the said debentures ; said yearly sums being of such respective amounts that the aggregate amount payable in each year for principal and interest in respect of said debt shall be as nearly as possible equal to the amount so payable in each of the other nineteen years of the said period ;

And whereas the total amount required by the *The Municipal Act* to be raised annually by special rate for paying the said debt and interest as hereinafter provided is a sum sufficient to discharge the instalment of principal and interest accruing due on the said debt for such year as shown in the fourth column of Schedule A hereto annexed ;

And whereas the amount of the whole rateable property of the County of Lanark, according to the last revised and equalized assessment roll, is \$10,531,883 ;

And whereas the existing debenture debt of the said county is the sum of \$20,000 of which no principal or interest is in arrear ;

Therefore the Council of the Corporation of the County of Lanark enacts as follows :

1. The toll roads in the County of Lanark which are as follows :

(1) Commencing at the westerly limit of the Town of Perth at the intersection of Dufferin Street in the said town with the boundary line between the Townships of Bathurst and Drummond, thence along the present macadamized road to the southern boundary of the Village of Lanark.

(2) Commencing at the intersection of the Eighth Concession Line of the Township of Bathurst with the said boundary line between the Townships of Bathurst and Drummond, thence westerly along the present toll road to the Village of Fallbrooke in the said Township of Bathurst, and

(3) Commencing at the intersection of the Third Concession Line with the said boundary line between the Townships of Bathurst and Drummond, thence westerly along the Third Concession Line to the end of the present macadamized road, being at or near the side line between lots numbers eighteen and nineteen in the said Third Concession, shall be purchased by the said County and freed from tolls, and the same when so purchased shall be assumed by the said County and form part of the County Highway System.

2 The following highways are hereby designated as the highways to be improved in accordance with the provisions of *The Act for the improvement of Public Highways*, namely :—

And whereas it is desirable that the County of Lanark should participate in the said sum so set apart and for that purpose should adopt a system of County Roads and construct or repair the same in accordance with the regulations of the Public Works Department with respect to highways as in the said Act prescribed ;

And whereas it is necessary to designate the highways to be improved in accordance with the provisions of the said Act ;

And whereas it is desirable to raise the sum of \$65,000 to be applied for the improvement of the said highways and the purchase of certain toll roads ;

And whereas in order thereto, it will be necessary to issue debentures of the said county for the sum of \$65,000 as hereinafter provided which is the debt intended to be created by this By-law ;

(1) Commencing in the Township of Montague on the road between Smith's Falls and Merrickville, at a point about eight miles distant from the eastern boundary of the Town of Smith's Falls, (and being at or near Kilmarnock) thence northerly, westerly, and again northerly along the said Merrickville road to the said boundary line of the Town of Smith's Falls.

(2) Commencing at the northwestern boundary of the Town of Smith's Falls on the old Perth toll road, thence westerly following the said old Perth toll road by way of the Village of Port Elmsley to the eastern boundary of the Town of Perth.

(3) Commencing at the northern boundary of the Town of Perth at the intersection of Drummond Street in the said town with the Third Concession Line of the Township of Drummond, thence northerly along the road commonly known as the Innisville road through the Township of Drummond by way of the Village of Innisville and along the present travelled road through the Townships of Lanark, Ramsay and Beckwith to the western boundary of the Town of Carleton Place.

(4) Commencing on the above mentioned road from Perth to Carleton Place at the intersection of the Third concession line of the Township of Ramsay with the said road, thence northerly and westerly along the present travelled road to the Second concession line and thence north-westerly along the said Second concession line as travelled to the side line between lots numbers 20 and 21.

(5) Commencing at the north-western boundary of the Town of Almonte, thence north-westerly along the Ninth concession line of the Township of Ramsay to the side line between lots numbers 20 and 21, thence westerly along the said side line to the Second concession line.

(6) Commencing on the Ninth concession line of the Township of Ramsay at the intersection of the side line between lots numbers 20 and 21, thence north-westerly along the said Ninth concession line to the boundary line between the Townships of Ramsay and Pakenham, thence north-westerly along the Ninth concession line of the Township of Pakenham to the side line between lots numbers 5 and 6 in the said concession, thence northerly along the present travelled road to the Village of Pakenham, thence north-westerly along the Eleventh concession line to a point at or near lot number 15, where the travelled road turns to the west, thence westerly along the present travelled road to the side line between lots numbers 16 and 17, in the Tenth concession of the said Township of Pakenham.

(7) Commencing at the Southern boundary of the Town of Carleton Place where the Franktown Road intersects the same, thence southerly along the present travelled road leading to Franktown through the Township of Beckwith to the Third concession line of the said township; again commencing at the intersection of the Franktown Road with the Eleventh concession line, thence north-easterly along the said eleventh concession line to the boundary line between the Townships of Beckwith and Goulbourn.

(8) Commencing in the Sixth concession of the Township of South Sherbrooke where the line of the Canadian Pacific Railway Company crosses the present travelled road at or near the Maberly Station of the said railway company, thence north-westerly along the said travelled road through the Village of Maberly to the Eleventh concession line of the said township.

(9) Commencing at the northern boundary of the Village of Lanark, thence northerly along the present travelled road by way of Herron's Mills to the Village of Middleville in the Township of Lanark.

(10) Commencing on the said travelled road between Lanark and Middleville at Herron's Mills, thence northerly and westerly along the present travelled road through the Townships of Lanark and Dalhousie to Watson's Corners.

(11) Commencing at the north-western end of the stone road at or near the Fall river in the Village of Fallbrooke and thence northerly and westerly along the usual travelled road in the Townships of Bathurst and Dalhousie to the Village of McDonald's Corners.

(12) Commencing at the Fourth concession line of the Township of Darling on the present travelled road from Brightside to Tatlock, thence northerly along the said road to Tatlock, thence easterly along the side line between lots numbers 5 and 6 in the 5th and 6th concessions of the said township to the Seventh concession line, thence in a southerly direction along the present travelled road to the boundary line between the Townships of Darling and Lanark at the Eighth concession line.

(13) Commencing on the boundary line between Dalhousie and Lavant Townships on the present travelled road on lot number one in the Sixth concession, thence northerly passing through lots numbers one, two, three, four and five to the Eighth concession line; also commencing on the said boundary line between the aforesaid townships on the present travelled road at lot number one on the Fifth concession passing through lots number one and part two on the Fifth concession in an easterly direction, thence following the present travelled road through Fifth and Fourth concessions of the said township to the division line between lots twelve and thirteen in the said Fourth concession.

(14) Commencing on the boundary line between the Townships of Elmsley and Bathurst at the intersection of the same with the boundary line between the Townships of Bathurst and Drummond, thence westerly along the said boundary line between the townships of Elmsley and Bathurst and Burgess and Bathurst to Grant's Creek, thence southerly along the main travelled road in the Township of Burgess a distance of two miles.

And the said highways when so improved shall, with the Toll Roads purchased as hereinbefore provided, be assumed and maintained by the County and shall form the County Highway System for the County of Lanark.

3. The sum of \$65,000 shall be expended by this County in the improvement of the said highways hereinbefore mentioned and the purchase of the said Toll Roads; and for the purpose of raising the said sum debentures of the said county to the amount of \$65,000, in sums of not less than \$100, each shall be issued on the eighteenth day of December, A. D., 1902; each of which debentures shall be dated on the day of the issue thereof and shall be payable within twenty years thereafter.

4. Each of the said debentures shall be signed by the Warden of the said county and countersigned by the Treasurer and the Clerk of the said county shall attach thereto the corporate seal of the said corporation.

5. The said debt and the debentures issued therefor shall bear interest at the rate of three and three quarters per cent. per annum from the date thereof, and the said debentures, both as to principal and interest, shall be payable annually on the eighteenth day of December at the Bank of Montreal at the Town of Perth and shall have attached to them coupons for payment of said interest, which coupons shall be signed by the Warden and Treasurer of the said County of Lanark.

6. During the currency of the said debentures there shall be raised annually by special rate on all the rateable property in the County of Lanark, the sum required for the purpose of paying the amount due in each of the said years for principal and interest in respect of the said debt as shown in Schedule A hereto annexed.

7. This by-law shall take effect upon the final passing thereof.

SCHEDULE A.
(To above By-law.)

Referred to in the foregoing by-law showing how the amount thereby required to be raised annually by special rate is apportioned.

Year	Principal	Interest	Total
1903	2,200 00	2,437 50	4,637 50
1904	2,300 00	2,355 00	4,655 00
1905	2,400 00	2,268 75	4,668 75
1906	2,500 00	2,178 75	4,678 75
1907	2,600 00	2,085 00	4,685 00
1908	2,700 00	1,987 50	4,687 50
1909	2,800 00	1,886 25	4,686 25
1910	2,900 00	1,781 25	4,681 25
1911	3,000 00	1,672 50	4,672 50
1912	3,200 00	1,560 00	4,760 00
1913	3,300 00	1,440 00	4,740 00
1914	3,400 00	1,316 25	4,716 25
1915	3,500 00	1,188 75	4,688 75
1916	3,700 00	1,057 50	4,757 50
1917	3,800 00	918 75	4,718 75
1918	3,900 00	776 25	4,676 25
1919	4,000 00	630 00	4,630 00
1920	4,200 00	480 00	4,680 00
1921	4,300 00	322 50	4,622 50
1922	4,300 00	161 25	4,461 25

 W. A. MOORE,
County Clerk. 

(Signed) W. J. ANDERSON,
Warden.

SCHEDULE B.
(To the Act.)

BY-LAW No. 509.

By-law to amend By-law No. 486, entitled, "By-law designating highways to be improved and toll roads to be purchased in accordance with the "Act for the Improvement of Public Highways," and authorizing the issue of debentures of the County of Lanark to the amount of \$65,000, for the purpose of raising the sum required therefor."

Passed February 11th, A.D. 1903.

Whereas, it is desirable to amend By-law No. 486 of this Council by striking thereout the designation of highways within the Townships of Montague and Elmsley North to be improved in accordance with the terms of the said by-law, and to provide in lieu thereof for the payment to each of the said Townships of a certain sum to be expended in the improvement of highways within such Townships.

Therefore the Council of the Corporation of the County of Lanark enacts as follows :

1. By-law No. 486 of this Council is hereby amended by adding to the fourth recital in the preamble to the said By-law the words "and the grants to the Townships hereinafter named."

2. The said By-law No. 486 is hereby further amended by striking thereout subsections 1 and 2 of the 2nd section thereof, and by inserting at the end of the said section the following :

2a. There shall be paid to the Municipal Council of the Township of Montague the sum of \$7,160 to be expended in the improvement, in accordance with the regulations of the Public Works Department, of such roads within the said Township as may be selected by the Council

thereof, which roads so selected and improved shall not form part of the County Highway System, but shall remain within the jurisdiction and under the control of the *Council of the* said Township.

2b. There shall be paid to the Municipal Council of the Township of Elmsley North the sum of \$4,000 to be expended in the improvement, in accordance with the regulations of the Public Works Department, of such roads within the said Township as may be selected by the Council thereof, which roads so selected and improved shall not form part of the County Highway System, but shall remain within the jurisdiction and under the control of the Council of the said Township.

3. The third section of the said By-law is hereby amended by inserting after the word "roads," where the same is found therein the words "and the grants to the said Townships of Montague and Elmsley North.

(Signed) W. A. MOORE, County Clerk.
(Signed) W. G. CAMERON, Warden.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the County of Lanark.

First Reading, 12th May, 1903

(Reprinted as amended by Private Bills
Committee.)

Mr. MATHESON.

TORONTO

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

An Act to amend the Act incorporating The Huron,
Bruce and Grey Electric Railway Company.

WHEREAS by the Act of the Legislature of Ontario,
passed in the second year of the reign of His Majesty
King Edward VII., chaptered 78, The Huron, Bruce and Grey
Electric Railway Company was incorporated; and whereas the
5 said company by its petition has asked that the charter of the
said company given by the said Act be amended by empower-
ing the company to extend its proposed line of railway as
hereinafter described, and by changing the name of the com-
pany from that of The Huron, Bruce and Grey Electric Rail-
10 way Company to that of The Ontario West Shore Electric
Railway Company; and whereas the said company has fur-
ther asked that By-Law No. 39 of the municipal corporation
of the Town of Goderich and the agreement contained therein,
set forth in Schedule "A" to this Act, be ratified and confirmed;
15 and whereas the said company has further asked power to pass
a by-law creating preference 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
20 as follows:—

1. The Act incorporating The Huron, Bruce and Grey
Electric Railway Company is hereby amended as follows: 2 Edw. VII.,
c.78, amended.

(1) The name of the said company is hereby changed to Name.
that of The Ontario West Shore Electric Railway Company.

25 (2) The following words are inserted immediately after the Location
of line.
word "Huron" in the thirty-third line of section 2 of the said
Act: "and from the said Village of Dungannon to the Village
"of Lucknow, in the County of Bruce, and thence through the
"County of Bruce to the Town of Walkerton in the County
30 "of Bruce; also through the Townships of West Wawanosh
"and East Wawanosh in the County of Huron, or along the
"northern boundary thereof, to the Town of Wingham in the
"County of Huron; also from a point on the boundary line
"between the Counties of Huron and Middlesex, to the City
35 "of London; also from a point on the line of the proposed
"railway, at or near Parkhill in the County of Middlesex,

“through the County of Lambton, to the Town of Sarnia in
“the said County of Lambton.”

**Preference
stock.**

2. The directors of the said company may make a by-law for creating and issuing any part of the capital stock as preference stock, giving the same such preference and priority 5
as respects dividends and otherwise over ordinary stock as may be declared by the by-law.

**Representa-
tion of holders
of preference
stock on board
of directors.**

(2) The by-law may provide that the holders of shares of such preference stock shall have the right to select a certain 10
stated proportion of the board of directors, or may give them 10
such other control over the affairs of the company as may be considered expedient.

**By-law for
issuing prefer-
ence st ck.**

(3) No such by-law shall have any force or effect whatever, until after it has been unanimously sanctioned by a vote of the shareholders, present in person or by proxy, at a general 15
meeting of the company, duly called for considering the same or unanimously sanctioned in writing by the shareholders of the company; provided, however that if the by-law be sanc-
tioned by three-fourths in value of the shareholders of the company, the company may, through the Provincial Secretary, 20
petition the Lieutenant-Governor in Council for an order approving the said by-law, and the Lieutenant-Governor may, if he sees fit, approve thereof, and from the date of such approval the by-law shall be valid and may be acted on.

**Rights of pre-
ference share-
holders.**

(4) Holders of shares of such preference stock shall be 25
shareholders within the meaning of this Act, and shall in all respects possess the rights, and be subject to the liabilities, of shareholders within the meaning of this Act; provided how-
ever, that in respect of dividends and otherwise, they shall as against the ordinary shareholders, be entitled to the prefer- 30
ences and rights given by such by-law.

Proviso.

**Rights of
creditors
preserved.**

(5) Nothing in this section contained, or done in pursuance thereof shall affect or impair the rights of creditors of the company.

**By-law 39 of
town of
Goderich
confirmed.**

3. By-law No. 39 of the Municipal Corporation of the Town 35
of Goderich, and the agreement therein contained, set forth in Schedule “A” to this Act, are hereby confirmed and declared legal and binding upon the said The Ontario West Shore Electric Railway Company, and upon the said municipal corporation, notwithstanding any want of jurisdiction to pass the 40
same, and notwithstanding any defect, error, omission, irregularity or want of validity in any of the proceedings connected with the passing, advertising, or voting on the same by the electors, or any other cause whatever.

SCHEDULE A.

By-Law No. 39, of 1992.

For taking \$50,000 of stock in The Huron, Bruce and Grey Electric Railway Company.

WHEREAS the Huron, Bruce and Grey Electric Railway Company have applied to the Town of Goderich to take Five Hundred shares of 5 per cent preference stock of \$100.00 each in their railway and it has been deemed to be in the interest of the people in order to secure the construction and operation of the said railway by the said company that \$50,000 of said stock should be taken in the said railway, subject to the terms and conditions agreed upon between the corporation and the said railway company, which terms and conditions are hereinafter set forth :

And whereas, in order to provide for payment of the said \$50,000 of stock, if the same shall be subscribed for, it will be necessary to issue debentures of the Town of Goderich, for the sum of \$50,000 payable as herein provided, when the conditions hereinafter contained with regard to the issuing of such debentures are fulfilled ;

And whereas, it is desirable to issue the said debentures at one time, and to make the principal of the said debt repayable by yearly sums during the period of twenty years, being the currency of the said debentures ; said yearly sums being such respective sums with the interest that the aggregate amount payable in each year for principal and interest in respect of said debt shall be as nearly as possible equal to the amount so payable in each of the other nineteen years of said period ;

And whereas the total amount required to be raised annually by special rate for paying the said debt and interest as hereinbefore provided is \$3,679.00 ;

And whereas, the amount of the whole rateable property of the said Town of Goderich, according to the last revised assessment roll, is \$1,366,976.

And whereas, the amount of the existing debenture debt of the said municipality is now the sum of \$221,105.74, of which neither principal nor interest is in arrear.

And whereas the total amount of the debt intended to be created by this by-law for the purpose aforesaid is the said amount of \$50,000.

Therefore the municipal council of the Town of Goderich enacts as follows :

1. The Corporation of the Town of Goderich shall take five hundred shares of 5 per cent. preference capital stock of \$100.00 each in the Huron, Bruce and Grey Electric Railway Company upon the fulfilment by the said company of the terms and conditions hereinafter set forth within the time hereinafter specified, but not otherwise.

2. It shall be lawful for the corporation of the said town for the purpose aforesaid to issue debentures of the said municipality to the amount of \$50,000 in sums of not less than \$100 each, payable in annual installments extending over a period of twenty years from the date when the debentures are by this by-law authorized to be issued, such date to be not later than the first day of July, A.D. 1904, the debentures to bear interest not exceeding the rate of four per cent. per annum from the date thereof, payable on the thirtieth day of September in each year, coupons thereof to be attached to said debentures.

3. Each of the said debentures and the coupons thereto attached shall be signed by the Mayor of the said town, and by the Treasurer of said town, and the Clerk shall attach thereto the corporate seal of the said town upon the fulfilment by the company of the said terms and conditions within the time hereinafter specified.

4. And it shall be lawful for the Mayor and Treasurer for the time being of the said Town of Goderich to borrow the said sum of \$50,000 for the purpose of paying for the said preference capital stock, from any person or corporation willing to lend the same, repayable in twenty years, and to issue in lieu thereof the debentures of the said corporation, and the lender shall pay the money loaned upon the security of the said debentures into the branch or agency of the Bank of Montreal at the said Town of Goderich to the special credit of the said Town of Goderich as follows: "Town of Goderich, Huron, Bruce and Grey Electric Railway stock account," and the same shall be payable out only on the joint cheques of the Mayor and Treasurer for the time being of the said town, and shall be exclusively applied for the purpose aforesaid, namely, to pay for the preference capital stock so to be subscribed for as aforesaid.

5. There shall be raised annually by special rate on all the rateable property in the said Town of Goderich during the term of twenty years from the date when the said debentures are by the by-law authorized to be issued, the sum of \$3,675.09 for the purpose of paying the amount due in each of the said years for principal and interest in respect of the said debt.

6. The votes of the qualified electors of this municipality shall be taken on the by-law by the Deputy Returning Officers hereinafter named, on Friday, the 28th day of November, A.D. 1902, commencing at the hour of nine o'clock in the morning and continuing until five o'clock in the afternoon, at the undermentioned places:

Polling Sub-division No. 1, at McClymont's Wagon Shop. Wm. McClymont, Deputy Returning Officer.

Polling Sub-division No. 2, at Videan's Feed Store. Charles Bates Deputy Returning Officer.

Polling Sub-division No. 3, at Town Hall. Ed. Van Every, Deputy Returning Officer.

Polling Sub-division No. 4, at Runciman's Machine Shop. J. F. Bates, Deputy Returning Officer.

Polling Sub-division No 5, at Mrs. Walton's Shop. E. R. Watson, Deputy Returning Officer.

Polling Sub-division No. 6, at Brophey's Furniture Store. Harry Watson, Deputy Returning Officer.

Polling Sub-division No. 7, at Dennis Neville's house. J. Craigie, Deputy Returning Officer.

7. On Thursday, the twenty-seventh day of November, A.D. 1902, the Mayor of the said Town shall attend at the Town Hall in the said Town, at eleven o'clock in the forenoon, to appoint persons to attend at the various polling places aforesaid and at the final summing up of votes by the Town Clerk, on behalf of the persons interested in the promoting or opposing the passage of this by-law respectively.

3. The Clerk of the said Town of Goderich shall attend at the said Town Hall at eleven o'clock in the forenoon of Monday, the first day of December, A.D. 1902, to sum up the number of votes for and against the by-law.

TERMS AND CONDITIONS.

The following are the terms and conditions agreed on between this Corporation and the said Huron, Bruce and Grey Electric Railway Company, and the taking of stock in the said Company by the Corporation of the Town of Goderich under this by-law is hereby declared to be subject thereto, and the amount of \$50,000 to be paid for such stock when subscribed for and issued is to be payable to the said Railway Company only in the manner and at the times set forth therein, and not otherwise, and no part thereof shall be paid to the said Company except in accordance with and upon fulfillment of such terms and conditions:

Whereas, the Huron, Bruce and Grey Electric Railway Company has been incorporated under Statute of Ontario, passed in the year 1902, 2 Edward VII, chapter 78, and has an authorized capital stock of \$500,000, whereof \$150,000 is 5 per cent. non-cumulative preference stock and \$350,000 is common stock.

And whereas the Town of Goderich is desirous of having Electric Railway communication between the Grand Trunk Railway station and the harbor, and between the Grand Trunk Railway station and Saltford, to extend in course of time to Amberley and Blyth, thereby opening up direct communication with the northern and eastern portion of the County.

And whereas, in order thereto, it is necessary that the said Town should subscribe for five hundred (500) shares of one hundred dollars each, of the 5 per cent. preference stock of the said Company.

And whereas, the said Company is willing, upon the terms herein contained, to construct, operate and maintain said Electric Railway.

Now this indenture witnesseth that the parties mutually agree, the one with the other, as follows :

None of the debentures mentioned in the foregoing by-law shall be issued until the said railway has been fully completed for at least one mile within the limits of the town. When the grading, railing and wiring of each mile of the said Electric Railway is completed, six thousand dollars (\$6,000) shall be paid by the said Town to the said Company, until eight miles thereof shall have been so completed, and the balance of the said fifty thousand dollars (\$50,000) shall be paid when the road is completed to Auburn and Sheppardton.

The said town further agrees to grant said Company exemption from taxation, excepting school taxes for a period of twenty-one years from the date of the commencement of its operation. The said town further agrees to pass all necessary by-laws to carry out this agreement into full force and effect, and also to give the said Company the right to pass over, upon, or along any highway within said town, so far as controlled by the said town, may be mutually agreed upon by said town council and the company.

And said Company hereby allots said five hundred (500) shares of five Per cent. preference stock to said town, and agrees to issue certificates to said town as and when said stock, or any part thereof, may be duly paid for, as herein provided.

In consideration whereof, the said Company agrees to construct, operate and maintain an electric railway between Goderich and the Villages of Sheppardton and Auburn, and to supply reasonably sufficient facilities for carrying all freight or passengers between the said Town of Goderich and the said villages or intervening points.

Said railway shall be so constructed as to carry ordinary steam railway freight cars from Grand Trunk Railway station at Goderich. Proper switches shall be constructed so as to transfer freight cars to and from railway of said company to and from the Grand Trunk Railway at Goderich, so soon as a satisfactory agreement can be made with the Grand Trunk Railway Company, of Canada, with regard to the transshipment of such cars and freight. The said company further agrees that its track and poles shall be so placed as to interfere as little as possible with the travelled portion of any highway upon or along which its railway may be constructed.

In case the said town should be dissatisfied at any time with the rates charged for freight by the said Company, it is agreed between the parties hereto, that each of the said parties shall appoint an arbitrator for the purpose of fixing the said freight rates, and in case the said arbitrators fail to agree the judge of the County of Huron shall appoint a third arbitrator, and the award of the said arbitrators, shall be final and shall be binding on the Company.

It is also agreed between the said Company and the said town that the number of trips for the conveyance of passengers to and from Goderich shall not be less than four each way daily, unless prevented by unavoidable accidents or obstructions caused by snowstorms, and in the event of the obstruction by snow storms, the Company agrees to use all due diligence in clearing out the snow from their tracks and resuming the service.

It is agreed between the said Company and the said town that the said section of railway shall be completed and in operation on or before the 30th day of November, 1904, or within such period as may be authorized by the Legislature of Ontario.

It is understood and agreed upon between the parties hereto, that this agreement shall not be binding upon the said company unless the by-law which is submitted to the Township of Colborne, authorizing the said Township to purchase twenty-five thousand dollars (\$25,000) worth of stock in said Company, be carried.

This by-law shall come into full force and effect when finally passed after having received the assent of the electors entitled to vote upon it.

(Signed) M. G. CAMERON,
Mayor.

(Signed) WM. MITCHELL,
Clerk.

And take notice that the above is a true copy of the proposed by-law which has been taken into consideration and which shall be finally passed by the council of the Municipality of Goderich (in the event of the assent of the electors being obtained thereto), after one month from the first publication in the Goderich Star newspaper, the date of which first publication was the seventh day of November, A.D. 1902, and that a poll will be held and the votes of the electors of the said municipality will be taken thereon on the day and the hours and places fixed in the by-law above written.

(Signed) WM. MITCHELL,
Clerk.

1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act to amend the Act incorporating
The Huron, Bruce and Grey Electric
Railway Company.

First Reading , 1903.

(Private Bill).

Mr. MACKAY.

TORONTO:

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

An Act to amend the Act incorporating The Huron,
Bruce and Grey Electric Railway Company.

WHEREAS by an Act of the Legislature of Ontario, passed in the second year of His Majesty's reign, chaptered 78, The Huron, Bruce and Grey Electric Railway Company was incorporated; and whereas the said company by its petition has *prayed* that the charter of the said company given by the said Act be amended by empowering the company to extend its proposed line of railway ~~to~~ from the Village of Dungannon in the County of Huron to the Village of Lucknow, in the County of Bruce, and thence through the said County of Bruce to the Town of Walkerton in the said County; also through the Townships of West Wawanosh and East Wawanosh in the County of Huron, or along the northern boundary thereof, to the Town of Wingham in the County of Huron; also from a point on the boundary line between the Counties of Huron and Middlesex, in the Township of Stephen in the County of Huron, thence in a westerly direction through the Townships of McGillivray and West Williams in the County of Middlesex (but in such a manner that the said railway shall not be carried within a distance of two miles from the Village of Park Hill, in the said county), and through the Townships of Bosanquet, Plympton and Sarnia in the County of Lambton; ~~and~~ and has further *prayed* that the name of the company be changed from The Huron, Bruce and Grey Electric Railway Company to The Ontario West Shore Electric Railway Company; and has further *prayed* for power to pass a by-law creating preference 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.~~ Section 2 of the Act passed in the 2nd year of His Majesty's reign, chapter 78, and intituled "*An Act to incorporate The Huron, Bruce and Grey Electric Railway Company*" is amended by inserting immediately after the word ~~Location~~ ^{of line.}

"Huron" in the thirty-third line thereof the following words: "and from the said Village of Dungannon to the Village of Lucknow, in the County of Bruce, and thence through the said County of Bruce to the Town of Walkerton in the said County; also through the Townships of West Wawanosh and East Wawanosh in the County of Huron, or along the northern boundary thereof, to the Town of Wingham in the said County of Huron; also a line of railway from the railway heretofore authorized to be constructed at a point on the boundary line between the Counties of Huron and Middlesex in the Township of Stephen in the County of Huron, thence in a westerly direction through the Townships of McGillivray and West Williams in the County of Middlesex (but in such a manner that the said railway shall not be carried within a distance of two miles from the Village of Park Hill, in the said county), and through the Townships of Bosanquet, Plympton and Sarnia in the County of Lambton to the Town of Sarnia in the said County of Lambton." ^{76A}

~~Change of~~
name. ^{76A}

~~2.~~ 2. The name of The Huron, Bruce and Grey Electric Railway Company is hereby changed, and the corporate name of the company is hereby declared to be "The Ontario West Shore Electric Railway Company." ^{76A}

Preference
stock.

3. (1) The directors of the said company may make a by-law for creating and issuing any part of the capital stock as preference stock, giving the same such preference and priority as respects dividends and otherwise over ordinary stock as may be declared by the by-law.

Representa-
tion of holders
of preference
stock on board
of directors.

(2) The by-law may provide that the holders of shares of such preference stock shall have the right to select a certain stated proportion of the board of directors, or may give them such other control over the affairs of the company as may be considered expedient.

By-law for
issuing prefer-
ence stock.

(3) No such by-law shall have any force or effect whatever, until after it has been unanimously sanctioned by a vote of the shareholders, present in person or by proxy, at a general meeting of the company, duly called for considering the same; or unanimously sanctioned in writing by the shareholders of the company; provided, however that if the by law be sanctioned by three-fourths in value of the shareholders of the company, the company may, through the Provincial Secretary, petition the Lieutenant-Governor in Council for an order approving the said by-law, and the Lieutenant-Governor may, if he sees fit, approve thereof, and from the date of such approval the by-law shall be valid and may be acted on.

Rights of prefer-
ence share-
holders.

(4) Holders of shares of such preference stock shall be shareholders within the meaning of this Act, and shall in all respects possess the rights, and be subject to the liabilities, of shareholders within the meaning of this Act; provided how-

Proviso.

ever, that in respect of dividends and otherwise, they shall as against the ordinary shareholders, be entitled to the preferences and rights given by such by-law.

(5) Nothing in this section contained, or done in pursuance thereof shall affect or impair the rights of creditors of the company. Rights of creditors preserved.

1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act to amend the Act incorporating
The Huron, Bruce and Grey Electric
Railway Company.

First Reading 28th April, 1903.

(Reprinted as amended by Railway
Committee.)

Mr. MACKAY.

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 has, Preamble.
 by petition, shown that the Council of the said town
 did on the second day of October, 1899, pass a by-law, num-
 bered 534, of the said town for granting aid to the Tilson-
 5 burg, Lake Erie and Pacific Railway Company in the sum of
 twenty thousand dollars (\$20,000) by way of bonus, which
 by-law is set forth as Schedule A to this Act, and that the
 said by-law has been submitted to and has received the
 assent of the rate-payers of the said town and that the
 10 Tilsonburg, Lake Erie and Pacific Railway Company have
 completed their line from the Town of Tilsonburg to the
 said town of Ingersoll, and the same is now extended and
 operated as required by the said by-law; and, whereas it is
 deemed advisable that the by-law granting such bonus of
 15 twenty thousand dollars (\$20,000) to the Tilsonburg, Lake
 Erie and Pacific Railway Company be declared to be legal
 and valid; and whereas it is expedient to grant the prayer
 of the said petition,

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

1. By-law number 534 of the Municipal Corporation of
 the Town of Ingersoll, set forth as Schedule A to this Act,
 is confirmed and declared legal, valid and binding upon the
 25 said municipal corporation and the rate-payers thereof, not-
 withstanding any defect in substance or in form of the said
 by-law or in the manner of passing the same or otherwise,
 and the corporation of the Town of Ingersoll is authorized
 and empowered to issue debentures as provided by the said
 30 by-law, and the said debentures so issued, or to be issued,
 under the said by-law are declared to be legal and binding
 upon the said municipality, and the said corporation is
 authorized and empowered to do all necessary acts for the
 full and proper carrying out of the said by-law.

By-law 534,
 granting aid
 to Tilsonburg,
 Lake Erie and
 Pacific Rail-
 way,
 confirmed.

SCHEDULE A.

BY-LAW No. 584

Of the Municipal Corporation of the Town of Ingersoll, in the County of Oxford, to aid the Tilsonburg, Lake Erie and Pacific Railway Company by granting thereto the sum of Twenty Thousand Dollars (20,000.00) by way of bonus, to issue debentures therefore and provide for payment of such debentures by an annual rate to be levied upon the said town.

Whereas, by an Act of the Parliament of Canada, passed in the 53rd year of Her Majesty's reign, and entitled, "An Act to Incorporate the Tilsonburg, Lake Erie and Pacific Railway Company," power is granted to construct and operate a line of railway from a point on Lake Erie in or near the Village of Port Burwell, in the County of Elgin, and passing through the Town of Tilsonburg to some point on the Canadian Pacific Railway at or near the Town of Woodstock or the Town of Ingersoll, in the County of Oxford.

And whereas, the said railway is now constructed and is being operated from the said Village of Port Burwell to the town of Tilsonburg.

And whereas, the said company is authorized to receive from any municipal body who has the power to make such grant aid towards the construction, equipment or maintenance of such railway by way of bonus, gift or otherwise in money or debenture.

And whereas, by the Municipal Act, town municipalities are empowered to pass by-laws for the granting of bonuses to any such Railway Company in aid of such railway and to issue debentures for raising money to meet such bonus.

And whereas, the corporation of the Town of Ingersoll is determined to aid the said company in the construction of the said railway, from its present terminus at the said Town of Tilsonburg to a point on the Canadian Pacific Railway at the said Town of Ingersoll, in the County of Oxford, by granting thereto a bonus of twenty thousand dollars (\$20,000.)

And whereas it will be necessary for the said corporation to raise the sum of \$20 000 and the interest thereon, and a sinking fund to pay the debentures to be issued to raise the said sum of \$20,000 at the expiration of twenty years to be raised by a special rate annually on the whole rateable property of the said town of Ingersoll in the year 1900, and in each of the nineteen years thereafter succeeding, and the sum so required to be raised in each of the said years to pay the debenture hereinafter authorized to be issued and the interest thereon at three and one-half per cent. per annum is the sum of \$1,444.30.

And whereas the whole amount of the rateable property of the said Town of Ingersoll according to the last revised assessment roll is the sum of \$1,444.30, irrespective of any increase from the temporary investment of the sinking fund or any part thereof, and the amount of the existing debenture debt of the said town is the sum of \$105,643.00 no part of which or its interest being in arrears, and as against which said debentures the said town has now invested on the deposit in the Traders' Bank the sum of \$24,203.65, which said sum is held for the purpose of being applied and paid on said debenture debt as it matures.

And whereas for the paying of the interest on the said debentures which is the sum of \$700 in each year and for creating a sinking fund to pay the said debentures when they mature, which is the sum of \$744.30 in each year, making in all the yearly sum of \$1,444.30, which shall be raised annually on all the rateable property of the said corporation during the year 1900 and each of the next nineteen thereafter succeeding.

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

1. When the assent of the electors of the said corporation of the Town of Ingersoll who are entitled to vote thereon has been obtained thereto, and this by-law shall have been finally passed, it shall be lawful for the said corporation, for the purposes aforesaid, to raise the said sum of \$20,000.00 of debentures hereinafter named, and to apply the proceeds of the said debentures for the purpose of paying the said bonds heretofore mentioned.

2. It shall be lawful for the purposes aforesaid for the mayor for the time being of this corporation to make and issue any number of debentures of the said corporation, to be made for any sum not less than one hundred dollars, and not to exceed in all the sum of twenty thousand dollars, which said debentures shall be sealed with the seal of the said corporation, signed by the mayor and countersigned by the treasurer, and shall bear interest at the rate of three and one-half per cent. per annum, such interest to be payable on the 31st day of December, 1900, and each of the next nineteen years to and including the year 1919, and the last of such payments of interest on the 31st day of December, 1919; such debentures shall have coupons attached thereto for the payment of such interest, and they, the said debentures, and the said interest shall be payable at the office of the treasurer for the said corporation, and the principal of the said debentures shall be payable on the 31st day of December, 1919.

3. It shall be the duty of the Mayor of the said corporation to cause the said debentures to be sold to such person or persons, corporation or company as shall be willing to become purchaser thereof, and the proceeds shall be applied to pay the said bonus aforesaid.

4. For the purpose of paying the principal money and interest of the said debentures there shall be levied and collected annually the sum of \$1,444.30 special rate on all the rateable property in the said corporation in each of the years 1900 to and including the year 1919, over and above all other rates to be levied in any or either of the said years.

5. And be it further enacted that the votes of the elector be taken on this by-law on Wednesday, the 30th day of September, 1899, commencing at nine o'clock in the morning and continuing until five o'clock in the afternoon at the undermentioned places.

First Division.

At or near John Ross' office, south Victoria street. James Sinclair, deputy returning officer.

Second Division.

At the engine-house, north river Thames. James Crotty, deputy returning officer.

Third Division.

At or near Thomas Brown & Son's office. G. K. Brown, deputy returning officer.

Fourth Division.

At or near Lots 7 and 8, south of King street. William Ewart, deputy returning officer.

Fifth Division.

At or near J. D. Milne's office. J. D. Milne, deputy returning officer.

Sixth Division.

At market building, town hall. Charles Cragg, deputy returning officer.

That the 18th day of September, 1899, at the office of the town clerk in the Town of Ingersoll, between the hours of ten A. M. and twelve o'clock noon, the Mayor shall appoint, in writing signed by him, one person to attend at each polling place, on behalf of the by-law, and a like number on behalf of the persons interested in and desirous of promoting the passing of the by-law, and a like number on behalf of the persons interested in and desirous of opposing the passage of the by-law.

At the said time and place the Mayor shall appoint, in writing, two persons to attend at the final summing up of the votes given for and against the said by-law.

That the Clerk of the said municipal corporation shall attend at his office at the hour of ten o'clock in the forenoon on the 25th day of September, 1899, to sum up the number of votes given for and against the said by-law.

6. That this by-law shall take effect and come into operation on the 31st day of September, 1899.

That the said company shall not be entitled to have the said money or debentures delivered to them until the said railway is extended and operated from its present terminus at the Town of Tilsonburg to a point at or near the present station of the Canadian Pacific Railway Company at the said Town of Ingersoll, and running as directly as practicable by way of the Townships of Durham and West Oxford.

Read a first and second time and read in Committee,
Ingersoll, August 18th, 1899.

Read a third time and finally passed October 2nd, 1899.

JUSTUS MILLER,
Mayor.
W. R. SMITH,
Clerk.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act to confirm By-Law 534 of the
Town of Ingersoll.

First Reading, , 1903.

(Private Bill.)

Mr. PARTULLO.

TORONTO:

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

An Act respecting the Town of Ingersoll.

WHEREAS the *Municipal Council of the Corporation* of Preamble. the Town of Ingersoll has by petition shown that the council of the said town did on the 2nd day of October, 1899, pass a by-law for granting aid to The Tilsonburg, Lake Erie and Pacific Railway Company in the sum of \$20,000 by way of bonus, and that the said by-law was submitted to and received the assent of the ratepayers of the said town and that The Tilsonburg, Lake Erie and Pacific Railway Company has completed its line from the Town of Tilsonburg to the said Town of Ingersoll, and that the same is now operated as required by the said by-law; and, whereas ~~the~~ the said Council has by the said petition prayed that an Act may be passed validating and confirming the said by-law⁵³⁴; 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 534 of the Municipal Corporation of the Town of Ingersoll, set forth as *the* Schedule to this Act, is confirmed and declared legal, valid and binding upon the said municipal corporation and the rate-payers thereof, notwithstanding any defect in substance or in form of the said by-law or in the manner of passing the same or otherwise, and the Corporation of the Town of Ingersoll is authorized and empowered to issue debentures as provided by the said by-law, and the said debentures so issued, or to be issued, under the said by-law are declared to be legal and binding upon the said municipality, and the said corporation is authorized and empowered to do all necessary acts for the full and proper carrying out of the said by-law.

By-law 534, granting aid to Tilsonburg, Lake Erie and Pacific Railway, confirmed.

SCHEDULE.

BY-LAW No. 584

Of the Municipal Corporation of the Town of Ingersoll, in the County of Oxford, to aid the Tilsonburg, Lake Erie and Pacific Railway Company by granting thereto the sum of Twenty Thousand Dollars (20,000.00) by way of bonus, to issue debentures therefore and provide for payment of such debentures by an annual rate to be levied upon the said town.

Whereas, by an Act of the Parliament of Canada, passed in the 53rd year of Her Majesty's reign, and entitled, "An Act to Incorporate the Tilsonburg, Lake Erie and Pacific Railway Company," power is granted to construct and operate a line of railway from a point on Lake Erie in or near the Village of Port Burwell, in the County of Elgin, and passing through the Town of Tilsonburg to some point on the Canadian Pacific Railway at or near the Town of Woodstock or the Town of Ingersoll, in the County of Oxford.

And whereas, the said railway is now constructed and is being operated from the said Village of Port Burwell to the town of Tilsonburg.

And whereas, the said company is authorized to receive from any municipal body who has the power to make such grant aid towards the construction, equipment or maintenance of such railway by way of bonus, gift or otherwise in money or debentures.

And whereas, by the Municipal Act, town municipalities are empowered to pass by-laws for the granting of bonuses to any such Railway Company in aid of such railway and to issue debentures for raising money to meet such bonus.

And whereas, the corporation of the Town of Ingersoll is determined to aid the said company in the construction of the said railway, from its present terminus at the said Town of Tilsonburg to a point on the Canadian Pacific Railway at the said Town of Ingersoll, in the County of Oxford, by granting thereto a bonus of twenty thousand dollars (\$20,000.)

And whereas it will be necessary for the said corporation to raise the sum of \$20,000 and the interest thereon, and a sinking fund to pay the debentures to be issued to raise the said sum of \$20,000 at the expiration of twenty years to be raised by a special rate annually on the whole rateable property of the said town of Ingersoll in the year 1900, and in each of the next nineteen years thereafter succeeding, and the sum so required to be raised in each of the said years to pay the debentures hereinafter authorized to be issued and the interest thereon at three and one-half per cent. per annum is the sum of \$1,444.30.

And whereas the whole amount of the rateable property of the said Town of Ingersoll according to the last revised assessment roll is the sum of \$1,421,550, irrespective of any future increase from the temporary investment of the sinking fund or any part thereof, and the amount of the existing debenture debt of the said town is the sum of \$105,644.00 no part of which or its interest being in arrears, and as against which said debentures the said town has now invested on deposit in the Traders' Bank the sum of \$24,203.65, which said sum is held for the purpose of being applied and paid on said debenture debt as it matures.

And whereas for the paying of the interest on the said debentures which is the sum of \$700 in each year and for creating a sinking fund to pay the said debentures when they mature, which is the sum of \$744.30 in each year, making in all the yearly sum of \$1,444.30, which shall be raised annually on all the rateable property of the said corporation during the year 1900 and each of the next nineteen years thereafter succeeding.

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

1. When the assent of the electors of the said corporation of the Town of Ingersoll who are entitled to vote thereon has been obtained thereto, and this by-law shall have been finally passed, it shall be lawful for the said corporation, for the purposes aforesaid, to raise the said sum of \$20,000.00 of debentures hereinafter named, and to apply the proceeds of the said debentures for the purpose of paying the said bonus heretofore mentioned.

2. It shall be lawful for the purposes aforesaid for the mayor for the time being of this corporation to make and issue any number of debentures of the said corporation, to be made for any sum not less than one hundred dollars, and not to exceed in all the sum of twenty thousand dollars, which said debentures shall be sealed with the seal of the said corporation, signed by the mayor and countersigned by the treasurer, and shall bear interest at the rate of three and one-half per cent. per annum, such interest to be payable on the 31st day of December, 1900, and each of the next nineteen years to and including the year 1919, and the last of such payments of interest on the 31st day of December, 1919; such debentures shall have coupons attached thereto for the payment of such interest, and they, the said debentures, and the said coupons, and the said interest shall be payable at the office of the treasurer for the said corporation, and the principal of the said debentures shall be payable on the 31st day of December, 1919.

3. It shall be the duty of the Mayor of the said corporation to cause the said debentures to be sold to such person or persons, corporation or company as shall be willing to become purchasers thereof, and the proceeds shall be applied to pay the said bonus aforesaid.

4. For the purpose of paying the principal money and interest of the said debentures there shall be levied and collected annually the sum of \$1,444.30 special rate on all the rateable property in the said corporation in each of the years 1900 to and including the year 1919, over and above all other rates to be levied in any or either of the said years.

5. And be it further enacted that the votes of the electors be taken on this by-law on Wednesday, the 20th day of September, 1899, commencing at nine o'clock in the morning and continuing until five o'clock in the afternoon at the undermentioned places.

First Division.

At or near John Ross's office, south Victoria street. James Sinclair, deputy returning officer.

Second Division.

At the engine-house, north river Thames. James Crotty, deputy returning officer.

Third Division.

At or near Thomas Brown & Son's office. G. K. Brown, deputy returning officer.

Fourth Division.

At or near Lots 7 and 8, south of King street. William Ewart, deputy returning officer.

Fifth Division.

At or near J. D. Milne's office. J. D. Milne, deputy returning officer.

Sixth Division.

At market building, town hall. Charles Cragg, deputy returning officer.

That on the 18th day of September, 1899, at the office of the town clerk in the Town of Ingersoll, between the hours of ten A. M. and twelve o'clock noon, the Mayor shall appoint, in writing signed by him, one person to attend at each polling place, on behalf of the persons interested in and desirous of promoting the passing of the by-law, and a like number on behalf of the persons interested in and desirous of opposing the passage of the by-law.

At the said time and place the Mayor shall appoint, in writing, two persons to attend at the final summing up of the votes given for and against the said by-law.

That the Clerk of the said municipal corporation shall attend at his office at the hour of ten o'clock in the forenoon on the 25th day of September, 1899, to sum up the number of votes given for and against the said by-law.

6. That this by-law shall take effect and come into operation on the 31st day of September, 1899.

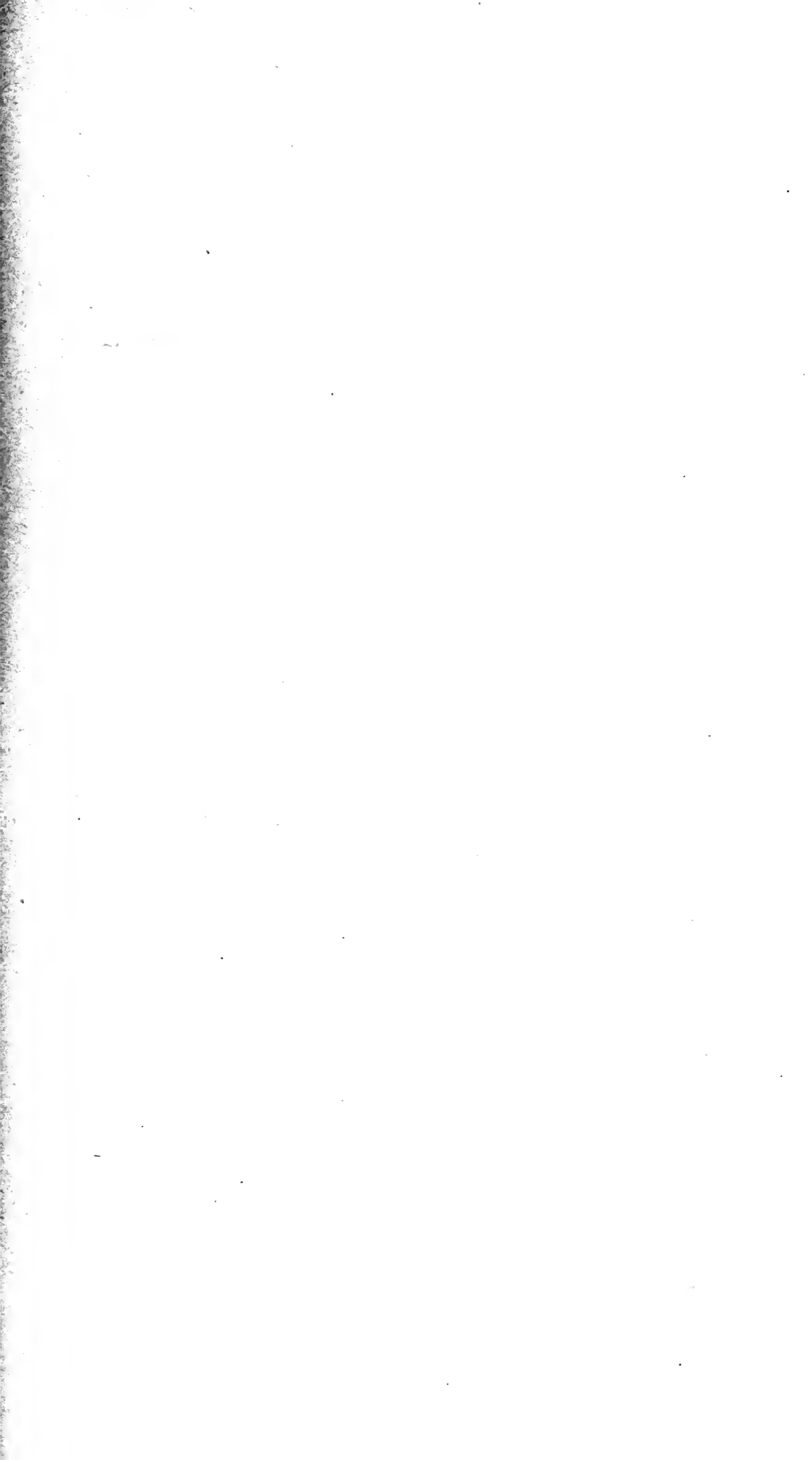
That the said company shall not be entitled to have the said money or debentures delivered to them until the said railway is extended and operated from its present terminus at the Town of Tilsonburg to a point at or near the present station of the Canadian Pacific Railway Company at the said Town of Ingersoll, and running as directly as practicable by way of the Townships of Dereham and West Oxford.

Read a first and second time and read in Committee,
Ingersoll, August 18th, 1899.

Read a third time and finally passed October 2nd, 1899.

WALTER MILLS,
Mayor.

W. R. SMITH, [Seal]
Clerk.



1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act to confirm By-Law 534 of the
Town of Ingersoll.

First Reading, 24th April, 1903.

(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 the Town of Fort William, 1903.

WHEREAS the Corporation of the town of Fort William Preamble
has by petition represented that W. J. Copp and
Harold E. Copp have entered into an agreement with said
corporation (which agreement is set out in Schedule "A"
5 hereto) to erect a stove range and foundry works capable of
turning out 25 complete stoves or ranges per working day of
ten hours in consideration of the grant to them by the town
of \$15,000 and of the real and personal property to be used
in connection with said works being exempted from all taxes,
10 except school rates and local improvement taxes, of said town for
a period of ten years from the 1st day of January, 1903; and
whereas said stove range and foundry works have been
erected; and whereas the debentures under the by-law here-
inafter mentioned have been sold and \$5000 thereof paid
15 over to the Copsps under said agreement; and whereas the
rate necessary to be levied for such purposes together with
all other rates required to be levied for similar purposes
exceed ten per centum of the total tax levy of said town; and
whereas a by-law in that behalf (which by-law is fully set
20 out in Schedule "A" hereto) was duly published and sub-
mitted to the ratepayers of said town entitled to vote there-
on; and whereas out of 658 persons entitled to vote thereon,
(of whom 147 persons are non resident) 402 persons voted in
favor of said by-law and 23 persons against same; and where-
25 as no application has been made to quash said by-law and no
objection has been made hereto on the part of any ratepayer;
and whereas said corporation has by petition further repre-
sented that owing to the rapid growth of said town the
electric lighting plant of said town has become so overloaded
30 that there is not sufficient power to run the street lighting
plant of said system or to supply the increased demand for
lights by users of same and that the streets of said town have
had to remain in darkness the greater part of the past winter
owing to insufficient power to run same; and whereas it is
35 urgent that the power of said plant be increased immediately;
and whereas a by-law (a copy of which is fully set out in
Schedule "B" hereto), was duly published and submitted to
the ratepayers entitled to vote thereon to raise the sum of
\$40,000 necessary therefor, but no estimates of such expendi-
40 ture were published under sub-section 5 of section 569 of *The* Rev. Stat.
Municipal Act owing to the delay necessary therefor; and c. 223.

whereas doubts have arisen as to whether such estimates should not have been published ; and whereas of 697 persons entitled to vote on such by-law (of whom 151 persons were non-resident) 296 persons voted in favor of such by-law and 95 persons voted against same : and whereas said by-law has received its third reading and been duly passed by the council of said town ; and whereas no application has been made to quash such by-law and no objection has been made hereto on the part of any ratepayer ; and whereas the said corporation has further by petition represented that it entered into a certain agreement with the late William W. Ogilvie for the erection of a flour mill of a capacity per day sufficient to grind at least 1,500 barrels of flour and an elevator sufficient to store 500,000 bushels of grain (which agreement was legalised by and is fully set out in "an Act respecting the Town of Fort William, 1900") in consideration of the grant by the town to said Ogilvie of a free site therefor and of certain exemptions from taxation ; and whereas said site was purchased at an expense of \$25,000 by said town and conveyed to said late William W. Ogilvie's estate ; and whereas the executors thereof have been unable to fulfil such agreement ; and whereas The Ogilvie Flour Mills Company, Limited, has offered to carry out the agreement of said late William W. Ogilvie and erect said elevator and flour mill on the terms and conditions set out in the agreement contained in Schedule "C" to this Act ; and whereas a by-law containing said latter agreement was duly published and submitted to the ratepayers entitled to vote thereon for their approval ; and whereas of 697 persons entitled to vote thereon (of whom 151 persons were non-resident) 378 persons voted in favor thereof and 30 persons against same ; and whereas no objection has been made hereto on the part of any ratepayers : and whereas said corporation has further by petition represented that it is necessary to improve Victoria Avenue and McVicar Street sewers and the outlets thereof in order to keep sewage from backing into the cellars of said town, and in the interest of the public health thereof ; and whereas a by-law to provide \$5000 necessary therefor (a copy of which is set out in Schedule "D" hereto) was published for two weeks in the Daily Times-Journal, a newspaper published daily at Fort William, and was duly submitted to the ratepayers entitled to vote thereon ; and whereas of 697 persons entitled to vote thereon (of whom 151 persons were non-resident) 232 persons voted in favor thereof and 154 persons voted against same ; and whereas said by-law has received its third reading by the council of the said town, and no objection has been made hereto on the part of any ratepayer, and no application has been made to quash same ; and whereas owing to insufficient publication it is necessary to legalise same ; and whereas the said corporation has by petition further represented that Section 17 of "An Act incorporating the Town of Fort William" (55 Victoria, Cap. 70) is unfair and unworkable, and

not desired by the residents or ratepayers of said town, and involves practically the making of a separate assessment of each ward of said town, and is repugnant to and inconsistent with the general idea and working of a municipal corporation; and whereas no objection has been made hereto on the part of any ratepayers; and whereas said corporation by petition further represents that it is desirable that the Municipal Telephone System of said town should be managed by the Board of Water and Light Commissioners of said town instead of the council thereof; and whereas said corporation has prayed for special legislation in respect of all the above matters; and whereas it is expedient to grant the prayer 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. The said corporation is declared to have had power to pass By-law No 303 of said town intituled "A By-law to aid W. J. Copp and Harold E. Copp in the erection and equipment of a stove, range and foundry works in the Town of Fort William, and to provide for the raising of \$15,000 by way of debentures necessary therefor" and to enter into the agreement set out in said by-law (which by-law is fully set forth in Schedule "A" hereto), and said by-law is declared to be and to have always been since the passing of same a good, legal, valid and existing by-law of said town, and the debentures issued thereunder shall be binding on the said corporation and the ratepayers thereof, and said agreement and all and every security given and taken in pursuance thereof shall be valid and binding upon the parties thereto, their and each of their heirs, executors, administrators and assigns.

By-law to aid
Copp's stove
works
legalized.

2. The said corporation is declared to have had power to pass By-law No. 313 of said town intituled "A By-law to increase the power of and further improve the electric lighting system of the Town of Fort William, and to provide for the issue of debentures to the amount of \$40 000 necessary therefor" (which by-law is fully set out in Schedule "B" hereto) and said by-law is hereby declared to be a valid, legal and existing by-law of said town, and all debentures issued or to be issued thereunder shall be binding upon the said corporation and the ratepayers thereof.

By-law
improving
and extending
electric
lighting
system
confirmed.

3. The corporation of the town of Fort William is declared to have had full power to enter into the agreement set out in Schedule "C" hereto with The Ogilvie Flour Mills Company, Limited, and said agreement is hereby declared to be a valid, legal and existing agreement and to be binding upon the parties thereto, their respective successors and assigns, and said corporation is hereby given full power to

Agreement
with Ogilvie
Flour Mills
Co. legalized.

do all things necessary to carry out the terms of said agreement.

By-law for improving certain sewers legalized.

4. By-law No. 314 of said town, intituled "A By-law to provide for the raising of \$5,000 by way of debentures for the purpose of improving Victoria Avenue and McVicar Street Sewers," and which by-law is fully set out in Schedule "D" hereto, is declared to be a valid, legal and existing by-law of said town and the debentures to be issued thereunder shall, when so issued, be binding upon the said corporation and the ratepayers thereof. 5 10

55 V., c 70, s. 17, repealed.

5. Section 17 of *An Act to Incorporate the Town of Fort William* (55 Victoria, Cap. 70) is repealed, and no action or proceeding shall be had against said corporation or the officers thereof for non-observance or improper observance thereof heretofore, nor shall the improper or non-observance of the provisions thereof heretofore invalidate any action or proceeding had or taken by said corporation. 15

Powers of council as to telephone system.

6. All the powers, rights, authorities or immunities which, under the provisions of *The Municipal Act*, might have been exercised or enjoyed by the council and the officers of said corporation acting for said town shall, in connection with the municipal telephone system of said town, and may be exercised by the Board of Water and Light Commissioners of said town, and the council thenceforth during the continuance of such Board of Commissioners shall have no authority in respect of such system. 20 25

Application of Rev. Stat. c. 235, s. 45.

7. The provisions of section 45 of *The Municipal Waterworks Act* shall be read into and form part of this Act with the substitution of the word "telephone" for "water," and of the words "telephone system" for "waterworks" wherever the same occur in said section. 30

Council, how composed.

8. The council of said town, to be hereafter elected, shall consist of the Mayor, who shall be the head thereof, and eight councillors, one councillor to be elected from each ward (who shall be a resident of the ward for which he is elected at the time of such election) and four councillors to be elected by general vote of the said town. 35

Pending litigation.

9. This Act shall not affect any pending litigation.

Short title.

10. This Act may be cited as "*An Act Respecting the Town of Fort William, 1903.*" 40

SCHEDULE A.

BY-LAW No. 303.

TOWN OF FORT WILLIAM.

" A By-law to aid W. J. Copp and Harold E. Copp in the erection and equipment of a Stove Range and Foundry Works, in the Town of Fort William, and to provide for the raising of \$15,000 by way of debentures necessary therefor."

Whereas W. J. Copp and Harold E. Copp have represented to the Corporation of the Town of Fort William that they are desirous of establishing a Stove Range and Foundry Works in Fort William on the terms and conditions hereinafter set out.

And whereas the said corporation deem it in the interests of the town to enter into such an agreement and grant such aid in order to secure the establishment of such an industry at the Town of Fort William.

And whereas the sum of \$15,000 is the amount of the bonus to be granted to the said W. J. Copp and Harold E. Copp, and the amount of the debt intended to be created by this by-law.

And whereas the amount of the whole rateable property of the Town of Fort William, according to the last revised assessment roll of the said town amounts to \$1,333,451.

And whereas the general debenture debt of the said town, exclusive of local improvements, amounts to \$292,439.86, of which no part of the principal or interest thereon is in arrear.

And whereas in order to provide for said debt it is expedient to issue debentures of the said corporation to the amount of \$15,000, bearing interest at four and one-half per centum per annum, and that such principal shall be repayable in yearly sums extending over a period of twenty years from the date of issue of such debentures of such amounts that the aggregate amount payable for principal and interest in any year in respect of the principal shall be equal, as nearly as may be, to what is payable for principal and interest during each of the other years of such period.

And whereas it will require the sum of \$1,153.14 to be raised annually, as aforesaid, by a special rate on the whole rateable property in the Town of Fort William for the paying of the said debt and interest.

Now, therefore, the Corporation of the Town of Fort William enacts as follows :

1. It shall and may be lawful for the Mayor of the Corporation of the Town of Fort William to borrow the said sum of Fifteen Thousand Dollars on the credit of the said Corporation, for the purpose aforesaid, and to issue twenty debentures of the said Corporation, each for the sum of \$1,153.14 payable at the office of the Treasurer of the Town of Fort William, as follows :

No.	When Payable.	Interest.	Principal.	Total.
1	Sept 1, 1903.....	\$675.00	\$478.14	\$1,153.14
2	" 1904.....	653.48	499.66	1,153.14
3	" 1905.....	631.00	522.14	1,153.14
4	" 1906.....	607.50	545.64	1,153.14
5	" 1907.....	582.95	570.19	1,153.14
6	" 1908.....	557.29	595.85	1,153.14
7	" 1909.....	530.47	622.67	1,153.14
8	" 1910.....	502.45	650.69	1,153.14
9	" 1911.....	473.17	679.97	1,153.14
10	" 1912.....	442.57	710.57	1,153.14
11	" 1913.....	410.60	742.54	1,153.14

No.	When payable.	Interest.	Principal.	Total.
12	Sept. 1, 1914.....	\$377.10	\$775.95	\$1,153.14
13	" 1915.....	342.27	810.87	1,153.14
14	" 1916.....	305.78	847.36	1,153.14
15	" 1917.....	267.65	885.49	1,153.14
16	" 1918.....	227.80	925.34	1,153.14
17	" 1919.....	186.16	966.98	1,153.14
18	" 1920.....	142.65	1,010.49	1,153.14
19	" 1921.....	97.17	1,055.97	1,153.14
20	" 1922.....	49.65	1,103.49	1,153.14

2. The Mayor and Clerk are hereby authorized to attach the corporate seal of the Corporation of the Town of Fort William to the following agreement, and to enter into, make, sign, execute and deliver same, and such agreement is hereby incorporated with, and shall form part of this by-law.

Memorandum of Agreement made, in duplicate, this——day of—— - 1902. Between the Corporation of the Town of Fort William, (herein called the "Corporation") of the First Part, and W. J. Copp and Harold E. Copp, Manufacturers, of the City of Hamilton, and the Province of Ontario (herein called the "Copps") of the Second Part.

Whereas the Copps are desirous of establishing and equipping a stove range and foundry works at the Town of Fort William, upon the terms and conditions hereinafter set forth.

Now, therefore, this agreement witnesseth, that for the consideration hereinafter set forth, the said parties have, and hereby do, mutually covenant, promise and agree each to and with the other of them, as follows :

1. The Copps will cause to be erected and equipped in the Town of Fort William, a stove range and foundry works, to be of a substantial and permanent character, and completely and properly equipped with all necessary machinery and plant of latest approved designs for the working thereof as a gang concern, and without limiting the general words hereinbefore used, to consist of a mounting and machine shops, 48 ft. x 100 ft. long, 2 storeys high ; a moulding shop, 70 ft. x 125 ft. long, 1 storey high, with an addition of a cupola room, charging room and oven ; and other buildings for offices and storage. The walls of said buildings to be built of solid materials

2. The said stove range and foundry works shall be erected, equipped and put in operation on or before the first day of June, 1903.

3. The said Stove Range and Foundry works shall be capable of melting 6 tons of iron per each working day of ten hours per melt, and shall also be capable of turning out 25 stoves or ranges complete per each working day of ten hours.

4. That the Copps will operate said works for at least one hundred and sixty-five working days of ten hours each during the year 1903, and for and at least two hundred and twenty-five working days of ten hours each in each and every year thereafter, during the succeeding nine years, accidents, strikes and other circumstances beyond their reach excepted.

5. That the Copps will engage, employ and keep at work in connection with operating such works as aforesaid during the year 1903 a sufficient number of men for a sufficient number of hours, to equal twenty-five men for one hundred and sixty-five days, of ten hours each, and in the year 1904 to equal thirty men for two hundred and twenty-five days of ten hours each, and in each year thereafter up to and including the year 1912 to equal an increase of five men for two hundred and twenty-five days of ten hours each over the year immediately preceding the then current year provided that the Copps shall not be bound to employ and keep at

work during said period in any calendar year, more men for a greater number of hours than shall equal fifty men for two hundred and twenty-five days of ten hours each.

6. That the Copps will pay at least monthly in cash in the Town of Fort William, all men employed by them in connection with said works.

7. That the Copps will operate the said works, or any other works substituted therefor, as hereinbefore provided, until the 31st of December, 1912.

8. As soon of the Copps have acquired lands necessary for such undertaking (which shall be within the Town of Fort William), in their own name in fee simple, free from all encumbrances, and have executed and delivered to the corporation a mortgage by way of first charge on said lands and the works erected or to be erected thereon, for the sum of \$15,000 bearing interest at four and one half per centum per annum, payable on the 31st day of December, 1912 (such mortgage providing that same shall become due and payable when and so soon as the Copps have made default hereinunder for three years and that for each and every calendar year of said period that they comply with this agreement, and are not three years in default as aforesaid \$1,500 of said principal money and interest on the unpaid principal for the then current year shall be deemed to have been paid and satisfied and the Copps shall be entitled to a discharge of such amount), and upon the Copps assigning sufficient insurance thereon with loss, if any, payable to Corporation, mortgagees, as their interest may appear to protect the corporation from time to time for the amount of advances made under such mortgage, and upon the Copps from time to time and at all times satisfying the corporation that there are and can be no liens or other claims which might or could take precedence of their advances from time under such mortgage, then the corporation will advance to the Copps the sum of fifteen thousand dollars to aid in the erection and establishment of such industry as aforesaid, as follows :

\$5,000 when the walls of said mounting and machine shop, and said moulding shop are put up in accordance herewith.

\$5,000 upon completion of said last mentioned buildings in accordance herewith,

And balance of \$5,000 as soon as said works are fully completed and have been in actual operation in accordance herewith for thirty days.

9. The corporation agree to exempt, saving school rates and local improvement taxes, the real (not to exceed five acres) and personal property of the Copps used in connection with said works as part of the going concern for a period of ten years from the 1st day of January, 1903 provided that no dwelling house erected on said lands shall be exempted from taxation as aforesaid.

10. The corporation are until the 31st December, 1912, to supply the Copps with such electric light and water as they may require in the erection, construction and operation of said works, as well as for fire protection at the same price as such water and electric light are at present supplied for like purposes to ordinary consumers.

11. The pay roll and all books of the said Copps shall be open for inspection by the corporation, and if so required, the Copps shall from time to time and at all times during said term, satisfy by declaration the corporation that they have complied with the provisions hereof.

12. In the event of the Copps making default under clauses 5 and 6 hereof, at any time during term of this agreement, then when and so often as such default shall happen all the property hereinbefore exempted from taxation shall be liable to taxation in each and every calendar year in which such default occurs, to same extent as if no exemption by-law or this agreement in that behalf had not been passed or made.

13. And if the Copps fail to employ and keep employed a sufficient number of men for a sufficient number of hours in any consecutive period

of twenty-four months, to equal twenty-five men for two hundred days of ten hours each, then on such default this agreement shall be null and void in so far as exemption from taxation is concerned, and all property hereinbefore exempted from taxation shall be liable to taxation the same as if this agreement and no exempting by law in that behalf had been made or passed.

14. In the event of the Copps making default under clause 2 of this agreement, the corporation shall be entitled immediately upon such default occurring to be reimbursed, by the Copps, the amount paid out by it in connection with preparing, publishing and submitting this agreement, and the by-laws in connection herewith, and issuing the debentures thereunder, and all other expenses and incidental thereto.

15. As soon as the Corporation develop electrical energy and power and have same for sale the Copps shall be supplied with such electrical energy or power sufficient for their purposes in connection with said works or any additions thereto, at same price per horse power as The Canadian Pacific Railway Company are supplied at,

16. This agreement shall extend to and be binding upon the heirs, and executors, administrators and assigns of the Copps.

17. Time shall be strictly of the essence of this agreement.

3. During the said period of twenty years there shall be raised and levied annually by a special rate, in addition to all other rates, upon the whole rateable property in the said Town of Fort William the yearly sum of \$1153.14 for the payment of the said debt and interest.

4. The said debentures shall bear date as of the 1st September, 1902, and shall be signed by the Mayor and Treasurer thereof and sealed with the seal of the said corporation.

5. Every debenture to be issued hereunder, shall contain a provision of the following words, "This debenture and any other interest therein shall not, after a certificate of ownership has been endorsed thereon by the treasurer of the corporation, be transferable except by entry by the treasurer or his deputy in the debenture registry of the said corporation in the said Town of Fort William." or to the like effect.

6. That this by-law shall come into force on the first day of September, 1902.

7. The real (not to exceed five acres) and personal property of said W. J. Copp and Harold E. Copp, their representatives or assigns, used in connection with said works as part of the going concern shall be, and are hereby, exempt from taxation, saving school rates and local improvement taxes, of said town, for a period of ten years from the first day of January, 1903, upon and subject to the terms and conditions set out in above recited agreement, provided that this shall not extend to any dwelling houses erected upon said lands.

8. That the votes of the electors of the said municipality, entitled to vote on this by-law shall be taken on Wednesday, the 23rd day of July, 1902, commencing at 9 o'clock in the morning and closing at the hour of five o'clock in the afternoon of the same day, as follows:

In Ward 1—At J. W. Robertson's house; deputy returning officer, J. W. Robertson.

In Ward 2—(Sub-div. No. 1) In P. J. Manion's Sample Room; W. Phillips, deputy returning officer.

Sub-div. No. 2—At town hall; deputy returning officer, E. S. Rutledge.

In Ward 3—In Steven's photograph gallery, deputy returning officer, Jno. McNee.

In Ward 4—At Fire Hall; G. B. Smith, deputy returning officer.

9. That on Wednesday, the 16th day of July, 1902, at the hour of ten o'clock in the forenoon the mayor of Fort William, will attend at the office of the town clerk in the town hall in the town of Fort William for the purpose of appointing in writing signed by himself, two persons to attend at the final summing up by the town clerk of the votes polled on this by-law and also of appointing one person to attend at each polling place on behalf of the persons interested in and desirous of promoting the passing of the by-law and a like number on behalf of the persons interested in and desirous of opposing the passing of this by law.

10. That on Thursday, the 25th day of July, 1902, at the hour of ten o'clock in the forenoon at the office in the town hall in the town of Fort William, the clerk of the said town will proceed to sum up the number of votes given for and against this by-law.

Given under the corporate seal of the corporation as witnessed by hand and seal of its mayor and clerk this 5th August, 1902.

JOSHUA DYKE,
Mayor.

A. McNAUGHTON,
Clerk.

[Seal.]

SCHEDULE B.

BY-LAW No. 313.

Town of Fort William.

" A By-law to increase the power of and further improve the electric lighting system of the Town of Fort William, and to provide for the issue of debentures to the amount of \$40,000 necessary therefor.

Whereas it is necessary to increase the power in connection with the electric lighting system of the Town of Fort William in order to meet the present demands of the town and in order to keep the streets thereof lighted.

And whereas the commissioners of the said town deem it desirable to increase said power to the extent of 500 horse power at a cost of \$40,000.

And whereas the said sum of \$40,000 is the amount of debt intended to be created by this by-law :

And whereas the whole amount of the rateable property of the said Town of Fort William, according to the last revised assessment roll of said town amounts to \$1,403,282.00.

And whereas the general debenture of the said town, exclusive of local improvements, amounts to \$337,530.98, of which no part of the principal or interest is in arrear.

And whereas in order to provide for said debt it is expedient to issue debentures of the said corporation to the amount of \$40,000, bearing interest at four and one half per centum per annum, and providing that such principal shall be repayable in yearly sums extending over twenty years from the date of issue of such debentures of such amounts that the aggregate amount payable for principal and interest in any year in respect of the principal shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of such period.

And whereas it will require the sum of \$3,075.05 to be raised annually by a special rate on the whole rateable property in the Town of Fort William for the paying of the said debt and interest as aforesaid.

Therefore the Corporation of the Town of Fort William enacts as follows :

1. It shall and may be lawful for the mayor of the said Corporation and he is hereby empowered, to borrow the said sum of Forty Thousand Dollars on the credit of the said corporation for the purposes aforesaid, and to issue twenty debentures of the said corporation each for the sum of \$3,075.05 payable at the office of the treasurer of the Town of Fort William, as follows :

Year	Interest	Principal	Total
1904	\$1,800.00	\$1,275.05	\$3,075.05
1905	1,742.62	1,332.43	3,075.05
1906	1,682.67	1,392.38	3,075.05
1907	1,620.01	1,455.04	3,075.05
1908	1,554.53	1,520.52	3,075.05
1909	1,486.11	1,588.95	3,075.05
1910	1,414.61	1,660.44	3,076.05
1911	1,339.89	1,735.16	3,075.05
1912	1,261.81	1,813.24	3,075.05
1913	1,180.21	1,894.84	3,075.05
1914	1,094.94	1,980.11	3,075.05
1915	1,005.84	2,069.21	3,075.05
1916	912.72	2,162.33	3,075.05
1917	815.42	2,259.63	3,075.05
1918	713.73	2,361.32	3,075.05
1919	607.48	2,467.57	3,075.05
1920	496.44	2,578.61	3,075.05
1921	380.40	2,794.65	3,075.05
1922	259.14	2,815.91	3,075.05
1923	132.43	2,942.62	3,075.05

said \$3,075.05 being a sufficient yearly sum to be raised during each of the said period of twenty years to repay the said debt and interest at four and one half per centum per annum thereon.

2. The said debentures shall bear date as of March 1st, 1903, shall be signed by the mayor and treasurer thereof, and sealed with the corporate seal of said town.

3. Within said period of twenty years there shall be raised and levied annually by a special rate in addition to all other rates, upon the whole rateable property in the said Town of Fort William the yearly sum of \$3,075.05 for the payment of the said debt and interest as aforesaid.

4. Every debenture to be issued hereunder shall contain a provision in the following words : " This debenture or any interest therein shall not, after a certificate of ownership has been endorsed thereon by the treasurer of the municipality, be transferable, except by the entry by the treasurer or his deputy in the debenture registry of the said corporation in the said Town of Fort William," or to the like effect.

5. That this by-law shall come into force on the 1st day of March, 1903.

6. That the votes of the electors of the said municipality, entitled to vote on this by-law shall be taken on Monday, the 5th day of January, 1903, commencing at nine o'clock in the morning and closing at the hour of five o'clock in the afternoon of the same day, as follows :

In Ward 1—At J. W. Robertson's house ; deputy returning officer, J. W. Robertson.

In Ward 2—(Sub-div. No. 1) In Geo. McEdward's store, Simpson street ; W. Newcombe, deputy returning officer.

Sub-div. No. 2—At town hall ; deputy returning officer, F. S. Rutledge.

In Ward 3—In Miss Leach's photograph studio ; deputy returning officer, William Palling.

In Ward 4—At court house ; deputy returning officer, A. H. Wilson.

7. That on Thursday, the 1st day of January, 1903, at the hour of ten o'clock in the forenoon, the Mayor of Fort William will attend at the office of the town clerk in the town hall in the Town of Fort William for

the purpose of appointing in writing signed by himself, two persons to attend at the final summing up by the town clerk of the votes polled on this by-law, and also of appointing one person to attend at each polling place on behalf of the persons interested in and desirous of promoting the passing of the by-law and a like number on behalf of the persons interested in and desirous of opposing the passing of this by law.

8. That on Tuesday, the 6th day of January, 1903, at the hour of ten o'clock in the forenoon at the office in the town hall in the Town of Fort William, the clerk of the said town will proceed to sum up the number of votes given for and against this by-law.

Given under the corporate seal of the corporation as witnessed by hand and seal of its mayor and clerk this 20th day of January, 1903.

JOSHUA DYKE, Mayor.

A. McNAUGHTON, Clerk.

(Seal)

SCHEDULE C.

MEMORANDUM OF AGREEMENT made in duplicate this Twentieth day of November, 1902, between The Ogilvie Flour Mills Company, Limited, (hereinafter called the Company), of the first part; and The Corporation of the Town of Fort William, (hereinafter called the town), of the second part.

Whereas the said town entered into a certain agreement with William W. Ogilvie, late of the City of Montreal, Miller, deceased with reference to the erection of a flour mill and elevator at the Town of Fort William, which agreement bore date 2nd day of November, 1899, and is fully set out in Schedule B to "An Act Respecting the Town of Fort William, 1900," passed by the Provincial Legislature of the Province of Ontario in the 63rd year of Her Late Majesty's Reign:

And whereas the company proposes to take over said agreement provided this agreement is approved of by the ratepayers of the Town of Fort William and sanctioned by the Legislature of the Province of Ontario.

Wherefore it is mutually covenanted promised and agreed by and between the said town and company as follows:

1. That the town will, upon the proper execution and delivery hereof and the delivery of the bond hereinafter mentioned and in consideration of the covenants hereinafter contained on the part of the company, release the marked cheque for \$25,000 now in the hands of the Bank of Montreal furnished by the late William W. Ogilvie and at the same time will grant a full and complete discharge to the estate of the late William W. Ogilvie of and from all obligations of every kind arising out of or in connection with the said contract.

2 The town hereby exempts the lands set out in said agreement with the said late William W. Ogilvie, and all buildings which may be erected thereon, as also all persons who may be the owners thereof in respect of such lands and buildings from all taxes (other than school rates) during a period of thirty years from the 30th day of April, 1900; and hereby further exempts all personal property of every kind which may be in any way associated with the operation of said mill and elevator, or the business connected therewith inclusive of all grain, flour and other products, which may during the period of this exemption be upon the said lands, or in transit thereto or therefrom, and the owners thereof in respect of such personal property, from all taxes including school rates, for the like period of thirty years from the 30th day of April, 1900, subject however to the provisions hereinafter contained.

3. Paragraph six and subsections A, B and C thereof, also paragraphs eight, ten and eleven of the agreement of the second of November, 1899, with the late William W. Ogilvie above referred to are hereby cancelled and annulled.

4. In consideration whereof the company will construct, erect and equip upon the said lands or a portion thereof, a grain elevator of a capacity of not less than five hundred thousand bushels and a flour mill of a capacity sufficient to grind at least fifteen hundred barrels of flour per working day of 24 hours.

(a)--Provided that if the said mill and elevator be not fully completed and in operation before the expiration of 2 years from the passage of legislation ratifying this agreement, or the 30th day of April, 1903, which ever shall be last, then the said lands, buildings and personal property shall, notwithstanding the provisions hereinbefore contained, become liable to the ordinary taxation of the town and shall so continue until said buildings shall have been fully completed and put in operation.

(b)--Provided further that if said mill and elevator be not fully equipped and completed before the expiration of three years from the passing of legislation ratifying this agreement or the 30th April, 1903, whichever shall be last, then shall the exemption from taxation above provided for cease, but the company shall forfeit and pay to the town the sum of twenty-five thousand dollars as liquidated damages for such default and shall further convey and assure the lands above mentioned to the town, free of encumbrances, and with a good title in fee simple thereto.

(c)--Provided further that the company shall immediately upon the passing of legislation ratifying this agreement make execute and deliver to the town the bond of the company in the sum of \$25,000 to secure the payment of the \$25,000 mentioned in subsection (b) of this clause conditioned upon the erection equipment and completion of said mill and elevator within three years from the 30th day of April, 1903, or from the passing of the legislation ratifying this agreement whichever shall be last, and in default that the said sum of \$25,000 shall be forfeited and paid to the town as liquidated damages.

(d)--Provided further that if the company is delayed in the construction, erection or equipment of the said mill and elevator through any cause beyond the company's control then the period during which the said Company have been so delayed shall not be estimated in computing the said periods of two and three years respectively.

5. If at any time during the said period of thirty years all the buildings which have been erected on said lands are totally destroyed, and in case a flour mill and elevator of capacities aforesaid are not built within a period of two years from the happening of such destruction, then the said company shall pay to the town the sum of thirty-five thousand dollars.

(a)--If the buildings are partially destroyed in the period aforesaid and if a mill or elevator of the capacities aforesaid are not built within two years after such partial destruction, then all exemption from taxation shall cease, and the company shall pay to the town the sum of thirty-five thousand dollars.

(b)--If prior to the completion of such re-erection of the said buildings and their being put into operation they shall be destroyed or damaged by fire or by any other cause over which said company has no control then the periods during which the said company shall have been delayed by such cause shall not be estimated in computing the period of two years referred to in this paragraph.

6. This agreement is expressly subject to the assent of the duly qualified ratepayers of the said town entitled to vote thereon and to being legalized by the Legislature of the Province of Ontario, and to the company acquiring the said rights of the said William W. Ogilvie under above in part recited agreement, and to the legal representatives of the said late William W. Ogilvie consenting thereto.

7. It is further expressly understood that in case this agreement does not receive such assent of the ratepayers or is not approved of by the Legislature or the legal representatives of the said late William W. Ogilvie do not consent hereto, or said company are unable or do not acquire the rights of the said late William W. Ogilvie under above in part recited agreement or this agreement goes off for any other cause then it shall not in any way effect said above in part recited agreement or the position of the parties thereto.

8. Time is to be the essence of this agreement.

In witness whereof the corporate seal of the said town and company as witnessed by the hands of its proper officers in that behalf.

Signed, sealed and delivered
in the presence of

D. McKELLAR.

WM. A. GAMBLE.

{ JOSHUA DYKE,
Mayor. [Corporate Seal]
A. McNAUGHTON,
Clerk.

{ CHARLES R. HOSMER,
President. [Corporate Seal]
F. W. THOMPSON,
Vice-President.

SCHEDULE D.

BY-LAW No. 314.

Town of Fort William.

“ A by-law to provide for the raising of \$5,000 by way of debentures for the purpose of improving Victoria Avenue and McVicar Street Sewers.”

Whereas it is desirous and necessary that the sewers on Victoria Avenue and McVicar Street should be improved and put in better condition than at present ;

And whereas it will require the sum of \$5,000 to make such improvements ;

And whereas \$5,000 is the amount of the debt intended to be created ;

And whereas the amount of the whole rateable property of the Town of Fort William, according to the latest revised assessment roll of said town, amounts to \$1,403,282.00 ;

And whereas the general debenture debt of said town, exclusive of local improvements, amounts to \$337,530.98. of which no part of the principal or interest is in arrear ;

And whereas in order to provide for the said debt it is expedient to issue debentures of the said corporation to the amount of \$5,000, bearing interest at four and one-half per centum per annum, and that such principal shall be repayable in yearly sums extending over a period of twenty years from the date of issue of such debentures of such amounts that the aggregate amount payable for principal and interest in any year in respect of the principal shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of such period ;

And whereas it will require the sum of \$384.38 to be raised annually as aforesaid by a special rate on the whole rateable property in the said town for the paying of the said debt and interest ;

Now therefore the corporation of the Town of Fort William enacts as follows :

1. That it shall and may be lawful for the Mayor of the Corporation of the Town of Fort William to borrow the said sum of \$5,000.00 on the credit of the said corporation, for the purposes aforesaid, and to issue twenty debentures of the said corporation each for the sum of \$384.38, payable at the Office of the Treasurer of said town as follows :

Table for \$5,000 Debenturee, Repayable in Twenty Years ; Interest 4½ per cent.

Year	Interest	Principal	Total
1904	\$225.00	\$159.38	\$384.38
1905	217.83	166.55	384.38
1906	210.33	174.05	384.38
1907	202.50	181.88	384.38
1908	194.32	190.06	384.38
1909	185.76	198.62	384.38
1910	176.82	207.56	384.38
1911	167.48	216.90	384.38
1912	157.72	226.66	384.38
1913	147.53	236.85	384.38
1914	136.87	247.51	384.38
1915	125.73	258.65	384.38
1916	114.09	270.29	384.38
1917	101.93	282.45	384.38
1918	89.22	295.16	384.38
1919	75.93	308.45	384.38
1920	62.05	322.33	384.38
1921	47.55	336.83	384.38
1922	32.39	351.99	384.38
1923	16.55	367.83	384.38

2. Within the said period of twenty years there shall be raised and levied annually by a special rate, in addition to all other rates, upon the whole rateable property of the said town the yearly sum of \$384.38 for the payment of the said debt and interest

3. The said debentures shall bear date as of the 1st day of March, 1903, and shall be signed by the mayor and treasurer thereof and sealed with the seal of the said corporation.

4. Every debenture to be issued hereunder shall contain a provision in the following words: "This debenture or any interest therein shall not, after a certificate of ownership has been endorsed thereon by the treasurer of the said corporation, be transferable except by entry by the treasurer or his deputy in the debenture registry of the said corporation in the said Town of Fort William," or to the like effect.

5. This by-law shall come into force on the 1st day of March, 1903.

6. That the votes of the electors of the said municipality, entitled to vote on this by-law shall be taken on Monday, the 5th day of January, 1903, commencing at nine o'clock in the morning and closing at the hour of five o'clock in the afternoon of the same day, as follows :

In Ward 1—At J. W. Robertson's house ; deputy returning officer, J. W. Robertson

In Ward 2—(Sub-div. No. 1) In Geo. McEdwards' store, Simpson street ; W. Newcombe, deputy returning officer.

Sub-div. No. 2—At town hall ; deputy returning officer, William Palling

In Ward 4—At court house, deputy returning officer, A. H. Wilson.

7. That on Thursday the 1st day of January, 1903, at the hour of ten o'clock in the forenoon the mayor of Fort William will attend at the office of the town clerk in the town hall in the Town of Fort William for the purpose of appointing in writing signed by himself, two persons to attend at the final summing up by the town clerk of the votes polled on this by-law and also of appointing one person to attend

at each polling place on behalf of the persons interested in and desirous of promoting the passing of the by-law and a like number on behalf of the persons interested in and desirous of opposing the passing of this by-law.

8. That on Tuesday, the 6th day of January, 1903, at the hour of ten o'clock in the forenoon at the office in the town hall in the Town of Fort William, the clerk of the said town will proceed to sum up the number of votes given for and against this by-law.

Given under the corporate seal of the corporation as witnessed by hand and seal of its mayor and clerk this 20th day of January, 1903.

JOSHUA DYKE,
Mayor.

A. McNAUGHTON,
Clerk.

1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act respecting the Town of Fort
William, 1903.

First Reading. , 1903.

(Private Bill.)

MR. CAMERON.

TORONTO :

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

An Act respecting the Town of Fort William, 1903.

WHEREAS the Corporation of the town of Fort William Preamble has by petition represented that W. J. Copp and Harold E. Copp have entered into an agreement with said corporation (which agreement is set out in Schedule "A" hereto) to erect a stove range and foundry works capable of turning out 25 complete stoves or ranges per working day of ten hours in consideration of the grant to them by the town of \$15,000 and of the real and personal property to be used in connection with said works being exempted from all taxes, except school rates and local improvement taxes, of said town for a period of ten years from the 1st day of January, 1903; and whereas said stove range and foundry works have been erected; and whereas the debentures under the by-law hereinafter mentioned have been sold and \$5000 thereof paid over to the Cops under said agreement; and whereas the rate necessary to be levied for such purposes together with all other rates required to be levied for similar purposes exceed ten per centum of the total tax levy of said town; and whereas a by-law in that behalf (which by-law is fully set out in Schedule "A" hereto) was duly published and submitted to the ratepayers of said town entitled to vote thereon; and whereas out of 658 persons entitled to vote thereon, (of whom 147 persons are non resident) 402 persons voted in favor of said by-law and 23 persons against same; and whereas no application has been made to quash said by-law and no objection has been made hereto on the part of any ratepayer; and whereas said corporation has by petition further represented that owing to the rapid growth of said town the electric lighting plant of said town has become so overloaded that there is not sufficient power to run the street lighting plant of said system or to supply the increased demand for lights by users of same and that the streets of said town have had to remain in darkness the greater part of the past winter owing to insufficient power to run same; and whereas it is urgent that the power of said plant be increased immediately; and whereas a by-law (a copy of which is fully set out in Schedule "B" hereto), was duly published and submitted to the ratepayers entitled to vote thereon to raise the sum of \$40,000 necessary therefor, but no estimates of such expenditure were published under sub section 5 of section 569 of *The Municipal Act* owing to the delay necessary therefor; and

whereas doubts have arisen as to whether such estimates should not have been published; and whereas of 697 persons entitled to vote on such by-law (of whom 151 persons were non-resident) 296 persons voted in favor of such by-law and 95 persons voted against same; and whereas said by-law has received its third reading and been duly passed by the council of said town; and whereas no application has been made to quash such by-law and no objection has been made hereto on the part of any ratepayer; and whereas the said corporation has further by petition represented that it entered into a certain agreement with the late William W. Ogilvie for the erection of a flour mill of a capacity per day sufficient to grind at least 1,500 barrels of flour and an elevator sufficient to store 500,000 bushels of grain (which agreement was legalised by and is fully set out in "an Act respecting the Town of Fort William, 1900") in consideration of the grant by the town to said Ogilvie of a free site therefor and of certain exemptions from taxation; and whereas said site was purchased at an expense of \$25,000 by said town and conveyed to said late William W. Ogilvie's estate; and whereas the executors thereof have been unable to fulfil such agreement; and whereas The Ogilvie Flour Mills Company, Limited, has offered to carry out the agreement of said late William W. Ogilvie and erect said elevator and flour mill on the terms and conditions set out in the agreement contained in Schedule "C" to this Act; and whereas a by-law containing said latter agreement was duly published and submitted to the ratepayers entitled to vote thereon for their approval; and whereas of 697 persons entitled to vote thereon (of whom 151 persons were non-resident) 378 persons voted in favor thereof and 20 persons against same; and whereas no objection has been made hereto on the part of any ratepayers: and whereas said corporation has further by petition represented that it is necessary to improve Victoria Avenue and McVicar Street sewers and the outlets thereof in order to keep sewage from backing into the cellars of said town, and in the interest of the public health thereof; and whereas a by-law to provide \$5000 necessary therefor (a copy of which is set out in Schedule "D" hereto) was published for two weeks in the Daily Times-Journal, a newspaper published daily at Fort William, and was duly submitted to the ratepayers entitled to vote thereon; and whereas of 697 persons entitled to vote thereon (of whom 151 persons were non-resident) 232 persons voted in favor thereof and 154 persons voted against same; and whereas said by-law has received its third reading by the council of the said town, and no objection has been made hereto on the part of any ratepayer, and no application has been made to quash same; and whereas owing to insufficient publication it is necessary to legalise same; and whereas the said corporation has by petition further represented that Section 17 of "An Act incorporating the Town of Fort William" (55 Victoria, Cap. 70) is unfair and unworkable, and

not desired by the residents or ratepayers of said town, and involves practically the making of a separate assessment of each ward of said town, and is repugnant to and inconsistent with the general idea and working of a municipal corporation; and whereas no objection has been made hereto on the part of any ratepayers; and whereas said corporation by petition further represents that it is desirable that the Municipal Telephone System of said town should be managed by the Board of Water and Light Commissioners of said town instead of the council thereof; and whereas said corporation has prayed for special legislation in respect of all the above matters; and whereas the said corporation has by petition also represented that the said Corporation of the Town of Fort William and the Corporation of the Town of Port Arthur have established a municipal telephone system in their respective towns upon the mutual understanding that free exchange was to be given to each of them by the other of them with their respective subscribers, and that the said systems should be conducted jointly and that it is essential and necessary to the proper maintenance of each of the said systems that neither of the said corporations should lease or otherwise deal with its system without the consent of the other, and that the said systems continue to be conducted jointly; and whereas the said Corporation of the Town of Fort William and the said Corporation of the Town of Port Arthur have prayed for special legislation in respect of the said matters; and it is expedient to grant the prayer of the said petition; and whereas it is expedient to grant the prayer 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. The said corporation is declared to have had power to pass By-law No. 303 of said town intituled "A By-law to aid W. J. Copp and Harold E Copp in the erection and equipment of a stove, range and foundry works in the Town of Fort William, and to provide for the raising of \$15,000 by way of debentures necessary therefor" and to enter into the agreement set out in said by-law (which by-law is fully set forth in Schedule "A" hereto), and said by-law is declared to be and to have always been since the passing of same a good, legal, valid and existing by-law of said town, and the debentures issued thereunder shall be binding on the said corporation and the ratepayers thereof, and said agreement and all and every security given and taken in pursuance thereof shall be valid and binding upon the parties thereto, their and each of their heirs, executors, administrators and assigns. By-law to aid Copp's stove works legalized.
2. The said corporation is declared to have had power to pass By-law No. 313 of said town intituled "A By-law to increase the power of and further improve the electric light- By-law improving and extending electric

lighting
system
confirmed.

ing system of the Town of Fort William, and to provide for the issue of debentures to the amount of \$40,000 necessary therefor" (which by-law is fully set out in Schedule "B" hereto) and said by-law is hereby declared to be a valid, legal and existing by-law of said town, and all debentures issued or to be issued thereunder shall be binding upon the said corporation and the ratepayers thereof.

Agreement
with Ogilvie
Flour Mills
Co. legalized.

3. The corporation of the town of Fort William is declared to have had full power to enter into the agreement set out in Schedule "C" hereto with The Ogilvie Flour Mills Company, Limited, and said agreement is hereby declared to be a valid, legal and existing agreement and to be binding upon the parties thereto, their respective successors and assigns, and said corporation is hereby given full power to do all things necessary to carry out the terms of said agreement.

By-law for
improving
certain
sewers
legalized.

4. By-law No. 314 of said town, intituled "A By-law to provide for the raising of \$5,000 by way of debentures for the purpose of improving Victoria Avenue and McVicar Street Sewers," and which by-law is fully set out in Schedule "D" hereto, is declared to be a valid, legal and existing by-law of said town and the debentures to be issued thereunder shall, when so issued, be binding upon the said corporation and the ratepayers thereof.

55 V., c 70,
s. 17, repealed.

5. Section 17 of *An Act to Incorporate the Town of Fort William* (55 Victoria, Cap. 70) is repealed, and no action or proceeding shall be had against said corporation or the officers thereof for non-observance or improper observance thereof heretofore, nor shall the improper or non-observance of the provisions thereof heretofore invalidate any action or proceeding had or taken by said corporation.

Powers of
council as to
telephone
system.

6. All the powers, rights, authorities or immunities which, under the provisions of *The Municipal Act*, might have been exercised or enjoyed by the council and the officers of said corporation acting for said town shall, in connection with the municipal telephone system of said town, and may be exercised by the Board of Water and Light Commissioners of said town, and the council thenceforth during the continuance of such Board of Commissioners shall have no authority in respect of such system.

Application
of Rev. Stat.
c. 235, s. 45.

7. The provisions of section 45 of *The Municipal Waterworks Act* shall be read into and form part of this Act with the substitution of the word "telephone" for "water," and of the words "telephone system" for "waterworks" wherever the same occur in said section.

8. The council of said town, to be hereafter elected, shall consist of the Mayor, who shall be the head thereof, and eight councillors, one councillor to be elected from each ward (who shall be a resident of the ward for which he is elected at the time of such election) and four councillors to be elected by general vote of the said town. Council, how composed.

9. Neither the Corporation of the Town of Fort William nor the Corporation of the Town of Port Arthur shall be at liberty or have power to sell or lease its municipal telephone system or to impair or otherwise part with the operation of its said system without first obtaining the assent of the electors of the said towns entitled to vote on by-laws which before their final passing require the assent of the electors under *The Municipal Act* in the manner provided in the said Act for obtaining such assent to such by-laws. Telephone system not to be disposed of by either municipality without the other's consent.

10. The rates to be charged by each of the said corporations to their respective subscribers shall be the same in each of the said towns and shall not be altered from the present rates in force without the consent of the councils (or other body representing them) of both of the said towns and thereafter may only be altered in the same manner. Telephone rates to subscribers.

11. Each of the said corporations shall be entitled to free exchange for itself and its subscribers over and on the entire system of the other and every part thereof, and for that purpose each of the said corporations shall be bound to maintain and instal a proper and competent service to meet the demands from time to time, and shall be bound to construct, affix, carry and maintain as many lines of wires in connection with its system to the boundary line between the said towns as shall be necessary to give efficient service and exchange between and over the systems of both of said towns to their respective subscribers. Free exchange over systems of both towns.

12. This Act shall not affect any pending litigation. Pending litigation.

13. This Act may be cited as "*An Act Respecting the Town of Fort William, 1903.*" Short title.

SCHEDULE A.

BY-LAW No. 303.

TOWN OF FORT WILLIAM.

"A By-law to aid W. J. Copp and Harold E. Copp in the erection and equipment of a Stove Range and Foundry Works, in the Town of Fort William, and to provide for the raising of \$15,000 by way of debentures necessary therefor."

Whereas W. J. Copp and Harold E. Copp have represented to the Corporation of the Town of Fort William that they are desirous of

establishing a Stove Range and Foundry Works in Fort William on the terms and conditions hereinafter set out.

And whereas the said corporation deem it in the interests of the town to enter into such an agreement and grant such aid in order to secure the establishment of such an industry at the Town of Fort William.

And whereas the sum of \$15,000 is the amount of the bonus to be granted to the said W. J. Copp and Harold E. Copp, and the amount of the debt intended to be created by this by-law.

And whereas the amount of the whole rateable property of the Town of Fort William, according to the last revised assessment roll of the said town amounts to \$1,333,451.

And whereas the general debenture debt of the said town, exclusive of local improvements, amounts to \$292,439.86, of which no part of the principal or interest thereon is in arrear.

And whereas in order to provide for said debt it is expedient to issue debentures of the said corporation to the amount of \$15,000, bearing interest at four and one-half per centum per annum, and that such principal shall be repayable in yearly sums extending over a period of twenty years from the date of issue of such debentures of such amounts that the aggregate amount payable for principal and interest in any year in respect of the principal shall be equal, as nearly as may be, to what is payable for principal and interest during each of the other years of such period.

And whereas it will require the sum of \$1,153.14 to be raised annually, as aforesaid, by a special rate on the whole rateable property in the Town of Fort William for the paying of the said debt and interest.

Now, therefore, the Corporation of the Town of Fort William enacts as follows :

1. It shall and may be lawful for the Mayor of the Corporation of the Town of Fort William to borrow the said sum of Fifteen Thousand Dollars on the credit of the said Corporation, for the purpose aforesaid, and to issue twenty debentures of the said Corporation, each for the sum of \$1,153.14 payable at the office of the Treasurer of the Town of Fort William, as follows :

No.	When Payable.	Interest.	Principal.	Total.
1	Sept 1, 1903.....	\$675.00	\$478.14	\$1,153.14
2	" 1904... ..	653.48	499.66	1,153.14
3	" 1905.....	631.00	522.14	1,153.14
4	" 1906.....	607.50	545.64	1,153.14
5	" 1907.....	582.95	570.19	1,153.14
6	" 1908.....	557.29	585.85	1,153.14
7	" 1909.....	530.47	622.67	1,153.14
8	" 1910.....	502.45	650.69	1,153.14
9	" 1911.....	473.17	679.97	1,153.14
10	" 1912.....	442.57	710.57	1,153.14
11	" 1913.....	410.60	742.54	1,153.14
12	" 1914.....	377.10	775.95	1,153.14
13	" 1915.....	342.27	810.87	1,153.14
14	" 1916.....	305.78	847.36	1,153.14
15	" 1917.....	267.65	885.49	1,153.14
16	" 1918.....	227.80	925.34	1,153.14
17	" 1919.....	186.16	966.98	1,153.14
18	" 1920.....	142.65	1,010.49	1,153.14
19	" 1921.....	97.17	1,055.97	1,153.14
20	" 1922.....	49.65	1,103.49	1,153.14

2. The Mayor and Clerk are hereby authorized to attach the corporate seal of the Corporation of the Town of Fort William to the following agreement, and to enter into, make, sign, execute and deliver same, and such agreement is hereby incorporated with, and shall form part of this by-law.

Memorandum of Agreement made, in duplicate, this --- day of --- 1902. Between the Corporation of the Town of Fort William, (herein called the "Corporation") of the First Part, and W. J. Copp and Harold E. Copp, Manufacturers, of the City of Hamilton, and the Province of Ontario (herein called the "Copps") of the Second Part.

Whereas the Copps are desirous of establishing and equipping a stove range and foundry works at the Town of Fort William, upon the terms and conditions hereinafter set forth.

Now, therefore, this agreement witnesseth, that for the consideration hereinafter set forth, the said parties have, and hereby do, mutually covenant, promise and agree each to and with the other of them, as follows :

1. The Copps will cause to be erected and equipped in the Town of Fort William, a stove range and foundry works, to be of a substantial and permanent character, and completely and properly equipped with all necessary machinery and plant of latest approved designs for the working thereof as a gang concern, and without limiting the general words hereinbefore used, to consist of a mounting and machine shops, 48 ft. x 100 ft. long, 2 storeys high ; a moulding shop, 70 ft. x 125 ft. long, 1 storey high, with an addition of a cupola room, charging room and oven ; and other buildings for offices and storage. The walls of said buildings to be built of solid materials

2. The said stove range and foundry works shall be erected, equipped and put in operation on or before the first day of June, 1903.

3. The said Stove Range and Foundry works shall be capable of melting 6 tons of iron per each working day of ten hours per melt, and shall also be capable of turning out 25 stoves or ranges complete per each working day of ten hours.

4. That the Copps will operate said works for at least one hundred and sixty-five working days of ten hours each during the year 1903, and for and at least two hundred and twenty-five working days of ten hours each in each and every year thereafter, during the succeeding nine years, accidents, strikes and other circumstances beyond their reach excepted.

5. That the Copps will engage, employ and keep at work in connection with operating such works as aforesaid during the year 1903 a sufficient number of men for a sufficient number of hours, to equal twenty-five men for one hundred and sixty-five days, of ten hours each, and in the year 1904 to equal thirty men for two hundred and twenty-five days of ten hours each, and in each year thereafter up to and including the year 1912 to equal an increase of five men for two hundred and twenty-five days of ten hours each over the year immediately preceding the then current year provided that the Copps shall not be bound to employ and keep at work during said period in any calendar year, more men for a greater number of hours than shall equal fifty men for two hundred and twenty-five days of ten hours each.

6. That the Copps will pay at least monthly in cash in the Town of Fort William all men employed by them in connection with said works.

7. That the Copps will operate the said works, or any other works substituted therefor, as hereinbefore provided, until the 31st of December, 1912.

8. As soon as the Copps have acquired lands necessary for such undertaking (which shall be within the Town of Fort William), in their own name in fee simple, free from all encumbrances, and have executed and delivered to the corporation a mortgage by way of first charge on said lands and the works erected or to be erected thereon, for the sum of \$15,000 bearing interest at four and one half per centum per annum, payable on the 31st day of December, 1912 (such mortgage providing that

same shall become due and payable when and so soon as the Copps have made default hereinunder for three years and that for each and every calendar year of said period that they comply with this agreement, and are not three years in default as aforesaid \$1,500 of said principal money and interest on the unpaid principal for the then current year shall be deemed to have been paid and satisfied and the Copps shall be entitled to a discharge of such amount), and upon the Copps assigning sufficient insurance thereon with loss, if any, payable to Corporation, mortgagees, as their interest may appear to protect the corporation from time to time for the amount of advances made under such mortgage, and upon the Copps from time to time and at all times satisfying the corporation that there are and can be no liens or other claims which might or could take precedence of their advances from time under such mortgage, then the corporation will advance to the Copps the sum of fifteen thousand dollars to aid in the erection and establishment of such industry as aforesaid, as follows :

\$5,000 when the walls of said mounting and machine shop, and said moulding shop are put up in accordance herewith.

\$5,000 upon completion of said last mentioned buildings in accordance herewith,

And balance of \$5,000 as soon as said works are fully completed and have been in actual operation in accordance herewith for thirty days.

9. The corporation agree to exempt, saving school rates and local improvement taxes, the real (not to exceed five acres) and personal property of the Copps used in connection with said works as part of the going concern for a period of ten years from the 1st day of January, 1903 provided that no dwelling house erected on said lands shall be exempted from taxation as aforesaid.

10. The corporation are until the 31st December, 1912, to supply the Copps with such electric light and water as they may require in the erection, construction and operation of said works, as well as for fire protection at the same price as such water and electric light are at present supplied for like purposes to ordinary consumers.

11. The pay roll and all books of the said Copps shall be open for inspection by the corporation, and if so required, the Copps shall from time to time and at all times during said term, satisfy by declaration the corporation that they have complied with the provisions hereof.

12. In the event of the Copps making default under clauses 5 and 6 hereof, at any time during term of this agreement, then when and so often as such default shall happen all the property hereinbefore exempted from taxation shall be liable to taxation in each and every calendar year in which such default occurs, to same extent as if no exemption by-law or this agreement in that behalf had not been passed or made.

13. And if the Copps fail to employ and keep employed a sufficient number of men for a sufficient number of hours in any consecutive period of twenty-four months, to equal twenty-five men for two hundred days of ten hours each, then on such default this agreement shall be null and void in so far as exemption from taxation is concerned, and all property hereinbefore exempted from taxation shall be liable to taxation the same as if this agreement and no exempting by law in that behalf had been made or passed.

14. In the event of the Copps making default under clause 2 of this agreement, the corporation shall be entitled immediately upon such default occurring to be reimbursed, by the Copps, the amount paid out by it in connection with preparing, publishing and submitting this agreement, and the by-laws in connection herewith, and issuing the debentures thereunder, and all other expenses and incidental thereto.

15. As soon as the Corporation develop electrical energy and power and have same for sale the Copps shall be supplied with such electrical energy or power sufficient for their purposes in connection with said

works or any additions thereto, at same price per horse power as The Canadian Pacific Railway Company are supplied at.

16. This agreement shall extend to and be binding upon the heirs, and executors, administrators and assigns of the Copps.

17. Time shall be strictly of the essence of this agreement.

3. During the said period of twenty years there shall be raised and levied annually by a special rate, in addition to all other rates, upon the whole rateable property in the said Town of Fort William the yearly sum of \$1153.14 for the payment of the said debt and interest.

4. The said debentures shall bear date as of the 1st September, 1902, and shall be signed by the Mayor and Treasurer thereof and sealed with the seal of the said corporation.

5. Every debenture to be issued hereunder, shall contain a provision of the following words, "This debenture and any other interest therein shall not, after a certificate of ownership has been endorsed thereon by the treasurer of the corporation, be transferable except by entry by the treasurer or his deputy in the debenture registry of the said corporation in the said Town of Fort William." or to the like effect.

6. That this by-law shall come into force on the first day of September, 1902.

7. The real (not to exceed five acres) and personal property of said W. J. Copp and Harold E. Copp, their representatives or assigns, used in connection with said works as part of the going concern shall be, and are hereby, exempt from taxation, saving school rates and local improvement taxes, of said town, for a period of ten years from the first day of January, 1903, upon and subject to the terms and conditions set out in above recited agreement, provided that this shall not extend to any dwelling houses erected upon said lands.

8. That the votes of the electors of the said municipality, entitled to vote on this by-law shall be taken on Wednesday, the 23rd day of July, 1902, commencing at 9 o'clock in the morning and closing at the hour of five o'clock in the afternoon of the same day, as follows:

In Ward 1—At J. W. Robertson's house; deputy returning officer, J. W. Robertson.

In Ward 2—(Sub-div. No. 1) In P. J. Manion's Sample Room; W. Phillips, deputy returning officer.

Sub-div. No. 2— At town hall; deputy returning officer, E. S. Rutledge.

In Ward 3—In Steven's photograph gallery, deputy returning officer, Jno. McNee.

In Ward 4—At Fire Hall; G. B. Smith, deputy returning officer.

9. That on Wednesday, the 16th day of July, 1902, at the hour of ten o'clock in the forenoon the mayor of Fort William, will attend at the office of the town clerk in the town hall in the town of Fort William for the purpose of appointing in writing signed by himself, two persons to attend at the final summing up by the town clerk of the votes polled on this by-law and also of appointing one person to attend at each polling place on behalf of the persons interested in and desirous of promoting the passing of the by-law and a like number on behalf of the persons interested in and desirous of opposing the passing of this by-law.

10. That on Thursday, the 25th day of July, 1902, at the hour of ten o'clock in the forenoon at the office in the town hall in the town of Fort William, the clerk of the said town will proceed to sum up the number of votes given for and against this by-law.

Given under the corporate seal of the corporation as witnessed by hand and seal of its mayor and clerk this 5th August, 1902.

JOSHUA DYKE,
Mayor.

A. McNAUGHTON,
Clerk.

[Seal.]

SCHEDULE B.

BY-LAW No. 313.

Town of Fort William.

“ A By-law to increase the power of and further improve the electric lighting system of the Town of Fort William, and to provide for the issue of debentures to the amount of \$40,000 necessary therefor.

Whereas it is necessary to increase the power in connection with the electric lighting system of the Town of Fort William in order to meet the present demands of the town and in order to keep the streets thereof lighted.

And whereas the commissioners of the said town deem it desirable to increase said power to the extent of 500 horse power at a cost of \$40,000.

And whereas the said sum of \$40,000 is the amount of debt intended to be created by this by-law ;

And whereas the whole amount of the rateable property of the said Town of Fort William, according to the last revised assessment roll of said town amounts to \$1,403,282.00.

And whereas the general debenture of the said town, exclusive of local improvements, amounts to \$337,530.98, of which no part of the principal or interest is in arrear.

And whereas in order to provide for said debt it is expedient to issue debentures of the said corporation to the amount of \$40,000, bearing interest at four and one half per centum per annum, and providing that such principal shall be repayable in yearly sums extending over twenty years from the date of issue of such debentures of such amounts that the aggregate amount payable for principal and interest in any year in respect of the principal shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of such period.

And whereas it will require the sum of \$3,075.05 to be raised annually by a special rate on the whole rateable property in the Town of Fort William for the paying of the said debt and interest as aforesaid.

Therefore the Corporation of the Town of Fort William enacts as follows :

1. It shall and may be lawful for the mayor of the said Corporation and he is hereby empowered, to borrow the said sum of Forty Thousand Dollars on the credit of the said corporation for the purposes aforesaid, and to issue twenty debentures of the said corporation each for the sum of \$3,075.05 payable at the office of the treasurer of the Town of Fort William, as follows :

Year	Interest	Principal	Total.
1904	\$1,800.00	\$1,275.05	\$3,075.05
1905	1,742.62	1,332.43	3,075.05
1906	1,682.67	1,392.38	3,075.05
1907	1,620.01	1,455.04	3,075.05
1908	1,554.53	1,520.52	3,075.05
1909	1,486.11	1,588.95	3,075.05
1910	1,414.61	1,660.44	3,076.05

Year	Interest	Principal	Total
1911	\$1,339.89	\$1,735.16	\$3,075.05
1912	1,261.81	1,813.24	3,075.05
1913	1,180.21	1,894.84	3,075.05
1914	1,094.94	1,980.11	3,075.05
1915	1,005.84	2,069.21	3,075.05
1916	912.72	2,162.33	3,075.05
1917	815.42	2,259.63	3,075.05
1918	713.73	2,361.32	3,075.05
1919	607.48	2,467.57	3,075.05
1920	496.44	2,578.61	3,075.05
1921	386.40	2,794.65	3,075.05
1922	259.14	2,815.91	3,075.05
1923	132.43	2,942.62	3,075.05

said \$3,075.05 being a sufficient yearly sum to be raised during each of the said period of twenty years to repay the said debt and interest at four and one half per centum per annum thereon.

2. The said debentures shall bear date as of March 1st, 1903, shall be signed by the mayor and treasurer thereof, and sealed with the corporate seal of said town.

3. Within said period of twenty years there shall be raised and levied annually by a special rate in addition to all other rates, upon the whole rateable property in the said Town of Fort William the yearly sum of \$3,075.05 for the payment of the said debt and interest as aforesaid.

4. Every debenture to be issued hereunder shall contain a provision in the following words: "This debenture or any interest therein shall not, after a certificate of ownership has been endorsed thereon by the treasurer of the municipality, be transferable except by the entry by the treasurer or his deputy in the debenture registry of the said corporation in the said Town of Fort William," or to the like effect.

5. That this by-law shall come into force on the 1st day of March, 1903.

6. That the votes of the electors of the said municipality, entitled to vote on this by-law shall be taken on Monday, the 5th day of January, 1903, commencing at nine o'clock in the morning and closing at the hour of five o'clock in the afternoon of the same day, as follows:

In Ward 1—At J. W. Robertson's house; deputy returning officer, J. W. Robertson.

In Ward 2—(Sub-div. No. 1) In Geo. McEdward's store, Simpson street; W. Newcombe, deputy returning officer.

Sub-div. No. 2—At town hall; deputy returning officer, F. S. Rutledge.

In Ward 3—In Miss Leach's photograph studio; deputy returning officer, William Palling.

In Ward 4—At court house; deputy returning officer, A. H. Wilson.

7. That on Thursday, the 1st day of January, 1903, at the hour of ten o'clock in the forenoon, the Mayor of Fort William will attend at the office of the town clerk in the town hall in the Town of Fort William for the purpose of appointing in writing signed by himself, two persons to attend at the final summing up by the town clerk of the votes polled on this by-law, and also of appointing one person to attend at each polling place on behalf of the persons interested in and desirous of promoting the passing of the by-law and a like number on behalf of the persons interested in and desirous of opposing the passing of this by-law.

8. That on Tuesday, the 6th day of January, 1903, at the hour of ten o'clock in the forenoon at the office in the town hall in the Town of Fort William, the clerk of the said town will proceed to sum up the number of votes given for and against this by-law.

Given under the corporate seal of the corporation as witnessed by hand and seal of its mayor and clerk this 20th day of January, 1903.

JOSHUA DYKE, Mayor.

(Seal)

A. McNAUGHTON, Clerk.

SCHEDULE C.

MEMORANDUM OF AGREEMENT made in duplicate this Twentieth day of November, 1902, between The Ogilvie Flour Mills Company, Limited, (hereinafter called the Company), of the first part; and The Corporation of the Town of Fort William, (hereinafter called the town), of the second part.

Whereas the said town entered into a certain agreement with William W. Ogilvie, late of the City of Montreal, Miller, deceased with reference to the erection of a flour mill and elevator at the Town of Fort William, which agreement bore date 2nd day of November, 1899, and is fully set out in Schedule B to "An Act Respecting the Town of Fort William, 1900," passed by the Provincial Legislature of the Province of Ontario in the 63rd year of Her Late Majesty's Reign:

And whereas the company proposes to take over said agreement provided this agreement is approved of by the ratepayers of the Town of Fort William and sanctioned by the Legislature of the Province of Ontario.

Wherefore it is mutually covenanted promised and agreed by and between the said town and company as follows:

1. That the town will, upon the proper execution and delivery hereof and the delivery of the bond hereinafter mentioned and in consideration of the covenants hereinafter contained on the part of the company, release the marked cheque for \$25,000 now in the hands of the Bank of Montreal furnished by the late William W. Ogilvie and at the same time will grant a full and complete discharge to the estate of the late William W. Ogilvie of and from all obligations of every kind arising out of or in connection with the said contract.

2. The town hereby exempts the lands set out in said agreement with the said late William W. Ogilvie, and all buildings which may be erected thereon, as also all persons who may be the owners thereof in respect of such lands and buildings from all taxes (other than school rates) during a period of thirty years from the 30th day of April, 1900; and hereby further exempts all personal property of every kind which may be in any way associated with the operation of said mill and elevator, or the business connected therewith inclusive of all grain, flour and other products, which may during the period of this exemption be upon the said lands, or in transit thereto or therefrom, and the owners thereof in respect of such personal property, from all taxes including school rates, for the like period of thirty years from the 30th day of April, 1900, subject however to the provisions hereinafter contained.

3. Paragraph six and subsections A, B and C thereof, also paragraphs eight, ten and eleven of the agreement of the second of November, 1899, with the late William W. Ogilvie above referred to, are hereby cancelled and annulled.

4. In consideration whereof the company will construct, erect and equip upon the said lands or a portion thereof, a grain elevator of a capacity of not less than five hundred thousand bushels and a flour mill of a capacity sufficient to grind at least fifteen hundred barrels of flour per working day of 24 hours.

(a)--Provided that if the said mill and elevator be not fully completed and in operation before the expiration of 2 years from the passage of legislation ratifying this agreement, or the 30th day of April, 1903, which ever shall be last, then the said lands, buildings and personal property shall, notwithstanding the provisions hereinbefore contained, become liable to the ordinary taxation of the town and shall so continue until said buildings shall have been fully completed and put in operation.

(b)--Provided further that if said mill and elevator be not fully equipped and completed before the expiration of three years from the passing of legislation ratifying this agreement or the 30th April, 1903, whichever shall be last, then shall the exemption from taxation above provided for cease, but the company shall forfeit and pay to the town the sum of twenty-five thousand dollars as liquidated damages for such default and shall further convey and assure the lands above mentioned to the town, free of encumbrances, and with a good title in fee simple thereto.

(c)--Provided further that the company shall immediately upon the passing of legislation ratifying this agreement make execute and deliver to the town the bond of the company in the sum of \$25,000 to secure the payment of the \$25,000 mentioned in subsection (b) of this clause conditioned upon the erection equipment and completion of said mill and elevator within three years from the 30th day of April, 1903, or from the passing of the legislation ratifying this agreement whichever shall be last, and in default that the said sum of \$25,000 shall be forfeited and paid to the town as liquidated damages.

(d)--Provided further that if the company is delayed in the construction, erection or equipment of the said mill and elevator through any cause beyond the company's control, then the period during which the said Company have been so delayed shall not be estimated in computing the said periods of two and three years respectively.

5. If at any time during the said period of thirty years all the buildings which have been erected on said lands are totally destroyed, and in case a flour mill and elevator of capacities aforesaid are not built within a period of two years from the happening of such destruction, then the said company shall pay to the town the sum of thirty-five thousand dollars.

(a)--If the buildings are partially destroyed in the period aforesaid and if a mill or elevator of the capacities aforesaid are not built within two years after such partial destruction, then all exemption from taxation shall cease, and the company shall pay to the town the sum of thirty-five thousand dollars.

(b)--If prior to the completion of such re-erection of the said buildings and their being put into operation they shall be destroyed or damaged by fire or by any other cause over which said company has no control then the periods during which the said company shall have been delayed by such cause shall not be estimated in computing the period of two years referred to in this paragraph.

6. This agreement is expressly subject to the assent of the duly qualified ratepayers of the said town entitled to vote thereon and to being legalized by the Legislature of the Province of Ontario, and to the company acquiring the said rights of the said William W. Ogilvie under above in part recited agreement, and to the legal representatives of the said late William W. Ogilvie consenting thereto.

7. It is further expressly understood that in case this agreement does not receive such assent of the ratepayers or is not approved of by the Legislature or the legal representatives of the said late William W. Ogilvie do not consent hereto, or said company are unable or do not acquire the rights of the said late William W. Ogilvie under above in part recited agreement or this agreement goes off for any other cause then it shall not in any way effect said above in part recited agreement or the position of the parties thereto.

8. Time is to be the essence of this agreement.

In witness whereof the corporate seal of the said town and company as witnessed by the hands of its proper officers in that behalf.

Signed, sealed and delivered in the presence of	{	JOSHUA DYKE, Mayor. [Corporate Seal]
D. MCKELLAR.	}	A. MCNAUGHTON, Clerk.
WM. A. GAMBLE.	{	CHARLES R. HOSMER, President. [Corporate Seal]
	}	F. W. THOMPSON, Vice-President.

SCHEDULE D.

BY-LAW No. 314.

Town of Fort William.

“ A by-law to provide for the raising of \$5,000 by way of debentures for the purpose of improving Victoria Avenue and McVicar Street Sewers.”

Whereas it is desirous and necessary that the sewers on Victoria Avenue and McVicar Street should be improved and put in better condition than at present ;

And whereas it will require the sum of \$5,000 to make such improvements ;

And whereas \$5,000 is the amount of the debt intended to be created ;

And whereas the amount of the whole rateable property of the Town of Fort William, according to the latest revised assessment roll of said town, amounts to \$1,403,282.00 ;

And whereas the general debenture debt of said town, exclusive of local improvements, amounts to \$337,530.98, of which no part of the principal or interest is in arrear ;

And whereas in order to provide for the said debt it is expedient to issue debentures of the said corporation to the amount of \$5,000, bearing interest at four and one-half per centum per annum, and that such principal shall be repayable in yearly sums extending over a period of twenty years from the date of issue of such debentures of such amounts that the aggregate amount payable for principal and interest in any year in respect of the principal shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of such period ;

And whereas it will require the sum of \$384.38 to be raised annually as aforesaid by a special rate on the whole rateable property in the said town for the paying of the said debt and interest ;

Now therefore the corporation of the Town of Fort William enacts as follows :

1. That it shall and may be lawful for the Mayor of the Corporation of the Town of Fort William to borrow the said sum of \$5,000.00 on the credit of the said corporation, for the purposes aforesaid, and to issue twenty debentures of the said corporation each for the sum of \$384.38, payable at the Office of the Treasurer of said town as follows :

Table for \$5,000 Debenturee, Repayable in Twenty Years ; Interest 4½ per cent.

Year	Interest	Principal	Total
1904	\$225.00	\$159.38	\$384.38
1905	217.83	166.55	384.38
1906	210.33	174.05	384.38
1907	202.50	181.88	384.38
1908	194.32	190.06	384.38
1909	185.76	198.62	384.38
1910	176.82	207.56	384.38
1911	167.48	216.90	384.38
1912	157.72	226.66	384.38
1913	147.53	236.85	384.38
1914	136.87	247.51	384.38
1915	125.73	258.65	384.38
1916	114.09	270.29	384.38
1917	101.93	282.45	384.38
1918	89.22	295.16	384.38
1919	75.93	308.45	384.38
1920	62.05	322.33	384.38
1921	47.55	336.83	384.38
1922	32.39	351.99	384.38
1923	16.55	367.83	384.38

2. Within the said period of twenty years there shall be raised and levied annually by a special rate, in addition to all other rates, upon the whole rateable property of the said town the yearly sum of \$384.38 for the payment of the said debt and interest.

3. The said debentures shall bear date as of the 1st day of March, 1903, and shall be signed by the mayor and treasurer thereof and sealed with the seal of the said corporation.

4. Every debenture to be issued hereunder shall contain a provision in the following words: "This debenture or any interest therein shall not, after a certificate of ownership has been endorsed thereon by the treasurer of the said corporation, be transferable except by entry by the treasurer or his deputy in the debenture registry of the said corporation in the said Town of Fort William," or to the like effect.

5. This by-law shall come into force on the 1st day of March, 1903.

6. That the votes of the electors of the said municipality, entitled to vote on this by-law shall be taken on Monday, the 5th day of January, 1903, commencing at nine o'clock in the morning and closing at the hour of five o'clock in the afternoon of the same day, as follows:

In Ward 1—At J. W. Robertson's house; deputy returning officer, J. W. Robertson

In Ward 2—(Sub-div. No. 1) In Geo. McEdwards' store, Simpson street; W. Newcombe, deputy returning officer.

Sub-div. No. 2—At town hall; deputy returning officer, William Palling.

In Ward 4—At court house, deputy returning officer, A. H. Wilson.

7. That on Thursday the 1st day of January, 1903, at the hour of ten o'clock in the forenoon the mayor of Fort William will attend at the office of the town clerk in the town hall in the Town of Fort William for the purpose of appointing in writing signed by himself, two persons to attend at the final summing up by the town clerk of the votes polled on this by-law and also of appointing one person to attend at each polling place on behalf of the persons interested in and desirous of promoting the passing of the by-law and a like number on behalf of the persons interested in and desirous of opposing the passing of this by-law.

8. That on Tuesday, the 6th day of January, 1903, at the hour of ten o'clock in the forenoon at the office in the town hall in the Town of Fort William, the clerk of the said town will proceed to sum up the number of votes given for and against this by-law.

Given under the corporate seal of the corporation as witnessed by hand and seal of its mayor and clerk this 20th day of January, 1903.

JOSHUA DYKE,
Mayor.

A. McNAUGHTON.
Clerk.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Town of Fort
William, 1903.

First Reading. _____, 1903.

(Reprinted with amendments for Private
Bills Committee.)

MR. CAMERON,
(Fort William.)

TORONTO :

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

An Act respecting the Town of Fort William, 1903.

WHEREAS the Corporation of the Town of Fort William Preamble has by petition represented that W. J. Copp and Harold E. Copp have entered into an agreement with said corporation to erect a stove range and foundry works capable of turning out 25 complete stoves or ranges per working day of ten hours in consideration of the grant to them by the town of \$15,000 and of the real and personal property to be used in connection with said works being exempted from all taxes, except school rates and local improvement taxes, of said town for a period of ten years from the 1st day of January, 1903; and whereas said stove range and foundry works have been erected; and whereas the debentures under the by-law hereinafter mentioned have been sold and \$5000 thereof paid over under said agreement; and whereas the rate necessary to be levied for such purposes together with all other rates required to be levied for similar purposes exceed ten per centum of the total tax levy of said town; and whereas a by-law in that behalf was duly published and submitted to the ratepayers of said town entitled to vote thereon; and whereas out of 658 persons entitled to vote thereon, (of whom 147 persons are non resident) 402 persons voted in favor of said by-law and 23 persons against same; and whereas no application has been made to quash *the* said by-law and no objection has been made thereto on the part of any ratepayer; and whereas *the* said corporation has by petition further represented that owing to the rapid growth of *the* said town the electric lighting plant of said town has become so overloaded that there is not sufficient power to run the street lighting plant of *the* said system or to supply the increased demand for lights by users of *the* same and that the streets of said town have remained in darkness the greater part of the past winter owing to insufficient power; and whereas it is *desirable* that the power of said plant be increased immediately; and whereas a by-law was duly published and submitted to the ratepayers entitled to vote thereon, to raise the sum of \$40,000 necessary *for the said purpose*, but no estimates of *the proposed* expenditure were published under sub-section 5 of section 569 of *The Municipal Act* owing to the delay ^{and} which would have been occasioned by the preparation of such estimates ^{there}; and whereas doubts have arisen as to whether such estimates should not have been published; and whereas of 697

persons entitled to vote on such by-law (of whom 151 persons were non-resident) 296 persons voted in favor of such by-law and 95 persons voted against same; and whereas *the* said by-law has received its third reading and been duly passed by the council of said town; and whereas no application has been made to quash such by-law and no objection has been made thereto on the part of any ratepayer; and whereas the said corporation has further by petition represented that it entered into a certain agreement with the late William W. Ogilvie for the erection of a flour mill of a capacity per day sufficient to grind at least 1,500 barrels of flour and an elevator sufficient to store 500,000 bushels of grain in consideration of the grant by the town to *the* said Ogilvie of a free site therefor and of certain exemptions from taxation; and whereas *the* said site was purchased at an expense of \$25,000 by *the* said town and conveyed to ~~the~~ the executors of the said ~~the~~ William W. Ogilvie; and whereas the *said* executors have been unable to fulfil such agreement; and whereas The Ogilvie Flour Mills Company, Limited, has offered to carry out the *said* agreement and erect *the* said elevator and flour mill on *certain* terms and conditions; and whereas a by law containing *the* said *last mentioned* agreement was duly published and submitted to the ratepayers entitled to vote thereon for their approval; and whereas of 697 persons entitled to vote thereon (of whom 151 persons were non-resident) 378 persons voted in favor thereof and 20 persons against same; and whereas no objection has been made thereto on the part of any ratepayer: and whereas *the* said corporation has further by petition represented that it is necessary to improve Victoria Avenue and McVicar Street sewers and the outlets thereof in order to keep sewage from backing into the cellars of said town, and in the interest of the public health of *the people* thereof; and whereas a by-law to provide \$5000 necessary therefor was published and submitted to the ratepayers entitled to vote thereon; and whereas of 697 persons entitled to vote thereon (of whom 151 persons were non-resident) 232 persons voted in favor thereof and 154 persons voted against same; and whereas *the* said by-law has received its third reading by the council of the said town, and no objection has been made thereto on the part of any ratepayer, and no application has been made to quash *the* same; and whereas owing to insufficient publication ~~of~~ of the said last mentioned by-law the same is of doubtful validity ~~is~~; and whereas the said corporation has by petition further represented that Section 17 of "An Act incorporating the Town of Fort William" (55 Victoria, Cap. 70) is unfair and unworkable, and not desired by the residents or ratepayers of said town, and involves practically the making of a separate assessment of each ward of said town, and is repugnant to and inconsistent with the general idea and working of a municipal corporation; and whereas no objection has been made hereto on the part of any ratepayers; and whereas *the said* corporation by

petition further represents that it is desirable that the Municipal Telephone System of said town should be managed by the Board of Water and Light Commissioners of *the* said town instead of the council thereof; and whereas *the* said corporation has prayed for special legislation in respect of all the above matters; and whereas the said corporation has by petition also represented that the said Corporation of the Town of Fort William and the Corporation of the Town of Port Arthur have established a municipal telephone system in their respective towns upon the mutual understanding that free exchange *is* to be given to each of them by the other of them with their respective subscribers, and that the said systems should be conducted jointly and that it is essential and necessary to the proper maintenance of each of the said systems that neither of the said corporations should lease or otherwise deal with its system without the consent of the other, and that the said systems continue to be conducted jointly; and whereas the said Corporation of the Town of Fort William and the said Corporation of the Town of Port Arthur have prayed for special legislation in respect of the said matters; and *whereas* it is expedient to grant the prayer of 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. The said corporation is declared to have had power to pass By-law No 303 of *the* said town, set forth in Schedule A hereto, and to enter into the agreement set out in such by-law, and *the* said by-law is declared to be and to have always been since the passing of same a good, legal, valid and existing by-law of *the* said town, and the debentures issued thereunder shall be binding on the said corporation and the ratepayers thereof, and *the* said agreement and all and every security given and taken in pursuance thereof shall be valid and binding upon the parties thereto, their and each of their heirs, executors, administrators and assigns. By-law to aid Copp's stove works legalized.
2. The said corporation is declared to have had power to pass By-law No. 313 of *the* said town set out in Schedule B hereto) and *the* said by-law is declared to be a valid, legal and existing by-law of *the* said town, and all debentures issued or to be issued thereunder shall be binding upon the said corporation and the ratepayers thereof. By-law improving and extending electric lighting system confirmed.
3. The *said* corporation is declared to have had full power to enter into the agreement set out in Schedule C hereto with The Ogilvie Flour Mills Company, Limited, and *the* said agreement is declared to be a valid, legal and existing agreement and to be binding upon the parties thereto, their respective successors and assigns, and *the* said corporation is given full power to do all things necessary to carry out the terms of said agreement. Agreement with Ogilvie Flour Mills Co. legalized.

By-law for improving certain sewers legalized.

4. By-law No. 314 of *the said corporation*, set out in Schedule D hereto, is declared to be a valid, legal and existing by-law of *the said town* and the debentures to be issued thereunder shall, when so issued, be binding upon the said corporation and the ratepayers thereof.

55 V., c 70, s. 17, repealed.

5. Section 17 of *An Act to Incorporate the Town of Fort William* (~~Act~~ passed in the 55th year of the reign of Her late Majesty Queen Victoria, and chaptered 70⁽¹⁾) is repealed, and no action or proceeding shall be had against *the said corporation* or the officers thereof for non-observance or improper observance thereof, nor shall the improper *observance* or non-observance of the provisions thereof invalidate any action or proceeding had or taken by *the said corporation*.

Powers of council as to telephone system.

6. All the powers, rights, authorities or immunities which, under the provisions of *The Municipal Act*, might have been exercised or enjoyed by the council and the officers of said corporation acting for *the said town* in connection with the municipal telephone system of said town, *shall and* may be exercised by the Board of Water and Light Commissioners of *the said town*, and the council thenceforth during the continuance of such Board of Commissioners shall have no authority in respect of such system.

Application of Rev. Stat. c. 235, s. 45.

7. The provisions of section 45 of *The Municipal Waterworks Act* shall be read into and form part of this Act with the substitution of the word "telephone" for "water," and of the words "telephone system" for "waterworks" wherever the same occur in said section.

~~Act~~ 55 V. c. 70, s. 8, amended. ~~Act~~

~~Act~~ 8. Section 8 of the Act passed in the 55th year of the reign of Her late Majesty Queen Victoria, chaptered 70, and entitled an Act to incorporate the Town of Fort William, is hereby amended by striking out the words "who shall be residents of the ward," in the fourth line thereof. ~~Act~~

Telephone system not to be disposed of by either municipality without the other's consent.

~~Act~~ 9. Neither the Corporation of the Town of Fort William nor the Corporation of the Town of Port Arthur shall be at liberty or have power to sell or lease its municipal telephone system or to impair or otherwise part with the operation of its said system without first obtaining the assent of the electors of the said towns entitled to vote on by-laws which before their final passing require the assent of the electors under *The Municipal Act* in the manner provided in the said Act for obtaining such assent to such by-laws. ~~Act~~

Telephone rates to subscribers.

~~Act~~ 10. The rates to be charged by each of the said corporations to their respective subscribers shall be the same in each of the said towns and shall not be altered from the present rates in force without the consent of the councils (or other

body representing the said municipalities respectively) of both of the said towns and thereafter may only be altered in the same manner.

11. Each of the said corporations shall be entitled to free exchange for itself and its subscribers over and on the entire system of the other and every part thereof, and for that purpose each of the said corporations shall be bound to maintain and instal a proper and competent service to meet the demands from time to time, and shall be bound to construct, affix, carry and maintain as many lines of wires in connection with its system to the boundary line between the said towns as shall be necessary to give efficient service and exchange between and over the systems of both of said towns to their respective subscribers

Free exchange
over systems
of both towns.

12. This Act shall not affect any pending litigation.

Pending
litigation.

13. This Act may be cited as "An Act Respecting the Town of Fort William, 1903."

Short title.

SCHEDULE A.

BY-LAW No. 303.

TOWN OF FORT WILLIAM.

"A By-law to aid W. J. Copp and Harold E. Copp in the erection and equipment of a Stove Range and Foundry Works, in the Town of Fort William, and to provide for the raising of \$15,000 by way of debentures necessary therefor."

Whereas W. J. Copp and Harold E. Copp have represented to the Corporation of the Town of Fort William that they are desirous of establishing a Stove Range and Foundry Works in Fort William on the terms and conditions hereinafter set out.

And whereas the said corporation deem it in the interests of the town to enter into such an agreement and grant such aid in order to secure the establishment of such an industry at the Town of Fort William.

And whereas the sum of \$15,000 is the amount of the bonus to be granted to the said W. J. Copp and Harold E. Copp, and the amount of the debt intended to be created by this by-law.

And whereas the amount of the whole rateable property of the Town of Fort William, according to the last revised assessment roll of the said town amounts to \$1,333,451.

And whereas the general debenture debt of the said town, exclusive of local improvements, amounts to \$292,439.86, of which no part of the principal or interest thereon is in arrear.

And whereas in order to provide for said debt it is expedient to issue debentures of the said corporation to the amount of \$15,000, bearing interest at four and one-half per centum per annum, and that such principal shall be repayable in yearly sums extending over a period of twenty years from the date of issue of such debentures of such amounts that the aggregate amount payable for principal and interest in any year

in respect of the principal shall be equal, as nearly as may be, to what is payable for principal and interest during each of the other years of such period.

And whereas it will require the sum of \$1,153.14 to be raised annually, as aforesaid, by a special rate on the whole rateable property in the Town of Fort William for the paying of the said debt and interest.

Now, therefore, the Corporation of the Town of Fort William enacts as follows :

1. It shall and may be lawful for the Mayor of the Corporation of the Town of Fort William to borrow the said sum of Fifteen Thousand Dollars on the credit of the said Corporation, for the purpose aforesaid, and to issue twenty debentures of the said Corporation, each for the sum of \$1,153.14 payable at the office of the Treasurer of the Town of Fort William, as follows :

No.	When Payable.	Interest.	Principal.	Total.
1	Sept 1, 1903.....	\$675.00	\$478.14	\$1,153.14
2	" 1904... ..	653.48	499.66	1,153.14
3	" 1905.....	631.00	522.14	1,153.14
4	" 1906.....	607.50	545.64	1,153.14
5	" 1907.....	582.95	570.19	1,153.14
6	" 1908.....	557.29	595.85	1,153.14
7	" 1909.....	530.47	622.67	1,153.14
8	" 1910.....	502.45	650.69	1,153.14
9	" 1911.....	473.17	679.97	1,153.14
10	" 1912.....	442.57	710.57	1,153.14
11	" 1913.....	410.60	742.54	1,153.14
12	" 1914.....	377.19	775.95	1,153.14
13	" 1915.....	342.27	810.87	1,153.14
14	" 1916.....	305.78	847.36	1,153.14
15	" 1917.....	267.65	885.49	1,153.14
16	" 1918.....	227.80	925.34	1,153.14
17	" 1919.....	186.16	966.98	1,153.14
18	" 1920.....	142.65	1,010.49	1,153.14
19	" 1921.....	97.17	1,055.97	1,153.14
20	" 1922.....	49.65	1,103.49	1,153.14

2. The Mayor and Clerk are hereby authorized to attach the corporate seal of the Corporation of the Town of Fort William to the following agreement, and to enter into, make, sign, execute and deliver same, and such agreement is hereby incorporated with, and shall form part of this by-law.

Memorandum of Agreement made, in duplicate, this-----day of-----
1902. Between the Corporation of the Town of Fort William, (herein called the "Corporation") of the First Part, and W. J. Copp and Harold E. Copp, Manufacturers, of the City of Hamilton, and the Province of Ontario (herein called the "Cops") of the Second Part.

Whereas the Cops are desirous of establishing and equipping a stove range and foundry works at the Town of Fort William, upon the terms and conditions hereinafter set forth.

Now, therefore, this agreement witnesseth, that for the consideration hereinafter set forth, the said parties have, and hereby do, mutually covenant, promise and agree each to and with the other of them, as follows :

1. The Cops will cause to be erected and equipped in the Town of Fort William, a stove range and foundry works, to be of a substantial and permanent character, and completely and properly equipped with all

necessary machinery and plant of latest approved designs for the working thereof as a *going* concern, and without limiting the general words hereinbefore used, to consist of a mounting and machine shops, 48 ft. x 100 ft. long, 2 storeys high ; a moulding shop, 70 ft. x 125 ft. long, 1 storey high, with an addition of a cupola room, charging room and oven ; and other buildings for offices and storage. The walls of said buildings to be built of solid materials.

2. The said stove range and foundry works shall be erected, equipped and put in operation on or before the first day of June, 1903.

3. The said Stove Range and Foundry works shall be capable of melting 6 tons of iron per each working day of ten hours per melt, and shall also be capable of turning out 25 stoves or ranges complete per each working day of ten hours.

4. That the Copps will operate said works for at least one hundred and sixty-five working days of ten hours each during the year 1903, and for and at least two hundred and twenty-five working days of ten hours each in each and every year thereafter, during the succeeding nine years, accidents, strikes and other circumstances beyond their *control* excepted.

5. That the Copps will engage, employ and keep at work in connection with operating such works as aforesaid during the year 1903 a sufficient number of men for a sufficient number of hours, to equal twenty-five men for one hundred and sixty-five days, of ten hours each, and in the year 1904 to equal thirty men for two hundred and twenty-five days of ten hours each, and in each year thereafter up to and including the year 1912 to equal an increase of five men for two hundred and twenty-five days of ten hours each over the year immediately preceding the then current year provided that the Copps shall not be bound to employ and keep at work during said period in any calendar year, more men for a greater number of hours than shall equal fifty men for two hundred and twenty-five days of ten hours each.

6. That the Copps will pay at least monthly in cash in the Town of Fort William, all men employed by them in connection with said works.

7. That the Copps will operate the said works, or any other works substituted therefor, as hereinbefore provided, until the 31st of December, 1912.

8. As soon as the Copps have acquired lands necessary for such undertaking (which shall be within the Town of Fort William), in their own name in fee simple, free from all encumbrances, and have executed and delivered to the corporation a mortgage by way of first charge on said lands and the works erected or to be erected thereon, for the sum of \$15,000 bearing interest at four and one half per centum per annum, payable on the 31st day of December, 1912 (such mortgage providing that same shall become due and payable when and so soon as the Copps have made default hereinunder for three years and that for each and every calendar year of said period that they comply with this agreement, and are not three years in default as aforesaid \$1,500 of said principal money and interest on the unpaid principal for the then current year shall be deemed to have been paid and satisfied and the Copps shall be entitled to a discharge of such amount), and upon the Copps assigning sufficient insurance thereon with loss, if any, payable to Corporation, mortgagees, as their interest may appear to protect the corporation from time to time for the amount of advances made under such mortgage, and upon the Copps from time to time and at all times satisfying the corporation that there are and can be no liens or other claims which might or could take precedence of their advances from time under such mortgage, then the corporation will advance to the Copps the sum of fifteen thousand dollars to aid in the erection and establishment of such industry as aforesaid, as follows :

\$5,000 when the walls of said mounting and machine shop, and said moulding shop are put up in accordance herewith.

\$5,000 upon completion of said last mentioned buildings in accordance herewith,

And balance of \$5,000 as soon as said works are fully completed and have been in actual operation in accordance herewith for thirty days.

9. The corporation agree to exempt, saving school rates and local improvement taxes, the real (not to exceed five acres) and personal property of the Copps used in connection with said works as part of the going concern for a period of ten years from the 1st day of January, 1903, provided that no dwelling house erected on said lands shall be exempted from taxation as aforesaid.

10. The corporation are until the 31st December, 1912, to supply the Copps with such electric light and water as they may require in the erection, construction and operation of said works, as well as for fire protection at the same price as such water and electric light are at present supplied for like purposes to ordinary consumers.

11. The pay roll and all books of the said Copps shall be open for inspection by the corporation, and if so required, the Copps shall from time to time and at all times during said term, satisfy by declaration the corporation that they have complied with the provisions hereof.

12. In the event of the Copps making default under clauses 5 and 6 hereof, at any time during term of this agreement, then when and so often as such default shall happen all the property hereinbefore exempted from taxation shall be liable to taxation in each and every calendar year in which such default occurs, to same extent as if no exemption by-law or this agreement in that behalf had not been passed or made.

13. And if the Copps fail to employ and keep employed a sufficient number of men for a sufficient number of hours in any consecutive period of twenty-four months, to equal twenty-five men for two hundred days of ten hours each, then on such default this agreement shall be null and void in so far as exemption from taxation is concerned, and all property hereinbefore exempted from taxation shall be liable to taxation the same as if this agreement and no exempting by law in that behalf had been made or passed.

14. In the event of the Copps making default under clause 2 of this agreement, the corporation shall be entitled immediately upon such default occurring to be reimbursed, by the Copps, the amount paid out by it in connection with preparing, publishing and submitting this agreement, and the by-laws in connection herewith, and issuing the debentures thereunder, and all other expenses and incidental thereto.

15. As soon as the Corporation develop electrical energy and power and have same for sale the Copps shall be supplied with such electrical energy or power sufficient for their purposes in connection with said works or any additions thereto, at same price per horse power as The Canadian Pacific Railway Company are supplied at.

16. This agreement shall extend to and be binding upon the heirs, and executors, administrators and assigns of the Copps.

17. Time shall be strictly of the essence of this agreement.

3. During the said period of twenty years there shall be raised and levied annually by a special rate, in addition to all other rates, upon the whole rateable property in the said Town of Fort William the yearly sum of \$1153.14 for the payment of the said debt and interest.

4. The said debentures shall bear date as of the 1st September, 1902, and shall be signed by the Mayor and Treasurer thereof and sealed with the seal of the said corporation.

5. Every debenture to be issued hereunder, shall contain a provision of the following words, "This debenture and any other interest therein

shall not, after a certificate of ownership has been endorsed thereon by the treasurer of the corporation, be transferable except by entry by the treasurer or his deputy in the debenture registry of the said corporation in the said Town of Fort William." or to the like effect.

6. That this by-law shall come into force on the first day of September, 1902.

7. The real (not to exceed five acres) and personal property of said W. J. Copp and Harold E. Copp, their representatives or assigns, used in connection with said works as part of the going concern shall be, and are hereby, exempt from taxation, saving school rates and local improvement taxes, of said town, for a period of ten years from the first day of January, 1903, upon and subject to the terms and conditions set out in above recited agreement, provided that this shall not extend to any dwelling houses erected upon said lands.

8. That the votes of the electors of the said municipality, entitled to vote on this by-law shall be taken on Wednesday, the 23rd day of July, 1902, commencing at 9 o'clock in the morning and closing at the hour of five o'clock in the afternoon of the same day, as follows:

In Ward 1—At J. W. Robertson's house; deputy returning officer, J. W. Robertson.

In Ward 2—(Sub-div. No. 1) In P. J. Manion's Sample Room; W. Phillips, deputy returning officer.

Sub-div. No. 2—At town hall; deputy returning officer, E. S. Rutledge.

In Ward 3—In Steven's photograph gallery, deputy returning officer, Jno. McNee.

In Ward 4—At Fire Hall; G. B. Smith, deputy returning officer.

9. That on Wednesday, the 16th day of July, 1902, at the hour of ten o'clock in the forenoon the mayor of Fort William, will attend at the office of the town clerk in the town hall in the town of Fort William for the purpose of appointing in writing signed by himself, two persons to attend at the final summing up by the town clerk of the votes polled on this by-law and also of appointing one person to attend at each polling place on behalf of the persons interested in and desirous of promoting the passing of the by-law and a like number on behalf of the persons interested in and desirous of opposing the passing of this by-law.

10. That on Thursday, the 25th day of July, 1902, at the hour of ten o'clock in the forenoon at the office in the town hall in the town of Fort William, the clerk of the said town will proceed to sum up the number of votes given for and against this by-law.

Given under the corporate seal of the corporation as witnessed by hand and seal of its mayor and clerk this 5th August, 1902.

JOSHUA DYKE,
Mayor.

A. MCNAUGHTON,
Clerk.

[Seal.]

SCHEDULE B.

BY-LAW No. 313.

Town of Fort William.

"A By-law to increase the power of and further improve the electric lighting system of the Town of Fort William, and to provide for the issue of debentures to the amount of \$40,000 necessary therefor.

Whereas it is necessary to increase the power in connection with the electric lighting system of the Town of Fort William in order to meet the present demands of the town and in order to keep the streets thereof lighted.

And whereas the commissioners of the said town deem it desirable to increase said power to the extent of 500 horse power at a cost of \$40,000.

And whereas the said sum of \$40,000 is the amount of debt intended to be created by this by-law ;

And whereas the whole amount of the rateable property of the said Town of Fort William, according to the last revised assessment roll of said town amounts to \$1,403,282.00.

And whereas the general debenture *debt* of the said town, exclusive of local improvements, amounts to \$337,530.98, of which no part of the principal or interest is in arrear.

And whereas in order to provide for said debt it is expedient to issue debentures of the said corporation to the amount of \$40,000, bearing interest at four and one half per centum per annum, and providing that such principal shall be repayable in yearly sums extending over twenty years from the date of issue of such debentures of such amounts that the aggregate amount payable for principal and interest in any year in respect of the principal shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of such period.

And whereas it will require the sum of \$3,075.05 to be raised annually by a special rate on the whole rateable property in the Town of Fort William for the paying of the said debt and interest as aforesaid.

Therefore the Corporation of the Town of Fort William enacts as follows :

1. It shall and may be lawful for the mayor of the said Corporation and he is hereby empowered, to borrow the said sum of Forty Thousand Dollars on the credit of the said corporation for the purposes aforesaid, and to issue twenty debentures of the said corporation each for the sum of \$3,075.05 payable at the office of the treasurer of the Town of Fort William, as follows :

Year	Interest	Principal	Total.
1904	\$1,800.00	\$1,275.05	\$3,075.05
1905	1,742.62	1,332.43	3,075.05
1906	1,682.67	1,392.38	3,075.05
1907	1,620.01	1,455.04	3,075.05
1908	1,554.53	1,520.52	3,075.05
1909	1,486.11	1,588.94	3,075.05
1910	1,414.61	1,660.44	3,076.05
1911	1,339.89	1,735.16	3,075.05
1912	1,261.81	1,813.24	3,075.05
1913	1,180.21	1,894.84	3,075.05
1914	1,094.94	1,980.11	3,075.05
1915	1,005.84	2,069.21	3,075.05
1916	912.72	2,162.33	3,075.05
1917	815.42	2,259.63	3,075.05
1918	713.73	2,361.32	3,075.05
1919	607.48	2,467.57	3,075.05
1920	496.44	2,578.61	3,075.05
1921	380.40	2,694.65	3,075.05
1922	259.14	2,815.91	3,075.05
1923	132.43	2,942.62	3,075.05

said \$3,075.05 being a sufficient yearly sum to be raised during each of the said period of twenty years to repay the said debt and interest at four and one half per centum per annum thereon.

2. The said debentures shall bear date as of March 1st, 1903, shall be signed by the mayor and treasurer thereof, and sealed with the corporate seal of said town.

3. Within said period of twenty years there shall be raised and levied annually by a special rate in addition to all other rates, upon the whole rateable property in the said Town of Fort William the yearly sum of \$3,075.05 for the payment of the said debt and interest as aforesaid.

4. Every debenture to be issued hereunder shall contain a provision in the following words: "This debenture or any interest therein shall not, after a certificate of ownership has been endorsed thereon by the treasurer of the municipality, be transferable, except by the entry by the treasurer or his deputy in the debenture registry of the said corporation in the said Town of Fort William," or to the like effect.

5. That this by-law shall come into force on the 1st day of March, 1903.

6. That the votes of the electors of the said municipality, entitled to vote on this by-law shall be taken on Monday, the 5th day of January, 1903, commencing at nine o'clock in the morning and closing at the hour of five o'clock in the afternoon of the same day, as follows:

In Ward 1—At J. W. Robertson's house; deputy returning officer, J. W. Robertson.

In Ward 2—(Sub-div. No. 1) In Geo. McEdward's store, Simpson street; W. Newcombe, deputy returning officer.

Sub-div. No. 2—At town hall; deputy returning officer, F. S. Rutledge.

In Ward 3—In Miss Leach's photograph studio; deputy returning officer, William Palling.

In Ward 4—At court house; deputy returning officer, A. H. Wilson.

7. That on Thursday, the 1st day of January, 1903, at the hour of ten o'clock in the forenoon, the Mayor of Fort William will attend at the office of the town clerk in the town hall in the Town of Fort William for the purpose of appointing in writing signed by himself, two persons to attend at the final-summing up by the town clerk of the votes polled on this by-law, and also of appointing one person to attend at each polling place on behalf of the persons interested in and desirous of promoting the passing of the by-law and a like number on behalf of the persons interested in and desirous of opposing the passing of this by-law.

8. That on Tuesday, the 6th day of January, 1903, at the hour of ten o'clock in the forenoon at the office in the town hall in the Town of Fort William, the clerk of the said town will proceed to sum up the number of votes given for and against this by-law.

Given under the corporate seal of the corporation as witnessed by hand and seal of its mayor and clerk this 20th day of January, 1903.

JOSHUA DYKE, Mayor.

A. McNAUGHTON, Clerk.

(Seal)

SCHEDULE C.

MEMORANDUM OF AGREEMENT made in duplicate this Twentieth day of November, 1902, between The Ogilvie Flour Mills Company, Limited, (hereinafter called the Company), of the first part; and The Corporation of the Town of Fort William, (hereinafter called the town), of the second part.

Whereas the said town entered into a certain agreement with William W. Ogilvie, late of the City of Montreal, Miller, deceased with reference to the erection of a flour mill and elevator at the Town of Fort William, which agreement bore date 2nd day of November, 1899, and is fully set out in Schedule B to "An Act Respecting the Town of Fort William, 1900," passed by the Provincial Legislature of the Province of Ontario in the 63rd year of Her Late Majesty's Reign:

And whereas the company proposes to take over said agreement provided this agreement is approved of by the ratepayers of the Town of Fort William and sanctioned by the Legislature of the Province of Ontario.

Wherefore it is mutually covenanted promised and agreed by and between the said town and company as follows :

1. That the town will, upon the proper execution and delivery hereof and the delivery of the bond hereinafter mentioned and in consideration of the covenants hereinafter contained on the part of the company, release the marked cheque for \$25,000 now in the hands of the Bank of Montreal furnished by the late William W. Ogilvie and at the same time will grant a full and complete discharge to the estate of the late William W. Ogilvie of and from all obligations of every kind arising out of or in connection with the said contract.

2. The town hereby exempts the lands set out in said agreement with the said late William W. Ogilvie, and all buildings which may be erected thereon, as also all persons who may be the owners thereof in respect of such lands and buildings from all taxes (other than school rates) during a period of thirty years from the 30th day of April, 1900; and hereby further exempts all personal property of every kind which may be in any way associated with the operation of said mill and elevator, or the business connected therewith inclusive of all grain, flour and other products, which may during the period of this exemption be upon the said lands, or in transit thereto or therefrom, and the owners thereof in respect of such personal property, from all taxes including school rates, for the like period of thirty years from the 30th day of April, 1900, subject however to the provisions hereinafter contained.

3. Paragraph six and subsections A, B and C thereof, also paragraphs eight, ten and eleven of the agreement of the second of November, 1899, with the late William W. Ogilvie above referred to, are hereby cancelled and annulled.

4. In consideration whereof the company will construct, erect and equip upon the said lands or a portion thereof, a grain elevator of a capacity of not less than five hundred thousand bushels and a flour mill of a capacity sufficient to grind at least fifteen hundred barrels of flour per working day of 24 hours.

(a)--Provided that if the said mill and elevator be not fully completed and in operation before the expiration of 2 years from the passage of legislation ratifying this agreement, or the 30th day of April, 1903, which ever shall be last, then the said lands, buildings and personal property shall, notwithstanding the provisions hereinbefore contained, become liable to the ordinary taxation of the town and shall so continue until said buildings shall have been fully completed and put in operation.

(b)--Provided further that if said mill and elevator be not fully equipped and completed before the expiration of three years from the passing of legislation ratifying this agreement or the 30th April, 1903, whichever shall be last, then shall *not only* the exemption from taxation above provided for cease, but the company shall forfeit and pay to the town the sum of twenty-five thousand dollars as liquidated damages for such default and shall further convey and assure the lands above mentioned to the town, free of encumbrances, and with a good title in fee simple thereto.

(c)--Provided further that the company shall immediately upon the passing of legislation ratifying this agreement make execute and deliver to the town the bond of the company in the sum of \$25,000 to secure the payment of the \$25,000 mentioned in subsection (b) of this clause conditioned upon the erection equipment and completion of said mill and elevator within three years from the 30th day of April, 1903, or from the passing of the legislation ratifying this agreement whichever shall be last, and in default that the said sum of \$25,000 shall be forfeited and paid to the town as liquidated damages.

(d)--Provided further that if the company is delayed in the construction, erection or equipment of the said mill and elevator through any cause beyond the company's control, then the period during which the said Company have been so delayed shall not be estimated in computing the said periods of two and three years respectively.

5. If at any time during the said period of thirty years all the buildings which have been erected on said lands are totally destroyed, and in case a flour mill and elevator of capacities aforesaid are not rebuilt within a period of two years from the happening of such destruction, then the said company shall pay to the town the sum of thirty-five thousand dollars.

(a)--If the buildings are partially destroyed in the period aforesaid and if a mill and elevator of the capacities aforesaid are not rebuilt within two years after such partial destruction, then all exemption from taxation shall cease, and the company shall pay to the town the sum of thirty-five thousand dollars.

(b)--If prior to the completion of such re-erection of the said buildings and their being put into operation they shall be destroyed or damaged by fire or by any other cause over which said company has no control then the periods during which the said company shall have been delayed by such cause shall not be estimated in computing the period of two years referred to in this paragraph.

6. This agreement is expressly subject to the assent of the duly qualified ratepayers of the said town entitled to vote thereon and to being legalized by the Legislature of the Province of Ontario, and to the company acquiring the said rights of the said William W. Ogilvie under above in part recited agreement, and to the legal representatives of the said late William W. Ogilvie consenting thereto.

7. It is further expressly understood that in case this agreement does not receive such assent of the ratepayers or is not approved of by the Legislature or the legal representatives of the said late William W. Ogilvie do not consent hereto, or said company are unable or do not acquire the rights of the said late William W. Ogilvie under above in part recited agreement or this agreement goes off for any other cause then it shall not in any way effect said above in part recited agreement or the position of the parties thereto.

8. Time is to be the essence of this agreement.

In witness whereof the corporate seal of the said town and company as witnessed by the hands of its proper officers in that behalf.

Signed, sealed and delivered in the presence of	{	JOSHUA DYKE, Mayor. [Corporate Seal]
D. McKELLAR.		A. McNAUGHTON, Clerk.
WM. A. GAMBLE.	{	CHARLES R. HOSMER, President. [Corporate Seal]
		F. W. THOMPSON, Vice-President.

SCHEDULE D.

BY-LAW No. 314.

Town of Fort William.

“ A by-law to provide for the raising of \$5,000 by way of debentures for the purpose of improving Victoria Avenue and McVicar Street Sewers.”

Whereas it is desirable and necessary that the sewers on Victoria Avenue and McVicar Street should be improved and put in better condition than at present ;

And whereas it will require the sum of \$5,000 to make such improvements ;

And whereas \$5,000 is the amount of the debt intended to be created ;

And whereas the amount of the whole rateable property of the Town of Fort William, according to the *last* revised assessment roll of said town, amounts to \$1,403,282.00 ;

And whereas the general debenture debt of said town, exclusive of local improvements, amounts to \$337,530.98, of which no part of the principal or interest is in arrear ;

And whereas in order to provide for the said debt it is expedient to issue debentures of the said corporation to the amount of \$5,000, bearing interest at four and one-half per centum per annum, and that such principal shall be repayable in yearly sums extending over a period of twenty years from the date of issue of such debentures of such amounts that the aggregate amount payable for principal and interest in any year in respect of the principal shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of such period ;

And whereas it will require the sum of \$384.38 to be raised annually as aforesaid by a special rate on the whole rateable property in the said town for the paying of the said debt and interest ;

Now therefore the corporation of the Town of Fort William enacts as follows :

1. That it shall and may be lawful for the Mayor of the Corporation of the Town of Fort William to borrow the said sum of \$5,000.00 on the credit of the said corporation, for the purposes aforesaid, and to issue twenty debentures of the said corporation each for the sum of \$384.38, payable at the Office of the Treasurer of said town as follows :

Table for \$5,000 Debenturee, Repayable in Twenty Years ; Interest $4\frac{1}{2}$ per cent.

Year	Interest	Principal	Total
1904	\$225.00	\$159.38	\$384.38
1905	217.83	166.55	384.38
1906	210.33	174.05	384.38
1907	202.50	181.88	384.38
1908	194.32	190.06	384.38
1909	185.76	198.62	384.38
1910	176.82	207.56	384.38
1911	167.48	216.90	384.38
1912	157.72	226.66	384.38
1913	147.53	236.85	384.38
1914	136.87	247.51	384.38
1915	125.73	258.65	384.38
1916	114.09	270.29	384.38
1917	101.93	282.45	384.38
1918	89.22	295.16	384.38
1919	75.93	308.45	384.38
1920	62.05	322.33	384.38
1921	47.55	336.83	384.38
1922	32.39	351.99	384.38
1923	16.55	367.83	384.38

2. Within the said period of twenty years there shall be raised and levied annually by a special rate, in addition to all other rates, upon the whole rateable property of the said town the yearly sum of \$384.38 for the payment of the said debt and interest.

3. The said debentures shall bear date as of the 1st day of March, 1903, and shall be signed by the mayor and treasurer thereof and sealed with the seal of the said corporation.

4. Every debenture to be issued hereunder shall contain a provision in the following words: "This debenture or any interest therein shall not, after a certificate of ownership has been endorsed thereon by the treasurer of the said corporation, be transferable except by entry by the treasurer or his deputy in the debenture registry of the said corporation in the said Town of Fort William," or to the like effect.

5. This by-law shall come into force on the 1st day of March, 1903.

6. That the votes of the electors of the said municipality, entitled to vote on this by-law shall be taken on Monday, the 5th day of January, 1903, commencing at nine o'clock in the morning and closing at the hour of five o'clock in the afternoon of the same day, as follows:

In Ward 1—At J. W. Robertson's house; deputy returning officer, J. W. Robertson

In Ward 2—(Sub-div. No. 1) In Geo. McEdwards' store, Simpson street; W. Newcombe, deputy returning officer.

Sub-div. No. 2—At town hall; deputy returning officer, William Palling.

In Ward 4—At court house, deputy returning officer, A. H. Wilson.

7. That on Thursday the 1st day of January, 1903, at the hour of ten o'clock in the forenoon the mayor of Fort William will attend at the office of the town clerk in the town hall in the Town of Fort William for the purpose of appointing in writing signed by himself, two persons to attend at the final summing up by the town clerk of the votes polled on this by-law and also of appointing one person to attend at each polling place on behalf of the persons interested in and desirous of promoting the passing of the by-law and a like number on behalf of the persons interested in and desirous of opposing the passing of this by-law.

8. That on Tuesday, the 6th day of January, 1903, at the hour of ten o'clock in the forenoon at the office in the town hall in the Town of Fort William, the clerk of the said town will proceed to sum up the number of votes given for and against this by-law.

Given under the corporate seal of the corporation as witnessed by hand and seal of its mayor and clerk this 20th day of January, 1903.

JOSHUA DYKE,
Mayor.

A. McNAUGHTON,
Clerk.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Town of Fort
William, 1903.

First Reading, 5th May, 1903.
Second Reading, 18th May, 1903.

(Reprinted as amended by Private
Bills Committee.)

Mr. CAMERON,
(Fort William.)

TORONTO :

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

An Act respecting the Town of Huntsville.

WHEREAS the Corporation of the Town of Huntsville Preamble.
 have by petition set forth the necessity and desirability
 of extending to the said Corporation, the Council and Officers
 thereof, the provisions of *The Municipal Act* and all other
 5 Acts applicable to towns in organized counties of the Province
 of Ontario, and the powers possessed by councils of such towns,
 and of declaring that such provisions of said Acts heretofore
 extended and applied to the said Town of Huntsville and the
 council and officers thereof : and, further, the necessity and
 10 expediency of legalizing and making valid certain by-laws of
 the said town passed since the incorporation thereof as a town,
 and which, but for the passing of this Act, would be illegal ;
 and legalizing all tax sales of lands had therein since said date ;
 and of empowering the said town to extend its water works
 15 system ; and of authorizing the said municipality and the
 council thereof to purchase and hold wood lands for the pur-
 pose of fuel supply not exceeding in value \$10,000 ;

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

1. The Town of Huntsville shall possess and enjoy all such General powers of town.
 rights, powers and privileges as are now or shall hereafter be
 conferred on incorporated towns in organized counties in the
 Province of Ontario, and all the powers, rights and privileges
 25 held, exercised and enjoyed by the council and officers of any
 incorporated town in an organized county, or which shall
 hereafter be conferred upon any such councils or officers, are
 hereby conferred upon and shall be held, exercised and enjoyed
 by the council and officers of the said Town of Huntsville.

2. The provisions of *The Municipal Act* and of all Application of provisions of Rev. Stat., c. 223.
 other Acts which are now or may hereafter be applicable to
 towns in organized counties in the Province of Ontario, are
 hereby extended and made applicable to the Town of Huntsville
 and the council and officers thereof.

3. Sections 1 and 2 of this Act shall be deemed to have Secs. 1 and 2 to be retroactive.
 been in force and effect, and shall be construed as if the same
 had been in force and effect on, from and after the first day of
 January, 1901, being the date of the incorporation of the said
 Town of Huntsville as a town.

By-laws
validated.

4. All by-laws passed by the council of the said town since the said date of incorporation, and which are within the powers conferred upon the said town and the council thereof by sections 1 and 2 of this Act, and which, but for the passing of this Act, would be illegal as beyond the powers possessed by the said corporation and the council thereof, but which are in all other respects legal, are hereby declared to be legal and valid by-laws. 5

Tax sales
confirmed.

5 All sales of land for taxes, and all assessments and proceedings had and taken, all duties and acts performed by the assessor, collector and treasurer, and each of them, and other officials of the said town in respect of in or towards the assessment and collection of taxes against lands within the said municipality, which would in all respects be legal if the provisions of sections 1 and 2 of this Act had been in force and effect at and since the said date of incorporation of the said Town of Huntsville, are hereby declared to be legal and valid. 15

Extension
of waterworks
system,

6. The council of the said Town of Huntsville may, after the coming into force of this Act, pass a by-law or by-laws to extend the water mains and pipes of their waterworks system to and upon the properties of the Muskoka Wood and Manufacturing Company, Limited, and the Huntsville and Bracebridge Tanning Company (Limited,) and to construct such hydrants thereon as may be necessary or expedient for water supply and fire protection on such terms and subject to such agreement (if any) as the council of the said town may deem necessary to make with the said companies or either of them. 25

Purchasing
wood for fuel
supply.

7. The council of the said Town of Huntsville may pass by-laws and enter into any contract for the acquiring or purchase of wood or timber lands or wood or timber on any such lands for fuel supply for the purposes of the said corporation not exceeding an expenditure for such purpose of the sum of \$10,000; provided that such council shall not in any one year make any purchase of such wood or timber land or growing timber on lands when the amount to be paid therefor shall exceed \$1,000 until and unless the by-law authorizing such purchase shall be submitted to and be approved by the vote of a majority of the electors of the said town under the provisions of *The Municipal Act* applicable to money by-laws, and the said corporation may hold such lands and timber on lands for the purpose aforesaid; Provided that the said corporation shall, within five years after the said timber shall have been cut and removed from any lands purchased under the powers hereby given, sell and dispose of the said lands, otherwise the said lands shall thereafter be and become forfeited and revert to His Majesty the King his successors and assigns. 30 35 40 45

Proviso.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Town of
Huntsville.

First Reading, _____, 1903.

(Private Bill.)

Mr. BRIDGLAND.

TORONTO :

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

An Act respecting the Town of Huntsville.

WHEREAS the Corporation of the Town of Huntsville ^{Preamble.} has by petition set forth the desirability of extending to the said corporation, *and to the council and officers thereof*, the provisions of *The Municipal Act* and all other Acts applicable to towns in counties of the Province of Ontario; and, further, the expediency of legalizing and making valid certain by-laws of the said town passed since the incorporation thereof as a town, and which, but for the passing of this Act, would be beyond the powers of the said corporation as defined by section 31 of chapter 225 of the Revised Statutes of Ontario, and of empowering the said town to extend its water works system; and whereas there is no opposition to the said petition, 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 Town of Huntsville shall possess and enjoy all such rights, powers and privileges as are now or shall hereafter be conferred on incorporated towns in counties in the Province of Ontario, under *The Municipal Act* or any other general Act of the Legislature of Ontario, and all the powers, rights and privileges held, exercised and enjoyed by the council and officers of any incorporated town in an organized county, or which shall hereafter be conferred upon any such councils or officers by *The Municipal Act* or any other general Act of the Legislature of Ontario, are conferred upon and shall be held, exercised and enjoyed by the council and officers of the said Town of Huntsville. This section shall be deemed to have been in force and effect, and shall be construed as if the same had been in force and effect on, from and after the first day of January, 1901, being the date of the incorporation of the Municipality of Huntsville as a town. ^{General powers of town.} ^{to be retroactive.}

2. All by-laws passed by the council of the said town since the said date of incorporation, and which are within the powers conferred upon the said town and the council thereof by section 1 of this Act, and which, but for the passing of this Act, would be illegal as beyond the powers possessed by the said corporation and the council thereof, but which are in all other respects legal, are declared to be legal and valid by-laws. ^{By-laws validated.}

Tax sales
confirmed.

3 All assessments and proceedings had and taken, all duties and acts performed by the assessor, collector and treasurer, and each of them, and other officials of the said town in respect of, in or towards the assessment and collection of taxes against lands within the said municipality, and which but for the passing of this Act would be illegal, but which are in all other respects legal, are declared to be legal and valid.

Extension of
waterworks
system,

4. The Council of the Town of Huntsville may, after the coming into force of this Act, pass a by-law or by-laws to extend the water mains and pipes of their waterworks system to and upon the properties of The Muskoka Wood and Manufacturing Company, Limited, and The Huntsville and Bracebridge Tanning Company, Limited, and to construct such hydrants thereon as may be necessary or expedient for water supply and fire protection on such terms and subject to such agreements (if any) as the council of the said town may deem necessary to make with the said companies or either of them.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL,
An Act respecting the Town of
Huntsville.

First Reading, 24th April, 1903.

(Reprinted as amended by Private Bills
Committee.)

Mr. BRIDGLAND.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act to incorporate the Embro Radial Railway Company.

WHEREAS James Sutherland of the Township of East Preamble.
 Nissouri in the County of Oxford, farmer, John G.
 Lindsay, of the Township of West Zorra in the said County,
 farmer; Walter E. Andison of the said Township of East
 5 Nissouri, farmer, William R. Munroe, of the said Township of
 West Zorra, farmer, James Munro of the Village of Embro,
 banker, David R. Ross of the Village of Embro, miller, Henry
 Adams of the Village of Embro, physician, and Hector Suther-
 land of the Village of Embro, undertaker, have by their
 10 petition prayed for an Act of incorporation under the name
 of "The Embro Radial Railway Company" for the purpose
 of constructing and operating a railway (a) In and through
 the Village of Embro, through the Townships of West Zorra
 and North Oxford to Beachville; (b) From the Village of
 15 Embro through the Townships of East and West Zorra or
 North Oxford into the City of Woodstock; (c) From the
 Village of Embro through the Township of West Zorra,
 easterly to the north east corner of Lot number fifteen in the
 eighth concession of the said Township, Braemar; (d) From
 20 the Village of Embro through the Township of West Zorra
 westerly to the Town line; (e) From the Village of Embro
 northerly, through the Township of West Zorra and municipal-
 ities of Downie, into the City of Stratford; (f) From the Vil-
 25 lage of Embro, through the Townships of West Zorra, East
 Nissouri or Downie and through the Township of Blanshard in-
 to the Town of St. Marys; and upon and over such streets, high-
 ways and lands as may be authorized by the said municipalities
 or by the companies or individuals having jurisdiction or
 owning the same; and, whereas it is expedient to grant the
 30 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 Sutherland, John G. Lindsay, Walter Incorporation.
 35 E. Andison, William R. Munroe, James Munro, David R. Ross,
 Henry Adams and Hector 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 Embro 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 or compressed air or other motive power to be approved of by the Commissioner of Public Works, except steam, and from time to time remove and change a double or single track, iron or steel railway of the gauge of four feet eight and one-half inches with all necessary sidetracks and turnouts for the passage of cars, carriages and other vehicles adapted to the same, (a) In and through the Village of Embro, through the Townships of West Zorra and North Oxford to Beachville; (b) From the Village of Embro through the Townships of East and West Zorra, or North Oxford into the City of Woodstock; (c) From the Village of Embro, through the Township of West Zorra, easterly to the North-east corner of Lot number fifteen, in the eighth concession of the said township; (d) From the Village of Embro through the Township of West Zorra westerly to the town line; (e) From the Village of Embro northerly, through the Township of West Zorra and municipalities of Downie, into the City of Stratford, (f) From the Village of Embro, through the Townships of West Zorra, East Nissouri or Downie and through the Township of Blanshard into the Town of St. Marys; with power to build any part or branch of said railway in sections, and the said railways, or any part thereof, so far as the same may be operated by electricity or other motive power to be approved as aforesaid, 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.

Provisional
directors.

3. The said James Sutherland, John G. Lindsay, Walter E. Andison, William R. Munroe, James Munro, David R. Ross, Henry Adams and Hector 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*.

Rev. Stat.
c. 209.

4. The number of directors shall not be less than five, nor more than nine. Number of directors.

5. The head office of the said company shall be at the said Village of Embro, and all meetings of the provisional board of directors of the company shall be held at the said Village of Embro, or at such other place as may best suit the interests of the company. Head office.

6. The capital stock of the company shall be \$400,000, to be divided into 4,000 shares of \$100 each. Capital stock.

7. The capital stock of the said company shall be applied and appropriated towards construction of the said railway in the following manner: (1) \$40,000 to the section or branch "A" from Embro to Beachville. (2) \$70,000 to the section or branch "B" from Embro to Woodstock. (3) \$30,000 to the section or branch "C" from Embro to the north-east corner of lot number fifteen in the eighth concession of the Township of West Zorra. (4) \$30,000 to the section or branch "D" from Embro through West Zorra westerly to the town line. (5) \$100,000 to the section or branch "E" from Embro to Stratford. (6) \$130,000 to the section or branch "F" from Embro to St. Marys. Application of capital.

8. When and so soon as twenty-five per centum of the authorized capital appropriated to any such section or branch shall have been subscribed, and ten per centum of such authorized capital has been paid in cash to the credit of the said company into some chartered bank in Ontario, the provisional directors shall call a meeting of the shareholders of the said company for the purpose of organization, at which meeting the shareholders who have paid at least ten per centum of the amount subscribed for by them shall from the shareholders elect not less than five nor more than nine persons to be directors of the said company. Organization of company.

9.—(1) The directors may make a by-law for creating and issuing any part of the capital stock as preference stock, giving the same such preference and priority as respects dividends and otherwise over ordinary stock as may be declared by the by-law: Preference stock.

(2) The by-law may provide that the holders of shares of such preference stock shall have the right to select a certain stated proportion of the board of directors, or may give them such other control over the affairs of the company as may be considered expedient.

(3) No such by-law shall have any force or effect whatever until after it has been unanimously sanctioned by a vote of the shareholders present in person or by proxy at a general meeting of the company duly called for considering the same or unanimously sanctioned in writing by the shareholders of

the company ; provided, however, that if the by-law be sanctioned by three-fourths in value of the shareholders of the company, the company may, through the Provincial Secretary, petition the Lieutenant-Governor-in-Council for an order approving the said by-law, and the Lieutenant-Governor may, 5 if he sees fit, approve thereof, and from the date of such approval the by-law shall be valid and may be acted upon.

(4) Holders of shares of such preference stock shall be shareholders within the meaning of this Act and shall in all respects possess the rights and be subject to the liabilities of 10 shareholders within the meaning of this Act; provided, however, that in respect of dividends and otherwise, they shall, as against the ordinary shareholders, be entitled to the preferences and rights given by such by-law.

(5) Nothing in this section contained or done in pursuance 15 thereof, shall affect or impair the rights of creditors of the company.

Annual meeting.

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

Payments in paid up stock or bonds.

11. The provisional directors or the elected directors, may 20 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 25 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 or other persons be provisional or elected directors or not, 30 and any agreement so made shall be binding on the company.

Special rates for carriage of perishable goods.

12. The company may make special rates for the carriage of fruit, milk and other perishable goods.

Acquiring rights on toll roads.

13. The company may make and enter into any agreement for the purchase of the rights of the owner or owners 35 of any toll road upon or along which the proposed line of railway may run, and may retain and operate any such toll road under the provisions of *The General Road Companies Act*.

Use of highways.

14. Any municipality through which the said railway 40 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 45 the consent of and subject to the conditions imposed by such road-owner, and under and subject to any agreement or agree-

ments 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 from time to time deem expedient with any municipality, corporation or person, for the construction or for the maintenance and repair of gravel or other public roads leading to or used by the said railway.

15. The said company shall have power to agree for connections and making running arrangements with any company or companies now or hereafter lawfully authorized to construct and operate a railway or railways in the municipalities named in section 2 of this Act, if lawfully empowered to enter into any such agreement, upon terms to be approved by two-thirds in value of the shareholders, at a special general meeting to be held for that purpose, and it shall also be lawful for the said company to enter into an agreement or agreements with the said companies or any of them, if lawfully authorized to enter into such agreement, for the sale or leasing or hiring of any portion of the railway herein authorized, or the use thereof, or for the sale or leasing or hiring any motors, carriages or cars, or any of them, or of any part thereof, or touching any service to be rendered by one company to the other, and the compensation therefor, if the arrangements and agreements shall be approved of by two-thirds in value of the shareholders voting in person or by proxy at a special general meeting to be called for that purpose, and every such agreement shall be valid and binding according to the terms and tenor thereof, and the company purchasing, leasing or entering into such agreement for using the said railway, may and are hereby authorized to work the said railway, in the same manner as if incorporated with their own line, subject to the provisions of any by-law or by-laws of the said municipalities which may from time to time be in force, so far as the same may affect the company hereby incorporated, or the railway to be built under the authority of this Act: provided that electric power, or other motive power to be approved as aforesaid, 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 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.

16. The several clauses of *The Electric Railway Act* and every Act in amendment thereof, shall be incorporated with and be deemed to be part of this Act, and shall apply to the

Running
arrangements
with other
companies,

Application
of Rev. Stat.,
c. 209.

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 5 so incorporated with this Act.

Construction
of line by
sections

Rev. Stat.
c. 209, s. 27.

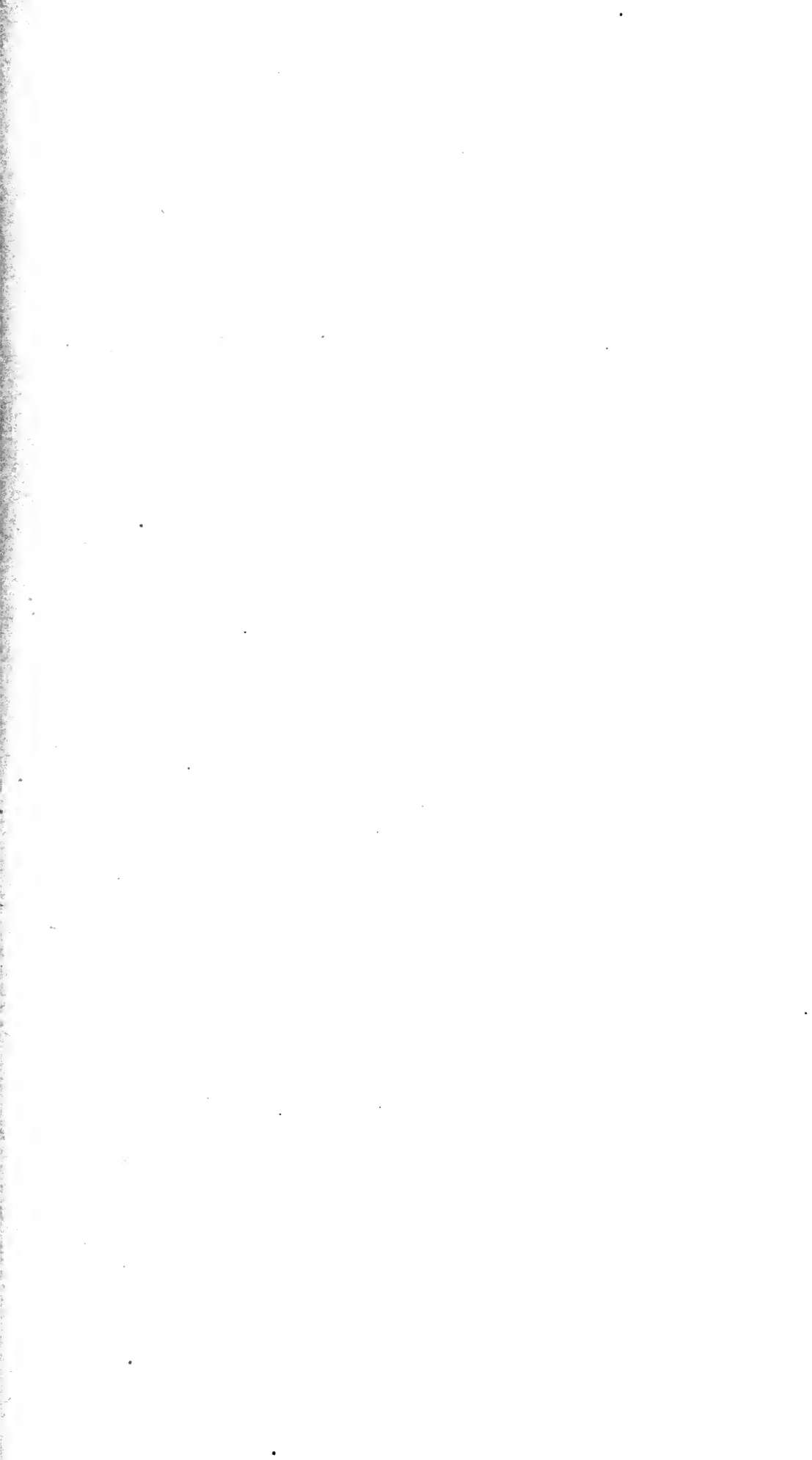
17. The company is hereby authorized and empowered to take and make surveys and levels of the lands through which the said railways are to pass, together with the map or plan thereof, and of their course and direction, and of the lands 10 intended to be passed over and taken therefor, so far as then 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 15 to plans and surveys by sections or portions less than the length of the whole railways 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 four miles in length; and upon such deposit as aforesaid of the map or plan and 20 statement of any and each of such sections or portions of the said railways 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 rail- 25 ways 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 railways are to pass, together with the map or plan of the whole thereof, and of their whole course and direc- 30 tion and of the lands intended to be passed over and taken, and the statement of the whole of the said railways 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." The construction of the railway in sections may be commenced 35 at such point on the line of railway as the directors may determine, but the said work of construction shall be carried on from such point by sections, continuing therefrom so as to form at all times one continuous line of railway; provided, however, that the Lieutenant-Governor-in-Council may sanc- 40 tion and approve of the construction by sections at different points, and not continuously, along the said line of railway.

Crossing other
railways

18. Notwithstanding any provisions to the contrary in any other Act, the said company's railway may cross the railway of any other company upon a level therewith with 45 the consent of such other company or with the authority of the Railway Committee of the Privy Council of Canada.

Time for com-
mencement
and comple-
tion.

19. The railway shall be commenced within two years and completed within five years after the passing of this Act.



1st Session, 10 Legislature,
3 Edward VII., 1903.

BILL.

An Act to Incorporate the Embro Radial
Railway Company.

First Reading	1903.
---------------	-------

(Private Bill)

Mr. PATTULLO.

TORONTO :

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

An Act to incorporate The Embro Radial Railway Company.

WHEREAS James Sutherland of the Township of East Preamble
 Nissouri in the County of Oxford, farmer, John G. Lindsay, of the Township of West Zorra in the said County, farmer; Walter E. Andison of the said Township of East Nissouri, farmer, William R. Munroe, of the said Township of West Zorra, farmer, James Munro of the Village of Embro, *in the said county*, banker, David R. Ross of the *said* Village of Embro, miller, Henry Adams of the *said* Village of Embro, physician, and Hector Sutherland of the *said* Village of Embro, undertaker, have by their petition prayed for an Act of incorporation under the name of "The Embro Radial Railway Company" for the purpose of constructing and operating a railway (a) In and through the Village of Embro, ~~in~~ in the county of Oxford, ~~through~~ through the Townships of West Zorra and North Oxford to ~~the~~ the unincorporated village of ~~the~~ Beachville, ~~all~~ all in the said county ~~;~~; (b) From the *said* Village of Embro through the Townships of East and West Zorra or North Oxford *to and* into the City of Woodstock, ~~all~~ all in the said county ~~;~~; (c) From the *said* Village of Embro through the *said* Township of West Zorra, easterly to the north east corner of Lot number fifteen in the eighth concession of the said Township; (d) From the *said* Village of Embro through the *said* Township of West Zorra westerly to the Town line; (e) From the *said* Village of Embro northerly, through the *said* Township of West Zorra and ~~the~~ the municipalities ~~of~~ of Downie, ~~in~~ in the County of Perth *to and* into the City of Stratford ~~in~~ in the said county of Perth ~~;~~; (f) From the *said* Village of Embro, through the *said* Township of West Zorra ~~and~~ and the Township of ~~East~~ East Nissouri ~~in~~ in the said county of Oxford or the Township ~~of~~ of Downie and through the Township of Blanshard ~~in~~ in the said county of Perth *to and* ~~into~~ into the Town of St. Marys; and upon and over such ~~public~~ public highways ~~as~~ as may be authorized by the said municipalities or by the companies or individuals having jurisdiction or owning the same; 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:

Incorporation. 1. The said James Sutherland, John G. Lindsay, Walter E. Andison, William R. Munroe, James Munro, David R. Ross, Henry Adams and Hector 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 Embro 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 or compressed air or *any* other motive power to be approved of by the Commissioner of Public Works, except steam, and from time to time remove and change a double or single track, iron or steel railway of the gauge of four feet eight and one-half inches with all necessary sidetracks and turnouts for the passage of cars, carriages and other vehicles adapted to the same, (a) In and through the Village of Embro, [§]in the County of Oxford, [§]through the Townships of West Zorra and North Oxford to [§]the unincorporated Village of [§]Beachville, *all in the said county*; (b) From the *said* Village of Embro through the Townships of East and West Zorra, or North Oxford to and into the City of Woodstock, [§]all in the said county; (c) From the *said* Village of Embro, through the *said* Township of West Zorra, easterly to the North-east corner of Lot number fifteen in the eighth concession of the said township; (d) From the *said* Village of Embro through the *said* Township of West Zorra, westerly to the town line; (e) From the *said* Village of Embro northerly, through the *said* Township of West Zorra, [§]in the said county, and the Municipalities [§]of Downie, [§]in the County of Perth to and [§]into the City of Stratford, (f) From the *said* Village of Embro, through the *said* Township of West Zorra [§]and the Township of [§]East Nissouri, [§]in the said County of Oxford or the Township of [§]Downie and through the Township of Blanshard, [§]in the said County of Perth to and [§]into the Town of St. Marys; with power to build any part or branch of said railway in sections, and the said railways, or any part thereof, so far as the same may be operated by electricity or other motive power to be approved as aforesaid, 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.

3. The said James Sutherland, John G. Lindsay, Walter E. Andison, William R. Munroe, James Munro, David R. Ross, Henry Adams and Hector 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.

Rev. Stat.
c. 209

4. The number of directors shall not be less than five, nor more than nine.

Number of
directors.

5. The head office of the said company shall be at the said Village of Embro, and all meetings of the provisional board of directors of the company shall be held at the said Village of Embro, or at such other place as may best suit the interests of the company.

Head office.

6. The capital stock of the company shall be \$400,000, to be divided into 4,000 shares of \$100 each.

Capital stock.

7. The capital stock of the said company shall be applied and appropriated towards the construction of the said railway in the following manner: (1) \$40,000 to the section or branch "A" from Embro to Beachville. (2) \$70,000 to the section or branch "B" from Embro to Woodstock. (3) \$30,000 to the section or branch "C" from Embro to the north-east corner of lot number fifteen in the eighth concession of the Township of West Zorra. (4) \$30,000 to the section or branch "D" from Embro through West Zorra westerly to the town line. (5) \$100,000 to the section or branch "E" from Embro to Stratford. (6) \$130,000 to the section or branch "F" from Embro to St. Marys.

Application of
capital.

8. When and so soon as twenty-five per centum of the authorized capital appropriated to any such section or branch shall be subscribed, and ten per centum of such authorized capital has been paid in cash to the credit of the said company into some chartered bank in Ontario, the provisional directors shall call a meeting of the shareholders of the said company for the purpose of organization, at which meeting the shareholders who have paid at least ten per centum of the amount subscribed for by them shall from the shareholders elect not less than five nor more than nine persons to be directors of the said company.

Organization
of company.

9.—(1) The directors may make a by-law for creating and issuing any part of the capital stock as preference stock, giving the same such preference and priority as respects dividends and otherwise over ordinary stock as may be declared by the by-law.

Preference
stock.

(2) The by-law may provide that the holders of shares of such preference stock shall have the right to select a certain

stated proportion of the board of directors, or may give them such other control over the affairs of the company as may be considered expedient.

(3) No such by-law shall have any force or effect whatever until after it has been unanimously sanctioned by a vote of the shareholders present in person or by proxy at a general meeting of the company duly called for considering the same or unanimously sanctioned in writing by the shareholders of the company; provided, however, that if the by-law be sanctioned by three-fourths in value of the shareholders of the company, the company may, through the Provincial Secretary, petition the Lieutenant-Governor-in-Council for an order approving the said by-law, and the Lieutenant-Governor may, if he sees fit, approve thereof, and from the date of such approval the by-law shall be valid and may be acted upon.

(4) Holders of shares of such preference stock shall be shareholders within the meaning of this Act and shall in all respects possess the rights and be subject to the liabilities of shareholders within the meaning of this Act; provided, however, that in respect of dividends and otherwise, they shall, as against the ordinary shareholders, be entitled to the preferences and rights given by such by-law.

(5) Nothing in this section contained or done in pursuance thereof, shall affect or impair the rights of creditors of the company.

Annual meeting.

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

Directors empowered to pay in stock.

11. The directors may enter into a contract or contracts with any individual, corporation or association of individuals for the construction or equipment of the railway or any part thereof, including or excluding the purchase of right of way and may pay therefor either in whole or in part, either in cash or bonds, or in paid up stock and may pay or agree to pay in paid up stock or in bonds of the said company such sums as they may deem expedient to engineers or for the right of way or material, plant or rolling stock and also for the services of the promoters, or other persons who may be employed by the directors for the purpose of assisting the directors and 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, provided that no such contract shall be of any force or validity unless first authorized by resolution passed by the votes of the shareholders in person or by proxy, representing two-thirds in value of the subscribed capital stock, and on which no call is in default and unpaid, at a general meeting specially called for that purpose.

12. The company may make special *uniform* rates for the carriage of fruit, milk and other perishable goods.

Special rates for carriage of perishable goods

13. The company may make and enter into any agreement for the purchase of the rights of the owner or owners of any toll road upon or along which the proposed line of railway may run, and may retain and operate any such toll road under the provisions of *The General Road Companies Act*.

Acquiring rights on toll roads.

14. Any municipality through which the said railway passes and having jurisdiction in the premises may, subject to the provisions and conditions contained in this Act, *The Municipal Act*, and any Act or Acts amending the same, and subject also to the terms of, and unless restricted by any agreement lawfully entered into between any such municipality and any other railway or street railway company, 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 road company. And if such highways be in the possession of or under the control of any road company then also with the consent of and subject to the conditions imposed by such road company, and under and subject to any agreement or agreements hereafter to be made between any such municipality and the said company, and it shall and may be lawful for the said company to enter into and perform any such agreements as they may from time to time deem expedient with any municipality, corporation or person for the construction or for the maintenance and repair of gravel or other public roads leading to or used by the said railway.

Laying rails on highways.

15. The said company shall have power to agree for connections and making running arrangements with any company or companies now or hereafter lawfully authorized to construct and operate a railway or railways in *any* of the municipalities named in section 2 of this Act, if lawfully empowered to enter into any such agreement, upon terms to be *first authorized* by two-thirds in value of the shareholders, at a special general meeting to be held for that purpose, and it shall also be lawful for the said company to enter into an agreement or agreements with the said companies or any of them, if lawfully authorized to enter into 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 motors, carriages or cars, or any of them, or of any part thereof, or touching any service to be rendered by one company to the other, and the compensation therefor, if the arrangements and agreements shall be *so authorized* 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

Running arrangements with other companies.

agreement shall be valid and binding according to the terms and tenor thereof, and the company purchasing, leasing or entering into such agreement for using the said railway, may and are hereby authorized to work the said railway, in the same manner as if incorporated with their own line, subject to the provisions of any by-law or by-laws of the said municipalities which may from time to time be in force, so far as the same may affect the company hereby incorporated, or the railway to be built under the authority of this Act; provided that electric power, or other motive power to be approved as aforesaid, 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.

Power as to agreements with other companies to be subject to regulations.

16. The authority and power conferred upon the company by this Act to enter into agreements with any other railway company for connections, running arrangements, sale, lease, or hiring the said railway shall be subject to such terms, conditions and regulations as may be provided and enacted by any general or special Act or Acts which may at the time such agreement is entered into be in force and to such terms, conditions and regulations general or special as the Lieutenant-Governor in Council or any Special Committee of the Executive Council of Ontario appointed for that purpose may from time to time order.

Application of Rev. Stat., c. 209.

17. The several clauses of *The Electric Railway Act* and of every Act in amendment thereof, shall be incorporated with and shall 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.

Construction of line by sections

18. The company is hereby authorized and empowered to take and make 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 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 railways 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 four 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 railways 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 railways 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 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 statement of the whole of the said railways 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." The construction of the railway in sections may be commenced at such point on the line of railway as the directors may determine, but the said work of construction shall be carried on from such point by sections, continuing therefrom so as to form at all times one continuous line of railway; provided, however, that the Lieutenant-Governor-in-Council may sanction and approve of the construction by sections at different points, and not continuously, along the said line of railway.

Rev. Stat.
c. 209, s. 27.

19. Notwithstanding any provisions to the contrary in any other Act, the said 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 other
railways

20. Notwithstanding anything contained in this Act or in any Statute of the Province, no municipality shall have the power to grant to said railway any exclusive rights, privileges or franchises as to the transmission of electrical energy for power, light and heat over or across any public highway or street in said municipality.

Exclusive
electrical fran-
chise not to
be granted.

21. Notwithstanding anything in this Act contained, the railway shall not be constructed within the limits of any city except upon and subject to such terms and conditions as may mutually be agreed upon between the company and any street railway or electric railway already operating in such city, provided always that if the council of such city shall by by-law or resolution request the street railway company or electric railway companies to allow its tracks or any of the city streets to be used for the entrance of the railway to

Operating
in cities.

be constructed under this Act into such city, the company shall permit its tracks or any city streets to be so used to some central point in the said city to be named by the city council upon such terms and conditions as to compensation and otherwise as may be mutually agreed upon between the company authorized by this Act to construct a railway, the city corporation and such street railway or electric railway company, or as shall be settled and determined by the Lieutenant-Governor in Council in case the city corporation and the said two companies are unable to agree upon the same. ⁷³

Time for commencement and completion.

22. The railway shall be commenced within two years and completed within five years after the passing of this Act.

1st Session, 10 Legislature,
3 Edward VII., 1903.

BILL.

An Act to Incorporate The Embro Radial
Railway Company.

First Reading 24th April, 1903.

(Reprinted as amended by Railway
Committee.)

Mr. PATRULLO.

TORONTO :

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

An Act to confirm a certain by-law and agreement of
the Corporation of the Town of Niagara Falls.

WHEREAS the Municipal Corporation of the Town of Preamble.
Niagara Falls has, by petition, represented that the
said municipal corporation did, on the 9th day of February,
1903, unanimously pass a by-law, being No. 592 of the said
5 Town of Niagara Falls, authorizing the Mayor and Clerk of
the said corporation to execute an agreement with The Ontario
Power Company of Niagara Falls, a copy of which by-law is
set forth in Schedule A to this Act; and whereas pursuant to
the said by-law the said municipal corporation did, on the 12th
10 day of February, 1903, enter into an agreement with the said
Ontario Power Company of Niagara Falls, by which the said
company did agree to supply to the said corporation 1,000
electrical horse power at the rate of ten dollars (\$10) per
annum for a term of ten years; and whereas in consideration
15 of such supply of electrical horse power, at the rate afore-
said, the said corporation covenanted and agreed to fix the
assessment of the property now owned or occupied or hereafter
to be acquired by the said company, up to the 31st day of
December, 1914, a copy of which agreement is set forth in
20 Schedule B to this Act; and whereas the said corporation of
the Town of Niagara Falls by said petition prays that an Act
may be passed ratifying and confirming said by-law and
declaring the same to be legal, valid, and binding, and con-
firming, ratifying and legalizing the said agreement entered
25 into between the said corporation and the said company in
pursuance of 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
30 as follows:—

1. By-Law No. 592 of the Municipal Corporation of the
Town of Niagara Falls, which is set forth in Schedule A to
this Act, is hereby ratified and confirmed and declared to be
legal, valid and binding, and within the powers of the said
35 Corporation of the Town of Niagara Falls, and the agreement
set forth in Schedule B to this Act is hereby ratified and con-
firmed and declared to be valid and binding upon the respec-
tive parties thereto; provided, however, that nothing in the

By-Law
No. 592 as to
agreement
with Ontario
Power Co.
confirmed.

said by-law contained shall affect the assessment of the property above mentioned for school purposes and the said property shall in all respects be assessed and be liable to taxes for school purposes, in the same manner and to the same extent as if the said by-law had not been passed.

SCHEDULE A.

BY-LAW No. 592.

A By-law to authorize the Municipal Corporation of the Town of Niagara Falls to enter into agreement with the Ontario Power Company of Niagara Falls for the supply to it of electrical horse power, and to fix the assessment of the property of the said company for a period of years.

Whereas the Ontario Power Company of Niagara Falls has petitioned the said municipal corporation of the Town of Niagara Falls for a fixed assessment on all property, which the said Company now has or hereafter acquire during the term and for the amount hereinafter mentioned, and the said municipal council of the said corporation has agreed to grant the prayer of said petition upon condition that the said company shall supply to the said corporation electric current sufficient to develop one thousand horse power at the rate of ten dollars per horse power per annum, as hereinafter set forth.

And whereas the said company having accepted the said condition, it is deemed expedient that the said municipal corporation should make application to the Legislature of the Province of Ontario for such legislation as may be necessary to ratify and confirm the said by-law and the said agreement to be entered into in pursuance thereof.

Now, therefore, the municipal council of the corporation of the Town of Niagara Falls enacts as follows :

1. That the mayor and clerk of the said municipal council, by their signatures and the seal of the said corporation, on behalf of the said corporation, shall enter into an agreement with the said The Ontario Power Company, of Niagara Falls, whereby the said company shall agree to furnish as soon as its plant is ready for operation and continuously thereafter for a period of ten years, so far as due diligence will enable it so to do, to the said municipal corporation, if so required by it, electric current sufficient to develop not less than one thousand electrical horse power or any portion thereof at the said company's main line voltage at the rate of ten dollars per annum for each electrical horse power so supplied ; and whereby the said municipal corporation shall agree to and with the said company that the lands, buildings, machinery, poles, wires, conduits, and all other real or personal property which may be at any time owned by the said company during said term within the limits of the said municipal corporation, shall be assessed at the same amounts for which any such lands are now assessed according to the assessment roll of 1902, for a term commencing when the said agreement shall go into effect as hereinafter provided and ending on the 31st day of December, 1914.

2. The said agreement shall contain such other terms and conditions as may be agreed upon by the officers of the municipal corporation above referred to and the said company for the purpose of fully entering into and carrying out the said agreement and any other matter incidental thereto.

3. That this agreement shall not come into force and effect until an Act has been passed by the Legislature of the Province of Ontario sanctioning and legalizing the same.

4. This by-law and agreement entered into in pursuance thereof shall come into force and take effect on the passing of the said Act sanctioning and legalizing the same.

Passed in council this 9th day of February, 1903.

(Sgd.) JOHN ROBINSON,
Town Clerk.

(Sgd.) GEORGE HANAN,
Mayor.



SCHEDULE B.

Agreement made in duplicate this 12th day of February, 1903, between the corporation of the Town of Niagara Falls hereinafter called the "Corporation," of the first part, and The Ontario Power Company of the Niagara Falls hereinafter called the "Company," of the second part.

Whereas the company proposes to erect on certain lands vested in the commissioners of the Queen Victoria Niagara Falls Park and other lands now owned by the said company, or proposed to be acquired by it, and on the streets of the said Town of Niagara Falls, buildings, machinery, poles, wires and conduits for the purpose of generating and transmitting electrical power.

And whereas the company has agreed to supply the corporation upon the terms and conditions hereinafter set forth, electrical current sufficient to develop one thousand electrical horse power at the rate of ten dollars per horse power per annum in consideration of a partial exemption from taxation as hereinafter described.

Now this agreement witnesseth that the company in consideration of premises and of the covenants of the corporation hereinafter contained, covenants and agrees with the corporation as follows :

1. As soon as its plant is ready for operation and continuously thereafter for a period of ten years, so far as due diligence enables it to do so, to furnish continually to the corporation, if so required by it at the present lighting premises of the corporation, three phase alternating electric current, approximately 25 cycles at a pressure of approximately two thousand two hundred volts, sufficient to develop not less than one thousand electrical horse power.

In consideration thereof the corporation covenants and agrees as follows :

First. To pay for any electric current supplied by the company at the rate of ten dollars per annum for each electrical horse power so supplied quarterly on the tenth days of January, April, July and October for the quarter ending on the first day of the month in which payment is made.

Second. To take, if any such electric current is required by it, not less than sufficient to develop three hundred electrical horse power, and after said amount is supplied, and while it is so supplied, any additional power in blocks of not less than twenty-five electrical horse power.

Third. That the lands, buildings, machinery, poles, wires, conduits and all other real and personal property now owned or occupied by the said company, or hereafter to be acquired by it, shall be exempt from taxation except as to school taxes from the date hereof up to and including the thirty-first day of December, 1914, to the extent of any valuation of the lands now owned or hereafter at any time owned or occupied

by the said company over and above the assessed value of the said lands according to the assessment roll of said corporation for the year 1902.

It is mutually understood and agreed :

First. The electric current shall be measured at such voltage as it comes from the line on the high pressure transmitting conductors upon the said premises of the corporation in a suitable place to be provided by said corporation in watts, reckoning 746 watts to the electrical horse power, and such measurement shall be made by standard meters furnished by the company and in electrical units as standardized by the English Board of Trade. The corporation shall also furnish space in its said lighting station for the installation of necessary static transformers.

Second. The corporation shall have the right to extend this agreement for a second term of ten years after the expiration of the term herein specified upon giving the company six months written notice of its election so to do.

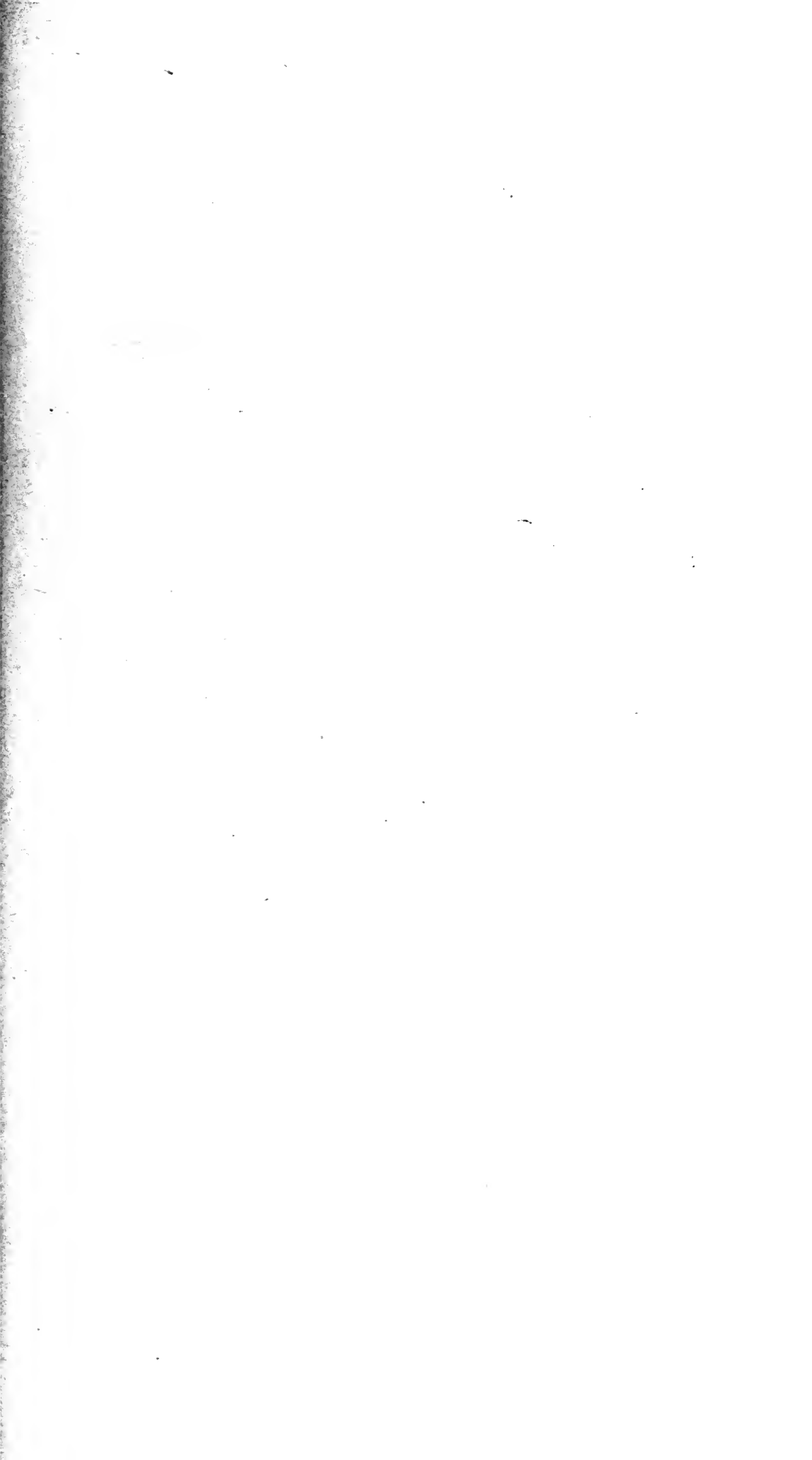
Third. All provisions hereof shall enure to and be binding upon the respective parties, their successors and assigns.

In witness whereof the parties hereto have duly executed this agreement.

GEORGE HANNAN,
Mayor. { Seal of }
JOHN ROBINSON, { Corporation }
Clerk.

THE ONTARIO POWER COMPANY OF NIAGARA FALLS

By J. A. ARCHBALD,
Vice-President. { Seal of }
R. C. BOARD,
Secretary. { Company }



1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act to confirm a certain By-Law and
Agreement of the Town of Niagara
Falls.

First Reading,

1903.

(Private Bill.)

Mr. GROSS.

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

An Act to confirm a certain by-law and agreement of
the Corporation of the Town of Niagara Falls.

WHEREAS the Municipal Corporation of the Town of Preamble.
Niagara Falls has, by petition, represented that the
said municipal corporation did, on the 9th day of February,
1903, unanimously pass a by-law authorizing the mayor and
clerk of the said corporation to execute an agreement with The
Ontario Power Company of Niagara Falls; and whereas pur-
suant to the said by-law the said municipal corporation did, on
the 12th day of February, 1903, enter into an agreement with
The Ontario Power Company of Niagara Falls, by which the
said company did agree to supply to the said corporation 1,000
electrical horse power at the rate of ten dollars (\$10) per
annum for a term of ten years; and whereas in consideration
of such supply of electrical horse power, at the rate afore-
said, the said corporation covenanted and agreed to fix the
assessment of the property now owned or occupied (or hereafter
to be acquired) by the said company ⁱⁿ the said town ⁱⁿ, up
to the 31st day of December, 1914; and whereas the
Corporation of the Town of Niagara Falls ^{by} the said peti-
tion prayed ^{that} an Act may be passed ratifying and con-
firming the said by-law and declaring the same to be legal,
valid, and binding, and confirming, ratifying and legalizing
the said agreement entered into between the said *municipal*
corporation and the said company in pursuance of 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 No. 592 of the Municipal Corporation of the
Town of Niagara Falls, set forth *as* Schedule A to
this Act, is ratified and confirmed and declared to be
legal, valid and binding, and within the powers of the
Corporation of the Town of Niagara Falls, and the agreement
set forth *as* Schedule B to this Act is ratified and con-
firmed and declared to be valid and binding upon the respec-
tive parties thereto; provided, however, that nothing in the
said by-law contained shall affect the assessment of the

By-Law
No. 592 as to
agreement
with Ontario
Power Co.
confirmed.

property above mentioned for school purposes and the said property shall in all respects be assessed and be liable to taxes for school purposes, in the same manner and to the same extent as if the said by-law had not been passed, ^{and} provided further that the said by-law and agreement shall not apply to lands hereafter to be acquired by the said company unless actually used in connection with the generation and transmission of electricity. ^{and}

SCHEDULE A.

BY-LAW No. 592.

A By-law to authorize the Municipal Corporation of the Town of Niagara Falls to enter into an agreement with the Ontario Power Company of Niagara Falls for the supply to it of electrical horse power, and to fix the assessment of the property of the said company for a period of years.

Whereas the Ontario Power Company of Niagara Falls has petitioned the said municipal corporation of the Town of Niagara Falls for a fixed assessment on all property, which the said Company now has or *may* hereafter acquire during the term and for the amount hereinafter mentioned, and the said municipal council of the said corporation has agreed to grant the prayer of said petition upon condition that the said company shall supply to the said corporation electric current sufficient to develop one thousand *electrical* horse power at the rate of ten dollars per horse power per annum, as hereinafter set forth.

And whereas the said company having accepted the said condition, it is deemed expedient that the said municipal corporation should make application to the Legislature of the Province of Ontario for such legislation as may be necessary to ratify and confirm the said by-law and the said agreement to be entered into in pursuance thereof.

Now, therefore, the municipal council of the corporation of the Town of Niagara Falls enacts as follows :

1. That the mayor and clerk of the said municipal council, by their signatures and the seal of the said corporation, on behalf of the said corporation, shall enter into an agreement with the said The Ontario Power Company, of Niagara Falls, whereby the said company shall agree to furnish as soon as its plant is ready for operation and continuously thereafter for a period of ten years, so far as due diligence will enable it so to do, to the said municipal corporation, if so required by it, electric current sufficient to develop not less than one thousand electrical horse power or any portion thereof at the said company's main line voltage at the rate of ten dollars per annum for each electrical horse power so supplied ; and whereby the said municipal corporation shall agree to and with the said company that the lands, buildings, machinery, poles, wires, conduits, and all other real or personal property which may be at any time owned by the said company during said term within the limits of the said municipal corporation, shall be assessed at the same amounts for which any such lands are now assessed according to the assessment roll of 1902, for a term commencing when the said agreement shall go into effect as hereinafter provided and ending on the 31st day of December, 1914.

2. The said agreement shall contain such other terms and conditions as may be agreed upon by the officers of the municipal corporation above

referred to and the said company for the purpose of fully entering into and carrying out the said agreement and any other matter incidental thereto.

3. That this agreement shall not come into force and effect until an Act has been passed by the Legislature of the Province of Ontario sanctioning and legalizing the same.

4. This by-law and agreement entered into in pursuance thereof shall come into force and take effect on the passing of the said Act sanctioning and legalizing the same.

Passed in council this 9th day of February, 1903.

(Sgd.) JOHN ROBINSON,
Town Clerk.

(Sgd.) GEORGE HANAN,
Mayor.



SCHEDULE B.

Agreement made in duplicate this 12th day of February, 1903, between the corporation of the Town of Niagara Falls hereinafter called the "Corporation," of the first part, and The Ontario Power Company of Niagara Falls hereinafter called the "Company," of the second part.

Whereas the company proposes to erect on certain lands vested in the commissioners for the Queen Victoria Niagara Falls Park and other lands now owned by the said company, or proposed to be acquired by it, and on the streets of the said Town of Niagara Falls, buildings, machinery, poles, wires and conduits for the purpose of generating and transmitting electrical power.

And whereas the company has agreed to supply to the corporation upon the terms and conditions hereinafter set forth, electrical current sufficient to develop one thousand electrical horse power at the rate of ten dollars per horse power per annum in consideration of a partial exemption from taxation as hereinafter described.

Now this agreement witnesseth that the company in consideration of the premises and of the covenants of the corporation hereinafter contained, covenants and agrees with the corporation as follows :

1. As soon as its plant is ready for operation and continuously thereafter for a period of ten years, so far as due diligence enables it to do so, to furnish continuously to the corporation, if so required by it at the present lighting premises of the corporation, three phase alternating electric current, approximately 25 cycles at a pressure of approximately two thousand two hundred volts, sufficient to develop not less than one thousand electrical horse power.

In consideration thereof the corporation covenants and agrees as follows :

First. To pay for any electric current supplied by the company at the rate of ten dollars per annum for each electrical horse power so supplied quarterly on the tenth days of January, April, July and October for the quarter ending on the first day of the month in which such payment is made.

Second. To take, if any such electric current is required by it, not less than sufficient to develop three hundred electrical horse power, and after said amount is supplied, and while it is so supplied, any additional power in blocks of not less than twenty-five electrical horse power.

Third. That the lands, buildings, machinery, poles, wires, conduits and all other real and personal property now owned or occupied by the

said company, or hereafter to be acquired by it, shall be exempt from taxation except as to school taxes from the date hereof up to and including the thirty-first day of December, 1914, to the extent of any *excess in* valuation of the lands now owned or hereafter at any time owned or occupied by the said company over and above the assessed value of the said lands according to the assessment roll of said corporation for the year 1902.

It is mutually understood and agreed :

. First. The electric current shall be measured at such voltage as it comes from the line on the high pressure transmitting conductors upon the said premises of the corporation in a suitable place to be provided by said corporation in watts, reckoning 746 watts to the electrical horse power, and such measurement shall be made by standard meters furnished by the company and in electrical units as standardized by the English Board of Trade. The corporation shall also furnish space in its said lighting station for the installation of necessary static transformers.

Second. The corporation shall have the right to extend this agreement for a second term of ten years after the expiration of the term herein specified upon giving the company six months written notice of its election so to do.

Third. All provisions hereof shall enure to and be binding upon the respective parties, their successors and assigns.

In witness whereof the parties hereto have duly executed this agreement.

GEORGE HANNAN,

Mayor.

JOHN ROBINSON,
Town Clerk.

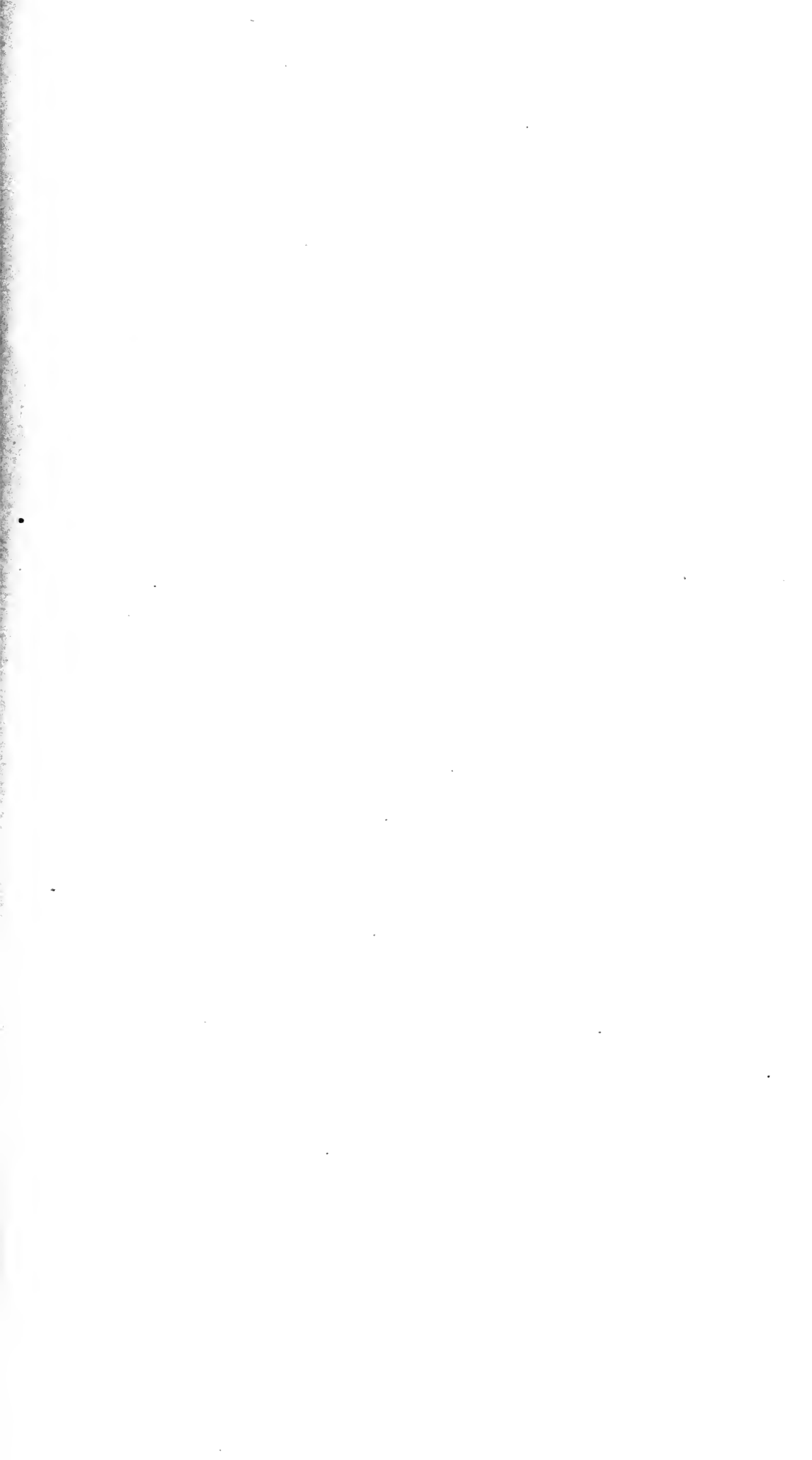
{ Seal of }
{ Corporation }

THE ONTARIO POWER COMPANY OF NIAGARA FALLS

By J. A. ARCHBALD,
Vice-Prest.

R. C. BOARD,
Secretary.

{ Seal of }
{ Company }



1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act to confirm a certain By-Law and
Agreement of the Town of Niagara
Falls.

First Reading, 24th April, 1903.

(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 to confirm a certain by-law and agreement of
the Corporation of the Town of Niagara Falls.

WHEREAS the Municipal Corporation of the Town of Preamble.
Niagara Falls has, by petition, represented that the
said municipal corporation did, on the 9th day of February,
1903, unanimously pass a by-law authorizing the mayor and
clerk of the said corporation to execute an agreement with The
Ontario Power Company of Niagara Falls; and whereas pur-
suant to the said by-law the said municipal corporation did, on
the 12th day of February, 1903, enter into an agreement with
The Ontario Power Company of Niagara Falls, by which the
said company did agree to supply to the said corporation 1,000
electrical horse power at the rate of ten dollars (\$10) per
annum for a term of ten years; and whereas in consideration
of such supply of electrical horse power, at the rate afore-
said, the said corporation covenanted and agreed to fix the
assessment of the property now owned or occupied (or hereafter
to be acquired) by the said company ^{as} in the said town ^{as}, up
to the 31st day of December, 1914; and whereas the
Corporation of the Town of Niagara Falls ^{as} by the said peti-
tion prayed ^{as} that an Act may be passed ratifying and con-
firming *the* said by-law and declaring the same to be legal,
valid, and binding, and confirming, ratifying and legalizing
the said agreement entered into between the said *municipal*
corporation and the said company in pursuance of 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 No. 592 of the Municipal Corporation of the
Town of Niagara Falls, set forth *as* Schedule A to
this Act, is ratified and confirmed and declared to be
legal, valid and binding, and within the powers of the
Corporation of the Town of Niagara Falls, and the agreement
set forth *as* Schedule B to this Act is ratified and con-
firmed and declared to be valid and binding upon the respec-
tive parties thereto; provided, however, that nothing in the
said by-law contained shall affect the assessment of the

By-Law
No. 592 *as* to
agreement
with Ontario
Power Co.
confirmed.

property above mentioned for school purposes and the said property shall in all respects be assessed and be liable to taxes for school purposes, in the same manner and to the same extent as if the said by-law had not been passed, ~~and~~ and provided further that the said by-law and agreement shall not apply to lands hereafter to be acquired by the said company unless actually used in connection with the generation and transmission of electricity; provided further notwithstanding any provision in the said agreement set forth in Schedule B. no renewal for a second term shall be valid or of any effect unless and until approved by a vote of the qualified ratepayers. ~~and~~

SCHEDULE A.

BY-LAW No. 592.

A By-law to authorize the Municipal Corporation of the Town of Niagara Falls to enter into an agreement with the Ontario Power Company of Niagara Falls for the supply to it of electrical horse power, and to fix the assessment of the property of the said company for a period of years.

Whereas the Ontario Power Company of Niagara Falls has petitioned the said municipal corporation of the Town of Niagara Falls for a fixed assessment on all property, which the said Company now has or *may* hereafter acquire during the term and for the amount hereinafter mentioned, and the said municipal council of the said corporation has agreed to grant the prayer of said petition upon condition that the said company shall supply to the said corporation electric current sufficient to develop one thousand *electrical* horse power at the rate of ten dollars per horse power per annum, as hereinafter set forth.

And whereas the said company having accepted the said condition, it is deemed expedient that the said municipal corporation should make application to the Legislature of the Province of Ontario for such legislation as may be necessary to ratify and confirm the said by-law and the said agreement to be entered into in pursuance thereof.

Now, therefore, the municipal council of the corporation of the Town of Niagara Falls enacts as follows :

1. That the mayor and clerk of the said municipal council, by their signatures and the seal of the said corporation, on behalf of the said corporation, shall enter into an agreement with the said The Ontario Power Company, of Niagara Falls, whereby the said company shall agree to furnish as soon as its plant is ready for operation and continuously thereafter for a period of ten years, so far as due diligence will enable it so to do, to the said municipal corporation, if so required by it, electric current sufficient to develop not less than one thousand electrical horse power or any portion thereof at the said company's main line voltage at the rate of ten dollars per annum for each electrical horse power so supplied; and whereby the said municipal corporation shall agree to and with the said company that the lands, buildings, machinery, poles, wires, conduits, and all other real or personal property which may be at any time owned by the said company during said term within the limits of the said municipal corporation, shall be assessed at the same amounts for which any such lands are now assessed according to the assessment

roll of 1902, for a term commencing when the said agreement shall go into effect as hereinafter provided and ending on the 31st day of December, 1914.

2. The said agreement shall contain such other terms and conditions as may be agreed upon by the officers of the municipal corporation above referred to and the said company for the purpose of fully entering into and carrying out the said agreement and any other matter incidental thereto.

3. That this agreement shall not come into force and effect until an Act has been passed by the Legislature of the Province of Ontario sanctioning and legalizing the same.

4. This by-law and agreement entered into in pursuance thereof shall come into force and take effect on the passing of the said Act sanctioning and legalizing the same.

Passed in council this 9th day of February, 1903.

(Sgd.) JOHN ROBINSON,
Town Clerk.

(Sgd.) GEORGE HANAN,
Mayor.



SCHEDULE B.

Agreement made in duplicate this 12th day of February, 1903, between the corporation of the Town of Niagara Falls hereinafter called the "Corporation," of the first part, and The Ontario Power Company of Niagara Falls hereinafter called the "Company," of the second part.

Whereas the company proposes to erect on certain lands vested in the commissioners for the Queen Victoria Niagara Falls Park and other lands now owned by the said company, or proposed to be acquired by it, and on the streets of the said Town of Niagara Falls, buildings, machinery, poles, wires and conduits for the purpose of generating and transmitting electrical power.

And whereas the company has agreed to supply to the corporation upon the terms and conditions hereinafter set forth, electrical current sufficient to develop one thousand electrical horse power at the rate of ten dollars per horse power per annum in consideration of a partial exemption from taxation as hereinafter described.

Now this agreement witnesseth that the company in consideration of the premises and of the covenants of the corporation hereinafter contained, covenants and agrees with the corporation as follows:

1. As soon as its plant is ready for operation and continuously thereafter for a period of ten years, so far as due diligence enables it to do so, to furnish continuously to the corporation, if so required by it at the present lighting premises of the corporation, three phase alternating electric current, approximately 25 cycles at a pressure of approximately two thousand two hundred volts, sufficient to develop not less than one thousand electrical horse power.

In consideration thereof the corporation covenants and agrees as follows:

First. To pay for any electric current supplied by the company at the rate of ten dollars per annum for each electrical horse power so supplied quarterly on the tenth days of January, April, July and October for the quarter ending on the first day of the month in which such payment is made.

Second. To take, if any such electric current is required by it, not less than sufficient to develop three hundred electrical horse power, and after said amount is supplied, and while it is so supplied, any additional power in blocks of not less than twenty-five electrical horse power.

Third. That the lands, buildings, machinery, poles, wires, conduits and all other real and personal property now owned or occupied by the said company, or hereafter to be acquired by it, shall be exempt from taxation except as to school taxes from the date hereof up to and including the thirty-first day of December, 1914, to the extent of any *excess in* valuation of the lands now owned or hereafter at any time owned or occupied by the said company over and above the assessed value of the said lands according to the assessment roll of said corporation for the year 1902.

It is mutually understood and agreed :

First. The electric current shall be measured at such voltage as it comes from the line on the high pressure transmitting conductors upon the said premises of the corporation in a suitable place to be provided by said corporation in watts, reckoning 746 watts to the electrical horse power, and such measurement shall be made by standard meters furnished by the company and in electrical units as standardized by the English Board of Trade. The corporation shall also furnish space in its said lighting station for the installation of necessary static transformers.

Second. The corporation shall have the right to extend this agreement for a second term of ten years after the expiration of the term herein specified upon giving the company six months written notice of its election so to do.

Third. All provisions hereof shall enure to and be binding upon the respective parties, their successors and assigns.

In witness whereof the parties hereto have duly executed this agreement.

GEORGE HANAN,
Mayor. { Seal of }
JOHN ROBINSON, { Corporation }
Town Clerk.

THE ONTARIO POWER COMPANY OF NIAGARA FALLS

By J. A. ARCHBALD,
Vice-Prest. { Seal of }
R. C. BOARD, { Company }
Secretary.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act to confirm a certain By-Law and
Agreement of the Town of Niagara
Falls.

First Reading, 24th April, 1903.
Second Reading, 28th May, 1903.

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

Mr. Gross.

TORONTO:

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

An Act respecting the City of London

Preamble.

WHEREAS the corporation of the City of London has, by its petition, prayed for special legislation in respect of the several matters hereinafter set forth; and whereas none of the by-laws in Schedules A and D hereto 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; and whereas no opposition has been offered to the confirmation of the said by-laws; and whereas it is expedient to grant the prayer of the said petitioners:

10 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 2119, of the corporation of the City of London, for stopping up parts of Tra'algar street and William street in the City of London, and selling and conveying the same to the owners of the lands fronting thereon, passed on the 6th day of October, 1902, which by-law is set out as Schedule A hereto, is hereby confirmed and declared to be legal, valid and binding according to the true intent and meaning thereof.

By-law No. 2119 for stopping up Tra'algar Street and William Street confirmed.

2. A certain conveyance, bearing date the first day of December, 1902, made between the corporation of the City of London of the first part, and the London Rolling Mills Company, Limited, of the second part, which conveyance is set out as Schedule B hereto, is hereby confirmed and declared to be legal, valid and binding according to the true intent and meaning thereof.

Conveyance from City to Rolling Mills Co. confirmed.

3. A certain conveyance bearing date the first day of December, 1902, made between the corporation of the City of London of the first part and the McClary Manufacturing Company of the second part, which conveyance is set out as Schedule C hereto, is hereby confirmed and declared to be legal, valid and binding according to the true intent and meaning thereof.

Conveyance from City to McClary Mfg. Co. confirmed.

35 4. The by-laws of the corporation of the City of London specified in Schedule D hereto, and all debentures issued,

Certain money by-laws confirmed.

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.

Power to borrow \$50,000 for improvements at Victoria Hospital.

5. Notwithstanding the provisions of any Act or law the corporation of the City of London may borrow, for any period not exceeding thirty years, such sum, not exceeding \$50,000, as to the council thereof may seem meet, for the purpose of paying for certain contemplated alterations to Victoria Hospital, and of erecting on the site of the said Victoria Hospital an additional building to provide greater accommodation for the said hospital, for replacing old culverts in the City of London with permanent culverts, for the purchase of two fire engines, and for paying for certain contemplated alterations in the Central Fire Hall, and may pay and apply the same accordingly.

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Assent of electors not required.

Rev. Stat. c. 223.

6. It shall not be necessary that any by-law for the purposes mentioned in the next preceding section hereof shall be submitted to or receive the assent of the ratepayers of the said city, but all the other provisions of *The Municipal Act* which are applicable and which are not inconsistent with the provisions of this Act shall apply to such by-law.

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Rate of interest on debentures.

7. The debentures issued for any of the purposes mentioned in section 5 hereof may bear such rate of interest, not exceeding five per cent per annum, as the council of the corporation of the city may determine.

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Informalities not to invalidate debentures.

8. No irregularity in the form of the debentures issued under the authority of this Act, or any by-law authorizing the issue thereof, shall render the same invalid or be allowed as a defence to any action against the said the corporation of the City of London for the recovery of the amount thereof, 30 or interest thereon, or any part thereof.

36 V. c. 102 s. 44 repealed.

9. Section 44 of "*The London Waterworks Act, 1873*" is repealed and the following section substituted therefor;—

Term of office of water commissioners

" 44. The two Water Commissioners now elected shall hold office until the first Monday in January next following their election. One of the commissioners elected at the next annual election of commissioners (to be determined by lot at the first meeting of the commissioners after their election, which determination shall be entered upon the minutes) shall retire from office at the time appointed for the next following annual election of commissioners, and the other commissioner elected at the next annual election of commissioners shall continue in office one year longer and then retire. At the next following annual election of commissioners, and thereafter, one commissioner only shall be elected annually, and shall continue in office for two years. All commissioners

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shall be elected at the same time, and in the same manner, as aldermen; and all the provisions and remedies of "*The Municipal Act*" at any time in force with respect to aldermen shall apply in all particulars not inconsistent with this Act to the said commissioners, as to election, unseating, filling vacancies, grounds of disqualification and otherwise."

SCHEDULE A.

By-Law No. 2119.

For stopping up parts of Trafalgar Street and William Street, in the City of London, and selling and conveying the same to the owners of lands fronting thereon.

Whereas an application has been made to the municipal council of the corporation of the City of London to stop up the portions of Trafalgar street and William street, in the City of London, hereinafter described, and for the sale and conveyance of the same to the owners of the lands fronting thereon;

And whereas printed notices of this intended by-law in this behalf have been posted up for one month and upwards previously to the passing of this by-law, in six of the most public places in the neighborhood of the said portion of the said streets, and such notice has also been published weekly for four consecutive weeks in the Advertiser, a daily newspaper published in the said City of London;

And whereas the council of the said corporation has heard all persons whose lands might be prejudicially affected thereby, and who have petitioned to be so heard;

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

1st. That from and after the passing of this by-law that portion of Trafalgar street, in the said City of London which lies between the westerly limit of Adelaide street and a point where the dividing line between Lots number three and four, on the north side of Trafalgar street aforesaid, according to registered plan number 45, would cross Trafalgar street aforesaid if produced in a straight line southerly, shall be stopped and forever closed, and cease to be or form part of the highway or street aforesaid, or to be a highway, and the said portion of the said street so closed shall be granted and conveyed by the said the corporation of the City of London as hereinafter provided.

2nd. That from and after the passing of this By-law that portion of William street, in the said City of London, which lies between the northerly limit of Trafalgar street and a point where the southerly limit of Philip street would cross William street aforesaid, if produced in a straight line easterly, shall be stopped up and forever closed, and cease to be or form part of the highway or street aforesaid, or to be a highway, and the said portion of the said street so closed shall be granted and conveyed by the said the corporation of the City of London as hereinafter provided.

3rd. Upon payment of the sum of one dollar by the London Rolling Mills Company (Limited), of the said City of London, and the McClary Manufacturing Company, of the said City of London, the persons owning the adjacent lands, first entitled thereto, within three months of the passing of this by-law, to the treasurer of the corporation of the said city, for the use thereof, the mayor of the said city may execute a con-

veyance in fee simple of the said parts of the said streets, so stopped up and closed, and affix the corporate seal of the said city thereto, conveying the said parts of the said streets in fee simple as follows, that is to say:—To the said The London Rolling Mills Company (Limited) and their successors forever, that portion of Trafalgar street aforesaid which lies between the point where the dividing line between said lots number three and four, on the north side of Trafalgar street aforesaid, according to registered plan number 45, would cross Trafalgar street aforesaid, if produced in a straight line southerly and a point where the dividing line between lots number twenty-six and twenty-seven, on the north side of Trafalgar street aforesaid if produced in a straight line southerly; and also the said portion of William street so stopped up; but the conveyance shall contain this condition and reservation, that in the event of the said portions of the said streets, or either of them, ceasing to be used at any time hereafter by the said company, and their successors and assigns, for manufacturing purposes, or other purposes of their business, the said sale and conveyance shall thereupon become and be void, and the council of the corporation of the City of London shall be at liberty to open up the said lands and declare the same to be a highway or high ways without any compensation to the said The London Rolling Mills Company (Limited), their successors or assigns, therefor; and subject to and reserving to the corporation of the City of London, and their successors, the right at any and all times hereafter to grant to any person, firm or company which may operate a belt line, or to the London and Port Stanley Railway Company, or other railway company, a right of way over and upon so much of the said streets or portions of streets so stopped up as aforesaid, as may be necessary or expedient for a belt line or other railway line, switch or spur, the location of such right of way west of Adelaide street being shown on the map or blue print prepared by Owen McKay, chief engineer, which is hereto annexed marked "A" by the lines marked "Proposed belt line," and subject to and reserving to the corporation of the said City of London the right also from time to time, and at all times hereafter, to operate the said portion of the railway or any other railway over the said portions of the said street, provided, however, that cars shall not be stored on the said right of way so as to prevent the reasonable use of the same by the said The London Rolling Mills Company, The McClary Manufacturing Company, and other parties entitled thereto; and conveying to the said The McClary Manufacturing Company, their successors and assigns forever, the remaining portion of Trafalgar street so stopped up as aforesaid; but the conveyance to the said The McClary Manufacturing Company shall contain this condition and reservation, that in the event of the said portion of the said street ceasing to be used at any time hereafter by the said company, and their successors or assigns, for manufacturing purposes or other purposes of their business, the said sale and conveyance shall thereupon become and be void, and the council of the corporation of the City of London shall be at liberty to open up the said lands and declare the same to be a highway without any compensation to the said The McClary Manufacturing Company, their successors or assigns, therefor; and subject to and reserving to the corporation of the City of London, and their successors, the right at any and all times hereafter to grant to any person, firm or company which may operate a belt line, or to The London and Port Stanley Railway Company, or other railway company, a right of way over and upon so much of the said streets or portions of streets so stopped up as aforesaid, as may be necessary or expedient for a belt line, or other railway line, switch or spur, the location of such right of way west of Adelaide street being shown on the map or blue print prepared by Owen McKay, chief engineer, which is hereto annexed marked "A" by the lines marked "Proposed belt line," and subject to and reserving to the corporation of the City of London the right also from time to time, and at all times hereafter, to operate the said portion of the railway, or any other railway, over the said portions of the said street,

provided, however, that cars shall not be stored on the said right of way so as to prevent the reasonable use of the same by the said The London Rolling Mills Company, The McClary Manufacturing Company, and other parties entitled thereto.

Passed in open council this sixth day of October, A. D. 1902.

(Sgd). A. BECK,
Mayor.

(Sgd). C. A. KINGSTON,
Clerk.

(Seal)

SCHEDULE B.

This indenture made in duplicate the first day of December, A.D. 1902, in pursuance of the Act respecting short forms of conveyances of *The Municipal Act*, and of By-law Number 2119 of the corporation of the City of London, passed on the sixth day of October, A.D. 1902, between the corporation of the City of London, of the first part, and the London Rolling Mills Company, Limited, of the said City of London, of the second part ;

Whereas the corporation of the City of London have, by their By-law Number 2119, passed on the sixth day of October, 1902, enacted that the portions of Trafalgar street and William street hereinafter mentioned, and hereby conveyed, and another portion of Trafalgar street, should be stopped up and forever closed, and cease to be or form part of the highways or streets aforesaid, or to be a highway, and authorized the mayor of the said city, on payment to the treasurer of the corporation of the City of London of the sum of one dollar within three months from the passing of the said by law, to execute a deed of conveyance from the said parties of the first part to the said parties of the second part, their successors and assigns, in fee simple, of the lands and premises hereinafter described but upon and subject to the condition and reservation that in the event of the said portions of the said streets, or either of them, ceasing to be at any time hereafter by the said parties of the second part, their successors and assigns, for manufacturing purposes, or other purposes of their business, the said sale and conveyance shall thereupon become and be void, and the council of the corporation of the City of London, and their successors, the right at any and all times hereafter to grant to any person, firm or company which may operate a belt line, or to the London and Port Stanley Railway Company, or other railway company, a right of way over and upon so much of the said streets, or portions of streets, hereby conveyed, as may be necessary or expedient for a belt line, or other railway line, switch or spur, the location of such right of way west of Adelaide street being shown on the map or blue print prepared by Owen McKay, chief engineer, a true copy of which is hereto annexed marked A by the lines marked " Proposed belt line ; " and subject to and reserving to the corporation of the said City of London the right also, from time to time, and at all times hereafter, to operate the said portion of the said railway, or any other railway, over the said portions of the said streets hereby conveyed, provided, however, that cars shall not be stored on the said right of way so as to prevent the reasonable use of the same by the said parties of the second part, The McClary Manufacturing Company, and other parties entitled thereto.

And whereas the said parties of the second part did, within three months after the passing of the said by-law, pay to the treasurer of the said corporation of the City of London the said sum of one dollar, and have requested the said parties of the first part to execute this indenture for the purpose of conveying to them the said lands, as provided by the said by-law.

Now this indenture witnesseth that the said parties of the first part, in consideration of the premises, and of the said sum of one dollar, so paid as aforesaid, and in pursuance of the said by-law, do grant unto the said parties of the second part in fee simple all and singular those certain parcels or tracts of land and premises, situate, lying and being in the said City of London, being composed of that portion of Trafalgar street aforesaid which lies between the point where the dividing line between lots numbers three and four, on the north side of Trafalgar street aforesaid, according to registered plan number 45, would cross Trafalgar street aforesaid if produced in a straight line southerly and a point where the dividing line between lots numbers twenty-six and twenty-seven, on the north side of Trafalgar street, would cross Trafalgar street aforesaid if produced in a straight line southerly; and also that portion of William street aforesaid which lies between the northerly limit of Trafalgar street and a point where the southerly limit of Philip street would cross William street aforesaid, if produced in a straight line easterly, reserving, however, to the parties of the first part, and their successors, the right, at any and all times hereafter, to grant to the McClary Manufacturing Company, and to any person, firm or company which may operate a belt line, and to the London and Port Stanley Railway Company, or other railway company, or any or either of them, a right of way over and upon so much of the said streets, or portions of streets, hereby conveyed, as may be necessary or expedient for a belt line, or other railway line, switch or spur, the location of such right of way west of Adelaide street being shown on the map of blue print prepared by Owen McKay, chief engineer, a true copy of which is hereto annexed marked A by the lines marked "Proposed belt line"; and subject to and reserving to the corporation of the said City of London the right also, from time to time, and at all times hereafter, to operate the said portion of the said railway, or any other railway, over the said portions of the said streets hereby conveyed, provided, however, that cars shall not be stored on the said right of way so as to prevent the reasonable use of the same by the said parties of the second part, The McClary Manufacturing Company, and other parties entitled thereto.

To have and to hold unto the said parties of the second part, their successors and assigns, to and for their sole and only use forever, subject nevertheless to the reservation, limitations, provisoes and conditions contained in the said by-law, and subject to, and reserving to the said parties of the first part, and their successors, the right at any and all times hereafter, to grant to the McClary Manufacturing Company, and to any person, firm or company which may operate a belt line, and to the London and Port Stanley Railway Company, or other railway company, or any or either of them, a right of way over and upon so much of the said streets, or portions of streets, hereby conveyed, as may be necessary or expedient for a belt line, or other railway line, switch or spur, the location of such right of way west of Adelaide street being shown on the map or blue print prepared by Owen McKay, chief engineer, a true copy of which is hereto annexed marked A by the lines marked "Proposed belt line"; and subject to and reserving to the said parties of the first part, and their successors the right also, from time to time, and at all times hereafter, to operate the said portion of the said railway, or any other railway, over the said portions of the said streets hereby conveyed, provided, however, that cars shall not be stored on the said right of way so as to prevent the reasonable use of the same by the said parties of the second part, The McClary Manufacturing Company, and other parties entitled thereto;

Provided always and these presents are upon the express condition that if the said parties of the second part, their successors or assigns, shall at any time hereafter cease to use the lands hereby conveyed, or either parcel thereof, for manufacturing purposes, or other purposes of their business, then these presents shall be void, and the council of the said corporation shall be at liberty to open up and declare to be a highway, or highways, the said lands hereby conveyed, or such parcel thereof

as shall cease to be used by the said parties of the second part for manufacturing purposes, or other purposes of their business, as aforesaid, without any compensation to the said parties of the second part, their successors or assigns, therefor anything herein contained to the contrary notwithstanding.

In witness whereof the corporate seal of the corporation of the City of London, and the hand of the mayor or the said city have been hereunto set the day and year first above written.

Signed, sealed and delivered in the presence of (Signed)	}	(Signed)	A. BECK, Mayor.	(Seal)
C. A. KINGSTON.				

SCHEDULE C.

This indenture made in duplicate the first day of December, A. D. 1902, in pursuance of the Act respecting Short Forms of Conveyances, of the Municipal Act, and of By-law Number 2119 of the corporation of the City of London, passed on the sixth day of October, A. D. 1902, between the corporation of the City of London, of the first part, and The McClary Manufacturing Company, of the City of London, of the second part.

Whereas the corporation of the City of London have, by their By-law Number 2119, passed on the sixth day of October, A. D. 1902, enacted that the portion of Trafalgar street hereinafter mentioned, and hereby conveyed, and another portion of Trafalgar street, and a portion of William street, should be stopped up and forever closed, and cease to be or form part of the highways or streets aforesaid, or to be a highway, and authorized the mayor of the said city, on payment to the treasurer of the corporation of the City of London of the sum of one dollar within three months from the passing of the said by law, to execute a deed of conveyance from the said parties of the first part to the said parties of the second part, their successors and assigns, in fee simple, of the lands and premises hereinafter described, but upon and subject to the condition and reservation that, in the event of the said portion of the said street causing to be used at any time hereafter by the said parties of the second part, their successors and assigns, for manufacturing purposes, or other purposes of their business, the said sale and conveyance shall thereupon become and be void, and the council of the corporation of the City of London shall be at liberty to open up the said lands and declare the same to be a highway, without any compensation to the said parties of the second part, their successors or assigns, therefor; and subject to and reserving to the corporation of the City of London, and their successors, the right at any and all times hereafter, to grant to any person, firm or company which may operate a belt line, or to the London and Port Stanley Railway Company, or other railway company, a right of way over and upon so much of the said street, or portion of street, hereby conveyed, as may be necessary or expedient for a belt line, or other railway line, switch or spur, the location of such right of way west of Adelaide street being shown on the map or blue print prepared by Owen McKay, chief engineer, a true copy of which is hereto annexed marked "A" by the lines marked "Proposed belt line"; and subject to and reserving to the corporation of the said City of London the right also, from time to time, and at all times hereafter, to operate the said portion of the said railway, or any other railway, over the said portion of the said street hereby conveyed, provided, however, that the cars shall not be stored on the right of way so as to prevent the reasonable use of the

same by the said parties of the second part, The London Rolling Mills Company, Limited, and other parties entitled thereto.

And whereas the said parties of the second part did, within three months after the passing of the said by-law, pay to the treasurer of the said corporation of the City of London, the said sum of one dollar, and have requested the said parties of the first part to execute this indenture for the purpose of conveying to them the said lands, as provided by the said by-law.

Now this indenture witnesseth that the said parties of the first part, in consideration of the premises, and of the said sum of one dollar, so paid as aforesaid, and in pursuance of the said by-law, do grant unto the said parties of the second part, in fee simple, ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the said City of London, being composed of that portion of Trafalgar street, aforesaid, which lies between the westerly limit of Adelaide street, and a point where the dividing line between lots number twenty-six and twenty-seven, on the north side of Trafalgar street, would cross Trafalgar street aforesaid, if produced in a straight line southerly, reserving, however, to the parties of the first part, and their successors, the right, at any and all times hereafter, to grant to The London Rolling Mills Company, Limited, and to any person, firm or company which may operate a belt line, and to the London and Port Stanley Railway Company, or other railway company, or any or either of them, a right of way over and upon so much of the said street, or portion of street, hereby conveyed, as may be necessary or expedient for a belt line, or other railway line, switch or spur, the location of such right of way west of Adelaide street being shown on the map or blue print prepared by Owen McKay, chief engineer, a true copy of which is hereto annexed marked "A" by the lines marked "Proposed belt line;" and subject to and reserving to the corporation of the said City of London the right also, from time to time, and at all times hereafter, to operate the said portion of the said railway, or any other railway, over the said portion of the said street hereby conveyed, provided, however, that cars shall not be stored on the said right of way so as to prevent the reasonable use of the same by the said parties of the second part, The London Rolling Mills Company, Limited, and other parties entitled thereto.

To have and to hold unto the said parties of the second part, their successors and assigns, to and for their sole and only use forever, subject nevertheless to the reservations, limitations, provisions and conditions contained in the said by-law, and subject to, and reserving to the said parties of the first part, and their successors, the right, at any and all times hereafter, to grant to the London Rolling Mills Company, Limited, and to any person, firm or company which may operate a belt line, and to the London and Port Stanley Company, or other railway company, or any or either of them, a right-of-way over and upon so much of the said street, or portion of street, hereby conveyed, as may be necessary or expedient for a belt line, or other railway line, switch or spur, the location of such right of way west of Adelaide street being shown on the map or blue print prepared by Owen McKay, chief engineer, a true copy of which is hereto annexed, marked "A" by the lines marked "Proposed belt line;" and subject to and reserving to the said parties of the first part, and their successors, the right also, from time to time, and at all times hereafter, to operate the said portion of the said railway, or any other railway, over the said portion of the said street hereby conveyed, provided, however, that cars shall not be stored on the said right of way so as to prevent the reasonable use of the same by the said parties of the second part, The London Rolling Mills Company, Limited, and other parties entitled thereto.

Provided always, and these presents are upon the express condition that if the said parties of the second part, their successors and assigns, shall at any time hereafter cease to use the lands hereby conveyed, for

manufacturing purposes, or other purposes of their business, then these presents shall be void, and the council of the said corporation shall be at liberty to open up and declare to be a highway the said lands hereby conveyed, without any compensation to the said parties of the second part, their successors or assigns, therefor, anything herein contained to the contrary notwithstanding.

In Witness whereof the corporate seal of the corporation of the City of London, and the hand of the mayor of the said city, have been hereunto set the day and year first above written.

Signed, Sealed and Delivered)			
In the presence of)	(Sgd.)	A. BECK,	[Seal]
(Sgd.) C. A. KINGSTON.)		Mayor.	

SCHEDULE D.

List of By-laws providing for the issue of debentures, passed by the council of the corporation of the City of London on the Twenty-sixth day of December, A.D. 1902, the particulars of which are set out below :—

1. By-law Number 2134, to provide for raising moneys to pay for the construction of cement sidewalks, therein referred to, and to levy the rates to meet the debentures to be issued therefor.

2. By-law Number 2135, to provide for raising moneys to pay for the construction of tile sewers, therein referred to, and to levy the rates to meet the debentures to be issued therefor.

3. By-law Number 2136, to provide for raising moneys to pay for the construction of macadam pavements, therein referred to, and to levy the rates to meet the debentures to be issued therefor.

4. By law Number 2137, to consolidate the several issues of the debentures referred to in the said By-laws Numbers 2134, 2135 and 2136, and to provide for raising by debentures the city's share of the cost of the improvements in the said by-laws mentioned, which is to be raised by special rate.

An Act respecting the City of London

WHEREAS the Corporation of the City of London has, Preamble.
 by its petition, prayed for special legislation in respect of the several matters hereinafter set forth; and whereas none of the by-laws in Schedules A and D hereto 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; and whereas no opposition has been offered to the confirmation of the said by-laws; and whereas it has been made to appear that there is urgent and immediate need in the said city for increased protection from fire, and representations to that effect have been made by the Fire Writers Association and the Board of Trade of London; and whereas it has been further made to appear that additional accommodation is immediately required for the proper carrying on of the work of the Victoria Hospital in the said city; and whereas it is represented that any delay in the said matters might be attended with very serious consequences; and whereas the circumstances are entirely exceptional; and whereas it is expedient to grant the prayer of the said petitioners;

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 2119, of the Corporation of the City of London, for stopping up parts of Trafalgar street and William street in the City of London, and selling and conveying the same to the owners of the lands fronting thereon, passed on the 6th day of October, 1902, 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 2119 for stopping up Trafalgar Street and William Street confirmed.

2. A certain conveyance, bearing date the first day of December, 1902, made between the Corporation of the City of London of the first part, and The London Rolling Mills Company, Limited, of the second part, which conveyance is set out as Schedule B hereto, is confirmed and declared to be legal, valid and binding according to the true intent and meaning thereof.

Conveyance from City to Rolling Mills Co. confirmed.

Conveyance
from City to
McClary
Mfg. Co.
confirmed.

3. A certain conveyance bearing date the first day of December, 1902, made between the Corporation of the City of London of the first part and The McClary Manufacturing Company of the second part, which conveyance is set out as Schedule C hereto, is confirmed and declared to be legal, valid and binding according to the true intent and meaning thereof.

Certain money
by-laws
confirmed.

4. The by-laws of the Corporation of the City of London specified in Schedule D hereto, and all debentures issued, or to be issued thereunder, and all assessments made, or to be made, for payment thereof, are confirmed and declared to be to be legal, valid and binding.

Power to bor-
row \$50,000 for
improvements
at Victoria
Hospital.

5. Notwithstanding the provisions of any Act or law the Corporation of the City of London may borrow, for any period not exceeding thirty years, such sum, not exceeding \$25,000, as to the council thereof may seem meet, for the purpose of paying for certain contemplated alterations to Victoria Hospital, and of erecting on the site of the said Victoria Hospital an additional building to provide greater accommodation for the said hospital, and may pay and apply the same accordingly.

6. Notwithstanding the provisions of any Act or law, the Corporation of the City of London may borrow, for any period not exceeding thirty years, such sum not exceeding \$15,000, as to the council thereof may seem meet, for the purchase of one or more fire engines and for paying for certain contemplated alterations in the Central Fire Hall in the said city, and may pay and apply the same accordingly.

Assent of
electors not
required.

7. It shall not be necessary that any by-law for the purposes mentioned in the *two* next preceding sections hereof shall be submitted to or receive the assent of the ratepayers of the said city, but all the other provisions of *The Municipal Act* which are applicable and which are not inconsistent with the provisions of this Act shall apply to such by-law.

Rev. Stat.
c. 228.

Rate of
interest on
debentures.

8. The debentures issued for any of the purposes mentioned in section 5 hereof may bear such rate of interest, not exceeding five per cent per annum, as the council of the corporation of the *said* city may determine.

Informalities
not to
invalidate
debentures.

9. No irregularity in the form of the debentures issued under the authority of this Act, or any by-law authorizing the issue thereof, shall render the same invalid or be allowed as a defence to any action against the Corporation of the City of London for the recovery of the amount thereof, or interest thereon, or any part thereof.

10. Section 44 of *The London Waterworks Act, 1873*, is ^{36 V. c. 102} repealed and the following section substituted therefor ;— ^{s. 44 repealed.}

“ 44. The two Water Commissioners now elected shall hold office until the first Monday in January next following their election. One of the commissioners elected at the next annual election of commissioners (to be determined by lot at the first meeting of the commissioners after their election, which determination shall be entered upon the minutes) shall retire from office at the time appointed for the next following annual election of commissioners, and the other commissioner elected at the next annual election of commissioners shall continue in office one year longer and then retire. At the next following annual election of commissioners, and thereafter, one commissioner only shall be elected annually, and shall continue in office for two years. All commissioners shall be elected at the same time, and in the same manner, as aldermen; and all the provisions and remedies of *The Municipal Act* at any time in force with respect to aldermen shall apply in all particulars not inconsistent with this Act to the said commissioners, as to election, unseating, filling vacancies, grounds of disqualification and otherwise.”

Term of office
of water
commissioners

SCHEDULE A.

BY-LAW No. 2119.

For stopping up parts of Trafalgar Street and William Street, in the City of London, and selling and conveying the same to the owners of the lands fronting thereon.

Whereas an application has been made to the Municipal Council of the Corporation of the City of London to stop up the portions of Trafalgar street and William street, in the City of London, hereinafter described, and for the sale and conveyance of the same to the owners of the lands fronting thereon ;

And whereas printed notices of this intended by-law in this behalf have been posted up for one month and upwards previously to the passing of this by-law, in six of the most public places in the neighborhood of the said portion of the said streets, and such notice has also been published weekly for four consecutive weeks in the Advertiser, a daily newspaper published in the said City of London ;

And whereas the council of the said corporation has heard all persons whose lands might be prejudicially affected thereby, and who have petitioned to be so heard ;

Be it therefore enacted by the municipal council of the Corporation of the City of London as follows :—

1st. That from and after the passing of this by-law that portion of Trafalgar street, in the said City of London which lies between the westerly limit of Adelaide street and a point where the dividing line between Lots numbers three and four, on the north side of Trafalgar street aforesaid, according to registered plan number 45, would cross Trafalgar street aforesaid if produced in a straight line southerly, shall

be stopped and forever closed, and cease to be or form part of the highway or street aforesaid, or to be a highway and the said portion of the said street so closed shall be granted and conveyed by the said the Corporation of the City of London as hereinafter provided.

2nd. That from and after the passing of this By-law that portion of William street, in the said City of London, which lies between the northerly limit of Trafalgar street and a point where the southerly limit of Philip street would cross William street aforesaid, if produced in a straight line easterly, shall be stopped up and forever closed, and cease to be or form part of the highway or street aforesaid, or to be a highway, and the said portion of the said street so closed shall be granted and conveyed by the said the Corporation of the City of London as hereinafter provided.

3rd. Upon payment of the sum of one dollar by the London Rolling Mills Company (Limited), of the said City of London, and the McClary Manufacturing Company, of the said City of London, the persons owning the adjacent lands, first entitled thereto, within three months from the passing of this by-law, to the treasurer of the Corporation of the said City, for the use thereof, the mayor of the said city may execute a conveyance in fee simple of the said parts of the said streets, so stopped up and closed, and affix the corporate seal of the said city thereto, conveying the said parts of the said streets in fee simple as follows, that is to say:—To the said The London Rolling Mills Company (Limited) and their successors forever, that portion of Trafalgar street aforesaid which lies between the point where the dividing line between said lots number three and four, on the north side of Trafalgar street aforesaid, according to registered plan number 45, would cross Trafalgar street aforesaid, if produced in a straight line southerly and a point where the dividing line between lots numbers twenty-six and twenty-seven, on the north side of Trafalgar street would cross Trafalgar street aforesaid if produced in a straight line southerly; and also the said portion of William street so stopped up; but the conveyance shall contain this condition and reservation, that in the event of the said portions of the said streets, or either of them, ceasing to be used at any time hereafter by the said company, and their successors and assigns, for manufacturing purposes, or other purposes of their business, the said sale and conveyance shall thereupon become and be void, and the council of the Corporation of the City of London shall be at liberty to open up the said lands and declare the same to be a highway or highways without any compensation to the said The London Rolling Mills Company (Limited), their successors or assigns, therefor; and subject to and reserving to the Corporation of the City of London, and their successors, the right at any and all times hereafter to grant to any person, firm or company which may operate a belt line, or to the London and Port Stanley Railway Company, or other railway company, a right of way over and upon so much of the said streets or portions of streets so stopped up as aforesaid, as may be necessary or expedient for a belt line or other railway line, switch or spur, the location of such right of way west of Adelaide street being shown on the map or blue print prepared by Owen McKay, chief engineer, which is hereto annexed marked "A" by the lines marked "Proposed Belt Line," and subject to and reserving to the Corporation of the said City of London the right also from time to time, and at all times hereafter, to operate the said portion of the railway or any other railway over the said portions of the said street, provided, however, that cars shall not be stored on the said right of way so as to prevent the reasonable use of the same by the said The London Rolling Mills Company, The McClary Manufacturing Company, and other parties entitled thereto; and conveying to the said The McClary Manufacturing Company, their successors and assigns forever, the remaining portion of Trafalgar street so stopped up as aforesaid; but the conveyance to the said The McClary Manufacturing Company shall contain this condition and reservation, that in the event of the said portion of the said street

ceasing to be used at any time hereafter by the said company, and their successors or assigns, for manufacturing purposes or other purposes of their business, the said sale and conveyance shall thereupon become and be void, and the council of the Corporation of the City of London shall be at liberty to open up the said lands and declare the same to be a highway without any compensation to the said The McClary Manufacturing Company, their successors or assigns, therefor; and subject to and reserving to the Corporation of the City of London, and their successors, the right at any and all times hereafter to grant to any person, firm or company which may operate a belt line, or to The London and Port Stanley Railway Company, or other railway company, a right of way over and upon so much of the said streets or portions of streets so stopped up as aforesaid, as may be necessary or expedient for a belt line, or other railway line, switch or spur, the location of such right of way west of Adelaide street being shown on the map or blue print prepared by Owen McKay, chief engineer, which is hereto annexed marked "A" by the lines marked "Proposed Belt Line," and subject to and reserving to the Corporation of the City of London the right also from time to time, and at all times hereafter, to operate the said portion of the railway, or any other railway, over the said portions of the said street, provided, however, that cars shall not be stored on the said right of way so as to prevent the reasonable use of the same by the said The London Rolling Mills Company, The McClary Manufacturing Company, and other parties entitled thereto.

Passed in open council this sixth day of October, A. D. 1902.

(Sgd). A. BECK,
Mayor.

(Sgd). C. A. KINGSTON,
Clerk.

(Seal)

SCHEDULE B.

This Indenture made in duplicate the first day of December, A.D. 1902, in pursuance of the Act respecting Short Forms of Conveyances, of *The Municipal Act*, and of By-law Number 2119 of the Corporation of the City of London, passed on the sixth day of October, A. D. 1902, between the Corporation of the City of London, of the first part, and the London Rolling Mills Company, Limited, of the said City of London, of the second part;

Whereas the Corporation of the City of London have, by their By-law Number 2119, passed on the sixth day of October, A.D. 1902, enacted that the portions of Trafalgar street and William street hereinafter mentioned, and hereby conveyed, and another portion of Trafalgar street, should be stopped up and forever closed, and cease to be or form part of the highways or streets aforesaid, or to be a highway, and authorized the mayor of the said city, on payment to the treasurer of the Corporation of the City of London of the sum of one dollar within three months from the passing of the said by law, to execute a deed of Conveyance from the said parties of the first part to the said parties of the second part, their successors and assigns, in fee simple, of the lands and premises hereinafter described, but upon and subject to the condition and reservation that, in the event of the said portions of the said streets, or either of them, ceasing to be at any time hereafter by the said parties of the second part, their successors and assigns, for manufacturing purposes, or other purposes of their business, the said sale and conveyance shall thereupon become and be void, and the council of the Corporation of the City of London, shall be at liberty to open up the said lands, and declare the same to be a highway or highways, without any compensation to the said parties of the Second Part, their successors or assigns, therefor;

and subject to and reserving to the Corporation of the City of London, and their successors, the right at any and all times hereafter to grant to any person, firm or company which may operate a belt line, or to the London and Port Stanley Railway Company, or other railway company, a right of way over and upon so much of the said streets, or portions of streets, hereby conveyed, as may be necessary or expedient for a belt line, or other railway line, switch or spur, the location of such right of way west of Adelaide street being shown on the map or blue print prepared by Owen McKay, chief engineer, a true copy of which is hereto annexed marked A by the lines marked "Proposed Belt Line;" and subject to and reserving to the corporation of the said City of London the right also, from time to time, and at all times hereafter, to operate the said portion of the said railway, or any other railway, over the said portions of the said streets hereby conveyed, provided, however, that cars shall not be stored on the said right of way so as to prevent the reasonable use of the same by the said parties of the second part, The McClary Manufacturing Company, and other parties entitled thereto.

And whereas the said parties of the second part did, within three months after the passing of the said by-law, pay to the treasurer of the said Corporation of the City of London the said sum of one dollar, and have requested the said parties of the first part to execute this Indenture for the purpose of conveying to them the said lands, as provided by the said by-law.

Now this Indenture witnesseth that the said parties of the first part, in consideration of the premises, and of the said sum of one dollar, so paid as aforesaid, and in pursuance of the said by-law, do grant unto the said parties of the second part in fee simple all and singular those certain parcels or tracts of land and premises, situate, lying and being in the said City of London, being composed of that portion of Trafalgar street aforesaid which lies between the point where the dividing line between lots numbers three and four, on the north side of Trafalgar street aforesaid, according to registered plan number 45, would cross Trafalgar street aforesaid if produced in a straight line southerly and a point where the dividing line between lots numbers twenty-six and twenty-seven, on the north side of Trafalgar street, would cross Trafalgar street aforesaid if produced in a straight line southerly; and also that portion of William street aforesaid which lies between the northerly limit of Trafalgar street and a point where the southerly limit of Philip street would cross William street aforesaid, if produced in a straight line easterly, reserving, however, to the parties of the first part, and their successors, the right, at any and all times hereafter, to grant to the McClary Manufacturing Company, and to any person, firm or company which may operate a belt line, and to the London and Port Stanley Railway Company, or other railway company, or any or either of them, a right of way over and upon so much of the said streets, or portions of streets, hereby conveyed, as may be necessary or expedient for a belt line, or other railway line, switch or spur, the location of such right of way west of Adelaide street being shown on the map or blue print prepared by Owen McKay, chief engineer, a true copy of which is hereto annexed marked A by the lines marked "Proposed Belt Line"; and subject to and reserving to the corporation of the said City of London the right also, from time to time, and at all times hereafter, to operate the said portion of the said railway, or any other railway, over the said portions of the said streets hereby conveyed, provided, however, that cars shall not be stored on the said right of way so as to prevent the reasonable use of the same by the said parties of the second part, The McClary Manufacturing Company, and other parties entitled thereto.

To have and to hold unto the said parties of the second part, their successors and assigns, to and for their sole and only use forever, subject nevertheless to the reservations, limitations, provisoes and conditions contained in the said by-law, and subject to, and reserving to the said parties of the first part, and their successors, the right, at any and

all times hereafter, to grant to the McClary Manufacturing Company, and to any person, firm or company which may operate a belt line, and to the London and Port Stanley Railway Company, or other railway company, or any or either of them, a right of way over and upon so much of the said streets, of portions of streets, hereby conveyed, as may be necessary or expedient for a belt line, or other railway line, switch or spur, the location of such right of way west of Adelaide street being shown on the map or blue print prepared by Owen McKay, chief engineer, a true copy of which is hereto annexed marked A by the lines marked "Proposed Belt Line"; and subject to and reserving to the said parties of the first part, and their successors the right also, from time to time, and at all times hereafter, to operate the said portion of the said railway, or any other railway, over the said portions of the said streets hereby conveyed, provided, however, that cars shall not be stored on the said right of way so as to prevent the reasonable use of the same by the said parties of the second part, The McClary Manufacturing Company, and other parties entitled thereto;

Provided always and these presents are upon the express condition that if the said parties of the second part, their successors or assigns, shall at any time hereafter cease to use the lands hereby conveyed, or either parcel thereof, for manufacturing purposes, or other purposes of their business, then these presents shall be void, and the council of the said corporation shall be at liberty to open up and declare to be a highway, or highways, the said lands hereby conveyed, or such parcel thereof as shall cease to be used by the said parties of the second part for manufacturing purposes, or other purposes of their business, as aforesaid, without any compensation to the said parties of the second part, their successors or assigns, therefor anything herein contained to the contrary notwithstanding.

In witness whereof the corporate seal of the Corporation of the City of London, and the hand of the mayor of the said city have been hereunto set the day and year first above written.

Signed, sealed and delivered in
the presence of
(Signed)
C. A. KINGSTON.

(Signed)

A. BECK,
Mayor. (Seal)

SCHEDULE C.

This Indenture made in duplicate the first day of December, A. D. 1902, in pursuance of the Act respecting Short Forms of Conveyances, of the Municipal Act, and of By-law Number 2119 of the Corporation of the City of London, passed on the sixth day of October, A. D. 1902, between the Corporation of the City of London, of the first part, and The McClary Manufacturing Company, of the said City of London, of the second part.

Whereas the Corporation of the City of London have, by their By-law Number 2119, passed on the sixth day of October, A. D. 1902, enacted that the portion of Trafalgar street hereinafter mentioned, and hereby conveyed, and another portion of Trafalgar street, and a portion of William street, should be stopped up and forever closed, and cease to be or form part of the highways or streets aforesaid, or to be a highway, and authorized the mayor of the said city, on payment to the treasurer of the Corporation of the City of London of the sum of one dollar within three months from the passing of the said by-law, to execute a deed of conveyance from the said parties of the first part to the said parties of the second part, their successors and assigns, in fee simple, of the lands and

premises hereinafter described, but upon and subject to the condition and reservation that, in the event of the said portion of the said street ceasing to be used at any time hereafter by the said parties of the second part, their successors and assigns, for manufacturing purposes, or other purposes of their business, the said sale and conveyance shall thereupon become and be void, and the council of the corporation of the City of London shall be at liberty to open up the said lands, and declare the same to be a highway, without any compensation to the said parties of the second part, their successors or assigns, therefor; and subject to and reserving to the Corporation of the City of London, and their successors, the right, at any and all times hereafter, to grant to any person, firm or company which may operate a belt line, or to the London and Port Stanley Railway Company, or other railway company, a right of way over and upon so much of the said street, or portion of street, hereby conveyed, as may be necessary or expedient for a belt line, or other railway line, switch or spur, the location of such right of way west of Adelaide street being shown on the map or blue print prepared by Owen McKay, chief engineer, a true copy of which is hereto annexed marked "A" by the lines marked "Proposed Belt Line"; and subject to and reserving to the Corporation of the said City of London the right also, from time to time, and at all times hereafter, to operate the said portion of the said railway, or any other railway, over the said portion of the said street hereby conveyed, provided, however, that the cars shall not be stored on the right of way so as to prevent the reasonable use of the same by the said parties of the second part, The London Rolling Mills Company, Limited, and other parties entitled thereto.

And whereas the said parties of the second part did, within three months after the passing of the said by-law, pay to the treasurer of the said Corporation of the City of London, the said sum of one dollar, and have requested the said parties of the first part to execute this Indenture for the purpose of conveying to them the said lands, as provided by the said by-law.

Now this indenture witnesseth that the said parties of the first part, in consideration of the premises, and of the said sum of one dollar, so paid as aforesaid, and in pursuance of the said by-law, do grant unto the said parties of the second part, in fee simple, ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the said City of London, being composed of that portion of Trafalgar street, aforesaid, which lies between the westerly limit of Adelaide street, and a point where the dividing line between lots numbers twenty-six and twenty-seven, on the north side of Trafalgar street, would cross Trafalgar street aforesaid, if produced in a straight line southerly, reserving, however, to the parties of the first part, and their successors, the right, at any and all times hereafter, to grant to The London Rolling Mills Company, Limited, and to any person, firm or company which may operate a belt line, and to the London and Port Stanley Railway Company, or other railway company, or any or either of them, a right of way over and upon so much of the said street, or portion of street, hereby conveyed, as may be necessary or expedient for a belt line, or other railway line, switch or spur, the location of such right of way west of Adelaide street being shown on the map or blue print prepared by Owen McKay, chief engineer, a true copy of which is hereto annexed marked "A" by the lines marked "Proposed Belt Line;" and subject to and reserving to the corporation of the said City of London the right also, from time to time, and at all times hereafter, to operate the said portion of the said railway, or any other railway, over the said portion of the said street hereby conveyed, provided, however, that cars shall not be stored on the said right of way so as to prevent the reasonable use of the same by the said parties of the second part, The London Rolling Mills Company, Limited, and other parties entitled thereto.

To have and to hold unto the said parties of the second part, their

successors and assigns, to and for their sole and only use forever, subject nevertheless to the reservations, limitations, provisions and conditions contained in the said by-law, and subject to, and reserving to the said parties of the first part, and their successors, the right, at any and all times hereafter, to grant to the London Rolling Mills Company, Limited, and to any person, firm or company which may operate a belt line, and to the London and Port Stanley Company, or other railway company, or any or either of them, a right-of-way over and upon so much of the said street, or portion of street, hereby conveyed, as may be necessary or expedient for a belt line, or other railway line, switch or spur, the location of such right of way west of Adelaide street being shown on the map or blue print prepared by Owen McKay, chief engineer, a true copy of which is hereto annexed, marked "A" by the lines marked "Proposed Belt Line;" and subject to and reserving to the said parties of the first part, and their successors, the right also, from time to time, and at all times hereafter, to operate the said portion of the said railway, or any other railway, over the said portion of the said street hereby conveyed, provided, however, that cars shall not be stored on the said right of way so as to prevent the reasonable use of the same by the said parties of the second part, The London Rolling Mills Company, Limited, and other parties entitled thereto.

Provided always, and these presents are upon the express condition that if the said parties of the second part, their successors or assigns, shall at any time hereafter cease to use the lands hereby conveyed, for manufacturing purposes, or other purposes of their business, then these presents shall be void, and the council of the said corporation shall be at liberty to open up and declare to be a highway the said lands hereby conveyed, without any compensation to the said parties of the second part, their successors or assigns, therefor, anything herein contained to the contrary notwithstanding.

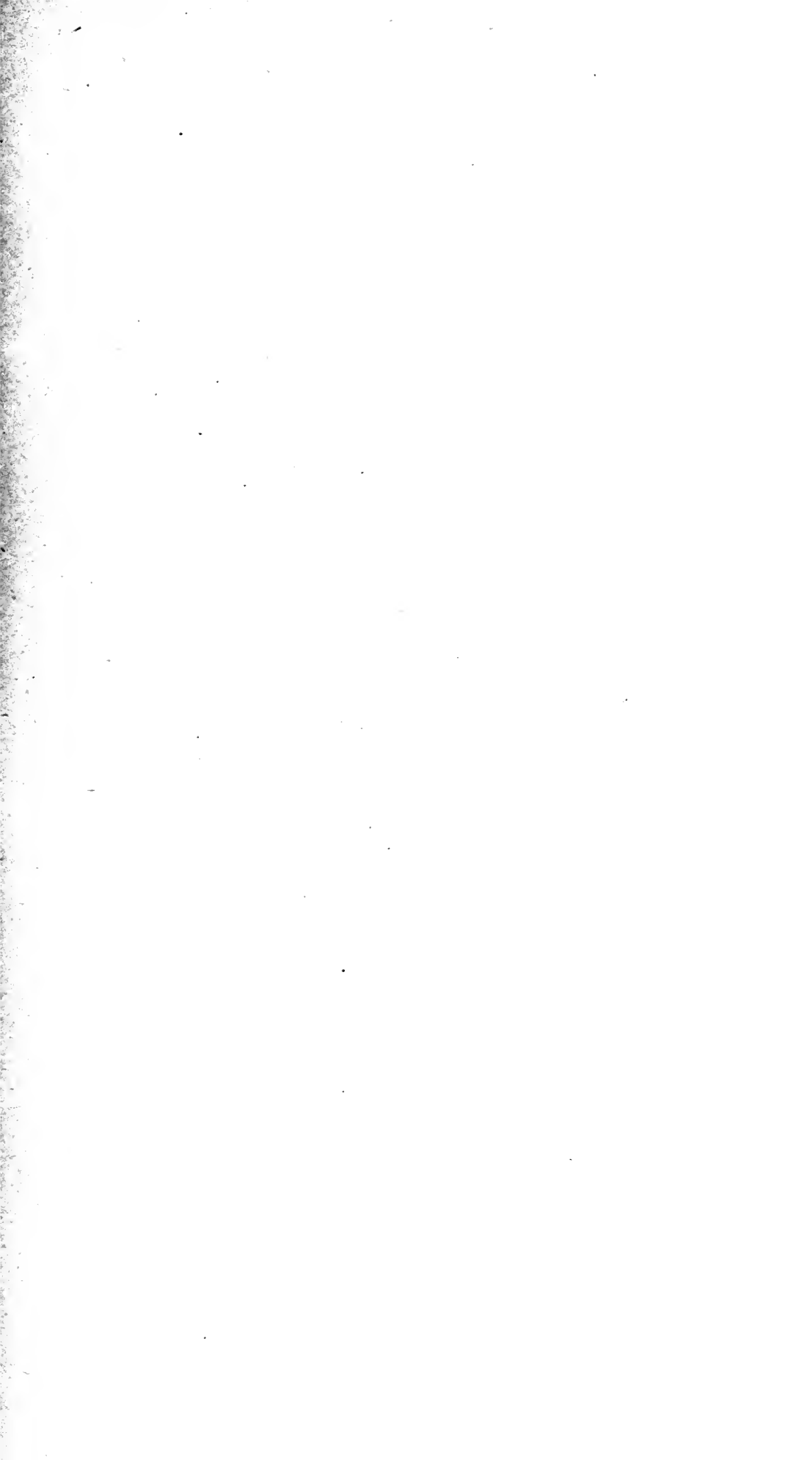
In Witness whereof the corporate seal of the Corporation of the City of London, and the hand of the mayor of the said city, have been hereunto set the day and year first above written.

Signed, Sealed and Delivered) In the presence of) (Sgd.) C. A. KINGSTON.)	(Sgd.) A. BECK, [Seal] Mayor.
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SCHEDULE D.

List of By-laws providing for the issue of debentures, passed by the council of the Corporation of the City of London on the Twenty-sixth day of December, A.D. 1902, the particulars of which are set out below :—

1. By-law Number 2134, to provide for raising moneys to pay for the construction of cement sidewalks, therein referred to, and to levy the rates to meet the debentures to be issued therefor.
2. By-law Number 2135, to provide for raising moneys to pay for the construction of tile sewers, therein referred to, and to levy the rates to meet the debentures to be issued therefor.
3. By-law Number 2136, to provide for raising moneys to pay for the construction of macadam pavements, therein referred to, and to levy the rates to meet the debentures to be issued therefor.
4. By law Number 2137, to consolidate the several issues of the debentures referred to in the said By-laws Numbers 2134, 2135 and 2136, and to provide for raising by debentures the city's share of the cost of the improvements in the said by-laws mentioned, which is to be raised by special rate.



1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL

An Act respecting the City of London.

First Reading, 24th April, 1903.

(Private Bill)

(Reprinted as amended by Private Bills
Committee.)

Mr. BECK.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act to incorporate The London, Parkhill and Grand Bend Electric Railway Company.

WHEREAS Oliver Baird, manufacturer, John M. Gibbs, ^{Preamble.} merchant, Albert E. Mullin, dentist, Charles A. Gibbs, merchant, and Alexander A. Mactavish, esquire, all of the Town of Parkhill, in the county of Middlesex, have by their
 5 petition prayed for an Act of incorporation under the name of "The London, Parkhill and Grand Bend Electric Railway Company," for the purpose of constructing and operating by electricity, compressed air, or any other power approved by the Commissioner of Public Works, except steam, a railway from
 10 some point on or near the south shore of Lake Huron, and at or near the boundary between the counties of Lambton and Huron, to a point in or near the City of London, passing through the township of Stephen in the county of Huron, the townships of McGillivray, West Williams, East Williams,
 15 Lobo and London in the county of Middlesex, to the City of London, and in its course through said townships passing through or touching at the Town of Parkhill and at any or all of the various towns and villages lying in its route; and whereas it is expedient to grant the prayer of the said
 20 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 Oliver Baird, John M. Gibbs, Albert E. Mullin, ^{Incorporation.}
 25 Charles A. Gibbs, and Alexander A. Mactavish, 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 London, Parkhill and Grand Bend Electric Railway Company."

2. The said company is hereby authorized and empowered ^{Location of line.}
 30 to survey, lay out, construct, complete, equip, maintain and operate by electricity, compressed air, or any other motive power approved by the Commissioner of Public Works, except steam, and from time to time alter, remove and change a
 35 double or single track iron or steel railway of the gauge of four feet, eight and a half inches, with all the necessary branches, switches, side-tracks and turn-outs for the passage

of cars, carriages, motors and other vehicles adapted to the same from some point in or near the south shore of Lake Huron, and at or near the boundary between the counties of Lambton and Huron to a point in or near the City of London, passing through the township of Stephen in the county of Huron, the townships of McGillivray, West Williams, East Williams, Lobo and London in the county of Middlesex, to the said City of London, and in its course through said townships, passing through or touching at the Town of Parkhill and at any or all of the various towns and villages lying in its route. The said railway or any part thereof may be carried along and upon such streets and highways and bridges as may be authorized by the by-laws of the respective corporations owning or having jurisdiction over the same, and subject to such restrictions therein or herein contained, and under and subject to any agreements hereafter to be made between the said company and the council of any of the said municipal corporations or any of the said other corporations respectively, subject to the conditions and restrictions contained in *The Electric Railway Act* and in *The Municipal Act* and any Act or Acts amending the same.

Rev. Stat.
c. 209.
Rev. Stat.
c. 223.

Construction
of line by
sections.

3. 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 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 portion 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 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 their 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 clauses of the said *Electric Railway Act* and the amendments thereof, with respect to plans and surveys. The construction of the railway in sections may be commenced at such point in the line of railway as the directors may determine, but the said

Rev. Stat.
c. 209, s. 27.

work of construction shall be carried on from such point by sections continuing therefrom so as to form at all times one continuous line of railway; provided however, that the Lieutenant-Governor in Council may sanction and approve of the construction by sections at different points, and not continuously, along said line of railway.

4. The said Oliver Baird, John M. Gibbs, Albert E. Mullin, Charles A. Gibbs, and Alexander A. Mactavish, 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.

Rev. Stat. c. 209.

5. The number of directors shall be not less than five nor more than nine.

Number of directors.

6. The head office of the said company shall be at the Town of Parkhill, in the county of Middlesex, and all meetings of the provisional board of directors of the company shall be held at the said Town of Parkhill, or at such other place as may best suit the interests of the company.

Head office.

7. The capital stock of the company shall be \$100,000, to be divided into 1,000 shares of \$100 each.

Capital stock.

The capital stock of the said company shall be applied and appropriated towards construction of the said railway in the following manner:

(1) \$40,000 to the section or branch from Grand Bend to Parkhill.

(2) \$30,000 to the section or branch from Parkhill to Poplar Hill.

(3) \$30,000 to the section or branch from Poplar Hill to London.

8. Where the road is constructed in sections, it shall only be necessary that twenty-five per centum of the capital stock necessary for the construction of such section be subscribed, and ten per centum of the capital stock necessary for the construction of such section be paid in cash into some chartered bank in Canada, to comply with section 52 of the *Electric Railway Act*.

Rev. Stat. c. 209, s. 52.

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

Date of annual meeting.

10. The directors may enter into a contract or contracts with any individual, corporation or association of individuals for the construction or equipment of the railway or any part thereof, including or excluding the purchase of right of way, and may pay therefor either in whole or in part, either in

Making certain payments in paid-up stock.

cash or bonds, or in paid-up stock, and may pay or agree to pay in paid up stock or in bonds of the said company, such sums as they may deem expedient to engineers or for the right of way or material, plant, or rolling stock, and also for the service of the promoters or other persons who may be employed by the directors for the purpose of assisting the directors and furthering the undertaking, or for the purchase of the right of way, material, plant or rolling stock, whether such promoters or other persons be provisional or elected directors or not; provided that no such contract shall be of any force or validity unless authorized by resolution passed by the votes of the shareholders in person or by proxy, representing two-thirds in value of the subscribed capital stock and on which no call is in default and unpaid, at a general meeting specially called for that purpose.

Tolls on fruit,
milk, etc.

11. The company may make uniform special rates for the carriage of fruit, milk and other perishable goods.

Laying rails
on highways.

12. 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 any agreement or agreements hereafter to be made between any such municipality and the said company, and it shall and may be lawful for the said company to enter into and perform any such agreements as they may from time to time deem expedient with any municipality, corporation or person, for the construction or for the maintenance and repair of gravel or other public roads leading to or used by the said railway.

Running
arrangements
and connections
with
other companies.

13. The said company shall have power to agree for connections and making running arrangements with any company or companies now or hereafter lawfully authorized to construct and operate a railway or railways in the municipalities named in section 2 of this Act, if lawfully empowered to enter into any such agreement, upon terms to be approved by two-thirds in value of the shareholders at a special general meeting to be held for that purpose, and it shall also be lawful for the said company to enter into an agreement or agreements, with the said companies or any of them, if lawfully authorized to enter into any such agreement, for the sale, or leasing, or hiring of any portion of the railway herein authorized or the use thereof, or for the sale, or leasing, or hiring any motors, carriages or cars, or any of them, or any part thereof, or touching any service to be rendered by one company to the other, and the compensation therefor, if the arrangements and agreement shall be approved of by two-thirds in value of the shareholders voting in person or

by proxy at a special general meeting to be called for that purpose, and every such agreement shall be valid and binding according to the terms and tenor thereof; and the company purchasing, leasing or entering into such agreement for using the said railway, may and are hereby authorized to work the said railway, in the same manner as if incorporated with their own line, subject to the provisions of any by-law or by-laws of the said municipality 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 no such agreement for connections, running arrangements, sale, leasing of 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.

20 **14.** 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.

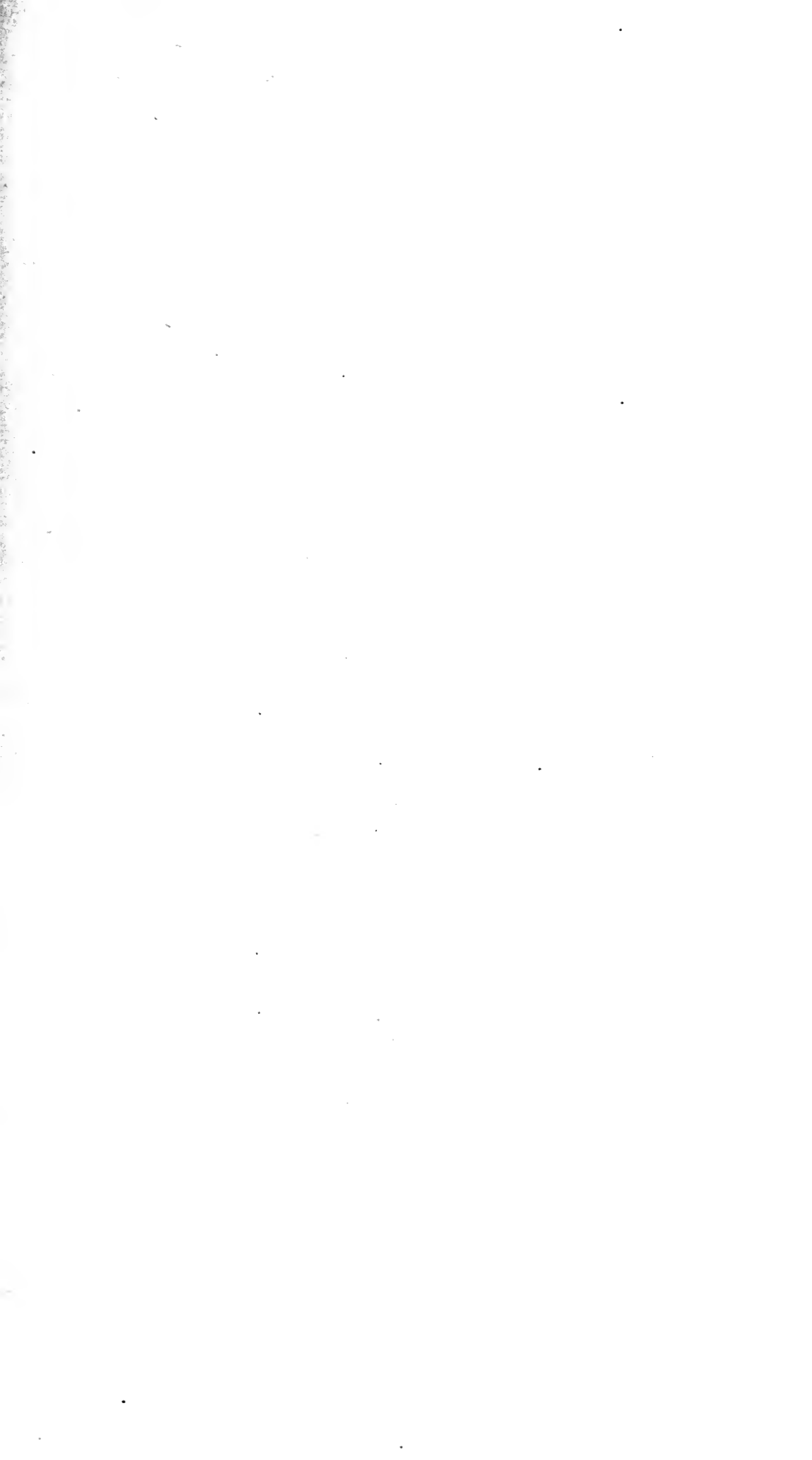
Application of
Electric Rail-
way Act.
Rev. Stat.
c. 209.

30 **15.** The directors of the said company shall have power to issue bonds and debentures of the company for the purpose of raising money for prosecuting the undertaking, but the whole amount of the issue of such bonds or debentures shall not exceed \$20,000 for each mile of said railway, and no bonds or debentures shall be issued until twenty-five per centum of the authorized capital appropriated to any one of the sections has been actually expended on such section; and, except as herein provided, the borrowing powers of the company shall be governed by the said Electric Railway Act.

Bonding
powers.

40 **16.** The railway shall be commenced within three years and finally completed within seven years after the passing of this Act.

Commencement and
completion of
line.



1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL

An Act respecting the London, Parkhill
and Grand Bend Electric Railway.

First Reading, _____, 1903.

(Private Bill.)

Mr. TAYLOR.

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

An Act to incorporate The London, Parkhill and
Grand Bend Electric Railway Company.

WHEREAS Oliver Baird, manufacturer, John M. Gibbs, Preamble.
merchant, Albert E. Mullin, dentist, Charles A. Gibbs,
merchant, and Alexander A. Maetavish, esquire, all of the
Town of Parkhill, in the county of Middlesex, have by their
petition prayed for an Act of incorporation under the name of
"The London, Parkhill and Grand Bend Electric Railway Com-
pany," for the purpose of constructing and operating by elec-
tricity, compressed air, or any other *motive* power approved by
the Commissioner of Public Works, except steam, a railway from
some point on or near the south shore of Lake Huron, and at
or near the boundary between the counties of Lambton and
Huron, to a point in or near the City of London, passing
through the township of Stephen in the county of Huron,
the townships of McGillivray, West Williams, East Williams,
Lobo and London in the county of Middlesex, to the City of
London, and in its course through said townships passing
through or touching at the Town of Parkhill and at any or
all of the various towns and villages lying in its route; 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 Oliver Baird, John M. Gibbs, Albert E. Mullin, Incorporation.
Charles A. Gibbs, and Alexander A. Maetavish, and such
other persons, firms, and corporations as shall hereafter be-
come shareholders of the said company are hereby constituted
a body corporate and politic under the name of "The London,
Parkhill and Grand Bend Electric Railway Company."

2. The said company is hereby authorized and empowered Location
to survey, lay out, construct, complete, equip, maintain and of line.
operate by electricity, compressed air, or any other motive
power approved by the Commissioner of Public Works, except
steam, and from time to time alter, remove and change a
double or single track iron or steel railway of the gauge of
four feet, eight and a half inches, with all the necessary
branches, switches, side-tracks and turn-outs for the passage

of cars, carriages, motors and other vehicles adapted to the same from some point in or near the south shore of Lake Huron, and at or near the boundary between the counties of Lambton and Huron to a point in or near the City of London, passing through the township of Stephen in the county of Huron, the townships of McGillivray, West Williams, East Williams, Lobo and London in the county of Middlesex, to the said City of London, and in its course through said townships, passing through or touching at the Town of Parkhill and at any or all of the various towns and villages lying in its route; 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 made or hereafter to be made between the said company and the councils of any of the said corporations ^{and} 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, ^{and} subject to the provisions and conditions contained in this Act, *The Electric Railway Act*, and in *The Municipal Act* and any Act or Acts amending the same.

Rev. Stat.
c. 209.
Rev. Stat.
c. 223.
Construction
of line by
sections.

3. 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 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 portion 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 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 their 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 clauses of the said Electric Railway Act and the amendments thereof,

Rev. Stat.
c. 209, s. 27.

with respect to plans and surveys. The construction of the railway in sections may be commenced at such point in the line of railway as the directors may determine, but the said work of construction shall be carried on from such point by sections continuing therefrom so as to form at all times one continuous line of railway; provided however, that the Lieutenant-Governor in Council may sanction and approve of the construction by sections at different points, and not continuously, along said line of railway.

4. The said Oliver Baird, John M. Gibbs, Albert E. Mullin, Charles A. Gibbs, and Alexander A. Mactavish, 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.

Rev. Stat.
c. 209.

5. The number of directors shall be not less than five nor more than nine.

Number of
directors.

6. The head office of the said company shall be at the Town of Parkhill, in the county of Middlesex, and all meetings of the provisional board of directors of the company shall be held at the said Town of Parkhill, or at such other place as may best suit the interests of the company.

Head office.

7. The capital stock of the company shall be \$100,000, to be divided into 1,000 shares of \$100 each.

Capital stock.

The capital stock of the said company shall be applied and appropriated towards construction of the said railway in the following manner:

- (1) \$40,000 to the section or branch from Grand Bend to Parkhill.
- (2) \$30,000 to the section or branch from Parkhill to Poplar Hill.
- (3) \$30,000 to the section or branch from Poplar Hill to London.

8. When and so soon as twenty-five per centum of the capital stock appropriated to any section or branch shall be subscribed and ten per centum of such authorized capital has been paid in cash to the credit of the company into some chartered bank of the Dominion having an office in the Province of Ontario, 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 of the company for the purpose of organization.

Rev. Stat.
c. 209, s. 52.

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

Date of annual
meeting.

Making certain payments in paid-up stock.

10. The directors may enter into a contract or contracts with any individual, corporation or association of individuals for the construction or equipment of the railway or any part thereof, including or excluding the purchase of right of way, and may pay therefor either in whole or in part, either in cash or bonds, or in paid-up stock, and may pay or agree to pay in paid up stock or in bonds of the said company, such sums as they may deem expedient to engineers or for the right of way or material, plant, or rolling stock, and also for the services of the promoters or other persons who may be employed by the directors for the purpose of assisting the directors and furthering the undertaking, or for the purchase of the right of way, material, plant or rolling stock, whether such promoters or other persons be provisional or elected directors or not; provided that no such contract shall be of any force or validity unless first authorized by resolution passed by the votes of the shareholders in person or by proxy, representing two-thirds in value of the subscribed capital stock and on which no call is in default and unpaid, at a general meeting specially called for that purpose.

Tolls on fruit, milk, etc.

11. The company may make uniform special rates for the carriage of fruit, milk and other perishable goods.

Laying rails on highways.

12. Any municipality through which the said railway passes and having jurisdiction in the premises may, subject to the provisions and conditions contained in this Act, *The Municipal Act* and any Act or Acts amending the same, and subject also to the terms of, and unless restricted by any agreement lawfully entered into between any such municipality and any other railway or street railway company, 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 road company, and if such highways be in the possession of or under the control of any road company then also with the consent of and subject to the conditions imposed by such road company, and under and subject to any agreement or agreements hereafter to be made between any such municipality and the said company, and it shall and may be lawful for the said company to enter into and perform any such agreements as they may from time to time deem expedient with any municipality, corporation or person for the construction or for the maintenance and repair of gravel or other public roads leading to or used by the said railway.

Running arrangements and connections with other companies.

13. The said company shall have power to agree for connections and making running arrangements with any company or companies now or hereafter lawfully authorized to construct and operate a railway or railways in the municipalities named in section 2 of this Act, if lawfully

empowered to enter into any such agreement, upon terms to be *first authorized* by two-thirds in value of the shareholders at a special general meeting to be held for that purpose, and it shall also be lawful for the said company to enter into an agreement or agreements, with the said companies or any of them, if lawfully authorized to enter into any such agreement, for the sale, or leasing, or hiring of any portion of the railway herein authorized or the use thereof, or for the sale, or leasing, or hiring any motors, carriages or cars, or any of them, or of any part thereof, or touching any service to be rendered by one company to the other, and the compensation therefor, if the arrangements and agreements shall be *so authorized* by two-thirds in value of the shareholders voting in person or by proxy at a special general meeting to be called for that purpose, and every such agreement shall be valid and binding according to the terms and tenor thereof; and the company purchasing, leasing or entering into such agreement for using the said railway, may and are hereby authorized to work the said railway, in the same manner as if incorporated with their own line, subject to the provisions of any by-law or by-laws of the said municipality 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; ¹³ provided that electric power, compressed air or any other motive power approved of by the Commissioner of Public Works, except steam, only shall be used in operating any portion of the said railway or any section or branch thereof; ¹⁴ 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.

¹⁵ 14. The authority and power conferred upon the company by this Act to enter into agreements with any other railway company for connections, running arrangements, sale, lease or hiring the said railway shall be subject to such terms, conditions and regulations as may be provided and enacted by any general or special Act or Acts which may at the time such agreement is entered into be in force and to such terms, conditions and regulations, General or Special, as the Lieutenant-Governor-in-Council or any Special Committee of the Executive Council of Ontario appointed for that purpose may from time to time order. ¹⁶

¹³ Power as to agreements with other companies to be subject to regulations. ¹⁴

15. 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

Application of Electric Railway Act. Rev. Stat. c. 209.

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.

Bonding powers.

16. The directors of the said company shall have power to issue bonds and debentures of the company for the purpose of raising money for prosecuting the undertaking, but the whole amount of the issue of such bonds or debentures shall not exceed \$20,000 for each mile of said railway, and no bonds or debentures shall be issued until twenty-five per centum of the authorized capital appropriated to any one of the sections has been actually expended on such section; and, except as herein provided, the borrowing powers of the company shall be governed by the said Electric Railway Act.

Exclusive electrical franchises not to be granted.

17. Notwithstanding anything contained in this Act, or in any statute of the Province, no municipality shall have the power to grant to said railway any exclusive rights, privileges or franchises as to the transmission of electrical energy for power, light and heat over or across any public highway or street in said municipality.

Operating in cities.

18. Notwithstanding anything in this Act contained the railway shall not be constructed within the limits of any city except upon and subject to such terms and conditions as may mutually be agreed upon between the company and any street railway or electric railway already operating in such city, provided always that if the council of such city shall by by-law or resolution request the street railway company or electric railway companies to allow its tracks or any of the city streets to be used for the entrance of the railway to be constructed under this Act into such city, the company shall permit its tracks or any city streets to be so used to some central point in the said city to be named by the city council upon such terms and conditions as to compensation and otherwise as may be mutually agreed upon between the company authorized by this Act to construct a railway, the city corporation and such street railway or electric railway company, or as shall be settled and determined by the Lieutenant-Governor in Council in case the city corporation and the said two companies are unable to agree upon the same.

Commencement and completion of line.

19. The railway shall be commenced within three years and finally completed within seven years after the passing of this Act.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL

An Act respecting The London, Parkhill
and Grand Bend Electric Railway.

First Reading, 24th April, 1903.

(Reprinted as amended by Railway
Committee.)

MR. TAYLOR.

TORONTO :

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

An Act respecting the St. Thomas Street Railway.

WHEREAS the Corporation of the City of St. Thomas ^{Preamble} has by its petition represented that pursuant to the provisions of 61 Victoria, Chapter 51, the said corporation guaranteed the debentures of the St. Thomas Street Railway Company to the extent of \$50,000 payable in 30 years from the issue thereof for the purpose of enabling the said company to construct an electric railway upon the trolley system in the said city ; and that the said company executed a mortgage to the said corporation upon the said railway, its plant, equipment, assets, franchises and real and personal property as security and indemnity to the said corporation against the payment of the principal and interest on the bonds so guaranteed by the said corporation ; and that the St. Thomas Street Railway, its rights, powers and franchises have come into the possession and control of the City of St. Thomas by default on the part of the St. Thomas Street Railway Company in carrying out the terms of its agreement with the city and in paying the interest due upon the said bonds so guaranteed as aforesaid, and by default in carrying out the terms of the said mortgage ; and that it is necessary and expedient for the Corporation of the City of St. Thomas to place the said railway and its plant and equipment in a good state of repair as well as to improve and extend the same within the City of St. Thomas, and also to provide means for the operation and maintenance of the said railway by the corporation, and also to provide funds for the extension, construction, equipment, maintenance and operation of the said railway through adjoining municipalities as provided by chapter 53 of 41 Victoria ; 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 City of St. Thomas is authorized and empowered in accordance with the provision of *The Municipal Act* respecting money by-laws, to pass a by-law or by-laws from time to time as may be required with the assent of the electors, for such sum or sums as they may deem necessary for the purpose of providing funds for

City authorized to provide funds for street railway purposes

repairing, renewing, extending and improving the existing railway, its plant and equipment in the City of St. Thomas.

Commission
to manage
and operate

2. The management and operation of the said railway shall be vested in a board of three commissioners, of whom the Mayor of the city for the time being shall be one and the other two shall be elected by the ratepayers of the municipality, at the same time and in the same manner as members of the municipal council, except that at the first election of such commissioners one of them shall be elected for the term of one year and the other of them for the term of two years, and thereafter each commissioner shall hold office for two years, one of them retiring annually, and the majority of the said board shall form a quorum for the transaction of any business of the commission. 5 10

Qualification
of commis-
sioners.

3. Each of the said commissioners shall, before taking office and during the whole term of his office, have the same property qualifications as is required for a member of the council. 15

Management
to vest in
board on its
formation.

Proviso.

4 Upon the formation of the said board of commissioners, the management, operation and control of the said railway shall be vested in the said board, and the council thenceforth shall have no authority in respect to the management of the same. Provided however, for the current year the said council may appoint two commissioners who, with the Mayor, shall form the board until their successors are elected for the ensuing year as herein provided. 20 25

Rights and
powers of St.
Thomas St.
Railway Co.
vested in
city.

5. The Corporation of the City of St. Thomas is declared to possess all the rights, powers and privileges conferred upon the St. Thomas Street Railway Company by the Act passed in the 41st year of the reign of Her late Majesty, Queen Victoria, Chapter 53, and is empowered to survey, construct, equip, maintain and operate a line of railway by means of electric or other motive power from a point in or near the City of St. Thomas through the Township of Yarmouth, to a point in or near the Village of Port Stanley, and the said railway or any part thereof may be constructed and 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 hereafter to be made between the Council of the Corporation of the City of St. Thomas and the Councils of the other municipal corporations, and between the Council of the City of St. Thomas and the owners or lessees of any toll road, but in the case of such toll road then subject to agreement also between the Councils of the City of St. Thomas and the Corporation of the County 30 35 40 45

of Elgin; and the Council of the City of St. Thomas may make and enter into any agreements with any other municipal corporation or with the owners or lessees of any toll road as to the terms of occupancy of any street, road or highway, 5 subject to the provisions and conditions in *The Electric Railway Act* and in *The Municipal Act* and in this Act contained, and in case the Council of the City of St. Thomas cannot agree with the owners or lessees of such toll road as to the compensation to be paid to the owners or lessees thereof for 10 the right to construct and operate the said railway along such toll road, the same shall be determined by arbitration, one arbitrator to be appointed by the Council of the City of St. Thomas and one by the owners or lessees of such toll road, and these two arbitrators to appoint a third and the decision 15 of any two of them to be final and binding upon all parties.

Rev. Stat.
c. 209.

Rev. Stat.
c. 223.

6. The Council of the City of St. Thomas is hereby authorized and empowered to issue debentures for the purpose of raising money to provide for the construction, equipment, maintenance and operation of the said extension, but the whole 20 amount of such debentures shall not exceed the sum of \$20,000 per mile of such extension, and such debentures shall be made payable in equal annual instalments within 30 years from the date of the issue thereof with interest at a rate not exceeding 4 per cent. per annum, and shall be equally and with- 25 out preference of one over the other a first charge upon the said railway, its plant and equipments, as well as the tolls and revenues thereof, and it is hereby declared that the debentures issued under the authority of this section shall form no part of the general debt of the municipality within 30 the meaning of *The Municipal Act*, and it shall not be necessary to recite the amount of such debentures in any by-law for borrowing money on the credit of the municipality.

Issue of debentures for \$20,000 per mile authorized.

7. The money raised by the said debentures shall be expended in locating, constructing, equipping, operating and 35 maintaining the said line of railway.

Application of proceeds of debentures.

8. The Corporation of the City of St. Thomas shall have power and authority:—

Powers of city as to street railway.

(a) To purchase lands for the right of way of the said railway and for stations, power houses, workshops, warehouses, 40 offices, gravel pits and parks, and to sell and convey such lands as may at any time be found superfluous for any of such purposes.

(b) To erect and maintain all necessary power houses, workshops, stations and offices and from time to time to alter, 45 repair or enlarge the same, and to build, purchase and acquire all necessary plant and equipment for the said railway.

Power to
sell lines.

Rev. Stat.
c. 223.

9. The Corporation of the City of St. Thomas shall by by-law to be passed by the Council thereof with the assent of the electors as provided by *The Municipal Act* have power to sell and dispose of the whole of the said railway system and the franchises thereof, both within and without the City of St. Thomas or any part or parts thereof, and in such case the purchaser or purchasers thereof shall have, enjoy and possess all the rights, powers and privileges by this Act conferred upon the Corporation of the City of St. Thomas and conferred upon electric railway companies under *The Electric Railway Act*, and shall have the right to operate the said railway subject to any agreement made or to be made with the councils of the municipalities through which the railway passes, and subject to the provisions of any by-law or by-laws of such municipalities affecting the same.

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Rev. Stat.
c. 209.

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Issue of
bonds by
purchasing
company.

10. In case of the sale of the whole of the said railway system or of the said extension to Port Stanley before debentures are issued by the said corporation for the construction of such extension, then the company purchasing the said extension or the right and franchises to construct the same shall have power and authority and are hereby authorized to issue bonds of the said company to the extent of \$20,000 per mile of such extension, payable at the times, in the manner and at the rate of interest hereinbefore provided.

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Application
of certain
provisions of
Rev. Stat.
c. 209.

11. The following clauses of *The Electric Railway Act*, that is to say, clauses Nos. 9 to 14 inclusive, clause No. 18, and clauses Nos. 27 to 35 inclusive and all amendments thereof shall be incorporated with and be deemed to be part of this Act and shall apply to the Corporation of the City of St. Thomas and to the extension of the said railway to be constructed by the said corporation and to any company who may acquire the rights, powers and franchises of the said railway and the right to construct the said extension except only so far as they may be inconsistent with the express enactments hereof; and the Corporation of the City of St. Thomas shall have and possess the same rights, powers and franchises under the above mentioned clauses of *The Electric Railway Act* as if such corporation were a company within the meaning of said Act and specially named therein.

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Rev. Stat.
c. 209.

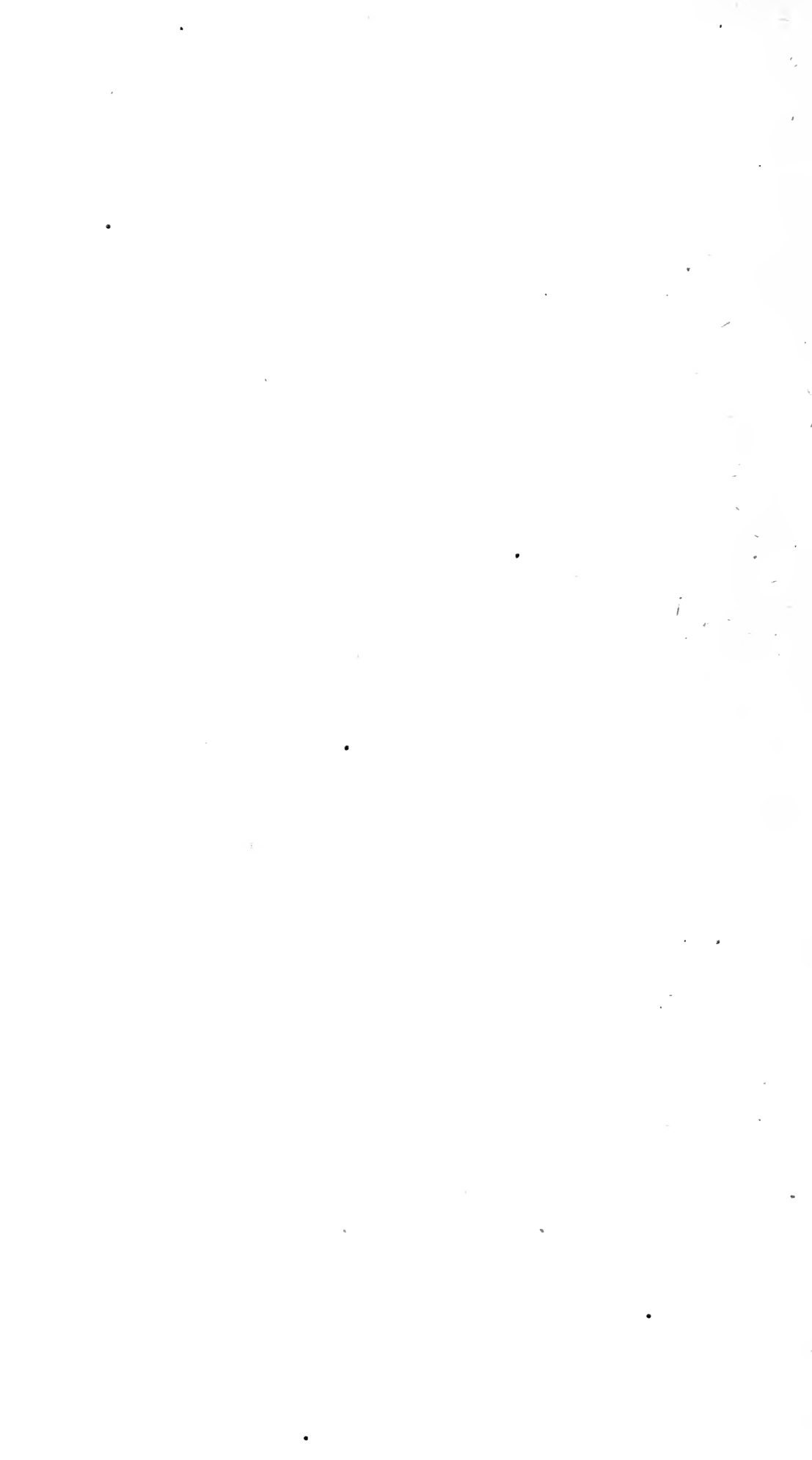
Agreements
for transfer
of lines to
company.

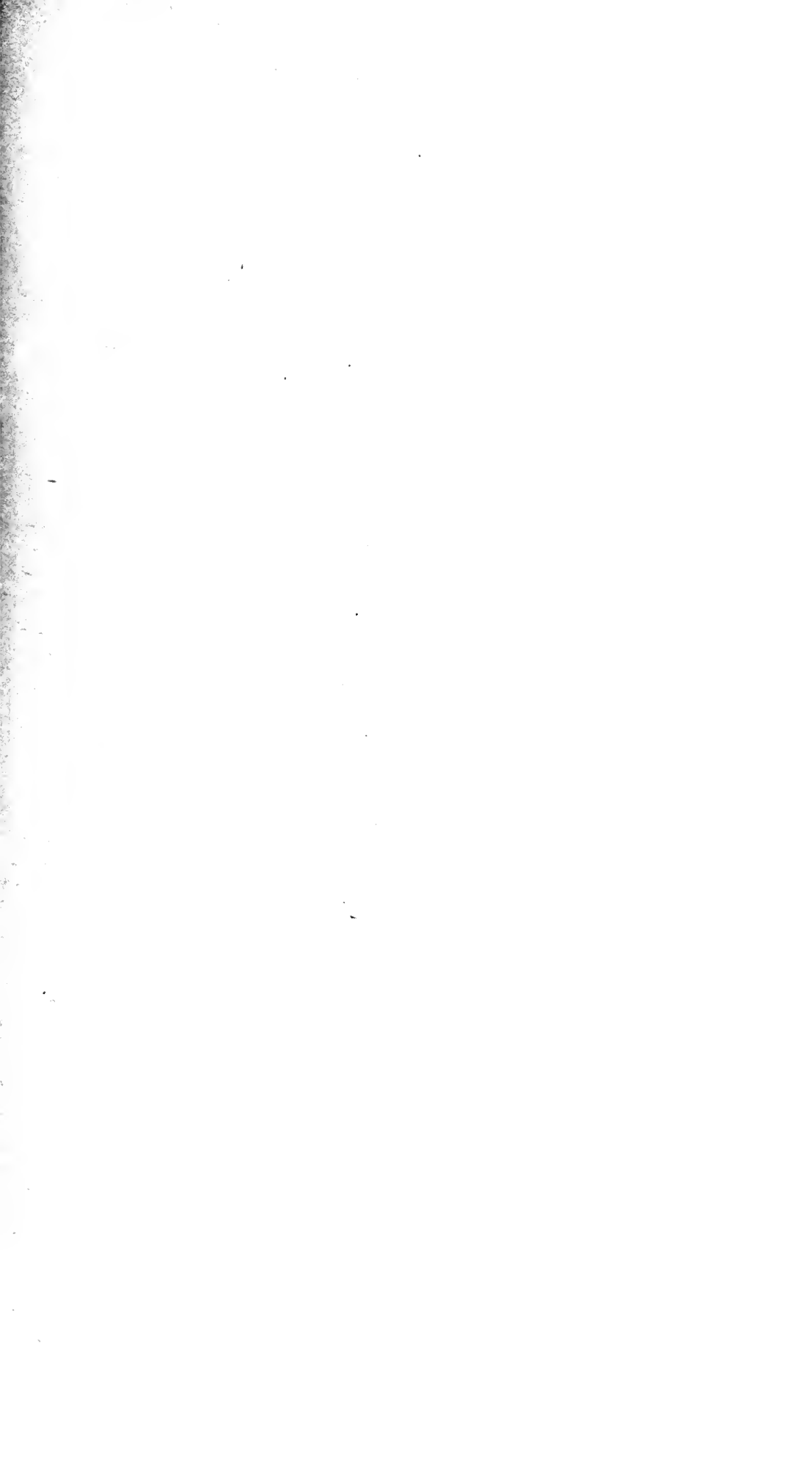
12. The said Corporation of the City of St. Thomas shall have power by by-law to be passed with the assent of the electors as provided by *The Municipal Act* to enter into any agreement with any electric or radial railway company for the sale or leasing or hiring of the whole or any portion of the said railway already constructed or herein authorized to be constructed or for the use thereof or for the sale, leasing or hiring of any motors, carriages or cars or any of them or any part thereof or for running arrangements with any such railway touching any service to be rendered by the said

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municipal corporation to such electric or radial railway company and *vice versa*, and the compensation therefor; and every such agreement shall be valid and binding according to the terms and tenor thereof and the company purchasing, leasing
5 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 but subject to the provisions of any by-law or by-laws of the said municipalities within which the railway is situate, which may
10 from time to time be in force.





An Act respecting the St. Thomas Street Railway.

WHEREAS the Corporation of the City of St. Thomas Preamble
has by its petition represented that pursuant to the provisions of ~~an~~ an Act passed in the 61st year of Her late Majesty's reign, chaptered 51, and intituled *An Act respecting the City of St. Thomas and the St. Thomas Street Railway Company*, ~~the~~ the said corporation guaranteed the debentures of the St. Thomas Street Railway Company to the extent of \$50,000 payable in 30 years from the issue thereof for the purpose of enabling the said company to construct an electric railway upon the trolley system in the said city; and that the said company executed a mortgage to the said corporation upon the said railway, its plant, equipment, assets, franchises and real and personal property as security and indemnity to the said corporation against the payment of the principal and interest on the bonds so guaranteed by the said corporation; and that the St. Thomas Street Railway, its rights, powers and franchises have come into the possession and control of the City of St. Thomas by default on the part of the St. Thomas Street Railway Company in carrying out the terms of its agreement with the city and in paying the interest due upon the said bonds so guaranteed as aforesaid, and by default in carrying out the terms of the said mortgage; and that it is necessary and expedient for the Corporation of the City of St. Thomas to place the said railway and its plant and equipment in a good state of repair as well as to improve and extend the same within the City of St. Thomas, and also to provide means for the operation and maintenance of the said railway by the corporation, and also to provide funds for the extension, construction, equipment, maintenance and operation of the said railway through adjoining municipalities as provided by chapter 53 of ~~an~~ an Act passed in the 41st year of Her late Majesty's reign and intituled *An Act to incorporate the St. Thomas Street Railway Company*; and that the said corporation has incurred liabilities for works and repairs necessary to be made to the road-bed and equipment of the said railway, on the said corporation taking possession of the said railway, to the extent of \$15,000, and that it is necessary and expedient that the said corporation should be empowered to issue bonds to the said amount of \$15,000 without said issue first receiving the assent of the electors

entitled to vote on money by-laws; ¹⁶ 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:—

City authorized to provide funds for street railway purposes

1. The Municipal Council of the City of St. Thomas is authorized and empowered *subject to* the provisions of *The Municipal Act* respecting money by-laws, to pass a by-law or by-laws from time to time as may be required with the assent of the electors ¹⁷ entitled to vote on money by-laws, ¹⁸ for such sum or sums as they may deem necessary for the purpose of providing funds for repairing, renewing, extending and improving the existing railway, its plant and equipment in the City of St. Thomas.

Commission to manage and operate

2. The management and operation of the said railway shall be vested in a board of three commissioners, of whom the Mayor of the city for the time being shall be one and the other two shall be elected by the *electors* of the municipality, at the same time and in the same manner as members of the municipal council, except that at the first election of such commissioners one of them shall be elected for the term of one year and the other of them for the term of two years, and thereafter each *elected* commissioner shall hold office for two years, one of them retiring annually, and the majority of the said board shall form a quorum for the transaction of any business of the commission.

Qualification of commissioners.

3. Each of the said commissioners shall, before taking office and during the whole term of his office, have the same property qualifications as is required for a member of the council.

Management to vest in board on its formation.

4 Upon the formation of the said board of commissioners, the management, operation and control of the said railway shall be vested in the said board, and the council thenceforth shall have no authority in respect to the management of the same. Provided however, for the current year the said council may appoint two commissioners who, with the Mayor, shall form the board until their successors are elected for the ensuing year as herein provided.

Proviso.

¹⁹ 5. For the purpose of providing for the expenditure already incurred in placing the said railway, its plant and equipment in good condition and repair, and for payment of new rolling stock now contracted for and for providing for improvements immediately required in connection with the said railway, the Council of the City of St. Thomas is hereby authorized and empowered to pass a by-law in accordance with the provisions of *The Municipal Act* to raise by debentures a sum not

exceeding \$15,000, and it shall not be necessary that the said by-law shall be submitted to or shall receive the assent of the ratepayers of the said city.¹²

6. The Corporation of the City of St. Thomas is declared to possess all the rights, powers and privileges conferred upon the St. Thomas Street Railway Company by the Act passed in the 41st year of the reign of Her late Majesty, Queen Victoria, Chapter 53, and is empowered to survey, construct, equip, maintain and operate a line of railway by means of electric or other motive power from a point in or near the City of St. Thomas through the Township of Yarmouth, to a point in or near the Village of Port Stanley, and the said railway or any part thereof may be constructed and 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 hereafter to be made between the Council of the Corporation of the City of St. Thomas and the Councils of the other municipal corporations, and between the Council of the City of St. Thomas and the owners or lessees of any toll road, but in the case of such toll road then subject to agreement also between the Councils of the City of St. Thomas and the Corporation of the County of Elgin; and the Council of the City of St. Thomas may make and enter into any agreements with any other municipal corporation or with the owners or lessees of any toll road as to the terms of occupancy of any street, road or highway, subject to the provisions and conditions in *The Electric Railway Act* and in *The Municipal Act*,¹³ and any Act or Acts amending the same,¹⁴ and in this Act contained, and in case the Council of the City of St. Thomas cannot agree with the owners or lessees of such toll road as to the compensation to be paid to the owners or lessees thereof for the right to construct and operate the said railway along such toll road, the same shall,¹⁵ on the consent of the Corporation of the County of Elgin,¹⁶ be determined by arbitration, one arbitrator to be appointed by the Council of the City of St. Thomas and one by the owners or lessees of such toll road, and these two arbitrators to appoint a third and the decision of any two of them to be final and binding upon all parties¹⁷ to the arbitration; provided that none of the powers and privileges conferred on the said Corporation of the City of St. Thomas under this section shall be acted on until the construction of the railway therein mentioned has received the assent of the electors entitled to vote on money by-laws, in the manner provided by *The Municipal Act*.¹⁸

Rights and powers of St. Thomas St. Railway Co. vested in city.

Rev. Stat. c. 209.

Rev. Stat. c. 223.

7. The Council of the City of St. Thomas is hereby authorized and empowered¹⁹ subject to the provisions of *The Municipal Act* respecting money by laws, to pass by-laws with the

Issue of debentures for \$15,000 per mile authorized.

assent of the electors entitled to vote on money by-laws providing for the issue of debentures for the purpose of raising money to provide for the construction, equipment, maintenance and operation of the said extension, but the whole amount of such debentures shall not exceed the sum of \$15,000 per mile of such extension, and such debentures shall be made payable in equal annual instalments within 30 years from the date of the issue thereof with interest at a rate not exceeding 4 per cent. per annum, and shall be equally and without preference of one over the other a first charge upon the said railway, its plant and equipments, as well as the tolls and revenues thereof, and it is hereby declared that the debentures issued under the authority of this section shall form no part of the general debt of the municipality within the meaning of *The Municipal Act*, and it shall not be necessary to recite the amount of such debentures in any by-law for borrowing money on the credit of the municipality.

Application of proceeds of debentures.

8. The money raised by the said debentures shall be expended in locating, constructing, equipping, operating and maintaining the said line of railway.

Power to sell lines.

Rev. Stat. c. 223.

9. The Corporation of the City of St. Thomas shall by by-law to be passed by the Council thereof with the assent of the electors as provided by *The Municipal Act* have power to sell and dispose of the whole of the said railway system and the franchises thereof, both within and without the City of St. Thomas or any part or parts thereof, and in such case the purchaser or purchasers thereof shall have, enjoy and possess all the rights, powers and privileges by this Act conferred upon the Corporation of the City of St. Thomas and conferred upon electric railway companies under *The Electric Railway Act*, and shall have the right to operate the said railway subject to any agreement made or to be made with the councils of the municipalities through which the railway passes, and subject to the provisions of any by-law or by-laws of such municipalities affecting the same.

Rev. Stat. c. 209.

Issue of bonds by purchasing company.

10. In case of the sale of the whole of the said railway system or of the said extension to Port Stanley before debentures are issued by the said corporation for the construction of such extension, then the company purchasing the said extension or the right and franchises to construct the same shall have power and authority and are hereby authorized to issue bonds of the said company to the extent of \$15,000 per mile of such extension, payable at the times, in the manner and at the rate of interest hereinbefore provided.

Application of certain provisions of Rev. Stat. c. 209

11. The following clauses of *The Electric Railway Act*, that is to say, clauses 9 to 14 inclusive, clauses 18 and 19, and clauses 27 to 42 inclusive, and all amendments thereof, shall be incorporated with and be deemed to be part

of this Act and shall apply to the Corporation of the City of St. Thomas and to the extension of the said railway to be constructed by the said corporation and to any company who may acquire the rights, powers and franchises of the said railway and the right to construct the said extension except only so far as they may be inconsistent with the express enactments hereof; and the Corporation of the City of St. Thomas shall have and possess the same rights, powers and franchises under the above mentioned clauses of *The Electric Railway Act* as if such corporation were a company within the meaning of said Act and specially named therein.

Rev. Stat.
c. 209.

12. The said Corporation of the City of St. Thomas shall have power by by-law to be passed with the assent of the electors as provided by *The Municipal Act* to enter into any agreement with any electric or radial railway company for the sale or leasing or hiring of the whole or any portion of the said railway already constructed or herein authorized to be constructed or for the use thereof or for the sale, leasing or hiring of any motors, carriages or cars or any of them or any part thereof or for running arrangements with any such railway or touching any service to be rendered by the said municipal corporation to such electric or radial railway company, ¹²or by such electric or radial railway company to the said municipal corporation, ¹²and the compensation therefor; and every such agreement shall be valid and binding according to the terms and tenor thereof and the company purchasing, leasing or entering into such agreement for using the said railway may and are hereby authorized to work the said railway in the same manner as if incorporated with their own line but subject to the provisions of any by-law or by-laws of the said municipalities within which the railway is situate, which may from time to time be in force.

Agreements
or transfer
of lines to
company.

¹³13. The authority and power conferred upon the said Corporation of the City of St. Thomas by this Act to enter into agreements with any other railway company for connections, running arrangements, sale, lease, or hiring the said railway, shall be subject to such terms, conditions and regulations as may be provided and enacted by any general or special Act or Acts which may at the time such agreement is entered into be in force, and to such terms, conditions and regulations general or special as the Lieutenant-Governor in Council or any Special Committee of the Executive Council of Ontario appointed for that purpose may, from time to time order. ¹³

¹³Powers as
to agreements
with other
companies to
be subject to
regulations ¹³

BILL.

An Act respecting the St. Thomas Street
Railway.

First Reading, 24th April, 1903.

(Private Bill.)

(Reprinted as amended by Railway Com-
mittee.)

Mr. MACDIARMID.

TORONTO :

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

An Act respecting the Necropolis Burying Ground,
South Dorchester.

WHEREAS Peter McNeil, David O. White and Randall W. Ballah, of the Township of South Dorchester, in the County of Elgin, have by their petition represented that certain lands in the said township known as the Necropolis Burying Ground, more particularly described as follows:—All and singular that certain parcel or tract of land and premises situate, lying and being in the township of South Dorchester, in the county of Elgin, being composed of part of lot twenty-one in the twelfth concession of the said township of South Dorchester, and which may be more particularly described as follows:—Commencing in front of the said concession at a point westerly from the north-east angle of said lot, six chains and six links, or one-fifth the width of said lot, thence westerly along the front of said lot forty feet to the north-westerly corner of a brick chapel now standing on said lot, thence southerly parallel with the side lines of said lot fifty feet, thence easterly forty feet, thence southerly parallel with the side lines of said lot one hundred and ten feet, thence easterly parallel with the front of said lot ninety-one feet, thence northerly parallel with the side lines of said lot one hundred and sixty feet, more or less, to the front of said concession, thence westerly along the concession line ninety-one feet more or less to the place of beginning; that in or about the month of January, 1850, a congregation of the Disciples of Christ was formed, and erected a church upon a portion of the said burying ground; that the said church was used by the said congregation as a place of worship until 1872, when the said church was pulled down, and that the lands upon which the said church stood have since been appropriated to burial purposes; that in the year 1872 the said congregation procured an additional piece of land at the north-west corner of and contiguous to the said burial ground which parcel of land had a frontage of forty feet upon the north boundary of the said concession and extended southerly fifty feet, and erected thereon a brick church which has since been continuously used by the said congregation as a place of worship, and that the said last described portion of land has never been used for burial purposes; that on the 29th day of June, 1876, one Randall Spencer Bentley by deed conveyed the said lands

known as the Necropolis Burying Ground to Benjamin Shirk, Peter McNeil and John Ballah, as trustees for the Necropolis Burying Ground, and by error the portion of lands upon which the said church was erected in 1872, was included in the said conveyance; that the said congregation are desirous of pulling down the said church and erecting a new one upon the said land, and it is necessary to remove the cloud upon their title caused by the said deed, and the persons entitled to use the said burying ground are willing that the necessary conveyance for that purpose should be executed; and whereas the said petitioners have prayed that they may be enabled to convey the said lands upon which the church now stands to the trustees for the said congregation; 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:

Trustees of burying ground authorized to convey lands to congregation.

1. The said Peter McNeil, David O. White and Randall W. Ballah, trustees of the Necropolis Burying Ground, in the township of South Dorchester, are authorized and empowered to convey that portion of the lands now vested in them as such trustees, which is occupied as a site for the church of the Disciples of Christ, which may be more particularly described as follows:—Commencing in front of the said concession at a point westerly from the north-east angle of said lot six chains and six links, or one-fifth the width of the said lot, thence westerly along the front of said lot forty feet to the north-westerly corner of a brick chapel now standing on said lot; then southerly parallel with the side lines of said lot fifty feet; thence easterly forty feet; thence northerly fifty feet, more or less, to the place of beginning, and upon which the church of the congregation of the Disciples of Christ is now erected, to Denzil D. Finch, Dilman Ackert and Herbert Hawes, trustees of the said congregation of Disciples of Christ, and their successors in office.

Lands when conveyed to be vested in trustees for congregation.

2. Upon the execution and delivery of the said conveyance the said portion of lands more particularly described in section 1 of this Act, shall be vested in the said trustees of the said congregation and their successors in office for the use and benefit of the said congregation free of all incumbrances, and freed and discharged from all trusts upon which the said lands have been held by the said trustees of the Necropolis Burying Ground, but subject to the provisions of *The Act respecting the Property of Religious Institutions*.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Necropolis Burying
Ground, South Dorchester.

First Reading , 1903.

(Private Bill.)

Mr. BROWER.

TORONTO:

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

An Act respecting the Necropolis Burying Ground,
South Dorchester.

WHEREAS Peter McNeil, David O. White and Randall Preamble. W. Ballah, of the Township of South Dorchester, in the County of Elgin, have by their petition represented that ~~as~~ they are the trustees of what is known as the Necropolis Burying Ground ~~in~~ in the said township *which said* burying ground *may be* more particularly described as that parcel of land and premises in the township of South Dorchester, in the county of Elgin, composed of part of lot twenty-one in the twelfth concession of the said township, which may be more particularly described as follows:—Commencing in front of the said concession at a point westerly from the north-east angle of said lot, six chains and six links, or one-fifth the width of said lot, thence westerly along the front of said lot forty feet to the north-westerly corner of a brick chapel now standing on said lot, thence southerly parallel with the side lines of said lot fifty feet, thence easterly forty feet, thence southerly parallel with the side lines of said lot one hundred and ten feet, thence easterly parallel with the front of said lot ninety-one feet, thence northerly parallel with the side lines of said lot one hundred and sixty feet, more or less, to the front of said concession, thence westerly along the concession line ninety-one feet more or less to the place of beginning; that in or about the month of January, 1850, a congregation of the Disciples of Christ was formed, and erected a church upon a portion of the said burying ground; that the said church was used by the said congregation as a place of worship until 1872, when *it* was pulled down, and that the lands upon which the said church stood have since been *used for* burial purposes; that in the year 1872 the said congregation *acquired a* piece of land at the north-west corner of, and contiguous to, the said burial ground which parcel of land had a frontage of forty feet upon the north boundary of the said concession and extended southerly fifty feet, and erected thereon a brick church which has since been continuously used by the said congregation as a place of worship, and that the said last described portion of land has never been used for burial purposes; that on the 29th day of June, 1876, one Randall Spencer Bentley by deed conveyed the said lands known as the Necropolis Burying Ground to Benjamin Shirk, Peter McNeil and John Ballah, as trustees for the

said Necropolis Burying Ground, and by error and misdescription the portion of lands upon which the said church was erected in 1872, was included in the said conveyance; that the said congregation is desirous of pulling down the said church and erecting a new one upon the said land, and desires to remove the cloud upon the title thereto caused by the said deed; ^{and} that the petitioners are willing to execute a conveyance to the trustees of the said congregation to rectify the said error and have by their said petition prayed for an enabling Act; ^{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:

Trustees of burying ground authorized to convey lands to congregation.

1. The said Peter McNeil, David O. White and Randall W. Ballah, trustees of the Necropolis Burying Ground, in the township of South Dorchester, are authorized and empowered to release to Denzil D. Finch, Dilman Ackert and Herbert Hawes, trustees of the said congregation of Disciples of Christ, and their successors in office, ^{and} all their claims (if any) in ^{the} the said lands now occupied as the site of the said church of the Disciples of Christ, and which may be more particularly described as follows:—Commencing in front of the said concession at a point westerly from the north-east angle of said lot six chains and six links, or one-fifth the width of the said lot, thence westerly along the front of said lot forty feet to the north-westerly corner of a brick chapel now standing on said lot, then southerly parallel with the side lines of said lot fifty feet; thence easterly forty feet, thence northerly fifty feet, more or less, to the place of beginning.

Lands when conveyed to be vested in trustees for congregation.

2. Upon the execution and delivery of the said conveyance the lands described in section 1 of this Act, shall vest in the said trustees of the said congregation and their successors in office ^{and} for all the interest (if any) of the trustees of the said burying ground ^{and} and freed and discharged from all trusts upon which the ^{and} said burying ground is ^{and} held, but subject to the provisions of *The Act respecting the Property of Religious Institutions.*

Rev. Stat. c. 307.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Necropolis Burying
Ground, South Dorchester.

First Reading 24th April, 1903.

(Reprinted as amended by Private Bills
Committee.)

Mr. BROWER.

TORONTO:

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

An Act respecting the Hamilton Electric Light and Cataract Power Company (Limited) and the Hamilton Cataract, Power, Light and Traction Company (Limited).

WHEREAS the said Companies have by petition prayed Preamble.
 that an Act may be passed confirming the Letters Patent of Incorporation of the latter Company and a certain agreement between the said two companies and the share-
 5 holders of the former Company and conferring certain powers upon the latter Company ; and whereas the said Petitioners in and by the said petition have also asked that a certain agreement between the Corporation of the Township of Grantham and The Hamilton Electric Light and Cataract Power
 10 Company (Limited), bearing date the 21st day of February, 1903, and the by-law therein mentioned, passed by the Corporation of the Township of Grantham, dated the 31st day of January 1903, should be confirmed ; 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. The Letters Patent of Incorporation of the Hamilton Cataract, Power, Light and Traction Company (Limited),
 20 hereinafter called the " New Company " bearing date the 5th day of February 1903, are confirmed.

Incorporation of Hamilton Cataract, Power, Light and Traction Co. Ltd. confirmed.

2. The said agreement between the Corporation of the Township of Grantham and the Hamilton Electric Light and Cataract Power Company (Limited) bearing date the 21st
 25 day of February 1903, and the by-law of the Corporation of the Township of Grantham passed on the 31st day of January 1903, both of which are set forth in Schedule A hereto, are hereby ratified and confirmed and declared to be in all respects legal and binding.

Agreement between Township of Grantham and Hamilton Electric Light and Cataract Power Co. Ltd confirmed.

3. The said agreement between The Hamilton Electric Light and Cataract Power Company Limited, hereinafter
 30 called the " Old Company," of the first part, the shareholders of the said company who executed said agreement, of the

Agreement between Old and New Companies confirmed.

second part, and The New Company, of the third part, set forth in Schedule B hereto, is hereby ratified and confirmed and declared to be in all respects legal and binding; and the parties thereto are hereby authorized and required to observe and carry out the same; and the whole of the assets and properties real, personal and mixed, rights, contracts, credits and effects, franchises, privileges and powers, statutory or otherwise of the Old Company of whatsoever kind and wheresoever situated, as the same may exist on the date of the passing of this Act, shall be and are hereby transferred to and vested in the New Company; and the New Company shall have the right to exercise and enjoy all rights, contracts powers, franchises and privileges, statutory or otherwise heretofore possessed by the Old Company, as fully and to the same extent as the Old Company could have exercised and enjoyed the same if the said transfer had not taken place; Provided always that the rights of bondholders or other creditors of the Old Company, or of all persons having any claims or demands against that company, or any lien, charge, or security upon any of its properties or assets, shall not be prejudiced by this Act or by the said agreement, or by the carrying out of the same or of any part thereof, but the same shall remain and may be enforced as if the said agreement had not been made or as if this Act had not been passed; provided also that the New Company is hereby authorized to issue as fully paid up an amount of its common stock not exceeding in all \$200,000 to purchasers of bonds by way of bonus in connection with such purchase.

Proviso.

Rev. Stat. c. 207, s. 9, 10, 13-20 to apply to new company.

4. Sections 9 and 10 and sections 13 to 20, both inclusive of *The Railway Act of Ontario* and all other powers in *The Railway Act of Ontario*, respecting or incidental to the taking of lands without the consent of the owners thereof, in so far as applicable, and when not inconsistent with this Act or the powers conferred by the letters patent of incorporation of the Companies, shall apply to the New Company and its undertakings; and (a) whenever in the said sections the word "company" occurs it shall mean the New Company; (b) whenever in the said sections the word "railway" occurs it shall, unless the context otherwise requires with respect to the provisions of this Act and to the New Company, mean the canals, raceways, dams, docks, sluices, conduits, aqueducts and other works and accessories authorized to be constructed by an Act passed in the sixty-first year of the reign of Her Majesty Queen Victoria, chapter 68, and entitled "An Act respecting The Cataract Power Company of Hamilton, Limited," or by this Act or by the charters of incorporation and amendments thereto of the Old Company and of the New Company; and the New Company shall be subject to and shall observe the provisions of said Act 61 Victoria, chapter 68, and of any other Act relating to the Old Company as if the same

had been passed with respect to the New Company ; and (c) whenever in the said sections of *The Railway Act* the word "land" occurs it shall include any privilege or easement required by the New Company for constructing or operating the
 5 works authorized by the said Act, 61 Victoria, chapter 68 Ontario, or by this Act or by the charters of incorporation of the said companies or either of them or amendments thereto, on, over or along any land without the necessity of acquiring a title in fee simple, and any map or plan which the New
 10 Company may be required to make, or to have examined, certified or deposited under the provisions of section 10 of *The Railway Act of Ontario* so far as any privilege or easement is concerned shall only require to show the land over which, or in connection with which, such privilege or ease-
 15 ment is to be enjoyed, and on any such map or plan shall be endorsed a short description of such easement or privilege.

SCHEDULE A.

THIS AGREEMENT made the 21st day of February, 1903. BETWEEN :
 The Hamilton Electric Light and Cataract Power Company,
 hereinafter called the "Company," of the first part, and the
 Corporation of the Township of Grantham in the County of Lincoln hereinafter called the "Corporation," of the second part.

In pursuance of by-law No. 129, passed by the Grantham Township Council on the 31st day of January, 1903, and a copy of which is hereto annexed :

It is hereby agreed between the Company and the Corporation as follows :

1. The taxes payable to the said Corporation annually by the said Company for five years from 1902 to 1906, both inclusive shall be and are hereby commuted and fixed at the sum of \$1,000 ; for each of the said years, for five years from 1907 to 1911, both inclusive, at the sum of \$1,000 ; for each year ; for five years from 1912 to 1916, both inclusive, at the sum of \$1,375.00 ; for each year ; and for five years from 1917 to 1921 both inclusive, at the sum of \$1,500.00 for each year.

2. The several amounts hereinbefore mentioned shall be annually paid by the Company and accepted by the said Corporation as payment in full of all taxes payable by the said Company to the said Corporation, and no greater amounts shall be payable or levied upon or in respect of the property of the Company consisting of such part or parts of lots 21 in the 10th Concession in the said Township of Grantham which is now or may hereafter during the said periods of time be owned by the said Company, and the power house or other buildings which are now or may be during the said periods built or erected on said lot and all machinery, plant and apparatus or property of whatsoever nature or description which may be installed or placed therein or connected therewith or on any part of the said lands, as well as the poles and wiring or transmission lines of the said Company within the said Township of Grantham and all other property of the said Company of every nature or kind whatsoever ; but not the dwelling houses or lands used in connection therewith of any of the officers or foremen of the said Company, which shall be assessed and on which taxes shall be paid in the ordinary manner in

addition to the amount fixed by this by-law. The said amounts hereby fixed by way of commutation as set forth in paragraph 1 of this agreement shall be in full of all municipal rates general or special, including school rates and statute labor.

3. The said commuted taxes shall be payable and payment thereof may be demanded and enforced at the times, and in like manner as if such taxes were based on assessment of the property of said Company in the usual way.

4. The provisions of this agreement shall apply to the successors or assigns of the said Company, and the word "Company" wherever the same occurs in this agreement shall mean and include the said Company, its successors and assigns.

5. It is hereby stipulated and provided that the said Corporation will join with the said Company in an application to the Legislative Assembly of the Province of Ontario for legislation confirming the by-law of this agreement; but it is also hereby provided that the said Corporation shall not bear or be put to any expenses or costs in connection with such legislation, but that such costs and expenses shall be borne and paid by the said Company.

6. If any question as to the amount of school rates to be paid by the township to the school section should arise by reason of any contention that the assessment of the Company is too low and an award is made increasing said assessment for school purposes, then the Company shall pay to the Corporation for such school purposes the amount accruing from such increase.

In witness whereof, the parties hereto have hereunto affixed their Corporate Seals under the hands of their properly qualified officers.

Signed, sealed and delivered in the presence of	{	(Sgd.) J. M. GIBSON, [Seal.] President.
		(Sgd.) WM. C. HAWKINS, Secretary.
		(Sgd.) JOHN SCOTT, [Seal.] Reeve.
		(Sgd.) L. S. BESSEY, Clerk.

BY-LAW No. 129.

A By-Law respecting the taxes payable by The Hamilton Electric Light and Cataract Power Company, Limited.

Whereas negotiations have taken place between The Hamilton Electric Light and Cataract Power Company, Limited, (hereinafter called the Company) and the Corporation of the Township of Grantham, respecting the amount at which the property of the Company should be assessed and the amount of taxes paid thereon, and in view of the difficulty of arriving at a definite and mutually satisfactory basis or figure of value for assessment purposes by reason of the nature of the property—the same consisting mainly of the power house of the Company and the plant and apparatus therein contained, situated on part of lot 21 in the 10th concession of the said township—and also, by reason of questions arising as to whether portions of the said property are assessable as real estate or personality;

And whereas the said Company proposes making some additions to the said power house and to the plant and apparatus therein ;

And whereas the commuted sums hereinafter mentioned are considered a fair and reasonable settlement, and it appears to be in the interest of the said Corporation of Grantham to make settlement with the said Company as hereinafter set forth.

Be it therefore enacted by the Municipal Council of the Corporation of Grantham, as follows :—

1. The amount of taxes payable to the said Corporation annually by the said Company for five years from 1902 to 1906, both inclusive, are hereby commuted and fixed at the sum of \$1 000.00, for each of the said years ; for five years from 1907 to 1911, both inclusive, at the sum of \$1,000.00 for each year ; for five years from 1912 to 1916, both inclusive, at the sum of \$1,375.00 for each year ; and for five years from 1917 to 1921, both inclusive, at the sum of \$1,500.00 for each year.

2. The several amounts hereinbefore mentioned shall be annually paid by the Company and accepted by the said Corporation as payment in full of all taxes payable by the said Company to the said Corporation and no greater amounts shall be payable or levied upon or in respect of the property of the Company, consisting of such part or parts of lot 21 in the 10th concession of the said Township of Grantham which is now or may hereafter during the said periods of time be owned by the said Company and the power house or other buildings which are now or may be during the said periods built or erected on the said lot and all machinery, plant and apparatus or property of whatever nature or description which may be installed or placed therein or connected therewith, or on any part of the said lands, as well as the poles and wiring or transmission lines of the said Company within the said Township of Grantham, and all other property of the said Company of every nature or kind whatsoever, but not the dwelling houses or lands used in connection therewith of any of the officers and foremen of the said Company, which shall be assessed and on which taxes shall be paid in the ordinary manner in addition to the amount fixed by this by-law. The said amounts hereby fixed by way of commutation as set forth in paragraph 1 of this by-law shall be in full of all municipal rates, general or special, including school rates and statute labor.

3. The said commuted taxes shall be payable, and payment thereof may be demanded and enforced at the times and in like manner as if such taxes were based on assessment of the property of the said Company in the usual way.

4. The provisions of this by-law shall apply to the successors or assigns of the said Company, and the the word "Company," wherever the same occurs in this by-law, shall mean and include the said Company, its successors and assigns.

5. If the said Company shall, within thirty days after the passing of this by-law, enter into an agreement with the said Corporation for payment of the said amounts of taxes hereinbefore set forth according to the terms of this by-law, it is hereby stipulated and provided that the said Corporation will join with the said Company in an application to the Legislative Assembly of the Province of Ontario for legislation confirming this by-law and the said agreement ; but it is also hereby provided that the said Corporation shall not bear or be put to any expense or costs in connection with such legislation, but that such costs and expenses shall be borne and paid by the said Company.

If any question as to the amount of school rates to be paid by the Township to the school section should arise by reason of any contention that the assessment of the Company is too low and an award is made increasing said assessment for school purposes, then the Company shall pay to the Corporation for such school purposes the amount accruing from such increase.

Passed by the Municipal Council of the Corporation of the Township of Grantham the 31st day of January, 1903. As witness the corporate seal of the said Corporation and the hand of the Reeve and Clerk of the said Township of Grantham.

Corporate Seal.	(Sgd)	JOHN SCOTT, Reeve.
	(Sgd.)	L. S. BESSEY, Clerk.

Moved by Councillor Masterson, seconded by Councillor Arbrthnot, That By-law No. 129, fixing the rate of taxes to be paid for the periods therein, by the Hamilton Electric Light and Cataract Power Co. (Limited), as amended, be now read a second and third time and passed, and the Reeve and Clerk do sign and seal the same, and its title be as in the motion.—Carried

I certify the above to be a true copy of a Resolution passed by the Grantham Council on Saturday, the 31st day of January, 1903.

L. S. BESSEY,
Township Clerk.

SCHEDULE B.

AGREEMENT made the _____ day of February A.D. one thousand nine hundred and three, BETWEEN the Hamilton Electric Light and Cataract Power Company, Limited (hereinafter called the "Vendors") of the first part; the Shareholders of the said Company who execute this agreement, of the second part, and The Hamilton Cataract Power, Light and Traction Company, Limited (hereinafter called the "Purchasers") of the third part, witnesseth,

1. For the considerations and upon the terms hereinafter set out the Vendors agree to sell to the Purchasers, and the Purchasers agree to buy from the Vendors, the whole of the assets and properties real, personal and fixed, rights, contracts, credits and effects, franchises, privileges and powers of the Vendors of whatsoever kind and wheresoever situated as the same may exist on the date when this agreement shall take effect as hereinafter mentioned, and for greater certainty, but not so as to restrict the generality of the foregoing, it is declared that the said sale and purchase shall include all lands, buildings, hereditaments, goods, chattels, moneys, bills and accounts receivable, contracts, agreements, securities, shares in the capital stocks of all companies, choses in action, good will and all other assets, rights and things whatsoever;

2. As part consideration for the said sale the Purchasers shall assume and carry out, pay and discharge, and shall indemnify the Vendors against all contracts, duties and obligations, deb'ts and liabilities of the Vendors existing at the date when the said sale is to take effect as above mentioned, including among all others the first mortgage debentures issued by the Vendors and secured by a mortgage to National Trust Company, Limited, bearing date the first day of September A.D., 1899;

3. As further part consideration for the said sale and contemporaneously with the execution and delivery by the Vendors of the conveyances, assignments, transfers, or other assurances which may be required for the purpose of completing and carrying out the said sale, the Purchasers shall issue and deliver for distribution among the shareholders of the Vendors, and in exchange for the shares in the capital stock of the Vendors held by such shareholders respectively the following fully paid shares in the capital of the Purchasers' Company, namely:—

A number of preferred shares equal in number and amount to the preferred shares in the capital stock of the Vendors held by the shareholders of the Vendors, and a number of ordinary or common shares equal in number and amount to the ordinary or common shares in the capital stock of the Vendors held by the shareholders of the Vendors, and such shares shall be distributed among the said shareholders pro rata according to the preferred and ordinary or common shares held by them respectively, share for share, and it is agreed that the Purchasers shall issue and deliver direct to the shareholders of the Vendors who execute this agreement, or to their nominees, the number of shares to which they may respectively be entitled upon receiving from them respectively transfers to the Purchasers, or their nominees, of the shares held by them in the capital stock of the Vendors, and which are to be given in exchange as aforesaid.

Provided always that the Purchasers may issue and deliver direct to any shareholders of the Vendors who may not have executed this agreement but who may nevertheless be willing to make such exchange the shares to which they may be entitled.

Provided further that the shares to which any shareholders of the Vendors may be entitled and which are not issued to them direct, as above provided for, shall be issued and delivered to the Vendors, and the same shall be delivered to the last mentioned shareholders when and so soon as they are ready to exchange their shares therefor; and any dividends which may be received by the Vendors upon the shares so issued and delivered to them shall be held by the Vendors for and paid over to the respective parties who may be entitled to said shares when the same are delivered to them in exchange for their said shares aforesaid.

4. As further part consideration for the said sale the Purchasers shall pay all costs and expenses of and incidental to this agreement, and to the carrying out of the terms and provisions hereof, and all costs and expenses, including taxes (if any), and all other disbursements up to the time all shares in the capital stock of the Vendors have been exchanged as aforesaid, whether such costs, expenses and disbursements are incurred in connection with the carrying out of this agreement or in maintaining the organization of the Vendors or otherwise;

5. The Purchasers shall without investigation, objection, or requisition, accept such titles as the Vendors may have to the properties, assets and other things included in the said sale;

6. The sale and purchase hereby agreed upon shall be completed without delay after this agreement has been confirmed by Act of the Legislature of Ontario, and the parties authorized to carry out the same, and all parties hereto agree to support an application to said Legislature for said Act at the next session thereof. The costs and expenses connected with the said Act and application therefor shall be borne and paid by the Purchasers.

7. The shareholders of the Vendors who execute this agreement hereby approve of and consent to the said sale and purchase and to the carrying out of all the terms of this agreement, and they respectively hereby agree with the Purchasers to exchange the shares held by them respectively in the capital stock of the Vendors for shares in the capital stock of the Purchasers upon the basis and in accordance with the terms above set out;

8. Immediately upon this agreement being confirmed by Act of the Legislature as aforesaid, the Vendors shall execute and deliver to the Purchasers all necessary conveyances, assignments, transfers and assurances of the premises sold as may be deemed necessary or expedient for the purpose of vesting in the Purchasers, their successors and assigns, everything forming the subject of the sale and purchase hereby agreed to and referred to in clause 1 of this agreement. Provided always, and it is hereby agreed and declared that, notwithstanding anything herein contained, the rights of bondholders or other

creditors of the Hamilton Electric Light and Cataract Power Company, Limited, and of all persons having any claims or demands against that Company or any lien, charge or security upon any of its properties or assets, shall not be prejudiced by this agreement, or by the carrying out of the same, or of any part thereof, or of any of the terms or provisions thereof, but shall remain and may be enforced as if this agreement had not been made.

In witness whereof this agreement has been duly executed under the corporate seals of the Vendors and Purchasers; and has been duly signed by the Shareholders of the Vendors, in the presence of

Witness

THE HAMILTON ELECTRIC LIGHT AND
CATARACT POWER COMPANY (Limited) [L.S.]

J. M. GIBSON, President.

W. C. HAWKINS, Secretary.

THE HAMILTON CATARACT POWER, LIGHT
AND TRACTION COMPANY (Limited) [L.S.]

J. M. GIBSON, President.

W. C. HAWKINS, Secretary.

(Signatures of Shareholders.)

No. 42.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting The Hamilton Electric
Light and Cataract Power Company
(Limited) and The Hamilton Cataract
Power, Light and Traction Company
(Limited).

First Reading, , 1903.

(Private Bill.)

Mr. CARSCALLEN.

TORONTO :

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting The Hamilton Electric Light and Cataract Power Company (Limited) and the Hamilton Cataract, Power, Light and Traction Company (Limited).

WHEREAS the said Companies have by petition prayed Preamble. that an Act may be passed confirming the Letters Patent of Incorporation of the latter Company and a certain agreement between the said two companies and the shareholders of the former Company and conferring certain powers upon the latter Company; and whereas the said Petitioners in and by the said petition have also asked that a certain agreement between the Corporation of the Township of Grantham and The Hamilton Electric Light and Cataract Power Company (Limited), bearing date the 21st day of February, 1903, and the by-law therein mentioned, passed by the Corporation of the Township of Grantham, dated the 31st day of January 1903, should be confirmed: 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 Letters Patent of Incorporation of the Hamilton Cataract, Power, Light and Traction Company (Limited), hereinafter called the "New Company" bearing date the 5th day of February 1903, are confirmed. Incorporation of Hamilton Cataract, Power, Light and Traction Co. Ltd. confirmed.

2. The said agreement between the Corporation of the Township of Grantham and the Hamilton Electric Light and Cataract Power Company (Limited) bearing date the 21st day of February 1903, and the by-law of the Corporation of the Township of Grantham passed on the 31st day of January 1903, both of which are set forth in Schedule A hereto, are hereby ratified and confirmed and declared to be in all respects legal and binding. Agreement between Township of Grantham and Hamilton Electric Light and Cataract Power Co. Ltd confirmed.

3. The said agreement between The Hamilton Electric Light and Cataract Power Company Limited, hereinafter called the "Old Company," of the first part, the shareholders of the said company who executed said agreement, of the Agreement between Old and New Companies confirmed.

second part, and The New Company, of the third part, set forth in Schedule B hereto, is hereby ratified and confirmed and declared to be in all respects legal and binding; and the parties thereto are hereby authorized and required to observe and carry out the same; and the whole of the assets and properties real, personal and mixed, rights, contracts, credits and effects, franchises, privileges and powers, statutory or otherwise of the Old Company of whatsoever kind and wheresoever situated, as the same may exist on the date of the passing of this Act, shall be and are hereby transferred to and vested in the New Company; and the New Company shall have the right to exercise and enjoy all rights, contracts powers, franchises and privileges, statutory or otherwise heretofore possessed by the Old Company, as fully and to the same extent as the Old Company could have exercised and enjoyed the same if the said transfer had not taken place; Provided always that the rights of bondholders or other creditors of the Old Company, or of all persons having any claims or demands against that company, or any lien, charge, or security upon any of its properties or assets, shall not be prejudiced by this Act or by the said agreement, or by the carrying out of the same or of any part thereof, but the same shall remain and may be enforced as if the said agreement had not been made or as if this Act had not been passed; provided also that the New Company is hereby authorized to issue as fully paid up an amount of its common stock not exceeding in all \$200,000 to purchasers of bonds by way of bonus in connection with such purchase.

Proviso

Rev. Stat. c.
207, s 9, 10,
13 20 to apply
to new
company.

4. Section 6, sub-sections 1 to 18 both inclusive of section 9, section 10, and sections 13 to 20, both inclusive of *The Railway Act of Ontario* and all other powers in *The Railway Act of Ontario*, respecting or incidental to the taking of lands without the consent of the owners thereof, in so far as applicable, and when not inconsistent with this Act or the powers conferred by the letters patent of incorporation of the Companies, shall apply to the New Company and its undertakings; and (a) whenever in the said sections the word "company" occurs it shall mean the New Company; (b) whenever in the said sections the word "railway" occurs it shall, unless the context otherwise requires with respect to the provisions of this Act and to the New Company, mean the canals, raceways, dams, docks, sluices, conduits, aqueducts and other works and accessories authorized to be constructed by an Act passed in the sixty-first year of the reign of Her Majesty Queen Victoria, chapter 68, and entitled "An Act respecting The Cataract Power Company of Hamilton, Limited," or by this Act or by the charters of incorporation and amendments thereto of the Old Company and of the New Company; and the New Company shall be subject to and shall observe the provisions of said Act 61 Victoria, chapter 68, and of any other Act relating to the Old Company as if the same

had been passed with respect to the New Company ; and (c) whenever in the said sections of *The Railway Act* the word "land" occurs it shall include any privilege or easement required by the New Company for constructing or operating the works authorized by the said Act, 61 Victoria, chapter 68 Ontario, or by this Act or by the charters of incorporation of the said companies or either of them or amendments thereto, on, over or along any land without the necessity of acquiring a title in fee simple, and any map or plan which the New Company may be required to make, or to have examined, certified or deposited under the provisions of section 10 of *The Railway Act of Ontario* so far as any privilege or easement is concerned shall only require to show the land over which, or in connection with which, such privilege or easement is to be enjoyed, and on any such map or plan shall be endorsed a short description of such easement or privilege.

475 Nothing herein contained shall affect or diminish the rights or powers of any Municipal Corporation under any existing by-law or agreement or give the Company any greater rights or powers as between them and the said Municipal Corporation than were possessed by the Old Company before the passing of this Act, or shall take away or affect any right of action (if any) for damages or compensation of any person whose property has been or may hereafter be injuriously affected by the exercise of the rights or powers of the Company, or by the construction or operation of the Company's works. ^{Existing rights preserved.}

SCHEDULE A.

THIS AGREEMENT made the 21st day of February, 1903. BETWEEN :
The Hamilton Electric Light and Cataract Power Company,
hereinafter called the "Company," of the first part, and the
Corporation of the Township of Grantham in the County of Lincoln hereinafter called the "Corporation," of the second part.

In pursuance of by-law No. 129, passed by the Grantham Township Council on the 31st day of January, 1903, and a copy of which is hereto annexed :

It is hereby agreed between the Company and the Corporation as follows :

1. The taxes payable to the said Corporation annually by the said Company for five years from 1902 to 1906, both inclusive shall be and are hereby commuted and fixed at the sum of \$1,000 ; for each of the said years, for five years from 1907 to 1911, both inclusive, at the sum of \$1,000 ; for each year ; for five years from 1912 to 1916, both inclusive, at the sum of \$1,375 00 ; for each year ; and for five years from 1917 to 1921 both inclusive, at the sum of \$1,500.00 for each year.

2. The several amounts hereinbefore mentioned shall be annually paid by the Company and accepted by the said Corporation as payment in full

of all taxes payable by the said Company to the said Corporation, and no greater amounts shall be payable or levied upon or in respect of the property of the Company consisting of such part or parts of lots 21 in the 10th Concession in the said Township of Grantham which is now or may hereafter during the said periods of time be owned by the said Company, and the power house or other buildings which are now or may be during the said periods built or erected on said lot and all machinery, plant and apparatus or property of whatsoever nature or description which may be installed or placed therein or connected therewith or on any part of the said lands, as well as the poles and wiring or transmission lines of the said Company within the said Township of Grantham and all other property of the said Company of every nature or kind whatsoever; but not the dwelling houses or lands used in connection therewith of any of the officers or foremen of the said Company, which shall be assessed and on which taxes shall be paid in the ordinary manner in addition to the amount fixed by this by-law. The said amounts hereby fixed by way of commutation as set forth in paragraph 1 of this agreement shall be in full of all municipal rates general or special, including school rates and statute labor.

3. The said commuted taxes shall be payable and payment thereof may be demanded and enforced at the times, and in like manner as if such taxes were based on assessment of the property of said Company in the usual way.

4. The provisions of this agreement shall apply to the successors or assigns of the said Company, and the word "Company" wherever the same occurs in this agreement shall mean and include the said Company, its successors and assigns.

5. It is hereby stipulated and provided that the said Corporation will join with the said Company in an application to the Legislative Assembly of the Province of Ontario for legislation confirming the by-law of this agreement; but it is also hereby provided that the said Corporation shall not bear or be put to any expenses or costs in connection with such legislation, but that such costs and expenses shall be borne and paid by the said Company.

6. If any question as to the amount of school rates to be paid by the township to the school section should arise by reason of any contention that the assessment of the Company is too low and an award is made increasing said assessment for school purposes, then the Company shall pay to the Corporation for such school purposes the amount accruing from such increase.

In witness whereof, the parties hereto have hereunto affixed their Corporate Seals under the hands of their properly qualified officers.

Signed, sealed and delivered in the presence of	{	(Sgd.) J. M. GIBSON, [Seal.] President.
		(Sgd.) WM. C. HAWKINS, Secretary.
		(Sgd.) JOHN SCOTT, [Seal.] Reeve.
		(Sgd.) L. S. BESSEY, Clerk,

BY-LAW No. 129.

A By-Law respecting the taxes payable by The Hamilton Electric Light and Cataract Power Company, Limited.

Whereas negotiations have taken place between The Hamilton Electric Light and Cataract Power Company, Limited, (hereinafter ca o

Company) and the Corporation of the Township of Grantham, respecting the amount at which the property of the Company should be assessed and the amount of taxes paid thereon, and in view of the difficulty of arriving at a definite and mutually satisfactory basis or figure of value for assessment purposes by reason of the nature of the property—the same consisting mainly of the power house of the Company and the plant and apparatus therein contained, situated on part of lot 21 in the 10th concession of the said township—and also, by reason of questions arising as to whether portions of the said property are assessable as real estate or personality ;

And whereas the said Company proposes making some additions to the said power house and to the plant and apparatus therein ;

And whereas the commuted sums hereinafter mentioned are considered a fair and reasonable settlement, and it appears to be in the interest of the said Corporation of Grantham to make settlement with the said Company as hereinafter set forth.

Be it therefore enacted by the Municipal Council of the Corporation of Grantham, as follows :—

1. The amount of taxes payable to the said Corporation annually by the said Company for five years from 1902 to 1906, both inclusive, are hereby commuted and fixed at the sum of \$1,000.00, for each of the said years ; for five years from 1907 to 1911, both inclusive, at the sum of \$1,000.00 for each year ; for five years from 1912 to 1916, both inclusive, at the sum of \$1,375.00 for each year ; and for five years from 1917 to 1921, both inclusive, at the sum of \$1,500 00 for each year.

2. The several amounts hereinbefore mentioned shall be annually paid by the Company and accepted by the said Corporation as payment in full of all taxes payable by the said Company to the said Corporation and no greater amounts shall be payable or levied upon or in respect of the property of the Company, consisting of such part or parts of lot 21 in the 10th concession of the said Township of Grantham which is now or may hereafter during the said periods of time be owned by the said Company and the power house or other buildings which are now or may be during the said periods built or erected on the said lot and all machinery, plant and apparatus or property of whatever nature or description which may be installed or placed therein or connected therewith, or on any part of the said lands, as well as the poles and wiring or transmission lines of the said Company within the said Township of Grantham, and all other property of the said Company of every nature or kind whatsoever, but not the dwelling houses or lands used in connection therewith of any of the officers and foremen of the said Company, which shall be assessed and on which taxes shall be paid in the ordinary manner in addition to the amount fixed by this by-law. The said amounts hereby fixed by way of commutation as set forth in paragraph 1 of this by-law shall be in full of all municipal rates, general or special, including school rates and statute labor.

3. The said commuted taxes shall be payable, and payment thereof may be demanded and enforced at the times and in like manner as if such taxes were based on assessment of the property of the said Company in the usual way.

4. The provisions of this by-law shall apply to the successors or assigns of the said Company, and the the word "Company," wherever the same occurs in this by-law, shall mean and include the said Company, its successors and assigns.

5. If the said Company shall, within thirty days after the passing of this by-law, enter into an agreement with the said Corporation for payment of the said amounts of taxes hereinbefore set forth according to the terms of this by-law, it is hereby stipulated and provided that the said Corporation will join with the said Company in an application to the Legislative Assembly of the Province of Ontario for legislation confirm-

ing this by-law and the said agreement ; but it is also hereby provided that the said Corporation shall not bear or be put to any expense or costs in connection with such legislation, but that such costs and expenses shall be borne and paid by the said Company.

If any question as to the amount of school rates to be paid by the Township to the school section should arise by reason of any contention that the assessment of the Company is too low and an award is made increasing said assessment for school purposes, then the Company shall pay to the Corporation for such school purposes the amount accruing for such increase

Passed by the Municipal Council of the Corporation of the Township of Grantham the 31st day of January, 1903. As witness the corporate seal of the said Corporation and the hand of the Reeve and Clerk of the said Township of Grantham.

Corporate Seal.

(Sgd)

JOHN SCOTT,
Reeve.

(Sgd.)

L. S. BESSEY,
Clerk.

Moved by Councillor Masterson, seconded by Councillor Arbuthnot, That By-law No. 129, fixing the rate of taxes to be paid for the periods therein, by the Hamilton Electric Light and Cataract Power Co. (Limited), as amended, be now read a second and third time and passed, and the Reeve and Clerk do sign and seal the same, and its title be as in the motion.—Carried

I certify the above to be a true copy of a Resolution passed by the Grantham Council on Saturday, the 31st day of January, 1903.

L. S. BESSEY,
Township Clerk.

SCHEDULE B.

AGREEMENT made the _____ day of February A.D. one thousand nine hundred and three, BETWEEN the Hamilton Electric Light and Cataract Power Company, Limited (hereinafter called the " Vendors ") of the first part ; the Shareholders of the said Company who execute this agreement, of the second part, and The Hamilton Cataract Power, Light and Traction Company, Limited (hereinafter called the " Purchasers ") of the third part, witnesseth,

1. For the considerations and upon the terms hereinafter set out the Vendors agree to sell to the Purchasers, and the Purchasers agree to buy from the Vendors, the whole of the assets and properties, real, personal and fixed, rights, contracts, credits and effects, franchises, privileges and powers of the Vendors of whatsoever kind and wheresoever situated as the same may exist on the date when this agreement shall take effect as hereinafter mentioned, and for greater certainty, but not so as to restrict the generality of the foregoing, it is declared that the said sale and purchase shall include all lands, buildings, hereditaments, goods, chattels, moneys, bills and accounts receivable, contracts, agreements, securities, shares in the capital stocks of all companies, choses in action, good will and all other assets, rights and things whatsoever ;

2. As part consideration for the said sale the Purchasers shall assume and carry out, pay and discharge, and shall indemnify the Vendors against all contracts, duties and obligations, debts and liabilities of the Vendors existing at the date when the said sale is to take effect as above

mentioned, including among all others the first mortgage debentures issued by the Vendors and secured by a mortgage to National Trust Company, Limited, bearing date the first day of September A.D., 1899 ;

3. As further part consideration for the said sale and contemporaneously with the execution and delivery by the Vendors of the conveyances, assignments, transfers, or other assurances which may be required for the purpose of completing and carrying out the said sale, the Purchasers shall issue and deliver for distribution among the shareholders of the Vendors, and in exchange for the shares in the capital stock of the Vendors held by such shareholders respectively the following fully paid shares in the capital of the Purchasers' Company, namely :—

A number of preferred shares equal in number and amount to the preferred shares in the capital stock of the Vendors held by the shareholders of the Vendors, and a number of ordinary or common shares equal in number and amount to the ordinary or common shares in the capital stock of the Vendors held by the shareholders of the Vendors, and such shares shall be distributed among the said shareholders pro rata according to the preferred and ordinary or common shares held by them respectively, share for share, and it is agreed that the Purchasers shall issue and deliver direct to the shareholders of the Vendors who execute this agreement, or to their nominees, the number of shares to which they may respectively be entitled upon receiving from them respectively transfers to the Purchasers, or their nominees, of the shares held by them in the capital stock of the Vendors, and which are to be given in exchange as aforesaid.

Provided always that the Purchasers may issue and deliver direct to any shareholders of the Vendors who may not have executed this agreement but who may nevertheless be willing to make such exchange the shares to which they may be entitled.

Provided further that the shares to which any shareholders of the Vendors may be entitled and which are not issued to them direct, as above provided for, shall be issued and delivered to the Vendors, and the same shall be delivered to the last mentioned shareholders when and so soon as they are ready to exchange their shares therefor ; and any dividends which may be received by the Vendors upon the shares so issued and delivered to them shall be held by the Vendors for and paid over to the respective parties who may be entitled to said shares when the same are delivered to them in exchange for their said shares aforesaid.

4. As further part consideration for the said sale the Purchasers shall pay all costs and expenses of and incidental to this agreement, and to the carrying out of the terms and provisions hereof, and all costs and expenses, including taxes (if any), and all other disbursements up to the time all shares in the capital stock of the Vendors have been exchanged as aforesaid, whether such costs, expenses and disbursements are incurred in connection with the carrying out of this agreement or in maintaining the organization of the Vendors or otherwise ;

5. The Purchasers shall without investigation, objection, or requisition, accept such titles as the Vendors may have to the properties, assets and other things included in the said sale ;

6. The sale and purchase hereby agreed upon shall be completed without delay after this agreement has been confirmed by Act of the Legislature of Ontario, and the parties authorized to carry out the same, and all parties hereto agree to support an application to said Legislature for said Act at the next session thereof. The costs and expenses connected with the said Act and application therefor shall be borne and paid by the Purchasers.

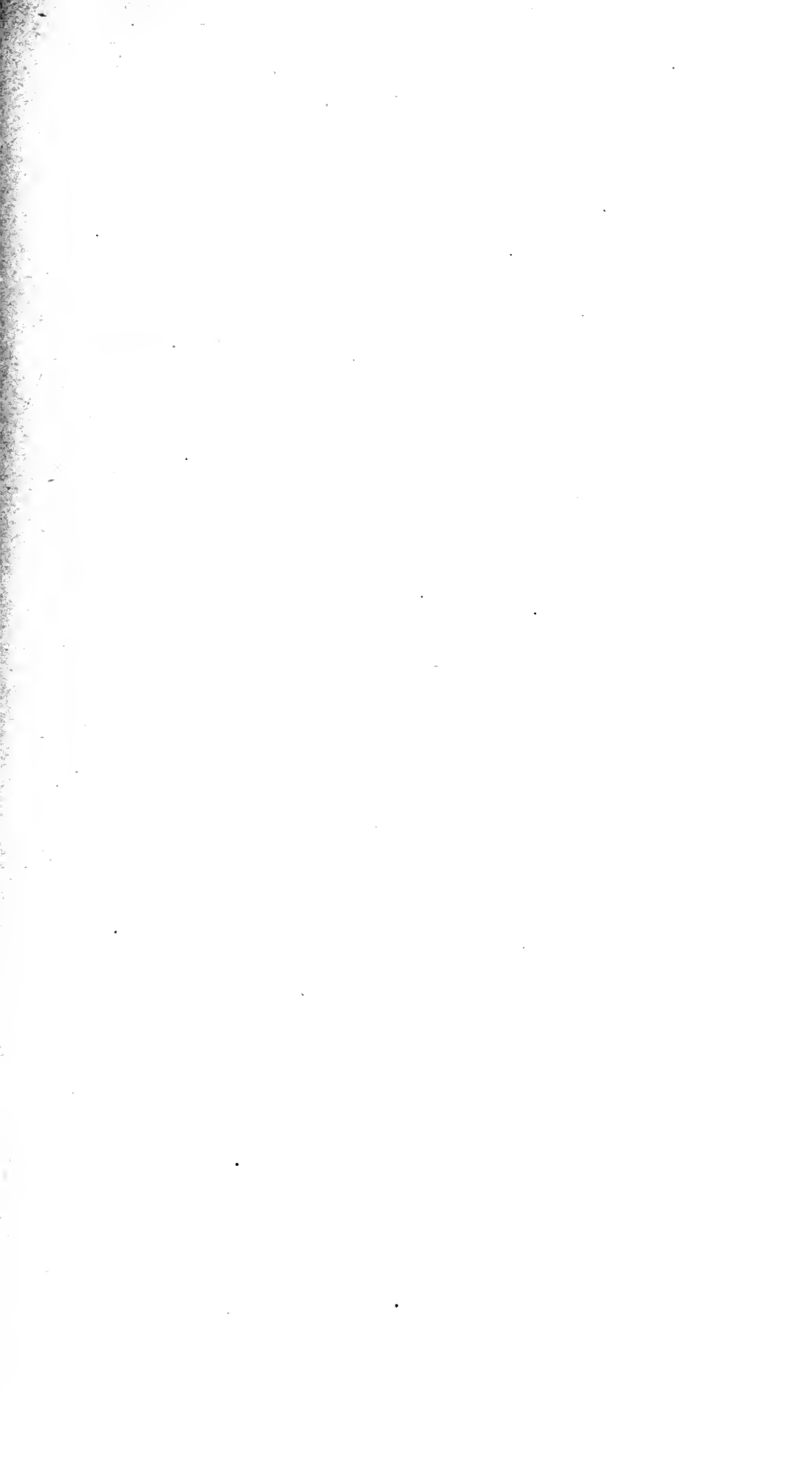
7. The shareholders of the Vendors who execute this agreement hereby approve of and consent to the said sale and purchase and to the carrying out of all the terms of this agreement, and they respectively hereby agree with the Purchasers to exchange the shares held by them

respectively in the capital stock of the Vendors for shares in the capital stock of the Purchasers upon the basis and in accordance with the terms above set out ;

8. Immediately upon this agreement being confirmed by Act of the Legislature as aforesaid, the Vendors shall execute and deliver to the Purchasers all necessary conveyances, assignments, transfers and assurances of the premises sold as may be deemed necessary or expedient for the purpose of vesting in the Purchasers, their successors and assigns, everything forming the subject of the sale and purchase hereby agreed to and referred to in clause 1 of this agreement. Provided always, and it is hereby agreed and declared that, notwithstanding anything herein contained, the rights of bondholders or other creditors of the Hamilton Electric Light and Cataract Power Company Limited, and of all persons having any claims or demands against that Company or any lien, charge or security upon any of its properties or assets, shall not be prejudiced by this agreement, or by the carrying out of the same, or of any part thereof, or of any of the terms or provisions thereof, but shall remain and may be enforced as if this agreement had not been made.

In witness whereof this agreement has been duly executed under the corporate seals of the Vendors and Purchasers ; and has been duly signed by the Shareholders of the Vendors, in the presence of

Witness	<p>THE HAMILTON ELECTRIC LIGHT AND CATARACT POWER COMPANY (Limited) [L.S.]</p> <p>J. M. GIBSON, President.</p> <p>W. C. HAWKINS, Secretary.</p> <p>THE HAMILTON CATARACT POWER, LIGHT AND TRACTION COMPANY (Limited) [L.S.]</p> <p>J. M. GIBSON, President.</p> <p>W. C. HAWKINS, Secretary.</p> <p>(Signatures of Shareholders.)</p>
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1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act respecting The Hamilton Electric
Light and Cataract Power Company
(Limited) and The Hamilton Cataract
Power, Light and Traction Company
(Limited).

First Reading, 24th April, 1903.

(Private Bill.)

(Reprinted as amended by Private Bills
Committee.)

Mr. CARSGALEN.

TORONTO :

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

An Act to incorporate the Minnietakie, Lac Seul and Albany River Railway Company.

WHEREAS John Sykes and Harry Holdroyd, both of the Preamble.
 Village of Glen Williams, in the County of Halton,
 manufacturers; William C. Young, of the Town of Bramp-
 ton, in the County of Peel, banker; Henry W. Selby, of
 5 Dinorwic, in the district of Rainy River, Ontario and Domin-
 ion Land Surveyor; William Robert Payne, of the City of
 Toront, in the County of York, contractor; John Porter, of
 the said City of Toronto, capitalist; John Herbert Hall, of
 the said City of Toronto, civil engineer; William Halloway
 10 Wallbridge and John Shilton, both of the said City of Tor-
 onto, barristers-at-law, and William J. Elliott, of the said
 City of Toronto, agent, have by their petition prayed for an
 Act of Incorporation under the name of "The Minnietakie,
 Lac Seul and Albany River Railway Company," for the pur-
 15 pose of constructing and operating a railway from a point
 at or near Dinorwic Station, on the line of the Canadian
 Pacific Railway, in the district of Rainy River; thence in a
 northerly direction to a point at or near Lake Minnietakie;
 thence in a north-easterly direction to a point at or near the
 20 south-easterly shore of Lac Seul; thence in a north-easterly
 direction to a point at or near the south-easterly shore of
 Lake St. Joseph, and thence north-easterly to a point on the
 Albany River at or near Fort Hope, and branch lines; and
 it has been represented that the line of the railway com-
 25 pany so to be incorporated will, for the most part, be con-
 structed in the unorganized part of the province; and it is
 proposed to operate the same by steam, electricity or other
 motive power; and whereas owing to the location of the line
 of the said railway; the provisions of *The Electric Railway*
 30 *Act* are not applicable to the company so to be incorporated,
 and the said petitioners have prayed that there may be con-
 ferred upon them the powers ordinarily given upon the incor-
 poration of a railway to be operated by steam; and whereas
 for the reasons aforesaid the circumstances of said proposed line
 35 of railway are exceptional; and whereas it is expedient to
 grant the prayer of the said petition.

Rev. Stat.
c. 209.

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

Incorporation. 1. John Sykes, Harry Holdroyd, William C. Young, Henry W. Selby, William Robert Payne, John Porter, John Herbert Hall, William Halloway Wallbridge, John Shilton and William J. Elliott 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 Minnetakie, Lac Seul and Albany River Railway Company," hereinafter 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 10 railway to be operated by steam, electricity or other motive power, with single or double iron or steel tracks, from some point at or near Dinorwic Station, on the line of the Canadian Pacific Railway, in the district of Rainy River; thence in a northerly direction to a point at or near Lake Minnetakie; 15 thence in a north-easterly direction to a point at or near the south-easterly shore of Lac Seul; thence in a north-easterly direction to a point at or near the south-easterly shore of Lake St. Joseph, and thence north-easterly to a point on the Albany River at or near Fort Hope, with power to construct 20 and operate a branch line from the said line of railway, commencing at or near the south-easterly shore of Lac Seul; thence easterly to Sturgeon Lake and other branch lines of railway, none of which, with the exception of the said Sturgeon Lake branch, are to exceed 12 miles in length; and 25 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 30 and in this Act contained, and under and subject to any agreements between the company and the councils of any 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 35 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, *The Electric Railway Act and The Municipal Act*, and any Act or Acts amending the same; provided that the *Electric Railway Act* shall not apply to the 40 company except in so far as the railway is constructed along or upon a public highway.

Rev. Stat. c. 209.

Rev. Stat. c. 223.

Gauge.

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

Provisional Directors.

4. The said John Sykes, Harry Holdroyd, William C. Young, Henry W. Selby, William Robert Payne, John Porter, John Herbert Hall, William Halloway Wallbridge, John Shilton and William J. Elliott, with power to add to their 45

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
5 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 receive payments on account of stock subscribed, and to make calls
10 upon subscribers in respect of their stock and to sue for and recover the same; and to cause plans and surveys to be made and to receive for the company any grant, loan, bonus or gift made to it or in aid of the undertaking, and to enter into any agreement respecting the conditions or disposition of any gift
15 or bonus in aid of the railway, and with all such other powers as under *The Railway Act of Ontario*, are vested in ordinary directors. The said directors, or a majority of them, or the board of directors, to be elected as hereinafter mentioned, may in their discretion exclude anyone from subscribing for stock
20 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,
25 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
30 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 company.

Powers of
provisional
directors.

Rev. Stat.
c. 207.

6. Conveyances of lands to the company for the purposes
35 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;
40 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
45 endorsed on the duplicates thereof.

Form of conveyance 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
Subscriptions
not binding
until stock
paid.

amount subscribed has been actually paid thereon within one month after subscription.

Power to receive aid in construction of line.

8. The company may receive from any government, or from any persons or bodies corporate, municipal or politic, who may have power to make or grant the same, aid towards the construction, equipment or maintenance of the said railway by way of gift, bonus or loan of money or debentures, or other securities for money, or by way of guarantee upon such terms and conditions as may be agreed upon. 5

Capital stock.

Rev. Stat. c. 207.

9. The capital stock of the company hereby incorporated shall be \$1,000,000 (with power to increase the same in the manner provided by *The Railway Act of Ontario*), to be divided into ten thousand shares of \$100 each, and shall be raised by the persons and corporations who may become shareholders in the company, and the money so raised shall be applied in the first place to the payment of all fees, expenses and disbursements of and incidental to the passing of this Act, and for making the surveys, plans and estimates connected with the works hereby authorized; and the remainder of said money shall be applied to the making, equipping, completing and maintaining of the said railway, and to the other purposes of this Act. 10 15 20

First meeting, election of directors.

10. When and as soon as shares to the amount of \$100,000 of capital stock in the said company shall have been subscribed and ten per centum paid thereon into some chartered bank of the Dominion having an office in the Province of Ontario, to the credit of the company, and which shall on no account be withdrawn therefrom unless for the services of the company, the said provisional directors, or a majority of them, shall call a general meeting of the shareholders for the purpose of electing directors of the company, giving at least four weeks' notice of such meeting by advertisement in *The Ontario Gazette*, and in at least one newspaper published in the said City of Toronto, of the time, place and purpose of the said meeting. 25 30 35

Directors, election, number of.

11. At such general meeting the shareholders present either in person or by proxy, who shall at the opening of such meeting have paid up ten per centum on the stock subscribed by them, shall elect not less than five and not more than nine persons to be directors of the company in manner and qualified as hereinafter mentioned, who shall constitute a board of directors, and shall hold office until the next general annual meeting, and a majority of the directors shall form a quorum of the board, and may pass such rules, regulations and by-laws as may be deemed expedient and are not inconsistent with this Act and *The Railway Act of Ontario*; and the said Board may employ and pay one of their number as managing director. 40 45

Rev. Stat. c. 207.

12. No person shall be qualified to be elected as such director by the shareholders unless he be a shareholder holding at least ten shares of stock in the company, and unless he has paid up all calls thereon.

Qualification
of directors.

13. The company is hereby authorized and empowered to take and make 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."

Construction
of line by
sections.

Rev. Stat.
c 207.

14. Aliens and companies incorporated abroad, as well as British subjects and corporations, may be shareholders in the company, and all such shareholders, whether resident in this Province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible to office as directors of the company.

Rights of
aliens.

15. The directors may, from time to time, make calls as they shall think fit, provided that no call shall be made at any one time of more than ten per centum of the amount subscribed by each shareholder, and thirty days' notice shall be given of each call as provided in section 17 of this Act.

Calls.

16. The directors may enter into a contract or contracts with any individual, corporation or association of individuals for the construction or equipment of a railway or any part thereof, including or excluding the purchase of right of way, and may pay therefor either in whole or in part, either in

Agreements
for construc-
tion, etc.

cash or bonds, or in paid-up stock, and may pay or agree to pay in paid-up stock or in bonds of the said company, such sums as they may deem expedient to engineers or for the right of way or material, plant or rolling stock, and also for the services of the promoters or other persons who may be employed by the directors for the purpose of assisting the directors and 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; provided that no such contract shall be of any force or validity unless first authorized by resolution passed by the votes of the shareholders in person or by proxy, representing two-thirds in value of the subscribed capital stock, and on which no call is in default and unpaid, at a general meeting specially called for that purpose.

Head Office
Annual
Meetings.

17. The head office of the company shall be at the said City of Toronto, and the general annual meeting of the shareholders of the company shall be held in such place in the said City of Toronto, on such days, and at such hours as may be directed by the by-laws of the company; and public notice thereof shall be given at least four weeks previously in *The Ontario Gazette*, and once a week in one newspaper published in the said City of Toronto during the four weeks immediately preceding the week in which such meeting is to take place.

Special
General
Meetings.

18. Special general meetings of the shareholders of the said company may be held at such places, and at such times, and in such manner and for such purposes as may be provided by the by-laws of the company, and upon such notice as is provided in the last preceding section.

Voting by
proxy.

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 of the company.

Bonds.

20. The directors of the company shall have power to issue bonds of the company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all the sum of \$20,000 for each mile of the said railway and branches, and the provisions of sub-sections 19, 20, 21, 22 and 23 of section 9 of *The Railway Act of Ontario* shall apply to all such bonds and the issue thereof, and such bonds shall be issued subject and according to, and in conformity with the provisions of the said sub-sections.

Rev. Stat.
c. 207.

Form of
Bonds.

21. All such bonds, debentures and other securities and coupons and interest warrants thereon respectively, may be

made payable to bearer and transferable by delivery, and any holder of any such securities so made payable to bearer, may sue at law thereon in his own name.

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 counter signed 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.

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 moveable property, from such companies or persons for such time or times and on such terms as may be agreed on; and also to enter into agreements with any railway company or companies if so lawfully authorized, for the use by one or more of such contracting companies, of the locomotives, carriages, rolling stock and other movable property of the other or others of them on such terms as to compensation and otherwise as may be agreed on.

25. The company may also construct an electric telegraph line and a telephone line throughout and along the whole line of their railway and the branches thereof, or any part of the said railway or branches, and for the purpose of constructing, working and protecting the said telegraph and telephone lines, the powers conferred upon telegraph companies by *The Act respecting Telegraph Companies*, being

chapter 192 of the Revised Statutes of Ontario, 1897, are hereby conferred upon the company; provided that no poles shall be erected in the construction of either of the said lines in or through any city, town or incorporated village without the consent of the council of such city, town or village being first obtained by the company; and the company may undertake the transmission of messages for the public by such line or lines of telegraph or telephone and collect tolls for so doing.

Aid from municipalities.

26. Any municipality, or any portion of a township municipality, which may be interested in securing the construction of said railway, or through any part of which, or near which the railway or works of the company shall pass or be situated 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.

Voting on bonus or by-laws.

27. Such by-law shall be submitted by the municipal council to the vote of the ratepayers in the 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.

Rev. Stat., c. 223.

(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 of the 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 members of the county council or of fifty resident freeholders, being duly qualified voters under *The Municipal Act* and the 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 municipalities, being duly qualified voters as aforesaid.

Requisites of bonus by-laws.

28. Such by-law shall in each instance provide:

(1) For raising the amount petitioned for in the municipality or portion of the township municipality (as the case may be) mentioned in the petition, by the issue of debentures of the county or minor municipality, respectively, and shall
5 also provide for the delivery of the said debentures, or the application of the amount to be raised thereby, as may be expressed in the said by-law.

(2) For assessing and levying upon all rateable property lying within the municipality or portion of township municipality defined in said by-law (as the case may be) an annual
10 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
15 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
20 be incurred in submitting the said by-law. Deposit of expenses of submitting by-law

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
25 the said by-law a third time and pass the same. If by-law approved council to pass same

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
30 executed, to the trustees appointed, or to be appointed, under this Act. Issue of bonus debentures

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 payment of the debentures issued therefor, and
35 the interest thereon, shall be assessed and levied upon such portion only of such municipality. Rate on Section of Township

33. The provisions of *The Municipal Act* and the amendments thereto, so far as the same are not inconsistent with this Act, shall apply to any by-law so passed by or for a
40 portion of a township municipality, to the same extent as if the same had been passed by or for the whole municipality. Application of Rev. Stat. c. 223 to bonus by-laws

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
45 beyond that stipulated for in the by-law or by-laws granting Extending time fixed in bonus by-law for commencing work.

such aid, from time to time; provided that no such extension shall be for a longer period than one year.

Extending
time fixed in
bonus by-law
for completing
work

35. It shall and may be lawful for the council of any municipality that may grant aid by way of bonus, to the said company, by resolution or by-law to extend the time for the completion of the works (on the completion of which the said company would be entitled to such bonus,) from time to time; provided that no such extension shall be for a longer period than one year at a time. 5

Limitation as
to rates in aid
of railway

36. Any municipality, or portion of a township municipality, interested in the construction of the railway of the company, may grant aid by way of bonus to the company towards the construction of such railway, notwithstanding that such aid may increase the municipal taxation of such municipality, or portion thereof, beyond what is allowed by law; provided that such aid shall not require the levying of a greater aggregate annual rate for all purposes exclusive of school rates, than three cents in the dollar upon the value of the rateable property therein. 10 15

By-laws
granting ex-
emption 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 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. 20 25 30

Grants of land
from muni-
cipalities.

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 runnings 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. 35 40

Trustees of
municipal
debentures.

39. 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, 45

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.

40. The said trustees shall receive the said debentures or bonds in trust, firstly, under the directions of the company and subject to the conditions of the by-laws in relation thereto as to time or manner, to convert the same into money or otherwise dispose of them; secondly, to deposit the debentures or amount realized from the sale in some chartered bank having an office in the Province of Ontario, in the name of "The Minnetakie, Lac Seul and Albany River Railway Municipal Trust Account," and to pay the same out to the company from time to time as the company becomes entitled thereto, under the conditions of the by-law granting the said bonus and on the certificate of the chief engineer of the said railway for the time being, in the form set out in Schedule B hereto, or to the like effect, which certificate shall set forth that the conditions of the by-law have been complied with, and is to be attached to the cheque or order drawn by the said trustees for such payment or delivery of debentures, and such engineer shall not wrongfully grant any such certificate under a penalty of \$500, recoverable in any court of competent jurisdiction by any person who may sue therefor.

Trusts upon which debentures to be held.

41. The trustees shall be entitled to their reasonable fees and charges from the said trust fund, and the act of any two of such trustees shall be as valid and binding as if the three had agreed.

Fees of Trustees— Acts of majority binding.

42. Whenever it shall be necessary, for the purpose of procuring sufficient land for stations, or gravel pits, or for constructing, maintaining and using the said railway, and in case by purchasing the whole of any lot or parcel of land over which the railway is to run, the company can obtain the

Power to purchase whole lots.

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. 5

Rev. Stat.
c. 207.

Acquiring
land for
gravel pits,
etc.

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 situated for the purchase thereof, cause the Ontario Land Surveyor to make a map and description of the property so required, and they shall serve a copy thereof, with their notices of arbitration, as in case of acquiring the roadway and the notice of arbitration, the award and tender of compensation, shall have the same effect as in case of arbitration for the roadway; and all the provisions of *The Railway Act of Ontario*, and of this Act, as to the service of the said notice, arbitration, compensation, deeds, payment of money into court, the right to sell, the right to convey, and the parties from whom land may be taken or who may sell, shall apply to the subject matter of this section, as to 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 it necessary; the notice of arbitration, in case arbitration is resorted to, to state the interest required. 10 15 20 25

Rev. Stat.
c. 207.

Sidings to
gravel pits.

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 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 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. 30 35 40 45

(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 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 said railway, and to erect and maintain snow fences thereon, subject to the payment of such damages (if any) as may be hereafter established in the manner provided by law in respect of such railway to have been actually suffered; provided always that any such snow fences so erected shall be removed on or before the first day of April next following.

Snow fences.

46. The company shall have power and authority,—

Several 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 superfluous for any such purpose, and the company shall have power to build, own, operate and hold as part of the property of the company as many steam or other vessels as the directors of the company may deem requisite from time to time to facilitate the carriage of passengers, freight and other traffic in connection with the railway;

Power houses, elevators, 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, wagons and other machinery and contrivances necessary or convenient for the working of the railway and the accommodation and use of the passengers, freight and business of the railway;

Stations, depots, etc.

(3) To purchase and acquire water powers within ten miles of the railway and branches thereof herein authorized, and to construct, maintain and operate works for the production of electricity for the motive power of the said railways, and for the lighting and heating the rolling stock and other property of the company.

Water powers.

(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 subsection.

Disposing of surplus electric power

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 and for sale or lease 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

Transmission of electricity.

as may be determined by the company, and along and upon any of the public highways, or across any of the waters in this Province by the erection of the necessary fixtures, including posts, piers or abutments for sustaining the cords or wires of such lines, or the conduits for such electricity, upon and subject to such agreement in respect thereof as shall first be made between the company and any private owners of the land affected, and between the company and any municipality in which such works or any part thereof or of the railway may be situate, and under and subject to any by-law or by-laws of the council of such municipality passed in pursuance thereof.

Operation on highways.

47. (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 section 2 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 railways, or the cars, carriages, engines, motors, or machines aforesaid shall be so constructed, erected, laid down and arranged as to impede or incommode the public use of such street, highway or public place as little as possible, and so as not to be a nuisance thereto, nor to interfere with the free access to any house or other building erected in the vicinity of the same; and the electric and other appliances shall be of such an improved manufacture and so placed as to avoid as far as possible any danger to buildings or other property; and provided that none of the works or property of the company shall be so constructed or placed as to injuriously interrupt navigation in any navigable water.

Rev. Stat. c. 223.

(2) The by-laws mentioned in section 2, 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*.

Harbour facilities.

48. It shall and may be lawful for the company at any point where the railway or any branch thereof approaches within two miles of any navigable waters, to purchase and hold as its own absolute property and for the use of the company, wharves, piers, docks, water lots, water frontages and lands; and upon the said water lots, water frontages and lands, and in and over the waters adjoining the same, to build and erect elevators, storehouses, warehouses and engine-houses, sheds, wharves, docks, piers, and other erections, for the use of the company, and the steam and other vessels

owned, worked or controlled by the company, or any other steam or other vessel; and to collect wharfage and storage charges for the use of the same; and also to erect, build, repair and maintain all moles, piers, wharves and docks necessary and
 5 proper for the protection of such works; and for the accommodation and convenience of vessels entering, leaving, lying, loading and unloading within the same, and to dredge, deepen and enlarge such works; and the said wharves, piers, docks, water lots, water frontages, lands, elevators, storehouses, ware-
 10 houses, engine-houses, sheds and other erections or any thereof, or any portion thereof, in its discretion to sell, lease or convey.

49. The said company shall have power to purchase and hold such lands as may be required at each extremity of the
 15 said railway for the purpose of building thereon store-houses, ware-houses, engine-houses, and other erections for the use of the said company, and the same or portions thereof, in their discretion, to sell and convey, and also to make use for the purposes of the said railway of any stream or water course, at
 20 or near which the railway passes, doing, however, no unnecessary damage thereto, and not impairing the usefulness of such stream or water course.

Acquiring
land for
building.

50. The company is authorized and empowered to make necessary arrangements to contract and agree with the Can-
 25 adian Pacific Railway Company, if lawfully authorized to enter into such arrangements for amalgamation; provided that no such contract shall be of any force or validity unless first authorized by resolution passed by the votes of the shareholders in person or by proxy, representing two-thirds in value
 30 of the subscribed capital stock and on which no call is in default and unpaid, at a general meeting specially called for that purpose.

Agreements
with
C.P. Ry. Co.

51. The company shall have power to agree for connections and making running arrangements with the Canadian Pacific
 35 Railway Company, the Thunder Bay, Nipigon and St. Joe Railway Company, or any other Railway Company whose lines may hereafter approach or intersect the railway herein authorized, if lawfully empowered to enter into such agree-
 40 ments, 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 company hereby incorporated to enter into an agreement with the said company or companies if lawfully authorized to enter into
 45 such 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 any part thereof, or touching any service to be rendered by the one company to the other or others of them and the compensation

Agreements
for connec-
tions and
running
arrangements.

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; 5
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 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 the Province of Ontario. 10

Transfer of shares.

52. Shares in the capital stock of the company may be transferred by any form of instrument in writing, but no transfer shall become effectual unless the stock or scrip certificates issued in respect of shares intended to be transferred are surrendered to the company, or the surrender thereof dispensed with by the company. 15

Power to collect back charges on goods.

53. The company shall have power to collect and receive all charges, subject to which goods or commodities may come into their possession, and on payment of such back charges, and without any formal transfer, shall have the same lien for the amount thereof upon such goods 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. 20 25

Application of Rev. Stat. c. 207.

54. Save as expressly provided by this Act 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. 30 35

Time for commencement and completion.

55. The railway shall be commenced within three years and finally completed within seven years after the passing of this Act. 40

SCHEDULE A.

Know all men by these presents, that I, _____ in consideration of \$ _____ paid to me by the Minnetakie, Lac Seul and Albany River Railway Company, the receipt whereof is hereby acknowledged, do grant and convey unto the said company, and I, _____, in consideration of \$ _____ paid to me by the said company, the receipt whereof is hereby acknowledged, do grant and release all that certain parcel of 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 Minnetakie, Lac Seul and Albany River Railway Company, their successors and assigns forever, and I, _____ the wife of the said _____ do hereby bar my dower in the said lands.

As witness my hand and seal this _____ day of _____, 19 _____.

Signed, sealed and delivered
in the presence of

}

SCHEDULE B.

CHIEF ENGINEER'S CERTIFICATE.

The Minnetakie, Lac Seul and Albany River Railway Company's Office.

No. _____ A. D. 19 _____.

Engineer's Department.

Certificates to be attached to cheques drawn on The Minnetakie, Lac Seul and Albany River Railway Municipal Trust Account given under section _____, chapter _____ of the acts of the Legislature of Ontario, passed in the _____ year of Her Majesty's reign.

I, _____, chief engineer of the Minnetakie, Lac Seul and Albany River Railway Company, do hereby certify that the said Company has fulfilled the terms and conditions under the By-law No. _____ of the Township of _____, or under the agreement dated the _____ day of _____, 19 _____, between the corporation of _____ and the said company to entitle the said company to receive from the said trust the sum of _____.



No. 43.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act to incorporate the Minnetakie,
Lac Seul and Albany River Railway
Company.

First Reading, th March, 1903.

(Private Bill.)

MR. CAMERON.

TORONTO:

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

An Act to incorporate The Minnietakie, Lac Seul and Albany River Railway Company.

WHEREAS John Sykes and Harry Holdroyd, both of the ^{Preamble.} Village of Glen Williams, in the County of Halton, manufacturers; *Walter C. Young*, of the Town of Brampton, in the County of Peel, banker; Henry W. Selby, of Dinorwic, in the district of Rainy River, Ontario and Dominion Land Surveyor; William Robert Payne, of the City of Toronto, in the County of York, contractor; John Porter, of the said City of Toronto, capitalist; John Herbert Hall, of the said City of Toronto, civil engineer; William Halloway Wallbridge and John Shilton, both of the said City of Toronto, barristers-at-law, and William J. Elliott, of the said City of Toronto, agent, have by their petition prayed for an Act of Incorporation under the name of "The Minnietakie, Lac Seul and Albany River Railway Company," for the purpose of constructing and operating a railway from a point at or near Dinorwic Station, on the line of the Canadian Pacific Railway, in the District of Rainy River; thence in a northerly direction to a point at or near Lake Minnietakie; thence in a north-easterly direction to a point at or near the south-easterly shore of Lac Seul; thence in a north-easterly direction to a point at or near the south-easterly shore of Lake St. Joseph, and thence north-easterly to a point on the Albany River at or near Fort Hope ^{and} in the District of Keewatin with power to construct and operate a branch line from the said line of railway, commencing at or near the south-easterly shore of Lac Seul, thence easterly to Sturgeon Lake, and other branch lines, none of which, with the exception of the said Sturgeon Lake branch, are to exceed 12 miles in length; ^{and} and it has been represented that the line of the railway of the company so to be incorporated will, for the most part, be constructed in the unorganized part of the province; and it is proposed to operate the same by steam, electricity or other motive power; and whereas owing to the location of the line of the said railway; the provisions of *The Electric Railway Act* are not applicable to the company so to be incorporated, and the said petitioners have prayed that there may be conferred upon them the powers ordinarily given upon the incorporation of a railway to be operated by steam; and whereas ^{Rev. Stat. c. 209.}

for the reasons aforesaid the circumstances of said proposed line of railway are exceptional; 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:

Incorporation. 1. John Sykes, Harry Holdroyd, *Walter C. Young*, Henry W. Selby, William Robert Payne, John Porter, John Herbert Hall, William Halloway Wallbridge, John Shilton and William J. Elliott 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 Minnetakie, Lac Seul and Albany River Railway Company," hereinafter called "the company."

Location of line.

2. The company is hereby authorized and empowered to survey, lay out, construct, complete, equip and maintain a railway to be operated by steam, electricity or other motive power, with single or double iron or steel tracks, from some point at or near Dinorwic Station, on the line of the Canadian Pacific Railway, in the district of Rainy River; thence in a northerly direction to a point at or near Lake Minnetakie; thence in a north-easterly direction to a point at or near the south-easterly shore of Lac Seul; thence in a north-easterly direction to a point at or near the south-easterly shore of Lake St. Joseph, and thence north-easterly to a point on the Albany River at or near Fort Hope ^{4th} in the District of Keewatin, ^{5th} with power to construct and operate a branch line from the said line of railway, commencing at or near the south-easterly shore of Lac Seul, thence easterly to Sturgeon Lake, and other branch lines of railway, none of which, with the exception of the said Sturgeon Lake branch, are to exceed 12 miles in length; 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 *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, *The Electric Railway Act* and *The Municipal Act*, and any Act or Acts amending the same; provided that the *Electric Railway Act* shall not apply to the company except in so far as the railway is constructed along or upon a public highway.

Rev. Stat.
c. 209.

Rev. Stat.
c. 223.

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

4. The said John Sykes, Harry Holdroyd, *Walter C. Provisional*
Young, Henry W. Selby, William Robert Payne, John Porter, *Directors.*
John Herbert Hall, William Halloway Wallbridge, John
Shilton and William J. Elliott, with power to add to their
number, shall be and are hereby constituted a board of pro-
visional 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 *Powers of*
forthwith to open stock books and procure subscriptions of *provisional*
stock for the undertaking, and to allot the stock and receive *Directors.*
payments on account of stock subscribed, and to make calls
upon subscribers in respect of their stock and to sue for and
recover the same; and to cause plans and surveys to be made
and to receive for the company any grant, loan, bonus or gift
made to it or in aid of the undertaking, and to enter into any
agreement respecting the conditions or disposition of any gift
or bonus in aid of the railway, and with all such other powers
as under *The Railway Act of Ontario*, are vested in ordinary *Rev. Stat.*
directors. The said *provisional* directors, or a majority of them, *c 207.*
or the board of directors, to be elected as hereinafter mentioned,
may in their discretion exclude anyone from subscribing for
stock who in their judgment would hinder, delay or prevent the
company from proceeding with and completing their under-
taking under the provisions of this Act; and if at any time a
portion or more than the whole stock shall have been sub-
scribed, 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 exclu-
sion 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 company.

6. Conveyances of lands to the company for the purposes *Form of con-*
of and powers given by this Act, made in the form set forth *veyance to*
in Schedule A, hereunder written, or to the like effect, shall *company.*
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.

Subscriptions
not binding
until stock
paid.

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.

Power to
receive aid in
construction
of line.

8. The company may receive from any government, or from any persons or bodies corporate, municipal or politic, who may have power to make or grant the same, aid towards the construction, equipment or maintenance of the said railway by way of gift, bonus or loan of money or debentures, or other securities for money, or by way of guarantee upon such terms and conditions as may be agreed upon.

Capital stock.

Rev. Stat.
c. 207.

9. The capital stock of the company hereby incorporated shall be \$1,000,000 (with power to increase the same in the manner provided by *The Railway Act of Ontario*), to be divided into ten thousand shares of \$100 each, and shall be raised by the persons and corporations who may become shareholders in the company, and the money so raised shall be applied in the first place to the payment of all fees, expenses and disbursements of and incidental to the passing of this Act, and for making the surveys, plans and estimates connected with the works hereby authorized; and the remainder of said money shall be applied to the making, equipping, completing and maintaining of the said railway, and to the other purposes of this Act.

First meeting,
election of
directors.

10. When and as soon as shares to the amount of \$100,000 of capital stock in the said company shall have been subscribed and ten per centum paid thereon into some chartered bank of the Dominion having an office in the Province of Ontario, to the credit of the company, and which shall on no account be withdrawn therefrom unless for the services of the company, the said provisional directors, or a majority of them, shall call a general meeting of the shareholders for the purpose of electing directors of the company, giving at least four weeks' notice of such meeting by advertisement in *The Ontario Gazette*, and in at least one newspaper published in the said City of Toronto, of the time, place and purpose of the said meeting.

Directors,
election,
number of.

11. At such general meeting the shareholders present either in person or by proxy, who shall at the opening of such meeting have paid up ten per centum on the stock subscribed by them, shall elect not less than five and not more than nine persons to be directors of the company in manner and quali-

fied as hereinafter mentioned, who shall constitute a board of directors, and shall hold office until the next general annual meeting, and a majority of the directors shall form a quorum of the board, and may pass such rules, regulations and by laws as may be deemed expedient and are not inconsistent with this Act and *The Railway Act of Ontario*; and the said Board may employ and pay one of their number as managing director.

Rev. Stat.
c. 207.

12. No person shall be qualified to be elected as such director by the shareholders unless he be a shareholder holding at least ten shares of stock in the company, and unless he has paid up all calls thereon.

Qualification
of directors.

13. The company is hereby authorized and empowered to take and make 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."

Construction
of line by
sections.

Rev. Stat.
c. 207.

14. Aliens and companies incorporated abroad, as well as British subjects and corporations, may be shareholders in the company, and all such shareholders, whether resident in this Province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible to office as directors of the company.

Rights of
aliens.

15. The directors may, from time to time, make calls as they shall think fit, provided that no call shall be made at

Calls.

any one time of more than ten per centum of the amount subscribed by each shareholder, and thirty days' notice shall be given of each call as provided in section 17 of this Act.

Agreements
for construc-
tion, etc.

16. The directors may enter into a contract or contracts with any individual, corporation or association of individuals for the construction or equipment of *the* railway or any part thereof, including or excluding the purchase of right of way, and may pay therefor either in whole or in part, either in cash or bonds, or in paid-up stock, and may pay or agree to pay in paid-up stock or in bonds of the said company, such sums as they may deem expedient to engineers or *contractors* or for the right of way or material, plant or rolling stock, and also for the services of the promoters or other persons who may be employed by the directors for the purpose of assisting the directors and 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; provided that no such contract shall be of any force or validity unless first authorized by resolution passed by the votes of the shareholders in person or by proxy, representing two-thirds in value of the subscribed capital stock, and on which no call is in default and unpaid, at a general meeting specially called for that purpose.

Head Office
Annual
Meetings.

17. The head office of the company shall be at the said City of Toronto, and the general annual meeting of the shareholders of the company shall be held in such place in the said City of Toronto, on such days, and at such hours as may be directed by the by-laws of the company; and public notice thereof shall be given at least four weeks previously in *The Ontario Gazette*, and once a week in one newspaper published in the said City of Toronto during the four weeks immediately preceding the week in which such meeting is to take place.

Special
General
Meetings.

18. Special general meetings of the shareholders of the said company may be held at such places, and at such times, and in such manner and for such purposes as may be provided by the by-laws of the company, and upon such notice as is provided in the last preceding section.

Voting by
proxy.

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 of the company.

Bonds.

20. The directors of the company shall have power to issue bonds of the company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of

the issue of such bonds shall not exceed in all the sum of \$20,000 for each mile of the said railway and branches, and the provisions of sub-sections 19, 20, 21, 22 and 23 of section 9 of *The Railway Act of Ontario* shall apply to all such bonds and the issue thereof, and such bonds shall be issued subject and according to, and in conformity with the provisions of the said sub-sections. Rev. Stat.
c. 207.

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. Form 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 or vice president of the company and counter signed 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
investments.

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. Raising
money on
bonds.

24. It shall be lawful for the directors of the company to enter into any agreement or agreements with any other company or companies, if lawfully authorized to enter into such agreements, or with any person or persons, for leasing, hiring or use of any locomotives, carriages, rolling stock and other moveable property, from such companies or persons for such time or times and on such terms as may be agreed on; and also to enter into agreements with any railway company or companies if so lawfully authorized, for the use by one or Agreements
with other
companies.

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 or otherwise as may be agreed on.

Telegraph and
telephone
lines.

25. The company may also construct an electric telegraph line and a telephone line throughout and along the whole line of their railway and the branches thereof, or any part of the said railway or branches, and for the purpose of constructing, working and protecting the said telegraph and telephone lines, the powers conferred upon telegraph companies by *The Act respecting Telegraph Companies*, being chapter 192 of the Revised Statutes of Ontario, 1897, are hereby conferred upon the company; provided that no poles shall be erected in the construction of either of the said lines in or through any city, town or incorporated village without the consent of the council of such city, town or village being first obtained by the company; and the company may undertake the transmission of messages for the public by such line or lines of telegraph or telephone and collect tolls for so doing.

Aid from
municipalities.

26. Any municipality, or any portion of a township municipality, which may be interested in securing the construction of 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.

Voting on
bonus or
by-laws.

27. Such by-law shall be submitted by the municipal council to the vote of the ratepayers in the 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 of the 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.

28. Such by-law shall in each instance provide :

Requisites of
bonus by-
laws.

(1) For raising the amount petitioned for in the municipality or portion of the township municipality (as the case may be) mentioned in the petition, by the issue of debentures of the county or minor municipality, respectively, and shall also provide for the delivery of the said debentures, or the application of the amount to be raised thereby, as may be expressed in the said by-law.

(2) For assessing and levying upon all rateable property lying within the municipality or portion of *the* township municipality defined in said by-law (as the case may be) an annual special rate, sufficient to include a sinking fund for the repayment of the said debentures within twenty years, with interest thereon, payable yearly or half-yearly, which debentures the respective municipal councils, wardens, mayors, Reeves, and other officers thereof, are hereby authorized to execute and issue in such cases respectively.

~~28~~ 29. In case of aid from a county municipality fifty resident freeholders of the county may petition the county council against submitting the said by-law, upon the ground that certain minor municipalities or portions thereof comprised in the said by-law would be injuriously affected thereby, or upon any other ground, ought not to be included therein, and upon deposit by the petitioners with the treasurer of the county of a sum sufficient to defray the expenses of such reference, the said council shall forthwith refer the said petition to three arbitrators, one being the Judge of the County Court or district objecting, one being the Registrar of the county or of the riding in which the county town is situated, 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

~~28~~
Petition
against aid
from county.
61

arbitrators, the expense of the reference shall be borne by the petitioners against the same, but if amended, then by the railway company or the county, as the arbitrators may order.

~~Minor~~ Municipality meaning of.

30. ~~The~~ term "minor municipality" shall be construed to mean any town not separated from the municipal county, township or incorporated village, situate in the county or district municipality.

Deposit of expenses of submitting by-law

31. Before any such by-law is submitted, the railway company shall, if required, deposit with the treasurer of the municipality, a sum sufficient to pay the expenses to be incurred in submitting the said by-law.

If by-law approved council to pass same

32. In case the by-law submitted be approved of and carried, in accordance with the provisions of the law in that behalf, then within four weeks after the date of such voting, the municipal council which submitted the same shall read the said by-law a third time and pass the same.

Issue of bonus debentures

33. Within one month after the passing of such by-law the said council and the mayor, warden, reeve or other head, or other officers thereof, shall issue or dispose of the debentures provided for by the by-law, and deliver the same, duly executed, to the trustees appointed, or to be appointed, under this Act.

Rate on Section of Township

34. In case any such loan, guarantee or bonus, be so granted by a portion of a township municipality, the rate to be levied for payment of the debentures issued therefor, and the interest thereon, shall be assessed and levied upon such portion only of such municipality.

Application of Rev. Stat. c. 223 to bonus by laws

35. The provisions of *The Municipal Act* and the amendments thereto, so far as the same are not inconsistent with this Act, shall apply to any by-law so passed by or for a portion of a township municipality, to the same extent as if the same had been passed by or for the whole municipality.

Extending time fixed in bonus by-law for commencing work.

36. 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 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 fixed in bonus by-law for completing work

37. It shall and may be lawful for the council of any municipality that may grant aid by way of bonus, to the said company, by resolution or by-law to extend the time for the completion of the works (on the completion of which the said company would be entitled to such bonus,) from time to

time ; provided that no such extension shall be for a longer period than one year at a time.

38. Any municipality, or portion of a township municipality, interested in the construction of the railway of the company, may grant aid by way of bonus to the company towards the construction of such railway, notwithstanding that such aid may increase the municipal taxation of such municipality, or portion thereof, beyond what is allowed by law ; provided that such aid shall not require the levying of a greater aggregate annual rate for all purposes exclusive of school rates, than three cents in the dollar upon the value of the rateable property therein.

Limitation as to rates in aid of railway

39. It shall be lawful for the corporation of any municipality through any part of which the railway of the company passes, or in which it is situate, by by-law especially passed for that purpose, to exempt the company and its property within such municipality, either in whole or in part from municipal assessment or taxation, or to agree to a certain sum per annum, or otherwise in gross, by way of commutation or composition for payment, or in lieu of all or any municipal rates or assessments to be imposed by such municipal corporation, and for such term of years as such municipal corporation may deem expedient, not exceeding twenty-one years, and no such by-law shall be repealed unless in conformity with a condition contained therein.

By-laws granting exemption from taxation

40. Any municipality through which the said railway may pass or is situate is empowered to grant, by way of gift to the company, any lands belonging to such municipality, or over which it may have control, which may be required for right of way, station grounds or other purposes connected with the running or traffic of the said railway, and the said railway company shall have power to accept gifts of land from any government or any person or body, corporate or politic, and shall have power to sell or otherwise dispose of the same for the benefit of the company.

Grant of land from municipalities.

41. Whenever any municipality or portion of a township municipality shall grant aid by way of bonus or gift to the railway company, the debentures therefor shall, within six months after the passing of the by-law authorizing the same, be delivered to three trustees to be named, one by the Lieutenant-Governor in Council, one by the 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-

Trustees of municipal debentures.

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 upon which debentures to be held.

42. The said trustees shall receive the said debentures or bonds in trust, firstly, under the directions of the company *but* subject to the conditions of the by-laws in relation thereto as to time or manner, to convert the same into money or otherwise dispose of them; secondly, to deposit the debentures or amount realized from the sale in some chartered bank having an office in the Province of Ontario, in the name of "The Minnetakie, Lac Seul and Albany River Railway Municipal Trust Account," and to pay the same out to the company from time to time as the company becomes entitled thereto, under the conditions of the by-law granting the said bonus and on the certificate of the chief engineer of the said railway for the time being, in the form set out in Schedule B hereto, or to the like effect, which certificate shall set forth that the conditions of the by-law have been complied with, and is to be attached to the cheque or order drawn by the said trustees for such payment or delivery of debentures, and such engineer shall not wrongfully grant any such certificate under a penalty of \$500, recoverable in any court of competent jurisdiction by any person who may sue therefor.

Fees of Trustees—Acts of majority binding.

43. The trustees shall be entitled to their reasonable fees and charges from the said trust fund, and the act of any two of such trustees shall be as valid and binding as if the three had agreed.

Power to purchase whole lots.

44. Whenever it shall be necessary, for the purpose of procuring sufficient land for stations, or gravel pits, or for constructing, maintaining and using the said railway, and in case by purchasing the whole of any lot or parcel of land over which the railway is to run, the company can obtain the same at a more reasonable price, or to greater advantage, than by purchasing the railway line only, the company may purchase, hold, use and enjoy such lands, and also the right of way thereto, if the same be separated from their railway, and may sell and convey the same or any part thereof, from time to time, as they may deem expedient; but the compulsory clauses of *The Railway Act of Ontario* shall not apply to this section.

Rev. Stat. c. 207.

45. When stone, gravel, earth or sand is, or are, required for the construction or maintenance of said railway or any part thereof, the company may, in case they cannot agree with the owner of the lands on which the same are situate for the purchase thereof, cause *an* Ontario Land Surveyor to make a map and description of the property so required, and they shall serve a copy thereof, with their notices of arbitration as in case of acquiring the roadway and the notice of arbitration, the award and tender of compensation, shall have the same effect as in case of arbitration for the roadway; and all the provisions of *The Railway Act of Ontario*, and of this Act, as to the service of the said notice, arbitration, compensation, deeds, payment of money into court, the right to sell, the right to convey, and the parties from whom land may be taken or who may sell, shall apply to the subject matter of this section, as to 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.

Acquiring
land for
gravel pits,
etc.

Rev. Stat.
c. 207.

46. (1) When said, gravel, stone, earth or sand shall be taken under the preceding section of this Act, at a distance from the line of 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 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 pit.

(2) When estimating the damages for the taking of gravel, stone, earth or sand, sub section 9 of section 20 of *The Railway Act of Ontario* shall not apply.

Rev. Stat.
c. 207.

47. The company shall have 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 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; pro-

Snow fence.

vided always that any such snow fences so erected shall be removed on or before the first day of April next following.

Several powers of company.

48. The company shall have power and authority,—

Power houses, elevators, etc.

(1) To purchase land for and erect power-houses, ware-houses, elevators, docks, stations, workshops, machine shops, foundries and offices, and to sell and convey such land as may be found superfluous for any such purpose, and the company shall have power to build, own, operate and hold as part of the property of the company as many steam or other vessels as the directors of the company may deem requisite from time to time to facilitate the carriage of passengers, freight and other traffic in connection with the railway ;

Stations, depots, 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, wagons and other machinery and contrivances necessary or convenient for the working of the railway and the accommodation and use of the passengers, freight and business of the railway ;

Water powers.

(3) To *lease or* purchase and acquire water powers within *twenty* miles of the railway and branches thereof herein authorized, and to construct, maintain and operate works for the production of electricity for the motive power of the said railways, and for the lighting and heating the rolling stock and other property of the company.

Disposing of surplus electric power

(4) To sell or lease ~~in~~ in the unorganized territory, and in any municipality where such sale or lease is authorized by by-law of the council of the municipality and subject to the terms and conditions of such by-law ~~any~~ any such electricity not required for the purposes aforesaid to any person or corporation, and the company in that behalf shall, subject to the provisions and restrictions of this Act, possess the powers, rights and privileges, and be subject to all the obligations and restrictions of joint-stock companies incorporated under *The Act Respecting Companies for Supplying Steam, Heat, Electricity or Natural Gas for Heat, Light or Power*, and to acquire and hold any property necessary for the purposes mentioned in this subsection.

Rev Stat c. 200.

Transmission of electricity.

(5) To purchase the right to convey electricity required for the working of the railway and lighting or heating the same and for sale or lease over, through or under lands other than the lands of the said railway, and, with the consent of the councils of the municipalities affected, to purchase the right to lay conduits under, or erect poles and wires on or over such lands as may be determined by the company, and along and upon

any of the public highways, or across any of the waters in this Province by the erection of the necessary fixtures, including posts, piers or abutments for sustaining the cords or wires of such lines, or the conduits for such electricity, upon and subject to such agreement in respect thereof as shall first be made between the company and any private owners of the land affected, and between the company and any municipality in which such works or any part thereof or of the railway may be situate, and under and subject to any by-law or by-laws of the council of such municipality passed in pursuance thereof.

49. (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 section 2 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 railways, or the cars, carriages, engines, motors, or machines aforesaid shall be so constructed, erected, laid down and arranged as to impede or incommode the public use of such street, highway or public place as little as possible, and so as not to be a nuisance thereto, nor to interfere with the free access to any house or other building erected in the vicinity of the same; and the electric and other appliances shall be of such an improved manufacture and so placed as to avoid as far as possible any danger to buildings or other property; and provided that none of the works or property of the company shall be so constructed or placed as to injuriously interrupt navigation in any navigable water.

Operation on highways.

(2) The by-laws mentioned in section 2, sub-section 5 of the preceding section and in this section shall be subject to the conditions and provisions of section 632 of *The Municipal Act*.

Rev. Stat. c. 223.

50. It shall and may be lawful for the company at any point where the railway or any branch thereof approaches within two miles of any navigable waters, to purchase and hold as its own absolute property and for the use of the company, wharves, piers, docks, water lots, water frontages and lands; and upon the said water lots, water frontages and lands, and in and over the waters adjoining the same, to build and erect elevators, storehouses, warehouses and engine-houses, sheds, wharves, docks, piers, and other erections, for the use of the company, and the steam and other vessels

Harbour facilities.

owned, worked or controlled by the company, or any other steam or other vessels; and to collect wharfage and storage charges for the use of the same; and also to erect, build, repair and maintain all moles, piers, wharves and docks necessary and proper for the protection of such works; and for the accommodation and convenience of vessels entering, leaving, lying, loading and unloading within the same, and to dredge, deepen and enlarge such works; and the said wharves, piers, docks, water lots, water frontages, lands, elevators, storehouses, warehouses, engine-houses, sheds and other erections or any thereof, or any portion thereof, in its discretion to sell, lease or convey.

Acquiring
land for
building.

51. The said company shall have power to purchase and hold such lands as may be required at each extremity of the said railway for the purpose of building thereon store-houses, ware-houses, engine-houses, and other erections for the uses of the said company, and the same or portions thereof, in their discretion, to sell and convey, and also to make use for the purposes of the said railway of any stream or water course, at or near which the railway passes, doing, however, no unnecessary damage thereto, and not impairing the usefulness of such stream or water course.

Agreements
with
C.P. Ry. Co.

52. The company is authorized and empowered to make necessary arrangements to contract and agree with the Canadian Pacific Railway Company, if lawfully authorized to enter into such arrangements for amalgamation; provided that no such contract shall be of any force or validity unless first authorized by resolution passed by the votes of the shareholders in person or by proxy, representing two-thirds in value of the subscribed capital stock and on which no call is in default and unpaid, at a general meeting specially called for that purpose.

Agreements
for connections
and
running
arrangements.

53. The company shall have power to agree for connections and making running arrangements with the Canadian Pacific Railway Company, the Thunder Bay, Nepigon and St Joe Railway Company, or any other Railway Company whose lines may hereafter approach or intersect the railway herein authorized, if lawfully empowered to enter into such agreements, upon terms to be *first authorized* 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 company hereby incorporated to enter into any agreement with *any or either of* the said 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 leasing or hiring any locomotives, tenders, plant or rolling stock or other property or any part thereof, or touching any service to be rendered by the one

company to the other or others of them and the compensation therefor, if the arrangements and agreements shall be *so authorized* 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 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 the Province of Ontario.

54. The authority and power conferred on the company by this Act to enter into agreements with any other railway company for connections, running arrangements, sale, lease, amalgamation, or hiring of the said railway or to sell or lease or transmit electrical power, shall be subject to such terms, conditions and regulations as may be provided and enacted by any general or special Act or Acts which may at the time such agreement is entered into be in force, and to such terms, conditions and regulations general or special as the Lieutenant-Governor in Council or any Special Committee of the Executive Council of Ontario appointed for that purpose may from time to time order. Power to make connections, to be subject to subsequent legislation.

55. 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.

56. 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. Power to collect back charges on goods.

57. Notwithstanding anything contained in this Act, or in any Statute of the Province, no municipality shall have the power to grant to said railway any exclusive rights, privileges or franchise as to the transmission of electrical energy for power, light and heat over or across any public highway or street in said municipality. Limitation of transmission of electrical energy.

Application
of Rev. Stat.
c. 207.

58. Save as expressly provided by this Act 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.

Time for
commence-
ment and
completion.

59. The railway shall be commenced within three years and finally completed within seven years after the passing of this Act.

SCHEDULE A.

(Section 6.)

42

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 Minnietakie, Lac Seul and Albany 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 its railway, to hold, with the appurtenances, unto the said The Minnietakie, Lac Seul and Albany River Railway Company, their successors and assigns forever, (*here insert any other clause, 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 , 19 .

Signed, sealed and delivered
in the presence of

}

23

SCHEDULE B.

(Section 42.)

CHIEF ENGINEER'S CERTIFICATE.

The Minnetakie, Lac Seul and Albany River Railway Company's
Office.

No.

A. D. 19 .

ENGINEER'S DEPARTMENT.

AT

Certificates to be attached to cheques drawn on The Minnetakie, Lac Seul and Albany River Railway Company Municipal Trust Account given under section , chapter of the Acts of the Legislature of Ontario, passed in the third year of His Majesty's reign.

I, , chief engineer of The Minnetakie, Lac Seul and Albany River Railway Company, do hereby certify that the said Company has fulfilled the terms and conditions necessary to be fulfilled under the By-law No. of the Township of , or under the agreement dated the day of 19, between the corporation of and the said company to entitle the said company to receive from the said trust the sum of
(here set out the terms and conditions, if any, which have been fulfilled.)

IN

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act to incorporate The Minnetakie,
Lac Seul and Albany River Railway
Company.

First Reading, 24th April, 1903.
Second Reading, 6th May, 1903.

(Reprinted as amended by Railway Com-
mittee.)

(Private Bill.)

MR. CAMERON.
(Ft. William)

TORONTO:

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

An Act respecting the Town of Strathroy.

WHEREAS the Municipal Corporation of the Town of ^{Preamble} Strathroy has by petition represented that by-law No. 518 of the said municipal corporation, passed on the 29th day of December, A.D. 1902, intituled "By-law No. 518 to authorize the purchase of the waterworks property and the electric light plant of the Citizens' Water, Gas and Electric Company, Limited, and the issue of debentures to the amount of \$50,000 therefor" (which said by-law had previous to the final passing thereof received the assent of the majority of the qualified ratepayers voting thereon) authorized and confirmed an agreement entered into between the said municipal corporation and The Citizens' Water, Gas and Electric Company, Limited, for the purchase by the said municipal corporation from the company of their waterworks and electric light property, plant, privileges, and appurtenances for the price or sum of \$21,830.38, and that said by-law further authorizes the said municipal corporation to issue debentures to the amount of \$50,000 for the purpose of carrying out such purchase and for the purpose also of making the necessary extensions and completion of said waterworks and of extending the said electric light plant; and that commissioners have been elected for the year 1903 under the provisions of said by-law to carry out the provisions thereof and to manage the said waterworks and electric light plant for the said year; and whereas by an agreement bearing date the 3rd day of March, 1903, the company have extended the time for the payment of the said purchase price; and whereas it is desirable that the said by-law and the sale and purchase under the said agreements should be confirmed and validated and that the election of commissioners for the year 1903 should be confirmed:

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. 518 of the corporation of the Town of Strathroy passed on the 29th day of December, A.D. 1902, intituled "By-law No. 518 to authorize the purchase of the waterworks property and electric light plant of the Citizens' Water, Gas and Electric Company, Limited, and ^{By-law 518 of Strathroy confirmed.}

the issue of debentures to the amount of \$50,000 therefor," which by-law is set out in Schedule A hereto is confirmed and declared to be legal, valid, and binding according to the true intent and meaning thereof, and the purchase by the corporation of the Town of Strathroy from the Citizens' Water, Gas and Electric Company, Limited, under the said agreements of the waterworks and electric plant, privileges, and appurtenances of the said company, and the sale thereof by the said company under said agreements is hereby confirmed and validated.

Election of water, and light commissioners confirmed.

2. The commissioners elected by acclamation by the ratepayers of said town on the 10th day of February, A. D., 1903, to manage the said waterworks and electric light plant are confirmed in their office for the year 1903, and they and their successors in office, during their respective terms of office, together with the mayor of the said town for the time being, shall be known as "The Water and Light Commissioners of the Town of Strathroy."

Form of debentures.

3. Debentures issued under the authority of said by-law No. 518 and this Act may be in the form contained in Schedule "B" to this Act.

SCHEDULE A.

BY-LAW No. 518 to authorize the Purchase of the Waterworks Property and Electric Light Plant of the Citizens' Water, Gas and Electric Company, Limited, and the Issue of Debentures to the Amount of \$50,000, therefor.

Whereas, it is in the interest of the Corporation of the Town of Strathroy and of the citizens and ratepayers thereof, to purchase and acquire from The Citizens' Water, Gas and Electric Company, Limited, the waterworks property and plant, and the electric light property and plant, owned by them in the said Town of Strathroy, including all the company's real estate, waterworks, standpipes, mains, 25 hydrants and valves, now under construction and to be completed, pumps, boilers, engines, plant machinery, appliances, tools, and all other property and apparatus used in connection with the waterworks aforesaid, and in connection with the electric light plant aforesaid, and also all plans, drawings, and other papers showing the description and location of the works and such of the company's books as may be necessary for the corporation to assist them in carrying on the works, including registers, and to extend and carry on the same under the provisions of *The Municipal Waterworks Act* and *The Municipal Act*.

And whereas an agreement has been made for the purchase by the said corporation from the said company of the said waterworks and electric light property and plant, and appurtenances, as aforesaid, at the price or sum of \$7,174.88 for the waterworks and \$14,655.50 for the electric light plant, making a total of \$21,830.38, if accepted by the said corporation and paid for within four months from the 3rd day of November, A. D. 1902,

And whereas for the purpose of carrying out such purchase, and to

make the necessary extensions and complete the said waterworks, and to extend the said electric light plant, it will be necessary to borrow the sum of \$50,000 by the issue of debentures of the said corporation for the said sum as hereinafter provided, which said sum of \$50,000 is the amount of the debt hereby intended to be created ;

And whereas the total amount required to be raised annually by special rate for paying the said debt and interest is the sum of \$2,891.50.

And whereas the amount of the whole rateable property of the municipality, according to the last revised assessment roll, is the sum of \$940,522.

And whereas the amount of the existing debenture debt of the municipality, exclusive of local improvement debts secured by special acts, rates or assessments, is the sum of \$23,000, of which no portion of the principal or interest is in arrear ;

Be it therefore enacted by the municipal council of the corporation of the Town of Strathroy, as follows :—

1. The purchase by the corporation of the Town of Strathroy from the Citizens' Water, Gas and Electric Company, Limited, of the said waterworks and electric light property and plant, and appurtenances, aforesaid, at the price aforesaid, is hereby authorized and confirmed.

2. For the purpose aforesaid, and to extend and complete the said waterworks, and to make the necessary extensions to the electric light plant, the sum of \$50,000 is hereby authorized to be borrowed by the said corporation and debentures of the said corporation for the said sum of \$50,000 are hereby authorized to be issued, to be sealed with the corporate seal, and signed by the mayor and treasurer.

3. Such debentures shall be made payable within thirty years from the issue thereof, and shall bear interest at the rate of four per cent. per annum, payable yearly, and shall have coupons attached thereto for the payment of the interest, and shall be payable as to principal and interest at the office of the treasurer of the said corporation, in the said Town of Strathroy.

4. The said waterworks and the said electric light plant, and the lands acquired for the purposes thereof, shall be specially charged with the repayment of the said sum of \$50,000 to be borrowed as aforesaid by the corporation for the purpose of such purchase and for the completion of the said waterworks and the extensions aforesaid, and the holders of such debentures shall have a preferential charge on the said lands, waterworks and electric light plant, and the property appertaining thereto and on all the revenues arising therefrom, after providing for the expenses attendant upon the operation and maintenance of the said waterworks and electric light plant, for securing the payment of the said debentures, and the interest thereon, and the said debentures and interest shall also be charged upon the whole rateable property of the municipality.

5. Subject to the provisions of sub-section 2 of this section, for the period of thirty years, commencing with the year nineteen hundred and three, during the currency of the said debentures, there shall be raised annually, by special rate on all the rateable property in the municipality the sum of \$2891.50, for the purpose of paying the amount due in each of the said years for principal and interest, in respect of the said debt, as shown in the Schedule A hereto annexed.

(2) Provided, however, that the revenues arising from the said waterworks and electric light plant, as aforesaid, less the expense of operation and maintenance, shall first be applied towards payment of such debentures and interest, and after so applying the moneys arising from such revenues, less the expense of operation and maintenance, the council shall only be required to raise in each year by special rate on all the rateable property in the municipality, a sum sufficient, with the moneys arising from such revenues, to make up the said annual sum of \$2,891.50, required for payment of the principal and interest of such debentures.

6. The said moneys so borrowed shall be used and applied in payment of the purchase money aforesaid, and in the extension and completion of the said waterworks, and the extension of the electric light plant, and for no other purpose.

7. The said waterworks and electric light plant, when purchased, shall be managed by a board of commissioners, of whom the head of the council shall ex-officio be one, and the remainder of whom shall be elected or appointed in accordance with the provisions of "*The Municipal Waterworks Act*," and amendments thereof, the number of such commissioners to be three. Provided always that the council of the corporation of the Town of Strathroy, may, by by-law, which it shall not be necessary to submit to the ratepayers, at any time increase or alter the number of commissioners, but so that the same shall not be less than three nor more than five in number, and such board of commissioners shall exercise and enjoy the powers, rights and immunities conferred by "*The Municipal Waterworks Act*" upon the municipal corporation in respect of the said waterworks, and shall also exercise and enjoy the powers, rights, authorities and immunities in respect of the electric light plant conferred by "*The Municipal Act*" upon the municipal corporation.

8. The votes of the duly qualified electors of the Town of Strathroy shall be taken on this by-law on the 27th day of December, next, at the following places, and before the following deputy returning officers, commencing at the hour of nine o'clock in the forenoon and ending at the hour of five o'clock in the afternoon of the same day, that is to say:—

Polling Division No. 1—At Maitland Street school, and E. A. Whyte shall be deputy returning officer.

Polling Division No. 2—At or near Mrs. D. M. Brown's residence, and Abraham Goodwin shall be deputy returning officer.

Polling Division No. 3 - At the town hall, and A. L. Leitch shall be deputy returning officer.

Polling Division No. 4—At the High School, and Wm. Wilkinson shall be deputy returning officer.

Polling Division No. 5—At Colborne Street school house, and R. Dumbrill shall be deputy returning officer.

Polling Division No. 6—At Caradoc Street school house, and Jas. H. Lee shall be deputy returning officer.

9 The twenty-ninth day of December, A. D. 1902, at the hour of eleven o'clock in the forenoon, and the office of the town clerk, are hereby fixed as the time when and the place where the clerk will sum up the number of votes given for and against the by-law.

10. The twenty sixth day of December, A. D. 1902, at the hour of eleven o'clock in the forenoon, and the office of the town clerk are hereby fixed as the time and place for the appointment of persons to attend at the various polling places, and at the final summing up of the votes by the clerk, respectively, on behalf of the persons interested in and promoting or opposing the passing of the by-law, respectively.

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

Read a first and second time, provisionally, this 24th day of November, A. D. 1902.

Passed third reading in open council this 29th day of December, A. D. 1902.

F. J. CRAIG,
Clerk.

JOHN ROBERTSON,
Acting Mayor.

[SEAL]

Schedule A referred to in the foregoing by-law, showing how the amount of \$2,891.50, thereby required to be raised annually by special rate, is apportioned.

No.	Year.	Principal.	Annual Interest.	Total interest on all Debentures.	Total annual payments.
1....	1903....	\$ 891 50.....	\$ 35 66.....	\$2000 00....	\$2891 50
2....	1904....	927 16.....	37 09.....	1964 34....	2891 50
3....	1905....	964 25.....	38 57.....	1927 25....	2891 50
4....	1906....	1002 83.....	40 11.....	1888 67....	2891 50
5....	1907....	1042 94.....	41 72.....	1848 56....	2891 50
6....	1908....	1084 66.....	43 39.....	1806 84....	2891 50
7....	1909....	1128 04.....	45 12.....	1763 46....	2891 50
8....	1910....	1173 16.....	46 93.....	1718 34....	2891 50
9....	1911....	1220 09.....	48 80.....	1671 41....	2891 50
10....	1912....	1268 90.....	50 76.....	1622 60....	2891 50
11....	1913....	1319 64.....	52 79.....	1571 86....	2891 50
12....	1914....	1372 43.....	54 90.....	1519 07....	2891 50
13....	1915....	1427 33.....	57 09.....	1464 17....	2891 50
14....	1916....	1484 42.....	59 38.....	1407 08....	2891 50
15....	1917....	1543 80.....	61 75.....	1347 70....	2891 50
16....	1918....	1605 55.....	64 22.....	1285 95....	2891 50
17....	1919....	1669 77.....	66 79.....	1221 73....	2891 50
18....	1920....	1736 56.....	69 46.....	1154 94....	2891 50
19....	1921....	1806 02.....	72 24.....	1085 48....	2891 50
20....	1922....	1878 27.....	75 13.....	1013 23....	2891 50
21....	1923....	1953 40.....	78 14.....	938 10....	2891 50
22....	1924....	2031 53.....	81 26.....	859 97....	2891 50
23....	1925....	2112 79.....	84 51.....	778 71....	2891 50
24....	1926....	2197 30.....	87 89.....	694 20....	2891 50
25....	1927....	2285 10.....	91 41.....	606 30....	2891 50
26....	1928....	2376 60.....	95 06.....	514 90....	2891 50
27....	1929....	2471 67.....	98 87.....	419 83....	2891 50
28....	1930....	2570 54.....	102 82.....	320 96....	2891 50
29....	1931....	2673 36.....	106 94.....	218 14....	2891 50
30....	1932....	2780 29.....	111 21.....	111 21....	2891 50

SCHEDULE B.

PROVINCE OF ONTARIO, TOWN OF STRATHROY.

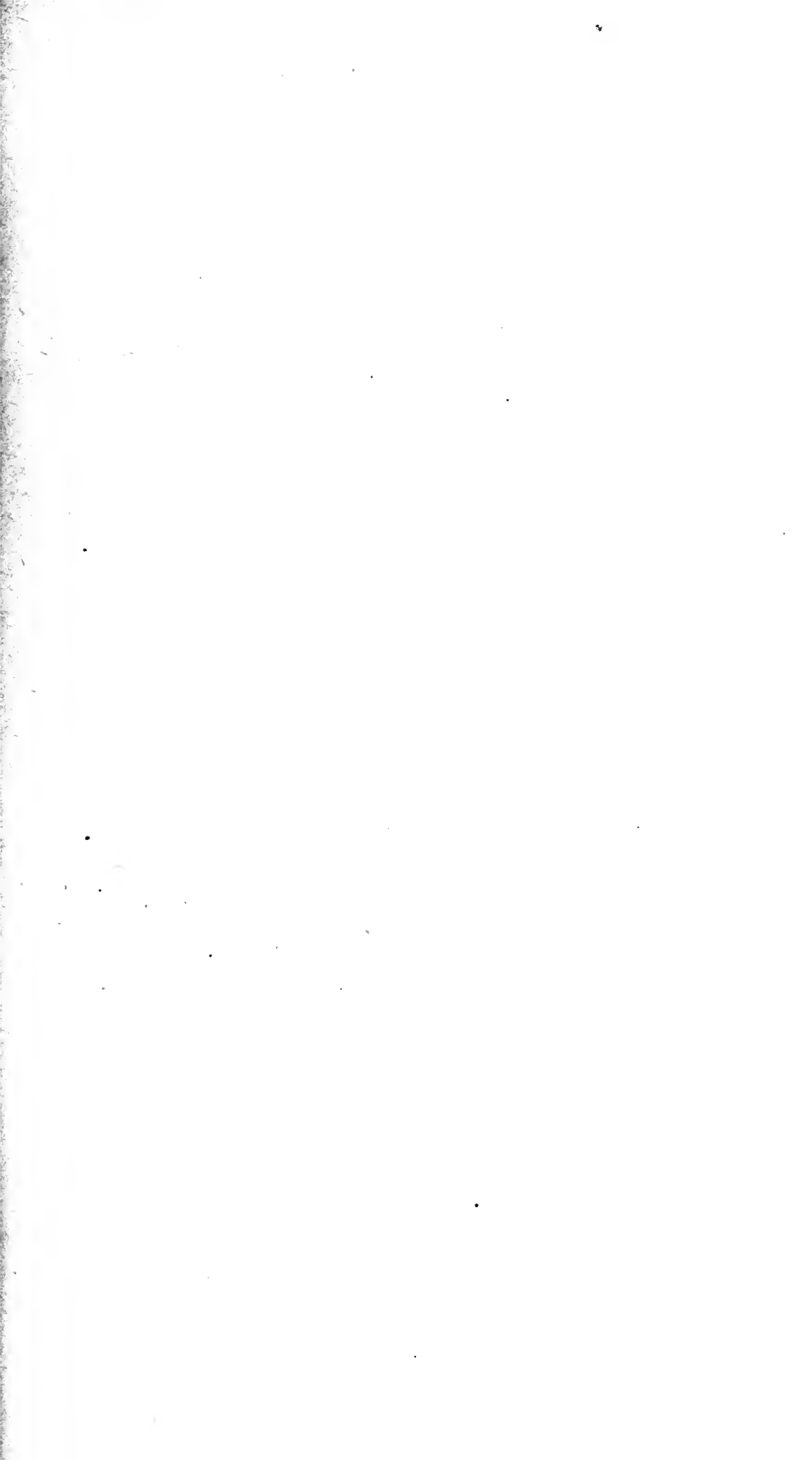
Waterworks and Electric Light Debenture Debt.

Under and by virtue of By-law No. 519, of the corporation of the Town of Strathroy, the corporation of the Town of Strathroy promise to pay to the bearer at _____ in the Town of Strathroy, the sum of _____ on the _____ day of _____, one thousand nine hundred and _____, and the yearly coupons hereto attached, as the same shall severally become due.

Dated at Strathroy, this _____ day of _____ A.D.

Mayor.

Treasurer.



1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act respecting the Town of Strathroy.

First Reading, 1903.

(Private Bill.)

Mr. TAYLOR.

TORONTO

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

An Act respecting the Town of Strathroy.

WHEREAS the Municipal Corporation of the Town of ^{Preamble} Strathroy has by petition represented that *by* by-law *finally* passed on the 29th day of December, 1902, ~~and~~ after the same had been submitted to the ratepayers, the council of the said municipal corporation ~~has~~ authorized and confirmed an agreement entered into between the said municipal corporation and The Citizens' Water, Gas and Electric Company, Limited, for the purchase by the said municipal corporation from the company of their waterworks and electric light property, plant, privileges, and appurtenances for the price or sum of \$21,830.38, and that *the* said by-law further ~~and~~ provided for the issue by the ~~the~~ said municipal corporation of debentures to the amount of \$50,000 for the purpose of carrying out such purchase and for the purpose also of *the* completion and extension of the said waterworks and of extending the said electric light plant; and that commissioners have been elected for the year 1903 under the provisions of *the* said by-law to carry out the provisions thereof and to manage the said waterworks and electric light plant for the said year; and *that* by an agreement bearing date the 3rd day of March, 1903, the company *has* extended the time for the payment of the said purchase price; and whereas it is desirable that the said by-law should be confirmed and validated and that the election of commissioners for the year 1903 should be confirmed;

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. 518 of the corporation of the Town of ^{By-law 518 of Strathroy confirmed.} Strathroy set out *as* Schedule A hereto is confirmed and declared to be legal, valid, and binding according to the true intent and meaning thereof, and the purchase by the Corporation of the Town of Strathroy from The Citizens' Water, Gas and Electric Company, Limited, under the said agreements, of the waterworks and electric plant, privileges, and appurtenances of the said company, is confirmed and validated.

2. The commissioners elected by the ratepayers of said town on the 10th day of February, 1903, to manage the said ^{Election of water, and light commissioners confirmed.}

waterworks and electric light plant are confirmed in their office for the year 1903, and they and their successors in office, during their respective terms of office, together with the mayor of the said town for the time being, shall be known as "The Water and Light Commissioners of the Town of Strathroy."

Form of debentures.

3. Debentures issued or to be issued under the authority of the said By-law No. 518 or this Act and all assessments made or to be made for the payment thereof are declared to be valid, legal and binding upon the Municipality of the Town of Strathroy, notwithstanding anything in any Act to the contrary; and such debentures may be in the form contained in Schedule B hereto.

SCHEDULE A.

BY-LAW No. 518 to authorize the Purchase of the Waterworks Property and Electric Light Plant of the Citizens' Water, Gas and Electric Company, Limited, and the Issue of Debentures to the Amount of \$50,000, therefor.

Whereas, it is in the interest of the Corporation of the Town of Strathroy and of the citizens and ratepayers thereof, to purchase and acquire from The Citizens' Water, Gas and Electric Company, Limited, the waterworks property and plant, and the electric light property and plant, owned by them in the said Town of Strathroy, including all the company's real estate, waterworks, standpipes, mains, 25 hydrants and valves, now under construction and to be completed, pumps, boilers, engines, plant machinery, appliances, tools, and all other property and apparatus used in connection with the waterworks aforesaid, and in connection with the electric light plant aforesaid, and also all plans, drawings, and other papers showing the description and location of the works and such of the company's books as may be necessary for the corporation to assist them in carrying on the works, including registers, and to extend and carry on the same under the provisions of *The Municipal Waterworks Act* and *The Municipal Act*.

And whereas an agreement has been made for the purchase by the said corporation from the said company of the said waterworks and electric light property and plant, and appurtenances, as aforesaid, at the price or sum of \$7,174.88 for the waterworks, and \$14,655.50 for the electric light plant, making a total of \$21,830.38, if accepted by the said corporation and paid for within four months from the 3rd day of November, A.D. 1902,

And whereas for the purpose of carrying out such purchase, and to make the necessary extensions and complete the said waterworks, and to extend the said electric light plant, it will be necessary to borrow the sum of \$50,000 by the issue of debentures of the said corporation for the said sum as hereinafter provided, which said sum of \$50,000 is the amount of the debt hereby intended to be created;

And whereas the total amount required to be raised annually by special rate for paying the said debt and interest is the sum of \$2,891.50.

And whereas the amount of the whole rateable property of the municipality, according to the last revised assessment roll, is the sum of \$940,522.

And whereas the amount of the existing debenture debt of the municipality, exclusive of local improvement debts secured by special acts, rates

or assessments, is the sum of \$28,000, of which no portion of the principal or interest is in arrear ;

Be it therefore enacted by the municipal council of the corporation of the Town of Strathroy, as follows :—

1. The purchase by the corporation of the Town of Strathroy from the Citizens' Water, Gas and Electric Company, Limited, of the said waterworks and electric light property and plant, and appurtenances, aforesaid, at the price aforesaid, is hereby authorized and confirmed.

2. For the purpose aforesaid, and to extend and complete the said waterworks, and to make the necessary extensions to the electric light plant, the sum of \$50,000 is hereby authorized to be borrowed by the said corporation and debentures of the said corporation for the said sum of \$50,000 are hereby authorized to be issued, to be sealed with the corporate seal, and signed by the mayor and treasurer.

3. Such debentures shall be made payable within thirty years from the issue thereof, and shall bear interest at the rate of four per cent. per annum, payable yearly, and shall have coupons attached thereto for the payment of the interest, and shall be payable as to principal and interest at the office of the treasurer of the said corporation, in the said Town of Strathroy.

4. The said waterworks and the said electric light plant, and the lands acquired for the purposes thereof, shall be specially charged with the repayment of the said sum of \$50,000 to be borrowed as aforesaid by the corporation for the purpose of such purchase, and for the completion of the said waterworks and the extensions aforesaid, and the holders of such debentures shall have a preferential charge on the said lands, waterworks and electric light plant, and the property appertaining thereto and on all the revenues arising therefrom, after providing for the expenses attendant upon the operation and maintenance of the said waterworks and electric light plant, for securing the payment of the said debentures, and the interest thereon, and the said debentures and interest shall also be charged upon the whole rateable property of the municipality.

5. Subject to the provisions of sub-section 2 of this section, for the period of thirty years, commencing with the year nineteen hundred and three, during the currency of the said debentures, there shall be raised annually, by special rate on all the rateable property in the municipality the sum of \$2891.50, for the purpose of paying the amount due in each of the said years for principal and interest, in respect of the said debt, as shown in the Schedule A hereto annexed.

(2) Provided, however, that the revenues arising from the said waterworks and electric light plant, as aforesaid, less the expense of operation and maintenance, shall first be applied towards payment of such debentures and interest, and after so applying the moneys arising from such revenues, less the expense of operation and maintenance, the council shall only be required to raise in each year by special rate on all the rateable property in the municipality, a sum sufficient, with the moneys arising from such revenues, to make up the said annual sum of \$2,891 50, required for payment of the principal and interest of such debentures.

6. The said moneys so borrowed shall be used and applied in payment of the purchase money aforesaid, and in the extension and completion of the said waterworks, and the extension of the electric light plant, and for no other purpose.

7. The said waterworks and electric light plant, when purchased, shall be managed by a board of commissioners, of whom the head of the council shall ex-officio be one, and the remainder of whom shall be elected or appointed in accordance with the provisions of "*The Municipal Waterworks Act*," and amendments thereof, the number of such commissioners to be three. Provided always that the council of the corporation of the Town of Strathroy, may, by by-law, which it shall not be necessary to submit to the ratepayers, at any time increase or alter the number

of commissioners, but so that the same shall not be less than three nor more than five in number, and such board of commissioners shall exercise and enjoy the powers, rights and immunities conferred by "*The Municipal Waterworks Act*" upon the municipal corporation in respect of the said waterworks, and shall also exercise and enjoy the powers, rights, authorities and immunities in respect of the electric light plant conferred by "*The Municipal Act*" upon the municipal corporation.

8. The votes of the duly qualified electors of the Town of Strathroy shall be taken on this by-law on the 27th day of December, next, at the following places, and before the following deputy returning officers, commencing at the hour of nine o'clock in the forenoon and ending at the hour of five o'clock in the afternoon of the same day, that is to say:—

Polling Division No. 1—At Maitland Street school, and E. A. Whyte shall be deputy returning officer.

Polling Division No. 2—At or near Mrs. D. M. Brown's residence, and Abraham Goodwin shall be deputy returning officer.

Polling Division No. 3 - At the town hall, and A. L. Leitch shall be deputy returning officer.

Polling Division No. 4—At the High School, and Wm. Wilkinson shall be deputy returning officer.

Polling Division No. 5—At Colborne Street school house, and R. Dumbrill shall be deputy returning officer.

Polling Division No. 6—At Caradoc Street school house, and Jas. H. Lee shall be deputy returning officer.

9 The twenty-ninth day of December, A.D. 1902, at the hour of eleven o'clock in the forenoon, and the office of the town clerk, are hereby fixed as the time when and the place where the clerk will sum up the number of votes given for and against the by-law.

10. The twenty sixth day of December, A.D. 1902, at the hour of eleven o'clock in the forenoon, and the office of the town clerk are hereby fixed as the time and place for the appointment of persons to attend at the various polling places, and at the final summing up of the votes by the clerk, respectively, on behalf of the persons interested in and promoting or opposing the passing of the by-law, respectively.

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

Read a first and second time, provisionally, this 24th day of November, A.D. 1902.

Passed third reading in open council this 29th day of December, A.D. 1902.

F. J. CRAIG,
Clerk.

JOHN ROBERTSON,
Acting Mayor.

[SEAL]

Schedule A referred to in the foregoing by-law, showing how the amount of \$2,891.50, thereby required to be raised annually by special rate, is apportioned.

No.	Year.	Principal.	Annual Interest.	Total interest on all Debentures.	Total annual payments.
1....	1903....	\$ 891 50.....	\$ 35 66.....	\$2000 00....	\$2891 50
2....	1904....	927 16.....	37 09.....	1964 34....	2891 50
3....	1905....	964 25.....	38 57.....	1927 25....	2891 50
4....	1906....	1002 83.....	40 11.....	1888 67....	2891 50
5....	1907....	1042 94.....	41 72.....	1848 56....	2891 50
6....	1908....	1084 66.....	43 39.....	1806 84....	2891 50
7....	1909....	1128 04.....	45 12.....	1763 46....	2891 50
8....	1910....	1173 16.....	46 93.....	1718 34....	2891 50
9....	1911....	1220 09.....	48 80.....	1671 41....	2891 50
10....	1912....	1268 90.....	50 76.....	1622 60....	2891 50
11....	1913....	1319 64.....	52 79.....	1571 86....	2891 50
12....	1914....	1372 43.....	54 90.....	1519 07....	2891 50
13....	1915....	1427 33.....	57 09.....	1464 17....	2891 50
14....	1916....	1484 42.....	59 38.....	1407 08....	2891 50
15....	1917....	1543 80.....	61 75.....	1347 70....	2891 50
16....	1918....	1605 55.....	64 22.....	1285 95....	2891 50
17....	1919....	1669 77.....	66 79.....	1221 73....	2891 50
18....	1920....	1736 56.....	69 46.....	1154 94....	2891 50
19....	1921....	1806 02.....	72 24.....	1085 48....	2891 50
20....	1922....	1878 27.....	75 13.....	1013 23....	2891 50
21....	1923....	1953 40.....	78 14.....	938 10....	2891 50
22....	1924....	2031 53.....	81 26.....	859 97....	2891 50
23....	1925....	2112 79.....	84 51.....	778 71....	2891 50
24....	1926....	2197 30.....	87 89.....	694 20....	2891 50
25....	1927....	2285 20.....	91 41.....	606 30....	2891 50
26....	1928....	2376 60.....	95 06.....	514 90....	2891 50
27....	1929....	2471 67.....	98 87.....	419 83....	2891 50
28....	1930....	2570 54.....	102 82.....	320 96....	2891 50
29....	1931....	2673 36.....	106 94.....	218 14....	2891 50
30....	1932....	2780 29.....	111 21.....	111 21....	2891 50

 SCHEDULE B.

PROVINCE OF ONTARIO, TOWN OF STRATHROY.

Waterworks and Electric Light Debenture.

Under and by virtue of the Act passed in the third year of the reign of His Majesty King Edward VII., and chaptered _____, and By-law No. 518, of the Corporation of the Town of Strathroy, the said Corporation promises to pay to the bearer at _____ in the sum of _____ dollars on the _____ day of _____ 190____, and the (yearly or half-yearly, coupons hereto attached, as the same shall severally become due.

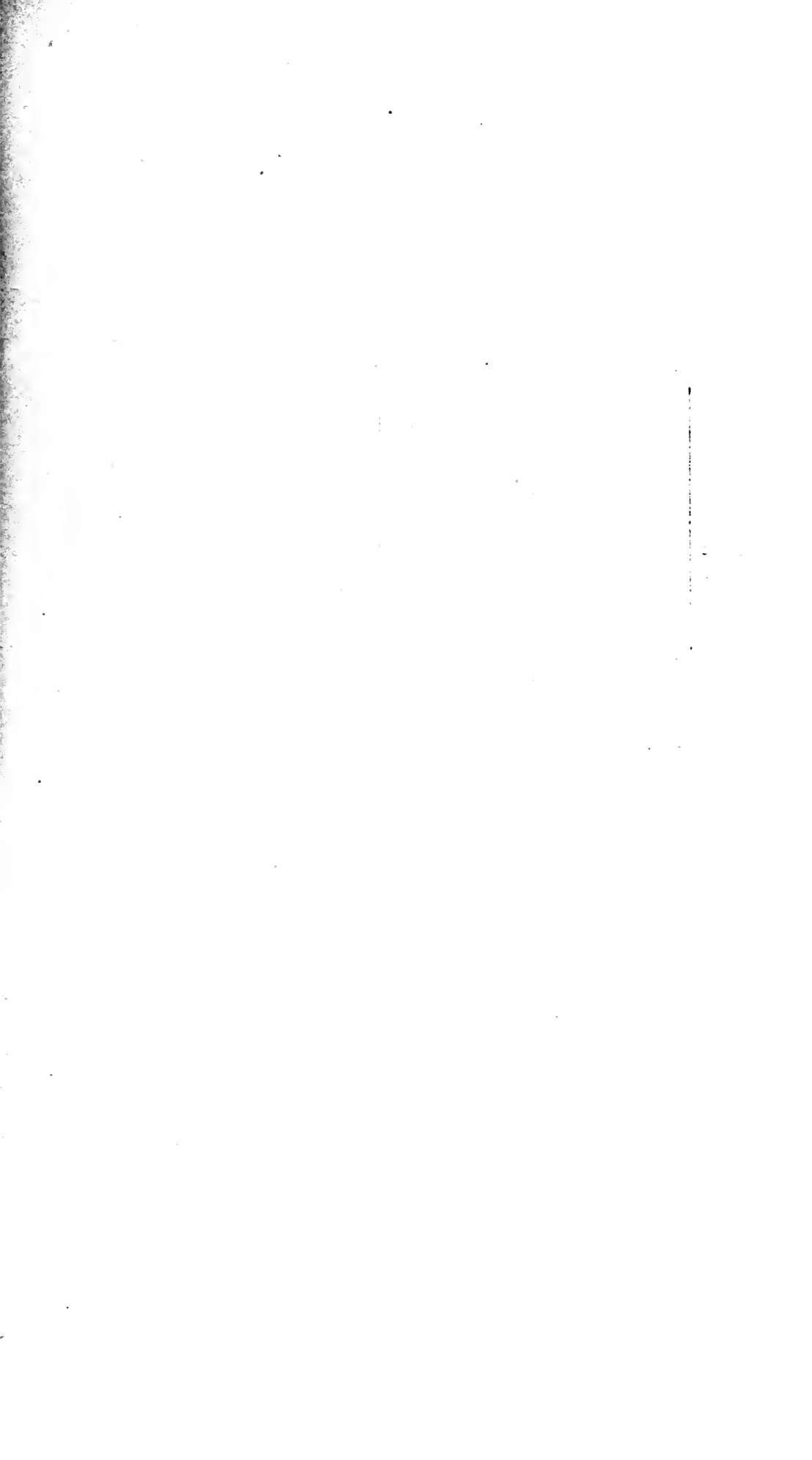
Dated at Strathroy, this _____ day of _____ A.D. 1903.

.....Mayor.

[SEAL.]

.....Treasurer.

[Copy.] 



1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Town of Strathroy.

First Reading, 24th April, 1903.

(Reprinted as amended by Private Bills
Committee.)

Mr. TAYLOR.

TORONTO:

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

An Act to incorporate the Sarnia, Petrolia and St. Thomas Railway Company.

WHEREAS Jacob L. Englehart, of the Town of Petrolia, ^{Preamble.}
 in the County of Lambton, in the Province of Ontario, oil operator; William English, of the said place, Loan Company manager; George C. Moncrieff, of the same place, 5 barrister; David Milne, of the Town of Sarnia, in said County, merchant; and Frederick Forsyth Pardee, of the said Town of Sarnia, barrister, have, by their petition, prayed for an Act of Incorporation under the name of The Sarnia, Petrolia and St. Thomas Railway Company, for the 10 purpose of constructing, maintaining and operating a steam railway from a point at or near the Town of Sarnia, in the County of Lambton, to a point in or near the Town of Petrolia, and thence south-easterly to a point in or near the City of St. Thomas, in the County of Elgin, with powers to construct 15 wharves, docks, telegraph and telephone lines, etc., and to own, lease, or otherwise acquire and operate ferry boats, and with power to the said company to lease and operate other lines of railway, or to amalgamate or make running or other arrangements with other roads; and whereas it is 20 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. Jacob L. Englehart, William English, George C. Mon- ^{Incorporation.}
 25 crieff, David Milne and Frederick Forsyth Pardee, 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 Sarnia, Petrolia and St. Thomas Railway Company, hereinafter 30 called the Company.

2. The said company is hereby authorized and empowered ^{Location of}
 to survey, lay out, construct, complete, equip, maintain and ^{line.}
 operate a steam railway, with double or single iron or steel 35 tracks, from a point at or near the Town of Sarnia in the County of Lambton, to a point in or near the Town of Petrolia, in said county, and thence in a south-easterly direction to a point in or near the City of St. Thomas, in the County of Elgin.

Gauge.

3. The gauge of the said railway shall be any gauge.

Provisional directors.

4. The said Jacob L. Englehart, William English, George C. Moncrieff, David Milne, and Frederick Forsyth Pardee, 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. 5

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 Town of Sarnia in the County of Lambton, or at such other place as may best suit the interest of the said company. 10
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Rev. Stat. c 207.

Conveyances of land to company.

6. Conveyances of lands to the said company for the purpose of and powers given by this Act, made in the form set forth in Schedule A hereunder written, or to the like effect, shall be sufficient conveyance to the said company, their successors and assigns, of the estate or interest therein mentioned and sufficient bar of dower, respectively, of all persons executing the same; and such conveyances shall be registered in the same manner and upon such proof of execution as is required under the registry laws of Ontario, and no registrar shall be entitled to demand more than seventy-five cents for registering the same, including all entries and certificates thereof, and certificates endorsed on the duplicates thereof. 40
45

7. No subscription for stock in the capital of the company shall be binding on the said company unless it shall be approved by resolution of the directors, nor unless ten per centum of the amount subscribed has been actually paid thereon within one month after subscription. Subscription for stock when binding.

8. The said company may receive from any government, or from any persons or bodies corporate, municipal or politic, who may have 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 railway.

9. The capital stock of the company hereby incorporated shall be \$1,000,000 (with power to increase the same in the manner provided by *The Railway Act of Ontario*), to be divided into 10,000 shares of \$100 each, and shall be raised by the persons and corporations who may become shareholders in such company, and the money so raised shall be applied, in the first place, to the payment of all fees, expenses and disbursements of and incidental to the passing of this Act, and for making the surveys, plans and estimates connected with the works hereby authorized; and the remainder of said money shall be applied to the making, equipping, completing and maintaining of the said railway, and to the other purposes of this Act. Capital stock Rev. Stat., c. 207.

10. When and so soon as shares to the amount of \$100,000 of capital stock in the said company shall have been subscribed and ten per centum paid thereon into some chartered bank of the Dominion having an office in the Province of Ontario, to the credit of the company, and which shall on no account be withdrawn therefrom unless for the services of the company, the said provisional directors, or a majority of them, shall call a general meeting of the shareholders for the purpose of electing directors of the said company, giving at least four weeks' notice of such meeting by advertisement in *The Ontario Gazette* and in at least one newspaper published in the said town of Sarnia 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 said company in manner and qualified as hereinafter mentioned, who shall constitute a board of directors and shall hold office until the next general annual meeting, and a majority of the Number of directors and quorum.

Rev. Stat. c. 207. directors shall form a quorum of the board, and may pass such rules, regulations and by laws as may be deemed expedient and are not inconsistent with this Act and *The Railway Act of Ontario*; and the said board may employ and pay one of their number as managing director. 5

Qualification of directors. **12.** No person shall be qualified to be elected as such director by the shareholders unless he be a shareholder holding at least ten shares of stock in the said company, and unless he has paid up all calls thereon.

Power to construct line in sections. **13.** The company is hereby authorized and empowered to take and make the surveys and levels of the lands through which the said railway is to pass, together with the map or plan thereof, and of their course and direction, and of the lands intended to be passed over and taken therefor so far as then ascertained, and also the book of reference for the railway, and to deposit the same, as required by the clauses of *The Railway Act of Ontario* and the amendments thereto with respect to plans and surveys, by sections or portions less than the length of the whole railway authorized, of such length as the company may from time to time see fit, so that no one of such sections or portions shall be less than ten miles in length; and upon such deposit as aforesaid of the map or plan and book of reference of any and each of such sections or portions of the said railway, all and every of the clauses of the said Railway Act and the amendments thereof applied to, included in or incorporated with this Act shall apply and extend to any and each of such sections or portions of the said railway as fully and effectually as if the surveys and levels had been taken and made of the lands through which the whole of the said railway is to pass, together with the map or plan of the whole thereof, and of their whole course and direction, and of the lands intended to be passed over and taken, and the book of reference of the whole of said railways had been taken, made and examined, certified and deposited according to the said clauses of the said Railway Act and the amendments thereof with respect to plans and surveys. 10 15 20 25 30 35

Rights of aliens. **14.** Aliens and companies incorporated abroad, as well as British subjects and corporations, may be shareholders in the said company, and all such shareholders, whether resident in this province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and also be eligible for office as directors in the said company. 40

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 per annum 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. 45

16. The provisional directors or the elected directors may pay, or agree to pay, in paid-up stock or in bonds of the said company, such sums as they may deem expedient, to engineers or contractors, or for right of way, or material, plant or rolling stock, and also, when sanctioned by a vote of the shareholders at any general meeting, for the services of the promoters or other persons who may be employed by the directors in furthering the undertaking, or for the purchase of right of way, material, plant, or rolling stock, whether such promoters be provisional or elected directors or not, and any agreement so made shall be binding on the company.

Payments in stock or bonds.

17. The head office of said company shall be at the said Town of Sarnia, and the general annual meeting of the shareholders of the said company shall be held in such place in the said Town of Sarnia, on such days and at such hours as may be directed by the by-laws of the company; and public notice thereof shall be given at least four weeks previously in *The Ontario Gazette*, and once a week in one newspaper published in the said Town of Sarnia 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 said company may be held at such places and at such times and in such manner and for such purposes as may be provided by the by laws of the said company, upon such notice as is provided in the last preceding section.

Special general meeting.

19. The directors of the company shall have power to issue bonds of the company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all the sum of \$20,000 for each mile of the said railway, and 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.

20. All such bonds, debentures and other securities and coupons and interest warrants thereon, respectively, may be made payable to bearer and transferable by delivery, and any holder of any such securities so made payable to bearer, may sue at law thereon in his own name.

Bonds, etc., how payable.

Transfer of bonds.

21. The said company shall have power and authority to become parties to promissory notes and bills of exchange for sums of not less than \$100, and any such promissory note or bill of exchange made, accepted or endorsed by the president or vice-president of the company, and countersigned by the secretary of the said company, and under the authority of a quorum of the directors, shall be binding on the said company,

Negotiable instruments.

and every such promissory note or bill of exchange so made shall be presumed to have been made with proper authority until the contrary be shown, and in no case shall it be necessary to have the seal of the said company affixed to such promissory note or bill of exchange, nor shall the president, vice-president or the secretary be individually responsible for the same unless the said promissory notes or bills of exchange have been issued without the sanction and authority of the directors as herein provided and enacted; provided, however, that nothing in this section shall be construed to authorize the said company to issue any promissory note or bill of exchange payable to bearer, or intended to be circulated as money, or as the notes or bills of a bank.

Proviso.

Mortgaging or pledging bonds.

22. The said company may, from time to time, for advances of money to be made thereon, mortgage or pledge any bonds which they may be enabled, under the powers of this Act, to issue for the construction of the said railway.

Agreements with other companies for leasing or hiring rolling stock.

23. It shall be lawful for the directors of the company to enter upon an agreement or agreements with any other company or companies, if lawfully authorized to enter into such agreements, or with any person or persons, for leasing, hiring, or use of any locomotives, carriages, rolling stock and other moveable property from such companies or persons for such time or times and on such terms as may be agreed upon; and also to enter into agreements with any railway company or companies, if so lawfully authorized, for the use by one or more of such contracting companies of the locomotives, carriages, rolling stock and other moveable property of the other or others of them on such terms as to compensation and otherwise as may be agreed on.

Telegraph and telephone lines.

24. The said company may also construct an electric telegraph line and a telephone line in connection with their railway, and for the purpose of constructing, working, and protecting the said telegraph and telephone lines, the powers conferred upon telegraph companies by *The Act Respecting Telegraph Companies* being chapter 192 of the Revised Statutes of Ontario 1897, are hereby conferred upon the said company; provided, that no poles shall be erected in the construction of either of the said lines in or through any city, town or incorporated village without the consent of the council of such city, town or village being first obtained by the said company; provided also, that such telegraph and telephone lines shall be used exclusively for the purposes of the business of the said company.

Proviso.

Aid from municipalities.

25. Any municipality, or any portion of a township municipality, which may be interested in securing the construction of the said railway, or through any part of which, or near which the railway or works of the said company shall pass

- or be situate, may aid the said company by giving money or debentures, by way of bonus, gift or loan, or by the guarantee of the municipal corporation, under and subject to the provisions hereafter 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.
- 5
- 10 **26.** Such by-law shall be submitted by the municipal council, to the vote of the ratepayers, in manner following, namely,—
- Submitting bonus by-laws.
- (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.
- 15
- (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 un'er *The Municipal Act* and the amendments thereto.
- 20
- (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.
- 25
- (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.
- 30
- 35 **27.** Such by-law shall in each instance provide :
- By-law, what to contain.
- (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.
- 40
- (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 re-payment of the said debentures within twenty years with
- 45

interest thereon, payable yearly or half-yearly, which debentures the respective municipal councils, wardens, mayors, reeves, and other officers thereof, are hereby authorized to execute and issue in such cases respectively.

Petition
against aid
from county.

28. In case of aid from a county municipality, fifty 5
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 10
upon deposit by the petitioners, with the treasurer of the
county, of a sum sufficient to defray the expenses of such
reference, the said council shall forthwith refer the said peti-
tion to three arbitrators, one being the judge of the county 15
court of the district objecting, one being the registrar of the
county or of the riding in which the county town is situate,
and one being an engineer appointed by the Commissioner of
Public Works for Ontario, who shall have power to confirm or
amend the said by-law by excluding any minor municipality,
or any section thereof, therefrom, and the decision of any 20
two of them shall be final, and the by-law so confirmed or
amended shall thereupon, at the option of the railway com-
pany, be submitted by the council to the duly qualified voters,
and in case the by-law is confirmed by the arbitrators the ex-
pense of the reference shall be borne by the petitioners against 25
the same, but if amended, then by the railway company or the
county as the arbitrators may order.

Minor
municipality,
meaning of.

29. The term "Minor Municipality" shall be construed to
mean any town not separated from the municipal county,
township or incorporated village situate in the county or dis- 30
trict municipality.

Deposit to be
made before
by-law is
submitted.

30. Before any such by-law is submitted the railway
company shall, if required, deposit with the treasurer of the
municipality a sum sufficient to pay the expenses to be in- 35
curred in submitting the said by-law.

Council to pass
by-law if
assented to by
rate-payers.

31. In case the by-law submitted be approved of and
carried, in accordance with the provisions of the law in that be-
half, then within four weeks after the date of such voting the
municipal council which submitted the same shall read the 40
said by-law a third time and pass the same.

Issue of
debentures.

32. Within one month after the passing of such by-law
the said council and the mayor, warden, reeve or other head,
or other officers thereof, shall issue or dispose of the deben-
tures provided for by the by-law, and deliver the same, duly
executed, to the trustees appointed, or to be appointed, under 45
this Act.

33. In case any such loan, guarantee or bonus, be so granted by a portion of a township municipality, the rate to be levied for payment of the debentures issued therefor, and the interest thereon, shall be assessed and levied upon such 5 portion only of such municipality.

Levying rate on portion of municipality.

34. The provisions of *The Municipal Act* and the amendments thereto, so far as the same are not inconsistent with this Act, shall apply to any by-law so passed by or for a portion of a township municipality, to the same extent as if 10 the same had been passed by or for the whole municipality.

Application of provisions of Rev. Stat. c. 223.

35. The councils for all corporations that may grant aid by way of bonus to the said company may, by resolution or by-law, extend the time for the commencement of the work beyond that stipulated for in the by-law or by-laws granting 15 such aid, from time to time; provided that no such extension shall be for a longer period than one year.

Councils may extend the time for commencement.

36. It shall and may be lawful for the council of any municipality that may grant aid by way of bonus, to the said company, by resolution or by-law, to extend the time for the 20 completion of the works (on the completion of which the said company would be entitled to such bonus) from time to time, provided that no such extension shall be for a longer period than one year at a time.

Councils may extend the time for completion.

37. Any municipality, or portion of a township municipality, interested in the construction of the railway of the said 25 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 30 law; provided that such aid shall not require the levying of a greater aggregate annual rate for all purposes exclusive of school rates, than three cents in the dollar upon the value of the rateable property therein.

Extent of aid from municipalities.

38. It shall be lawful for the corporation of any municipality through any part of which the railway of the said 35 company passes, or in which it is situate, by by-law especially passed for that purpose, to exempt the said company and its property within such municipality, either in whole or in part from municipal assessment or taxation, or to agree to a certain 40 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 45 such by-law shall be repealed unless in conformity with a condition contained therein.

By-laws granting exemption from taxation.

Gifts of lands. **39.** Any municipality through which the said railway may pass, or is situate, is empowered to grant, by way of gift to the 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. 5 10

Issue of debentures. **40.** Whenever any municipality or portion of a township municipality shall grant aid by way of bonus or gift to the railway company, the debentures therefor shall within six months after the passing of the by-law authorizing the same, be delivered to three trustees to be named, one by the Lieutenant-Governor in Council, one by the said company, and one by the majority of the heads of the municipalities which have granted bonuses, all of the trustees to be residents of the Province of Ontario; provided that if the said heads of the municipalities shall refuse or neglect to name such trustee within one month after notice in writing of the appointment of the company's trustee, or if the Lieutenant-Governor in Council shall omit to name such trustee within one month after notice in writing to him of the appointment of the other trustees, then in either case the company shall be at liberty to name such other trustee or other trustees; any of the said trustees may be removed and a new trustee appointed in his place at any time by the Lieutenant-Governor in Council; and in case any trustee dies or resigns his trust, or goes to live out of the Province of Ontario, or otherwise becomes incapable of acting, his trusteeship shall become vacant and a new trustee may be appointed by the Lieutenant-Governor in Council. 15 20 25 30

Trusts of proceeds of debentures. **41.** The said trustees shall receive the said debentures or bonds in trust, firstly, under the directions of the company but subject to the conditions of the by-laws in relation thereto as to time or manner, to convert the same into money or otherwise dispose of them; secondly, to deposit the debentures or amount realized from the sale in some chartered bank having an office in the Province of Ontario in the name of The Sarnia Petrolia and St. Thomas Railway, Municipal Trust Account and to pay the same out to the said company from time to time as the said company becomes entitled thereto, under the conditions of the by-law granting the said bonus and on the certificate of the chief engineer of the said railway for the time being, in the form set out in Schedule B hereto, or to the like effect, which certificate shall set forth that the conditions of the by-law have been complied with, and is to be attached to the cheque or order drawn by the said trustees for such payment or delivery of debentures, and such engineer shall not wrongfully grant any such certificate under 35 40 45 50

a penalty of \$500, recoverable in any court of competent jurisdiction by any person who may sue therefor.

42. The trustees shall be entitled to their reasonable fees and charges from the said trust fund, and the act of any two of such trustees shall be as valid and binding as if the three had agreed. Fees to Trustees.

43. 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.

44. 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, 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. Acquiring material for construction. Rev. Stat. c. 207.

45. (1.) When said gravel, stone, earth or sand, shall be taken, under the preceding section of this Act, at a distance from the line of 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 Sidings to gravel pits. Rev. Stat. c. 207.

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. 5

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. 10

Power to hold
additional
property.

46. The said company shall have full power to purchase land for, and erect warehouses, elevators, docks, stations workshops and offices, and to sell and to 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. 15

Power to erect
snow fences

47. The said 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. 20 25

Arrangements
with other
companies.

48. The said company shall have power to agree for connections and make running arrangements with the Canadian Pacific Railway Company, the Grand Trunk Railway Company, the Michigan Central Railway Company, the Lake Erie and Detroit River Railway Company and any other company or companies necessary, 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 be lawful for the said company to enter into an agreement with any of the said railway companies, if lawfully authorized to enter into such an agreement, for the sale or leasing or hiring of the whole or any portion of the railway herein 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 30 35 40 45

proxy at a special general meeting to be called for that purpose, and every such agreement shall be valid and binding; according to the terms and tenor thereof, and the company purchasing, leasing or entering into such an agreement for using the said railway, may and are hereby authorized to work the said railway, and in the same manner as if incorporated with their own line; but this section shall not be construed as purporting or intending to confer rights or powers upon any company which is not within the legislative authority of the Province of Ontario.

49. Shares in the capital stock of the said company may be transferred by any form of instrument in writing, but no transfer shall become effectual unless the stock or scrip certificates issued in respect of shares intended to be transferred are surrendered to the company, or the surrender thereof dispensed with by the company.

Transfer of shares.

50. The said company shall have power to collect and receive all charges subject to which goods or commodities may come into their possession, and on payment of such back charges, and without any formal transfer, shall have the same lien for the amount thereof upon such goods and commodities as the person to whom such charges were originally due, and shall be subrogated by such payment in all the rights and remedies of such persons for such charges.

Payment of back charges on goods.

51. The several clauses of the *Railway Act of Ontario*, and of every Act in amendment thereof shall be incorporated with, and be deemed to be part of this Act, and shall apply to the said company and to the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof; and the expression "this Act," when used herein, shall be understood to include the clauses of the said Railway Act and of every Act in amendment thereof so incorporated with this Act.

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

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

Commencement and completion of line.

SCHEDULE A.

(Section 6.)

Know all men by these presents that I (or we) (insert the name or names of the vendor or vendors) in consideration of _____ dollars paid to me (or us) by The Sarnia Petrolia and St. Thomas 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 Sarnia, Petrolia and St. Thomas 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 presence of

[L.S.]

SCHEDULE B.

(Section 41.)

CHIEF ENGINEER'S CERTIFICATE.

The Sarnia, Petrolia and St. Thomas Railway Company's Office, No.
A. D. 1903.

ENGINEER'S DEPARTMENT.

Certificates to be attached to cheques drawn on the Sarnia, Petrolia and St. Thomas Railway Company Municipal Trust Account given under section _____, chapter _____ of the Acts of the Legislature of Ontario, passed in the third year of His Majesty's reign.

I, _____ chief engineer of the Sarnia Petrolia and St. Thomas 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 _____ A. D. 19____, between the corporation of _____ and the said company) to entitle the said company to receive from the said trust the sum of _____ (here set out the terms and conditions, if any, which have been fulfilled.)



1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL

An Act to incorporate the Sarnia, Petrolia
and St. Thomas Railway Company.

First Reading 1903.

(Private Bill)

MR. HANNA.

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

An Act to incorporate the Sarnia, Petrolia and St. Thomas Railway Company.

WHEREAS Jacob Lewis Englehart of the Town of Petrolia in the County of Lambton in the Province of Ontario, Oil Operator; William English of the same place, Loan Company Manager; George Glen Moncrieff of the same place, Barrister; David Milne of the Town of Sarnia in said County, Merchant; and Frederick Forsyth Pardee of the said Town of Sarnia, Barrister, have by their petition prayed for an Act of Incorporation under the name of "The Sarnia, Petrolia and St. Thomas Railway Company" for the purposes of constructing, maintaining and operating a steam railway from a point at or near the Town of Sarnia in the County of Lambton through the Townships of Sarnia, Moore and Enniskillen to the Town of Petrolia in the said County of Lambton, and thence in a south-easterly direction through the Township of Brooke in the said County of Lambton, and through the Townships of Metcalfe, Caradoc, Deleware, and Westminster in the County of Middlesex, and through the Townships of Southwold and Yarmouth to a point in or near the City of St. Thomas in the County of Elgin, with power to construct wharves, docks, telegraph and telephone lines, and to own, lease or otherwise acquire and operate ferry boats and with power to the said Company to amalgamate or make running or other arrangements with other roads; and whereas by reason of unusual cost of right of way and the proposed double tracking of the said line the construction thereof is unusually expensive and special bonding powers should be granted to 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. Jacob *Lewis Englehart*, William English, George *Glen Moncrieff*, David Milne and Frederick Forsyth Pardee, 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 Sarnia, Petrolia and St. Thomas Railway Company, hereinafter called the Company.

Location of
line.

2. The said company is hereby authorized and empowered to survey, lay out and construct, complete, equip, maintain and operate a steam railway, with double or single iron or steel tracks, from a point at or near the Town of Sarnia in the County of Lambton, through the Townships of Sarnia, Moore, and Enniskillen to the Town of Petrolia in the said County of Lambton, and thence in a south-easterly direction through the Township of Brooke in the said County of Lambton, and through the Townships of Metcalfe, Caradoc, Delaware and Westminster in the County of Middlesex, and through the Townships of Southwold and Yarmouth to a point in or near the City of St. Thomas, in the County of Elgin.

Gauge.

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

Provisional
directors.

4. The said Jacob *Lewis* Englehart, William English, George *Glen* Moncrieff, David Milne, and Frederick Forsyth Pardee, 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 *provisional* 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 Town of Sarnia in the County

Rev. Stat.
c. 207.

of Lambton, or at such other place as may best suit the interest of the said company.

6. Conveyances of lands to the said company for the purpose of and powers given by this Act, made in the form set forth in Schedule A hereunder written, or to the like effect, shall be sufficient conveyance to the said company, their successors and assigns, of the estate or interest therein mentioned and sufficient bar of dower, respectively, of all persons executing the same; and such conveyances shall be registered in the same manner and upon such proof of execution as is required under the registry laws of Ontario, and no registrar shall be entitled to demand more than seventy-five cents for registering the same, including all entries and certificates thereof, and certificates endorsed on the duplicates thereof.

Conveyance
of land to
company.

7. No subscription for stock in the capital of the company shall be binding on the said company unless it shall be approved by resolution of the directors, nor unless ten per centum of the amount subscribed has been actually paid thereon within one month after subscription.

Subscription
for stock when
binding.

8. The said company may receive from any government, or from any persons or bodies corporate, municipal or politic, who may have 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 \$1,000,000 (with power to increase the same in the manner provided by *The Railway Act of Ontario*), to be divided into 10,000 shares of \$100 each, and shall be raised by the persons and corporations who may become shareholders in the company, and the money so raised shall be applied, in the first place, to the payment of all fees, expenses and disbursements of and incidental to the passing of this Act, and for making the surveys, plans and estimates connected with the works hereby authorized; and the remainder of said money shall be applied to the making, equipping, completing and maintaining of the said railway, and to the other purposes of this Act.

Capital stock

Rev. Stat., c.
207.

10. When and so soon as shares to the amount of \$100,000 of capital stock in the said company shall have been subscribed and ten per centum paid thereon into some chartered bank of the Dominion having an office in the Province of Ontario, to the credit of the company, and which shall on no account be withdrawn therefrom unless for the services of the company, the said provisional directors, or a majority of them, shall call a general meeting of the shareholders for the pur-

First election
of directors.

pose of electing directors of the said company, giving at least four weeks' notice of such meeting by advertisement in *The Ontario Gazette* and in at least one newspaper published in the said town of Sarnia of the time, place and purpose of the said meeting,

Number of directors and quorum.

11. At such general meeting the shareholders present either in person or by proxy, who shall at the opening of such meeting have paid up ten per centum on the stock subscribed by them, shall elect seven persons to be directors of the said company in manner and qualified as hereinafter mentioned, who shall constitute a board of directors and shall hold office until the next general annual meeting, and a majority of the directors shall form a quorum of the board, and may pass such rules, regulations and by laws as may be deemed expedient and are not inconsistent with this Act and *The Railway Act of Ontario*; and the said board may employ and pay one of their number as managing director.

Rev. Stat. c. 237.

Qualification of directors.

12. No person shall be qualified to be elected as such director by the shareholders unless he be a shareholder holding at least ten shares of stock in the said company, and unless he has paid up all calls thereon.

Power to construct 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 afore-said 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 and 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.

14. Aliens and companies incorporated abroad, as well as British subjects and corporations, may be shareholders in the said company, and all such shareholders, whether resident in this Province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible for office as directors in the said company.

Rights of
aliens.

15. The directors may from time to time, make calls as they shall think fit, provided that no call shall be made at any one time of more than ten per centum of the amount subscribed by each shareholder, and thirty days' notice shall be given of each call, as hereinafter provided in section 17 of this Act.

Calls on stock.

16. The directors may enter into a contract or contracts with any individual, corporation or association of individuals for the construction or equipment of the railway or any part thereof including or excluding the purchase of right of way and may pay therefor either in whole or in part, either in cash or bonds, or in paid up stock and may pay or agree to pay in paid up stock or in bonds of the said company such sums as they may deem expedient to engineers or for the right of way or material, plant or rolling stock and also for the services of the promoters or other persons who may be employed by the directors for the purpose of assisting the directors and 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, provided that no such contract shall be of any force or validity unless first authorized by resolution passed by the votes of the shareholders in person or by proxy, representing two-thirds in value of the subscribed capital stock and on which no call is in default and unpaid at a general meeting specially called for that purpose.

Directors
empowered to
pay in stock.


17. The head office of said company shall be at the said Town of Sarnia, and the general annual meeting of the shareholders of the said company shall be held in such place in the said Town of Sarnia, on such days and at such hours as may be directed by the by-laws of the company; and public notice thereof shall be given at least four weeks previously in *The Ontario Gazette*, and once a week in one newspaper published in the said Town of Sarnia 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 said company may be held at such places and at such times and in such manner and for such purposes as may be provided by the by laws of the said company, upon such notice as is provided in the last preceding section.

Special gen-
eral meeting.

~~19~~ Issue of bonds ~~19~~

~~19~~ 19. The directors of the company shall have power to issue bonds of the company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed the sum of \$20,000 for each mile of single track and \$5,000 per mile for equipment and \$10,000 per mile for second track of said railway; and the provisions of sub-sections 19, 20, 21, 22 and 23 of section 9 of *The Railway Act of Ontario* shall apply to all such bonds and the issue thereof; and such bonds shall be issued subject and according to, and in conformity with the provisions of the said sub sections. 

~~19~~ Rev. Stat. c. 207. ~~19~~

Bonds, etc., how payable.

20. All such bonds, debentures and other securities and coupons and interest warrants thereon, respectively, may be made payable to bearer and transferable by delivery, and any holder of any such securities so made payable to bearer, may sue at law thereon in his own name.

Transfer of bonds.

Negotiable instruments.

21. The said company shall have power and authority to become parties to promissory notes and bills of exchange for sums of not less than \$100, and any such promissory note or bill of exchange made, accepted or endorsed by the president or vice-president of the company, and countersigned by the secretary of the said company, and under the authority of a quorum of the directors, shall be binding on the said company, and every such promissory note or bill of exchange so made shall be presumed to have been made with proper authority until the contrary be shown, and in no case shall it be necessary to have the seal of the said company affixed to such promissory note or bill of exchange, nor shall the president, vice-president or the secretary be individually responsible for the same unless the said promissory notes or bills of exchange have been issued without the sanction and authority of the directors as herein provided and enacted; provided, however, that nothing in this section shall be construed to authorize the said company to issue any promissory note or bill of exchange payable to bearer, or intended to be circulated as money, or as the notes or bills of a bank.

Proviso.

Mortgaging or pledging bonds.

22. The said company may, from time to time, for advances of money to be made thereon, mortgage or pledge any bonds which they may be enabled, under the powers of this Act, to issue for the construction of the said railway.

Agreements with other companies for leasing or hiring rolling stock.

23. It shall be lawful for the directors of the company to enter *into any* agreement or agreements with any other company or companies, if lawfully authorized to enter into such agreements, or with any person or persons, for leasing, hiring, or use of any locomotives, carriages, rolling stock and other moveable property from such companies or persons for such time or times and on such terms as may be agreed upon; and also to enter into agreements with any railway company

or companies, if so lawfully authorized, for the use by one or more of such contracting companies of the locomotives, carriages, rolling stock and other moveable property of the other or others of them on such terms as to compensation or otherwise as may be agreed on.

24. The said company may also construct an electric telegraph line and a telephone line in connection with their railway, and for the purpose of constructing, working, and protecting the said telegraph and telephone lines, the powers conferred upon telegraph companies by *The Act Respecting Telegraph Companies* being chapter 192 of the Revised Statutes of Ontario 1897, are hereby conferred upon the said company; provided, that no poles shall be erected in the construction of either of the said lines in or through any city, town or incorporated village without the consent of the council of such city, town or village being first obtained by the said company; provided also, that such telegraph and telephone lines shall be used exclusively for the purposes of the business of the said company.

Telegraph
and telephone
lines.

Proviso.

25. Any municipality, or any portion of a township municipality, which may be interested in securing the construction of the said railway, or through any part of which, or near which the railway or works of the said company shall pass or be situate, may aid the said company by giving money or debentures, by way of bonus, gift or loan, or by the guarantee of the municipal corporation, under and subject to the provisions hereafter contained; provided, always that such aid shall not be given except after the passing of a by-law for the purpose, and the adoption of such by-law by the qualified ratepayers of the municipality or portion of the municipality (as the case may be) in accordance with and as provided by law in respect to granting aid by way of bonuses to railways.

Aid from
municipal-
ities.

Proviso.

26. Such by-law shall be submitted by the municipal council, to the vote of the ratepayers, in manner following, namely,—

Submitting
bonus by-
laws.

(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.

R.-v. Stat.
c. 223.

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 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.

By-law, what
to contain.

27. Such by-law shall in each instance provide :

(1) For raising the amount petitioned for in the municipality or portion of the township municipality (as the case may be) mentioned in the petition, by the issue of debentures of the county or minor municipality, respectively, and shall also provide for the delivery of the said debentures, or the application of the amount to be raised thereby, as may be expressed in the said by-law.

(2) For assessing and levying upon all rateable property lying within the municipality or portion of the township municipality defined in said by-law (as the case may be), an annual special rate, sufficient to include a sinking fund for the re-payment of the said debentures within twenty years with interest thereon, payable yearly or half-yearly, which debentures the respective municipal councils, wardens, mayors, reeves, and other officers thereof, are hereby authorized to execute and issue in such cases respectively.

Petition
against aid
from county.

28. In case of aid from a county municipality, fifty resident freeholders of the county may petition the county council against submitting the said by-law, upon the ground that certain minor municipalities or portions thereof, comprised in the said by-law, would be injuriously affected thereby, or upon any other ground ought not to be included therein, and upon deposit by the petitioners, with the treasurer of the county, of a sum sufficient to defray the expenses of such reference, the said council shall forthwith refer the said petition to three arbitrators, one being the judge of the county court, 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.

29. The term "Minor Municipality" shall be construed to mean any town not separated from the municipal county, township or incorporated village situate in the county municipality.

Minor municipality, meaning of.

30. Before any such by-law is submitted the railway company shall, if required, deposit with the treasurer of the municipality a sum sufficient to pay the expenses to be incurred in submitting the said by-law.

Deposit to be made before by-law is submitted.

31. In case the by-law submitted be approved of and carried, in accordance with the provisions of the law in that behalf, then within four weeks after the date of such voting the municipal council which submitted the same shall read the said by-law a third time and pass the same.

Council to pass by-law if assented to by rate-payers.

32. Within one month after the passing of such by-law the said council and the mayor, warden, reeve or other officers thereof, shall issue or dispose of the debentures provided for by the by-law, and deliver the same, duly executed, to the trustees appointed, or to be appointed, under this Act.

Issue of debentures.

33. In case any such loan, guarantee or bonus, be so granted by a portion of a township municipality, the rate to be levied for payment of the debentures issued therefor, and the interest thereon, shall be assessed and levied upon such portion only of such municipality.

Levying rate on portion of municipality.

34. The provisions of *The Municipal Act* and the amendments thereto, so far as the same are not inconsistent with this Act, shall apply to any by-law so passed by or for a portion of a township municipality, to the same extent as if the same had been passed by or for the whole municipality.

Application of provisions of Rev. Stat. c. 223.

35. The councils for all corporations that may grant aid by way of bonus to the said company may, by resolution or by-law, extend the time for the commencement of the work beyond that stipulated for in the by-law or by-laws granting such aid, from time to time; provided that no such extension shall be for a longer period than one year.

Councils may extend the time for commencement.

36. It shall and may be lawful for the council of any municipality that may grant aid by way of bonus, to the said company, by resolution or by-law, to extend the time for the completion of the works (on the completion of which the said company would be entitled to such bonus) from time to time, provided that no such extension shall be for a longer period than one year at a time.

Councils may extend the time for completion.

Extent of aid
from municipi-
palities.

37. Any municipality, or portion of a township municipality, interested in the construction of the railway of the said company, may grant aid by way of bonus to the said company towards the construction of such railway, notwithstanding that such aid may increase the municipal taxation of such municipality, or portion thereof, beyond what is allowed by law; provided that such aid shall not require the levying of a greater aggregate annual rate for all purposes exclusive of school rates, then three cents in the dollar upon the value of the rateable property therein.

By-laws
granting ex-
emption from
taxation.

38. It shall be lawful for the corporation of any municipality through any part of which the railway of the said company passes, or in which it is situate, by by-law especially passed for that purpose, to exempt the said company and its property within such municipality, either in whole or in part from municipal assessment or taxation, or to agree to a certain sum per annum, or otherwise in gross, by way of commutation or composition for payment, or in lieu of all or any municipal rates or assessments to be imposed by such municipal corporation, and for such term of years as such municipal corporation may deem expedient, not exceeding twenty-one years, and no such by-law shall be repealed unless in conformity with a condition contained therein.

Gifts of lands,

39. Any municipality through which the said railway may pass, or is situate, is empowered to grant, by way of gift to the 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.

Issue of
debentures.

40. Whenever any municipality or portion of a township municipality shall grant aid by way of bonus or gift to the railway company, the debentures therefor shall within six months after the passing of the by-law authorizing the same, be delivered to three trustees to be named, one by the Lieutenant-Governor in Council, one by the said company, and one by the majority of the heads of the municipalities which have granted bonuses, all of the trustees to be residents of the Province of Ontario; provided that if the said heads of the municipalities shall refuse or neglect to name such trustee within one month after notice in writing of the appointment of the company's trustee, or if the Lieutenant-Governor in Council shall omit to name such trustee within one month after notice in writing to him of the appointment of the other trustees, then in either case the company shall be at liberty to name such other trustee or other trustees; any of the

said trustees may be removed and a new trustee appointed in his place at any time by the Lieutenant-Governor in Council; and in case any trustee dies or resigns his trust, or goes to live out of the Province of Ontario, or otherwise becomes incapable of acting, his trusteeship shall become vacant and a new trustee may be appointed by the Lieutenant-Governor in Council.

41. The said trustees shall receive the said debentures or bonds in trust, firstly, under the directions of the company but subject to the conditions of the by-laws in relation thereto as to time or manner, to convert the same into money or otherwise dispose of them; secondly, to deposit the debentures or amount realized from the sale in some chartered bank having an office in the Province of Ontario in the name of "The Sarnia Petrolia and St. Thomas Railway, Municipal Trust Account" and to pay the same out to the said company from time to time as the said company becomes entitled thereto, under the conditions of the by-law granting the said bonus and on the certificate of the chief engineer of the said railway for the time being, in the form set out in Schedule B hereto, or to the like effect, which certificate shall set forth that the conditions of the by-law have been complied with, and is to be attached to the cheque or order drawn by the said trustees for such payment or delivery of debentures, and such engineer shall not wrongfully grant any such certificate under a penalty of \$500, recoverable in any court of competent jurisdiction by any person who may sue therefor.

Trusts of proceeds of debentures.

42. The trustees shall be entitled to their reasonable fees and charges from the said trust fund, and the act of any two of such trustees shall be as valid and binding as if the three had agreed.

Fees to Trustees.

43. 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.

44. 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

Acquiring material for construction.

shall serve a copy thereof, with their notice of arbitration, as in case of acquiring the roadway, and the notice of arbitration, the award and the tender of compensation, shall have the same effect as in case of arbitration for the roadway; and all the provisions of *The Railway Act of Ontario*, and of this Act, as to the service of the said notice, arbitration, compensation, deeds, payment of money into Court, the right to sell, the right to convey, and the parties from whom land may be taken, or who may sell, shall apply to the subject matter of this section, as to the obtaining materials as aforesaid; and such proceedings may be had by the said company either for the right to the fee simple in the land from which said materials shall be taken, or for the right to take materials for any time they shall think necessary; the notice of arbitration, in case arbitration is resorted to, to state the interest required.

Rev. Stat.
c. 207.

Sidings to
gravel pits.

45. (1.) When said gravel, stone, earth or sand, shall be taken, under the preceding section of this Act, at a distance from the line of 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.

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.

46. The said company shall have full power *and authority* to purchase land for, and erect warehouses, elevators, docks, stations work shops and offices, and to sell and to 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.

Power to erect
snow fences.

47. The said 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 there-

on, subject to the payment of such damages (if any) as may be hereafter established in the manner provided by law in respect of such railway, to have been actually suffered; provided always that any such snow fences so erected, shall be removed on or before the first day of April next following.

48. The company is authorized to contract and agree with the Canadian Pacific Railway Company, the Grand Trunk Railway Company of Canada, the Michigan Central Railway Company, the Lake Erie and Detroit River Railway Company and any other railway company the lines of which are approached or crossed by the line or lines of the company, if lawfully authorized to enter into such arrangements, for amalgamation with any or either of them, provided that no such contract shall be of any force or validity unless first authorized by resolution passed by the votes of the shareholders in person or by proxy, representing two-thirds in value of the subscribed capital stock and on which no call is in default and unpaid at a general meeting especially called for that purpose.

49. The said company shall have power to agree for connections and make running arrangements with the Canadian Pacific Railway Company, the Grand Trunk Railway Company of Canada, the Michigan Central Railway Company, the Lake Erie and Detroit River Railway Company and any other railway company the lines of which are approached or crossed by the line or lines of the company if lawfully empowered to enter into such agreements, upon terms to be first authorized 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 any agreement with any or either of the said railway companies, if lawfully authorized to enter into such an agreement, for the sale or leasing or hiring of the whole or any portion of the railway herein 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 so authorized 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 its own line; but nothing in this or the preceding section shall be construed as purporting or intending to confer rights or powers upon any company which is not within the legislative authority of the Province of Ontario.

Running
arrangements
with other
companies.

~~428~~ Power to make connections to be subject to subsequent legislation.

~~428~~ 50. The authority and power conferred on the Company by this Act to enter into agreements with any other railway company for connections, running arrangements, sale, lease, amalgamation or hiring of the said railway shall be subject to such terms, conditions and regulations as may be provided and enacted by any general or special Act or Acts which may at the time such agreement is entered into be in force, and to such terms, conditions and regulations, general or special, as the Lieutenant-Governor in Council or any special Committee of the Executive Council of Ontario appointed for that purpose, may from time to time order. ~~428~~

Transfer of shares.

51. Shares in the capital stock of the said company may be transferred by any form of instrument in writing, but no transfer shall become effectual unless the stock or scrip certificates issued in respect of shares intended to be transferred are surrendered to the company, or the surrender thereof dispensed with by the company.

Payment of back charges on goods.

52. The said company shall have power to collect and receive all charges subject to which goods or commodities may come into their possession, and on payment of such back charges, and without any formal transfer, shall have the same lien for the amount thereof upon such goods 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.

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

53. The several clauses of the *Railway Act of Ontario*, and of every Act in amendment thereof shall be incorporated with, and be deemed to be part of this Act, and shall apply to the said company and to the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof; and the expression "this Act," when used herein, shall be understood to include the clauses of the said Railway Act and of every Act in amendment thereof so incorporated with this Act.

Commencement and completion of line.

54. 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 Sarnia Petrolia and St. Thomas 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 Sarnia, Petrolia and St. Thomas 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 presence of

[L.S.]

SCHEDULE B.

(Section 41.)

CHIEF ENGINEER'S CERTIFICATE.

The Sarnia, Petrolia and St. Thomas Railway Company's Office, No.
A. D. 1903.

ENGINEER'S DEPARTMENT.

Certificates to be attached to cheques drawn on the Sarnia, Petrolia and St. Thomas Railway Company Municipal Trust Account given under section , chapter of the Acts of the Legislature of Ontario, passed in the third year of His Majesty's reign.

1. I, chief engineer of the Sarnia Petrolia and St. Thomas 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 A. D 19 , between the corporation of and the said company) to entitle the said company to receive from the said trust the sum of (here set out the terms and conditions, if any, which have been fulfilled.)

1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL

An Act to incorporate the Sarnia, Petrolia
and St. Thomas Railway Company.

First Reading, 1st May, 1903.

(Reprinted as amended by Railway Com-
mittee.)

(Private Bill)

MR. HANNA.

TORONTO:

PRINTED BY L. K. CAMERON.

Printer to the King's Most Excellent Majesty.

An Act respecting the Village of Hanover.

WHEREAS the Municipal Council of the Village of ^{Preamble.}
 Hanover in the County of Grey and a majority of the
 residents and real estate owners in the adjoining territory
 within the boundaries hereinafter described have by their
 5 petitions represented that the extension of the limits of the
 said village by setting off and attaching thereto the portion
 of the Township of Brant in the County of Bruce, hereinafter
 in this Act more particularly described, would greatly pro-
 10 mote the future interest, progress and prosperity of the
 inhabitants thereof, and insure to them a better and more
 beneficial, economical, and efficient administration of their
 public affairs and better protection from fire, and would render
 the boundaries of said village more compact, and enable the
 waterworks system of said village being extended through
 15 the said adjoining territory ; and whereas the said village was
 incorporated in or about the month of January, 1900, leaving
 unincorporated about one quarter of the said village, being
 that portion situate in the County of Bruce, and being the
 territory hereinafter described ; and whereas the said adjoin-
 20 ing territory has a population of 329 inhabitants, and has situate
 within its limits two furniture factories, a grist mill, a woollen
 mill and a large number of stores and other shops, and by its
 natural situation should be a part of the said incorporated
 village ; and whereas the village council of the said village has
 25 been for some time protecting the property of the citizens of
 the said adjoining territory from fire by using the present
 system of waterworks of said village for such purpose ; and
 whereas your petitioners are desirous that the said territory
 hereinafter described be annexed to the said village upon the
 30 terms and conditions 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. On and after the passing of this Act the lands lying
 35 within the limits described as follows, viz.: The whole
 of what was farm lot number 73 in the first concession
 north of the Durham road in the Township of Brant,
 County of Bruce, the whole of farm lot number 74
 in said first concession north of the Durham road in said
 40 township ; the north twenty-five acres of lot 73 in the first
 concession south of the Durham road in the said Township of
 Brant ; the whole of what was farm lot number 74 in said

Village of Hanover to be extended.
 Description of land to be annexed.

first concession south of the Durham road in said Township of Brant, containing in all 175 acres of land, more or less, including all subdivisions and lots registered according to plans of said lands or portions thereof; also that portion of the highway known as the Durham road lying between said concessions in said township and the lands fronting on same; the part of the highway known as the boundary line between the said Township of Brant and the Village of Hanover, in both of said concessions adjoining said lands; all other streets, alleys, squares, public roads or lanes laid out under municipal authority or by private parties within the boundaries of said lands, the portions of said district subdivided into park lots, plans of which have been registered, shall be separated from the municipality of the Township of Brant and shall be annexed to the municipal corporation of the Village of Hanover and shall have and enjoy all the rights, powers and privileges enjoyed and exercised by the inhabitants of the said village under the existing municipal laws of the Province of Ontario and any amendments thereto except where otherwise provided by this Act, subject however to the terms and conditions hereinafter mentioned.

Land annexed exempt from taxation for debenture debt.

2. All property liable for taxation situate within the said described territory shall be exempt from taxation in respect to and for the debenture debt of \$10,000 and interest thereon issued and created by the said Village of Hanover to pay a bonus of \$10,000 to the Knechtel Furniture Company, Limited.

Assessment of Ball Furniture Co. fixed.

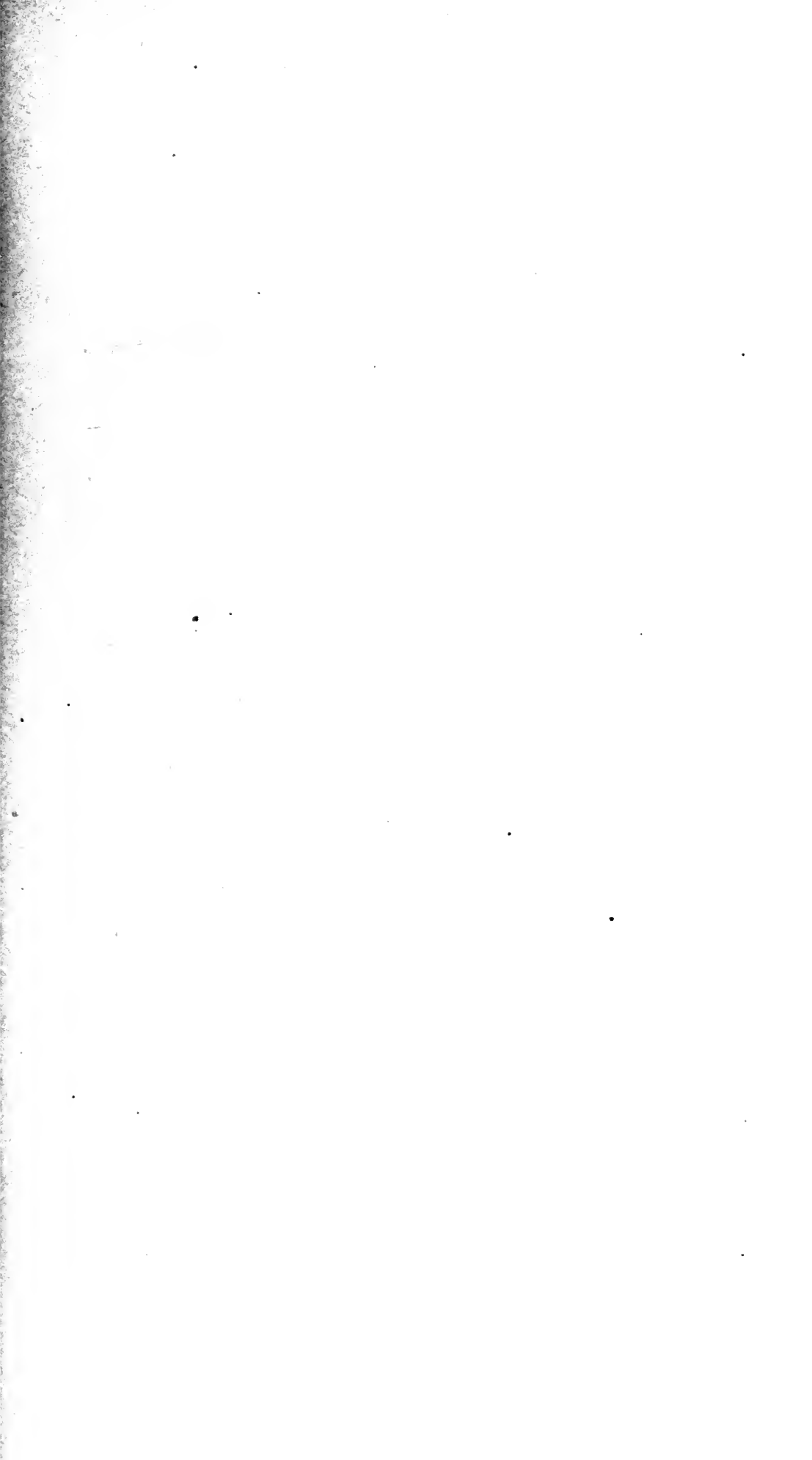
3. The assessment of the property of The Ball Furniture Company, Limited, situate within the said Village of Hanover after the said described territory is annexed shall be fixed at the sum of \$2000, for a period of ten years.

Rev. Stat. c. 223, what provisions of to apply.

4. Except as otherwise provided by this Act the provisions of *The Municipal Act* and amending Acts and all other general Acts respecting municipal institutions regard to matters consequent to additions made to incorporated villages by adding any part of the localities adjacent thereto by proclamation of the Lieutenant-Governor, shall apply to the said village when such territory is added in the same manner as they would have been applicable had the said addition been made by proclamation of the Lieutenant-Governor under the provisions of the said Act.

Expenses of Act.

5. The expenses of obtaining this Act and of furnishing any copies of any documents, writings, papers or any matter whatever required by the clerk or other officer of the said village or otherwise shall be borne by the said village and paid to any person entitled thereto.



1st Session, 10th Legislature,
3rd Edward VII, 1903.

BILL

An Act respecting the Village of Hanover

First Reading, , 1903.

(Private Bill.)

Mr. TRUAX.

TORONTO.

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

An Act respecting the Village of Hanover.

WHEREAS the Municipal Council of the Village of Preamble.
 Hanover and a majority of the residents and real estate owners in the adjoining territory within the boundaries hereinafter described have by their petitions represented that the extension of the limits of the said village by attaching thereto the portion of the Township of Brant hereinafter in this Act more particularly described, would greatly promote the future progress and prosperity of the inhabitants thereof, and insure to them a better administration of their public affairs and better protection from fire, and would render the boundaries of the said village more compact: and whereas the said adjoining territory has a population of *upwards of 325* inhabitants, and has within its limits two furniture factories, a grist mill, a wool-len mill and a large number of stores and other shops, and by its natural situation should be a part of the said incorporated village; and whereas the village council of the said village has been for some time protecting the property of the citizens of the said adjoining territory from fire by using the present system of waterworks of said village for such purpose; and whereas your petitioners are desirous that the said territory hereinafter described be annexed to the said village upon the terms and conditions hereinafter mentioned; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and Village of
Hanover to be
extended.
 consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. On and after the passing of this Act the lands lying within the limits described as follows, viz.:—The whole of what was farm lot number 73 in the first concession north of the Durham road in the Township of Brant, the whole of farm lot number 74 in said first concession north of the Durham road in said township; the north twenty-five acres of lot 73 in the first concession south of the Durham road in the said township; Description of
land to be
annexed.
 the whole of what was farm lot number 74 in said first concession south of the Durham road in said township, containing in all 175 acres of land, more or less, including all subdivisions and lots registered according to plans of said lands or portions thereof; also that portion of the highway known as the Durham road lying between the said con-

cessions in *the* said township and the lands fronting on *the* same; the part of the highway known as the boundary line between the Township of Brant and the Village of Hanover, in both of said concessions adjoining said lands; all other streets, alleys, squares, public roads or lanes laid out under municipal authority or by private parties within the boundaries of said lands, *and* the portions of *the* said district subdivided into park lots, plans of which have been registered, shall be separated from the municipality of the Township of Brant and shall be annexed to the Village of Hanover.

Land annexed
exempt from
taxation for
debenture
debt.

2. All property liable for taxation situate within the said described territory shall be exempt from taxation in respect to and for the debenture debt of \$10,000 and interest thereon issued and created by the said Village of Hanover to pay a bonus of \$10,000 to the Knechtel Furniture Company, Limited.

Rev. Stat.
c. 223, what
provisions of
to apply.

3. Except as otherwise provided by this Act the provisions of *The Municipal Act* and amending Acts and all other general Acts respecting municipal institutions with regard to matters consequent to additions made to incorporated villages by adding any part of the localities adjacent thereto by proclamation of the Lieutenant-Governor, shall apply to the said village^{as} as enlarged by this Actⁱⁿ in the same manner as they would have been applicable had the said addition been made by proclamation of the Lieutenant-Governor under the provisions of the said Act.

Expenses
of Act.

4. The expenses of obtaining this Act and of furnishing any copies of any documents, writings, papers or any matter whatever required by the clerk or other officer of the said village or otherwise shall be borne by the said village and paid to any person entitled thereto.

1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL

An Act respecting the Village of Hanover

First Reading, 24th April, 1903.

(Private Bill.)

(Reprinted as amended by Private Bills
Committee.)

Mr. TRUAX.

TORONTO :

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

An Act to incorporate the Fort Frances, Manitou
& Northern Railroad Company.

WHEREAS Anthony Blum, of the City of Boston, in the Preamble.
State of Massachusetts, miner, Lantie Vincent Blum, of
the City of Boston, State of Massachusetts, mine-owner,
Edward Weir Smith, of the City of Meriden, State of Con-
necticut, physician and director Trust Company, John G.
5 Mollath, 220 Broadway, New York City, Vice-President of
The National Trust Company of America, Harry Howard New-
comb, Pre-ident Massachusetts Loan Association, 35 Court St.,
Boston, Massachusetts, have by their petition prayed for an Act
10 of incorporation under the name of Fort Frances, Manitou and
Northern Railroad Company, for the purpose of constructing,
maintaining and operating a railway from a point on the
international boundary at or near Fort Frances, thence past
the Lower and Upper Manitou Lakes, Summit Lake and
15 Peake Lake, crossing the Canadian Pacific Railroad at or near
Dinorwic, touching near Big Sandy Lake, to a point at or
near Lac Seul, also branch roads in connection therewith, and
it has been represented that the line of railway of the com-
pany so to be incorporated will for the most part be con-
20 structed in the unorganized part of the Province of Ontario,
and it is proposed to operate the same by steam, electricity,
or other motive power; and whereas owing to the location
of the line of the said railway the provisions of *The Electric
Railway Act* are not applicable to the company so to be in-
25 corporated, and the said petitioners have prayed that there
may be conferred upon them the powers ordinarily given
upon the incorporation of a railway to be operated by steam;
and whereas for the reasons aforesaid the circumstances of
the said proposed line of railway are exceptional; and whereas
30 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 Anthony Blum, Lantie Vincent Blum, Edward Incorporation
35 Weir Smith, John G. Mollath, and Harry Howard Newcomb,
and such other persons as shall become provisional directors
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 "Fort Frances, Manitou and Northern Railroad Company," hereinafter called "the company."

Location
of line.

2. The company is hereby authorized and empowered to 5
survey, lay out, construct, build, equip and maintain a rail-
way to be operated by steam or electricity, with double or
single iron or steel tracks, from a point at or near the Village
of Fort Frances, thence following the canoe route, or by the
most feasible and practical route, past Lower Manitou Lake, 10
along the peninsula between Upper Manitou Lake and Mani-
tou Straits, crossing the rapids or navigable stream between
Upper Manitou Lake and Manitou Straits, past Summit
Lake, Peake Lake, Rock Island Lake, crossing the line of the
Canadian Pacific Railroad at a point at or near Dinorwic, to a 15
point at or near Big Sandy Lake, in a northerly direction to
a point at or near Minnetaka Lake, and to a point at or near
Lac Seul, also a branch road beginning on the main line herein
described at or near Manitou Lake, by the most feasible route
in an easterly direction to a point at or near the Sakoose 20
mine, to a point at or near the railroad line, running to Dymnt
Station, on the line of the Canadian Pacific Railroad, also a
branch road beginning on the main line of the road described
herein at a point at or near Upper Manitou Lake, by the most
feasible route to a point at, on or near the line of the Canadian 25
Pacific Railroad at or near Dryden. Also to build such other
branch roads as may be necessary or expedient to the proper
operation of the proposed railroad, and to exercise all the
powers, rights and privileges required therefor in as full and
ample a manner as for the main line of the said railway. 30
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 there- 35
in and in this Act contained, and under and subject to any
agreements between the company and the councils of the said
corporations and between the company and the road com-
panies (if any) interested in such highways; and the company
may make and enter into any agreement with any municipi- 40
pal corporation or road company as to the terms of occupancy
of any street or highway, subject to the provisions and con-
ditions contained in this Act, *The Electric Railway Act*, and
in *The Municipal Act* and any Act or Acts amending the 45
same; provided that *The Electric Railway Act* shall not
apply to the company except in so far as their railway is con-
structed along or upon a public highway.

Rev. Stat.
c. 209.

Rev. Stat.
c. 223.

Gauge.

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

4. (1) The said Anthony Blum, Wantie Vincent Blum, Edward Weir Smith, John G. Mollath and Harry Howard Newcomb 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.

Provisional
Directors.

(2) The said provisional directors shall have power to add to their number, or to substitute for any member of the said board of provisional directors (whether named in this Act, or by the said provisional directors) who may desire to resign or withdraw from his position as a provisional director of the company, any other person as a provisional director thereof; and all such persons as shall, from time to time, be provisional directors of the company, pursuant to the provisions of this Act, shall constitute the board of provisional directors thereof.

Adding to
number of.

(3) The first meeting of the board of provisional directors may be called upon notice signed by or on behalf of three provisional directors; such notice to be mailed to the said provisional directors at their respective places of address, as set forth in this Act, and the said board of provisional directors may, from time to time, pass resolutions or by-laws providing for the time, place or manner of calling future meetings of the said board of provisional directors.

First meeting
of.

5. The said board of provisional directors shall have power forthwith to open stock books and procure subscriptions of stock for the undertaking, and to allot the stock, and to receive payments on account of stock subscribed, and to make calls upon subscribers in respect of their stock, and to sue for and recover the same, and to cause plans and surveys to be made, and to receive for the company any grant, loan, bonus or gift made to it, or in aid of the undertaking, and to enter into any agreement respecting the conditions or disposition of any gift or bonus in aid of the railway, and shall have all such other powers as under *The Railway Act of Ontario* are vested in ordinary directors. The said provisional directors or a majority of them, or the board of directors to be elected as hereinafter mentioned, may, in their discretion, exclude anyone from subscribing for stock, who, in their judgment, would hinder, delay or prevent the company from proceeding with and completing their undertaking under the provisions of this Act, and if at any time a portion or more than the whole stock shall have been subscribed, the said provisional directors or board of directors shall allocate and apportion it amongst the subscribers as they shall deem most advantageous and conducive to the furtherance of the undertaking, and in such allocation the said directors may, in their discretion, exclude any one or more of the said subscribers, if, in their judgment, such exclusion will best secure the building of the

Powers of
provisional
directors.

Rev. stat. c.
297.

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 company.

Meetings
may be held
out of
Province.

6 The company, its provisional directors, directors and shareholders may hold any or all its meetings without the Province of Ontario if it is desirous. 5

Capital stock.

7. The capital stock of the company hereby incorporated shall be \$1,000,000 (with power to increase the same in the manner provided by *The Railway Act of Ontario*), to be divided into 10,000 shares, of one hundred dollars each, and shall be raised by the persons and corporations who may become shareholders in the company, and the money so raised shall be applied in the first place to the payment of all fees, expenses and disbursements of and incidental to the passing of this Act, and for making the surveys, plans and estimates connected with the work hereby authorized; and the remainder of the said money shall be applied to the making, equipping, completing and maintaining of the said railway, and to the other purposes of this Act. 10 15

Rev. stat. c,
207.

First general
meeting.

8. When and so soon as shares to the amount of \$50,000 of the 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 week's notice of such meeting by advertisement in the *Ontario Gazette*, and in at least one newspaper published in the district of Rainy River of the time, place and purpose of the said meeting. 20 25 30

Election of
directors.

9. 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 of the stock subscribed by them, shall elect not less than five, and not more than twelve persons, to be directors of the company in manner and qualified as hereinafter mentioned, who shall constitute a board of directors, and shall hold office until the next general annual meeting, and a majority of 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. 35 40 45

Rev. Stat. c.
207.

Qualification
of directors.

10. No person shall be qualified to be elected as such director by the shareholders unless he is a shareholder hold-

ing at least ten shares of stock in the company, and unless he has paid all claims thereon.

11. 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 of the company. Rights of aliens.

12. The directors may from time to time, make calls on the subscribed stock of the company, 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 such call, as is hereinafter provided in section 14 of this Act. Calls.

13. The head office of the company shall be in the City of Toronto in the Province of Ontario. Head office.

14. The general annual meeting of the shareholders of the company shall be held at the City of Toronto, or at such other place in the Province of Ontario 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, by publishing the same in the *Ontario Gazette* and once a week in one newspaper published in the District of Rainy River during the four weeks immediately preceding the week in which such meeting is to take place. General Annual Meeting, where held.

15. Special general meetings of the shareholders of the company may be held at such places, at such times, 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.

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. Voting at meetings.

17. 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 shall be actually paid thereon within one month after subscription. Subscriptions for stock, when binding.

18. 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 script certificates issued in respect of shares intended to be transferred are Transfer of shares.

surrendered to the company, or the surrender thereof dispensed with by the company.

Bonds.

19. The directors of the company shall have power to issue bonds of the company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all the sum of \$20,000 for each mile of the said railway and branches, and the provisions of subsections 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 subsections.

Rev. Stat.
c. 207.

Bonds, etc.,
how payable.

20. All such bonds, debentures and other securities and coupons, and interest warrants thereon, respectively, may be made payable to bearer and transferable by delivery, and any holder of any such securities so made payable to bearer, may sue at law thereon in his own name.

Negotiable
instruments.

21. The company shall have power and authority to become parties to promissory notes and bills of exchange for sums not less than \$100, and any such promissory note or bill of exchange made, accepted, or endorsed by the president 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 said 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 said company to issue any promissory note or bill of exchange payable to bearer, or intended to be circulated as money, or as the notes or bills of a bank.

Mortgaging or
pledging
bonds.

22. The company may from time to time, for advances of money to be made thereon, mortgage or pledge any bonds which they may be enabled, under the powers of this Act, to issue for the construction of the said railway.

Contracts
with other
corporations,
etc.

23. The directors may enter into a contract or contracts with any individual, corporation or association of individuals for the construction or equipment of a railway, or any part thereof, including or excluding the purchase of right of way,

and may pay therefor, either in whole or in part, either in cash or bonds, or in paid-up stock, and may pay, or agree to pay, in paid-up stock or in bonds of the company, such sums as they may deem expedient to engineers, or for the right of way, or material, plant or rolling stock, and also for the services of the promoters or other persons who may be employed by the directors for the purpose of assisting the directors and 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, provided that no such contract shall be of any force or validity unless first authorized by resolution passed by the votes of the shareholders in person or by proxy, representing two-thirds in value of the subscribed capital stock, and on which no call is in default and unpaid, at a general meeting specially called for that purpose.

24. 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 the said sections of said railway, or portions of said railway, all and every of the clauses of the said railway Act and the amendments thereof applied to, included in or incorporated with this Act, shall apply and extend to any and each of such sections or portions of the said railway as fully and effectually as if the surveys and levels had been taken and made of the lands through which the whole of the said railway is to pass, together with the map or plan of the whole thereof, and of their whole course and direction, and of the lands intended to be passed over and taken, and the book of reference of the whole of the said 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.

25. 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 at a greater advantage

Plans and surveys.

Rev. Stat. c. 207.

Acquiring land for stations, gravel pits, etc.

than by purchasing sufficient land for 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.

Acquiring
land for
stone,
gravel, etc.

26 When stone, gravel, earth or sand is or are required for the construction or maintenance of said railway, or any part thereof, then 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 the case of acquiring the roadway, and the notice of arbitration, the tender of compensation and the award 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 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.

Rev. Stat.
c. 207.

Sidings to
gravel pits.

27. (1) When said gravel, stone, earth or sand shall be taken under the preceding section of this Act, at a distance from the line of railway, the company may lay down the necessary sidings and tracks over any land which may intervene between the railway and the lands on which said material shall be found, whatever the distance may be; and all the provisions of the *Railway Act of Ontario*, and of this Act, except such as relate to filing plans and publications of notice, shall apply and may be used and exercised to obtain the right of way from the railway to the lands on which such materials are situated; and such right of way 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.

Damages.
Rev. Stat.
c. 207.

(2) When estimating the damages for taking off gravel, stone, earth or sand, subsection 9 of section 20 of *The Railway Act of Ontario* shall not apply.

28. The company may also construct an electric, tele-
 graph line and a telephone line throughout and along the
 whole line of their railway and branches thereof, or any part
 of said railway or branches, and for the purpose of construct-
 5 ing, 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
 of the Revised Statutes of Ontario, 1897, are hereby con-
 10 ferred upon the company; provided that no poles shall be
 erected in the construction of either of the said lines in or
 through any city, town or incorporated village, without the
 consent of the council of such city, town or village being first
 obtained by the company; and the company may undertake
 15 the transmission of messages for the public by such line or
 lines of telegraph or telephone and collect tolls for so doing.
 And, with the consent of the Lieutenant-Governor in Council
 may enter upon, use, occupy and enjoy any unoccupied lands of
 the Crown for any or all the purposes aforesaid.

Electric,
 telegraph,
 and telephone
 lines.

29. The company shall have power and authority:—
 20 (1) To purchase land for, and erect power houses, ware-
 houses, elevators, docks, stations, workshops, machine shops,
 foundries and offices, and to sell and convey such land as may
 be found unnecessary for any such purpose; and the company
 shall have power to build, own, operate and hold as part of
 25 the property of the company, as many steam or other
 vessels as the directors of the company may deem requisite,
 from time to time to facilitate the carriage of passengers,
 freight and other traffic in connection with the railway.

General
 powers.
 Acquiring
 lands for
 power-houses,
 elevators,
 offices, etc.

(2) To erect and maintain all necessary and convenient
 30 buildings, stations, depots, wharves and fixtures, and from
 time to time to alter, repair or enlarge the same, and to build,
 purchase and acquire motors, engines, carriages, wagons and
 other machinery and contrivances necessary or convenient for
 the working of the railway and the accommodation and use of
 35 the passengers, freight and business of the railway.

Erect
 necessary
 buildings.

(3) To construct, maintain and operate works for the pro-
 duction of electricity for the motive power of the said rail-
 way, and for the lighting and heating the rolling stock and
 other property of the company.

Powers as to
 production
 and use of
 electricity.

40 (4) To sell or lease in the unorganized territory, and in
 any municipality where such sale or lease is authorized by
 by-law of the council of the municipality, and subject to the
 terms and conditions of such by-law, any such electricity not
 required for the purposes aforesaid, to any person or corpora-
 45 tion; 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

Lease or sell
 electricity
 not required
 for railway.

Rev. Stat.
c. 200.

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

Acquiring
rights for
conveying
electricity.

(5) To acquire by purchase or lease 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 said works, or any part thereof, or of the railway may be situate, and under and subject to any by-law or by-laws of the council of such municipality passed in pursuance thereof; and, with the consent of the Lieutenant-Governor in Council to enter upon, use, occupy and enjoy any unoccupied lands of the Crown for any or all the purposes aforesaid. 10 15 20 25

Conveyance
of land to
company.

30. 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 conveyances 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 duplicate thereof. 30 35

Construction
of railway
on streets.

31. (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 section 2 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 40 45

cars, carriages, engines, motors or machines aforesaid shall be so constructed, erected, laid down and arranged as to impede or incommode the public use of such street, highway or public place as little as possible, and so as not to be a nuisance thereto, nor to interfere with the free access to any house or other building erected in the vicinity of the same; and the electric and other appliances shall be of such an improved manufacture, and so placed as to avoid, so far as possible, any danger to building or other property. 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 river or water.

(2) The by-laws mentioned in section 2, and in sub-section 5 of section 29, and in this section shall be subject to the conditions and provisions of section 632 of *The Municipal Act*. Rev. stat. c. 223.

32. 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. Power to erect snow fences.

33. It shall be lawful for the directors of the company to enter into any 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 enter into agreements with any railway company or companies, if so lawfully authorized, for the use by one or more of such contracting companies of the locomotives, carriages, rolling stock and other moveable property of the other or others of them, on such terms as to compensation or otherwise, as may be agreed on. Agreements with other companies for leasing or hiring rolling stock.

34. The company is authorized to contract and agree with The Canadian Pacific Railway Company, The Grand Trunk Railway Company of Canada, The Ontario Hudson's Bay and Western Railways Company, The Algoma Central Railway Company, The Canada Northern Railway Company, The Canada Western Railway Company, and any other railway company the lines of which are approached or crossed by the line or lines of the company, if lawfully authorized to enter into such arrangements, for amalgamation with any or either of them, provided that no such contract shall be of any force or Agreements for amalgamation with other railways, etc.

validity unless first authorized by resolution passed by the votes of the shareholders in person or by proxy, representing two-thirds in value of the subscribed capital stock and on which no call is in default and unpaid at a general meeting especially called for that purpose.

5

Agreements
for connection
with other
railways and
lease of
railways, etc.

35. The company shall have power to agree for connection and make running arrangements with the Canadian Pacific Railway Company, The Grand Trunk Railway Company of Canada, The Ontario Hudson's Bay and Western Railways Company, The Algoma Central Railway Company, The Can- 10
ada Northern Railway Company, The Canada Western Rail-
way Company, and any other railway company, the lines of
which are approached or crossed by the line or lines of the
company, if lawfully empowered to enter into such agree-
ments, upon terms to be first authorized by two-thirds in 15
value of the shareholders at a special general meeting to be
held for that purpose, and it shall also be lawful for the
company to enter into any agreement with any or either of
the said railway companies, if lawfully authorized to enter in-
to such an agreement, for the sale or leasing or hiring of the 20
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 one
company to the other, and the compensation therefor, if the 25
arrangements and agreements shall be so authorized by two-
thirds in value of the shareholders voting in person or by proxy,
at a special general meeting called for that purpose; and such
agreement shall be valid and binding, according to the terms
and tenor thereof; and the company purchasing, leasing or 30
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 or in the preceding section shall be con-
strued as purporting or intending to confer rights or powers 35
upon any company which is not within the legislative author-
ity of the Province of Ontario.

Agreements
to sell, lease,
etc., to be sub-
ject to terms
of special
Acts and reg-
ulations of
Lieut.-Gov-
ernor in
Council.

36. The authority and power conferred on the company by this Act to enter into agreements with any other railway company for connections, running arrangements, sale, lease, 40
amalgamation, or hiring of the said railway, or to sell, or
lease, or transmit electrical power, shall be subject to such
terms, conditions and regulations, as may be provided and
enacted by any general or special Act or Acts which may at
the time such agreement is entered into be in force, and to 45
such terms, conditions and regulations, general or special, as
the Lieutenant-Governor in Council, or any special committee
of the Executive Council of Ontario, appointed for that pur-
pose, may from time to time order.

37. The company may receive from any government, or from any persons or bodies corporate, municipal or politic, who have power to grant, 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 from government or municipality, etc.

38. 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 bonus to railways.

Aid from municipalities

39. Such by-law shall be submitted by the municipal council to the vote of the ratepayers in manner following, namely:

Submitting bonus by-law to ratepayers.

(1) The proper petition shall first be presented to the council, expressing the desire to aid the railway, and stating in what way and for what amount: and the council shall within six weeks after the receipt of such petition by the clerk of the municipality, introduce a by-law to the effect petitioned for and submit the same to the approval of the qualified voters.

(2) In the case of a county municipality, the petition shall be that of a majority of the members of the county council or of fifty resident freeholders, in each of the minor municipalities of the county, who are qualified voters under *The Municipal Act* and the amendments thereto.

Rev. Stat c. 223.

(3) In the case of other municipalities, the petition shall be that of a majority of the council thereof, or of fifty resident freeholders, being duly qualified voters under *The Municipal Act* and the amendments thereto as aforesaid.

Rev. Stat c. 223

(4) In the case of a section of a township municipality the petition is to be presented to the council, defining the section by metes and bounds, or lots and concessions, and shall be that of a majority of the council of such township municipality or of fifty resident freeholders in such section of the municipality being duly qualified voters as aforesaid.

40. Such by-law shall in each instance provide:

Bonus by-law what to contain.

(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.

5

(2) For assessing and levying upon all rateable property lying within the municipality, or portion of the township municipality defined in such 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.

Deposit to be made before by-law submitted if required

41. 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.

Council to pass by-law if asserted to by ratepayers

42. 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.

Issue of debentures

43. Within one month after the passing of such by-law the said council, mayor, warden, reeve or other officer 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.

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Levying rate on portion of municipality.

44. In case any 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 said municipality.

30

Application of Provisions of R.-v. Stat. c. 223.

45. The provisions of the Municipal Act and the amendments thereto, so far as the same are not inconsistent with this Act, shall apply to any by law so passed by or for a portion of a township municipality to the same extent as if the same had been passed by or for the whole municipality.

35

Councils may extend time for commencement.

46. 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 that stipulated for in the by-law or by laws granting such aid from time to time ; provided that no such extension shall be for a longer period than one year.

40

47. It shall and may be lawful for the council of any municipality that may grant aid by way of bonus to the company, by resolution or by-law, to extend the time for the completion of the works (on the completion of which the company would be entitled to said bonus), from time to time, provided that no such extension shall be for a longer period than one year at a time.

Councils may extend time for completion.

48. Any municipality or portion of a township municipality interested in the construction of the railway of the company, may grant aid by way of bonus to the company towards the construction of such railway, notwithstanding that such aid may increase the municipal taxation of such municipality, or portion thereof, beyond what is allowed by law; provided that such aid shall not require the levying of a greater aggregate annual rate for all purposes exclusive of school rates than three cents in the dollar upon the value of the rateable property therein.

Extent of aid from municipalities.

Proviso.

49. 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 railway 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.

Municipality may exempt railway from taxes, etc.

50. 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 said railway; and the said 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.

Gift of lands.

51. Whenever any municipality or portion of a township municipality shall grant aid by way of bonus or gift to the 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 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

Issue of debentures.

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 5 after notice in writing to him of the appointment of the other trustee, 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 10 Council, and in case any trustee dies or resigns his trust, or goes to live outside the Province of Ontario, or otherwise becomes incapable of acting, his trusteeship shall become vacant and a new trustee may be appointed by the Lieutenant-Governor in Council. 15

Trusts of proceeds of debentures.

52. The said trustees shall receive the said debentures or bonds in trust, firstly under the direction of the company, but subject to the conditions of the by-laws in relation thereto as to time or manner, to convert the same into money or otherwise dispose of them; secondly to deposit the debentures or amount realized from the sale in some chartered bank having an office in the Province of Ontario in the name of Fort Frances, Manitou and Northern Railroad Company, and to pay the same out to the company from time to time as the company becomes entitled thereto, under the conditions 20 of the by-law granting the said bonus, and on the certificate of the chief engineer of the said railway for the time being, in the form set out in schedule "B." hereto, or to the like effect, which certificate shall set forth that the conditions of the by-law have been complied with, and is to be attached to 30 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 35 any person who may sue therefor.

Fees of Trustees.

53. The trustees shall be entitled to their usual fees and charges from the said Trust Fund. The act of any two of such trustees shall be as valid and binding as if the three had agreed.

Receiving back charges on goods.

54. The company shall have power to collect and receive 40 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 45 be subrogated by such payment in all the rights and remedies of such persons for such charges.

Rev. Stat. c. 209.

55. Save as expressly provided by this Act the provisions of *The Electric Railway Act* shall not apply to the company

hereby incorporated, but the several clauses of *The Railway Act of Ontario*, and of every Act in amendment thereof, shall be incorporated with and be deemed to be part of this Act, and shall apply to the company and to the railway to
 5 be constructed by them, except only so far as they may be inconsistent with the express enactments hereof; and the expression "this Act," when used herein, shall be understood to include the clauses of the said Railway Act and of every Act in amendment thereof so incorporated with this Act.

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

10 **56.** The railway hereby authorized shall be commenced within three years and finished and put in operation within seven years after the passing of this Act, and in default thereof the powers hereby conferred shall absolutely cease with respect to so much of the railway as shall then remain
 15 incomplete.

Commence-
 ment and
 completion of
 line.

57. Notwithstanding anything contained in this Act, or in any Statute of the Province, no municipality shall have the power to grant the said railway any exclusive rights, privileges or franchise as to transmission of electrical energy
 20 for power, light and heat over or across any public highway or street in said municipality.

Exclusive
 right of trans-
 mission of
 electrical
 power across
 streets not to
 be granted.

SCHEDULE A.

Know all men by these presents that I (or we) (insert the name or names of the vendor or vendors) in consideration of _____ dollar to me (or us) by the Fort Francis, Manitou & Northern Railroad 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 purpose of its railway, to hold with the appurtenances unto the said The Fort Francis, Manitou & Northern Railroad Company, their successors and assigns for ever (here insert any other clauses, covenants and conditions required) and I (or we) the wife (or wives) of the said _____ do hereby bar my (or our) dower in the said lands.

As Witness my (or our) hand and seal (or hands and seals) this _____ day of _____ one thousand nine hundred and three.

Signed, sealed and delivered in
 The presence of _____

SCHEDULE B.

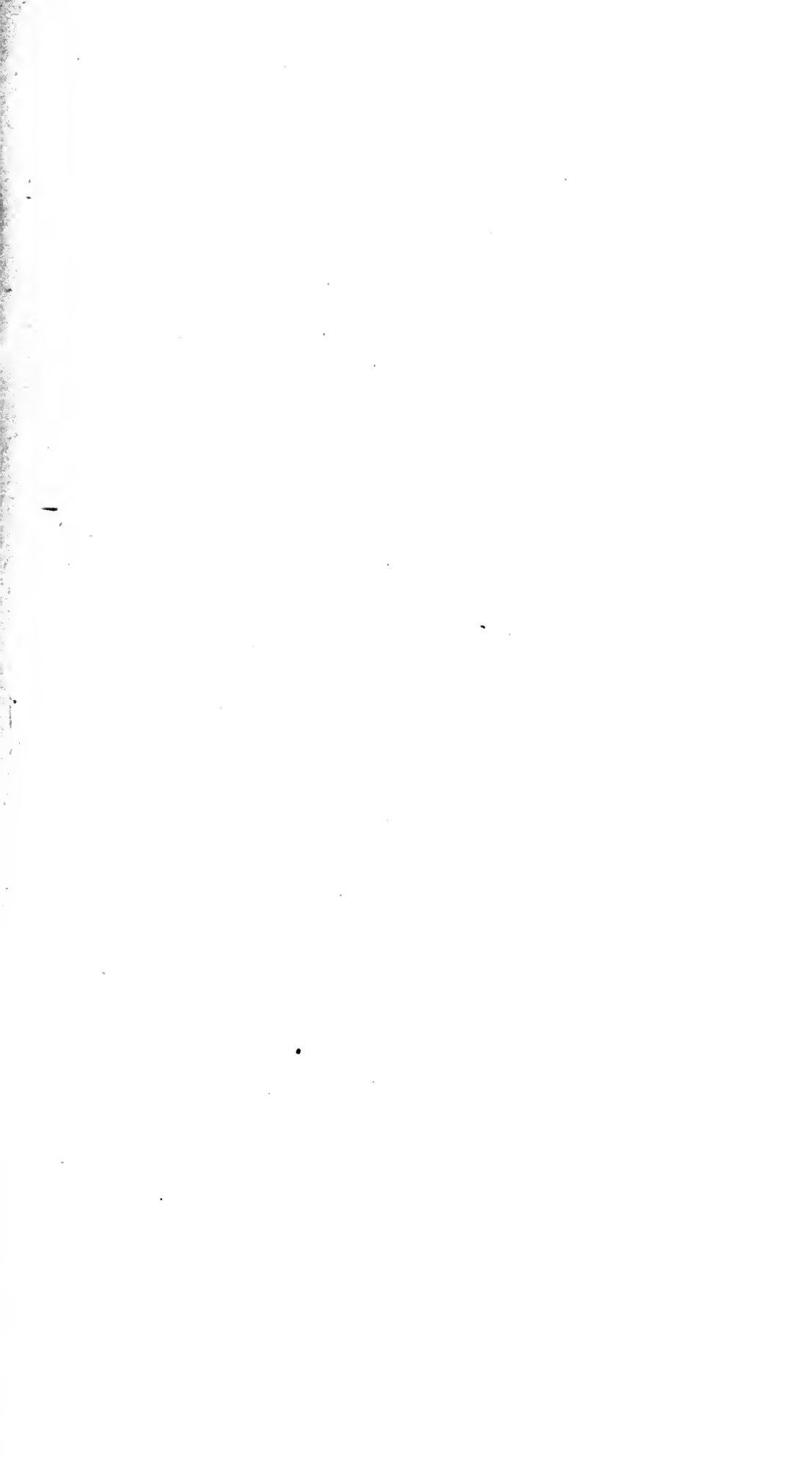
CHIEF ENGINEER'S CERTIFICATE.

Fort Francis, Manitou & Northern Railroad Company's Office.
 No. _____ A.D. 1903.

Engineer's Department.

Certificates to be attached to cheques drawn on Fort Frances, Manitou and Northern Railroad Company Municipal Trust account given under section _____, chapter _____, of the Acts of the Legislature of Ontario, passed in the _____ year of His Majesty's reign.

I, _____ chief engineer of Fort Frances, Manitou and Northern Railroad 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 _____, 1903, 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).



1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting The Fort Frances,
Manitou and Northern Railroad
Company.

First Reading, _____, 1903

(Private Bill.)

Mr. CAMERON,
Ft. William.

TORONTO:

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

An Act to incorporate The Fort Frances, Manitou
and Northern Railway Company.

WHEREAS Anthony Blum, of the City of Boston, in the Preamble.
State of Massachusetts, miner, Lantie Vincent Blum, of
the City of Boston, State of Massachusetts, mine-owner,
Edward Weir Smith, of the City of Meriden, State of Con-
necticut, physician and director Trust Company, John G.
Mollath, 220 Broadway, New York City, Vice-President of
The National Trust Company of America, Harry Howard New-
comb, President Massachusetts Loan Association, 35 Court St.,
Boston, Massachusetts, have by their petition prayed for an Act
of incorporation under the name of *The Fort Frances, Manitou
and Northern Railway Company*, for the purpose of construct-
ing, maintaining and operating a railway from a point at
or near Fort Frances, thence past the Lower and Upper
Manitou Lakes, Summit Lake, Peake Lake, ^{and} and Rock
Island Lake to a point at or near Dinorwic Station on the
line of The Canadian Pacific Railway ^{also} ^{also} a branch
line beginning on the main line herein described at or near
Manitou Lake, by the most feasible route in an easterly direc-
tion to a point at or near the Sakoo e mine, thence to a point
at or near the railway line running to Dyment Station on the
line of the Canadian Pacific Railway; also a branch line
beginning on the main line of the railway described herein at
a point at or near Upper Manitou Lake, by the most feasible
route to a point at or near the line of The Canadian Pacific
Railway at or near Dryden, and to construct other branch lines
none of which are to exceed twelve miles in length: and ^{and}
it has been represented that the line of railway of the com-
pany so to be incorporated will for the most part be con-
structed in the unorganized part of the Province of Ontario,
and it is proposed to operate the same by steam, electricity,
or other motive power; and whereas owing to the location
of the line of the said railway the provisions of *The Electric
Railway Act* are not applicable to the company so to be in-
corporated, and the said petitioners have prayed that there
may be conferred upon them the powers ordinarily given
upon the incorporation of a railway to be operated by steam;
and whereas for the reasons aforesaid the circumstances of
the said proposed line of railway are exceptional; and whereas
it is expedient to grant the prayer of the said petition:

Therefore 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 Anthony Blum, Lantie Vincent Blum, Edward Weir Smith, John G. Mollath, and Harry Howard Newcomb, 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 Fort Frances, Manitou and Northern Railway Company*," hereinafter called "the company."

Location of line.

2. The company is hereby authorized and empowered to survey, lay out, construct, build, equip and maintain a railway to be operated by steam or electricity, or other motive power with double or single iron or steel tracks, from a point at or near the Village of Fort Frances, thence by the most feasible and practical route, past Lower Manitou Lake, along the peninsula between Upper Manitou Lake and Manitou Straits, crossing the rapids or navigable stream between Upper Manitou Lake and Manitou Straits, past Summit Lake Peake Lake and Rock Island Lake, ⁴²⁷ to a point at or near Dinorwic Station on the line of The Canadian Pacific Railway; ⁴²⁸ also a branch line beginning on the main line herein described at or near Manitou Lake, by the most feasible route in an easterly direction to a point at or near the Sakoose mine, thence to a point at or near the railway line running to Dymont Station, on the line of the Canadian Pacific Railway, also a branch line beginning on the main line of the railway described herein at a point at or near Upper Manitou Lake, by the most feasible route to a point at, on or near the line of the Canadian Pacific Railway at or near Dryden; ⁴²⁹ and to construct other branch lines none of which are to exceed twelve miles in length, ⁴³⁰ and to exercise all the powers, rights and privileges required therefor in as full and ample a manner as for the main line of the said railway. And the said railway, or any part thereof, so far as the same may be operated by electricity, may be carried along and upon such public highways as may be authorized by the by-laws of the respective corporations having jurisdiction over the same, and subject to the restrictions and provisions therein and in this Act contained, and under and subject to any agreements between the company and the councils of 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, *The Electric Railway Act*, and in *The Municipal Act* and any Act or Acts amending the

same; provided that *The Electric Railway Act* shall not apply to the company except in so far as their railway is constructed along or upon a public highway. Rev. Stat. c. 224.

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

4. (1) The said Anthony Blum, Lantie Vincent Blum, Edward Weir Smith, John G. Mollath and Harry Howard Newcomb 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. Provisional Directors.

(2) The said provisional directors shall have power to add to their number, or to substitute for any member of the said board of provisional directors (whether named in this Act, or by the said provisional directors) who may desire to resign or withdraw from his position as a provisional director of the company, any other person as a provisional director thereof; and all such persons as shall, from time to time, be provisional directors of the company, pursuant to the provisions of this Act, shall constitute the board of provisional directors thereof. Adding to number of.

(3) The first meeting of the board of provisional directors may be called upon notice signed by or on behalf of three provisional directors; such notice to be mailed to the said provisional directors at their respective places of address, as set forth in this Act, and the said board of provisional directors may, from time to time, pass resolutions or by-laws providing for the time, place or manner of calling future meetings of the said board of provisional directors. First meeting of.

5. The said board of provisional directors shall have power forthwith to open stock books and procure subscriptions of stock for the undertaking, and to allot the stock, and to receive payments on account of stock subscribed, and to make calls upon subscribers in respect of their stock, and to sue for and recover the same, and to cause plans and surveys to be made, and to receive for the company any grant, loan, bonus or gift made to it, or in aid of the undertaking, and to enter into any agreement respecting the conditions or disposition of any gift or bonus in aid of the railway, and shall have all such other powers as under *The Railway Act of Ontario* are vested in ordinary directors. The said provisional directors, or a majority of them, or the board of directors to be elected as hereinafter mentioned, may, in their discretion, exclude anyone from subscribing for stock, who, in their judgment, would hinder, delay or prevent the company from proceeding with and completing their undertaking under the provisions Powers of provisional directors. Rev. stat. c. 207.

of this Act, and if at any time a portion or more than the whole stock shall have been subscribed, the said provisional directors or board of directors shall allocate and apportion it amongst the subscribers as they shall deem most advantageous and conducive to the furtherance of the undertaking, and in such allocation the said directors may, in their discretion, exclude any one or more of the said subscribers, if, in their judgment, such exclusion will best secure the building of the said railway; and all meetings of the provisional board of directors shall be held at the City of Toronto, or at such other place as may best suit the interests of the company.

Capital stock. 6. The capital stock of the company hereby incorporated shall be \$1,000,000 (with power to increase the same in the manner provided by *The Railway Act of Ontario*), to be divided into 10,000 shares, of one hundred dollars each, and shall be raised by the persons and corporations who may become shareholders in the company, and the money so raised shall be applied in the first place to the payment of all fees, expenses and disbursements of and incidental to the passing of this Act, and for making the surveys, plans and estimates connected with the work hereby authorized; and the remainder of the said money shall be applied to the making, equipping, completing and maintaining of the said railway, and to the other purposes of this Act.

Rev. stat. c.
207.

First general meeting.

7. When and so soon as shares to the amount of \$100,000 of the 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 week's notice of such meeting by advertisement in the *Ontario Gazette*, and in at least one newspaper published in the district of Rainy River of the time, place and purpose of the said meeting.

Election of directors.

8. 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 of the stock subscribed by them, shall elect not less than five and not more than twelve persons, to be directors of the company in manner and qualified as hereinafter mentioned, who shall constitute a board of directors, and shall hold office until the next general annual meeting, and a majority of the directors shall form a quorum of the board, and may pass such rules, regulations and by-laws as may be deemed expedient, and are not inconsistent with this Act and *The Railway Act of Ontario*, and the said Board

Rev. Stat. c.
207.

may employ and pay one of their number as managing director.

9. No person shall be qualified to be elected as such director by the shareholders unless he is a shareholder holding at least ten shares of stock in the company, and unless he has paid up all claims thereon. Qualification of directors.

10. 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 of the company. Rights of aliens.

11. The directors may from time to time, make calls on the subscribed stock of the company, 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 such call, as hereinafter provided in section 14 of this Act. Calls

12. The head office of the company shall be in the City of Toronto in the Province of Ontario. Head office.

13. The general annual meeting of the shareholders of the company shall be held at the City of Toronto, or at such other place in the Province of Ontario 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, by publishing the same in the *Ontario Gazette* and once a week in one newspaper published in the District of Rainy River during the four weeks immediately preceding the week in which such meeting is to take place. General Annual Meeting, where held.

14. Special general meetings of the shareholders of the company may be held at such places, at such times, 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

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. Voting at meetings.

16. 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 shall be actually paid thereon within one month after subscription. Subscriptions for stock, when binding.

Transfer of shares.

17. 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.

Bonds.

18. The directors of the company shall have power to issue bonds of the company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all the sum of \$20,000 for each mile of the said railway and branches, and the provisions of subsections 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 subsections.

Rev. Stat. c. 207.

Bonds, etc., how payable.

19. All such bonds, debentures and other securities and coupons, and interest warrants thereon, respectively, may be made payable to bearer and transferable by delivery, and any holder of any such securities so made payable to bearer, may sue at law thereon in his own name.

Negotiable instruments.

20. The 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 said 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 said company to issue any promissory note or bill of exchange payable to bearer, or intended to be circulated as money, or as the notes or bills of a bank.

Mortgaging or pledging bonds.

21. 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.

22. The directors may enter into a contract or contracts with any individual, corporation or association of individuals for the construction or equipment of the railway, or any part thereof, including or excluding the purchase of right of way, and may pay therefor, either in whole or in part, either in cash or bonds, or in paid-up stock, and may pay, or agree to pay, in paid-up stock or in bonds of the company, such sums as they may deem expedient to engineers, or for the right of way, or material, plant or rolling stock, and also for the services of the promoters or other persons who may be employed by the directors for the purpose of assisting the directors and 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, provided that no such contract shall be of any force or validity unless first authorized by resolution passed by the votes of the shareholders in person or by proxy, representing two-thirds in value of the subscribed capital stock, and on which no call is in default and unpaid, at a general meeting specially called for that purpose.

Contracts
with other
corporations,
etc.

23. 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 the said sections of said railway, or portions of said railway, all and every of the clauses of the said railway Act and the amendments thereof applied to, included in or incorporated with this Act, shall apply and extend to any and each of such sections or portions of the said railway as fully and effectually as if the surveys and levels had been taken and made of the lands through which the whole of the said railway is to pass, together with the map or plan of the whole thereof, and of their whole course and direction, and of the lands intended to be passed over and taken, and the book of reference of the whole of the said railway had been taken, made, examined, certified and deposited according to the said clauses of the said Railway Act and the amendments thereof, with respect to plans and surveys.

Plans and
surveys.

Rev. Stat.
c. 207.

24. Whenever it shall be necessary for the purpose of procuring sufficient land for stations or gravel pits or for con-

Acquiring
land for
stations.

gravel pits,
etc.

structing, 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 at a greater advantage than by purchasing sufficient land for 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.

Acquiring
land for
stone,
gravel, etc.

25 When stone, gravel, earth or sand is or are required for the construction or maintenance of said railway, or any part thereof, the company may, in case they cannot agree with the owner of the lands on which the same are situate for the purchase thereof, cause an Ontario land surveyor to make a map and description of the property so required, and they shall serve a copy thereof with their notice of arbitration, as in the case of acquiring the roadway, and the notice of arbitration, the tender of compensation and the award 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 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.

Rev. Stat.
c. 207.

Sidings to
gravel pits.

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 railway, the company may lay down the necessary sidings and tracks over any land which may intervene between the railway and the lands on which said material shall be found, whatever the distance may be; and all the provisions of *The Railway Act of Ontario*, and of this Act, except such as relate to filing plans and publications of notice, shall apply and may be used and exercised to obtain the right of way from the railway to the lands on which such materials are situated; and such right of way 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. Damages.
Rev. Stat.
c. 207.

27. The company may also construct an electric telegraph line and a telephone line throughout and along the whole line of their railway and branches thereof, or any part of said railway or branches, and for the purpose of constructing, working and protecting the said telegraph and telephone lines, the powers conferred upon telegraph companies by *The Act Respecting Telegraph Companies*, being Chapter 192 of the Revised Statutes of Ontario, 1897, are hereby conferred upon the company; provided that no poles shall be erected in the construction of either of the said lines in or through any city, town or incorporated village, without the consent of the council of such city, town or village being first obtained by the company; and the company may undertake the transmission of messages for the public by such line or lines of telegraph or telephone and collect tolls for so doing. And, with the consent of the Lieutenant-Governor in Council may enter upon, use, occupy and enjoy any unoccupied lands of the Crown for any or all the purposes aforesaid. Electric,
telegraph,
and telephone
lines.

28. The company shall have power and authority:—

(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 unnecessary for any such purpose: and the company shall have power to build, own, operate and hold as part of the property of the company, as many steam or other vessels as the directors of the company may deem requisite, from time to time to facilitate the carriage of passengers, freight and other traffic in connection with the railway. General
powers.
Acquiring
lands for
power-houses,
elevators,
offices, 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, wagons and other machinery and contrivances necessary or convenient for the working of the railway and the accommodation and use of the passengers, freight and business of the railway. Erect
necessary
buildings.

(3) To lease or purchase and acquire water powers within twenty miles of the railway and branches thereof herein authorized, and 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 in the unorganized territory, and in any municipality where such sale or lease is authorized by law of Lease or sell
electricity
not required
for railway.

the council of the municipality, and subject to the terms and conditions of such by law, 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.

R. ev. Stat.
c. 200.

Acquiring
rights for
conveying
electricity.

(5) To acquire by purchase or lease 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 said works, or any part thereof, or of the railway may be situate, and under and subject to any by-law or by-laws of the council of such municipality passed in pursuance thereof; and, with the consent of the Lieutenant-Governor in Council to enter upon, use, occupy and enjoy any unoccupied lands of the Crown for any or all the purposes aforesaid.

Conveyance
of land to
company.

29. 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 duplicate thereof.

Construction
of railway
on streets.

30. (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 section 2 of this Act, and of any by-law or by-laws of the council of said municipality to be passed in pursuance thereof; and in all such cases any and every work, matter or thing in connection with electricity or other motor power, and the application and using thereof in so constructing, operating and working such railway, or the cars, carriages, engines, motors or machines aforesaid shall be so constructed, erected, laid down and arranged as to impede or incommode the public use of such street, highway or public place as little as possible, and so as not to be a nuisance thereto, nor to interfere with the free access to any house or other building erected in the vicinity of the same; and the electric and other appliances shall be of such an improved manufacture, and so placed as to avoid, so far as possible, any danger to buildings or other property. 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 river or water.

(2) The by-laws mentioned in section 2, and in sub-section 5 of section 28, and in this section shall be subject to the conditions and provisions of section 632 of *The Municipal Act*. Rev. stat. c. 223.

31. 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 Power to erect snow fences.

32. It shall be lawful for the directors of the company to enter into any *agreement or* agreements with any other company or companies if lawfully authorized to enter into such agreements, or with any person or persons, for leasing, hiring or use of any locomotives, carriages, rolling stock and other moveable property from such companies or persons for such time or times, and on such terms as may be agreed on, and also to enter into agreements with any railway company or companies, if so lawfully authorized, for the use by one or more of such contracting companies of the locomotives, carriages, rolling stock and other moveable property of the other or others of them, on such terms as to compensation or otherwise, as may be agreed on. Agreements with other companies for leasing or hiring rolling stock.

33. The company is authorized to contract and agree with The Canadian Pacific Railway Company, The Grand Trunk Railway Company of Canada, The Ontario Hudson's Bay and Western Railways Company, The Algoma Central Railway Agreements for amalgamation with other railways, etc.

Company, The Canada Northern Railway Company, The Canada Western Railway Company, and any other railway company the lines of which are approached or crossed by the line or lines of the company, if lawfully authorized to enter into such arrangements, for amalgamation with any or either of them, provided that no such contract shall be of any force or validity unless first authorized by resolution passed by the votes of the shareholders in person or by proxy, representing two-thirds in value of the subscribed capital stock and on which no call is in default and unpaid at a general meeting especially called for that purpose.

Agreements
for connection
with other
railways and
lease of
railways, etc.

34. The company shall have power to agree for connections and *making* running arrangements with the Canadian Pacific Railway Company, The Grand Trunk Railway Company of Canada, The Ontario Hudson's Bay and Western Railways Company, The Algoma Central Railway Company, The Canada Northern Railway Company, The Canada Western Railway Company, and any other railway company, the lines of which are approached or crossed by the line or lines of the company, if lawfully empowered to enter into such agreements, upon terms to be first authorized 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 company to enter into any agreement with any or either of the said railway companies, if lawfully authorized to enter into such an agreement, for the sale or leasing or hiring of the whole or any portion of the railway herein 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 one company to the other, and the compensation therefor, if the arrangements and agreements shall be so authorized by two-thirds in value of the shareholders voting in person or by proxy at a special general meeting called for that purpose; and 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 or in 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 the Province of Ontario.

Agreements
to sell, lease,
etc., to be sub-
ject to terms
of special
Acts and reg-
ulations of
Lieut.-Gov-
ernor in
Council.

35. The authority and power conferred on the company by this Act to enter into agreements with any other railway company for connections, running arrangements, sale, lease, amalgamation, or hiring of the said railway, or to sell, or lease, or transmit electrical power, shall be subject to such terms, conditions and regulations, as may be provided and enacted by any general or special Act or Acts which may at

the time such agreement is entered into be in force, and to such terms, conditions and regulations, general or special, as the Lieutenant-Governor in Council, or any Special Committee of the Executive Council of Ontario, appointed for that purpose, may from time to time order.

36. The company may receive from any government, or from any persons or bodies corporate, municipal or politic, who 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 from government or municipality, etc.

37. Any municipality, or any portion of a township municipality which may be interested in securing the construction of the said railway, or through any part of which, or near which the railway or works of the company shall pass, or be situate, may aid the company by giving money or debentures by way of bonus, gift or loan, or by the guarantee of the municipal corporation under and subject to the provisions hereinafter contained; provided always that such aid shall not be given except after the passing of a by-law for the purpose, and the adoption of such by-law by the qualified ratepayers of the municipality, or portion of the municipality, as the case may be, in accordance with and as provided by law in respect to granting aid by way of bonuses to railways.

Aid from municipalities

38. Such by-law shall be submitted by the municipal council to the vote of the ratepayers in manner following, namely:

Submitting bonus by-law to ratepayers.

(1) The proper petition shall first be presented to the council, expressing the desire to aid the railway, and stating in what way and for what amount; and the council shall within six weeks after the receipt of such petition by the clerk of the municipality, introduce a by-law to the effect petitioned for and submit the same to the approval of the qualified voters.

(2) In the case of a county municipality, the petition shall be that of a majority of the members of the county council or of fifty resident freeholders, in each of the minor municipalities of the county, who are qualified voters under *The Municipal Act* and the amendments thereto.

Rev. Stat. c. 223.

(3) In the case of other municipalities, the petition shall be that of a majority of the council thereof, or of fifty resident freeholders, being duly qualified voters under *The Municipal Act* and the amendments thereto as aforesaid.

Rev. Stat. c. 223

(4) In the case of a section of a township municipality the petition is to be presented to the council, defining the section by metes and bounds, or lots and concessions, and shall be that of a majority of the council of such township municipality or of fifty resident freeholders in such section of the municipality being duly qualified voters as aforesaid.

Petition
against aid
from county.

39. In case of aid from a county municipality fifty resident freeholders of the county may petition the county council against submitting the said by-law, upon the ground that certain minor municipalities or portions thereof comprised in the said by-law would be injuriously affected thereby, or upon any other ground, ought not to be included therein, and upon deposit by the petitioners with the treasurer of the county of a sum sufficient to defray the expenses of such reference the said council shall forthwith refer the said petition to three arbitrators, one being the judge of the county court or district objecting, one being the registrar of the county or of the riding in which the county town is situated, and one being an engineer appointed by the Commissioner of Public Works for Ontario, who shall have power to confirm or amend the said by-law by excluding any minor municipality or any section thereof therefrom; and the decision of any two of them shall be final, and the by-law so confirmed or amended shall thereupon, at the option of the railway company, be submitted by the council to the duly qualified voters, and in case the by-law is confirmed by the arbitrators, the expense of the reference shall be borne by the petitioners against the same, but if amended, then by the railway company or the county, as the arbitrators may order.

Minor
municipality,
meaning of.

40. The term "minor municipality" shall be construed to mean any town not separated from the municipal county, township or incorporated village, situate in the county or district municipality.

Bonus by-law
what to con-
tain.

41. Such by-law shall in each instance provide:

(1) For raising the amount petitioned for in the municipality or portion of the township municipality (as the case may be) mentioned in the petition by the issue of debentures of the county or minor municipality respectively, and shall also provide for the delivery of the said debentures, or the application of the amount to be raised thereby, as may be expressed in the said by-law.

(2) For assessing and levying upon all rateable property lying within the municipality, or portion of the township municipality defined in such 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.

Deposit to be
made before
by-law sub-
mitted if re-
quired

42. 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.

43. 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 asserted to by ratepayers

44. Within one month after the passing of such by-law the said council, mayor, warden, reeve or other officer 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

45. 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 said municipality.

Levying rate on portion of municipality.

46. The provisions of the Municipal Act and the amendments thereto, so far as the same are not inconsistent with this Act, shall apply to any by-law so passed by or for a portion of a township municipality to the same extent as if the same had been passed by or for the whole municipality.

Application of Provisions of Rev. Stat. c. 223.

47. 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 that stipulated for in the by-law or by laws granting such aid from time to time; provided that no such extension shall be for a longer period than one year.

Councils may extend time for commencement.

48. It shall and may be lawful for the council of any municipality that may grant aid by way of bonus to the company, by resolution or by-law, to extend the time for the completion of the works (on the completion of which the company would be entitled to said bonus), from time to time, provided that no such extension shall be for a longer period than one year at a time.

Councils may extend time for completion.

49. Any municipality or portion of a township municipality interested in the construction of the railway of the company, may grant aid by way of bonus to the company towards the construction of such railway, notwithstanding that such aid may increase the municipal taxation of such municipality, or portion thereof, beyond what is allowed by law; provided that such aid shall not require the levying of a greater aggregate annual rate for all purposes exclusive of school rates than three cents in the dollar upon the value of the rateable property therein.

Extent of aid from municipalities.

Proviso.

50. It shall be lawful for the corporation of any municipality through any part of which the railway of the com-

Municipality may exempt

railway from
taxes, etc.

pany passes, or in which it is situate, by by-law, especially passed for that purpose, to exempt the railway and its property within such municipality, either in whole or in part from municipal assessment or taxation, or to agree to a certain sum per annum, or otherwise in gross, by way of commutation or composition for payment, or in lieu of all or any municipal rates or assessments to be imposed by such municipal corporation, and for such term of years as such municipal corporation may deem expedient, not exceeding twenty-one years, and no such by-law shall be repealed unless in conformity with a condition contained therein.

Gift of lands.

51. 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 said railway; and the said company shall have power to accept gifts of land from any government or any person or body corporate or politic and shall have power to sell or otherwise dispose of the same for the benefit of the company.

Issue of
debentures.

52. Whenever any municipality or portion of a township municipality shall grant aid by way of bonus or gift to the 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 company, and one by the majority of the heads of the municipalities which have granted bonuses, all of the trustees to be residents of the Province of Ontario; provided that if the said heads of the municipalities shall refuse or neglect to name such trustee within one month after notice in writing of the appointment of the company's trustee, or if the Lieutenant-Governor in Council shall omit to name such trustee within one month after notice in writing to him of the appointment of the other trustees, then in either case the company shall be at liberty to name such other trustee or other trustees; any of the said trustees may be removed and a new trustee appointed in his place at any time by the Lieutenant-Governor in Council, and in case any trustee dies or resigns his trust, or goes to live out of the Province of Ontario, or otherwise becomes incapable of acting, his trusteeship shall become vacant and a new trustee may be appointed by the Lieutenant-Governor in Council.

Trusts of
proceeds of
debentures.

53. The said trustees shall receive the said debentures or bonds in trust, firstly under the direction of the company, but subject to the conditions of the by-laws in relation thereto as to time or manner, to convert the same into money or otherwise dispose of them; secondly to deposit the debentures or

amount realized from the sale in some chartered bank having an office in the Province of Ontario in the name of *The Fort Frances, Manitou and Northern Railway Municipal Trust Account*, and to pay the same out to the company from time to time as the company becomes entitled thereto, under the conditions of the by-law granting the said bonus, and on the certificate of the chief engineer of the said railway for the time being, in the form set out in schedule "B." hereto, or to the like effect, which certificate shall set forth that the conditions of the by-law have been complied with, and is to be attached to the cheque or order drawn by the said trustees for such payment or delivery of debentures, and such engineer shall not wrongfully grant any such certificate under a penalty of \$500, recoverable in any court of competent jurisdiction by any person who may sue therefor.

54. The trustees shall be entitled to their *reasonable fees and charges* from the said trust fund, and the act of any two of such trustees shall be as valid and binding as if the three had agreed. Fees of Trustees

55. The company shall have power to collect and receive all charges subject to which goods or commodities may come into their possession, and on payment of such back charges, and without any formal transfer, shall have the same lien for 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. Receiving back charges on goods.

56. Save as expressly provided by this Act the provisions of *The Electric Railway Act* shall not apply to the company hereby incorporated, but the several clauses of *The Railway Act of Ontario*, and of every Act in amendment thereof, shall be incorporated with and be deemed to be part of this Act, and shall apply to the company and to the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof: and the expression "this Act," when used herein, shall be understood to include the clauses of the said *Railway Act* and of every Act in amendment thereof so incorporated with this Act. Rev. Stat c. 209. Incorporation of provisions of Rev. Stat. c. 207.

57. The railway hereby authorized shall be commenced within three years and finished and put in operation within seven years after the passing of this Act, and in default thereof the powers hereby conferred shall absolutely cease with respect to so much of the railway as shall then remain incomplete. Commencement and completion of line.

58. Notwithstanding anything contained in this Act, or in any Statute of the Province, no municipality shall have Exclusive right of transmission of

electrical
power across
streets not to
be granted.

the power to grant to said railway any exclusive rights
privileges or franchise as to the transmission of electrical
energy for power, light and heat over or across any public
highway or street in said municipality.

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 Fort Frances, Manitou and Northern Railway Company; the receipt whereof is hereby acknowledged, do grant and convey unto the said company, and I (or we) (*insert the names 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 Fort Frances, Manitou and Northern Railway Company, their successors and assigns for ever (*here insert any other clauses, covenants and conditions required*) and I (or we the wife (or wives) of the said _____ do hereby bar my (or our) dower in the said lands.

As Witness my (or our) hand and seal (or hands and seals) this _____ day of _____ one thousand nine hundred _____

Signed, sealed and delivered in
the presence of _____

SCHEDULE B.

(Section 53.)

CHIEF ENGINEER'S CERTIFICATE.

The Fort Frances, Manitou and Northern Railway Company's Office.
No. _____ A.D. 1903.

Engineer's Department.

Certificates to be attached to cheques drawn on Fort Frances, Manitou and Northern Railway Company Municipal Trust account given under section _____, chapter _____, of the Acts of the Legislature of Ontario, passed in the _____ year of His Majesty's reign.

I, _____ chief engineer of The Fort Frances, Manitou and Northern Railway Company, do hereby certify, that the said company has fulfilled the terms and conditions necessary to be fulfilled under the by-law No. _____ of the township of _____, (or under the agreement dated the _____ day of _____, 19 _____, between the corporation of _____ and the said company) to entitle the said company to receive from the said trust the sum of _____ (*here set out the terms and conditions, if any, which have been fulfilled.*)

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.
An Act respecting The Fort Frances,
Manitou and Northern Railway
Company.

First Reading, 24th April, 1903.
Second Reading, 6th May, 1903.

(Private Bill.)

(Reported as amended by Railway
Committee.)

Mr. CAMERON,
Ft. William.

TORONTO :

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

An Act respecting St. Paul's Church, Dunnville,
Ontario.

WHEREAS one William Arthur Johnson, formerly resid- Preamble.
ing in the parish of Weston, in the County of York
and Province of Ontario, Clergyman, deceased, did by instru-
ment bearing date the 17th day of September, 1856, grant
5 assign and set over unto George Docker of the Township of
Dunn, John C. Kirkpatrick and Henry Penny, both of the
Village of Dunnville, all in the County of Haldimand, as
trustees, a sum of about \$1,400 upon trust for investment,
and that the interest should be used for the benefit of St.
10 Paul's Church, Dunnville, as the trustees of said church
should direct; and whereas in March, 1864, the said
trustees, at the request of the rector and wardens, purchased
lots numbers 26 and 27 on the north side of Broad Street
west in the Village of Dunnville as a parsonage or residence
15 for the rector of St. Paul's Church, paying therefor, out of
said trust funds, the sum of \$1,000, and whereas the said prop-
erty so purchased has been used and occupied by the rectors
of said church ever since that time; and whereas the original
trustees are now dead and new trustees have been appointed
20 as required by said trust deed, by indenture dated the 3rd
day of March, 1884, wherein Francis J. Ramsey, merchant,
William F. Haskins, banker and William D. Swayze, barris-
ter-at-law, were appointed, and they assumed the trusts
contained in said deed; and whereas some doubt has arisen as
25 to in how far the legal title to the property purchased by the
original trustees vested in them under the trust deed, and in
how far it now vests in the new trustees; and whereas the
rector and wardens of the church and the trustees of the fund
are desirous of selling the property so purchased out of the
30 trust funds, and applying the proceeds of such sale together
with the balance of the trust funds in the hands of the trustees,
towards the erection of a new parsonage upon the property
owned by St. Paul's Church in Dunnville, being lots numbers
19, 20 and 21 on the north side of Lock Street in said town,
35 which are now vested in the rector and the church wardens of
said church; and whereas the consent and approval to such
sale and to such subsequent disposition of said trust funds of
the Lord Bishop of Niagara and of the standing committee of
the Synod of the Diocese of Niagara (the executive committee

of the same) and of the Vestry of the said St. Paul's Church, Dunnville, have been obtained ;

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

5

Lands purchased legally vested in trustees and trustees to have power to sell.

1. It is hereby declared that the purchase of lots numbers 26 and 27, on the north side of Broad Street west in the Town of Dunnville, in the County of Haldimand, was in furtherance of the intentions expressed in the original trust deed executed by William Arthur Johnson, deceased, and that the land in question is legally vested in Francis J. Ramsey, William F. Haskins and William D. Swayze, as trustees for the benefit of of St. Paul's Church, Dunnville, Ontario ; and it is further declared that the property in question may, in pursuance of such trust, be sold and disposed of by the said trustees and their successors, by public auction or by private sale as to said trustees shall seem meet for such price or prices as the Vestry of the said church may approve, and that the deed of the said trustees or their successors shall convey a full and sufficient title to the said lands.

20

Application of proceeds of sale.

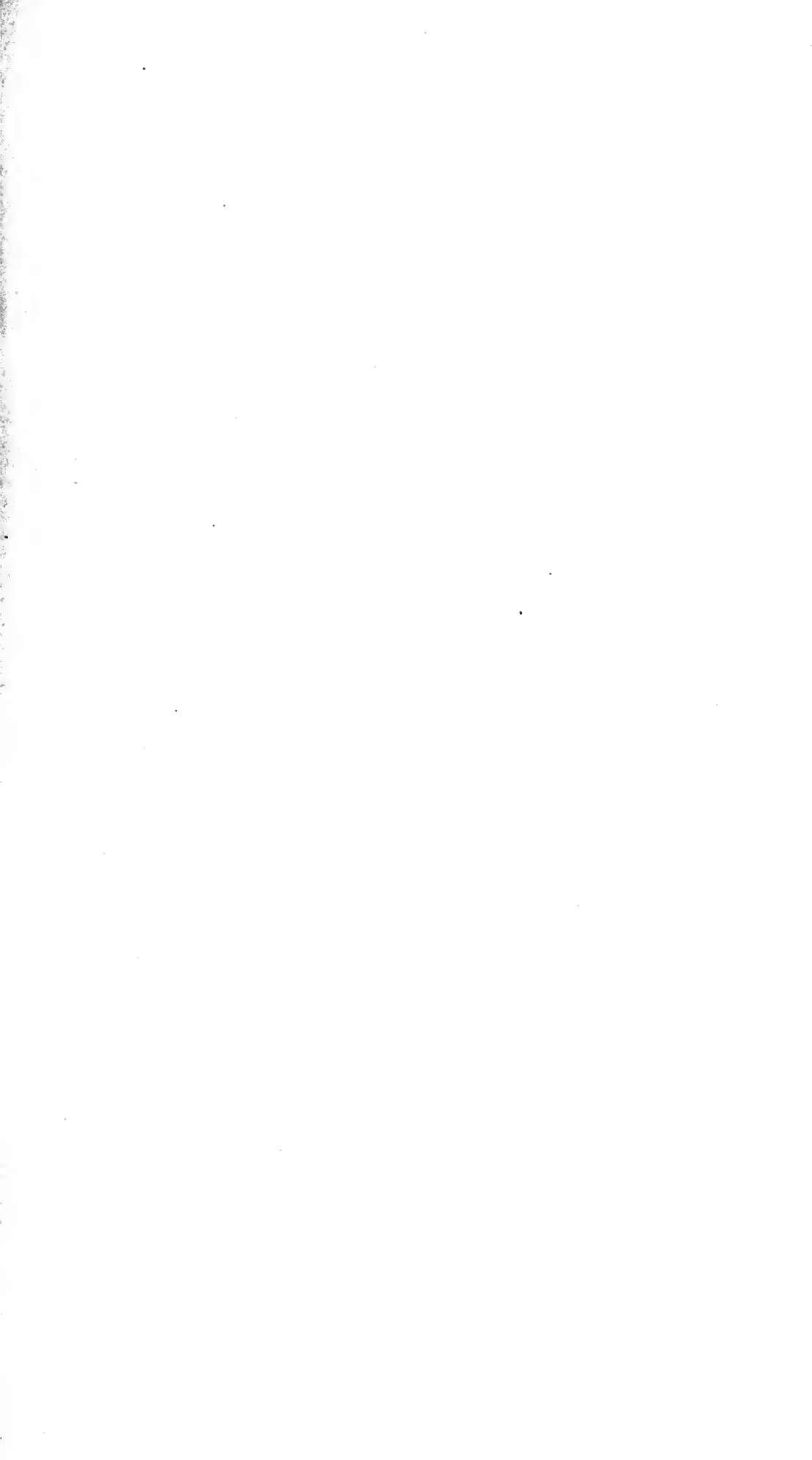
2. The trustees or their successors shall use the moneys arising from such sale (less the necessary expenses connected therewith) together with the other moneys of said trust towards the erection of a new parsonage upon the property owned by St. Paul's Church in Dunnville as aforesaid.

25

Discharge of trustees, what sufficient.

3. Upon the expenditure of the whole amount of the said trust moneys towards the erection of the parsonage aforesaid and the trustees and their successors accounting in full for the said moneys to the rector and church wardens of said church, it shall be a sufficient discharge of said trustees from said trusts to have a discharge executed by the rector and church wardens of that church, and they are hereby empowered to give such a discharge.

30



1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting St. Paul's Church, Dunn-
ville, Ontario.

First Reading,	1903.
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(Private Bill.)

Mr. HARCOURT.

TORONTO :

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting St. Paul's Church, Dunnville,
Ontario.

WHEREAS one William Arthur Johnson, formerly residing in the *village* of Weston, in the County of York and Province of Ontario, clergyman, deceased, did by instrument bearing date the 17th day of September, 1856, grant unto George Docker of the Township of Dunn, John C. Kirkpatrick and Henry Penny, both of the Village of Dunnville, all in the County of Haldimand, as trustees, a sum of about \$1,400 upon trust for investment, and *payment* of the interest for the benefit of St. Paul's Church, Dunnville, as the rector and wardens of said church should direct; and whereas in March, 1864, the said trustees, at the request of the rector and wardens, purchased lots numbers 26 and 27 on the north side of Broad Street west in the Village of Dunnville as a parsonage or residence for the rector of St. Paul's Church, paying therefor, out of said trust funds, the sum of \$1,000; and whereas the said property so purchased has been used and occupied by the rectors of said church ever since that time; and whereas the original trustees are now dead and *the present trustees under the said trust deed, are* Francis J. Ramsey, merchant, William F. Haskins, banker, and William D. Swayze, barrister-at-law; and whereas doubt has arisen as to the title to the *said* property; and whereas the rector and wardens of the church and the trustees of the fund are desirous of selling the *said* property and applying the proceeds of such sale together with the balance of the trust funds in the hands of the trustees, towards the erection of a new parsonage upon the property owned by St. Paul's Church, Dunnville, being lots numbers 19, 20 and 21 on the north side of Lock Street in *the* said town, which are now vested in the rector and the church wardens of *the* said church; and whereas the Lord Bishop of Niagara and the standing committee of the Synod of the of Diocese of Niagara and of the Vestry of the said St. Paul's Church, Dunnville, have ~~consented~~ consented to such sale and subsequent disposition of the said trust funds; ~~and~~

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

Lands purchased legally vested in trustees and trustees to have power to sell.

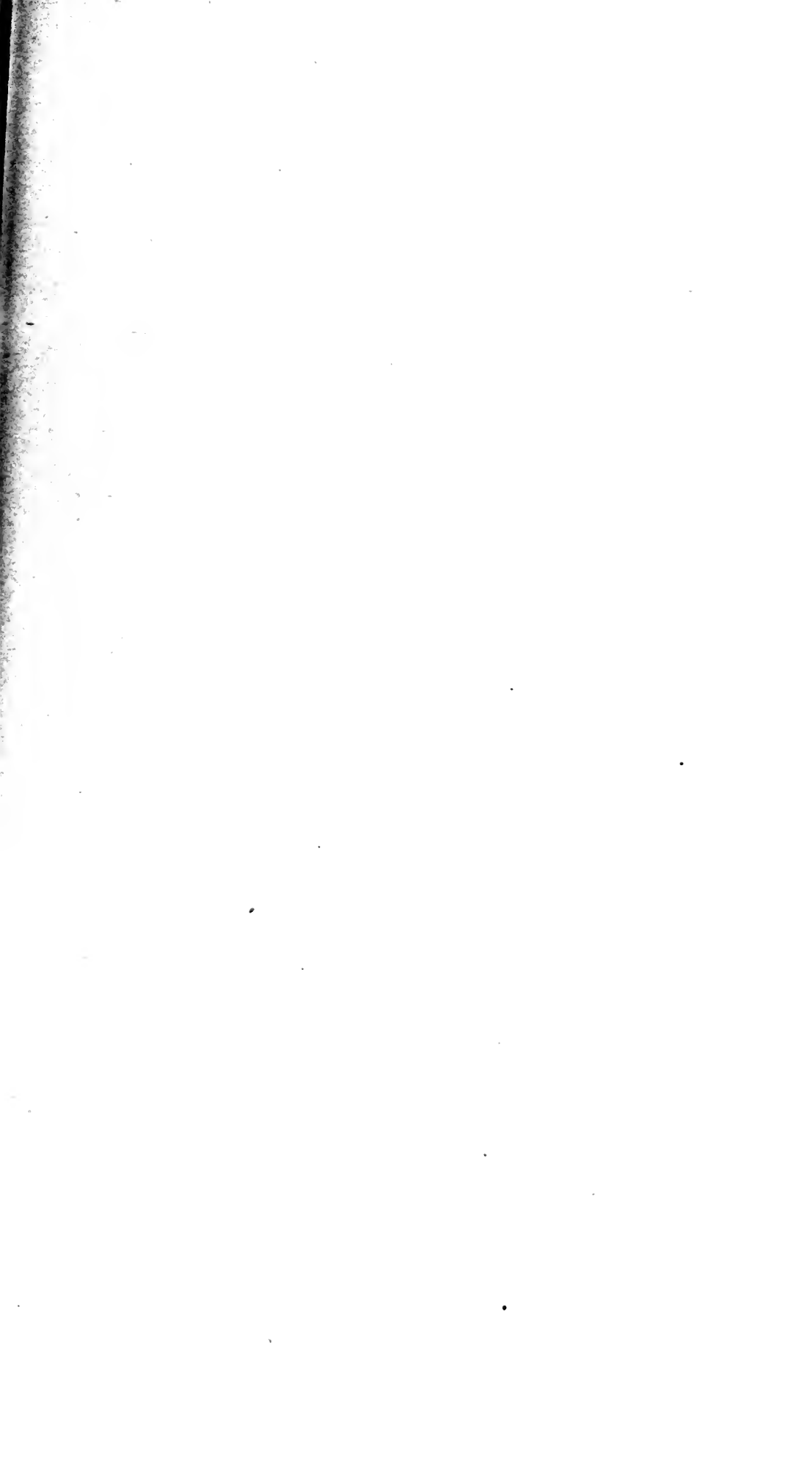
1. It is declared that lots numbers 26 and 27, on the north side of Broad Street west in the Town of Dunnville, in the County of Haldimand, are legally vested in *the said* Francis J. Ramsey, William F. Haskins and William D. Swayze, as trustees for the benefit of St. Paul's Church, Dunnville, Ontario; and ^{and} the said trustees and their successors are authorized to sell and dispose of the said lots ^{and} by public auction or by private sale as to said trustees shall seem meet for such price or prices as the Vestry of the said church may approve.

Application of proceeds of sale.

2. The *said* trustees or their successors are empowered to use the moneys arising from such sale (less the necessary expenses connected therewith) together with the other moneys of *the* said trust towards the erection of a new parsonage upon the property owned by St. Paul's Church, Dunnville, as aforesaid.

Discharge of trustees, what sufficient.

3. Upon the expenditure of the whole amount of the said trust moneys towards the erection of the parsonage aforesaid and the trustees and their successors accounting in full for the said moneys to the rector and church wardens of *the* said church, the rector and wardens of *the said* church, are hereby empowered to give a discharge ^{and} to the said trustees in respect of the said trust. ^{and}



1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act respecting St. Paul's Church, Dunm-
ville, Ontario.

First Reading, 1903.

(Reprinted as amended by Private Bills
Committee.)

Mr. HARCOURT.

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

An Act respecting St. Paul's Church, Dunnville,
Ontario.

WHEREAS one William Arthur Johnson, formerly resid- Preamble.
ing in the village of Weston, in the County of York
and Province of Ontario, clergyman, deceased, did by instru-
ment bearing date the 17th day of September, 1856, grant
unto George Docker of the Township of Dunn, John C
Kirkpatrick and Henry Penny, both of the Village of
Dunnville, all in the County of Haldimand, as trustees,
a sum of about \$1,400 upon trust for investment, and
payment of the interest for the benefit of St. Paul's
Church, Dunnville, as the rector and wardens of said church
should direct; and whereas in March, 1864, the said trustees,
at the request of the rector and wardens, purchased lots
numbers 26 and 27 on the north side of Broad Street west
in the Village of Dunnville as a parsonage or residence for
the rector of St. Paul's Church, paying therefor, out of said
trust funds, the sum of \$1,000; and whereas the said pro-
perty so purchased has been used and occupied by the rectors
of said church ever since that time; and whereas the original
trustees are now dead and the present trustees under the said
trust deed; are Francis J. Ramsey, merchant, William F. Has-
kins, banker, and William D. Swayze, barrister-at-law; and
whereas doubt has arisen as to the title to the said property;
and whereas the rector and wardens of the church and the
trustees of the fund are desirous of selling the said property
and applying the proceeds of such sale together with the
balance of the trust funds in the hands of the trustees,
towards the erection of a new parsonage upon the property
owned by St. Paul's Church, Dunnville, being lots numbers
19, 20 and 21 on the north side of Lock Street in the said
town, which are now vested in the rector and the church
wardens of the said church; and whereas the Lord Bishop of
Niagara and the standing committee of the Synod of the of
Diocese of Niagara and of the Vestry of the said St. Paul's
Church, Dunnville, have consented to such sale and subse-
quent disposition of the said trust funds;

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

Lands purchased legally vested in trustees and trustees to have power to sell.

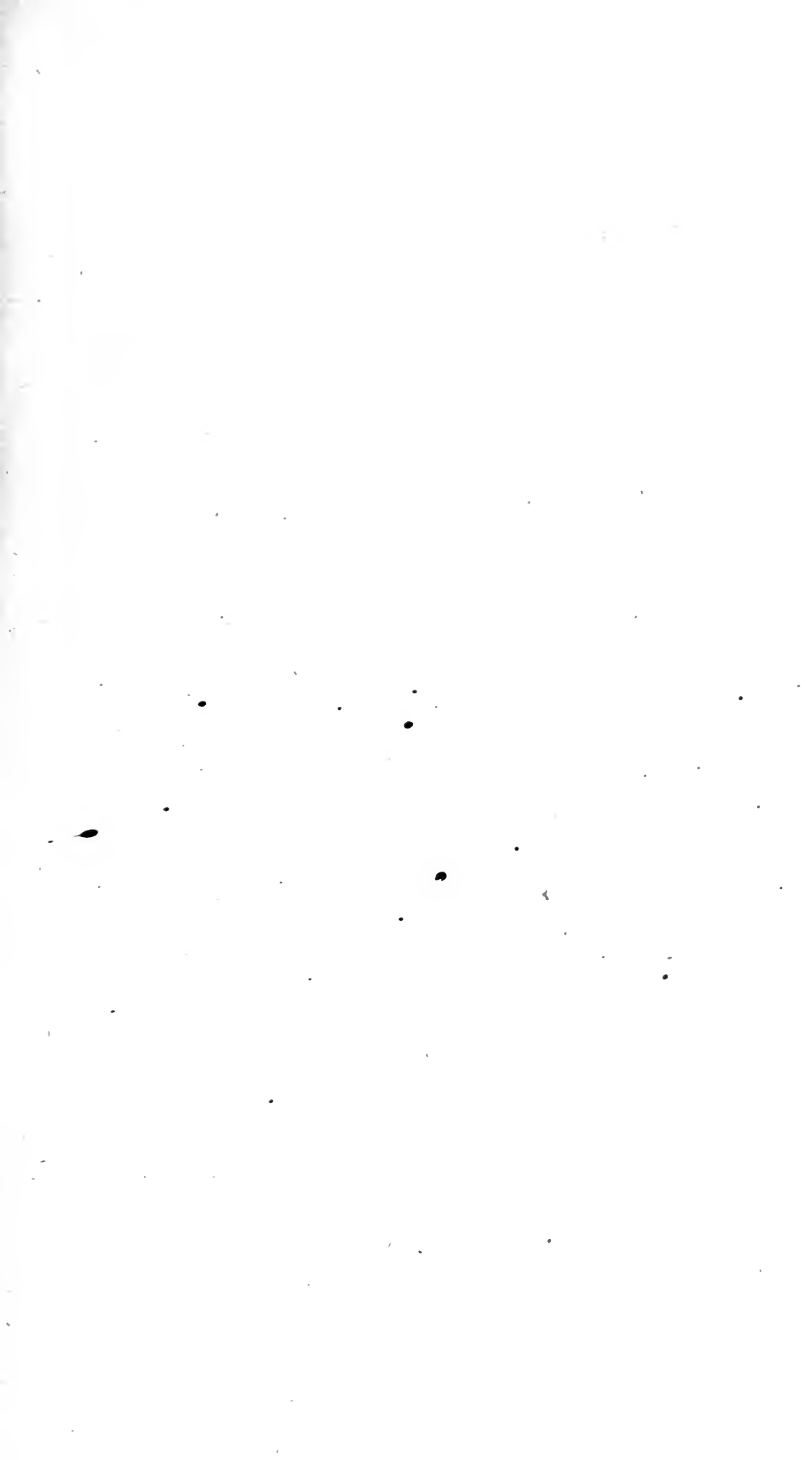
1. It is declared that lots numbers 26 and 27, on the north side of Broad Street west in the Town of Dunnville, in the County of Haldimand, are legally vested in the said Francis J. Ramsey, William F. Haskins and William D. Swayze, as trustees for the benefit of St. Paul's Church, Dunnville, Ontario; and the said trustees and their successors are authorized to sell and dispose of the said lots by public auction or by private sale as to said trustees shall seem meet for such price or prices as the Vestry of the said church may approve.

Application of proceeds of sale.

2. The said trustees or their successors are empowered to use the moneys arising from such sale (less the necessary expenses connected therewith) together with the other moneys of the said trust towards the erection of a new parsonage upon the property owned by St. Paul's Church, Dunnville, as aforesaid.

Discharge of trustees, what sufficient.

3. Upon the expenditure of the whole amount of the said trust moneys towards the erection of the parsonage aforesaid and the trustees and their successors accounting in full for the said moneys to the rector and wardens of the said church, the rector and wardens of the said church, are hereby empowered to give a discharge to the said trustees in respect of the said trust.



1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting St. Paul's Church, Dunn-
ville, Ontario.

First Reading, April 24th, 1903.

(Private Bill.)

(Reprinted as amended by Private Bills
Committee.)

Mr. HARCOURT

TORONTO:

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

An Act respecting the Village of Campbellford and
The Weston Shoe Company, Limited.

WHEREAS the Municipal Corporation of the Village of Preamble.
Campbellford has petitioned praying that an Act may
be passed authorizing the substitution of an agreement
between the said corporation and The Weston Shoe Com-
pany, Limited, dated the 30th day of October, 1902, for
the agreement proposed in By-law No. 395 of the said
corporation and intituled "A By-law to authorize the issue of
debentures of the Village of Campbellford to the amount of
\$12,000 for the purpose of granting a bonus of \$5,000 to the
Weston Shoe Company, and for the purpose of purchasing the
premises known as the Campbellford Woollen Mills on Mill
street in said Village of Campbellford, in order to rent and
convey same to said company for the purpose of their busi-
ness," and to legalize and confirm the said by-law and the
said agreement and the debentures issued or to be issued
under the said by-law; and whereas the enterprise of the said
company is a new one and there is no other industry of a
similar nature established within the limits of the said muni-
cipality; and whereas a poll was held for the taking of the
votes of the ratepayers entitled to vote on said by-law in
accordance with the provisions of *The Municipal Act*, and the
said by-law was assented to by more than two-thirds of the
said ratepayers; and whereas the object of the said agreement
of the 30th day of October, 1902, is substantially the same as
the object of the said by-law as appears from the said by-law
and agreement which are fully set forth in Schedules A
and B respectively to this Act; and whereas no opposition
has been offered to the said petition; and whereas it is
expedient to grant of the prayer of the said petition;

Rev. Stat.,
c. 223.

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

1. By-law No. 395 of the Municipal Corporation of the
Village of Campbellford set forth in Schedule A to this Act,
is confirmed and declared to be legal, valid and binding upon
thesaid municipal corporation and the ratepayers thereof not-
withstanding any want of jurisdiction on the part of the said
municipality to pass the by-law and notwithstanding any

By-law No.
395 of
Campbellford
confi med.

defect in substance or in form of the said by-law or in the manner of passing the same, and the said agreement dated the 30th day of October, 1902, between the said municipal corporation and the Weston Shoe Company, Limited, set forth in Schedule B to this Act is ratified and confirmed and the substitution thereof for the agreement proposed in the said by-law is hereby authorized, notwithstanding any variations in the terms and conditions therein contained, and the said Corporation of the Village of Campbellford is authorized and empowered to issue and sell the debentures provided for by the said by-law, and the said debentures so issued under the said by law are declared legal, valid and binding upon the said municipality, and the said corporation is authorized and empowered to do all necessary acts for the full and proper carrying out of the said by-law and the said agreement of the 30th day of October, 1902.

SCHEDULE A.

BY-LAW No. 395.

A By-law to authorize the issue of debentures of the Village of Campbellford to the amount of \$12,000 for the purpose of granting a bonus of \$5,000 to the Weston Shoe Company, and for the purpose of purchasing the premises known as the Campbellford Woollen Mills on Mill street in said Village of Campbellford in order to rent and convey same to said company for the purposes of their business.

Whereas the Weston Shoe Company, Limited, have applied to the municipal council of the Village of Campbellford to aid them by granting them a bonus of \$5,000, and leasing to them free of rent and taxes except school taxes, the premises in said village known as the Campbellford Woollen Mills for a period of ten years and to convey to them said property at the end of ten years on condition that they shall furnish and complete said mills with all suitable machinery for the manufacture of boots, shoes and other kinds of footwear, being goods not at present manufactured in said village, and the same to be in running order on or before the 1st day of January, 1903, and upon the further condition that the said company will, for the next ten years at least, run the said factory on an average at least 55 hours per week in each year, and employ while in operation as aforesaid at least 80 persons in the running and working of said factory. And as a further condition the said company shall, at or before the final passing of this by-law, enter into a written agreement with the said corporation to do all things before mentioned to be done on their part, and that on failure or breach of any one or more of the said conditions the said company shall repay the said corporation \$500 each and every year which shall yet remain of the said period of ten years. And as a further condition the said company shall, at the time or before the said bonus is paid over to them, execute and deliver a mortgage to said corporation on their stock, plant and machinery as security for the observance of said conditions on their part to be performed.

And whereas in order to aid the Weston Shoe Company in manner aforesaid, it is necessary and intended by this by-law to create a debt on the part of the said corporation to the amount of \$12,000 and to provide for the issue of debentures of the said corporation to the said amount

bearing interest as hereinafter mentioned, the proceeds of the said debentures to be applied to the purchase of said Campbellford Woollen Mills property and to the granting of said bonus.

And whereas it is desirable to issue the said debentures at one time and to make the principal of the said debts repayable by yearly sums during the period of 20 years, being the currency of the said debentures, said yearly sums being of such respective amounts that the aggregate amount payable in each year for principal and interest, in respect of the said debt, shall be as nearly as possible equal to the amount so payable in each of the other nineteen years of said period as shown hereafter.

And whereas it will require the sum of \$883.00 to be raised annually by special rate for paying the several instalments of principal and interest accruing due on the debt under the terms of this by-law.

And whereas the amount of the whole rateable property of the said Village of Campbellford, according to the last revised assessment roll thereof is \$719,450 00.

And whereas the existing debenture debt of the said Village of Campbellford is \$38,874.07, and no part of the principal or interest on said debenture debt is in arrear,

And whereas it would be a public benefit to the ratepayers of this corporation to have in operation said factory in said village, employing said number of hands, and said ratepayers would derive material benefit therefrom,

Therefore the municipal council of the corporation of the Village of Campbellford enacts as follows:—

1. That the manufacturing establishment for the manufacture of boots, shoes and other kinds of footwear to be carried on in the mills known as the Campbellford Woollen Mills, on Mill street, on the east side of the river Trent, within the limits of the Village of Campbellford, by the Western Shoe Company, Limited, and the lands upon which they are situate and the property now belonging thereto, and the machinery and other chattels employed therein used and occupied by the Western Shoe Company as and for a boot and shoe factory, shall except as to school rates and taxes and subject to the following clauses of this by-law, be in whole fully exempt from all taxation assessed and levied by the corporation of the Village of Campbellford for the term of ten years.

2. That said property hereby declared to be exempt from taxation as aforesaid for the term of ten years shall only be so, and remain so, so long as the Western Shoe Company employ and keep employed in said factory 80 employees, and should there not be employed and kept employed as aforesaid in any year or years during the said 10 years 80 employees working on an average 55 hours per week, then, in that event, it shall and may be lawful for the corporation of the Village of Campbellford to collect all taxes assessed or levied on and against said exempt property for any such year or years, and for any and all these purposes the property hereby exempted from taxation shall year by year be assessed to and in the name of the parties who would but for this by-law be liable to be taxed therefor and entered in a separate page of the assessment roll, so that in the event of there not being 80 hands employed, as before set forth in any year or years, the taxes for such year or years may be collected as other taxes assessed and levied by the corporation of the Village of Campbellford.

3. That the 10 years which said property is under this by-law to be exempt from taxation as aforesaid shall be consecutive and shall commence the first year after the passing of this by-law and the time from which said hands shall continue to be employed as aforesaid shall not be later than the 1st January, 1903.

4. That it shall be lawful for the corporation of the Village of Campbellford to raise by way of loan for the purposes, and with the objects

aforesaid upon the credit of the debentures hereinafter mentioned, the sum of \$12,000

5. That the reeve of the said village is hereby authorized and instructed to sign and issue debentures of the said village to the amount of \$12,000, in the several sums mentioned in the next clause here, of which debentures shall be dated on 22nd day of October, 1902, and shall be sealed with the seal of the said corporation and signed by the reeve and countersigned by the treasurer of said corporation.

6. That the said debentures shall be payable at the office of the treasurer of the said corporation of Campbellford on the following days and times, and shall be for the following amounts :

On the 20th day of October, 1903.....	\$403 00
On the 20th day of October, 1904.....	419 12
On the 20th day of October, 1905.....	435 88
On the 20th day of October, 1906.....	453 31
On the 20th day of October, 1907.....	471 44
On the 20th day of October, 1908.....	490 30
On the 20th day of October, 1909.....	509 91
On the 20th day of October, 1910.....	530 31
On the 20th day of October, 1911.....	551 52
On the 20th day of October, 1912.....	573 58
On the 20th day of October, 1913.....	596 50
On the 20th day of October, 1914.....	620 36
On the 20th day of October, 1915.....	645 17
On the 20th day of October, 1916.....	670 98
On the 20th day of October, 1917.....	697 82
On the 20th day of October, 1918.....	725 73
On the 20th day of October, 1919.....	754 77
On the 20th day of October, 1920.....	784 96
On the 20th day of October, 1921.....	816 36
On the 20th day of October, 1922.....	848 98

7. That the said debentures shall bear interest at the rate of 4 per centum per annum, payable yearly at the office of the treasurer of the said Village of Campbellford on the 20th day of October in each year during the currency thereof and shall have attached to them coupons for the payment of such interest.

Provided however that no such debentures shall be issued or sold, nor shall any money be paid hereunder until after the said company shall have placed in the said mills the necessary plant and machinery for the manufacture of boots and shoes, nor until they shall have entered into a binding agreement with the said corporation to comply with the conditions hereinbefore set forth. And the said company shall, before any money is paid over to them under this by-law, execute and deliver to said corporation a mortgage on their said plant and machinery as security for the carrying out of the conditions aforesaid.

8. During the currency of the said debentures there shall be raised annually by special rate on all the rateable property in said Village of Campbellford the sum of \$883.00 for the purpose of paying the amount due in each of the said years for principal and interest in respect of the said debt.

9. This by-law shall come into force and effect on the 22nd day of October, A. D., 1902.

10. The votes of the said electors, for and against this by law, shall be taken by ballot on Tuesday, the 7th day of October, 1902, from the hour of 9 o'clock in the forenoon until 5 o'clock in the afternoon of the same day at the places within the said corporation of Campbellford and by the deputy returning officers hereinafter specified, that is to say:— Polling division No. 1, at the town hall, Loren G. Young, deputy returning officer; polling division No. 2, at the fire hall, Adam Dinwoodie, deputy returning officer; polling division No. 3, at the Baptist church, Philip C. Foy, deputy returning officer; polling division No. 4,

at John Harris' sale rooms, Frederick J. Smith, deputy returning officer.

11. The reeve of the said village shall attend at the office of the clerk of this corporation on the first day of October, 1902, at 2 o'clock in the afternoon, to appoint persons to attend at the various polling places aforesaid, and at the summing up of the votes by the clerk on behalf of the persons interested in promoting or opposing the passing of this by-law respectively.

12. The clerk of the council of the said Village of Campbellford shall attend at his office in the said village at the hour of ten o'clock in the forenoon of the 8th day of October, 1902, in the presence of the parties hereinbefore appointed, and of any other persons entitled by law to be present, to sum up the number of votes given for and against the by-law.

Dated at Campbellford the 17th day of September, 1902.

(Sgd) J. E. DIAMOND,
Reeve.

(Sgd) E. C. WEST,
Clerk. [Seal]

SCHEDULE B.

Memorandum of agreement made (in quadripartite) the thirtieth day of October, A. D. 1902, between The Western Shoe Company, Limited, hereinafter called "the Company of the First Part" and the Corporation of the Village of Campbellford, hereinafter called "the Corporation" of the second part.

Whereas the Western Shoe Company, Limited, has been duly incorporated for the purpose of manufacturing boots, shoes and all kinds of footwear with a capital stock of forty thousand dollars.

And whereas the said company is desirous of operating a factory in the Village of Campbellford for the manufacturing of boots, shoes and all kinds of footwear.

And whereas the said company propose to purchase a property in the Village of Campbellford, being lots three, four, five and six in East Factory Block and known as the Campbellford Woollen Mills Factory (which includes the dyehouse, boiler room, and all plant and machinery now in the said factory, dyehouse and boiler room), together with the water privileges, flume ways and appurtenances thereto belonging or appertaining.

And whereas the said company has applied to the municipal council of the corporation of the Village of Campbellford for a bonus of twelve thousand dollars.

And whereas it has been deemed expedient by the said council of the said corporation to grant the said bonus to the said company and a by-law for that purpose with the assent of the electors has been passed by the said council.

And whereas the council of the said corporation propose to raise the sum of twelve thousand dollars upon debentures issued pursuant to the said by-law, and propose to pay over the said bonus to the said company as hereinafter set forth.

And whereas for the purpose of mutually assisting each other, the parties hereto have agreed to execute these presents.

Now this agreement witnesseth—

First—The company agree to procure from the owners of the said property an agreement offering to sell the said property to the said company for the sum of seven thousand dollars cash, such offer to remain

open for acceptance by the said company until the fifteenth day of November, A. D. 1902.

Second—The corporation agree to raise the sum of twelve thousand dollars on or before the thirteenth day of November, A. D. 1902, to pay the said bonus.

Third—The corporation agree to pay over the said bonus of twelve thousand dollars to the said company as hereinafter set forth in clauses lettered "a" to "g" both inclusive.

(a) The company upon receiving notice in writing on or before the thirteenth day of November, A. D. 1902, from the said corporation that they are prepared to pay over the said bonus, shall accept the said agreement offering to sell the said property.

(b) After acceptance by the said company of the said agreement offering to sell the said property, the said company shall at their own costs and charges investigate the title to the said property.

(c) If the solicitor for the said corporation, and the solicitor for the said company certify that a satisfactory title can be made to the said property, and in such case the corporation agree to pay to the vendor of the said property the purchase price of seven thousand dollars, and deposit the balance of the said bonus, namely, five thousand dollars in the Standard Bank at Campbellford to the joint credit of the corporation and the company.

(d) The conveyance or deed of the said property shall be made by the owner or vendor of the said property to the said company.

(e) The said deed and duplicate thereof shall be delivered to the Standard Bank at Campbellford, together with an original copy of this agreement, and the said Standard Bank shall hold the same in trust, subject to the terms and conditions of this agreement.

(f) After the said deed has been deposited with the said bank, the said company shall proceed to equip the said factory so as to have the same in running operation on or before the first day of February, A. D., 1903.

(g) The balance of the said bonus, namely : five thousand dollars shall be paid over to the said company upon the joint check of the said corporation and the said company on the said bank as soon as the said factory has been equipped and ready to start operations.

(h) As soon as the said factory has been equipped and ready for operation the said company at their expense insure and keep insured during the term of ten years from the first day of January, A. D., 1903, the said factory, including the plant and machinery therein to the amount of not less than fifteen thousand dollars loss, if any, payable to the said company and to the said corporation jointly.

(i) The said company agree to commence operating the said factory not later than the first day of February, A. D., 1903.

(j) That for a term of ten years commencing on the first day of January, A. D., 1903, and ending on the thirty-first day of December, A. D., 1913 the company will, subject as hereinafter set forth, employ for ten months in each year during said term an average of eighty persons in operating the said factory, giving to each person employed in said factory an average employment of eight hours per day.

(k) The corporation shall have the right to an annual inspection of the time books of the said company for the purpose of ascertaining whether the said company are employing the number of persons aforesaid in the manner aforesaid as set forth in clause "j" of this agreement.

(l) Should the company fail to employ the number of persons aforesaid in the said factory in manner aforesaid as set forth in clause "j" hereinbefore contained, it shall, subject as hereinafter set forth, pay to the

corporation as liquidated damages the sum of twelve hundred dollars for each and every year that the said company make default in performance of said clause "j" during the said term of ten years, which sum shall be a charge in favour of the said corporation upon said property of the said company, including all plant and machinery therein.

(m) In case of the destruction of the said factory or any part thereof by fire, or partial destruction thereof the said company agree to proceed with all due diligence to reconstruct or repair the said factory and place the same again in operation, and the said insurance moneys shall be applied to the reconstruction or repair of the said buildings, and shall be paid over upon the joint cheque of the said corporation and the said company to the said company from time to time as the reconstruction or reparation of the said works proceed.

Fourth—The said corporation agrees with the said company that the real and personal property of the said company in the Village of Campbellford used by the said company in operating their said factory and business shall be subject to the performance by the said company of clause "j" be exempt for the term of ten years from the first day of January, 1903, to the first day of January, 1913, from payment of taxes by the said company (except school taxes) and the assessment for such school taxes shall be, and the same is hereby fixed at fifteen thousand dollars for each and every year during the said ten years.

Fifth—The said corporation further agree to give notice within thirty days after the first day of February in any year during the said term to the company of any neglect or default on the company's part in the performance of clause "j" aforesaid, which notice shall be delivered to an officer of the said company, and shall give full particulars of the default or neglect complained of on the part of the corporation, and the omission by the corporation to give such notice within the time aforesaid shall be deemed a waiver of the rights of the said corporation to thereafter complain or set up that the company have not performed or fulfilled the provisions contained in clause "j" of this agreement for the preceding year, and the said corporation shall be estopped from thereafter alleging non-performance by the said company of the provisions in clause "j" of this agreement for such preceding year.

Sixth—Provided that in case the said company is unable, by reason of strikes, lockouts, or combines to perform clause "j" of this contract, or through some unforeseen event or casualty not caused by the neglect, default or misconduct of the company it should be hindered, delayed or prevented from carrying out substantially the provisions of clause "j" of this agreement, then and in such case the said company shall not be bound to pay the twelve hundred dollars damages hereinbefore provided, but nothing in this clause contained shall relieve the company from want of diligence on its part to settle any strikes or lockouts which may arise during the said term, or from using due diligence in remedying any unforeseen event or casualty which may be occasioned as aforesaid in so far as the company can remedy the same without sustaining a substantial loss.

Seventh—It is agreed between the parties hereto that if default should be made in any year in performance of clause "j," and the corporation should demand and receive the sum of twelve hundred dollars from the said company under condition "1," that the payment of the said twelve hundred dollars shall be taken and accepted by the said corporation in lieu of the performance of the said provisions contained in clause "j" of this agreement for such year in which such default may have arisen.

Eighth—Should the said company make default in performance of the provisions contained in clause "j" hereinbefore set forth, and should the said corporation give notice to the said company of said default, under the provisions of paragraph five of this agreement, and should the said company after receiving said notice make default in payment of the said twelve hundred dollars damages as provided in clause "1" of this

agreement, for a period of two months after receiving such notice, then and in any such case, and so often as the same shall happen, it shall be lawful for the said corporation upon giving to the said company one month's notice in writing of their intention, to receive from the said bank the deed so deposited with the said bank and upon delivering to the said bank a statutory declaration made by the clerk of the said corporation verifying such default as aforesaid and service of the said notice as aforesaid upon the said company, to relieve the said deed from the said bank and register same, and thereafter the said corporation may enter into possession of the said property including all the plant and machinery therein, and have, hold, use and enjoy the said property, including all plant and machinery, as its own absolute property, and the said property shall ipso facto absolutely vest in the said corporation and be subject to any disposition the said corporation may choose to make thereof.

Ninth.—The said deed so deposited with the said bank shall be delivered up to the said bank to the said company after the 31st day of January, 1913, unless the said bank shall have previously delivered the said deed to the said corporation under the provisions in paragraph eight "or thirteen" of this agreement, or unless the said corporation have served a notice on the said company under the provisions of paragraph number five of this agreement, and a copy of such notice given to the local manager of the said bank before the first day of February, A.D., 1913.

Tenth.—The company shall not remove their factory from the said Village of Campbellford for twenty years, calculated from the first day of January, A.D., 1903, by reason of any bonus being offered to the said company by any other municipality.

Eleventh.—The company shall pay the general taxes on the said assessment of fifteen thousand dollars in any year that the company makes default in fulfilling the terms of clause "j" hereinbefore set forth, but no distress for such taxes or other proceedings to recover the same shall be taken by the said corporation, unless the said corporation shall have first served the notice upon the said company required by paragraph five of this agreement, nor until the expiration of one month after the service of such notice.

Twelfth.—As the company will experience difficulty in getting operators for their factory during the first three months of the said term of ten years, the said corporation agree not to complain of the non-performance of clause "j" hereinbefore set forth in case default is made by the company in the substantial performance of said clause "j" during the said three months, so long as the said company shall during the said three months have exercised due diligence on its part towards carrying out the provisions contained in said clause "j."

Thirteenth.—Should the said company during the said term of ten years cease to operate the said factory for a continuous period of six months, the corporation shall, subject to the proviso in the next succeeding paragraph number fourteen, be entitled on giving ten days' notice in writing to the said company after the expiration of the said six months to enter into possession of the said property hereinbefore described and all plant and machinery therein, and shall also be entitled upon filing a statutory declaration of the clerk of the said corporation, or some officer thereof, verifying the default on the part of the said company, and the service of the notice aforesaid, to demand and receive from the said bank the said deed and duplicate thereof, and thereafter to register the same, and upon the registration of such deed, the said corporation shall become ipso facto the absolute owner of the said property including all plant and machinery therein, and the said property shall absolutely vest in the said corporation, and be subject to any disposition the said corporation may choose to make thereof.

Fourteenth.—In the event of the said company being unable to operate the said factory for a continuous period of six months by reason of strikes

or lockouts, or by destruction or partial destruction of the said premises by fire, lightning or tempest, or through any other unforeseen event or casualty not caused by the neglect, default or misconduct of the company, then and in such case the said corporation shall not be entitled to exercise the powers, rights and privileges given to it in and by the preceding paragraph hereof.

Fifteenth—If the said factory should be destroyed by fire and the said company should make default for a period of six months (calculated from the time the insurance moneys shall have been paid over to the joint credit of the said corporation and the said company) in rebuilding or reconstructing the said factory and putting the same in operation, then and in such case the said company shall be entitled for its own use absolutely to as many tenths of the said insurance moneys for as many full years as the said company have operated the said factory as provided in clause "J" of this agreement, and the balance of the said insurance moneys shall be paid over to the said corporation, it being the intention of these presents that the insurance shall be paid to the company and the corporation upon their joint release, and shall then be deposited with the said bank to the joint credit of the said company and the said corporation, and thereafter paid out on the joint cheque of the said company and the said corporation.

Sixteenth—The company agree to abide by, keep and perform the conditions endorsed on the plan of water lots in the Village of Campbellford made by C. F. Caddy, Esq., P.L.S.

Seventeenth—This agreement shall be binding upon and enure to the benefit of the said company, its successors and assigns.

In Witness Whereof the said corporation of the Town of Campbellford have hereunto affixed its corporate seal, attested by its duly authorized officers for the purpose of this agreement, and the said company have hereunto affixed its corporate seal attested by the signatures of the president and manager thereof.

Signed, Sealed and delivered
in the presence of

G. A. PAYNE.

GEORGE HENRY WESTON,
President.

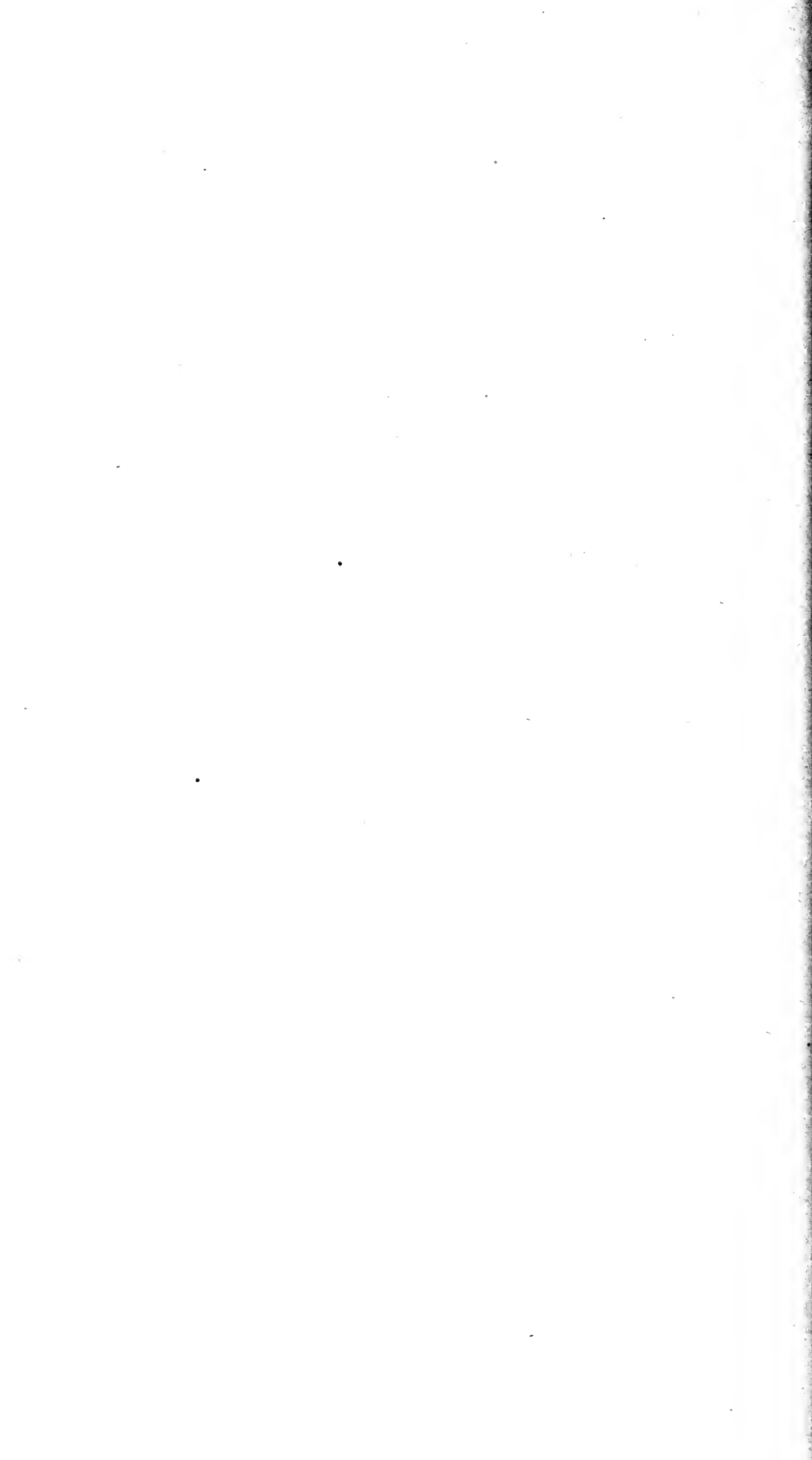
RICHARD CHARLES WESTON,
Managing Director.

J. E. DIAMOND,
Reeve.

E. A. WEST,
Clerk.



A. J. Russell Snow
Witness as to signatures of
George Henry Weston and Richard Charles Weston.



BILL.

An Act respecting the Village of Campbell-
ford and the Weston Shoe Com-
pany, Limited.

First Reading,	1903.
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(Private Bill.)

Mr. WILLOUGHBY.

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

An Act respecting the Village of Campbellford and
The Weston Shoe Company, Limited.

WHEREAS the Municipal Corporation of the Village of Preamble.

Campbellford has petitioned praying that an Act may be passed ^{to} legalize and confirm By-law No. 395 of the said corporation authorizing ^{the} issue of debentures of the *said corporation* to the amount of \$12,000 for the purpose of granting a bonus of \$5,000 to the Weston Shoe Company, and for the purpose of purchasing the premises known as the Campbellford Woollen Mills on Mill street in said village, in order to rent and convey *the same* to *the said company* for the purposes of their business, and to ^{confirm} and validate the substitution of the agreement made between the said municipal corporation and the said company dated the 30th day of October, 1902, for the agreement proposed in the said by-law, and to ^{legalize} and confirm the debentures issued or to be issued under the said by-law; and whereas the ^{business} to be carried on by ^{the} said company is a new one and there is no other industry of a similar nature established within the limits of the said municipality; and whereas a poll was held for the taking of the votes of the ratepayers entitled to vote on *the said by-law* in accordance with the provisions of *The* Rev. Stat., c. 223. *Municipal Act*, and the said by-law was assented to by more than two-thirds of the said ratepayers; and whereas the object of the said agreement of the 30th day of October, 1902, is substantially the same as the object of the said by-law as appears from the said by-law and agreement which are fully set forth in *the schedules* to this Act; and whereas no opposition has been offered to the said petition; and whereas it is expedient to grant of 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 No. 395 of the Municipal Corporation of the Village of Campbellford set forth in Schedule A to this Act, is confirmed and declared to be legal, valid and binding upon the said municipal corporation and the ratepayers thereof notwithstanding any want of jurisdiction on the part of the said municipality to pass the by-law and notwithstanding any defect in substance or in form of the said by-law or in the By-law No. 395 of Campbellford confirmed.

manner of passing the same and the said agreement dated the 30th day of October, 1902, between the said municipal corporation and the Weston Shoe Company, Limited, set forth in Schedule B to this Act is ratified and confirmed and the substitution thereof for the agreement proposed in the said by-law is authorized, notwithstanding any variations in the terms and conditions therein contained ~~and~~ from the said proposed agreement, and the said corporation of the village of Campbellford is authorized and empowered to issue and sell the debentures provided for by the said by-law, and the said debentures so issued under the said by-law are declared legal, valid and binding upon the said municipality, and the said corporation is authorized and empowered to do all necessary acts for the full and proper carrying out of the said by-law and the said agreement of the 30th day of October, 1902.

SCHEDULE A.

BY-LAW No. 395.

A By-law to authorize the issue of debentures of the Village of Campbellford to the amount of \$12,000 for the purpose of granting a bonus of \$5,000 to the Weston Shoe Company, and for the purpose of purchasing the premises known as the Campbellford Woollen Mills on Mill street in said Village of Campbellford in order to rent and convey same to said company for the purposes of their business.

Whereas the Weston Shoe Company, Limited, have applied to the municipal council of the Village of Campbellford to aid them by granting them a bonus of \$5,000, and leasing to them free of rent and taxes except school taxes, the premises in said village known as the Campbellford Woollen Mills for a period of ten years and to convey to them said property at the end of ten years on condition that they shall furnish and complete said mills with all suitable machinery for the manufacture of boots, shoes and other kinds of footwear, being goods not at present manufactured in said village, and the same to be in running order on or before the 1st day of January, 1903, and upon the further condition that the said company will, for the next ten years at least, run the said factory on an average at least 55 hours per week in each year, and employ while in operation as aforesaid at least 80 persons in the running and working of said factory. And as a further condition the said company shall, at or before the final passing of this by-law, enter into a written agreement with the said corporation to do all things before mentioned to be done on their part, and that on failure or breach of any one or more of the said conditions the said company shall repay the said corporation \$500 each and every year which shall yet remain of the said period of ten years. And as a further condition the said company shall, at the time or before the said bonus is paid over to them, execute and deliver a mortgage to said corporation on their stock, plant and machinery as security for the observance of said conditions on their part to be performed.

And whereas in order to aid the Weston Shoe Company in manner aforesaid, it is necessary and intended by this by-law to create a debt on the part of the said corporation to the amount of \$12,000 and to provide for the issue of debentures of the said corporation to the said amount

bearing interest as hereinafter mentioned, the proceeds of the said debentures to be applied to the purchase of said Campbellford Woollen Mills property and to the granting of said bonus.

And whereas it is desirable to issue the said debentures at one time and to make the principal of the said debt repayable by yearly sums during the period of 20 years, being the currency of the said debentures, said yearly sums being of such respective amounts that the aggregate amount payable in each year for principal and interest, in respect of the said debt, shall be as nearly as possible equal to the amount so payable in each of the other nineteen years of said period as shown hereafter.

And whereas it will require the sum of \$383.00 to be raised annually by special rate for paying the several instalments of principal and interest accruing due on the debt under the terms of this by-law.

And whereas the amount of the whole rateable property of the said Village of Campbellford, according to the last revised assessment roll thereof is \$719,450.00.

And whereas the existing debenture debt of the said Village of Campbellford is \$38,874.07, and no part of the principal or interest on said debenture debt is in arrear,

And whereas it would be a public benefit to the ratepayers of this corporation to have in operation said factory in said village, employing said number of hands, and said ratepayers would derive material benefit therefrom,

Therefore the municipal council of the corporation of the Village of Campbellford enacts as follows :—

1. That the manufacturing establishment for the manufacture of boots, shoes and other kinds of footwear to be carried on in the mills known as the Campbellford Woollen Mills, on Mill street, on the east side of the river Trent, within the limits of the Village of Campbellford, by the Western Shoe Company, Limited, and the lands upon which they are situate and the property now belonging thereto, and the machinery and other chattels employed therein used and occupied by the Western Shoe Company as and for a boot and shoe factory, shall except as to school rates and taxes and subject to the following clauses of this by-law, be in whole fully exempt from all taxation assessed and levied by the corporation of the Village of Campbellford for the term of ten years.

2. That said property hereby declared to be exempt from taxation as aforesaid for the term of ten years shall only be so, and remain so, so long as the Western Shoe Company employ and keep employed in said factory 80 employees, and should there not be employed and kept employed as aforesaid in any year or years during the said 10 years 80 employees working on an average 55 hours per week, then, in that event, it shall and may be lawful for the corporation of the Village of Campbellford to collect all taxes assessed or levied on and against said exempt property for any such year or years, and for any and all these purposes the property hereby exempted from taxation shall year by year be assessed to and in the name of the parties who would but for this by-law be liable to be taxed therefor and entered in a separate page of the assessment roll, so that in the event of there not being 80 hands employed, as before set forth in any year or years, the taxes for such year or years may be collected as other taxes assessed and levied by the corporation of the Village of Campbellford.

3. That the 10 years which said property is under this by-law to be exempt from taxation as aforesaid shall be consecutive and shall commence the first year after the passing of this by-law and the time from which said hands shall continue to be employed as aforesaid shall not be later than the 1st January, 1903.

4. That it shall be lawful for the corporation of the Village of Campbellford to raise by way of loan for the purposes, and with the objects

aforsaid upon the credit of the debentures hereinafter mentioned, the sum of \$12,000

5. That the reeve of the said village is hereby authorized and instructed to sign and issue debentures of the said village to the amount of \$12,000, in the several sums mentioned in the next clause hereof which debentures shall be dated on 22nd day of October, 1902, and shall be sealed with the seal of the said corporation and signed by the reeve and countersigned by the treasurer of said corporation.

6. That the said debentures shall be payable at the office of the treasurer of the said corporation of Campbellford on the following days and times, and shall be for the following amounts :

On the 20th day of October, 1903.....	\$403 00
On the 20th day of October, 1904.....	419 12
On the 20th day of October, 1905.....	435 88
On the 20th day of October, 1906.....	453 31
On the 20th day of October, 1907.....	471 44
On the 20th day of October, 1908.....	490 30
On the 20th day of October, 1909.....	509 91
On the 20th day of October, 1910.....	530 31
On the 20th day of October, 1911.....	551 52
On the 20th day of October, 1912.....	573 58
On the 20th day of October, 1913.....	596 50
On the 20th day of October, 1914.....	620 36
On the 20th day of October, 1915.....	645 17
On the 20th day of October, 1916.....	670 98
On the 20th day of October, 1917.....	697 82
On the 20th day of October, 1918.....	725 73
On the 20th day of October, 1919.....	754 77
On the 20th day of October, 1920.....	784 96
On the 20th day of October, 1921.....	816 36
On the 20th day of October, 1922.....	848 98

7. That the said debentures shall bear interest at the rate of 4 per centum per annum, payable yearly at the office of the treasurer of the said Village of Campbellford on the 20th day of October in each year during the currency thereof and shall have attached to them coupons for the payment of such interest.

Provided however that no such debentures shall be issued or sold, nor shall any money be paid hereunder until after the said company shall have placed in the said mills the necessary plant and machinery for the manufacture of boots and shoes, nor until they shall have entered into a binding agreement with the said corporation to comply with the conditions hereinbefore set forth. And the said company shall, before any money is paid over to them under this by-law, execute and deliver to said corporation a mortgage on their said plant and machinery as security for the carrying out of the conditions aforesaid.

8. During the currency of the said debentures there shall be raised annually by special rate on all the rateable property in said Village of Campbellford the sum of \$883.00 for the purpose of paying the amount due in each of the said years for principal and interest in respect of the said debt.

9. This by-law shall come into force and effect on the 22nd day of October, A.D., 1902.

10. The votes of the said electors, for and against this by-law, shall be taken by ballot on Tuesday, the 7th day of October, 1902, from the hour of 9 o'clock in the forenoon until 5 o'clock in the afternoon of the same day at the places within the said corporation of Campbellford and by the deputy returning officers hereinafter specified, that is to say:— Polling division No. 1, at the town hall, Loren G. Young, deputy returning officer; polling division No. 2, at the fire hall, Adam Dinwoodie, deputy returning officer; polling division No. 3, at the Baptist church, Philip C. Foy, deputy returning officer; polling division No. 4,

at John Harris' sale rooms, Frederick J. Smith, deputy returning officer.

11. The reeve of the said village shall attend at the office of the clerk of this corporation on the first day of October, 1902, at 2 o'clock in the afternoon, to appoint persons to attend at the various polling places aforesaid, and at the summing up of the votes by the clerk on behalf of the persons interested in promoting or opposing the passing of this by-law respectively.

12. The clerk of the council of the said Village of Campbellford shall attend at his office in the said village at the hour of ten o'clock in the forenoon of the 8th day of October, 1902, in the presence of the parties hereinbefore appointed, and of any other persons entitled by law to be present, to sum up the number of votes given for and against the by-law.

Dated at Campbellford the 17th day of September, 1902.

(Sgd) J. E. DIAMOND,
Reeve.

(Sgd) E. C. WEST,
Clerk. [Seal]

SCHEDULE B.

Memorandum of agreement made (in quadripartite) the thirtieth day of October, A. D. 1902, between The Western Shoe Company, Limited, hereinafter called "the Company of the First Part" and the Corporation of the Village of Campbellford, hereinafter called "the Corporation" of the second part.

Whereas the Western Shoe Company, Limited, has been duly incorporated for the purpose of manufacturing boots, shoes and all kinds of footwear with a capital stock of forty thousand dollars.

And whereas the said company is desirous of operating a factory in the Village of Campbellford for the manufacturing of boots, shoes and all kinds of footwear.

And whereas the said company propose to purchase a property in the Village of Campbellford, being lots three, four, five and six in East Factory Block and known as the Campbellford Woollen Mills Factory (which includes the dyehouse, boiler room, and all plant and machinery now in the said factory, dyehouse and boiler room), together with the water privileges, flume ways and appurtenances thereto belonging or appertaining.

And whereas the said company has applied to the municipal council of the corporation of the Village of Campbellford for a bonus of twelve thousand dollars.

And whereas it has been deemed expedient by the said council of the said corporation to grant the said bonus to the said company and a by-law for that purpose with the assent of the electors has been passed by the said council.

And whereas the council of the said corporation propose to raise the sum of twelve thousand dollars upon debentures issued pursuant to the said by-law, and propose to pay over the said bonus to the said company as hereinafter set forth.

And whereas for the purpose of mutually assisting each other, the parties hereto have agreed to execute these presents.

Now this agreement witnesseth—

First—The company agree to procure from the owners of the said property an agreement offering to sell the said property to the said company for the sum of seven thousand dollars cash, such offer to remain

open for acceptance by the said company until the fifteenth day of November, A.D. 1902.

Second—The corporation agree to raise the sum of twelve thousand dollars on or before the thirteenth day of November, A.D. 1902, to pay the said bonus.

Third—The corporation agree to pay over the said bonus of twelve thousand dollars to the said company as hereinafter set forth in clauses lettered "a" to "g" both inclusive.

(a) The company upon receiving notice in writing on or before the thirteenth day of November, A.D. 1902, from the said corporation that they are prepared to pay over the said bonus, shall accept the said agreement offering to sell the said property.

(b) After acceptance by the said company of the said agreement offering to sell the said property, the said company shall at their own costs and charges investigate the title to the said property.

(c) If the solicitor for the said corporation, and the solicitor for the said company certify that a satisfactory title can be made to the said property *then* and in such case the corporation agree to pay to the vendor of the said property the purchase price of seven thousand dollars, and deposit the balance of the said bonus, namely, five thousand dollars in the Standard Bank at Campbellford to the joint credit of the corporation and the company.

(d) The conveyance or deed of the said property shall be made by the owner or vendor of the said property to the said company.

(e) The said deed and duplicate thereof shall be delivered to the Standard Bank at Campbellford, together with an original copy of this agreement, and the said Standard Bank shall hold the same in trust, subject to the terms and conditions of this agreement.

(f) After the said deed has been deposited with the said bank, the said company shall proceed to equip the said factory so as to have the same in running operation on or before the first day of February, A. D., 1903.

(g) The balance of the said bonus, namely : five thousand dollars shall be paid over to the said company upon the joint check of the said corporation and the said company on the said bank as soon as the said factory has been equipped and ready to start operations.

(h) As soon as the said factory has been equipped and ready for operation the said company at their expense *will* insure and keep insured during the term of ten years from the first day of January, A.D., 1903, the said factory, including the plant and machinery therein to the amount of not less than fifteen thousand dollars loss, if any, payable to the said company and to the said corporation jointly.

(i) The said company agree to commence operating the said factory not later than the first day of February, A.D., 1903.

(j) That for a term of ten years commencing on the first day of January, A.D., 1903, and ending on the thirty-first day of December, A.D., 1913 the company will, subject as hereinafter set forth, employ for ten months in each year during said term an average of eighty persons in operating the said factory, giving to each person employed in said factory an average employment of eight hours per day.

(k) The corporation shall have the right to an annual inspection of the time books of the said company for the purpose of ascertaining whether the said company are employing the number of persons aforesaid in the manner aforesaid as set forth in clause "j" of this agreement.

(l) Should the company fail to employ the number of persons aforesaid in the said factory in manner aforesaid as set forth in clause "j" hereinbefore contained, it shall, subject as hereinafter set forth, pay to the

corporation as liquidated damages the sum of twelve hundred dollars for each and every year that the said company make default in performance of said clause "j" during the said term of ten years, which sum shall be a charge in favour of the said corporation upon said property of the said company, including all plant and machinery therein.

(m) In case of the destruction of the said factory or any part thereof by fire, or partial destruction thereof the said company agree to proceed with all due diligence to reconstruct or repair the said factory and place the same again in operation, and the said insurance moneys shall be applied to the reconstruction or repair of the said buildings, and shall be paid over upon the joint cheque of the said corporation and the said company to the said company from time to time as the reconstruction or reparation of the said works proceed.

Fourth—The said corporation agrees with the said company that the real and personal property of the said company in the said Village of Campbellford used by the said company in operating their said factory and business shall be subject to the performance by the said company of clause "j" be exempt for the term of ten years from the first day of January, 1903, to the first day of January, 1913, from payment of taxes by the said company (except school taxes) and the assessment for such school taxes shall be, and the same is hereby fixed at fifteen thousand dollars for each and every year during the said ten years.

Fifth—The said corporation further agree to give notice within thirty days after the first day of February in any year during the said term to the company of any neglect or default on the company's part in the performance of clause "j" aforesaid, which notice shall be delivered to an officer of the said company, and shall give full particulars of the default or neglect complained of on the part of the corporation, and the omission by the corporation to give such notice within the time aforesaid shall be deemed a waiver of the rights of the said corporation to thereafter complain or set up that the company have not performed or fulfilled the provisions contained in clause "j" of this agreement for the preceding year, and the said corporation shall be estopped from thereafter alleging non-performance by the said company of the provisions in clause "j" of this agreement for such preceding year.

Sixth—Provided that in case the said company is unable, by reason of strikes, lockouts, or combines to perform clause "j" of this contract, or through some unforeseen event or casualty not caused by the neglect, default or misconduct of the company it should be hindered, delayed or prevented from carrying out substantially the provisions of clause "j" of this agreement, then and in such case the said company shall not be bound to pay the said twelve hundred dollars damages hereinbefore provided, but nothing in this clause contained shall relieve the company from want of diligence on its part to settle any strikes or lockouts which may arise during the said term, or from using due diligence in remedying any unforeseen event or casualty which may be occasioned as aforesaid in so far as the company can remedy the same without sustaining a substantial loss.

Seventh—It is agreed between the parties hereto that if default should be made in any year in performance of clause "j," and the corporation should demand and receive the sum of twelve hundred dollars from the said company under condition "1," that the payment of the said twelve hundred dollars shall be taken and accepted by the said corporation in lieu of the performance of the said provisions contained in clause "j" of this agreement for such year in which such default may have arisen.

Eighth—Should the said company make default in performance of the provisions contained in clause "j" hereinbefore set forth, and should the said corporation give notice to the said company of such default, under the provisions of paragraph five of this agreement, and should the said company after receiving said notice make default in payment of the said twelve hundred dollars damages as provided in clause "1" of this

agreement, for a period of two months after receiving such notice, then and in any such case, and so often as the same shall happen, it shall be lawful for the said corporation upon giving to the said company one month's notice in writing of their intention, to receive from the said bank the said deed so deposited with the said bank and upon delivering to the said bank a statutory declaration made by the clerk of the said corporation verifying such default as aforesaid and service of the said notice as aforesaid upon the said company, to receive the said deed from the said bank and register same, and thereafter the said corporation may enter into possession of the said property including all plant and machinery therein, and have, hold, use and enjoy the said property, including all plant and machinery, as its own absolute property, and the said property shall ipso facto absolutely vest in the said corporation and be subject to any disposition the said corporation may choose to make thereof.

Ninth.—The said deed so deposited with the said bank shall be delivered up to the said bank to the said company after the 31st day of January, 1913, unless the said bank shall have previously delivered the said deed to the said corporation under the provisions in paragraph eight "or thirteen" of this agreement, or unless the said corporation have served a notice on the said company under the provisions of paragraph number five of this agreement, and a copy of such notice given to the local manager of the said bank before the first day of February, A. D., 1913.

Tenth.—The company shall not remove their factory from the said Village of Campbellford for twenty years, calculated from the first day of January, A. D., 1903, by reason of any bonus being offered to the said company by any other municipality.

Eleventh.—The company shall pay the general taxes on the said assessment of fifteen thousand dollars in any year that the company makes default in fulfilling the terms of clause "j" hereinbefore set forth, but no distress for such taxes or other proceedings to recover the same shall be taken by the said corporation, unless the said corporation shall have first served the notice upon the said company required by paragraph five of this agreement, nor until the expiration of one month after the service of such notice.

Twelfth.—As the company will experience difficulty in getting operators for their factory during the first three months of the said term of ten years, the said corporation agree not to complain of the non-performance of clause "j" hereinbefore set forth in case default is made by the company in the substantial performance of said clause "j" during the said three months, so long as the said company shall during the said three months have exercised due diligence on its part towards carrying out the provisions contained in said clause "j."

Thirteenth.—Should the said company during the said term of ten years cease to operate the said factory for a continuous period of six months, the corporation shall, subject to the proviso in the next succeeding paragraph number fourteen, be entitled on giving ten days' notice in writing to the said company after the expiration of the said six months to enter into possession of the said property hereinbefore described and all plant and machinery therein, and shall also be entitled upon filing a statutory declaration of the clerk of the said corporation, or some officer thereof, verifying the default on the part of the said company, and the service of the notice aforesaid, to demand and receive from the said bank the said deed and duplicate thereof, and thereafter to register the same, and upon the registration of such deed, the said corporation shall become *ipso facto* the absolute owner of the said property including all plant and machinery therein, and the said property shall absolutely vest in the said corporation, and be subject to any disposition the said corporation may choose to make thereof.

Fourteenth.—In the event of the said company being unable to operate the said factory for a continuous period of six months by reason of strikes

or lockouts, or by destruction or partial destruction of the said premises by fire, lightning or tempest, or through any other unforeseen event or casualty not caused by the neglect, default or misconduct of the company, then and in such case the said corporation shall not be entitled to exercise the powers, rights and privileges given to it in and by the preceding paragraph hereof.

Fifteenth—If the said factory should be destroyed by fire and the said company should make default for a period of six months (calculated from the time the insurance moneys shall have been paid over to the joint credit of the said corporation and the said company) in rebuilding or reconstructing the said factory and putting the same in operation, then and in such case the said company shall be entitled for its own use absolutely to as many tenths of the said insurance moneys for as many full years as the said company have operated the said factory as provided in clause "J" of this agreement, and the balance of the said insurance moneys shall be paid over to the said corporation, it being the intention of these presents that the insurance shall be paid to the company and the corporation upon their joint release, and shall then be deposited with the said bank to the joint credit of the said company and the said corporation, and thereafter paid out on the joint cheque of the said company and the said corporation.

Sixteenth—The company agree to abide by, keep and perform the conditions endorsed on the plan of water lots in the Village of Campbellford made by C. F. Caddy, Esq., P.L.S.

Seventeenth—This agreement shall be binding upon and enure to the benefit of the said company, its successors and assigns.

In Witness Whereof the said corporation of the Town of Campbellford have hereunto affixed its corporate seal, attested by its duly authorized officers for the purpose of this agreement, and the said company have hereunto affixed its corporate seal attested by the signatures of the president and manager thereof.

Signed, Sealed and delivered
in the presence of

G. A. PAYNE.

J. E. DIAMOND,
Recvo.

E. A. WEST,
Clerk.

Seal.

GEORGE HENRY WESTON,
President.

RICHARD CHARLES WESTON,
Managing Director.

Seal.

A. J. Russell Snow
Witness as to signatures of
George Henry Weston and Richard Charles Weston.

1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act respecting the Village of Campbell-
ford and the Weston Shoe Com-
pany, Limited.

(Private Bill.)

First Reading, 24th April, 1903.

(Reprinted as amended by Private Bills
Committee.)

Mr. WILLOUGHBY.

TORONTO :

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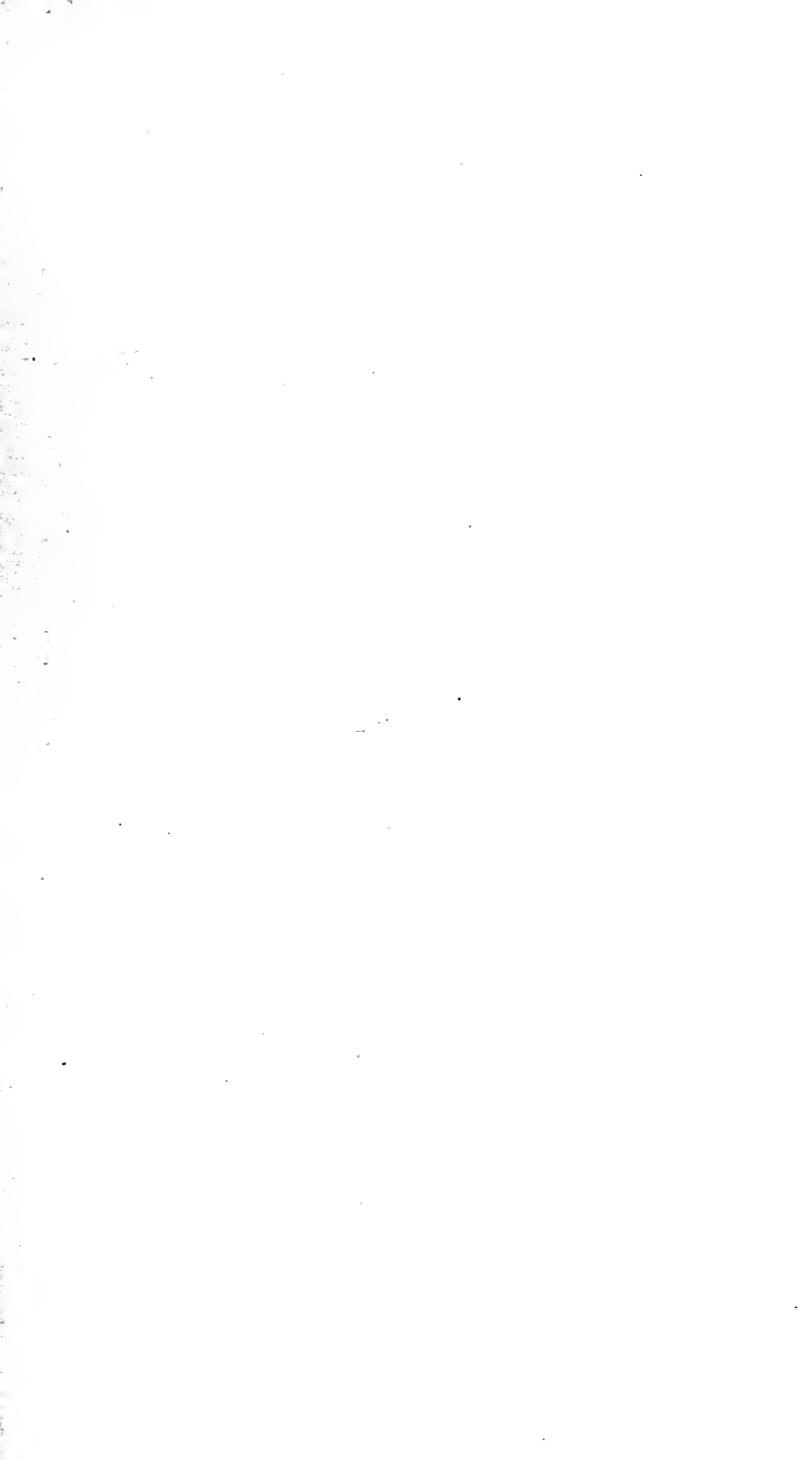
An Act respecting the Village of Niagara Falls.

WHEREAS the Municipal Corporation of the Village of Preamble
 Niagara Falls has by its petition prayed that an Act
 may be passed to extend the corporate limits of the said
 village by taking in certain territory adjacent thereto, and
 5 being a portion of the Town of Niagara Falls and a portion
 of the Township of Stamford, in the County of Welland;
 and whereas there has been no opposition to the said petition;
 and whereas it is expedient to grant the prayer of the said
 petition:

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

1. The limits of the Village of Niagara Falls, in the County
 of Welland, are hereby extended to comprise, and the said Limits of
 Village of
 Niagara Falls
 extended.
 15 village shall hereafter comprise all and singular that certain
 portion of land and part of the Niagara River, being within
 the limits of the Corporation of the Town of Niagara Falls,
 in the County of Welland, lying south of a line drawn
 easterly along the centre of Murray street and the easterly
 20 production thereof, from a point in the present limit between
 the corporation of the Village of Niagara Falls and the cor-
 poration of the Town of Niagara Falls to the international
 boundary line, between Canada and the United States, and
 containing an area of thirty acres of land, be the same more
 25 or less, and also that tract of land and part of the Niagara
 River lying within the limits of the Corporation of the Town-
 ship of Stamford, in the County of Welland, being composed
 of township lots Nos. 174, and broken front lot No. 160, and
 parts of lots Nos. 173, 160, 159, 146 and 145, and part of
 30 broken front lot 159, and portions of the original allowances
 for roads adjoining said lots, and also Cedar Island lying in
 front of said lots, Nos. 174 and 160, broken front, said tract
 lying south of the southerly limits of the Corporations of the
 Village of Niagara Falls and the Town of Niagara Falls, and
 35 bounded on the west by a line commencing at a point in the
 present southerly limit of the Village of Niagara Falls, along
 Murray street, where the said southerly limit would be inter-
 sectured by the northerly production of the westerly limit of
 block No. 42, according to the Falls Company's registered

plan, thence southerly along the westerly limits of block Nos. 42 and 41 according to said plan and the production thereof to a point in the centre of Dunn street, thence easterly along the centre of Dunn street to a point in the northerly production of the easterly limit of block No. 39, according to said 5 plan, thence southerly along said production of said limit of said block No. 39, and along said limit of said block to the south easterly angle of said block No. 39, and thence southerly parallel to the easterly limits of aforesaid township lots, Nos. 160 and 173, to the centre of the road allowance lying 10 south of said lot No. 173, said point being the south westerly angle of the proposed extension, and the southerly boundary being a line drawn easterly from said south westerly angle along the centre of the allowance for roads lying south of aforesaid township lots, Nos. 173 and 174, and the easterly 15 production thereof to the international boundary line between Canada and the United States, which forms the easterly limit of the proposed extension, and containing an area of 245 acres of land, be the same more or less.



An Act providing for the Incorporation of the
City of Niagara Falls.

WHEREAS the Councils of the Municipal Corporations of Preamble
the Town of Niagara Falls and the Village of Niagara Falls have passed resolutions affirming the expediency of the amalgamation of the said corporations and have agreed that all questions, claims, demands or disputes now existing or which may arise out of said amalgamation shall be settled and determined by a Commission to be appointed by the Lieutenant-Governor in Council for that purpose; and whereas the said corporations have extensive railway and shipping interests, and large works for the development of power are in course of construction therein and in the immediate vicinity; and whereas it is expedient to incorporate a new municipal corporation the limits of which shall be determined by the said Commission;

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 confirmation of the report of the Commission to be appointed as hereinafter provided the area comprised in the limits fixed by the said Commission shall be constituted a Corporation under the name of The Municipal Corporation of the City of Niagara Falls and the said Corporation shall enjoy and possess all the rights, powers and privileges of cities under *The Municipal Act*.

Incorporation
of City of
Niagara Falls

Rev. Stat.,
c. 223.

2. The City of Niagara Falls shall be divided into five wards to be named respectively, Ward No. 1, Ward No. 2, Ward No. 3, Ward No. 4, Ward No. 5, of which the present Town of Niagara Falls shall form three, the present South Ward of the said town with its present boundaries to be Ward 3, and the remaining Wards in the said town to be divided into and to comprise Ward No. 1 and Ward No. 2.

Wards.

3. The council of the said city shall consist of the Mayor, who shall be head thereof, and two Aldermen for each Ward thereof, and the representation, as herein mentioned, shall continue for a period of three years from the date of the incorporation of said city; and thereafter such representation shall be governed by the provisions of *The Municipal Act*.

Council.

- Commission to settle differences and fix boundaries. **§ 4.** (1) The Lieutenant-Governor in Council may appoint a Commission of three persons to hear and determine all questions, claims, demands or disputes now existing or which may arise out of said amalgamation, or which affect the boundaries of the said city, and the said Commission shall have power to fix and determine the territory to be included in the said city. The finding of the said Commission, when ratified and confirmed by the Lieutenant-Governor in Council, shall be final and binding on all parties concerned. The expenses of the Commission shall be paid by the amalgamating municipalities as may be determined by the Commissioners. ¹⁸⁹¹
- Rev. Stat., c. 19. **§ (2)** The Commissioners appointed hereunder shall have the same powers as if appointed under *The Act respecting Inquiries concerning Public Matters*. ¹⁸⁹¹
- First election. **§ 5** The said Commission shall appoint the Returning Officer for the first election of mayor and aldermen of the said city; and the affairs of the territory affected by the award of said Commission shall be administered by the councils of the said municipalities to be amalgamated until the mayor and aldermen of the said city assume office after the election aforesaid, which said election shall be held in January, 1904, according to the provisions of *The Municipal Act* as far as the same are not inconsistent herewith. ¹⁸⁹¹
- Rev. Stat., c. 223. **§ 6.** At said first election in the said city the qualifications of the electors shall be the same as required in towns. ¹⁸⁹¹
- Qualification of electors.
- Nominations. **§ 7.** The nominations for the said first election and all other proceedings in connection therewith shall be held and performed in the manner provided in *The Municipal Act* respecting elections in towns, and according to the existing by-laws of the Town of Niagara Falls, and the Returning Officer shall appoint deputy returning officers and have all the powers and perform all the duties of clerk of the said city until some other appointment is made. ¹⁸⁹¹
- Voters' lists. **§ 8.** The last revised assessment rolls and Voters' list of the said town, village and other territory, if any, comprised in the said city, shall be taken to be the rolls and voters' lists of the said city for any future election, as if this Act had not been passed, until an assessment for the city shall be made, and the assessment roll thereof finally revised, and the voters' lists thereunder duly made and completed. ¹⁸⁹¹
- Provisions of Municipal Act made applicable. **§ 9.** The provisions of *The Municipal Act* relating to matters consequent on the formation of new municipal corporations, and the other provisions of the said Act shall, except so far as herein otherwise provided, apply to the said City of Niagara Falls in the same manner as if the said city had been incorporated under the provisions of the said Act. ¹⁸⁹¹



1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act providing for the Incorporation of
the City of Niagara Falls.

First Reading, 24th April, 1903.
Second Reading, 8th May, 1903.

(Reprinted as amended in Committee of
the Whole.)

Mr. GROSS.

An Act to incorporate the Sudbury, Copper Cliff & Creighton Electric Railway Company.

WHEREAS Norman T. Hillary, Joseph S. Gill, Daniel Baikie, Robert Martin, William H. Mulligan, John McLeod, James Purvis and Robert H. Arthur, all of the Town of Sudbury, and Daniel L. McKinnon, John R. McKinnon, William C. Kilpatrick, and John Price, all of the Town of Copper Cliff, have by their petition prayed for an Act of Incorporation under the name of "The Sudbury, Copper Cliff & Creighton Electric Railway Company," for the purpose of constructing and operating an electric railway from some point in the Township of Snider, in the District of Algoma, near the Western boundary of the said township, and continuing through the Township of Snider and the Town of Copper Cliff, in the District of Algoma, and the Towns of Copper Cliff and Sudbury and the Township of McKim, in the District of Nipissing; and it has been represented that the line of the railway of the company so to be incorporated will, in part, be constructed in the unorganized part of the Province; and whereas the petitioners have prayed that there may be conferred upon them the powers ordinarily given upon the incorporation of a railway to be operated by steam; and whereas it is expedient to grant the prayer of the said petitioners.

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

1. Norman T. Hillary, Joseph S. Gill, Daniel Baikie, Robert Martin, William H. Mulligan, John McLeod, James Purvis and Robert H. Arthur, Daniel L. McKinnon, John R. McKinnon, William C. Kilpatrick and John Price, 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 Sudbury, Copper Cliff & Creighton Electric Railway Company."

2. The said company is hereby authorized and empowered to survey, lay out, construct, equip, maintain, and operate by electricity, and from time to time remove and change a double or single track iron or steel railway of the gauge of four feet eight and one-half inches, and with all necessary side-tracks

and turn-outs for the passage of cars, carriages, and all other vehicles adapted to the same, at a point in or near the western boundary of the Township of Snider, in the District of Algoma, and continuing through the Township of Snider and the Town of Copper Cliff, in the District of Algoma, and the Towns of Copper Cliff and Sudbury and the Township of McKim, in the District of Nipissing, 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 *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 corporations (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.
Rev. Stat.
c. 223.

Construction
of line by
sections.

Rev. Stat.
c. 207.

3 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 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 the sections shall extend from one of the terminals of the road to a point on the boundary, or within the limits of the Town of Copper Cliff; and upon such deposit as aforesaid of the map or plan, and book of reference, of any and each of such sections or portions of the said railway, all and every of the clauses of the said Railway Act, and the amendments thereof, applied to, included in or incorporated with this Act, shall apply and extend to any and each of such sections or portions of the said railway as fully and effectually as if the surveys and levels had been taken and made of the lands through which the whole of the said railway is to pass, together with the map or plan of the whole thereof and of its whole course and direction, and of the lands intended to be passed over, and taken, and the book of reference for the whole of said railway had been taken, made, examined, certified, and deposited according to the said clauses of the said Railway Act and the amendments thereof, with respect to plans and surveys. The construction of the railway in sections may be commenced at such point on the

line of the railway as the directors may determine, but the said work of construction shall be carried on from such point by sections continuing therefrom so as to form at all times one continuous line of railway. Provided, however, that the

5 Lieutenant-Governor in Council may sanction and approve of the construction by sections at different points and not continuously, along the said line of railway.

4. The said Norman T. Hillary, Joseph S. Gill, Daniel Baikie, Robert Martin, Daniel L. McKinnon, William C. Kilpatrick, John Price, John McLeod, and James Purvis 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.

Rev. Stat. c. 209.

15 5. The head office of the said company shall be at the Town of Sudbury in the District of Nipissing, and all meetings of the provisional board of directors shall be held at the said Town of Sudbury, or at such other place as may best suit the convenience of the company.

Head Office.

20 6. The capital stock of the company shall be \$150,000, to be divided into 1500 shares of \$100 each.

Capital Stock.

7. Where the railway is constructed in sections it shall only be necessary that twenty-five per centum of the capital stock necessary for the construction of such section be subscribed, and ten per centum of the capital stock necessary for the construction of such section be paid in cash into some chartered bank in Canada to comply with section 52 of *The Electric Railway Act*.

Subscriptions for stock where road constructed in sections.

Rev. Stat. c. 209.

30 8. The number of directors shall not be less than five, nor more than nine.

Number of directors.

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

Date of annual meeting.

35 10. The directors may enter into a contract or contracts with any individual corporation or association of individuals for the construction or equipment of the railway or any part thereof, including or excluding the purchase of right-of-way, and may pay therefor either in whole or in part, either in cash or bonds, or in paid-up stock, and may pay or agree to pay in paid-up stock or in bonds of the said company such sums as they may deem expedient to engineers, or for the right-of-way or material, plant or rolling stock, and also for the services of the promoters or other persons who may be employed by the directors for the purpose of assisting the directors and furthering the undertaking, or for the purchase

45 of right-of-way, material, plant or rolling stock whether

Directors empowered to pay in stock.

Proviso. such promoters or other persons be provisional or elected directors or not. Provided that no such contract shall be of any force or validity unless authorized by resolution passed by the votes of the shareholders in person or by proxy, representing two-thirds in value of the subscribed capital stock, and on which no call is in default and unpaid, at a general meeting specially called for that purpose. 5

Calls. 11. 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 may 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. 15

Bonding powers. 12. The directors of the company shall have power to issue bonds and debentures of the company for the purpose of raising money for prosecuting the undertaking, but the whole amount of the issue of such bonds and debentures shall not exceed \$15,000 for each mile of said railway, and no bonds or debentures shall be issued until twenty-five per centum of the authorized capital appropriated to any one of the branches or sections has been actually expended on such branch or section. 20

Rights of aliens. 13. Aliens and companies incorporated abroad, as well as British subjects and corporations may be shareholders in the company, and all such shareholders, whether resident in this Province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible to office as directors of the company. 25 30

Mortgage to secure bonds. 14. The company may secure such bonds, debentures, or other securities by 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. 35

(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 40 45

shall be valid, and binding, and available to the said holders in manner and form as therein provided.

(b) Every such mortgage deed shall be deposited in the office of the Provincial Secretary, of which deposit notice shall be given by the company in the Ontario Gazette.

(c) It shall not be necessary in the exercise of the powers as to mortgaging and in order to preserve the priority, lien, charge, mortgage or privilege purporting to appertain to or be created by any bond, debenture or other security issued, or mortgage deed executed under the authority of this Act, that such bond or deed should be registered in any manner or in any place whatsoever, except at the office of the Provincial Secretary as aforesaid, nor shall it be necessary to comply with the provisions of *The Bills of Sale and Chattel Mortgage Act*, or any Act, requiring the registration or renewal of mortgages of chattels, but any mortgage which may be executed by the company under the powers conferred upon it shall, upon the same being deposited in the office of the Provincial Secretary, have full force and effect and priority according to the time of deposit, and shall form a lien and encumbrance upon any personal property or chattels therein embraced to all intents and purposes as therein expressed and set forth, as if the provisions of the said *Bills of Sale and Chattel Mortgage Act*, or any act requiring registration or renewal of mortgages of chattels, have been fully complied with.

15. The provisions of *The Ontario Companies Act* relating to the issue of preferential stock, and being section 22 of said Act and the amendments thereto, are hereby incorporated in and made part of this Act.

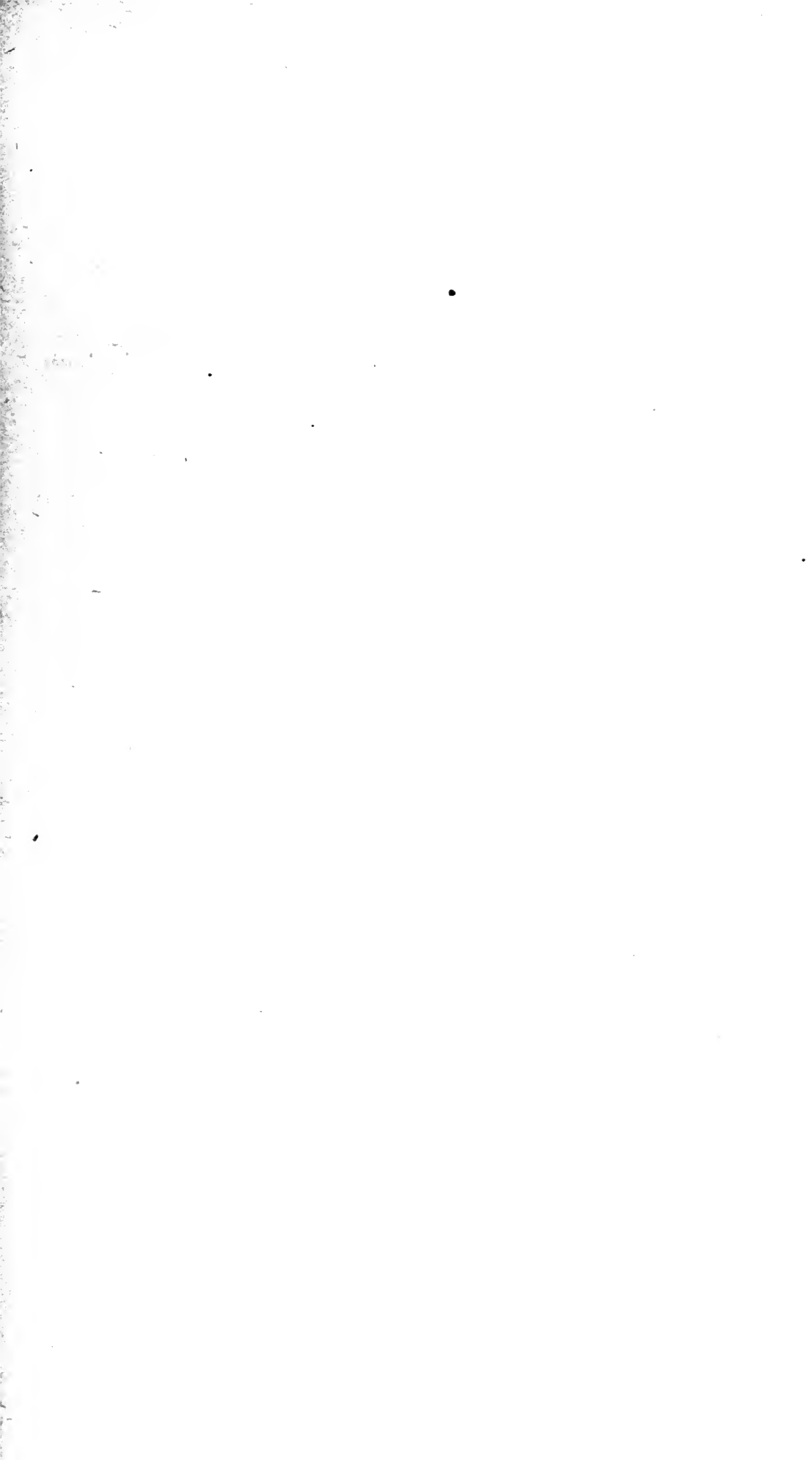
16. Notwithstanding any provision to the contrary in any other Act, the company's railway may cross the railway of any other company upon a level therewith, with the consent of such other company or with the authority of the Railway Committee of the Privy Council of Canada.

17. The directors are hereby authorized to pay out of the moneys of the company 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.

18. The undertaking hereby authorized shall be commenced within three years 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.

Incorporation
Rev. Stat.
c. 209.

19. 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 so far only as they may be inconsistent with the express enactments thereof; and the expression "this Act" when used herein shall be understood to include the clauses of *The Electric Railway Act*, and of every Act in amendment thereof so incorporated with this Act. 5



1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act to incorporate the Sudbury, Cop-
per Cliff & Creighton Electric Railway
Company.

First Reading. , 1903.

(Private Bill.)

Mr. MICHAUD.

TORONTO:

PRINTED BY I. K. GAMERON,
Printer to the King's Most Excellent Majesty.

An Act to incorporate the Sudbury, Copper Cliff *and* Creighton Electric Railway Company.

WHEREAS Norman T. Hillary, Joseph S. Gill, Daniel Baikie, Robert Martin, William H. Mulligan, John McLeod, James Purvis and Robert H. Arthur, all of the Town of Sudbury, and Daniel L. McKinnon, John R. McKinnon, William C. Kilpatrick, and John Price, all of the Town of Copper Cliff, have by their petition prayed for an Act of Incorporation under the name of "The Sudbury, Copper Cliff *and* Creighton Electric Railway Company," for the purpose of constructing and operating an electric railway from some point in the Township of Snider, in the District of Algoma, near the Western boundary of the said township, and continuing through the Township of Snider and the Town of Copper Cliff, in the District of Algoma, and the Towns of Copper Cliff and Sudbury and the Township of McKim, in the District of Nipissing; and whereas it is expedient to grant the prayer of the said petitioners. Preamble.

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

1. Norman T. Hillary, Joseph S. Gill, Daniel Baikie, Robert Martin, William H. Mulligan, John McLeod, James Purvis and Robert H. Arthur, Daniel L. McKinnon, John R. McKinnon, William C. Kilpatrick and John Price, 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 Sudbury, Copper Cliff *and* Creighton Electric Railway Company." Incorporation

2. The said company is hereby authorized and empowered to survey, lay out, construct, equip, maintain, and operate by electricity, and from time to time remove and change a double or single track iron or steel railway of the gauge of four feet eight and one-half inches, and with all necessary side-tracks and turn-outs for the passage of cars, carriages, and all other vehicles adapted to the same, *from* a point in or near the western boundary of the Township of Snider, in the District of Algoma, and continuing through the Township of Snider and the Town of Copper Cliff, in the District of Algoma, and the Location of line.

Towns of Copper Cliff and Sudbury and the Township of McKim, in the District of Nipissing, with power to build any part or branch of said railway in sections; and the said railway or any part thereof ~~also~~ 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 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 *this Act*, *The Electric Railway Act* and in *The Municipal Act*, and any Act or Acts amending the same.

Rev. Stat.
c. 209.
Rev. Stat.
c. 223.

Construction
of line by
sections.

Rev. Stat.
c. 209.

3. 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 ~~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, ~~also~~ so that no one of such sections or portions shall be less than five miles in length, ~~and~~ 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 thereto, with respect to "plans and surveys." The construction of the railway in sections may be commenced at such point on the line of the railway as the directors may determine, but the said work of construction shall be carried on from such point by sections continuing therefrom so as to form at all times one continuous line of railway; provided, however, that the

Lieutenant-Governor in Council may sanction and approve of Proviso.
the construction by sections at different points, and not continuously, along the said line of railway.

4. Whenever any section of the said railway, of not less than five miles, has been completed, the company may give to the Commissioner of Public Works a notice as to it similar to that required by section 87 of *The Electric Railway Act*, and unless ordered as provided by section 89 of said Act to postpone the same, may open and operate such section as if it were a completed road, and all the sections of the said Act applicable thereto shall thereupon apply to the said section as if it were a completed road and to its operation. Power to operate road in sections 87 & 89. Rev. Stat. c. 209.

5. The said company shall have all the borrowing powers conferred by the provisions relating thereto in *The Electric Railway Act*, and may issue bonds, debentures and other securities, as therein provided, to an amount not exceeding \$15,000 for each mile of the railway, and the power of issuing such bonds, debentures, or other securities may be exercised from time to time as said sections of five miles or over are opened, to the amount of \$15,000 a mile for each mile so opened, although twenty per centum of the authorized capital may not have been then actually expended, and when said twenty per centum has been actually expended on the work of the said railway, then the company shall have all the powers relating to the issue of bonds, debentures and securities conferred by *The Electric Railway Act*, and to the said limit or amount of \$15,000 per mile of the railway. Power to borrow by the issue of bonds, etc. Rev. Stat. c. 209.

6. The said Norman T. Hillary, Joseph S. Gill, Daniel Baikie, Robert Martin, Daniel L. McKinnon, William C. Kilpatrick, John Price, John McLeod, and James Purvis 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. Rev. Stat. c. 209.

7. The head office of the said company shall be at the Town of Sudbury in the District of Nipissing, and all meetings of the provisional board of directors shall be held at the said Town of Sudbury, or at such other place as may best suit the convenience of the company. Head Office.

8. The capital stock of the company shall be \$150,000, to be divided into 1500 shares of \$100 each. Capital Stock.

9. The number of directors shall not be less than five, nor more than nine. Number of directors.

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

Directors empowered to pay in stock.

11. The directors may enter into a contract or contracts with any individual corporation or association of individuals for the construction or equipment of the railway or any part thereof, including or excluding the purchase of right of way, and may pay therefor either in whole or in part, either in cash or bonds, or in paid-up stock, and may pay or agree to pay in paid-up stock or in bonds of the said company such sums as they may deem expedient to engineers, or for the right of way or material, plant or rolling stock, and also for the services of the promoters or other persons who may be employed by the directors for the purpose of assisting the directors and 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; provided that no such contract shall be of any force or validity unless *first* authorized by resolution passed by the votes of the shareholders in person or by proxy, representing two-thirds in value of the subscribed capital stock, and on which no call is in default and unpaid, at a general meeting specially called for that purpose.

Proviso.

Calls.

12. 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 may 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.

Rights of aliens.

13. Aliens and companies incorporated abroad, as well as British subjects and corporations may be shareholders in the company, and all such shareholders, whether resident in this Province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible to office as directors of the company.

Rev. Stat. c. 191. Issue of preferential stock.

14. The provisions of *The Ontario Companies Act* relating to the issue of preferential stock, and being section 22 of said Act and the amendments thereto, are hereby incorporated in and made part of this Act.

Level crossings.

15. 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; and may cross the tramway of the Canadian Copper Company upon a level therewith with the consent of the Canadian Copper Company or with the authority of the Commissioner of Public Works.

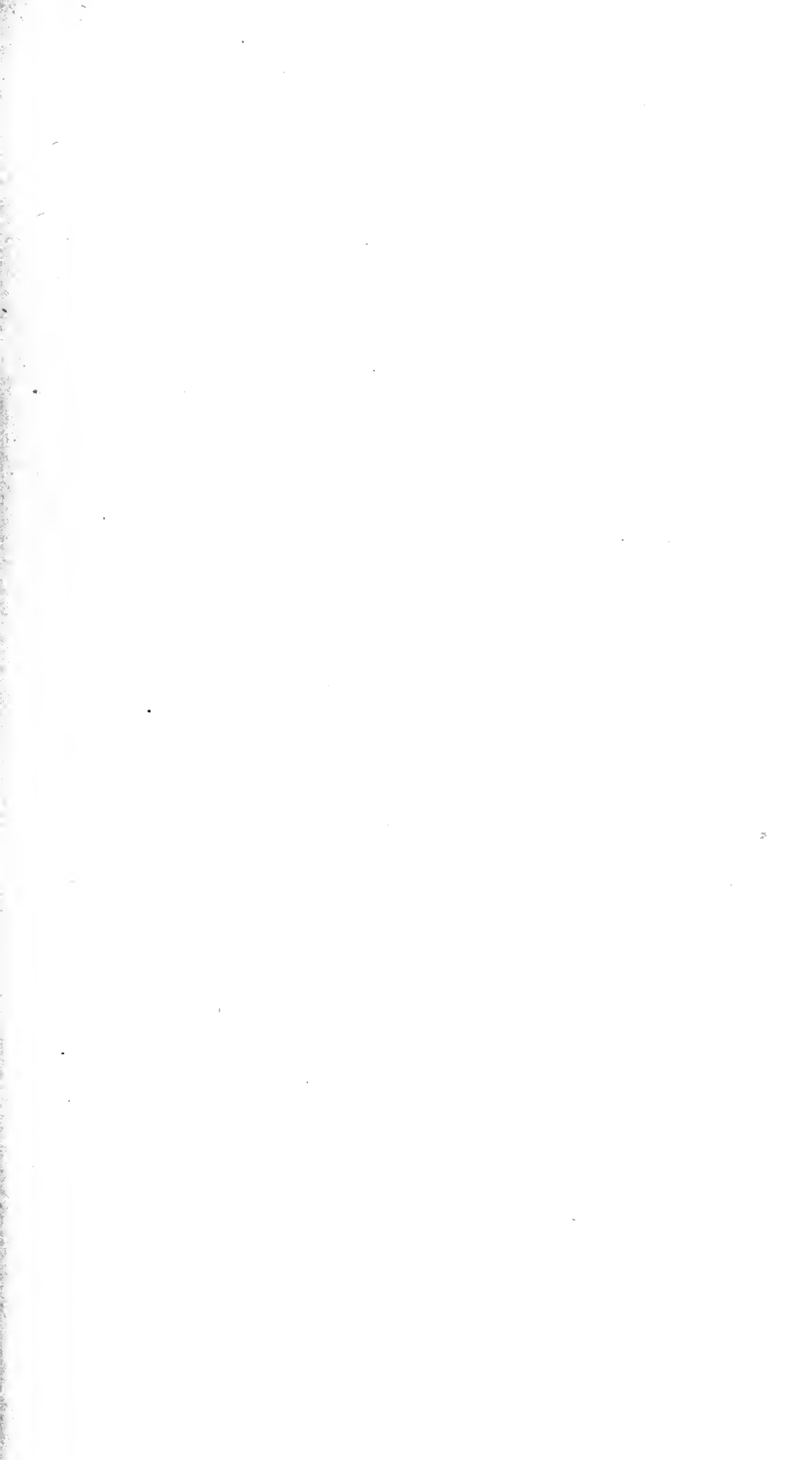
16. The directors are hereby authorized to pay out of the moneys of the company all fees, expenses and disbursements of and incidental to the passing of this Act, and for making the surveys, plans and estimates connected with the works hereby authorized. Preliminary expenses.

17. Notwithstanding anything contained in this Act or in any Statute of the Province, no municipality shall have the power to grant to said railway any exclusive rights, privileges or franchises as to the transmission of electrical energy for power, light and heat over or across any public highway or street in said municipality. Exclusive electrical franchise not to be granted.

18. The railway hereby authorized shall be commenced within three years 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. Time for commencement and completion.

19. 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 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 Electric Railway Act*, and of every Act in amendment thereof so incorporated with this Act. Incorporation Rev. Stat. c. 209.





1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act to incorporate the Sudbury, Copper Cliff and Creighton Electric Railway Company.

First Reading, May 1st, 1903.

(Reprinted as amended by Railway Committee.)

Mr. MICHAUD.

TORONTO:

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

An Act respecting the Bruce Mines and Algoma
Railway Company.

WHEREAS the Bruce Mines and Algoma Railway Com-^{Preau b'e.}
pany has petitioned for an Act to authorize and em-
power the said company to construct, lay out, build and
operate a railway from Rock Lake station in the District of
5 Algoma, thence northerly and easterly by the most feasible
route to Hannah Bay or other point on James Bay, in the
Province of Ontario, and from said Rock Lake station easterly
and southerly a distance of thirty miles, and from said Rock
Lake station westerly eighteen miles; to extend the time for
10 the construction and completion of its railway; to increase
its capital stock and to otherwise amend its Act of Incor-
poration.

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

1. The Bruce Mines and Algoma Railway Company, here-
inafter called "the company," is hereby authorized and em-
powered to construct, equip and operate a line of railway
from Rock Lake station on its line of railway, thence northerly
20 and easterly by the most feasible route to Hannah Bay or
other point on James Bay, in the Province of Ontario; and
also from said Rock Lake station thence easterly and southerly
a distance of thirty miles, and also from said Rock Lake
station thence westerly a distance of eighteen miles.

2. The said railway shall be finished and put in operation
within five years after the passing of this Act and in default
thereof the powers hereby conferred shall absolutely cease
with respect to so much of the railway as then remains un-
completed.

Location of
line to James
Bay.

Time for com-
pletion of
work.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Bruce Mines and
Algoma Railway Company.

First Reading, March, 1903.

(Private Bill.)

Mr. W. R. SMYTH.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting the Bruce Mines and Algoma
Railway Company.

WHEREAS the Bruce Mines and Algoma Railway Com- ^{Preamble}
pany has petitioned for an Act to authorize and em-
power the said company to construct, lay out, build and
operate a railway from Rock Lake Station in the District of
Algoma, thence northerly and easterly by the most feasible
route to ^{the}a point on the main line of The Canadian Pacific
Railway between Chapleau and Biscotasing Stations, ^{and} to
extend the time for the construction and completion of
its railway; ^{and} whereas it is expedient to grant the prayer
of the said petition; ^{enacts}

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

1. The Bruce Mines and Algoma Railway Company, is ^{Location of}
hereby authorized and empowered to construct, equip and ^{line to James}
operate a line of railway from Rock Lake Station on its line ^{Bay.}
of railway, thence northerly and easterly by the most feasible
route to ^{the}a point on the main line of The Canadian Pacific
Railway between Chapleau and Biscotasing Stations. ^{enacts}

2. The said railway shall be finished and put in operation ^{Time for com-}
within five years after the passing of this Act and in default ^{pletion of}
thereof the powers hereby conferred shall absolutely cease ^{work.}
with respect to so much of the railway as then remains un-
completed.

No. 52.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Bruce Mines and
Algoma Railway Company.

First Reading, 1st May, 1903.

(Private Bill.)

Reprinted as amended by The Railway
Committee.

Mr. W. R. SMYTH.

TORONTO:

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Printer to the King's Most Excellent Majesty.

An Act to confirm By-law No. 597 of the Town of
Niagara Falls.

WHEREAS the Clifton Hotel Company, Limited, being Preamble.
desirous of re-building the Clifton House upon the
property known as the Clifton House lot, in the Town of
Niagara Falls, have requested the Municipal Corporation of
the said Town of Niagara Falls, to fix the assessment
upon said property at the sum of \$50,000, for a period
of ten years from the first day of January, 1905, and
to fix the meter rate for the supply of water to the said
hotel when re-built at the price of six cents per thous-
and gallons, during the said period of ten years, and to fix
the meter rate for electricity supplied to the said company
upon the said premises at the present advertised meter rates,
during the said period of ten years; and whereas the mun-
icipal corporation of the said town did on the second day of
March, A D. 1903, enact by By-law No. 597 of said corporation
that the said company's assessment should be so fixed
at the sum of \$50,000, and that the meter rates for
water and electricity should be fixed at the rates aforesaid,
and the said company has by its petition prayed that the
said by-law be legalized and declared binding upon the said
corporation; 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. By-law No. 597 of the municipal council of the Town
of Niagara Falls, entitled "A by-law to fix the assessment
of the property of the Clifton Hotel Company, Limited, and
to fix the meter rates for water and electricity supplied to
the said company," passed by the said council on the second
day of March, 1903, is hereby declared legal, valid and
binding upon the said corporation; Provided, however, that
nothing in the said by-law contained, shall effect the assess-
ment of the lands, buildings and premises above mentioned
for school purposes, and the said lands, buildings and
premises shall in all respects be assessed and be liable to
taxes for school purposes in the same manner and to the
same extent as if the said by-law had not been passed.

By-law No. 597, fixing assessment of the Clifton Hotel Co., legalized.

Proviso.

An Act to confirm By-law No. 597 of the Town of
Niagara Falls.

WHEREAS The Clifton Hotel Company, Limited, ^{has} ^{Preamble.}
by petition represented that, ^{being} desirous of re-
building the Clifton House upon the property known as the
Clifton House lot, in the Town of Niagara Falls, *the*
said company requested the Municipal Corporation of
the Town of Niagara Falls, to fix the assessment
upon said property at the sum of \$50,000, for a period
of ten years from the first day of January, 1905, and
to fix the meter rate for the supply of water to the said
hotel when re-built at the price of six cents per thous-
and gallons, during the said period of ten years, and to fix
the meter rate for electricity supplied to the said company
upon the said premises at the present advertised meter rates,
during the said period of ten years; ^{and} ^{whereas} since
the destruction by fire of the hotel which formerly stood upon
the said site there has been no sufficient accommodation for
tourists in the said town ^{and} ^{whereas} the municipal cor-
poration of the said town ^{desiring} to promote the erection
of a new hotel on the said site ^{did} on the second day of
March, 1903, ^{pass} a By-law complying with the request
of the said company; ^{and} ^{whereas} the said company has
by its petition prayed that the said by-law be legalized
and declared binding upon the said *municipal* corporation;
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. By-law No. 597 of the Municipal Council of the Town
of Niagara Falls, ^{set} out as a schedule to this Act ^{is}
declared legal, valid and binding upon the said corporation;
Provided, however, that nothing in the said by-law contained,
shall effect the assessment of the lands, buildings and prem-
ises above mentioned for school purposes, and the said
lands, buildings and premises shall in all respects be assessed

By-law No.
597, fixing
assessment of
the Clifton
Hotel Co.,
legalized.
Proviso.

and be liable to taxes for school purposes in the same manner and to the same extent as if the said by-law had not been passed.

SCHEDULE.

BY-LAW No. 597.

A By-Law to fix the assessment of the property of the Clifton Hotel Company, Limited, and to fix the meter rates for water and electricity supplied to the said Company.

Whereas the Clifton Hotel Company, Limited, desire to rebuild the Clifton House upon the property known as the Clifton House lot in the Town of Niagara Falls, and have requested this Council that in view of their doing the same, their assessment be fixed at the sum of fifty thousand dollars for the period of ten years and that their meter rate for the supply of water, be fixed at the price of six cents per thousand and gallons for the said period of ten years and also that the meter rate for electricity be fixed at five cents per thousand watts for the said period of ten years.

And whereas this Council deems it expedient to accede to the said request so far as it has power so to do ;

Be it therefore enacted by the Municipal Council of the Town of Niagara Falls, as follows :

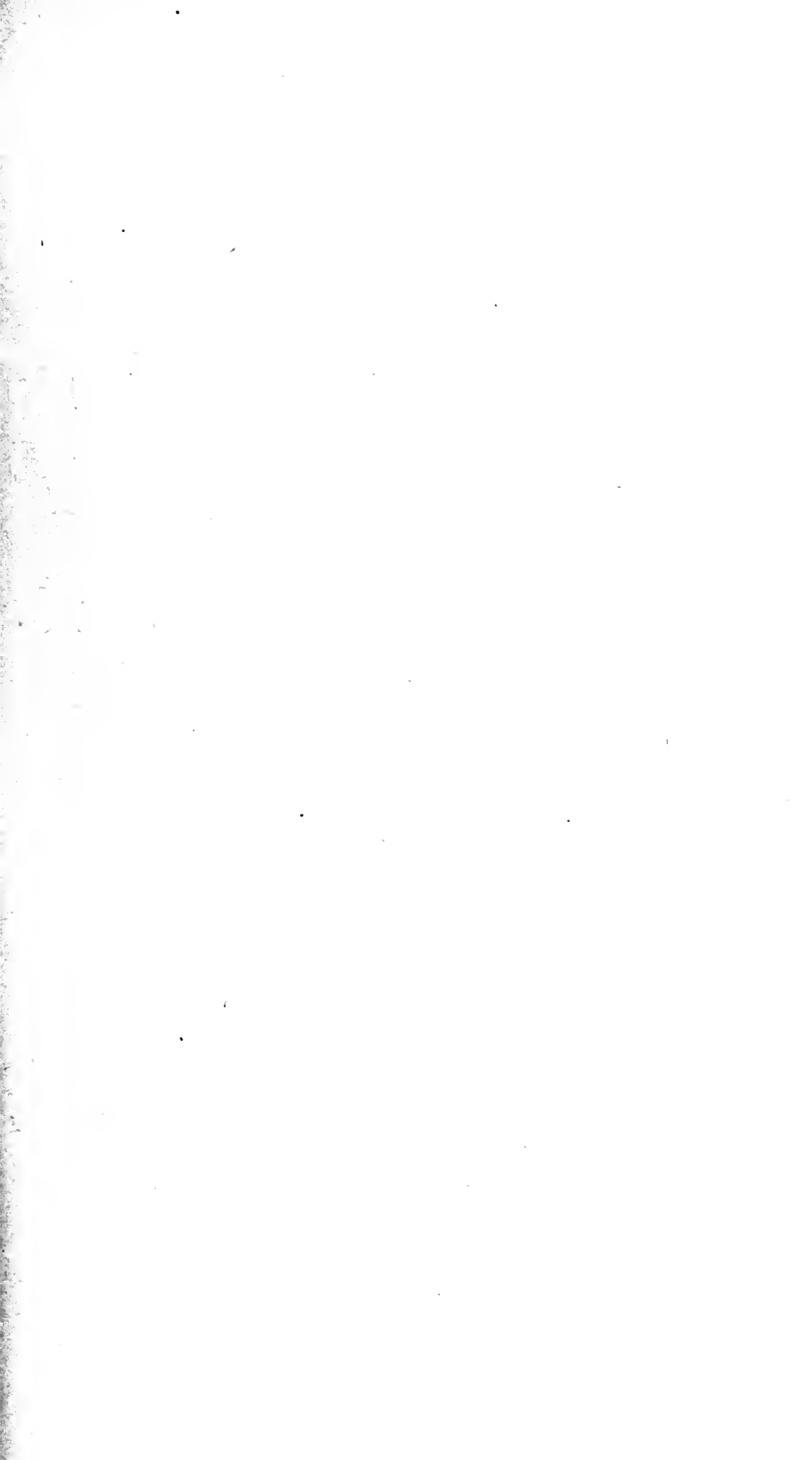
1. That the assessment of the property of the Clifton Hotel Company, Limited, known as the Clifton House Lot, containing by measurement three and fifty-eight hundredths acres of land be the same more or less : Composed of part of lot number 129, part of the broken front lot 129 and part of the allowance for road lying between the said lots in the Township of Stamford in the County of Welland, now within the incorporate limits of the Town of Niagara Falls : Commencing in the Northerly limit of Ferry Street at a point in line with the front or Easterly end of Lafayette Hotel ; Thence South 35 degrees west in the Northerly limit of Ferry Street 441 feet and six inches more or less to the westerly end of the stone wall forming the Northerly limit of the said Ferry Street ; Thence North 55 degrees east at right angles to Ferry Street 366 feet more or less to the Northerly limit of the Clifton House property ; Thence South $41\frac{3}{4}$ degrees east in the said Northerly limit 252 feet more or less to the Lafayette Hotel lot ; Thence South $55\frac{1}{2}$ degrees west in the rear limit of the said Hotel lot 15 feet to the South-westerly angle thereof, thence South 43 degrees and 10 minutes east in the Southerly limit of the said hotel lot 126 feet more or less to a point in line with the said Lafayette Hotel ; and thence South 45 degrees and 53 minutes west on line with the front of said Hotel 397 feet and 9 inches more or less to the place of the beginning ; be fixed at the sum of fifty thousand dollars for each year during the period of ten years from the first day of January, 1905.

2. That the meter rate for the supply of water to the said Hotel when re-built, be fixed at the price of six cents per thousand gallons during the said period of ten years, and that the meter rate for electricity supplied to the said Company upon the said Hotel premises be fixed at five cents per thousand watts, during the said period of ten years ; provided that the Corporation of the said Town is not to be bound to supply water or electricity to the said hotel, if for any reason the Corporation is unable to do so.

Read a third time and passed in Council this 2nd day of March, A.D. 1903.

(Sgd.) GEORGE HANAN,
Mayor.

(Sgd.) JOHN ROBINSON,
Clerk.



1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act to confirm By-law No. 597 of the
Town of Niagara Falls.

First Reading 28th April, 1903.

(Private Bill.)

(Re-printed 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 Town of East Toronto and
Balmy Beach Park.

WHEREAS the late Sir Adam Wilson by unregistered deed dated the 27th of January, A.D. 1875, did grant to James Beaty and Benjamin Morton, certain lands on plan "406," registered in the Registry Office for the County of York, known and designated thereon as the "Promenade," together with the beach adjoining and fronting said promenade, to hold the said promenade and beach for the common use and enjoyment as a promenade or place of general resort for the owners or occupiers of the lands included on said plan; and whereas it is doubtful whether the said deed ever came into operation, owing to the fact that the same was not executed by the trustees, nor was it delivered to such trustees; and whereas by deed dated the 11th day of October, 1889, and registered in the Registry Office for the County of York as number "1003," the said Sir Adam Wilson granted to the said James Beaty and one John Latimer Kerr the lands hereinbefore described, together with the water lot in front of said promenade upon trust, to hold the said lands as a place of recreation for the use of the owners, occupants, tenants and under-tenants of the lots and parts of lots on said plan "406"; and whereas John Latimer Kerr, the sole surviving trustee under the last recited deed, did by deed dated the 2nd day of March, 1903, grant and convey to the Town of East Toronto in fee simple the said lands upon the like trusts set forth in the last recited deed; and whereas the said trust deeds do not make provision for the maintenance of the said promenade, or for the payment of the taxes thereon, or for improving the same, or the management thereof; and whereas for the purpose of perfecting the title to the said lands and declaring the trusts upon which the same are to be held, and for the purpose of preserving the said promenade as a park and improving the same, the Municipal Council of the Corporation of the Town of East Toronto and the property owners on said plan "406" have presented their petition praying that the said promenade, beach and water lot in front thereof may be declared vested in the said corporation to be used as a park or place of amusement and entertainment for the owners of property and persons residing on plan "406" and their visitors, and to persons residing in the said Town of East Toronto and their visitors, and granting power to the said corporation to improve the said

park as hereinafter set forth ; to borrow money for that purpose ; to make and collect charges for the repayment and maintenance thereof ; to make rules and by-laws for the general management of the said park, and to appoint a board of commissioners to manage the same ; and whereas it is expedient to grant the prayer of the said petitioners ;

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

Fee simple in certain lands vested in Town of East Toronto.

1. That the said deed from the said John Latimer Kerr to the said corporation of all and singular that part of Lot Number Two (2) in the broken front concession of the said Township of York, and known as " The Promenade," as shown and set forth on the plan number " 406," registered in the Registry Office for the said County of York, containing a frontage of two hundred feet along the beach from east to west, coming around on each side in a northerly and westerly direction on the east side and easterly direction on the west side until such circular side or circuit meets respectively the east and west limits of Beach Avenue ; thence in a straight line at right angles to such limits across said Beach Avenue, at a distance southerly from the northerly limits respectively of lots 78 and 79 on said plan " 406," of fifteen feet, said promenade being situate between said lots 78 and 79 as laid out on said plan " 406," together with the beach or dry land in front of said promenade the full width thereof on such front, and extending from the southerly limit of such " promenade " as marked out on said plan to the water's edge as it may be from time to time. Together also with the water lot in front of said " promenade " and " beach " of the full width thereof or two hundred feet from east to west, and of the full depth of said water lot southerly into Lake Ontario being ten chains as set forth in the patent thereof from the Crown to the late Sir Adam Wilson, is hereby declared to have granted to and vested in the said Town of East Toronto the fee simple in the said lands hereinbefore particularly described, and all the right, title and interest of the late Sir Adam Wilson, or of any other person or persons, corporation or corporations claiming by, from or through him or otherwise howsoever, and the said last mentioned deed is hereby confirmed and made absolute and binding upon all person or persons, corporation or corporations now or hereafter claiming any right, title or interest in the said lands.

Land to be for a park.

2. It is hereby declared that the said corporation of the Town of East Toronto shall from and after the passing of this Act hold the said lands as a park and place of recreation for the use of all owners of property and persons residing on plan " 406 " and their visitors, and for the use of all persons residing in the Town of East Toronto and their visitors.

3. The said promenade shall hereafter be known and designed as "Balmy Beach Park". Name of.

4. The general management, regulation and control of the said park, and of all properties, both real and personal, appertaining or belonging thereto, or which may hereafter be acquired and established under the provisions of this Act shall be vested in and exercised by a board to be called The Board of Management of the Balmy Beach Park. Management of vested in board of control.

5. The said board shall be a body politic and corporate and shall be composed of the mayor of the town and six other persons (who shall not be members of the council of the said corporation), three of the said board shall be owners of lands on plan "406" and the other three shall be residents of the said town, and all six persons shall be appointed by the council of the said corporation on the nomination of the mayor. Incorporation of board and how composed.

6. The appointed members of the board shall hold their office for three years, except in the case of the members of the first board, two of whom shall hold office until the first day of May in the year following the first appointments, two for one year, and two for two years, from the said first day of May; said members retiring in rotation, two each year, the order of such retirement to be determined by lot among themselves at their first meeting; but every member of the board shall continue in office after the time named until his successor is appointed, and may be reappointed by the council. Term of office

(2) In case of a vacancy by the death or resignation of a member, or from any cause other than the expiration of the time for which he was appointed, the member appointed in his place shall hold office for the remainder of his term. Vacancies in board.

(3) Subject to these provisions, each of the appointed members shall hold office for three years from the first day of April in the year in which he is appointed. Commencement of term of office.

(4) The first appointment of members of the board shall be made at the first regular meeting of the council held after the final passing of this Act. First appointment of members, when made.

(5) Thereafter the appointments shall be made annually, at the first meeting of the council held after its organization; and any vacancy arising from any cause other than the expiration of the time for which the member was appointed shall be filled at the first meeting of the council held after the occurrence of the vacancy. Annual appointments.

(6) The members of the first board, within ten days after their appointment, and on such day and hour as the mayor shall appoint (notice of the appointment in writing, signed by the mayor, having been duly sent to the address of each First meeting of board, when held. Appointment of chairman and secretary.

- member at least one week before the day and hour named therein) shall meet at the office of the mayor for the purpose of organization, shall elect one of their number chairman, and shall appoint a secretary, who may be either one of their own members, or any other person they may select. 5
- Time of appointment.** (7) If for any reason appointments are not made at the said dates, the same shall be made as soon as may be thereafter.
- Term of office of chairman and secretary.** (8) The chairman and secretary shall hold their places at the pleasure of the board, or for such period as the board shall prescribe. 10
- Chairman or secretary pro tem.** (9) When the chairman or secretary is absent, or unable to act, the board may appoint a chairman or secretary pro tem.
- Meetings of board—when held.** (10) The board shall meet at least once every calendar month. 15
- Special meetings.** (11) The chairman or any two members may summon a special meeting of the board by giving at least two days' notice in writing to each member, specifying the purpose for which the meeting is called.
- When office of member to be vacant.** (12) The office of any member of the board who shall be absent from the meetings of the board for three successive months, without leave of absence from the board, or without reasons satisfactory to the board, shall be declared vacant by the board, and notice thereof shall be given to the council at the next meeting of the council. 20 25
- Quorum of members.** (13) No business shall be transacted at any special or general meeting, unless four members are present.
- Minutes of meetings—how kept.** (14) All orders and proceedings of the board shall be entered in books to be kept by them for that purpose, and shall be signed by the chairman for the time being. 30
- To be received as evidence.** (15) The orders and proceedings so entered, and purporting to be so signed, shall be deemed to be original orders and proceedings, and the books may be produced and read upon any judicial proceedings as evidence of the orders and proceedings. 35
- Compensation.** 7. The members of the board shall serve without compensation.
- Who may not be a member.** (a) No member of the board, or alderman, or member of the town council, shall have any contract with the board, or be pecuniarily interested, directly or indirectly, in any contract or work relating to the park or park property. 40
- Employment of officers.** 8. The board, from time to time, may employ such officers as may be required for the superintendency and management of the park, and may prescribe their duties and compensation, and may from time to time dismiss any persons so appointed. 45

9. The board shall keep all papers and documents appertaining to the business of the board, and all books kept by the board shall be open to the examination of the members of the council, and of any other person or persons appointed for that purpose by the council.

Examination
of books by
members of
board.

10. The board shall keep distinct and regular accounts of their receipts, payments, credits and liabilities; and the accounts shall be audited by the auditors of the municipality and shall thereafter be laid before the council by the board.

Books, how
audited.

10 11. The board shall have the following powers:—

Power of
board.

(1) Power to pull down all houses or other erections and buildings now erected on the said lands, or such part thereof as they shall think proper to be pulled down, and may level and clear the ground whereon the same stand in such manner as they think proper.

(2) Power to lay out, and enclose the park in such manner as they shall think fit.

(3) Power, with the consent of the council of the said town, to erect buildings and generally improve the said park.

20 (4) Power to fix a scale of fees or charges to be paid by any person or persons for the use of any special privilege in the said park, or for the use of the boat houses or other accommodations, and to collect such fees or charges.

25 (5) Power to make rules and regulations for the opening or closing of the gates or entrances to the park, or any of them at such hours as they may think fit.

30 (6) Power to pass rules, regulations or by-laws preventing and excluding any person or persons from using the said park or any of the privileges appertaining thereto, who shall not be entitled to the use of the said park under and by virtue of this Act, or who shall have neglected or omitted to pay any of the fees or charges fixed by the board for the use of the special privileges of the said park as aforesaid.

35 (7) Power to pass by-laws restricting the use of the said park and the privileges thereto appertaining, to the owners of property and persons residing on plan 406 and their visitors, and to persons residing in the Town of East Toronto and their visitors, and to exclude any other person or persons not coming within the meaning and intent of this sub-section.

40 (8) Power in case of misconduct of any person or persons whilst within the park limits to eject and exclude such person or persons from the said park either absolutely or temporarily as the said board may see fit.

45 (9) Power to pass by-laws and regulations preventing any unseemly conduct or the use of any improper language, or

Rev. Stat.
c. 24^c

any infraction or *The Lord's Day Act* by any person or persons using the said park or the privileges appertaining thereto.

(10) Power to pass by-laws, rules and regulations respecting the protection and government of the park, and for the preservation of the trees, shrubs, walks, seats, gates, fences and palings and all other parts thereof, and of the buildings and erections thereon or any part thereof. 5

(11) Power to alter or revoke any such rules, regulations or by-laws, and to amend the same. 10

(12) Power to attach penalties for the infraction of their by-laws, and the same shall be enforced by summary proceedings before any Justice of the Peace or Police Magistrate having jurisdiction in the locality in which the offence is committed, in the manner and to the extent that by-laws passed by 15 municipal councils may be enforced.

(13) Power to borrow with the consent of the council such sum and sums of money as the board may require for any of the purposes aforesaid, either by way of mortgage of the said lands and premises under the corporate seal of the 20 said board, or upon debentures issued by the said board under its corporate seal, or otherwise as the said board shall see fit.

(14) The by-laws, rules and regulations of the board shall be sufficiently authenticated by being signed by the chairman 25 of the board; and a copy of any by-law, written or printed, and certified to be a true copy by any member of the board, shall be received as evidence in any court of justice or elsewhere without proof of any such signature; unless it is specially pleaded or alleged that the signature to the original 30 by-law had been forged.

Application
of revenue.

13. The revenue to be received from the sources authorized by this Act shall be applied as follows:—

1. To the necessary outgoing expenses necessary to the preservation, improvement and maintenance of the park, 35 and to the payment of salaries of assistants and others employed by the board and other incidental expenses.

2. To the payment of the interest payable on any sums of money borrowed as aforesaid by the board.

3. To the payment of the principal moneys due or owing 40 on such borrowed moneys.

4. When all indebtedness owing by the board has been fully satisfied the surplus moneys shall be invested by the trustees, and the income derived therefrom shall be applied towards the improvement of the park and general mainten- 45 ance thereof.

14. The entrances to the said park shall remain as at present. Entrances to Park.

15. The board shall make an annual report to the council setting forth the receipts and expenditure of the year, and such other matters as may be of interest to those entitled to use the said park. Annual Report.

16. The corporation of the Town of East Toronto are hereby empowered to pass a by-law after the passing of this Act exempting the said park from taxation and remitting any taxes now charged against the said lands. By-law re exemption from taxation.

17. The municipal council of the corporation of the Town of East Toronto may by by-law appoint and authorize their treasurer to levy and collect all taxes, rates and assessments which may be imposed from year to year by the said municipal council with all the powers conferred by law upon a collector of taxes, anything to the contrary in any general Act notwithstanding. Levying and collection of taxes.

An Act respecting the Town of East Toronto and
Balmy Beach Park.

WHEREAS the late Sir Adam Wilson by unregistered deed dated the 27th of January, 1875, did grant to James Beaty and Benjamin Morton, certain lands on plan 406, registered in the Registry Office for the County of York, known and designated thereon as the Promenade, together with the beach adjoining and fronting said promenade, to hold the said promenade and beach for the common use and enjoyment as a promenade or place of general resort for the owners or occupiers of the lands included on the said plan; and whereas it is doubtful whether the said deed ever came into operation, owing to the fact that the same was not executed by *or delivered to* the trustees, and whereas by deed dated the 11th day of October, 1889, and registered in the Registry Office for the County of York as number 1003, the said Sir Adam Wilson granted to the said James Beaty and one John Latimer Kerr the lands hereinbefore described, together with the water lot in front of said promenade upon trust, to hold the said lands as a place of recreation for the use of the owners, occupants, tenants and under-tenants of the lots and parts of lots on said plan 406; and whereas John Latimer Kerr, the sole surviving trustee under the last recited deed, did by deed dated the 2nd day of March, 1903, grant and convey to the Town of East Toronto in fee simple the said lands upon the like trusts set forth in the last recited deed; and whereas the said trust deeds do not make provision for the maintenance of the said promenade, or for the payment of the taxes thereon, or for improving the same, or the management thereof; and whereas for the purpose of perfecting the title to the said lands and declaring the trusts upon which the same are to be held, and for the purpose of preserving the said promenade as a park and improving the same, the Municipal Council of the Corporation of the Town of East Toronto and the property owners on said plan 406 have presented their petition praying that the said promenade, beach and water lot in front thereof may be declared *to be* vested in the said corporation to be used as a park or place of amusement and entertainment for the owners of property and persons residing on plan 406 and their visitors, and to persons residing in the said Town of East Toronto and their visitors, and *that* power

may be granted to the said corporation to improve the said park, to borrow money for that purpose, to make and collect charges for the repayment and maintenance thereof, to make rules and by-laws for the general management of the said park, and to appoint a board of commissioners to manage the same; and whereas it is expedient to grant the prayer of the said petitioners;

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

Fee simple in certain lands vested in Town of East Toronto.

1. The said deed⁴²⁷ dated the 2nd day of March, 1903, ^{was} from the said John Latimer Kerr to the Corporation of the Town of East Toronto of all and singular that part of Lot number Two (2) in the broken front concession of the Township of York, and known as the *Private Promenade*, as shown and set forth on the plan number 406, registered in the Registry Office for the County of York, *having* a frontage of 200 feet along the beach from east to west, coming around in a northerly and westerly direction on the east side and *in a northerly and easterly* direction on the west side until such circular side or circuit meets respectively the east and west limits of Beach Avenue; thence in a straight line at right angles to such limits across said Beach Avenue, at a distance southerly from the northerly limits respectively of lots 78 and 79 on said plan 406, of fifteen feet, *the* said Promenade being situate between said lots 78 and 79 as laid out on said plan 406, together with the beach or dry land in front of *the* said promenade the full width thereof on such front, and extending from the southerly limit of such Promenade as marked out on *the* said plan to the water's edge as it may be from time to time; together also with the water lot in front of said Promenade and beach of the full width thereof of 200 feet from east to west, and of the full depth of said water lot southerly into Lake Ontario, being ten chains as set forth in the patent thereof from the Crown to the late Sir Adam Wilson, is hereby declared to have granted to the Town of East Toronto the fee simple in the said lands hereinbefore particularly described, and all the right, title and interest of the late Sir Adam Wilson, or of any other person or persons, corporation or corporations claiming by, from or through him and the said last mentioned deed is hereby confirmed and made absolute and binding upon all persons, and corporations now or hereafter claiming any right, title or interest in the said lands.

Land to be for a park.

2. It is hereby declared that the Corporation of the Town of East Toronto shall from and after the passing of this Act hold the said lands as a park and place of recreation for the use of all owners of property and persons residing on plan "406" and their visitors, and for the use of all persons residing in the Town of East Toronto and their visitors.

3. The said Promenade shall hereafter be known and designated as "Balmy Beach Park." Name of.

4. The general management, regulation and control of the said park, and of all properties, both real and personal, appertaining or belonging thereto, or which may hereafter be acquired and established under the provisions of this Act shall be vested in and exercised by a board to be called "The Board of Management of the Balmy Beach Park." Management of board and board of control.

5. The said board shall be a body politic and corporate and shall be composed of the mayor of the town and six other persons who shall not be members of the council of the said corporation. *Two* of the said board shall be residents on land in the Township of York included in the said plan 406, two shall be owners of land included in the said plan 406 in the said town and the other *two* shall be residents of the said town, and all six persons shall be appointed by the council of the said corporation on the nomination of the mayor. Incorporation of board and how composed.

6.—(1) The appointed members of the board shall hold office for *two* years, (except in the case of the members of the first board, three of whom shall be appointed to hold office for one year, from the said first day of July 1903) said members after the first year retiring in rotation, three each year; but every member of the board shall continue in office after the time named until his successor is appointed, and shall be eligible to reappointment. Term of office

(2) In case of a vacancy by the death or resignation of a member, or from any cause other than the expiration of the time for which he was appointed, the member appointed in his place shall hold office for the remainder of his term. Vacancies in board.

(3) Subject to these provisions, each of the appointed members shall hold office for two years from the first day of *July* in the year in which he is appointed. Commencement of term of office.

(4) The first appointment of members of the board shall be made at the first regular meeting of the council held after the final passing of this Act. First appointment of members, when made.

7.—(5) Thereafter the appointments shall be made annually, at the first meeting of the municipal council of the said town held after the first day of *July*; and any vacancy arising from any cause other than the expiration of the time for which the member was appointed shall be filled at the first meeting of the council held after the occurrence of the vacancy. Annual appointments.

(6) The members of the first board, within ten days after their appointment, and on such day and hour as the mayor shall appoint (notice of the appointment in writing, signed by the mayor, having been duly sent to the address of each First meeting of board, when held. Appointment of chairman and secretary

member at least one week before the day and hour named therein) shall meet at the office of the mayor for the purpose of organization, shall elect one of their number chairman, and shall appoint a secretary, who may be either one of their own members or any other person they may select.

Time of appointment

(7) If for any reason appointments are not made at the said dates, the same shall be made as soon as may be thereafter.


Term of office of chairman and secretary.

(8) The chairman and secretary shall hold their places at the pleasure of the board, or for such period as the board shall prescribe.

Chairman or secretary *pro tem*.

(9) When the chairman or secretary is absent, or unable to act, the board may appoint a chairman or secretary *pro tem*.

Meetings of board—when held.

(10) The board shall meet at such times as they may by by-law determine. 

Special meetings.

(11) The chairman or any two members may summon a special meeting of the board by giving at least two days' notice in writing to each member, specifying the purpose for which the meeting is called.

When office of member to be vacant.

(12) The office of any member of the board who shall be absent from the meetings of the board for three successive months, without leave of absence from the board, or without reasons satisfactory to the board, shall be declared vacant by the board, and notice thereof shall be given to the council at the next meeting of the council.

Quorum of members.

(13) No business shall be transacted at any special or general meeting, unless four members are present.

Minutes of meetings—how kept.

(14) All orders and proceedings of the board shall be entered in books to be kept by them for that purpose, and shall be signed by the chairman for the time being.

To be received as evidence.

(15) The orders and proceedings so entered, and purporting to be so signed, shall be deemed to be original orders and proceedings, and the books may be produced and read upon any judicial proceedings as evidence of the orders and proceedings.

Compensation

7. The members of the board shall serve without compensation.

Who may not be a member.

(a) No member of the board, or alderman, or member of the town council, shall have any contract with the board, or be pecuniarily interested, directly or indirectly, in any contract or work relating to the park or park property.

Employment of officers.

8. The board, from time to time, may employ such officers as may be required for the superintendency and management of the park, and may prescribe their duties and compensation, and may from time to time dismiss any persons so appointed.

9. The board shall keep all papers and documents appertaining to the business of the board, and all books kept by the board shall be open to the examination of the members of the council, and of any other person or persons appointed for that purpose by the council. Examination of books by members of board.

10. The board shall keep distinct and regular accounts of their receipts, payments, credits and liabilities; and the accounts shall be audited by the auditors of the municipality and shall thereafter be laid before the council by the board. Books, how audited.

11. The board shall have the following powers:—

Power of board.

(1) Power to take possession of and pull down all boat houses or other erections now erected on the said lands, or such part thereof as they shall think proper to be pulled down, and may level and clear the ground whereon the same stand in such manner as they think proper.

(2) Power to lay out, and enclose the park in such manner as they shall think fit.

(3) Power to erect buildings and break-waters, and generally to improve the said park and water lot.

(4) Power to fix a scale of fees or charges to be paid by any person or persons for the use of any special privilege in the said park, or for the use of the boat houses or other accommodations, and to collect such fees or charges.

(5) Power to make rules and regulations for the opening or closing of the gates or entrances to the park, or any of them at such hours as they may think fit.

(6) Power to pass rules, regulations or by-laws preventing and excluding any person or persons from using the said park or any of the privileges appertaining thereto, who shall not be entitled to the use of the said park under and by virtue of this Act, or who shall have neglected or omitted to pay any of the fees or charges fixed by the board for the use of the special privileges of the said park as aforesaid.

(7) Power to pass by-laws restricting the use of the said park and the privileges thereto appertaining, to the owners of property and persons residing on plan 406 and their visitors, and to persons residing in the Town of East Toronto and their visitors, and to exclude any other person or persons not coming within the meaning and intent of this sub section.

(8) Power in case of misconduct of any person or persons whilst within the park limits to eject and exclude such person or persons from the said park either absolutely or temporarily as the said board may see fit.

(9) Power to pass by-laws and regulations preventing any unseemly conduct or the use of any improper language, or

Rev. Stat.
c. 24^f

any infraction or *The Lord's Day Act* by any person or persons using the said park or the privileges appertaining thereto.

(10) Power to pass by-laws, rules and regulations respecting the protection and government of the park, and for the preservation of the trees, shrubs, walks, seats, gates, fences and palings and all other parts thereof, and of the buildings and erections thereon or any part thereof.

(11) Power to alter or revoke any such rules, regulations or by-laws, and to amend the same.

(12) Power to attach penalties for the infraction of their by-laws, and the same shall be enforced by summary proceedings before any Justice of the Peace or Police Magistrate having jurisdiction in the locality in which the offence is committed, in the manner and to the extent that by-laws passed by municipal councils may be enforced.

(13) Power to borrow with the consent of the council such sum and sums of money as the board may require for any of the purposes aforesaid, either by way of mortgage of the said lands and premises under the corporate seal of the said board, or upon debentures issued by the said board under its corporate seal, or otherwise as the said board shall see fit.

13. The by-laws, rules and regulations of the board shall be sufficiently authenticated by being signed by the chairman of the board; and a copy of any by-law, written or printed, and certified to be a true copy by any member of the board, shall be received as evidence in any court of justice or elsewhere without proof of any such signature; unless it is specially pleaded or alleged that the signature to the original by-law had been forged.

Application
of revenue.

14. The revenue to be received from the sources authorized by this Act shall be applied as follows:—

1. To the necessary outgoing expenses necessary to the preservation, improvement and maintenance of the park, and to the payment of salaries of assistants and others employed by the board and other incidental expenses.

2. To the payment of the interest payable on any sums of money borrowed as aforesaid by the board.

3. To the payment of the principal moneys due or owing on such borrowed moneys.

4. When all indebtedness owing by the board has been fully satisfied the surplus moneys shall be invested by the trustees, and the income derived therefrom shall be applied towards the improvement of the park and general maintenance thereof.

15. The entrances to the said park shall remain as at present, ^{Entrances to} located but may be enlarged with the consent of the ^{Park} board. ~~##~~

16. The board shall make an annual report to the council ^{Annual Re-} setting forth the receipts and expenditure of the year, and ^{port.} such other matters as may be of interest to those entitled to use the said park.

17. The Corporation of the Town of East Toronto is ^{By-law re} empowered to pass a by-law exempting the said park from ^{exemption} taxation and remitting any taxes now charged against the ^{from taxation.} said lands

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Town of East
Toronto.

First Reading, _____, 1903.

(Reprinted as amended by Private Bills
Committee.)

Mr. RICHARDSON.

TORONTO:

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

An Act to amend the Act incorporating the Canada Central Railway Company.

WHEREAS the Canada Central Railway Company has by Preamble.
its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition.

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

1 The said Canada Central Railway Company may lay out, construct and operate the following lines of railway from
10 and in connection with its main line :— Extension from Sudbury to Scotia Junction, Balsam or Sturgeon Lakes and Toronto, etc.

(1) From some point at or near Sudbury in the Province of Ontario to a point at or near Scotia Junction ; thence southerly to some point at or near Balsam or Sturgeon Lakes in the Township of Bexley, Verulam, or Fenelon, continuing south-
15 erly to the City of Toronto.

(2) From some point on the main line of said railway at or near the Montreal River in the Province of Ontario easterly to some point on the boundary line between Ontario and Quebec. And to exercise with regard to such lines all the
20 powers and privileges given to the said company by its Act of incorporation.

No. 55.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act to amend the Act incorporating the
Canada Central Railway Company.

First Reading, _____, 1903.

(Private Bill.)

Mr. CONNIE.

TORONTO :

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

An Act to amend the Act incorporating the Canada
Central Railway Company.

WHEREAS the Canada Central Railway Company have Preamble.
by their petition prayed that an Act may be passed
authorizing the company to lay out, construct and operate a
line of railway, from and in connection with its main line,
from some point at or near the Town of Sudbury, in the Dis-
trict of Nipissing, to some point at or near the City of
Toronto, passing through the Districts of Parry Sound and
Muskoka, the Provisional County of Haliburton and the
Counties of Victoria, Ontario, Durham and York; also
a line from some point on the main line of the said
railway, at or near the Montreal River, easterly to some
point on the boundary line, between Ontario and Quebec,
and to exercise with regard to such lines all the powers and
privileges given to the said company by its Act of Incorpora-
tion; 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 Canada Central Railway Company may lay Branch lines
authorized.
out, construct and operate the following lines of railway from
and in connection with its main line:—

(1) From some point at or near the Town of Sudbury, in
the District of Nipissing, thence in a south easterly direction
through the said District of Nipissing, and through the Dis-
trict of Parry Sound to Scotia Junction, in the said District
of Parry Sound, thence southerly through the said District of
Parry Sound, the District of Muskoka, the Provisional County
of Haliburton and the County of Victoria, to a point at or
near the Town of Fenelon Falls, in the said County of
Victoria, thence still in a southerly direction through the
Townships of Fenelon, Verulam, Ops and Mariposa, in the said
County of Victoria, or any two or more of the said townships,
and the Township of Reach, in the County of Ontario, to a
point at or near the Village of Port Perry, thence in a south-
erly direction through the said Township of Reach and the
Township of Cartwright, in the County of Durham, or either

or both of said townships, and thence in a south westerly direction through the Townships of Whitby and Pickering, in the said County of Ontario, and the Townships of Markham, Scarboro and York, in the County of York, to a point at or near the City of Toronto.

(2) From some point on the main line of the said railway at or near the Montreal River, in the District of Nipissing, in the Province of Ontario, easterly to some point on the boundary line between Ontario and Quebec ;

And to exercise with regard to such lines all the powers and privileges given to the said company by its Act of Incorporation, subject to the limitations and conditions therein contained.



1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.
An Act to amend the Act incorporating the
Canada Central Railway Company.

First Reading, 1st May, 1903.

(Reprinted as amended by Railway
Committee.)

Mr. CONNOR.

TORONTO :

PRINTED BY I. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting The Colonial Cement Company,
Limited.

WHEREAS The Colonial Cement Company, Limited, has Preamble.
by petition prayed that an Act may be passed giving
the said company power to construct tramways from their
factory site in the Township of Keppel, in the County of Grey,
5 to their clay and marl deposits in said township and giving the
said company certain powers under *The Railway Act of* Revised Stat.,
Ontario; and whereas it is expedient to grant the prayer of c. 207.
the said petition.

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

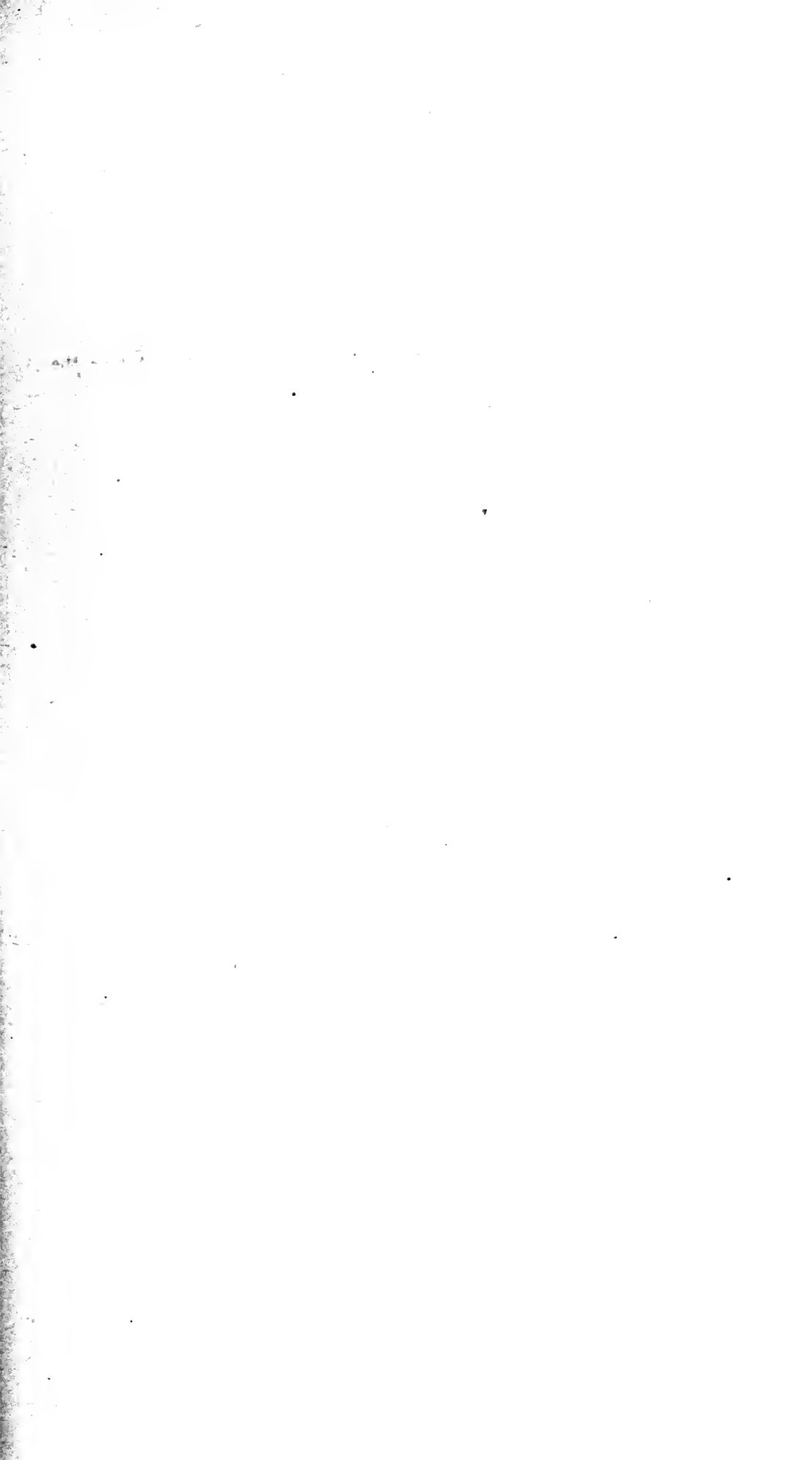
1. The said company is hereby authorized and empowered Power to con-
to survey, lay out, construct, make, complete, alter, and keep struct and
in repair iron or steel tramways to be operated by steam or operate iron or
15 electricity with double or single iron or steel tracks with all steel tram-
necessary switches and turnouts within the limits of the ways and
Township of Keppel in the County of Grey, between the said location of.
company's factory site or sites and the deposits of marl or clay
now owned or hereafter to be acquired by the said company,
20 and the said tramways or any part thereof may be carried
over, along, and upon the streets, highways and public places
of the said Township of Keppel, subject to the restrictions and
provisions of Section 29 of *The Railway Act of Ontario*, and
under and subject to any agreements between said company
25 and the council of the said township; and the said company may
make and enter into any agreements with the corporation of
the Township of Keppel as to the terms of occupancy of any
street, highway, or public place subject to the provisions con-
tained in *The Railway Act of Ontario* and *The Municipal Act*
30 and any Act or Acts amending the same. Rev. Stat. c.
207.
Rev. Stat. c.
223.

2. Sections 13 to 20, both inclusive, of *The Railway Act* Rev. Stat. c.
207. Sa. 13 to
20. to apply
of Ontario, in so far as applicable and when not inconsistent
with this Act or the powers conferred by the letters patent of
incorporation of the company, shall apply to the company and
35 its undertaking and (a) wherever in the said sections the
word "company" occurs it shall mean the company referred
to in this Act; (b) wherever in the said sections the word
"railway" occurs, it shall, unless the context otherwise re-
quires, in so far as it applies to the provisions of this Act or

the company, mean the tramway or tramways and other works authorized to be constructed by this Act or the charter of incorporation of the company; and (c) wherever, in the said sections the word "land" occurs, it shall include any privilege or easement required by the company for constructing or operating the works authorized by this Act or the charter of incorporation of the company on, over or along any land without the necessity of acquiring a title in fee simple. 5

Powers under charter of incorporation not to be impaired.

3. Nothing in this Act contained shall be deemed to take away or in any way impair or diminish any of the powers of the company under the original charter of incorporation or under any general Act or Acts. 10



1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Colonial Cement
Company, Limited.

First Reading, 1903.

(Private Bill.)

Mr. MCKAY.

TORONTO:

PRINTED BY L. K. CAMERON.

Printer to the King's Most Excellent Majesty.

An Act respecting The Colonial Cement Company,
Limited.

WHEREAS The Colonial Portland Cement Company, Limited, has by its petition represented that the said Company is about to place and erect its plant and works at Colpoy's Bay, in the Township of Keppel, in the County of Grey, and has also acquired clay and marl deposits situate on lot No. eleven, in the twenty-second concession in the said township, and on lot twenty-three in the twenty-first concession of the said township, and that its said plant and works cannot be properly operated nor its business successfully conducted unless the said company is authorized and permitted to construct a tramway from its said plant and works to its said clay and marl deposits, and are granted the powers conferred on mining companies by the provisions of chapter 198 of the Revised Statutes of Ontario; and whereas it is expedient to grant the prayer of the said petition;

Preamble.
Revised Stat.,
c. 198.

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

1. The Colonial Portland Cement Company, Limited, is hereby authorized and empowered, subject to the restrictions and provisions of section 37 of Chapter 209 of the Revised Statutes of Ontario, to survey, construct and keep in repair, and operate an iron or steel tramway, with double or single iron or steel tracks, and with the necessary branches, switches, side tracks and turnouts from their plant and works, situate on Colpoy's Bay, in the Township of Keppel, thence in an easterly direction to their clay and marl deposits on lot number eleven in the twenty-second concession of the said township, and thence easterly to their clay and marl deposits on lot number twenty-three in the twenty-first concession of the said township.

Location of
tramway.

2. All rights and privileges conferred upon the proprietors of any mine in Ontario under the provisions of section 1 of Chapter 198 of the Revised Statutes of Ontario, and entitled, *An Act respecting the construction of roads by Mining Companies*, are hereby conferred upon the said Company for the purpose of enabling the said Company to construct and maintain and operate the said tramway.

Application of
R.S.O., 198.

NO. 20.
1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act respecting the Colonial Cement
Company, Limited.

First Reading, 1903.

(Reprinted with amendments for the use of
the Railway Committee.)

Mr. MCKAY.

TORONTO:

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

An Act respecting The Colonial^{est} Portland^{est} Cement Company, Limited.

WHEREAS The Colonial Portland Cement Company, Limited, has by its petition represented that the said Company is about to place and erect its plant and works at Colpoy's Bay, in the Township of Keppel, in the County of Grey, and has also acquired clay and marl deposits situate on lot No. eleven, in the twenty-second concession in the said township, and on lot twenty-three in the twenty-first concession of the said township, and that its said plant and works cannot be properly operated nor its business successfully conducted unless the said company is authorized and permitted to construct a tramway from its said plant and works to its said clay and marl deposits, and are granted the powers conferred on mining companies by the provisions of chapter 198 of the Revised Statutes of Ontario; and whereas it is expedient to grant the prayer of the said petition;

Preamble.
Revised Stat.,
c. 198.

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

1. The Colonial Portland Cement Company, Limited, is hereby authorized and empowered, subject to the restrictions and provisions of section 37 of Chapter 209 of the Revised Statutes of Ontario, to survey, construct and keep in repair, and operate an iron or steel tramway, with double or single iron or steel tracks, and with the necessary branches, switches, side tracks and turnouts from their plant and works, situate on Colpoy's Bay, in the Township of Keppel, thence in an easterly direction to their clay and marl deposits on lot number eleven in the twenty-second concession of the said township, and thence easterly to their clay and marl deposits on lot number twenty-three in the twenty-first concession of the said township.

Location of
tramway.

2. All rights and privileges conferred upon the proprietors of any mine in Ontario under the provisions of section 1 of Chapter 198 of the Revised Statutes of Ontario, and entitled, *An Act respecting the construction of roads by Mining Companies*, are hereby conferred upon the said Company for the purpose of enabling the said Company to construct and maintain and operate the said tramway.

Application of
R.S.O., 198.

No. 56.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Colonial Portland Cement Company, Limited.

First Reading, 24th April, 1903.

(Reprinted 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 Hamilton and Caledonia
Railway Company.

WHEREAS The Hamilton and Caledonia Railway Com- Preamble
pany has by petition prayed that an Act may be passed
extending the time for constructing the line of railway of the
company and authorizing the company to build and construct
a line from the railway heretofore authorized in the Town of
Cayuga, thence in an easterly direction through the Town-
ships of Oneida, Canborough and Moulton in the County of
Haldimand and through the Town of Dunnville to a point at
or near the easterly limits of the said Town of Dunnville; ⁷¹
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:—

⁶²1. Section 2 of the Act passed at the second ses- 62 V. (2), c. 95,
s. 2, amended.
sion held in the 62nd year of Her late Majesty's reign,
chaptered 95, and intituled *An Act to incorporate*
the Hamilton and Caledonia Railway Company is
amended by inserting the following words immediately
after the word "Selkirk" in the 14th line thereof, "also a line
from the railway heretofore authorized in the Town of Cay-
uga, thence in an easterly direction through the Townships
of Oneida, Canborough and Moulton in the County of Haldi-
mand, and through the Town of Dunnville to a point at or
near the easterly limits of the said Town of Dunnville." ⁷²

⁶²2. Section 19 of the said Act is hereby repealed and the
following substituted therefor:—

The railway shall be commenced within two years and
completed to the extent of a through connection with the
Village of Caledonia within three years, and completed to the
extent of a through connection with the Town of Cayuga
within three years, and to the extent of a through connection
with the Town of Dunnville within four years, and finally
completed within five years after the passing of this Act. ⁷³

⁶²3. The name of the said Company is hereby changed and Name of Com-
pany.
shall hereafter be "The Hamilton, Caledonia and Lake Erie
Railway Company." ⁷⁴

1st Session 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting The Hamilton and Cal-
donia Railway Company.

First Reading, 1st May, 1903.

(Reprinted as amended by Railway Com-
mittee.)

Mr. HOLMES.

TORONTO :

Printed by L. K. Cameron,

Printer to the King's Most Excellent Majesty.

An Act respecting The Hamilton and Caledonia
Railway Company.

WHEREAS The Hamilton and Caledonia Railway Com- Preamble
pany has by petition prayed that an Act may be passed
extending the time for constructing the line of railway of the
company and to authorize the company to construct their line
5 of railway through the Town of Dunnville and the Townships
of Oneida, Canborough and Moulton in the County of Haldimand;
and whereas it is expedient to grant the prayer of
the said petition;

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

1. The Hamilton & Caledonia Railway Company and their Extension of
line through
Dunnville.
servants and agents are hereby authorized and empowered to
survey, lay out, construct, complete, equip, maintain and
15 operate the line of railway of the said company or a branch
thereof through the Town of Dunnville and the Townships of
Oneida, Canborough and Moulton in the County of Haldimand
in the same manner and subject to the same conditions as if
the power to construct as above had been conferred by their
20 original Act of Incorporation.

2. The time limited in the Act of Incorporation of the said Time for
completion
of line.
company for completing of its line of railway to the Village
of Caledonia is hereby extended for the period of two years
from this date, and for completing a through connection with
25 the Town of Cayuga for a period of three years from this date,
and for completing a through extension with the Town of
Dunnville for a period of four years from this date, and the
said railway shall be finally completed within five years after
the passing of this Act.

30 **3.** Section 6 of *The Act to incorporate the Hamilton and* Application of
Rev. Stat. c.
209 62 V. c.
95 s. 6 amend-
ded.
Caledonia Railway Company, being chapter 95 of the Acts
passed in the 62nd year of the reign of Her late Majesty
Queen Victoria, is amended by inserting the words "save and
except section 136 of the said Act" after the words "*Electric*
35 *Railway Act*" in the first line thereof and before the word
"and" in the said first line; and this amending provision shall
apply to this Act and the construction, maintenance and
operation of the said Railway.

An Act respecting the Town of Aurora.

WHEREAS the Corporation of the Town of Aurora has by Preamble
petition represented that on the 25th day of February,
1901, the council of the said town submitted to a vote of the
duly qualified electors By-laws Nos. 192 and 193 of the said
5 town entitled respectively, "To authorize the issue of debentures of the Town of Aurora to the amount of \$10,000 bearing interest at the rate of four per cent per annum, for the purpose of granting a bonus of \$10,000 to Messrs Underhill and Sisman (who are now carrying on the business of manu-
10 facturing boots and shoes in the Village of Markham, in the County of York, and who are about to remove their plant and machinery and carry on the said manufacturing business in the Town of Aurora) to enable them to purchase land, erect and equip a factory and other necessary buildings re-
15 quired for the purpose of carrying on the business of manufacturing boots and shoes in the Town of Aurora" and "To authorize the Town of Aurora to exempt Messrs. Underhill & Sisman (who are now carrying on the business of manufacturing boots and shoes in the Village of Markham in the
20 County of York and who are about to remove their plant and machinery and carry on the said manufacturing business in the Town of Aurora) from all municipal taxation (except school taxes) for a period of ten years from the time hereafter fixed by this by-law to come into effect, on all lands, build-
25 ings and plant owned, used and occupied by them in their business of manufacturing boots and shoes in the said Town of Aurora, and to provide all water actually required by them in their said business, free of cost for a term of ten years," when two-hundred and eighty nine of the said electors voted
30 for By-law No. 192 and seven against it, and two hundred and eighty-seven voted for By-law No. 193 and nine against it, the vote in favour of both by-laws being largely in excess of the number required by law in the case of bonuses to manufacturers; that on the 4th day of March, 1901, the said by-laws
35 were finally passed by the council of the said town and there after were duly promulgated and registered as required by law; that in pursuance of the said by-law an agreement was entered into between the corporation of the said town and the said firm of Underhill & Sisman, which agreement bears date
40 the 24th day of April, 1901; that on the execution of the said agreement the said firm executed a mortgage with the corpora-

tion of the said town for \$10,000 in accordance with the terms of the said agreement and forthwith, erected all buildings and established their business in the said Town of Aurora in accordance with the terms of the said agreement and by-laws; that to carry out the terms of the said agreement and for the payment of the said bonus the corporation of the said town borrowed from time to time from the Ontario Bank sums amounting in all to the sum of \$10,000 and paid over the same in accordance with the terms of the said agreement to the said firm of Underhill & Sisman; that on the 23rd day of May, 1901, a motion to quash the said by-law was made in the High Court of Justice by the Corporation of the Village of Markham, which motion was dismissed on the 4th day of July, 1901; that on appeal of the said Corporation of the Village of Markham to the Court of Appeal for the Province of Ontario, the judgment of the High Court dismissing the said motion was reversed and judgment delivered on the 10th day of April, 1902, quashing the said by-law and leave was refused the said municipal corporation of the Town of Aurora to appeal to the Supreme Court of Canada; that the said firm of Underhill & Sisman have since the establishment of their business in the said Town of Aurora carried on the same in full compliance with all the terms of the said agreement; that unless the said by-laws are confirmed and legalized the said corporation of the Town of Aurora will be unable to issue debentures to repay the sums borrowed from the Ontario Bank; that the said municipal corporation of the Town of Aurora have paid all costs as between party and party to which they were rendered liable by the judgment of the Court of Appeal; and whereas the said corporation of the Town of Aurora has by the said petition prayed that an Act may be passed to legalize and confirm the said by-laws and the rates levied or to be levied thereunder, and to authorize the issue of debentures as provided in the said By-law 192, and to confirm and validate the said agreement; 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:—

By-laws No.
192 and 193
of Aurora
confirmed.

1. By-laws Nos, 192 and 193 of the Corporation of the Town of Aurora set forth in Schedules A and B to this Act are legalized and confirmed and declared to be and to have been legal, valid and binding on the said municipal corporation of the Town of Aurora and rate-payers thereof from the time of the passing of the said by-laws to all intents and purposes, notwithstanding any want of jurisdiction on the part of the said town to pass the said by-laws, and notwithstanding any defect or error in substance or form of the said by-laws, or in the manner of passing the same, and the said corporation of the Town of

Aurora may issue and sell debentures in accordance with the said by-law, No. 192, within two years after the passing of this Act, and may do all other necessary acts for the full and proper carrying out of the said by-laws.

- 5 2. All rates heretofore levied by the said corporation for the payment of interest for the said sum of \$10,000 borrowed by the said corporation, as aforesaid, or any part thereof, and all rates hereafter to be levied under the said By-law No. 192 for the payment of the principal and interest of debentures 10 issued under the said by-law, are ratified and confirmed and declared to be and to have been legal, valid and binding and the said corporation may levy such further rates as may be necessary in pursuance of the said by-law. Rates valid and binding.

- 15 3. The agreement set forth in Schedule C to this Act is ratified and confirmed and declared to be and to have been from the time of the execution thereof legal, valid and binding on the parties thereto. Agreement confirmed.

SCHEDULE A.

BY-LAW No. 192.

To authorize the issue of debentures of the Town of Aurora to the amount of \$10,000, bearing interest at rate of four per cent. per annum, for the purpose of granting a bonus of \$10,000 to Messrs Underhill & Sisman (who are now carrying on the business of manufacturing boots and shoes in the Village of Markham, in the County of York, and who are about to remove their plant and machinery and carry on the said manufacturing business in the Town of Aurora), to enable them to purchase land, erect and equip a factory and other necessary buildings required for the purpose of carrying on the business of manufacturing boots and shoes in the Town of Aurora.

1. Whereas the said manufacturing firm of Underhill & Sisman have decided to remove their plant and works from the Village of Markham, under any circumstance, and having expressed a desire to locate their said business in the Town of Aurora, have asked the corporation of the said town for a bonus of \$10,000 to enable them to purchase land, erect and equip a factory, and all other necessary buildings required for the purpose of carrying on the business of manufacturing boots and shoes in said town

2. And whereas it is deemed advisable that the Town of Aurora should grant them a bonus of \$10 000 for the purposes aforesaid.

3. And whereas to raise the said sum, the said council deeming it advisable to extend payment for the same over a period of twenty years by the issue of debentures bearing interest at four per cent. per annum, extending over a period of twenty years as aforesaid, repayable by annual instalments of both principal and interest, such instalments to be so arranged that the aggregate amount of principal and interest payable in any one year shall be equal to what is payable for principal and interest in each of the other years during the said term.

4. And whereas the total amount to be raised annually by special rate sufficient therefor on all rateable property of the municipality for paying the said debt and interest will be the sum of \$735.80/100 dollars each year during the said period of twenty years.

5. And whereas the amount of the whole rateable property (liable for taxation for such purpose) of the municipality, according to the last revised assessment roll, is the sum of \$437,424.

6. And whereas the whole debenture debt of the municipality amounts to \$16,987.62, of which no portion of principal or interest is in arrears.

1. Be it therefore enacted by the municipal council of the corporation of the Town of Aurora as follows :—That a bonus of ten thousand dollars is hereby granted by the Town of Aurora to Messrs. Underhill & Sisman to aid them as aforesaid, and that the mayor is hereby authorized and required to issue debentures of the said corporation to the amount of ten thousand dollars, which shall be marked and known as the "Underhill & Sisman debentures," and shall be in sums of not less than one hundred dollars each, and shall be sealed with the corporate seal of the said corporation and signed by the mayor and treasurer thereof, and shall be payable within twenty years from the day hereinafter mentioned for this by-law to come into effect, at the office of the treasurer of the Town of Aurora, with interest at four per cent. per annum, as follows :—The said principal sum in twenty annual instalments and the interest at the rate aforesaid annually during said term, the aggregate amount of such instalments of principal and annual payments of interest shall be the sum of \$735.80/100 dollars.

2. For the purpose of paying the said sum of \$10,000, and to cover interest on the said amount as aforesaid, the sum of \$735.80/100 dollars shall be levied by a special rate over and above all other rates in the same manner and at the same time as other taxes are levied, upon the whole rateable property of the said town liable to be rated therefor in each year, for the period of twenty years from the date hereinafter mentioned for this by-law to take effect, during which the said debentures have to run.

3. That this by-law shall come into force and take effect on the 28th day of May, 1901, if sufficiently assented to by the electors of this corporation legally qualified to vote thereon.

4. This by-law shall be submitted for the assent of the electors of the said Town of Aurora under the provisions of *The Municipal Act*, on Monday, the 25th day of February, 1901. The poll will be opened at the hour of nine o'clock in the forenoon and remain open until five o'clock on the afternoon of the same day, to take the votes of the qualified electors of the said municipality on said by-law.

5. The places for taking said votes, and the deputy returning officers of the several wards of the said town, shall respectively be as follows :—

For North Ward, polling place, Mrs. Andrews' shop ; deputy returning officer, P. T. Bond.

For Centre Ward, polling place, town hall ; deputy returning officer, S. H. Lundy.

For South Ward, polling place, Wilson's shop ; deputy returning officer, H. D. Lundy.

6. That on Tuesday, the 19th day of February, 1901, at the hour of eight in the afternoon, at the council chamber of the said town, the mayor shall appoint, in writing, the persons to attend at the polling places and at the final summing up of the votes, on behalf of the persons interested in and promoting or opposing respectively the passing of this by-law.

7. That the clerk of the said municipality shall attend at the council chamber in said town at twelve o'clock in forenoon on Wednesday, the 27th day of February, 1901, to sum up the votes given for and against this by-law.

Passed March 4th, 1901.

[L.S.]

(S'gd) S. H. LUNDY,
Clerk.

(S'gd) F. T. DAVILLE,
Mayor.

SCHEDULE B.

BY-LAW No. 193.

To Authorize the Town of Aurora to exempt Messrs. Underhill & Sisman (who are now carrying on the business of manufacturing boots and shoes in the Village of Markham in the County of York, and who are about to remove their plant and machinery and carry on the said manufacturing business in the Town of Aurora) from all municipal taxation (excepting school taxes), for a period of ten years from the time hereinafter fixed for this by-law to come into effect, on all lands, building and plant owned, used and occupied by them in their business of manufacturing boots and shoes in the said Town of Aurora, and to provide them all water actually required by them in their said business free of cost for a term of ten years.

And whereas the said manufacturing firm of Underhill & Sisman have decided to remove their plant and works from the Village of Markham under any circumstances, and, having expressed a desire to locate their said business in the said Town of Aurora, have asked the said corporation of the said Town of Aurora to exempt them from all municipal taxation, except school taxes, for the said period of ten years and also to provide them water free of expense for a period of ten years to enable them to carry on their business of manufacturing boots and shoes as aforesaid.

Therefore the municipal corporation of the Town of Aurora enacts as follows:—

1. That the said manufacturing firm of Underhill & Sisman be and are hereby exempted from all municipal taxation, excepting school taxes, for a period of ten years from the time hereinafter fixed for this by law to come into effect on all lands, buildings and plant owned, used and occupied by said firm in their business of manufacturing boots and shoes in the Town of Aurora.

2. That said firm of Underhill & Sisman are hereby entitled to the privilege of using all water, free of all cost, actually required by them in carrying on their said business of manufacturing boots and shoes in the said Town of Aurora for the period of ten years from the date hereafter fixed for this by-law to come into effect.

3. This by law shall come into force and take effect on the 28th day of May, 1901, if previously assented to by the electors of this corporation legally qualified to vote thereon.

4. This by-law shall be submitted for the assent of the electors of the said Town of Aurora, under the provisions of *The Municipal Act*, on Monday, the 25th day of February, 1901. The poll will be open at the hour of nine o'clock in the forenoon and continuing till five o'clock in the afternoon of the same day, to take the votes of the qualified electors of the said municipality on the said by-law.

5. The places for taking the said votes and the deputy returning officers of the several wards of the said town shall respectively be as follows,—

For North Ward, polling place Mrs. Andrew's shop, deputy returning officer, P. T. Bond.

Centre Ward, polling place, town hall, deputy returning officer, S. H. Lundy.

South Ward, polling place, Wilson's shop, deputy returning officer, H. D. Lundy.

6. On Tuesday, the 19th day of February, 1901, at the hour of eight o'clock in the afternoon at the council chamber of the said town, the mayor shall appoint in writing the persons to attend at the polling places and at the final summing up of the votes, on behalf of the persons interested in and promoting or opposing, respectively, the passing of this by-law.

7. That the clerk of the said municipality shall attend at the council chamber in the said town at twelve o'clock noon, on Wednesday, the 27th day of February, 1901, to sum up the votes given for and against this by-law.

Passed March 4th, 1901.

[L.S.]

(S'gd) S. H. LUNDY,

(S'gd) F. T. DAVILLE,

Clerk.

Mayor.

SCHEDULE C

This Indenture made in duplicate the twenty-fourth day of April, in the year of our Lord, one thousand nine hundred and one, between F. Underhill and T. Sisman, of the Village of Markham, in the County of York, carrying on business of manufacturing boots and shoes under the name, style and firm of Underhill & Sisman, hereinafter called the "Manufacturers," of the first part, and the Corporation of the Town of Aurora, hereinafter called the "Corporation," of the second part,

Whereas the said manufacturers have heretofore been carrying on the business of manufacturing boots and shoes at the Village of Markham, in the County of York, and had decided in any event to remove their said factory from Markham aforesaid and have now resolved to locate the same at the said Town of Aurora.

And whereas the said corporation being satisfied that it was and is the determination of the said manufacturers in any case to remove from Markham aforesaid, has agreed to grant to them, the said manufacturers, a bonus of ten thousand dollars payable in cash, and to exempt the said manufacturers from all taxes and other assessments (except school taxes) for a period of ten years from the time hereinafter stated, and also to provide the said manufacturers with all water and water supply as may be required by them, the said manufacturers, in the said business for the said period, and also to deliver such water in sufficient pipes or conduits at the buildings that may be erected on the premises of the said manufacturers, free from all costs, and upon the terms and conditions hereinafter mentioned.

And whereas, on the fourth day of March last, a by-law was passed by the said corporation, granting to the said manufacturers a bonus of ten thousand dollars for the purposes therein stated.

And whereas, on the said fourth day of March a by-law was passed by the said corporation granting to the said manufacturers exemption from all taxes (except school taxes) for a period of ten years, as therein provided; and also providing that the said manufacturers should be supplied with all water required by them, the said manufacturers, in their said business, free of cost and for the purpose provided for in said by-law.

Now therefore this indenture witnesseth that the said parties do hereby mutually agree to and with each other as follows;

1. The corporation agrees to give and grant to the manufacturers, their successors and assigns a bonus of ten thousand dollars, payable as hereinafter set out, exemption from all taxes, rates or assessments, for a period of ten years from the date of the final payment of the said bonus to the manufacturers, (except school taxes) and to provide them the said manufacturers with all water that may be required by them in connection with the said business, supplied as aforesaid, free of cost, as provided for by the said by-law, for a term of ten years from the date of the final payment of the said bonus to the said manufacturers.

2. The manufacturers agree that they will as soon as possible after this agreement is executed, purchase a suitable site within the corporation of the Town of Aurora, and proceed with all proper diligence to erect thereon all necessary buildings to the value of at least \$5,000 suitable for a factory for the manufacturing of boots and shoes, said building to include a solid brick building 49 ft. x 100 ft., consisting of two flats and a basement, and brick boiler and engine room separate and adjoining thereto. And also that they will put and place therein all necessary plant and machinery to the value of at least \$6,000 suitable for said business of manufacturing boots and shoes, and of such a character and capacity that to carry on the same will require the employment of at least seventy employees daily (Sundays and legal holidays excepted) as hereinafter provided, who will be employed in and about said factory and who shall be and become residents of said Town of Aurora in as far as there is good and sufficient accommodation for them in said town. It is hereby agreed that employees shall be considered residents within the meaning of this clause if they and their families (if any) are permanently residing in Aurora within six months after they commence working in said factory.

3. The manufacturers agree that they will carry on the business of manufacturing boots and shoes in the said Town of Aurora in their said factory, or other buildings of equal value suitable therefor, for the period of ten years from the time they have completed their said building and commenced the manufacturing of boots and shoes as aforesaid, unless in case of fire or in case of accident to machinery, strikes, or for any other necessary reason as shall render such interruption unavoidable, and in any such case operation shall be resumed as soon as possible thereafter, not exceeding eight months in case of total loss by fire, and in case any interruption by total fire as aforesaid shall be for a longer period than three months in any year, the said manufacturing business shall be continued and carried on after the said term for a period equal to the time of interruption over and above three months, and in case of any such interruption from a cause as aforesaid, other than from total loss by fire, shall be for a longer period than two months in any year, the said manufacturing business shall be continued and carried on after the said term of ten years for a period equal to the time of interruption over two months.

4. The manufacturers agree with the corporation that they will give the corporation a first mortgage for \$10,000. on their land, site, building, and all their interest in their plant and machinery therein contained, clear of all dowers, claims, liens, charges and incumbrances of any kind, for the performance of all the covenants and agreements herein contained on the part of the manufacturers, and shall provide that for every year that the manufacturers fulfil and carry out all the covenants and agreements herein contained on their part, they shall be entitled to a proportionate amount of credit as one is to ten on said mortgage; that is to say, as

each year from the date thereof elapses the said mortgage shall be deemed to be paid and satisfied to the extent of the sum of \$1,000, and the manufacturers shall, if they require it, be entitled to a partial discharge of the said mortgage to such extent, and at the end of ten years a complete discharge. And if the said manufacturers should not demand or receive such partial discharge at the end of each year, they shall nevertheless be regarded as having satisfied so much of the mortgage, and no previous or past breach or breaches, if any, shall be considered in connection with the said mortgage unless notice in writing of same be given by the said corporation within thirty days from the termination of each year, but if for any one year they fail to carry out all the covenants and agreements on their part, or any of them, then the balance thereof, after deducting any amount to which they may be entitled to or have received credit for as aforesaid, shall at once become due and payable and the corporation shall be absolutely entitled to recover the same, and in case of any interruption in carrying on the factory by reason of total loss by fire for a longer period than three months, or of any of the other causes, in the third paragraph hereof mentioned, for a longer period than two months, they shall only be entitled to a credit for a proportionate part of that year, and the balance stand over to the end of the term when it may be earned on the same terms and conditions. The said mortgage shall be in the usual statutory form, and shall contain amongst other clauses a clause whereby the manufacturers agree to insure and keep insured during any period said mortgage remains in force, in full or for any part thereof, against loss or damage by fire, their building, plant and machinery, to an amount of not less than any amount or amounts that they be due from time to time to said corporation under and by virtue of said mortgage, said insurance to be in such proportions upon said buildings, plant and machinery as may be required by the said corporation, and the said manufacturers agree to pay all premiums and sums of money necessary for said purpose as the same shall become due, and will make loss payable to the corporation as their interests may appear, and exhibit when required to the corporation all policies of insurance, receipt or receipts thereto appertaining, and if they fail to do so and the said corporation shall pay any premiums or sums of money for insurance of the said premises, or any part thereof, the amount of any such payment, with interest at the rate of six per cent. per annum from the time of such payment, shall be repayable to them forthwith, and in no case shall the said insurance on the said buildings, plant and machinery be for a less amount than five thousand dollars. In event of loss by fire the manufacturers to have a right to require the corporation to expend such insurance money received by them in rebuilding.

5. The manufacturers agree with the corporation that they will, for and during the said period of ten years, employ in the said Town of Aurora, in and about the said manufactory and in connection with their said business of manufacturing boots and shoes in said Town of Aurora, for at least ten months in every year, seventy employees (all of whom must be residents of Aurora, excepting as aforesaid) each working day, and that they will furnish if demanded by the corporation on or before the first day of August in each year of said period a statutory declaration by a member of the firm, showing the number of hands employed by them during the preceding year. Nothing herein contained shall render it necessary for the manufacturers to employ the said number of hands during any stoppage or interruption of the business as in the preceding paragraph of the agreement mentioned. It is understood and agreed that the average daily number of hands employed by said manufacturers during ten months in any year shall be taken and accepted by the corporation in satisfaction of the provisions of this clause as to the number of hands to be employed daily by said manufacturers, and further that the manufacturers shall have the right to number as employees and amongst the number aforesaid any of the members of the families of the respective partners.

6. And the corporation also agrees to allow said manufacturers to employ a number of employees, not exceeding ten per cent. of the number employed, who need not be residents of the said town within the meaning of this clause provided they or their families reside outside a radius of twenty miles from said Town of Aurora.

7. If, however, the manufacturers request them so to do, the corporation agrees, upon the manufacturers purchasing the necessary site for said factory and executing and delivering to the corporation the mortgage herein provided for, to advance the manufacturers from time to time as the work done on said factory progresses, seventy-five per cent of the value of the work done from time to time as shown by the progress certificates of the person in charge of said building or factory. And the said corporation shall be at liberty to demand and receive a statutory declaration made by said manufacturers, stating that the progress certificate furnished by them, or the person in charge of factory or building are true and correct, and that the sum claimed by the manufacturers is fairly and properly payable for the building by said corporation, and that all moneys previously received by the said manufacturers from said corporation has been actually paid out on account of said buildings in accordance with the terms of this agreement.

8. The corporation agrees to pay over to the manufacturers the said bonus of \$10,000, less any sum or sums paid to the said manufacturers by said corporation under and by virtue of the paragraph number seven, on account of the said building, within thirty days after the manufacturers have performed their covenants and agreements contained in second paragraph hereof, and have executed and delivered over to the said corporation, the mortgage herein provided for.

9. Provided the said manufacturers carry out their covenants and agreements herein contained, the manufacturers' said site and factory, and all plant, machinery, appliances and stock used in connection therewith shall be exempt from all municipal taxes or other assessments (except school taxes) for a period of ten years from the final payment to the manufacturers of the said cash bonus, and in case of any dispute as to whether the manufacturers are entitled to the exemptions, the question may, in addition to all other methods of deciding the same, be determined in a summary way by any one of the county judges upon the application of either party, costs of which to be left to the discretion of the judge.

10. That if at any time, any part of said factory, lands, buildings, plant, machinery and appliances used in connection with said manufacturing business shall cease to be used by them in said manufacturing business or in connection therewith, then such part of said factory, lands, buildings, plant, machinery and appliances as shall so cease to be used, shall be assessed separately and full taxes paid thereon as long as they cease to be used in said manufacturing business.

11. Any joint stock company which may be incorporated and which may take over the manufacturers' factory and business, and any firm or person succeeding the said manufacturers in said business, shall be entitled to the same privileges and exemptions as the said manufacturers are entitled to under this agreement and shall be subject to the same terms and conditions.

12. If the manufacturers, during said period of ten years, remove their factory and business to another site in the said Town of Aurora, they shall be entitled to the same exemptions thereon for the substituted site and buildings erected thereon, and plant and machinery placed therein, for the balance of the said period, and the site from which they remove, together with all buildings, plant and machinery thereon, shall, unless the same are continued to be used in connection with said business of manufacturing boots and shoes as aforesaid, be liable to taxation and to pay taxes in the ordinary way, from the date of such removal.

In witness whereof the parties of the first part have hereunto set their hand and seal the day and year first above written, and the corporation has hereto fixed its corporate seal.

Signed, sealed and delivered }
in the presence of }
A. McLEAN MACDONALD. }

UNDERHILL & SISMAN. [Seal]

F. T. DAVILLE,
Mayor.

S. H. LUNDY, [Seal]
Clerk.

1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act respecting the Town of Aurora.

First Reading, _____, 1903.

(Private Bill)

Mr. DAVIS.

TORONTO :

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

An Act respecting the Town of Aurora.

WHEREAS the Corporation of the Town of Aurora has by Preamble petition represented that on the 25th day of February, 1901, the council of the said town submitted to a vote of the duly qualified electors By-laws Nos. 192 and 193 of the said town entitled respectively, "To authorize the issue of debentures of the Town of Aurora to the amount of \$10,000 bearing interest at the rate of four per cent per annum, for the purpose of granting a bonus of \$10,000 to Messrs Underhill and Sisman (who are now carrying on the business of manufacturing boots and shoes in the Village of Markham, in the County of York, and who are about to remove their plant and machinery and carry on the said manufacturing business in the Town of Aurora) to enable them to purchase land, erect and equip a factory and other necessary buildings required for the purpose of carrying on the business of manufacturing boots and shoes in the Town of Aurora" and "To authorize the Town of Aurora to exempt Messrs. Underhill & Sisman (who are now carrying on the business of manufacturing boots and shoes in the Village of Markham in the County of York and who are about to remove their plant and machinery and carry on the said manufacturing business in the Town of Aurora) from all municipal taxation (except school taxes) for a period of ten years from the time hereafter fixed by this by-law to come into effect, on all lands, buildings and plant owned, used and occupied by them in their business of manufacturing boots and shoes in the said Town of Aurora, and to provide all water actually required by them in their said business, free of cost, for a term of ten years," when two-hundred and eighty-nine of the said electors voted for By-law No. 192 and seven against it, and two hundred and eighty-seven voted for By-law No. 193 and nine against it, the vote in favour of both by-laws being largely in excess of the number required by law in the case of bonuses to manufacturers; that on the 4th day of March, 1901, the said by-laws were finally passed by the council of the said town and thereafter were duly promulgated and registered as required by law; that in pursuance of the said by-law an agreement was entered into between the corporation of the said town and the said firm of Underhill & Sisman, which agreement bears date the 24th day of April, 1901; that on the execution of the said agreement the said firm executed a mortgage with the corpora-

tion of the said town for \$10,000 in accordance with the terms of the said agreement and forthwith, erected all buildings and established their business in the said Town of Aurora in accordance with the terms of the said agreement and by-laws; that to carry out the terms of the said agreement and for the payment of the said bonus the corporation of the said town borrowed from time to time from the Ontario Bank sums amounting in all to the sum of \$10,000 and paid over the same in accordance with the terms of the said agreement to the said firm of Underhill & Sisman; that on the 23rd day of May, 1901, a motion to quash the said by-law was made in the High Court of Justice by the Corporation of the Village of Markham, which motion was dismissed on the 4th day of July, 1901; that on appeal of the said Corporation of the Village of Markham to the Court of Appeal for the Province of Ontario, the judgment of the High Court dismissing the said motion was reversed and judgment delivered on the 10th day of April, 1902, quashing the said by-law and leave was refused the said municipal corporation of the Town of Aurora to appeal to the Supreme Court of Canada; that the said firm of Underhill & Sisman have since the establishment of their business in the said Town of Aurora carried on the same in full compliance with all the terms of the said agreement; that unless the said by-laws are confirmed and legalized the said corporation of the Town of Aurora will be unable to issue debentures to repay the sums borrowed from the Ontario Bank; that the said municipal corporation of the Town of Aurora have paid all costs as between party and party to which they were rendered liable by the judgment of the Court of Appeal; and whereas the said corporation of the Town of Aurora has by the said petition prayed that an Act may be passed to legalize and confirm the said by-laws and the rates levied or to be levied thereunder, and to authorize the issue of debentures as provided in the said By-law 192, and to confirm and validate the said agreement; 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:—

By-laws No.
192 and 193
of Aurora
confirmed.

1. By-laws Nos. 192 and 193 of the Corporation of the Town of Aurora set forth in Schedules A and B to this Act are confirmed and declared to be legal, valid and binding on the Municipal Corporation of the Town of Aurora and ratepayers thereof notwithstanding any want of jurisdiction on the part of the said town to pass the said by-laws, and notwithstanding any defect or error in substance or form of the said by-laws, or in the manner of passing the same, and the said corporation of the Town of Aurora may issue and sell debentures in accordance with the said by-law, No. 192, within two years after the passing of

this Act, and may do all other necessary acts for the full and proper carrying out of the said by-laws.

2. All rates heretofore levied by the said corporation for the payment of interest for the said sum of \$10,000 borrowed by the said corporation, as aforesaid, or any part thereof, and all rates hereafter to be levied under the said By-law No. 192 for the payment of the principal and interest of debentures issued under the said by-law, are ratified and confirmed and declared to be and to have been legal, valid and binding and the said corporation may levy such further rates as may be necessary in pursuance of the said by-law. Rates valid and binding.

3. The agreement set forth in Schedule C to this Act is ratified and confirmed and declared to be and to have been from the time of the execution thereof legal, valid and binding on the parties thereto. Agreement confirmed.

4. The Municipal Corporation of the Town of Aurora shall forthwith pay to the Municipal Corporation of the Village of Markham the sum of \$300 as and for the costs and expenses incurred by the Municipal Corporation of the Village of Markham in the said litigation other than the costs heretofore paid by the Municipal Corporation of the Town of Aurora, as in the preamble to this Act recited, and the said sum of \$300 is declared to be a debt due from the Municipal Corporation of the Town of Aurora to the Municipal Corporation of the Village of Markham recoverable with costs of suit in any court of competent jurisdiction in this Province. Town of Aurora to pay \$300 to Village of Markham. 6a

SCHEDULE A.

BY-LAW No. 192.

To authorize the issue of debentures of the Town of Aurora to the amount of \$10,000, bearing interest at rate of four per cent. per annum, for the purpose of granting a bonus of \$10,000 to Messrs Underhill & Sisman (who are now carrying on the business of manufacturing boots and shoes in the Village of Markham, in the County of York, and who are about to remove their plant and machinery and carry on the said manufacturing business in the Town of Aurora), to enable them to purchase land, erect and equip a factory and other necessary buildings required for the purpose of carrying on the business of manufacturing boots and shoes in the Town of Aurora.

1. Whereas the said manufacturing firm of Underhill & Sisman have decided to remove their plant and works from the Village of Markham, under any circumstance, and having expressed a desire to locate their said business in the Town of Aurora, have asked the corporation of the said town for a bonus of \$10,000 to enable them to purchase land, erect and equip a factory, and all other necessary buildings required for the purpose of carrying on the business of manufacturing boots and shoes in said town.

2. And whereas it is deemed advisable that the Town of Aurora should grant them a bonus of \$10,000 for the purposes aforesaid.

3. And whereas to raise the said sum, the said council deeming it advisable to extend payment for the same over a period of twenty years by the issue of debentures bearing interest at four per cent. per annum, extending over a period of twenty years as aforesaid, repayable by annual instalments of both principal and interest, such instalments to be so arranged that the aggregate amount of principal and interest payable in any one year shall be equal to what is payable for principal and interest in each of the other years during the said term.

4. And whereas the total amount to be raised annually by special rate sufficient therefor on all rateable property of the municipality for paying the said debt and interest will be the sum of \$735.80/100 dollars each year during the said period of twenty years.

5. And whereas the amount of the whole rateable property (liable for taxation for such purpose) of the municipality, according to the last revised assessment roll, is the sum of \$437,424.

6. And whereas the whole debenture debt of the municipality amounts to \$16,987.62, of which no portion of principal or interest is in arrears.

1. Be it therefore enacted by the municipal council of the corporation of the Town of Aurora as follows :—That a bonus of ten thousand dollars is hereby granted by the Town of Aurora to Messrs. Underhill & Sisman to aid them as aforesaid, and that the mayor is hereby authorized and required to issue debentures of the said corporation to the amount of ten thousand dollars, which shall be marked and known as the "Underhill & Sisman debentures," and shall be in sums of not less than one hundred dollars each, and shall be sealed with the corporate seal of the said corporation and signed by the mayor and treasurer thereof, and shall be payable within twenty years from the day hereinafter mentioned for this by-law to come into effect, at the office of the treasurer of the Town of Aurora, with interest at four per cent. per annum, as follows :—The said principal sum in twenty annual instalments and the interest at the rate aforesaid annually during said term, the aggregate amount of such instalments of principal and annual payments of interest shall be the sum of \$735.80/100 dollars.

2. For the purpose of paying the said sum of \$10,000, and to cover interest on the said amount as aforesaid, the sum of \$735.80/100 dollars shall be levied by a special rate over and above all other rates in the same manner and at the same time as other taxes are levied, upon the whole rateable property of the said town liable to be rated therefor in each year, for the period of twenty years from the date hereinafter mentioned for this by-law to take effect, during which the said debentures have to run.

3. That this by-law shall come into force and take effect on the 28th day of May, 1901, if sufficiently assented to by the electors of this corporation legally qualified to vote thereon.

4. This by-law shall be submitted for the assent of the electors of the said Town of Aurora under the provisions of *The Municipal Act*, on Monday, the 25th day of February, 1901. The poll will be opened at the hour of nine o'clock in the forenoon and remain open until five o'clock on the afternoon of the same day, to take the votes of the qualified electors of the said municipality on said by-law.

5. The places for taking said votes, and the deputy returning officers of the several wards of the said town, shall respectively be as follows :—

For North Ward, polling place, Mrs. Andrews' shop ; deputy returning officer, P. T. Bond.

For Centre Ward, polling place, town hall ; deputy returning officer, S. H. Lundy.

For South Ward, polling place, Wilson's shop ; deputy returning officer, H. D. Lundy.

6. That on Tuesday, the 19th day of February, 1901, at the hour of eight in the afternoon, at the council chamber of the said town, the mayor shall appoint, in writing, the persons to attend at the polling places and at the final summing up of the votes, on behalf of the persons interested in and promoting or opposing respectively the passing of this by-law.

7. That the clerk of the said municipality shall attend at the council chamber in said town at twelve o'clock in forenoon on Wednesday, the 27th day of February, 1901, to sum up the votes given for and against this by-law.

Passed March 4th, 1901.

[L.S.]

(S'gd) S. H. LUNDY,
Clerk.

(S'gd) F. T. DAVILLE,
Mayor.

SCHEDULE B.

By-Law No. 193.

To Authorize the Town of Aurora to exempt Messrs. Underhill & Sisman (who are now carrying on the business of manufacturing boots and shoes in the Village of Markham in the County of York, and who are about to remove their plant and machinery and carry on the said manufacturing business in the Town of Aurora) from all municipal taxation (excepting school taxes), for a period of ten years from the time hereinafter fixed for this by-law to come into effect, on all lands, building and plant owned, used and occupied by them in their business of manufacturing boots and shoes in the said Town of Aurora, and to provide them all water actually required by them in their said business free of cost for a term of ten years.

And whereas the said manufacturing firm of Underhill & Sisman have decided to remove their plant and works from the Village of Markham under any circumstances, and, having expressed a desire to locate their said business in the said Town of Aurora, have asked the said corporation of the said Town of Aurora to exempt them from all municipal taxation, except school taxes, for the said period of ten years, and also to provide them water free of expense for a period of ten years to enable them to carry on their business of manufacturing boots and shoes as aforesaid.

Therefore the municipal corporation of the Town of Aurora enacts as follows :—

1. That the said manufacturing firm of Underhill & Sisman be and are hereby exempted from all municipal taxation, excepting school taxes, for a period of ten years from the time hereinafter fixed for this by-law to come into effect on all lands, buildings and plant owned, used and occupied by said firm in their business of manufacturing boots and shoes in the Town of Aurora.

2. That said firm of Underhill & Sisman are hereby entitled to the privilege of using all water, free of all cost, actually required by them in

carrying on their said business of manufacturing boots and shoes in the said Town of Aurora for the period of ten years from the date hereafter fixed for this by-law to come into effect.

3. This by law shall come into force and take effect on the 28th day of May, 1901, if previously assented to by the electors of this corporation legally qualified to vote thereon.

4. This by-law shall be submitted for the assent of the electors of the said Town of Aurora, under the provisions of *The Municipal Act*, on Monday, the 25th day of February, 1901. The poll will be open at the hour of nine o'clock in the forenoon and continuing till five o'clock in the afternoon of the same day, to take the votes of the qualified electors of the said municipality on the said by-law.

5. The places for taking the said votes and the deputy returning officers of the several wards of the said town shall respectively be as follows,—

For North Ward, polling place Mrs. Andrew's shop, deputy returning officer, P. T. Bond.

Centre Ward, polling place, town hall, deputy returning officer, S. H. Lundy.

South Ward, polling place, Wilson's shop, deputy returning officer, H. D. Lundy.

6. On Tuesday, the 19th day of February, 1901, at the hour of eight o'clock in the afternoon at the council chamber of the said town, the mayor shall appoint in writing the persons to attend at the polling places and at the final summing up of the votes, on behalf of the persons interested in and promoting or opposing, respectively, the passing of this by-law.

7. That the clerk of the said municipality shall attend at the council chamber in the said town at twelve o'clock noon, on Wednesday, the 27th day of February, 1901, to sum up the votes given for and against this by-law.

Passed March 4th, 1901.

[L.S.]

(S'gd) S. H. LUNDY,

(S'gd) F. T. DAVILLE,

Clerk.

Mayor.

SCHEDULE C.

This Indenture made in duplicate the twenty-fourth day of April, in the year of our Lord, one thousand nine hundred and one, between F. Underhill and T. Sisman, of the Village of Markham, in the County of York, carrying on business of manufacturing boots and shoes under the name, style and firm of Underhill & Sisman, hereinafter called the "Manufacturers," of the first part, and the Corporation of the Town of Aurora, hereinafter called the "Corporation," of the second part,

Whereas the said manufacturers have heretofore been carrying on the business of manufacturing boots and shoes at the Village of Markham, in the County of York, and had decided in any event to remove their said factory from Markham aforesaid and have now resolved to locate the same at the said Town of Aurora.

And whereas the said corporation being satisfied that it was and is the determination of the said manufacturers in any case to remove from Markham aforesaid, has agreed to grant to them, the said manufacturers, a bonus of ten thousand dollars payable in cash, and to exempt the said

manufacturers from all taxes and other assessments (except school taxes) for a period of ten years from the time hereinafter stated, and also to provide the said manufacturers with all water and water supply as may be required by them, the said manufacturers, in the said business for the said period, and also to deliver such water in sufficient pipes or conduits at the buildings that may be erected on the premises of the said manufacturers, free from all costs, and upon the terms and conditions hereinafter mentioned.

And whereas, on the fourth day of March last, a by-law was passed by the said corporation, granting to the said manufacturers a bonus of ten thousand dollars for the purposes therein stated.

And whereas, on the said fourth day of March a by-law was passed by the said corporation granting to the said manufacturers exemption from all taxes (except school taxes) for a period of ten years, as therein provided; and also providing that the said manufacturers should be supplied with all water required by them, the said manufacturers, in their said business, free of cost and for the purpose provided for in said by-law.

Now therefore this indenture witnesseth that the said parties do hereby mutually agree to and with each other as follows;

1. The corporation agrees to give and grant to the manufacturers, their successors and assigns a bonus of ten thousand dollars, payable as hereinafter set out, exemption from all taxes, rates or assessments, for a period of ten years from the date of the final payment of the said bonus to the manufacturers, (except school taxes) and to provide them the said manufacturers with all water that may be required by them in connection with the said business, supplied as aforesaid, free of cost, as provided for by the said by-law, for a term of ten years from the date of the final payment of the said bonus to the said manufacturers.

2. The manufacturers agree that they will as soon as possible after this agreement is executed, purchase a suitable site within the corporation of the Town of Aurora, and proceed with all proper diligence to erect thereon all necessary buildings to the value of at least \$5,000 suitable for a factory for the manufacturing of boots and shoes, said building to include a solid brick building 49 ft. x 100 ft., consisting of two flats and a basement, and brick boiler and engine room separate and adjoining thereto. And also that they will put and place therein all necessary plant and machinery to the value of at least \$6,000 suitable for said business of manufacturing boots and shoes, and of such a character and capacity that to carry on the same will require the employment of at least seventy employees daily (Sundays and legal holidays excepted) as hereinafter provided, who will be employed in and about said factory and who shall be and become residents of said Town of Aurora in as far as there is good and sufficient accommodation for them in said town. It is hereby agreed that employees shall be considered residents within the meaning of this clause if they and their families (if any) are permanently residing in Aurora within six months after they commence working in said factory.

3. The manufacturers agree that they will carry on the business of manufacturing boots and shoes in the said Town of Aurora in their said factory, or other buildings of equal value suitable therefor, for the period of ten years from the time they have completed their said building and commenced the manufacturing of boots and shoes as aforesaid, unless in case of fire or in case of accident to machinery, strikes, or for any other necessary reason as shall render such interruption unavoidable, and in any such case operation shall be resumed as soon as possible thereafter, not exceeding eight months in case of total loss by fire, and in case any interruption by total fire as aforesaid shall be for a longer period than three months in any year, the said manufacturing business shall be continued and carried on after the said term for a period equal to the time of interruption over and above three months, and in case of any such interruption from a cause as aforesaid, other than from total loss by fire, shall be for a longer period than two months in any year, the said manufacturing

business shall be continued and carried on after the said term of ten years for a period equal to the time of interruption over two months.

4. The manufacturers agree with the corporation that they will give the corporation a first mortgage for \$10,000, on their land, site, building, and all their interest in their plant and machinery therein contained, clear of all dowers, claims, liens, charges and incumbrances of any kind, for the performance of all the covenants and agreements herein contained on the part of the manufacturers, and shall provide that for every year that the manufacturers fulfil and carry out all the covenants and agreements herein contained on their part, they shall be entitled to a proportionate amount of credit as one is to ten on said mortgage ; that is to say, as each year from the date thereof elapses the said mortgage shall be deemed to be paid and satisfied to the extent of the sum of \$1,000, and the manufacturers shall, if they require it, be entitled to a partial discharge of the said mortgage to such extent, and at the end of ten years a complete discharge. And if the said manufacturers should not demand or receive such partial discharge at the end of each year, they shall nevertheless be regarded as having satisfied so much of the mortgage, and no previous or past breach or breaches, if any, shall be considered in connection with the said mortgage unless notice in writing of same be given by the said corporation within thirty days from the termination of each year, but if for any one year they fail to carry out all the covenants and agreements on their part, or any of them, then the balance thereof, after deducting any amount to which they may be entitled to or have received credit for as aforesaid, shall at once become due and payable and the corporation shall be absolutely entitled to recover the same, and in case of any interruption in carrying on the factory by reason of total loss by fire for a longer period than three months, or of any of the other causes, in the third paragraph hereof mentioned, for a longer period than two months, they shall only be entitled to a credit for a proportionate part of that year, and the balance stand over to the end of the term when it may be earned on the same terms and conditions. The said mortgage shall be in the usual statutory form, and shall contain amongst other clauses a clause whereby the manufacturers agree to insure and keep insured during any period said mortgage remains in force, in full or for any part thereof, against loss or damage by fire, their building, plant and machinery, to an amount of not less than any amount or amounts that they be due from time to time to said corporation under and by virtue of said mortgage, said insurance to be in such proportions upon said buildings, plant and machinery as may be required by the said corporation, and the said manufacturers agree to pay all premiums and sums of money necessary for said purpose as the same shall become due, and will make loss payable to the corporation as their interests may appear, and exhibit when required to the corporation all policies of insurance, receipt or receipts thereto appertaining, and if they fail to do so and the said corporation shall pay any premiums or sums of money for insurance of the said premises, or any part thereof, the amount of any such payment, with interest at the rate of six per cent. per annum from the time of such payment, shall be repayable to them forthwith, and in no case shall the said insurance on the said buildings, plant and machinery be for a less amount than five thousand dollars. In event of loss by fire the manufacturers to have a right to require the corporation to expend such insurance money received by them in rebuilding.

5. The manufacturers agree with the corporation that they will, for and during the said period of ten years, employ in the said Town of Aurora, in and about the said manufactory and in connection with their said business of manufacturing boots and shoes in said Town of Aurora, for at least ten months in every year, seventy employees (all of whom must be residents of Aurora, excepting as aforesaid) each working day, and that they will furnish if demanded by the corporation on or before the first day of August in each year of said period, a statutory declaration by a member of the firm, showing the number of hands employed

by them during the preceding year. Nothing herein contained shall render it necessary for the manufacturers to employ the said number of hands during any stoppage or interruption of the business as in the preceding paragraph of the agreement mentioned. It is understood and agreed that the average daily number of hands employed by said manufacturers during ten months in any year shall be taken and accepted by the corporation in satisfaction of the provisions of this clause as to the number of hands to be employed daily by said manufacturers, and further that the manufacturers shall have the right to number as employees and amongst the number aforesaid any of the members of the families of the respective partners.

6. And the corporation also agrees to allow said manufacturers to employ a number of employees, not exceeding ten per cent. of the number employed, who need not be residents of the said town within the meaning of this clause provided they or their families reside outside a radius of twenty miles from said Town of Aurora.

7. If, however, the manufacturers request them so to do, the corporation agrees, upon the manufacturers purchasing the necessary site for said factory and executing and delivering to the corporation the mortgage herein provided for, to advance the manufacturers from time to time as the work done on said factory progresses, seventy-five per cent of the value of the work done from time to time as shown by the progress certificates of the person in charge of said building or factory. And the said corporation shall be at liberty to demand and receive a statutory declaration made by said manufacturers, stating that the progress certificate furnished by them, or the person in charge of factory or building are true and correct, and that the sum claimed by the manufacturers is fairly and properly payable for the building by said corporation, and that all moneys previously received by the said manufacturers from said corporation has been actually paid out on account of said buildings in accordance with the terms of this agreement.

8. The corporation agrees to pay over to the manufacturers the said bonus of \$10,000, less any sum or sums paid to the said manufacturers by said corporation under and by virtue of the paragraph number seven, on account of the said building, within thirty days after the manufacturers have performed their covenants and agreements contained in second paragraph hereof, and have executed and delivered over to the said corporation, the mortgage herein provided for.

9. Provided the said manufacturers carry out their covenants and agreements herein contained, the manufacturers' said site and factory, and all plant, machinery, appliances and stock used in connection therewith shall be exempt from all municipal taxes or other assessments (except school taxes) for a period of ten years from the final payment to the manufacturers of the said cash bonus, and in case of any dispute as to whether the manufacturers are entitled to the exemptions, the question may, in addition to all other methods of deciding the same, be determined in a summary way by any one of the county judges upon the application of either party, costs of which to be left to the discretion of the judge.

10. That if at any time, any part of said factory, lands, buildings, plant, machinery and appliances used in connection with said manufacturing business shall cease to be used by them in said manufacturing business or in connection therewith, then such part of said factory, lands, buildings, plant, machinery and appliances as shall so cease to be used, shall be assessed separately and full taxes paid thereon as long as they cease to be used in said manufacturing business.

11. Any joint stock company which may be incorporated and which may take over the manufacturers' factory and business, and any firm or person succeeding the said manufacturers in said business, shall be entitled

to the same privileges and exemptions as the said manufacturers are entitled to under this agreement and shall be subject to the same terms and conditions.

12. If the manufacturers, during said period of ten years, remove their factory and business to another site in the said Town of Aurora, they shall be entitled to the same exemptions thereon for the substituted site and buildings erected thereon, and plant and machinery placed therein, for the balance of the said period, and the site from which they remove, together with all buildings, plant and machinery thereon, shall, unless the same are continued to be used in connection with said business of manufacturing boots and shoes as aforesaid, be liable to taxation and to pay taxes in the ordinary way, from the date of such removal.

In witness whereof the parties of the first part have hereunto set their hand and seal the day and year first above written, and the corporation has hereto fixed its corporate seal.

Signed, sealed and delivered }
 in the presence of }
 A. McLEAN MACDONALD. }

UNDERHILL & SISMAN. [Seal]

F. T. DAVILLE,
 Mayor.

S. H. LUNDY, [Seal]
 Clerk.

1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act respecting the Town of Aurora.

First Reading, 28th April, 1903.

(Reprinted as amended by the Private
Bills Committee.)

Mr. DAVIS.

TORONTO :

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

An Act respecting the Town of Aurora.

WHEREAS the Corporation of the Town of Aurora has by ^{Preamble} petition represented that on the 25th day of February, 1901, the council of the said town submitted to a vote of the duly qualified electors By-laws Nos. 192 and 193 of the said town entitled respectively, "To authorize the issue of debentures of the Town of Aurora to the amount of \$10,000 bearing interest at the rate of four per cent per annum, for the purpose of granting a bonus of \$10,000 to Messrs Underhill and Sisman (who are now carrying on the business of manufacturing boots and shoes in the Village of Markham, in the County of York, and who are about to remove their plant and machinery and carry on the said manufacturing business in the Town of Aurora) to enable them to purchase land, erect and equip a factory and other necessary buildings required for the purpose of carrying on the business of manufacturing boots and shoes in the Town of Aurora" and "To authorize the Town of Aurora to exempt Messrs. Underhill & Sisman (who are now carrying on the business of manufacturing boots and shoes in the Village of Markham in the County of York and who are about to remove their plant and machinery and carry on the said manufacturing business in the Town of Aurora) from all municipal taxation (except school taxes) for a period of ten years from the time hereafter fixed by this by-law to come into effect, on all lands, buildings and plant owned, used and occupied by them in their business of manufacturing boots and shoes in the said Town of Aurora, and to provide all water actually required by them in their said business, free of cost for a term of ten years," when two-hundred and eighty-nine of the said electors voted for By-law No. 192 and seven against it, and two hundred and eighty-seven voted for By-law No. 193 and nine against it, the vote in favour of both by-laws being largely in excess of the number required by law in the case of bonuses to manufacturers; that on the 4th day of March, 1901, the said by-laws were finally passed by the council of the said town and thereafter were duly promulgated and registered as required by law; that in pursuance of the said by-law an agreement was entered into between the corporation of the said town and the said firm of Underhill & Sisman, which agreement bears date the 24th day of April, 1901; that on the execution of the said agreement the said firm executed a mortgage with the corpora-

tion of the said town for \$10,000 in accordance with the terms of the said agreement and forthwith erected all buildings and established their business in the said Town of Aurora in accordance with the terms of the said agreement and by-laws; that to carry out the terms of the said agreement and for the payment of the said bonus the corporation of the said town borrowed from time to time from the Ontario Bank sums amounting in all to the sum of \$10,000 and paid over the same in accordance with the terms of the said agreement to the said firm of Underhill & Sisman; that on the 23rd day of May, 1901, a motion to quash the said by-law was made in the High Court of Justice by the Corporation of the Village of Markham, which motion was dismissed on the 4th day of July, 1901; that on appeal of the said Corporation of the Village of Markham to the Court of Appeal for the Province of Ontario, the judgment of the High Court dismissing the said motion was reversed and judgment delivered on the 10th day of April, 1902, quashing the said by-law and leave was refused the said municipal corporation of the Town of Aurora to appeal to the Supreme Court of Canada; that the said firm of Underhill & Sisman have since the establishment of their business in the said Town of Aurora carried on the same in full compliance with all the terms of the said agreement; that unless the said by-laws are confirmed and legalized the said corporation of the Town of Aurora will be unable to issue debentures to repay the sums borrowed from the Ontario Bank; that the said municipal corporation of the Town of Aurora have paid all costs as between party and party to which they were rendered liable by the judgment of the Court of Appeal; and whereas the said corporation of the Town of Aurora has by the said petition prayed that an Act may be passed to legalize and confirm the said by-laws and the rates levied or to be levied thereunder, and to authorize the issue of debentures as provided in the said By-law 192, and to confirm and validate the said agreement; 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:—

By-laws No.
192 and 193
of Aurora
confirm ed.

1. By-laws Nos, 192 and 193 of the Corporation of the Town of Aurora set forth in Schedules A and B to this Act are confirmed and declared to be legal, valid and binding on the Municipal Corporation of the Town of Aurora and ratepayers thereof notwithstanding any want of jurisdiction on the part of the said town to pass the said by-laws, and notwithstanding any defect or error in substance or form of the said by-laws, or in the manner of passing the same, and the said corporation of the Town of Aurora may issue and sell debentures in accordance with the said by-law, No. 192, within two years after the passing of

this Act, and may do all other necessary acts for the full and proper carrying out of the said by-laws.

2. All rates heretofore levied by the said corporation for the payment of interest for the said sum of \$10,000 borrowed by the said corporation, as aforesaid, or any part thereof, and all rates hereafter to be levied under the said By-law No. 192 for the payment of the principal and interest of debentures issued under the said by-law, are ratified and confirmed and declared to be and to have been legal, valid and binding and the said corporation may levy such further rates as may be necessary in pursuance of the said by-law.

Rates valid
and binding.

3. The agreement set forth in Schedule C to this Act is ratified and confirmed and declared to be and to have been from the time of the execution thereof legal, valid and binding on the parties thereto.

Agreement
confirmed.

4. The Municipal Corporation of the Town of Aurora shall forthwith pay to the Municipal Corporation of the Village of Markham the sum of \$300 as and for the costs and expenses incurred by the Municipal Corporation of the Village of Markham in the said litigation other than the costs heretofore paid by the Municipal Corporation of the Town of Aurora, as in the preamble to this Act recited, and the said sum of \$300 is declared to be a debt due from the Municipal Corporation of the Town of Aurora to the Municipal Corporation of the Village of Markham recoverable with costs of suit in any court of competent jurisdiction in this Province and shall be taken and deemed to be in full satisfaction of any claim for damages or otherwise which the Village of Markham may have against the Town of Aurora with respect to the passing of the said By-laws numbered 192 and 193.

Town of
Aurora to pay
\$300 to Vil-
lage of Mark-
ham.

SCHEDULE A.

BY-LAW No. 192.

To authorize the issue of debentures of the Town of Aurora to the amount of \$10,000, bearing interest at rate of four per cent. per annum, for the purpose of granting a bonus of \$10,000 to Messrs Underhill & Sisman (who are now carrying on the business of manufacturing boots and shoes in the Village of Markham, in the County of York, and who are about to remove their plant and machinery and carry on the said manufacturing business in the Town of Aurora), to enable them to purchase land, erect and equip a factory and other necessary buildings required for the purpose of carrying on the business of manufacturing boots and shoes in the Town of Aurora.

1. Whereas the said manufacturing firm of Underhill & Sisman have decided to remove their plant and works from the Village of Markham, under any circumstance, and having expressed a desire to locate their said business in the Town of Aurora, have asked the corporation of

the said town for a bonus of \$10,000 to enable them to purchase land, erect and equip a factory, and all other necessary buildings required for the purpose of carrying on the business of manufacturing boots and shoes in said town.

2. And whereas it is deemed advisable that the Town of Aurora should grant them a bonus of \$10,000 for the purposes aforesaid.

3. And whereas to raise the said sum, the said council deeming it advisable to extend payment for the same over a period of twenty years by the issue of debentures bearing interest at four per cent. per annum, extending over a period of twenty years as aforesaid, repayable by annual instalments of both principal and interest, such instalments to be so arranged that the aggregate amount of principal and interest payable in any one year shall be equal to what is payable for principal and interest in each of the other years during the said term.

4. And whereas the total amount to be raised annually by special rate sufficient therefor on all rateable property of the municipality for paying the said debt and interest will be the sum of \$735.80/100 dollars each year during the said period of twenty years.

5. And whereas the amount of the whole rateable property (liable for taxation for such purpose) of the municipality, according to the last revised assessment roll, is the sum of \$437,424.

6. And whereas the whole debenture debt of the municipality amounts to \$16,987.62, of which no portion of principal or interest is in arrears.

1. Be it therefore enacted by the municipal council of the corporation of the Town of Aurora as follows :—That a bonus of ten thousand dollars is hereby granted by the Town of Aurora to Messrs. Underhill & Sisman to aid them as aforesaid, and that the mayor is hereby authorized and required to issue debentures of the said corporation to the amount of ten thousand dollars, which shall be marked and known as the "Underhill & Sisman debentures," and shall be in sums of not less than one hundred dollars each, and shall be sealed with the corporate seal of the said corporation and signed by the mayor and treasurer thereof, and shall be payable within twenty years from the day hereinafter mentioned for this by-law to come into effect, at the office of the treasurer of the Town of Aurora, with interest at four per cent. per annum, as follows :—The said principal sum in twenty annual instalments and the interest at the rate aforesaid annually during said term, the aggregate amount of such instalments of principal and annual payments of interest shall be the sum of \$735.80/100 dollars.

2. For the purpose of paying the said sum of \$10,000, and to cover interest on the said amount as aforesaid, the sum of \$735.80/100 dollars shall be levied by a special rate over and above all other rates in the same manner and at the same time as other taxes are levied, upon the whole rateable property of the said town liable to be rated therefor in each year, for the period of twenty years from the date hereinafter mentioned for this by-law to take effect, during which the said debentures have to run.

3. That this by-law shall come into force and take effect on the 28th day of May, 1901, if sufficiently assented to by the electors of this corporation legally qualified to vote thereon.

4. This by-law shall be submitted for the assent of the electors of the said Town of Aurora under the provisions of *The Municipal Act*, on Monday, the 25th day of February, 1901. The poll will be opened at the hour of nine o'clock in the forenoon and remain open until five o'clock on the afternoon of the same day, to take the votes of the qualified electors of the said municipality on said by-law.

5. The places for taking said votes, and the deputy returning officers of the several wards of the said town, shall respectively be as follows :—

For North Ward, polling place, Mrs. Andrews' shop ; deputy returning officer, P. T. Bond.

For Centre Ward, polling place, town hall ; deputy returning officer, S. H. Lundy.

For South Ward, polling place, Wilson's shop ; deputy returning officer, H. D. Lundy.

6. That on Tuesday, the 19th day of February, 1901, at the hour of eight in the afternoon, at the council chamber of the said town, the mayor shall appoint, in writing, the persons to attend at the polling places and at the final summing up of the votes, on behalf of the persons interested in and promoting or opposing respectively the passing of this by-law

7. That the clerk of the said municipality shall attend at the council chamber in said town at twelve o'clock in forenoon on Wednesday, the 27th day of February, 1901, to sum up the votes given for and against this by-law.

Passed March 4th, 1901.

[L.S.]

(S'gd) S. H. LUNDY,
Clerk.

(S'gd) F. T. DAVILLE,
Mayor.

SCHEDULE B.

By-Law No 193.

To Authorize the Town of Aurora to exempt Messrs. Underhill & Sisman (who are now carrying on the business of manufacturing boots and shoes in the Village of Markham in the County of York, and who are about to remove their plant and machinery and carry on the said manufacturing business in the Town of Aurora) from all municipal taxation (excepting school taxes), for a period of ten years from the time hereinafter fixed for this by-law to come into effect, on all lands, building and plant owned, used and occupied by them in their business of manufacturing boots and shoes in the said Town of Aurora, and to provide them all water actually required by them in their said business free of cost for a term of ten years.

And whereas the said manufacturing firm of Underhill & Sisman have decided to remove their plant and works from the Village of Markham under any circumstances, and, having expressed a desire to locate their said business in the said Town of Aurora, have asked the said corporation of the said Town of Aurora to exempt them from all municipal taxation, except school taxes, for the said period of ten years and also to provide them water free of expense for a period of ten years to enable them to carry on their business of manufacturing boots and shoes as aforesaid.

Therefore the municipal corporation of the Town of Aurora enacts as follows :—

1. That the said manufacturing firm of Underhill & Sisman be and are hereby exempted from all municipal taxation, excepting school taxes, for a period of ten years from the time hereinafter fixed for this by law to come into effect on all lands, buildings and plant owned, used and occupied by said firm in their business of manufacturing boots and shoes in the Town of Aurora.

2. That said firm of Underhill & Sisman are hereby entitled to the privilege of using all water, free of all cost, actually required by them in

carrying on their said business of manufacturing boots and shoes in the said Town of Aurora for the period of ten years from the date hereafter fixed for this by-law to come into effect.

3. This by law shall come into force and take effect on the 28th day of May, 1901, if previously assented to by the electors of this corporation legally qualified to vote thereon.

4. This by-law shall be submitted for the assent of the electors of the said Town of Aurora, under the provisions of *The Municipal Act*, on Monday, the 25th day of February, 1901. The poll will be open at the hour of nine o'clock in the forenoon and continuing till five o'clock in the afternoon of the same day, to take the votes of the qualified electors of the said municipality on the said by-law.

5. The places for taking the said votes and the deputy returning officers of the several wards of the said town shall respectively be as follows,—

For North Ward, polling place Mrs. Andrew's shop, deputy returning officer, P. T. Bond.

Centre Ward, polling place, town hall, deputy returning officer, S. H. Lundy.

South Ward, polling place, Wilson's shop, deputy returning officer, H. D. Lundy.

6. On Tuesday, the 19th day of February, 1901, at the hour of eight o'clock in the afternoon at the council chamber of the said town, the mayor shall appoint in writing the persons to attend at the polling places and at the final summing up of the votes, on behalf of the persons interested in and promoting or opposing, respectively, the passing of this by-law.

7. That the clerk of the said municipality shall attend at the council chamber in the said town at twelve o'clock noon, on Wednesday, the 27th day of February, 1901, to sum up the votes given for and against this by-law.

Passed March 4th, 1901.

[L.S.]

(S'gd) S. H. LUNDY,

(S'gd) F. T. DAVILLE,

Clerk.

Mayor.

SCHEDULE C.

This Indenture made in duplicate the twenty-fourth day of April, in the year of our Lord, one thousand nine hundred and one, between F. Underhill and T. Sisman, of the Village of Markham, in the County of York, carrying on business of manufacturing boots and shoes under the name, style and firm of Underhill & Sisman, hereinafter called the "Manufacturers," of the first part, and the Corporation of the Town of Aurora, hereinafter called the "Corporation," of the second part,

Whereas the said manufacturers have heretofore been carrying on the business of manufacturing boots and shoes at the Village of Markham, in the County of York, and had decided in any event to remove their said factory from Markham aforesaid and have now resolved to locate the same at the said Town of Aurora.

And whereas the said corporation being satisfied that it was and is the determination of the said manufacturers in any case to remove from Markham aforesaid, has agreed to grant to them, the said manufacturers, a bonus of ten thousand dollars payable in cash, and to exempt the said

manufacturers from all taxes and other assessments (except school taxes) for a period of ten years from the time hereinafter stated, and also to provide the said manufacturers with all water and water supply as may be required by them, the said manufacturers, in the said business for the said period, and also to deliver such water in sufficient pipes or conduits at the buildings that may be erected on the premises of the said manufacturers, free from all costs, and upon the terms and conditions hereinafter mentioned.

And whereas, on the fourth day of March last, a by-law was passed by the said corporation, granting to the said manufacturers a bonus of ten thousand dollars for the purposes therein stated.

And whereas, on the said fourth day of March a by-law was passed by the said corporation granting to the said manufacturers exemption from all taxes (except school taxes) for a period of ten years, as therein provided; and also providing that the said manufacturers should be supplied with all water required by them, the said manufacturers, in their said business, free of cost and for the purpose provided for in said by-law.

Now therefore this indenture witnesseth that the said parties do hereby mutually agree to and with each other as follows;

1. The corporation agrees to give and grant to the manufacturers, their successors and assigns a bonus of ten thousand dollars, payable as hereinafter set out, exemption from all taxes, rates or assessments, for a period of ten years from the date of the final payment of the said bonus to the manufacturers, (except school taxes) and to provide them the said manufacturers with all water that may be required by them in connection with the said business, supplied as aforesaid, free of cost, as provided for by the said by-law, for a term of ten years from the date of the final payment of the said bonus to the said manufacturers.

2. The manufacturers agree that they will as soon as possible after this agreement is executed, purchase a suitable site within the corporation of the Town of Aurora, and proceed with all proper diligence to erect thereon all necessary buildings to the value of at least \$5,000 suitable for a factory for the manufacturing of boots and shoes, said building to include a solid brick building 49 ft. x 100 ft., consisting of two flats and a basement, and brick boiler and engine room separate and adjoining thereto. And also that they will put and place therein all necessary plant and machinery to the value of at least \$6,000 suitable for said business of manufacturing boots and shoes, and of such a character and capacity that to carry on the same will require the employment of at least seventy employees daily (Sundays and legal holidays excepted) as hereinafter provided, who will be employed in and about said factory and who shall be and become residents of said Town of Aurora in as far as there is good and sufficient accommodation for them in said town. It is hereby agreed that employees shall be considered residents within the meaning of this clause if they and their families (if any) are permanently residing in Aurora within six months after they commence working in said factory.

3. The manufacturers agree that they will carry on the business of manufacturing boots and shoes in the said Town of Aurora in their said factory, or other buildings of equal value suitable therefor, for the period of ten years from the time they have completed their said building and commenced the manufacturing of boots and shoes as aforesaid, unless in case of fire or in case of accident to machinery, strikes, or for any other necessary reason as shall render such interruption unavoidable, and in any such case operation shall be resumed as soon as possible thereafter, not exceeding eight months in case of total loss by fire, and in case any interruption by total fire as aforesaid shall be for a longer period than three months in any year, the said manufacturing business shall be continued and carried on after the said term for a period equal to the time of interruption over and above three months, and in case of any such interruption from a cause as aforesaid, other than from total loss by fire, shall be for a longer period than two months in any year, the said manufacturing

business shall be continued and carried on after the said term of ten years for a period equal to the time of interruption over two months.

4. The manufacturers agree with the corporation that they will give the corporation a first mortgage for \$10,000, on their land, site, building, and all their interest in their plant and machinery therein contained, clear of all dowers, claims, liens, charges and incumbrances of any kind, for the performance of all the covenants and agreements herein contained on the part of the manufacturers, and shall provide that for every year that the manufacturers fulfil and carry out all the covenants and agreements herein contained on their part, they shall be entitled to a proportionate amount of credit as one is to ten on said mortgage; that is to say, as each year from the date thereof elapses the said mortgage shall be deemed to be paid and satisfied to the extent of the sum of \$1,000, and the manufacturers shall, if they require it, be entitled to a partial discharge of the said mortgage to such extent, and at the end of ten years a complete discharge. And if the said manufacturers should not demand or receive such partial discharge at the end of each year, they shall nevertheless be regarded as having satisfied so much of the mortgage, and no previous or past breach or breaches, if any, shall be considered in connection with the said mortgage unless notice in writing of same be given by the said corporation within thirty days from the termination of each year, but if for any one year they fail to carry out all the covenants and agreements on their part, or any of them, then the balance thereof, after deducting any amount to which they may be entitled to or have received credit for as aforesaid, shall at once become due and payable and the corporation shall be absolutely entitled to recover the same, and in case of any interruption in carrying on the factory by reason of total loss by fire for a longer period than three months, or of any of the other causes, in the third paragraph hereof mentioned, for a longer period than two months, they shall only be entitled to a credit for a proportionate part of that year, and the balance stand over to the end of the term when it may be earned on the same terms and conditions. The said mortgage shall be in the usual statutory form, and shall contain amongst other clauses a clause whereby the manufacturers agree to insure and keep insured during any period said mortgage remains in force, in full or for any part thereof, against loss or damage by fire, their building, plant and machinery, to an amount of not less than any amount or amounts that they be due from time to time to said corporation under and by virtue of said mortgage, said insurance to be in such proportions upon said buildings, plant and machinery as may be required by the said corporation, and the said manufacturers agree to pay all premiums and sums of money necessary for said purpose as the same shall become due, and will make loss payable to the corporation as their interests may appear, and exhibit when required to the corporation all policies of insurance, receipt or receipts thereto appertaining, and if they fail to do so and the said corporation shall pay any premiums or sums of money for insurance of the said premises, or any part thereof, the amount of any such payment, with interest at the rate of six per cent. per annum from the time of such payment, shall be repayable to them forthwith, and in no case shall the said insurance on the said buildings, plant and machinery be for a less amount than five thousand dollars. In event of loss by fire the manufacturers to have a right to require the corporation to expend such insurance money received by them in rebuilding.

5. The manufacturers agree with the corporation that they will, for and during the said period of ten years, employ in the said Town of Aurora, in and about the said manufactory and in connection with their said business of manufacturing boots and shoes in said Town of Aurora, for at least ten months in every year, seventy employees (all of whom must be residents of Aurora, excepting as aforesaid) each working day, and that they will furnish if demanded by the corporation on or before the first day of August in each year of said period a statutory declaration by a member of the firm, showing the number of hands employed

by them during the preceding year. Nothing herein contained shall render it necessary for the manufacturers to employ the said number of hands during any stoppage or interruption of the business as in the preceding paragraph of the agreement mentioned. It is understood and agreed that the average daily number of hands employed by said manufacturers during ten months in any year shall be taken and accepted by the corporation in satisfaction of the provisions of this clause as to the number of hands to be employed daily by said manufacturers, and further that the manufacturers shall have the right to number as employees and amongst the number aforesaid any of the members of the families of the respective partners.

6. And the corporation also agrees to allow said manufacturers to employ a number of employees, not exceeding ten per cent. of the number employed, who need not be residents of the said town within the meaning of this clause provided they or their families reside outside a radius of twenty miles from said Town of Aurora.

7. If, however, the manufacturers request them so to do, the corporation agrees, upon the manufacturers purchasing the necessary site for said factory and executing and delivering to the corporation the mortgage herein provided for, to advance the manufacturers from time to time as the work done on said factory progresses, seventy-five per cent of the value of the work done from time to time as shown by the progress certificates of the person in charge of said building or factory. And the said corporation shall be at liberty to demand and receive a statutory declaration made by said manufacturers, stating that the progress certificate furnished by them, or the person in charge of factory or building are true and correct, and that the sum claimed by the manufacturers is fairly and properly payable for the building by said corporation, and that all moneys previously received by the said manufacturers from said corporation has been actually paid out on account of said buildings in accordance with the terms of this agreement.

8. The corporation agrees to pay over to the manufacturers the said bonus of \$10,000, less any sum or sums paid to the said manufacturers by said corporation under and by virtue of the paragraph number seven, on account of the said building, within thirty days after the manufacturers have performed their covenants and agreements contained in second paragraph hereof, and have executed and delivered over to the said corporation, the mortgage herein provided for.

9. Provided the said manufacturers carry out their covenants and agreements herein contained, the manufacturers' said site and factory, and all plant, machinery, appliances and stock used in connection therewith shall be exempt from all municipal taxes or other assessments (except school taxes) for a period of ten years from the final payment to the manufacturers of the said cash bonus, and in case of any dispute as to whether the manufacturers are entitled to the exemptions, the question may, in addition to all other methods of deciding the same, be determined in a summary way by any one of the county judges upon the application of either party, costs of which to be left to the discretion of the judge.

10. That if at any time, any part of said factory, lands, buildings, plant, machinery and appliances used in connection with said manufacturing business shall cease to be used by them in said manufacturing business or in connection therewith, then such part of said factory, lands, buildings, plant, machinery and appliances as shall so cease to be used, shall be assessed separately and full taxes paid thereon as long as they cease to be used in said manufacturing business.

11. Any joint stock company which may be incorporated and which may take over the manufacturers' factory and business, and any firm or person succeeding the said manufacturers in said business, shall be entitled

to the same privileges and exemptions as the said manufacturers are entitled to under this agreement and shall be subject to the same terms and conditions.

12. If the manufacturers, during said period of ten years, remove their factory and business to another site in the said Town of Aurora, they shall be entitled to the same exemptions thereon for the substituted site and buildings erected thereon, and plant and machinery placed therein, for the balance of the said period, and the site from which they remove, together with all buildings, plant and machinery thereon, shall, unless the same are continued to be used in connection with said business of manufacturing boots and shoes as aforesaid, be liable to taxation and to pay taxes in the ordinary way, from the date of such removal.

In witness whereof the parties of the first part have hereunto set their hand and seal the day and year first above written, and the corporation has hereto fixed its corporate seal.

Signed, sealed and delivered }
in the presence of }
A. McLEAN MacDONALD. }

UNDERHILL & SISMAN. [Seal]

F. T. DAVILLE,
Mayor.

S. H. LUNDY, [Seal]
Clerk.



1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act respecting the Town of Aurora.

First Reading, 28th April, 1903.

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

Mr. DAVIS.

TORONTO:

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

An Act respecting the Stormont Electric Light and Power Company.

WHEREAS The Stormont Electric Light and Power Company have by their petition prayed that an Act may be passed, ratifying and confirming that part of an agreement dated the 4th day of June, A.D. 1902, entered into between the said company and the Municipal Corporation of the Town of Cornwall, whereby the corporation of the Town of Cornwall agreed to fix the assessment on the company's property, works, machinery, poles and wires connected with the electric branch of the company's business in the Town of Cornwall, during the term of 10 years, at the sum of \$10,000 in each year; 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. That part of the agreement made between the Stormont Electric Light and Power Co., and the municipal corporation of the Town of Cornwall, bearing date the 4th day of June, A.D. 1902, set forth in Schedule A to this Act, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation of the Town of Cornwall, and the ratepayers thereof, and upon the Stormont Electric Light and Power Company, according to the terms thereof.

Agreement in Schedule "A" confirmed and legalized.

SCHEDULE A.

Part of an Agreement dated the 4th day of June, A.D. 1902, made between the Stormont Electric Light and Power Company, of the Town of Cornwall, and the Municipal Corporation of the Town of Cornwall.

The corporation, in further consideration of the company furnishing said light, agree to fix the assessment on the company's property, works, machinery, poles and wires connected with the electric branch of the company's business in the Town of Cornwall, during the said term of ten years at the sum of \$10,000 in each year, and the company at their own expense are to procure the necessary legislation to ratify and confirm this part of this agreement.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Stormont Electric
Light & Power Company.

First Reading:	1903.
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(Private Bill.)

Mr. McCART.

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

An Act respecting the Stormont Electric Light and Power Company.

WHEREAS The Stormont Electric Light and Power Com- Preamble.
pany has by petition prayed that an Act may be passed, ratifying and confirming that part of an agreement dated the 4th day of June, A.D. 1902, entered into between the said company and the Municipal Corporation of the Town of Cornwall, whereby the Corporation of the Town of Cornwall agreed to fix the assessment on the company's property, works, machinery, poles and wires connected with the electric branch of the company's business in the Town of Cornwall, during the term of 10 years, at the sum of \$10,000 in each year; 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. That part of the agreement made between The Stormont Electric Light and Power Co., and the Municipal Corporation of the Town of Cornwall, bearing date the 4th day of June, 1902, set forth in the Schedule to this Act, is ratified and confirmed and declared to be legal, valid and binding upon the Corporation of the Town of Cornwall, and the ratepayers thereof, and upon The Stormont Electric Light and Power Company, according to the terms thereof; ^{and} provided, however, that nothing in the said agreement or in this Act contained shall affect the assessment or taxation of the property in the said agreement described, for school purposes, but that for such purposes the said property shall be assessed in the same manner as it would have been if this Act had not been passed and the said agreement had not been made. ~~27~~

Agreement in Schedule confirmed and legalized.

SCHEDULE

Part of an Agreement dated the 4th day of June, A.D. 1902, made between the Stormont Electric Light and Power Company, of the Town of Cornwall, and the Municipal Corporation of the Town of Cornwall.

The corporation, in further consideration of the company furnishing said light, agree to fix the assessment on the company's property, works, machinery, poles and wires connected with the electric branch of the company's business in the Town of Cornwall, during the said term of ten years at the sum of \$10,000 in each year, and the company at their own expense are to procure the necessary legislation to ratify and confirm this part of this agreement.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Stormont Electric
Light & Power Company.

First Reading, 5th May, 1903.

(Reprinted as amended by Private Bills
Committee.)

Mr. McCARR

TORONTO :

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

An Act respecting the Huntsville and Lake of Bays
Railway Company.

WHEREAS the Huntsville and Lake of Bays 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. Chapter 113 of the Ontario Statutes of 1900 incorporating the Huntsville and Lake of Bays Railway Company is revived and declared to be in force; and the time limited for commencing the railway, which the said company is by the said Act authorized to construct, is extended for a period of two years from the first day of September, 1903; and if the construction of the said railway is not then commenced, or if Act of
Incorporation
63 V. 113
revived.
- 10
- 15 the railway is not finished and put in operation within five years from the said first day of September, then the powers of construction granted to the said company shall cease and be null and void, as respects so much of the railway as then remains uncompleted. Time for
commence-
ment and
completion.

An Act respecting The Huntsville and Lake of Bays
Railway Company.

WHEREAS by an Act passed in the 63rd year of Her late Majesty's reign chaptered 113, intituled *An Act to incorporate The Huntsville and Lake of Bays Railway Company* the time for the commencement of the construction of the said railway was fixed at two years from the date of the passing of the said Act, which time has now elapsed; and whereas doubts have arisen as to whether the work done by way of commencing the said railway was work covered by the provisions of the said Act, and the Company are desirous that such doubts should be removed; and whereas the said Company have by their petition prayed that the said Act be revived and the time for the commencement of the railway of the Company be extended for two years and the completion thereof for five years from the passing of this Act, and 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 Act passed in the 63rd year of Her late Majesty's reign, chaptered 113 and intituled *An Act to incorporate The Huntsville and Lake of Bays Railway Company* is revived and declared to be in force; and the time limited for commencing the railway, which the said company is by the said Act authorized to construct, is extended for a period of two years from the *passing of this Act*; and if the construction of the said railway is not then commenced, or if the railway is not finished and put in operation within five years from the *passing of this Act*, then the powers of construction granted to the said company shall cease and be null and void, as respects so much of the railway as then remains uncompleted. Act of
Incorporation
63 V. 113
revived.

Time for
commence-
ment and
completion.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting The Huntsville and Lake
of Bays Railway.

First Reading, 28th April, 1903.

(Reprinted as amended by Railway
Committee.)

Mr. BRIDGLAND.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting the Guelph Railway Company,
and to change the name of the Company to that
of the Guelph Radial Railway Company.

WHEREAS a petition has been presented praying that it ^{Preamble.}
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
5 of the Legislative Assembly of the Province of Ontario, enacts
as follows:—

(1) The name of the Guelph Railway Company hereinafter ^{Name chang-}
called the Company is changed to the "Guelph Radial Rail- ^{ed to Gue ph}
way Company," but such change in name shall not in any ^{Radial Rail-}
10 way impair, alter or affect the rights or liabilities of the Com- ^{way Co.}
pany, nor in any wise affect any suit or proceeding, now pend-
ing, or judgment existing either by or in favour of, or against
the Company, which, notwithstanding such change in the
name of the Company, may be prosecuted, continued, com-
15 pleted and enforced as if this Act had not been passed.

(2) The Company is hereby authorized and empowered to ^{Location of}
further extend, construct and operate the said railway by elec- ^{line.}
tric or other power, other than steam from a point in the City
of Guelph at the present terminus of the railway on the Elora
20 Road to, near or through Elora, Fergus, Arthur and Mount
Forest in the County of Wellington, passing through the
Townships of Guelph, Pilkington, Nichol, Peel, West Gara-
fraxa, Arthur and West Luther in the County of Wellington,
with power to construct a branch from Arthur on the line
25 between Arthur and Mount Forest to Conn or some other
point near West Luther or a point therein, and also to con-
struct an extension of its railway from some point on the said
railway in the City of Guelph to Erin Village passing through
the Townships of Guelph, Eramosa and Erin and also to con-
30 struct extensions from Puslinch Lake to, or near Galt in the
County of Waterloo passing through the Townships of Pus-
linch and Waterloo, and from Puslinch Lake or Hespeler to
or near Preston, in the County of Waterloo, passing through
the Township of Waterloo: the extension first named may be
35 known as the northwestern extension, and the extension
secondly named to be known as the Erin extension, and the

extensions thirdly and fourthly named to be known as the Galt and Preston extensions respectively.

Power to run
on public
highways.

3. The railway or any parts 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, in this Act and *The Municipal Act*, and any Act or Acts amending the same, contained and under and subject to any agreements between the Company and the Council of any of 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. 5 10 15

Rev. Stat. c.
223.

Rev. Stat. c.
223.

Deviation of
line from
highway

Proviso.

4. The Company may at any point or points where its railway may run along the highway have the right to deviate from such highway to a right of way owned by the Company; provided that no obstruction of such highway shall be made by such deviation, but if the rails on such deviation do not rise above or sink below the surface of the road more than one inch they shall not be deemed to be an obstruction. 20

Issue of bonds
or debentures
by directors.

5. The directors of the Company, under the authority of the shareholders to them given at any special general meeting called for the purpose, at which meeting shareholders representing at least two-thirds in value of the subscribed stock of the Company, 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 twenty thousand dollars 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; 25 30 35 40

(a) The Directors may issue and sell or pledge all or any of the said bonds, debentures or other securities at such price and upon such terms and conditions as they may be able to obtain for the purposes of the Company;

(b) No such bonds, debentures or other securities shall be for a less sum than One Hundred Dollars; 45

(c) Such bonds shall be from time to time issued only in proportion to the length of railway constructed, or under contract for construction ;

6. 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 ;

Securing
bonds by
mortgage.

(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 in order to preserve the priority, lien, charge, mortgage or privilege purporting to appertain to or to be created by any bond, debenture or other security issued or mortgage deed executed under the authority of this Act, that such bond or deed should be registered in any manner or in any place whatsoever, except at the office of the Provincial Secretary as aforesaid ; nor shall it be necessary to comply with the provisions of *The Bills of Sale and Chattel Mortgage Act*, or any Act requiring the registration or renewal of mortgages of chattels, but any mortgage which may be executed by the Company under the powers conferred upon it, shall, upon the same being deposited in the office of the Provincial Secretary, have full force and effect and priority, according to the time of deposit, and shall form a lien and encumbrance upon any personal property or chattels therein embraced, to all intents and purposes, as therein expressed and set forth, as if the provisions of the said *Bills of Sale and Chattel Mortgage Act*, or any Act requiring registration or renewal of mortgages of chattels, had been fully complied with.

Rev Stat., c.
148.

7. Until they have been surrendered and lawfully cancelled, the bonds, debentures or other securities hereby authorized to be issued shall, subject to the rights of the holders of any bonds heretofore issued, be taken and considered to be

Bonds to form
a preferential
lien.

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. 5

(a) Each holder of the said bonds, debentures or other securities, shall until they have been surrendered and lawfully cancelled be deemed to be a mortgagee or 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 10 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.

Rights of
bondholders
after default.

8. If the Company makes default in paying the principal of hereby authorized, at the time when the same, by the term 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 20 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. 25

(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 30 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 35 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.

9. All bonds, debentures or other securities hereby author- 40 ized 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 transfers of shares. 45

Releasing
property
covered by

10. Any lands or chattel property which may have become no longer useful or necessary for the purpose 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.

mortgage
security
bonds.

11. Any bonds or securities heretofore issued by the Company shall continue to be charged on the portion of the railway Company's property upon which the same are now charged, and the rights of the holders thereof shall not, without their consent, be affected by any bond issued in pursuance hereof or any mortgage given to secure the same.

Right of
holders of
bond- hereto-
fore issued.

12. The Company may, for the purpose of giving security by way of mortgage and bond or otherwise and in exercise of such borrowing powers, treat each of the extensions of the railway already authorized and hereby authorized, as a separate railway, and such securities may be charged thereupon accordingly.

Extensions
may be treated
as separate
lines.

13. The Company shall have power to agree for connections and making running arrangements or amalgamate its railway in whole or in part with or may acquire the stock, bonds and franchises of any other railway or company or lease the same or any portion thereof to any company or companies now or hereafter lawfully authorized to construct and operate a railway or railways in any of the municipalities named in section 2 of this Act, if lawfully empowered to enter into any such agreement, upon terms to be approved by two-thirds in value of the shareholders, at a special general meeting to be held for that purpose ; and it shall also be lawful for the Company to enter into an agreement or agreements with the said companies or any of them, if lawfully authorized to enter into any such agreement, for the sale or leasing or hiring of any portion of the railway herein authorized or the use thereof, or for the sale or leasing or hiring any electric motors, carriages or cars or any of them, or of any part thereof, or touching any service to be rendered by one 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 any 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 as far as the same may affect the Company hereby incorporated, or the railway to be built under the authority of this Act :

Agreements
with other
companies.

Proviso.

provided that electric power only shall be used in operating any portion of the said railways or any section or branch thereof, 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. 5

Conditions of agreement with other companies.

13. (a) The authority and power conferred on the Company by this Act to enter into agreements with any other railway company for connections, running arrangements, sale, lease or hiring of the said railway, or to sell, or lease or transmit electrical power shall be subject to such terms, conditions and regulations as may be provided and enacted by any special or general Act or Acts which may at the time such agreement is entered into be in force; and to such terms, conditions and regulations, general or special, as the Lieutenant-Governor in Council or any Special Committee of the Executive Council of Ontario appointed for that purpose may from time to time order. 10 15

Power houses, warehouses, etc.

14. The Company shall have full power and authority :—

(1) To purchase land for and erect power houses, warehouses elevators, docks, stations, workshops and offices and also lands for parks and pleasure grounds and manage same, and to erect and manage buildings thereon, 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 and manage as part of the property of the Company as many steam or other vessels as the Directors of the Company may deem requisite from time to time to facilitate the carriage of passengers, freight and other traffic or business in connection with the railway. 20 25 30

Stations, depots, 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 engines, motors, carriages, waggons, 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. 35

Works for producing electricity.

(3) To construct, maintain and operate works for the production of or acquire from any company or person electricity for the motive power of the said railway, and for the lighting and heating the rolling stock and other property of the Company. 40

Disposal of surplus electricity.

(4) To sell or lease in any municipality where such sale or lease is authorized by by-law of the Council of the municipality and subject to the terms and conditions therein contained 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 45

this Act, possess the powers, rights and privileges and be subject to all the obligations and restrictions of joint stock companies incorporated under *The Act respecting Companies for supplying Steam, Heat, Electricity or Natural Gas for Heat, Light or Power*, and to acquire and hold any property necessary for the purposes mentioned in this subsection.

Rev. Stat.,
c. 200.

(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 municipality in which such works or any part thereof or of the railway may be situate and under and subject to any by-law or by-laws of the Council of such municipality passed in pursuance thereof.

Right to
convey
electricity
over lands of
other owners.

(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.

Other matters
necessary for
railway.

15. The by-law of the City of Guelph, being By-law No. 459 of the said City intituled a By-law to authorize the issue of Debentures to the amount of \$25,000 for the purpose of paying for preferential stock to be taken by the City of Guelph in the Guelph Railway Company and which was duly carried by a vote of the qualified electors entitled to vote thereon, and afterwards passed by the Council of the Corporation of the City of Guelph, is hereby validated, ratified and confirmed and the debentures to be issued in pursuance thereof are hereby declared to be valid and binding upon the said Municipal Corporation and the ratepayers thereof; and the Company and the City Corporation are hereby authorized to enter into an agreement substantially in terms of that referred to in the said by-law.

By-law of City
of Guelph
confirmed.

16. The Directors may by by-law declare that any part of the capital stock shall be preference stock, and that it shall have such preference and priority as respects capital, dividends or otherwise over ordinary stock as may be declared by such by-law.

Preference
stock.

17. The by-law may provide that the holders of shares of such preference stock shall have the right to select a certain stated proportion of the Board of Directors or may give them

Holders of
preference
stock may
elect directors.

such other control of the affairs of the Company as may be considered expedient.

By-law to be sanctioned by shareholders.

18. No such by-law creating preference stock shall have any force or effect whatever until after it has been sanctioned by the vote of three-fourths in value of the shareholders present in person or by proxy at a special general meeting of the Company duly called for considering the same, or sanctioned in writing by the same proportion of the shareholders of the Company. 5

Rights of holders of preference stock.

19. Holders of shares of such preference stock shall be shareholders within the meaning of this Act, and shall in all respects possess the rights and be subject to the liabilities of shareholders within the meaning of this Act. 10

Redemption of preference stock.

20. The Directors may from time to time pass by-laws providing for the purchase or acquisition by the Company of such preference stock or parts thereof, and for the cancellation of the stock so purchased or acquired, and for the revocation, pro rata, according to the amount of stock so cancelled, and any reserve set apart or required to be set apart in respect of such preference stock, but no such by-law shall be valid or acted upon unless and until the same has been sanctioned by a vote of at least two-thirds in value of the shareholders of the Company present in person or represented by proxy at a special general meeting duly called for considering the same, nor until such by-law has been approved by the Lieutenant Governor in Council. 20 25

Issue of preference stock to be subject to terms of city by-law.

21. The issue of preference stock to the Corporation of the City of Guelph may be made subject to the conditions provided for in the said By-law No. 459.

Construction of road by sections.

22. The Company is hereby authorized to take and make 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 five miles in length, and upon such deposit as aforesaid of the map or plan and book of reference of any and each of such sections or portions of the said railway, all and every of the clauses of the said *Railway Act of Ontario* and the amendments thereto 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 30 35 40 45

Rev. Stat., c. 207.

and made of the lands through which the whole of the said railway is to pass, together with the map or plan of the whole thereof, and of its whole course and direction and of the lands intended to be passed over and taken and the book of reference of the whole of the said railway had been taken, made, examined, certified and deposited according to the said sections of *The Railway Act of Ontario* and the amendments thereto with respect to plans and surveys:

23. The Company may receive from any Government or from any persons or body corporate, municipal or politic who may have power to grant the same, aid towards the construction, equipment or maintenance of the said railway by way of gift, bonus or loan of money or debentures, or other securities for money, or by way of guarantee upon such terms and conditions as may be agreed upon.

Aid in construction of railway.

24. Any municipality upon the line of the said railway hereby authorized may grant by way of gift to the Company any lands belonging to such municipality over which it may have control, which may be required for right of way, stations, grounds or other purposes connected with the railway, and the Company shall have power to accept the same, and to sell, lease, mortgage, or otherwise dispose thereof.

Grant of land from municipality.

25. The council of any municipality upon the line of the said railway may by by-law exempt the Company and its property within such municipality from municipal assessment or taxation, either in whole or in part, or may agree to a certain fixed assessment, or to the payment of any gross sum in lieu of municipal rates or assessments for any term not exceeding twenty-one years.

By-laws exempting from taxation.

26. The council of any municipality upon the line of the said railway may from time to time by resolution extend the time for the commencement or completion of the railway beyond that stipulated for in any by-law or by-laws granting rights of way over the streets of such municipality or granting aid by bonus, loan or otherwise, provided that no such extension shall be for a longer period than three years at any one time.

By-laws extending time for commencement or completion.

27. Whenever it shall be necessary for the purpose of procuring sufficient lands for stations or for gravel pits or for constructing, maintaining or using the railway, and in case, by purchasing the whole of any lot or parcel of land over which the railway is to run, the Company can obtain the same at a more reasonable price, or to greater advantage than by purchasing the railway line only, the Company may purchase, hold, use and enjoy such lands, and also the right of way thereto, if the same be separated from its railway, and

Power to purchase whole lots.

may sell or convey the same or any part thereof from time to time as it may deem expedient; provided that the compulsory clauses of *The Railway Act of Ontario* and amendments thereto shall not apply to this section.

Rev. Stat.,
c. 207.

Taking materials for construction of road bed.

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 it cannot agree with the owner of the lands upon 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 it shall serve a copy thereof, with its notice of arbitration, as in case of acquiring the right of way for the railway, and the notice of arbitration, the award and the tender of compensation shall have the same effect as in case of arbitration for the right of way for the railway, and all the provisions of *The Railway Act of Ontario* and the amendments thereto, 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 such lands, and such proceedings may be had by the Company either for the right to the fee simple in the land from which the said material shall be taken, or for the right to take materials for any time they shall think necessary, provided that the notice of arbitration, in case arbitration is resorted to, shall state the interest required.

Rev. Stat.,
c. 207.

Sidings to gravel pits.

(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 in which the said materials may be found, whatever the distance, not exceeding one mile, may be, and all the provisions of *The Railway Act of Ontario*, and the amendments thereto, and of this Act, except such as relate to filing plans and publication of notice shall apply, may be used and exercised to obtain the right of way from the railway to the lands in which such materials are situate; 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 after the railway is constructed for the purpose of repairing and maintaining such railway.

Rev. Stat.,
c. 207.

(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 or maintaining the railway.

Rev. Stat.,
c. 207.

(3) In 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.

29. The Company shall have power to collect and receive all charges subject to which goods or commodities may come into its possession, and upon payment of such back charges and without any formal transfer may 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, to all the rights and remedies of such persons for such charges.

Recovering back charges on goods.

30. The several clauses of *The Railway Act of Ontario* numbered 8 to 20, inclusive, 29, 31 to 39 inclusive, and 42, shall be incorporated with and deemed to be part of this Act, and shall apply to the Company, and to the railway heretofore constructed, or hereafter to be constructed by it, 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 Railway Act*, and every Act in amendment thereof so incorporated with this Act.

Application of certain provisions of Rev. Stat., c. 207.

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 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 75 cents for registering the same, including all entries and certificates thereof and certificates endorsed on the duplicates thereof.

Form of conveyance of land to Company.

32. Section 136 of *The Electric Railway Act* shall apply to the operation of the railway of the Company, but save as aforesaid *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 it.

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

33. The railway of any company operated by steam may be crossed or intersected at grade by the railway of the Company, subject, however, to the consent of the Railway Committee of the Privy Council of Canada.

Crossing other lines at grade.

34. The directors may pay or agree to pay in paid up stock or in bonds of the Company such sums as they may deem expedient to engineers or 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

Payments in paid up stock or bonds.

way, material, plant or rolling stock, whether such promoters or other persons be directors or not and any agreement so made shall be binding on the Company.

35. The Company may make special rates for the carriage of fruit, milk and other perishable products and commodities. 5

Special rates for fruit, milk, etc.

36. The Company may construct and operate telegraph and telephone lines along the whole length of its railway and branches, and may establish offices for the transmission of messages for the public and collect tolls for so doing; and for the purpose of operating such telegraph and telephone lines, the Company may enter into a contract with any other company, or may lease the Company's lines or any part thereof; and may connect its lines with the lines of any telegraph or telephone company. 10

Telegraph and telephone line.

37. The Company may enter into arrangements with any telegraph or telephone company for the exchange or transmission of messages, or for the working in whole or in part of the lines of the Company. 15

Agreement with telegraph or telephone companies.

38. No rates or charges shall be demanded or taken from any person for the transmission of any message by telegraph or telephone, or for leasing or using the telegraph or telephones of the Company, until such rates or charges have been approved by the Lieutenant-Governor in Council, and such rates and charges shall be subject to revision from time to time by the Lieutenant-Governor in Council. 25

Tariff for telegraph and telephone to be approved by Lt.-Governor in Council

39. Every municipality through which the railway may be constructed or about to be constructed is empowered to contract with the Company for the construction and operation of the railway into or through the same, and for any other purpose within the scope of this Act. 30

Municipalities authorized to make agreements with companies.

40. Aliens and companies incorporated abroad, as well as British and Canadian subjects and corporations, whether resident in this Province or elsewhere, may become shareholders in the Company, and all such shareholders, whether resident in this Province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible to offices as directors of the Company. 35

Rights of aliens.

41. Any corporation which may hold shares in the Company may by by-law appoint any person or persons to represent such corporation at any meeting of the said Company, and every such person shall be eligible for election as a director. 40

Representation of corporations.

42. No person shall be elected a director unless he, or a corporation represented by him, is the holder of ten shares of stock in the Company upon which all calls have been paid.

Qualification of directors.

43. Nothing herein shall affect the provisions of the agreement set forth in Schedule A to the Act of the Legislature of Ontario, passed in the fifty eighth year of the Reign of Her late Majesty Queen Victoria (1895), Chapter 98. Agreement confirmed by 58 Vict., c. 98, not affected.

5 44. Sections 13 and 15 of the last mentioned Act and section 3 of chapter 79 of the Act passed in the first year of the Reign of His Majesty King Edward the VII., are in so far as they are inconsistent with the provisions hereof repealed. Inconsistent enactments repealed.

10 45. The Corporation of the City of Guelph may by agreement with the Company acquire and take over all real and personal property of the said Railway Company at a price and on terms to be agreed upon between the City and Company, or the said City may acquire by purchase the capital stock of the Company or such part thereof as they may see 15 fit. Provided, however, that any agreement for purchase under this clause shall receive the approval of the electors of the City of Guelph qualified to vote on money by laws in manner required by the provisions of *The Municipal Act*; such approval to be sufficiently expressed by a majority of 20 the qualified electors voting on the question, or any by-law to be submitted to them to provide for the issue of debentures in connection with such proposed purchase. City of Guelph authorized to acquire railway. Proviso.

SCHEDULE A.

(SECTION 31.)

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 Guelph Radial 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 or 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 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


An Act respecting The Guelph Railway Company,
and to change the name of the Company to that
of the Guelph Radial Railway Company.

WHEREAS The Guelph Railway Company is incorporated Preamble.
under an Act passed in the Fifty-eighth year of the reign
of Her late Majesty, Queen Victoria, Chaptered 98, and intituled
An Act to Incorporate The Guelph Railway Company, and to
confirm an agreement between the Corporation of the City of
Guelph and George Sleemin, as amended by an Act passed in
the first year of His Majesty's reign, Chaptered 79, and in-
tituled *An Act respecting The Guelph Railway Company*, and
the said Company has by petition set forth that it has con-
structed and is now operating *certain* of the lines of railway
authorized by the said Acts, and that it is desirous of extend-
ing its said railway from the present terminus *thereof* on the
Elora Road, to, near, or through the Town of Mount Forest, and
the Villages of Elora, Fergus and Arthur in the County of Wel-
lington, passing through the Townships of Guelph, Pilkington,
Peel, Nichol, West Garafraxa, Arthur and West Luther, in
the said County of Wellington, with a branch from a point on
the line of railway authorized between Arthur and Mount
Forest, to Conn, or to a point in or near West Luther; and
also from a point on the Company's Railway in the City of
Guelph to the Village of Erin, passing through *the said City*
of Guelph and the Townships of Guelph, Eramosa and Erin;
and also to construct extensions from Puslinch Lake to or
near Galt, in the County of Waterloo, passing through the
Township of Puslinch ^{and} in the said County of Wellington
and the Townships of Waterloo and North Dumfries in the
said County of Waterloo; and also from a point on the
Company's railway at or near Puslinch Lake, or the Village
of Hespeler, to or near the Town of Preston in the County
of Waterloo ^{and} passing through the said Townships of Pus-
linch and Waterloo; ^{and} and that the name of the said Com-
pany may be changed, and the said Acts otherwise amended
and extended; 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 name of the Guelph Railway Company hereinafter
called the Company is changed to "The Guelph Radial Rail-
way Company," but such change in name shall not in any

Name chang-
ed to Guelph
Radial Rail-
way Co.

way impair, alter or affect the rights or liabilities of the Company, nor in any wise affect any suit or proceeding, now pending, or judgment existing, either by or in favour of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed. 

Location of
line.

2. The said Company, their servants and agents are hereby authorized and empowered to survey, lay out, construct, equip, maintain and operate by electricity or any other motive power, approved of by the Railway Committee of the Executive Council for Ontario, other than steam, and from time to time to alter, remove and change a double or single track, iron or steel railway, with all necessary side tracks and turn outs for the passage of cars, carriages, and other vehicles adapted to the same, from the present terminus of its railway on the Elora road, to, near, or through the town of Mount Forest and the villages of Elora, Fergus and Arthur in the county of Wellington, passing through the townships of Guelph, Pilkington, Nichol, Peel, West Garafraxa, Arthur, and West Luther in the said county of Wellington, with a branch from a point on the line of railway authorized, between Arthur and Mount Forest, to Conn, or to a point in or near West Luther; and also from a point on the Company's railway in the city of Guelph to the village of Erin, passing through the *said City of Guelph and the townships of Guelph, Eramosa and Erin*; and also to construct extensions from Puslinch Lake to or near Galt in the county of Waterloo; passing through the township of Puslinch *in the said County of Wellington and the Townships of Waterloo and North Dumfries in the said County of Waterloo*; and also from a point on the Company's railway *authorized as aforesaid* at or near Puslinch Lake, or the village of Hespeler, to or near the town of Preston in the county of Waterloo, passing through the *said townships of Puslinch and Waterloo*; with power to build and operate any part of the said railways in sections as hereinafter set out; the said railway or any part thereof may be carried along, and upon such streets and highways and bridges as may be authorized by by-laws of the respective Corporations owning or having jurisdiction over the same, and subject to the restrictions therein and in this Act contained, and under and subject to any agreements hereafter to be made between the said Company and the Councils of any of the said Municipal Corporations, or any of the said other Corporations respectively, subject to the conditions and restrictions contained in this Act, *The Electric Railway Act*, and in *The Municipal Act*, and any Act or Acts amending the same. 

Rev. Stat.
c. 209,
Rev. Stat.
c. 223.

Construction
of line by
sections.

3. The said Company is hereby authorized and empowered to make the surveys and to take the levels of the lands through which the *said* railway is to pass, and make 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 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 *five* 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 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 the said railway had been taken, made, examined, certified and deposited according to the said clauses of *The Electric Railway Act*, and the amendments thereto with respect to plans and surveys. ^{Rev. Stat. c. 209.}

4. 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, but not including assessment or taxation for school purposes, 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 exempting from municipal taxation.}

5. 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 or completion of the work beyond that stipulated for in the by-law or by-laws granting such aid, from time to time, provided that no such extension shall be for a longer period than one year. ^{By-law extending time for commencement or completion.}

6. The directors of the Company, under the authority of the shareholders to them given at any special general meeting called for the purpose, at which meeting shareholders representing at least two-thirds in value of the subscribed stock of ^{Bonds and Debentures.}

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 twenty thousand dollars per mile for each and every mile of 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.

Sale and
pledging of
bonds, etc.

7. (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 purpose⁴²⁷ of raising money for prosecuting the said undertaking.⁴²⁸

(b) No such bonds, debentures or other securities shall be for a less sum than one hundred dollars.

(c) Such bonds shall be from time to time issued only in proportion to the length of railway constructed, or under contract for construction.

Security
bonds by
mortgage.

8. 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 in order to preserve the priority, lien, charge, mortgage or privilege purporting to appertain to or to

be created by any bond, debenture or other security issued or mortgage deed executed under the authority of this Act, that such bond or deed should be registered in any manner or in any place whatsoever, except at the office of the Provincial Secretary as aforesaid; nor shall it be necessary to comply with the provisions of *The Bills of Sale and Chattel Mortgage Act*, or any Act requiring the registration or renewal of mortgages of chattels, but any mortgage which may be executed by the Company under the powers conferred upon it, shall, upon the same being deposited in the office of the Provincial Secretary, have full force and effect and priority, according to the time of deposit, and shall form a lien and encumbrance upon any personal property or chattels therein embraced, to all intents and purposes, as therein expressed and set forth, as if the provisions of the said *Bills of Sale and Chattel Mortgage Act*, or any Act requiring registration or renewal of mortgages of chattels, had been fully complied with.

Rev. Stat., c.
148.

9. Until they have been surrendered and lawfully cancelled, the bonds, debentures or other securities hereby authorized to be issued, shall, subject to the rights of the holders of any bonds heretofore issued, 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 and debentures to be preferential lien upon Company.

(a) Each holder of the said bonds, debentures or other securities, shall, until they have been surrendered and lawfully cancelled, be deemed to be a mortgagee or 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.

10. 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 bondholders when default made in payment of funds.

(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 re-

spect 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 of 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.

Bonds, how transferable.

11. 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.

Release of lands and chattels from mortgage by trustees.

12. 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 favor of the said bondholders.

Right of holders of bonds heretofore issued.

13. Any bonds or securities heretofore issued by the Company shall continue to be charged on the portion of the railway Company's property upon which the same are now charged, and the rights of the holders thereof shall not, without their consent, be affected by any bond issued in pursuance hereof or any mortgage given to secure the same.

Extensions may be treated as separate lines.

14. The Company may, for the purpose of giving security by way of mortgage and bond or otherwise and in exercise of such borrowing powers, treat each of the extensions of the railway already authorized and hereby authorized, as a separate railway, and such securities may be charged thereupon accordingly.

Right to deviate from highway.

Proviso.

15. The Company may at any point or points where its railway may run along the highway deviate from such highway to a right of way owned by the Company, provided that no obstruction of such highway shall be made by such deviation, but if the rails on such deviation do not rise above or sink below the surface of the road more than one inch they shall not be deemed an obstruction; ~~and~~ provided that the right by this section conferred shall not be exercised by the Com-

pany without the consent of the Council of the Municipal Corporation having jurisdiction over the highway, or the authority of the Railway Committee of the Executive Council of Ontario, and the said Railway Committee may, on application of the Company, order that the said Company may make such deviation. ~~13~~

16. The Company may at any points on or near to its line of railway connect its tracks with the tracks of any other railway company or companies, the lines of which are approached or crossed by the line or lines of the Company, ~~13~~ and it shall be lawful for the Company to enter into any agreement with any or either of such railway companies, if lawfully authorized to enter into such an agreement to ~~17~~ amalgamate with, purchase, lease or otherwise acquire such railways, or any of them, or any part or parts thereof; or to sell and dispose of or lease to any of such companies the whole or any part of its railway, or to make arrangements with such companies, or any of them, for the interchange of passenger or freight traffic, or for the use by either company of the property, buildings, plant, material, rolling stock, machinery, appliances or facilities of the other, or for the supply of motive power, heat or light by either company to the other, or any other joint arrangement respecting the running arrangements of such companies, or any of them, and the conduct of the joint traffic of the companies which may be parties to any such agreement; provided that nothing done under this section shall be valid until the same shall be first authorized by two-thirds in value of the shareholders of the Company, at a special general meeting to be held for that purpose, and until the consent of the Councils of the Corporation of the Municipality or Municipalities affected thereby, including the City of Guelph, or the approval of the Railway Committee of the Executive Council of Ontario has first been obtained, 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. ~~17~~

Power to connect with and enter into agreements with other companies.

~~13~~ **17.** The Company shall have power and authority to sell or lease in any municipality where such sale or lease is authorized by by-law of the Council of the municipality and subject to the terms and conditions therein contained any electricity not required for the purposes of the Company 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 section, provided that this section shall not apply to the City of Guelph and the said Company shall not sell or lease any electricity within the limits of the said City. ~~17~~

Disposal of surplus electricity.

Rev. Stat., c. 200.

18. The authority and power conferred on the Company by this Act to enter into agreements with any other railway company for connections, running arrangements, sale, lease, amalgamation or hiring of the said railway, shall be subject to such terms, conditions and regulations as may be provided and enacted by any general or special Act or Acts, which may at the time such agreement is entered into be in force, and to such terms, conditions and regulations, general or special, as the Railway Committee of the Executive Council of Ontario may from time to time order.

Application of certain provisions of Rev. Stat., c. 209.

19. The several sections of *The Electric Railway Act*, except sections 38, 44, 45, 46, 47, 48, 49, 50, 51, 119, and sub-sections 9, 10, 11 and 12 of section 43, and every Act in amendment thereof shall be incorporated with and be deemed to be part of this Act, and shall apply to the Company in so far as the extensions of the said railway now authorized are concerned, except in 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 sections of the said *Electric Railway Act*, other than the sections hereinbefore excepted, and every Act and amendment thereof so incorporated with this Act.

Powers of expropriation.

20. Notwithstanding anything contained in *The Electric Railway Act* to the contrary the Company may exercise all powers of expropriation provided by the said Act without the consent of the Council of the Municipality in which the lands sought to be expropriated are situate, and without the certificate of the County Judge, upon obtaining an order from the Railway Committee of the Executive Council of Ontario, and the said Railway Committee may, on the application of the Company, order that the Company shall have such powers of expropriation.

Application of Rev. Stat., c. 207, s. 37, s.s. 6.

21. Subsection 6 of section 37 of *The Railway Act of Ontario* shall apply to the said Company, but save as aforesaid *The said Railway Act* shall not apply to the Company, nor to the lines of railway to be constructed and operated by it.

Carrying freight.

22. The Company may take, transport, carry and convey goods upon its railway, to be constructed under the authority of this Act but no freight or express cars shall be carried along any public highway over the railway to be constructed as aforesaid unless and until the size and number of cars and motors to be used therewith, and the hours of running the same, have been approved by the Railway Committee of the Executive Council of Ontario.

Contracts for construction.

23. The directors may enter into a contract or contracts with any individual, corporation or association of individuals for the construction or equipment of the railway, or any part

thereof, including or excluding the purchase of right of way, and may pay therefor either in whole or in part, either in cash or bonds, or in paid up stock, and may pay or agree to pay in paid up stock or in bonds of the said Company such sums as they may deem expedient to engineers, or for the right of way or material, plant or rolling stock, and also for the services of the promoters and other persons who may be employed by the directors for the purpose of assisting the directors and 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, provided that no such contract shall be of any force or validity unless first authorized by resolution passed by the votes of the shareholders in person, or by proxy representing two-thirds in value of the whole amount paid up of the total capital stock of the Company then issued and outstanding, at a general meeting of the shareholders specially called for that purpose, and the stock so acquired by any person shall for all purposes be deemed to be paid up in cash.

24. The Company may make uniform special rates for the carriage of fruits, milk, and other perishable freight.

Ratio for perishable goods.

25. The undertaking authorized by the Act passed in the 1st year of His Majesty's reign and chaptered 79 and by this Act shall be commenced in one year, and put in operation within four 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 commencement and completion.

26. Notwithstanding anything contained in this Act or in any Statute of the Province, no municipality shall have power to grant to the said railway any exclusive rights, privileges or franchises as to the transmission of electrical energy for power, light and heat over or across any public highway or street in the said municipality.

Exclusive franchise not to be granted.

27. No order or direction under this Act shall be made by the Railway Committee of the Executive Council of Ontario except after 10 days' notice in writing to the Clerk of the Municipality or to the Company of the application made to the said Committee.

Notice of proceedings before Railway Committee.

28.—(1) The directors may make a by-law for creating and issuing any part of the capital stock as preference stock, giving the same such preference and priority as respects the principal sum, dividends and otherwise over ordinary stock as may be declared by the by-law.

Preference stock, by-law for issuing.

(2) The by-law may provide that the holders of shares of such preference stock shall have the right to select a certain

Special rights of preference shareholders.

stated proportion of the board of directors, or may give them such other control over the affairs of the company as may be considered expedient.

Unanimous sanction required.

(3) No such by-law shall have any force or effect whatever until after it has been unanimously sanctioned by a vote of the shareholders present in person or by proxy at a general meeting of the company duly called for considering the same or unanimously sanctioned in writing by the shareholders of the company : provided, however, that if the by-law be sanctioned by three-fourths in value of the shareholders of the company, the company may, through the Provincial Secretary, petition the Lieutenant-Governor in Council for an order approving the said by-law, and the Lieutenant Governor may, if he sees fit, approve thereof, and from the date of such approval the by-law shall be valid and may be acted upon.

Special proviso.

Rights and liabilities of preference shareholders.

(4) Holders of shares of such preference stock shall be shareholders within the meaning of this Act, and shall in all respects possess the rights and be subject to the liabilities of shareholders within the meaning of this Act, provided however that in respect of the principal sum, dividends and otherwise, they shall as against the ordinary shareholders be entitled to the preferences and rights given by such by-law.

Rights of creditors preserved.

(5) Nothing in this section contained or done in pursuance thereof, shall affect or impair the rights of creditors of the company.

Redemption of preference stock.

29. The Directors may from time to time pass by-laws providing for the purchase or acquisition by the Company of such preference stock or parts thereof, and for the cancellation of the stock so purchased or acquired, and for the revocation, *pro rata*, according to the amount of stock so cancelled, and any reserve set apart or required to be set apart in respect of such preference stock, but no such by-law shall be valid or acted upon unless and until the same has been sanctioned by a vote of at least two-thirds in value of the shareholders of the Company present in person or represented by proxy at a special general meeting duly called for considering the same, nor until such by-law has been approved by the Lieutenant-Governor in Council.

Recovering back charges on goods.

30. The Company shall have power to collect and receive all charges subject to which goods or commodities may come into its possession, and upon payment of such back charges and without any formal transfer may 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, to all the rights and remedies of such persons for such charges.

31. Aliens and companies incorporated abroad, as well as British and Canadian subjects and corporations, whether resident in this Province or elsewhere, may become shareholders in the Company, and all such shareholders, whether resident in this Province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible to office as directors of the Company.

Rights of
aliens.

32. Any corporation which may hold shares in the Company may by by-law appoint any person or persons to represent such corporation at any meeting of the said Company, and every such person shall be eligible for election as a director.

Representa-
tion of cor-
porations.

33. No person shall be elected a director unless he, or a corporation represented by him, is the holder of ten shares of stock in the Company upon which all calls have been paid.

Qualification
of directors.

34. Nothing herein shall affect the provisions of the agreement set forth in Schedule A to the Act of the Legislature of Ontario, passed in the fifty-eighth year of the Reign of Her late Majesty Queen Victoria (1895), Chapter 98.

Agreement
confirmed by
68 Vict., c. 98,
not affected.

35. Sections 13 and 15 of the last mentioned Act and section 3 of chapter 79 of the Act passed in the first year of the Reign of His Majesty King Edward the VII., are in so far as they are inconsistent with the provisions hereof repealed.

Inconsistent
enactments
repealed.

36. Upon the exercise by the Company after the passing of this Act of any of the powers of construction outside the limits of the City of Guelph authorized by an Act passed in the first year of His Majesty's reign and chaptered 79, and by this Act the operations of the Company's railway within the limits of the City of Guelph, shall be subject to such regulations as the council of the corporation of the said city may by by-law from time to time enact; provided that no such by-law shall be of any force and effect until approved by the Railway Committee of the Executive Council for Ontario, who are hereby authorized and empowered to make any modifications of such by-laws as the said Committee may think proper.

Company's
operations
within City of
Guelph to be
subject to
regulations of
City Council.

Proviso.

37. The Council of the Corporation of the City of Guelph may within six months after the passing of this Act enter into a contract for the acquisition of the assets of the Company and its rights and privileges, and property incidental thereto, including the property known as the Sleeman Puslinch Lake Property (subject to the debenture debt of the said Company) for the price or sum of \$30,000, and the Council of the said Corporation is hereby authorized for the purpose of such acquisition of the Company's assets and its rights and privileges to take and accept transfers to the

Power to City
Council to
acquire prop-
erty, etc., of
the Company.

Corporation of the City of Guelph of all the paid up capital stock of the Company, and shall also take a conveyance of the said Lake property, and the Council of the Corporation shall in and by the by-law authorizing such acquisition, or by a by-law to be passed contemporaneously therewith, appoint five persons either members of the Council or ratepayers of the City of Guelph qualified for election as aldermen to the City Council, to represent such Corporation, and to be directors of the Company under sections 32 and 33 hereof, until the next annual meeting of the shareholders of the Company, and the Council of the Corporation in each year before the annual meeting of the shareholders of the Company shall pass a by-law appointing five persons either from the members of the Council or qualified ratepayers as aforesaid, to be elected directors of the Company for the ensuing year during the period of the holding of the said shares by the City Corporation. And it is hereby declared that such acquisition of the said paid up stock by the City shall not affect the corporate rights and powers of the Company, and that the corporate status of the Company shall be maintained and the directors to be appointed or elected as aforesaid shall have and exercise all the corporate rights and powers of the Company which appertain to or may be exercised by Directors thereof; and it shall be lawful for the council of the said corporation, notwithstanding any provision of any Act or Acts to the contrary, to pass one or more by-laws to borrow the said sum of \$30,000, and to authorize the issue of debentures of the said corporation therefor in such sums of not less than \$100 Canadian currency or £20 sterling, each as the council of the said corporation may deem expedient, which said debentures shall be made payable not more than thirty years from the day on which they respectively bear date, and may be in the form in Schedule A to this Act set forth, which said debentures shall bear interest at a rate not exceeding four per cent. per annum payable half-yearly, and shall be signed by the Mayor and Treasurer for the City of Guelph for the time being, and may be made payable either in *Canadian* or sterling currency in Great Britain, in this Province, or elsewhere as to the said council of the said corporation shall seem expedient; and the said debentures may be issued without the said by-law or by-laws being first submitted to a vote of the qualified ratepayers of the said city, and shall be valid and binding against the corporation; provided always that if the Corporation of the City of Guelph shall acquire the capital stock of the Company, as aforesaid, the Corporation may build and equip the railway to the village of Hespeler and to Puslinch Lake, and may operate the present railway, and the said extension to the village of Hespeler and to Puslinch Lake, but shall not build or operate any other extension without the enactment of a

Status of
Company
thereafter.

Power for
City Council
to borrow
\$30,000 on
debentures.

Power for
City Council
to extend
railway to
Hespeler
and Puslinch
Lake.

further Act of the Legislature providing for the building and operation thereof.

38. The Council of the Corporation of the City of Guelph may, in the event of the acquisition of the capital stock as aforesaid, enter into an agreement with any person or persons, or company, for the sale and transfer of the said capital stock, at such price and on such terms as the Council of the said Corporation may by by-law declare, and upon such transfer the Company may build and operate the entire system of railways authorized by this Act, and by former Acts of the Legislature.

Power to City Council to sell capital stock.

39. In case the said Corporation shall not exercise the said power to purchase conferred by the preceding sections hereof, it shall be lawful for the Council of the said Corporation to pass a by-law to subscribe for shares of Preference Stock in the said Company, to the amount of \$25,000, and may pass one or more by laws to borrow the said sum of \$25,000, and to authorize the issue of debentures of the said Corporation therefor; the said issue of debentures to the said amount of \$25,000, shall be made in the manner, and as provided in the preceding section relating to the issue of debentures to the amount of \$30,000, and such debentures shall be valid and binding on the said Corporation, notwithstanding any provision of any Act or Acts to the contrary.

Power to City Council to subscribe for Preference stock.

40. Any debentures issued under the authority of either section 37 or section 39 of this Act may be made payable either upon what is known as the Sinking Fund Plan or the Annual Instalment Plan, as the Council of the Corporation may determine.

Form of debentures.

41. In the event of the Council of the said Corporation of the City of Guelph passing the By-law mentioned in either of the preceding sections, it shall be lawful for, and it shall be the duty of, the Council of the said Corporation to pass a by-law to repeal By-law No. 459 of the Corporation, entitled, a "By-law to authorize the issue of debentures to the amount of \$25,000, for the purpose of paying for preference stock to be taken by the City of Guelph, in the Guelph Railway Company."

City Council to repeal certain by-laws.

SCHEDULE A.

FORM OF DEBENTURE.

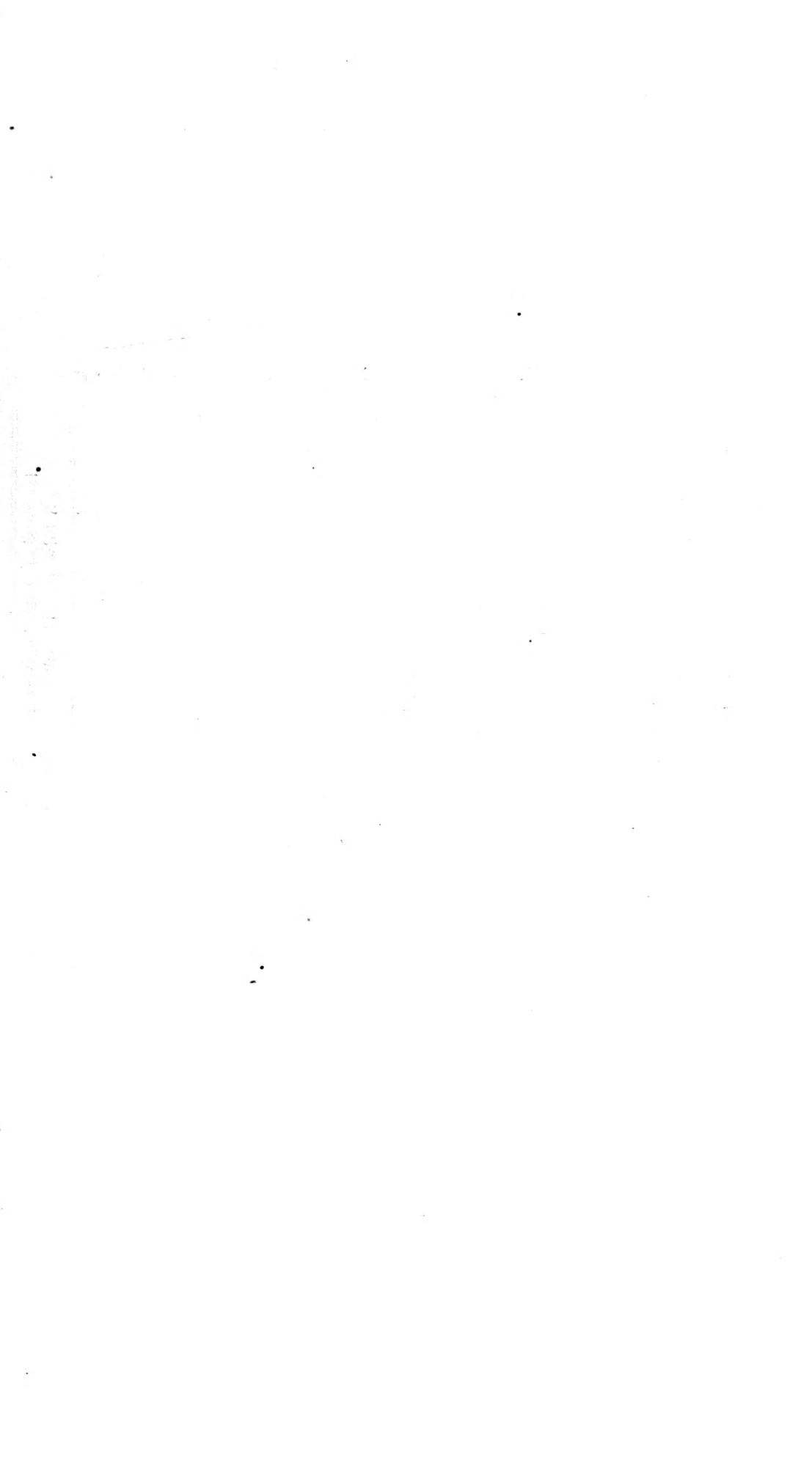
No. £ sterling, \$ Province of Ontario,
 City of Guelph.

Under and by virtue of the Act passed in the third year of the reign of His Majesty King Edward the Seventh, Chapter , and by virtue of By-law No. of the Corporation of the City of Guelph, passed under the powers contained in the said Act ;

The Corporation of the City of Guelph promises to pay the bearer at
 in the sum of pounds sterling or
 dollars Canadian currency, on the day of
 A.D. 19 , and the half-yearly coupons hereto attached as
 the same shall severally become due ~~and~~

Mayor.

Treasurer.



1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act respecting The Guelph Railway Company, and to change the name of the Company to that of The Guelph Radial Railway Company.

First Reading, 12th May, 1903.
Second Reading, 28th May, 1903.

(Reprinted as amended by Railway Committee.)

(Private Bill)

Mr. DOWNEY.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting the South-Western Traction
Company.

WHEREAS the South-Western Traction Company (hereinafter called the Company), incorporated under an Act (hereinafter called the said Act) of the Legislative Assembly of the Province of Ontario, being Chapter 96 of the Acts passed in the second year of the reign of His Majesty King Edward VII., has, by its petition, prayed that the said Act may be amended in the manner hereinafter set forth; 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. In this Act "highway" shall mean and include all public highways, roads, streets, lanes and other public ways and communications, and "directors" shall include provisional directors, and "other company" shall mean any other Electric Railway Company or any other Railway Company and any Street Railway Company.

Interpretation

2. Section 8 of the said Act is repealed.

2 Edw. VII. c.
96 s. 8 repealed

3. The capital stock of the company shall be \$1,500,000, to be divided into 15,000 shares of \$100 each.

Capital stock.

4. The Company may unite, merge, amalgamate and consolidate its stock, property, business and franchises with those of any other company, and the other company is hereby authorized to unite its stock, property, business and franchises with those of the Company, and the Company may sell the whole or any part of its assets or undertaking or railway to any other company (which other company is hereby authorized to purchase the same) or may purchase the whole or any part of the assets or undertaking or railway of any such other company (which other company is hereby authorized to sell the same), and, for the purpose of carrying out such purchase or sale, the company purchasing may assume all or any specified part of the liabilities or any specific liabilities of the company selling, and the Company and the other company

Power to
amalgamate
with other
companies,
etc.

may enter into such bonds or agreements of indemnity as may be necessary and may enter into all contracts and agreements necessary to such union, merger, amalgamation, consolidation, sale, purchase or acquisition.

(2) If the agreement is for amalgamation or for the sale or purchase of the whole or any part of the assets, undertaking or railway of the Company, or of the other company, the directors of the Company and of the other company may enter into a joint agreement under the corporate seals of each of the corporations for the union, merger, amalgamation or consolidation of the corporations, or for the sale or purchase by the one corporation of the whole or any part of the assets, undertaking or railway of the other corporation and for the payment therefor in money or stock or bonds of the Company or of the other company.

(3) Such agreement, if it provides for the union, merger, amalgamation or consolidation of the corporations, shall be submitted to the shareholders of each of the said corporations at a meeting thereof to be held, separately, for the purpose of taking the agreement into consideration, and shall be ratified by them. A resolution of the provisional directors shall be sufficient ratification in the case of a company not organized.

4. A certified copy of the resolution of ratification (or of the resolution of ratification and the resolution of such provisional directors, as the case may be), shall be forwarded to the Provincial Secretary and published once in *The Ontario Gazette*, and thereupon such amalgamation shall be complete, and the two companies so amalgamated (and hereinafter called the amalgamated company) under the name set out in such agreement and resolutions shall have, retain and succeed to all the rights, powers, franchises, privileges and assets of the separate companies subject to the terms of the agreement of amalgamation, and the capital of the amalgamated company shall be the total of the stock of the separate companies; provided, however, that such amalgamation shall not affect the rights of creditors of the separate companies, or either of them.

Proviso.

5. The amalgamated company and the separate companies before amalgamation, is, and are hereby authorized, to issue paid-up stock to be transferred to the shareholders or provisional directors of any company party to the agreement of amalgamation, for purposes of equalization, or compensation, or otherwise, and such stock so issued shall be deemed to be fully paid-up stock, not only as between the company issuing the same, and the holders thereof, but as between creditors and shareholders of the company issuing the same, and the holders thereof.

Debenture issue.

6. The Company may issue bonds or debentures covering

the whole or any section or sections of the railway authorized by the said Act, and by this Act as soon as the Company has constructed or acquired five miles of railway, and to secure such bonds or debentures may mortgage the whole or any section or sections of the said railway, as the directors may from time to time provide.

(2) The bonds or debentures shall only be issued to the purchasers thereof in proportion to the length of railway constructed or acquired, or under contract to be constructed.

10 **7.** The Company is hereby authorized to issue paid-up stock to any purchaser of any of the Company's bonds or debentures as a bonus or addition to the bonds or debentures, and such stock, so issued, shall be deemed paid-up stock for all purposes. Power to issue paid-up stock.

15 **8.** Corporations and trustees, whether private or public are hereby authorized to sell, or give and convey to the Company any lands which the Company may require for use as a right of way, or for other purposes, and such conveyances shall pass to the Company an absolute estate in fee simple in such lands. Conveyances by corporations and trustees.

25 **9.** Conveyances of land to the Company made in the form set forth in the Schedule A hereunder written, or to the like effect shall be sufficient to absolutely convey to the Company, their successors and assigns, the estate or interest therein mentioned and a sufficient bar of dower, respectively, of all persons entitled to or having any interest in 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 each for registering such conveyances, including all entries and certificates thereof, and the certificates endorsed upon the duplicates thereof. Conveyances to company.

35 **10.** Where the boundary of any land owned or occupied by the Company for the purposes of its railway is the limit of a highway or toll road it shall not be necessary for the Company to erect a fence between its railway and the highway or toll road. Fencing.

40 **11.** The Company is hereby authorized to use upon their line of railway steam as a motive power during the construction of the road, and at other times for construction purposes, but not in operating their said railway when the said railway is constructed along a highway. Use of steam.

45 **12.** The Company shall have power to purchase or otherwise acquire lands for the purposes of the Company and shall Crossing highways etc.

have power to construct and operate its line of railway upon lands so acquired and shall have the right without any municipal by-law or consent to construct and operate its line of railway across highways and toll roads, either upon the level or over by a bridge or under by a tunnel where such highways or toll roads intersect or adjoin the lands so acquired; and where any of such highways or toll roads are occupied by the lines or tracks of any other company running along the same such lines or tracks may be crossed by the railway of the Company either upon the level or over by a bridge or under by a tunnel

Railway Committee to settle differences between companies.

13. If any company whose railway is crossed as aforesaid fails to agree as to the terms upon which such railway is to be crossed the Company may nevertheless forthwith construct such crossing and use and operate their railway over the same, notwithstanding such want of agreement; and the settlement of the terms shall be referred to the Railway Committee and the provisions of section (16) and sub-section (5) shall apply to such reference.

2 Edw. VII c. 96 s. 17, repealed.

Traffic and sale arrangements with other companies.

14. Section 17 of the said Act is repealed.

20

15. The Company shall have the right to join, unite and connect its line of railway at any point or points thereon with the line of any other company and each company may grant running or other rights over its lines to the other or allow the interchange of traffic or cars or make operating arrangements or confer other privileges or uses of its property, and it shall also be lawful for the Company to enter into and carry into effect an agreement or agreements with any other company, and any other company is hereby authorized to enter into and carry into effect any agreement or agreements with the Company for the sale or leasing or hiring of the whole or any portion of the railway authorized by the said Act, or the use thereof, or the sale, purchase, leasing or hiring of any motors, carriages or cars or any of them or any part thereof or of any electricity or other motive power, or for the purchase or leasing or hiring of the whole or any part of the railway franchises and undertaking of any other company; and upon such agreement being made the rights thereunder acquired by the Company may be exercised as fully and completely as if such rights had been granted to the Company by this Act.

Assent of shareholders.

16. No agreement so made, if it provides for the sale by the Company of the whole of the said railway or undertaking without any consideration other than stock, shall have any force or effect until the same shall have been approved by two-thirds in value of the shareholders of the Company present at a special general meeting to be held for that purpose.

(2) Notwithstanding such approval no such agreement shall be acted upon in the municipality affected thereby until the assent of the municipal council of such municipality shall have been obtained thereto or until an order has been made by the Railway Committee of the Executive Council of Ontario.

Assent of
Municipal
Council or
Railway
Committee.

(3) If such municipality shall refuse to assent to such agreement or shall ask different terms from those contained in such agreement, or if such agreement shall affect more than one municipality, an application may be made by either company to the Railway Committee for leave to act upon the said agreement, and the Railway Committee is hereby authorized to hear such application and grant leave accordingly.

Application
to Railway
Committee.

(4) The Railway Committee may appoint a date for the hearing of the application, and notice shall be sent by registered letter addressed to the president of each of the parties to the agreement and to the clerk of each of the municipalities affected.

(5) Upon such application the Railway Committee shall have the powers set forth in subsections (4), (5), (6), (7), (8) and (9) of section 4 of *The Act respecting Electric Railways*.

2 Edw. VII.
c. 27.

17. The Company may by purchase, gift or exchange acquire and hold any of the stock or bonds or debentures issued by any company having powers similar to or the same as any of the powers included in section 9 of *The Electric Railway Act*.

Purchase of
stock in
other com-
panies.

18. Section 10 of the said Act is amended by striking out the word "four" in the eighth line thereof and inserting instead thereof the word "two."

2 Edw. VII.
c. 96, s. 10
amended.

19. The Company shall have the power to collect and receive all charges subject to which goods or commodities may come into their possession, and on payment of such charges by the Company the Company, 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 to all the rights and remedies of such persons for such charges.

Payments of
charges on
goods carried.

20. The Company shall have power to expropriate lands, and the provisions of section 9, sub-sections (3), (4), (5), (11), (12), (13) and (18) and sections 11 to 20 both inclusive of *The Railway Act of Ontario* shall apply to the Company.

Powers of
expropriation.

Rev. Stat.
c. 207.

21. Municipal corporations in this Province may subscribe for any number of shares in the capital stock of or grant any bonus in money to the Company, and may assess and levy from time to time upon the whole rateable property of the

Municipal
corporations
may subscribe
for stock, etc.,
or grant
bonus, etc.

municipality a sufficient sum for them to discharge the debt so contracted or pay the money so granted, and for the like purpose may issue debentures payable at such times and for such sums respectively, not less than \$20, and bearing, or not bearing, interest, as such municipal corporation thinks fit. 5

(2) Any such debenture shall be valid and binding upon the municipal corporation, if signed or endorsed or countersigned by the officer or person, and in such manner and form as directed by any by-law of the corporation, and the seal of the corporation thereto shall not be necessary, nor the observance 10 of any other form with regard to the debentures than as directed in the by-law.

(3) It shall not be necessary that any such by-law shall be submitted to or receive the assent of the ratepayers.

(4) The mayor, warden or reeve or other chief officer of 15 such municipal corporation subscribing for and holding stock in the Company to the amount of \$20,000 or upwards, or granting any bonus of the same amount or upwards, shall be *ex officio* one of the directors of the Company in addition to the number of directors authorized by the special Act and 29 shall have the same rights, powers and duties as any of the directors of the Company.

SCHEDULE A.

Section 9.

Know all men by these presents that I (or we) (*insert the name or names of the vendor or vendors*) in consideration of \$ _____, paid to me (or us) by The South-Western Traction Company, the receipt whereof is hereby acknowledged, do grant and convey unto the said company and I (or we) (*insert the name or names of any other party or parties*) in consideration of \$ _____, paid to me (or us) by the said company, the receipt whereof is hereby acknowledged, do grant and release all that certain parcel (or those certain parcels, *as the case may be*) of land, (*describe the land*) the same having been selected and laid out by the said company for the purposes of their railway, to hold, with the appurtenances unto the said The South-Western Traction Company, their successors and assigns forever, (*here insert any other clauses, conditions and covenants required*) and I (or we) the wife (or wives) of the said do hereby bar my (or our) dower in the said lands.

As witness my (or our) hand and seal (or hands and seals) this day of _____ 19 _____

Signed, sealed and delivered in the presence of



An Act respecting the South-Western Traction Company.

WHEREAS the South-Western Traction Company (hereinafter called the Company), incorporated under an Act of the Legislative Assembly of the Province of Ontario, being Chapter 96 of the Acts passed in the second year of the reign of His Majesty King Edward VII., has, by its petition, prayed that the agreement made and entered into between the Company and the Middlesex and Elgin Inter-urban Railway Company dated the twelfth day of May 1903, be validated and confirmed, and that the capital stock of the said Company be increased to the sum of \$1,500,000, and that the said Act may be otherwise amended in the manner hereinafter set forth; 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 agreement between the Company, and the Middlesex and Elgin Inter-urban Railway Company, dated the twelfth day of May 1903, and set out in Schedule "A" hereto, is declared to be valid and binding upon the parties thereto.

Agreement validated.

2. Section 2 of the Act passed in the second year of His Majesty's reign, and chaptered 96, is repealed, and the following substituted therefor:—The said company and their servants and agents are hereby authorized and empowered to survey, lay out, construct, complete, equip, maintain and operate by compressed air or electricity and from time to time remove and change a double or single track iron or steel railway of the gauge of four feet, eight and one-half inches with 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 Town of Aylmer, in the County of Elgin, passing through the Townships of Malahide and Yarmouth, the City of St. Thomas and the Township of Southwold, all in the said County of Elgin, and the Township of Westminster in the County of Middlesex, to a point in or near, or through the City of London, in the said County of Middlesex, with a branch from the said City of St. Thomas

2 Edw. VII. c. 96, sec. 2, amended.

to a point in or near the Village of Port Stanley, in the said County of Elgin ; and from some point in the City of London, through the said City, and from thence in a westerly direction to the Village of Glencoe, passing through the Townships of Westminster, Delaware, Caradoc and Ekfrid, and through or near the Villages of Lambeth, Delaware, Melbourne, Longwood and Appin ; and from the Village of Delaware in a northwesterly direction to the Town of Strathroy, passing through the Townships of Delaware and Caradoc, and the Village of Mount Brydges ; from the City of London in an easterly direction to the Town of Ingersoll, passing through the Townships of Westminster, North Dorchester, West Oxford and North Oxford, and the Villages of Nilestown, Dorchester and Putnamville, with a branch line from the Town of Ingersoll in a northwesterly direction to the Village of Thamesford, and another branch line from the said Town of Ingersoll, northerly to the southerly boundary of the Township of West Zorra ; from the City of London in an easterly direction to the City of Brantford, passing through the Township of London and along or near the town line between the Townships of West Nissouri, East Nissouri, West Zorra, East Zorra, Blandford, Blenheim, and South Dumfries on the north side, and the Townships of North Dorchester, North Oxford, East Oxford, Burford, and Brantford on the south side as far as the Town of Paris, and from the Town of Paris through the Township of Brantford, to the City of Brantford, and through the Village of Thamesford, the City of Woodstock, the Villages of Eastwood and Princeton and the Town of Paris ; and with like power and subject to like conditions, so soon as, but not before, the railway authorized from the City of London to the City of Brantford has been constructed, to construct a railway from the City of Brantford to the City of Hamilton passing through the Townships of Onondaga and Ancaster, and the Villages of Cainsville, Jerseyville and Ancaster, and along the Townline between the Townships of Ancaster and Barton ; and from the Town of Paris through the Township of South Dumfries to and through the Villages of St. George and Harrisburg, and thence along the Townline between the Townships of Beverly and Flamboro on the north side and the Township of Ancaster on the South side, to the City of Hamilton, with power to build any part of the said railway in sections as hereinafter provided, and the said railways or any part thereof so far as the same may be operated by electricity, may be carried along and upon such public highways as may be authorized by the by-laws of the respective Corporations having jurisdiction over the same, and subject to the restrictions and the 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 as to any portion of the said railway to be constructed over a toll road

in the said County of Elgin, then also under and subject to agreement between the Corporation of the said County of Elgin and the said Company; 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, *The Electric Railway Act* and in *The Municipal Act*, and any Act or Acts amending the same.

3. Section 8 of the said Act is repealed, and the following substituted therefor:—

The capital stock of the Company shall be \$1,500,000, to be divided into 15,000 shares of \$100 each.

4.—(1) The Company may issue bonds or debentures covering the whole or any section or sections of the railway authorized by the said Act, and by this Act as soon as the Company has constructed or acquired five miles of railway, and to secure such bonds or debentures may mortgage the whole or any section or sections of the said railway, as the directors may from time to time provide.

(2) The bonds or debentures shall only be issued to the purchasers thereof in proportion to the length of railway constructed or acquired, or under contract to be constructed.

5. Corporations and trustees, whether private or public are hereby authorized to sell, and convey to the Company any lands which the Company may require for use as a right of way, or for other purposes, and such conveyances shall pass to the Company an estate in fee simple in such lands; Provided that no such sale shall be made by the public school trustees of any school section without the consent of the public school ratepayers of such school section to be given at a meeting called for the purpose of considering such sale in the manner provided by sub-section 2 of section 14 and section 15 of *The Public Schools Act*.

6. The Company is hereby authorized to use upon their line of railway steam as a motive power during the construction of the road, and at other times for construction purposes.

7. The Company shall have power to purchase or otherwise acquire lands for the purposes of the Company and shall have power to construct and operate its line of railway upon lands so acquired and shall have the right without any municipal by-law or consent to construct and operate its line of railway across highways and toll roads, upon the level, where such highways or toll roads intersect or adjoin the lands so acquired; Provided that this section shall not apply to any highway in the City of St. Thomas, and that

the London and Port Stanley Gravel Road shall not be crossed by the railway without the consent of the Corporation of the County of Elgin or the authority of the Railway Committee of the Executive Council of Ontario.

Bridges over
and tunnels
under high-
ways.

8. The Company shall not construct any bridge over, or any tunnel under a high way or toll road, without the consent of the Municipality, and in the case of any toll-road in the County of Elgin without the further consent of the Corporation of the said County.

Crossing other
lines on the
level.

9. 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 or of the Railway Committee of the Executive Council of Ontario, but nothing in this section shall be construed as purporting or intending to confer rights or powers on the said Company or the Railway Committee of the Executive Council of Ontario, not within the legislative authority of the Province of Ontario.

2 Edw. VII.,
c. 96, sec. 17
amended.

10. Section 17 of the said Act is amended by striking out all words, including the word "the" in the second line thereof, down to and including the word "company" in the seventh line thereof, and inserting after the word "with" in the said second line the words "any railway or street railway company or companies."

2 Edw. VII.
c. 96, s. 10
amended.

11. Section 10 of the said Act is amended by striking out the word "four" in the eighth line thereof and inserting instead thereof the word "two."

Payments of
charges on
goods carried.

12. The Company shall have the power to collect and receive all charges subject to which goods or commodities may come into their possession, and on payment of such charges by the Company, the Company, 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.

Expropria-
tion.
Rev. Stat.,
c. 209.

13. Notwithstanding anything contained in *The Electric Railway Act* to the contrary, the Company may exercise all powers of expropriation provided by the said Act, without the consent of the Council of the Municipality in which the lands sought to be expropriated, are situate, and without the certificate of the County Judge, upon the Railway Committee of the Executive Council of Ontario so ordering, and the said Railway Committee may, on the application of the Company, order that the Company shall have such powers of expropriation.

14. Section 23 of the said Act is repealed and the following substituted therefor:—

2 Edw. VII.,
c 96, sec. 23
amended.

Notwithstanding anything in this Act contained no railway shall be constructed *along any highway* within the limits of any city except upon and subject to such terms and conditions as may mutually be agreed upon between the Company and any street railway or electric railway already operating in such city, provided always that if the council of such city shall by by-law or resolution request the street railway company or electric railway company to allow its tracks or any of the city streets to be used for the entrance of the railways to be constructed under this Act into such city, the Company shall permit its tracks or any city streets to be so used to some central point in the said city to be named by the city council upon such terms and conditions as to compensation and otherwise as may be mutually agreed upon between the company authorized by this Act to construct a railway, the city corporation and such street railway or electric railway company, or as shall be settled and determined by the Lieutenant-Governor in Council in case the city corporation and the said two companies are unable to agree upon the same.

Operating in
cities.

SCHEDULE A.

(Section 1.)

This agreement made this twelfth day of May, A D. 1903, between The Middlesex and Elgin Inter-urban Railway Company of the first part, and the South-Western Traction Company of the second part.

Whereas the parties of the first part have been incorporated by an Act of the Legislature of Ontario for the purpose of constructing and operating a line of electric railway between the Town of Aylmer and the City of St. Thomas, and the City of St. Thomas and the City of London, with a branch from the City of St. Thomas to the Village of Port Stanley.

And whereas the parties of the first part have acquired a number of valuable franchises and rights of way in respect of the construction and operation of their said railway.

And whereas the parties of the second part desire to purchase from the parties of the first part the said railway and undertaking and franchises and rights of way as aforesaid.

And whereas the parties of the first part have agreed to sell the same to the parties of the second part for the consideration hereinafter mentioned.


Now therefore this indenture witnesseth that in pursuance of the said agreement and in consideration of the agreement by the parties of the second part hereinafter set out the parties of the first part hereby grant, assign, transfer, and set over to the parties of the second part the said railway and undertaking and all the powers of the parties of the first part under the said Act and all the said franchises and rights of way and all agreements, options, by-laws, lands, tenements, hereditaments and premises whatsoever.

And this agreement further witnesseth that the parties to the second part agree to issue to the shareholders of the parties of the first part one thousand shares in the capital stock of the parties of the second part to be held by the parties to whom the said shares may be issued as fully paid-up stock without any liability thereunder whatsoever.

The parties of the second part further agree to assume and pay all the liabilities of the parties of the first part (except liability to shareholders in respect of shares) and the expense of any legislation which may be necessary or which may be obtained for the purpose of validating and confirming this agreement.

In witness whereof the parties hereto have hereunto set their Corporate Seals and the hands of their respective Presidents.

Signed, sealed and delivered
in the presence of
Sgd. A. E. WELCH.

{ The Middlesex and Elgin Inter-urban
Railway Company.
per Sgd. A. MCKAY,
President. L.S.
The South Western Traction Company.
per Sgd. T. S. RUMBALL,
President. L.S. 

1900

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the South-Western
Traction Company.

First Reading, 28th April, 1903.

(Reprinted as amended by Railway Com-
mittee.)

(Private Bill.)

Mr. TAYLOR.

TORONTO:

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

An Act respecting the Middlesex and Elgin
Interurban Railway Company.

WHEREAS the Middlesex and Elgin Interurban Railway ^{Preamble.}
Company (hereinafter called the Company) incorporated under an Act (hereinafter called the said Act) of the Legislative Assembly of the Province of Ontario, being chapter 83 of the Acts passed in the second year of the reign of His Majesty King Edward VII., has by its petition prayed that the said Act may be amended in the manner hereinafter set forth ; 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. In this Act "highway" shall mean and include all public highways, roads, streets, lanes and other public ways and <sup>Interpreta-
tion.</sup>
15 communications, and "directors" shall include provisional directors and "other company" shall mean any other electric railway company or any railway company or any street railway company.

2. The Company may unite, merge, amalgamate and con <sup>Power to am-
algamate.</sup>
20 solidate its stock, property, business and franchises with those of any other company and the other company is hereby authorized to unite its stock, property, business and franchises with those of the Company, and the Company may sell the whole or any part of its assets, or undertaking or railway to
25 any such other company (which other company is hereby authorized to purchase the same) or may purchase the whole or any part of the assets or undertaking or railway of any such other company (which other company is hereby authorized to sell the same), and for the purpose of carrying out such
30 purchase or sale the company purchasing may assume all or any specified part of the liabilities or any specific liabilities of the company selling, and the Company and the other company may enter into such bonds or agreements of indemnity as
35 may be necessary, and may enter into all contracts and agreements necessary to such union, merger, amalgamation, consolidation, sale, purchase or acquisition.

(2) If the agreement is for amalgamation, or for the sale or purchase of the whole or any part of the assets, undertaking

or railway of the Company or of the other company, the directors of the Company and of the other company may enter into a joint agreement under the corporate seals of each of the corporations, for the union, merger, amalgamation or consolidation of the corporations or for the sale or purchase 5 by the one corporation of the whole or any part of the assets, undertaking or railway of the other corporation and for the payment therefor in money or stock or bonds of the Company or of the other company.

(3) Such agreement, if it provides for the union, merger, 10 amalgamation or consolidation of the corporations shall be submitted to the shareholders of each of the said corporations at a meeting thereof to be held separately for the purpose of taking the agreement into consideration and shall be ratified by them. A resolution of the provisional directors shall be 15 sufficient ratification in the case of a company not organized.

(4) A certified copy of the resolutions of ratification (or of the resolution of ratification and the resolution of such provisional directors as the case may be) shall be forwarded to the Provincial Secretary and published once in *The Ontario* 20 *Gazette*, and thereupon such amalgamation shall be complete; and the two companies so amalgamated (and hereinafter called the amalgamated company) under the name set out in such agreement and resolutions shall have, retain and succeed to 25 all the rights, powers, franchises, privileges and assets of the separate companies subject to the terms of the agreement of amalgamation; and the capital of the amalgamated company shall be the total of the stock of the separate companies; provided, however, that such amalgamation shall not affect 30 the rights of creditors of the separate companies or either of them.

Power to issue
paid-up stock.

3. The amalgamated company and the separate companies before amalgamation is and are hereby authorized to issue paid-up stock to be transferred to the shareholders or provisional directors of any company party to the agreement of 35 amalgamation for purposes of equalization or compensation, or otherwise, and such stock so issued shall be deemed to be fully paid-up stock, not only as between the company issuing the same and the holders thereof, but as between the creditors and shareholders of the company issuing the same 40 and the holders thereof.

Debenture
issue.

4. The Company may issue bonds or debentures covering the whole or any section or sections of the railway authorized by the said Act, and by this Act as soon as the Company has constructed or acquired five miles of railway; and, to secure 45 such bonds or debentures, may mortgage the whole or any section or sections of the said railway as the directors may, from time to time, provide.

(2) The bonds or debentures shall only be issued to the purchasers thereof in proportion to the length of railway constructed or acquired or under contract to be constructed

5 **5.** The Company is hereby authorized to issue paid-up stock to any purchaser of any of the Company's bonds or debentures as a bonus or addition to the bonds or debentures, and such stock so issued shall be deemed paid up stock for all purposes. Issue of paid-up stock.

10 **6.** Corporations and trustees, whether private or public, are hereby authorized to sell or give and convey to the Company any lands which the Company may require for use as a right of way or for other purposes, and such conveyances shall pass to the Company an absolute estate in fee simple in such lands. Conveyances by corporations and trustees.

15 **7.** Conveyances of land to the Company made in the form set forth in the Schedule A hereunder written, or to the like effect shall be sufficient to absolutely convey to the Company, their successors and assigns the estate or interest therein mentioned and a sufficient bar of dower, respectively, of all persons entitled to or having any interest in 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 each for registering such conveyances including all entries and certificates thereof and the certificates endorsed upon the duplicates thereof. Conveyances to Company.

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8. Where the boundary of any land owned or occupied by the company for the purposes of its railway is the limit of a highway or toll road it shall not be necessary for the company to erect a fence between its railway and the highway or toll road. Fencing.

30

9. The Company is hereby authorized to use upon its line of railway steam as a motive power during the construction of the road and at other times for construction purposes, but not in operating their said railway when the said railway is constructed along a highway. Use of Steam.

35

10. The Company shall have power to purchase or otherwise acquire lands for the purposes of the Company and shall have power to construct and operate its line of railway upon lands so acquired and shall have the right, without any municipal by-law or consent, to construct and operate its line of railway across highways and toll roads, either on the level or over by a bridge or under by a tunnel where such highways or toll roads intersect or adjoin the lands so acquired; and where any of such highways or toll roads are occupied by the lines or tracks of any other company running along the same Crossing highways etc

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45

such lines or tracks may be crossed by the railway of the company either upon the level or over by a bridge or under by a tunnel.

Railway Committee to settle differences between companies.

11 If any other company whose railway is crossed as aforesaid fails to agree as to the terms upon which such railway is to be crossed the Company may nevertheless forthwith construct such crossing and use and operate their railway over the same notwithstanding such want of agreement, and the settlement of the terms shall be referred to the Railway Committee and the provisions of section 13, sub-section (5), shall apply to such reference. 5

Traffic and sale arrangements with other companies.

12. The Company shall have the right to join, unite and connect its line of railway at any point or points thereon with the line of any other company and each company may grant running or other rights over its lines to the other, or allow the interchange of traffic or cars, or make operating arrangements or confer other privileges or uses of its property, and it shall also be lawful for the Company to enter into and carry into effect an agreement or agreements with any other company, and any other company is hereby authorized to enter into and carry into effect any agreement or agreements with the Company for the sale, or leasing, or hiring of the whole or any portion of the railway authorized by the said Act or the use thereof, or the sale purchase leasing or hiring of any motors, carriages or cars, on any of them, or any part thereof, or of any electricity or other motive power, or for the purchase or leasing or hiring of the whole or any part of the railway franchises and undertakings of any other company, and upon such agreement being made, the rights thereunder acquired by the Company, may be exercised as fully and completely, as if such rights had been granted to the Company by this Act. 15 20 25 30

Assent of shareholders.

13. No agreement so made, if it provides for the sale by the Company of the whole of the said railway or undertaking without any consideration, other than stock, shall have any force or effect until the same shall have been approved by two thirds in value of the shareholders of the Company present at a special general meeting to be held for that purpose. 35

Assent of Municipal Council or Railway Committee.

(2) Notwithstanding such approval, no such agreement shall be acted upon in the municipality affected thereby, until the assent of the Municipal Council of such municipality, shall have been obtained thereto, or until an order has been made by the Railway Committee of the Executive Council of Ontario. 40

Applications to Railway Committee.

(3) If such municipality shall refuse to assent to such agreement, or shall ask different terms from those contained in such agreement, or if such agreement shall affect more than one municipality, an application may be made by either 45

company to the railway committee for leave to act upon the said agreement, and the Railway Committee is hereby authorized to hear such application and grant leave accordingly.

(4) The Railway Committee may appoint a date for the hearing of the application, and notice shall be sent by registered letter addressed to the president of each of the parties to the agreement, and to the clerk of each of the municipalities affected.

(5) Upon such application the Railway Committee shall have the power set forth in sub-sections (4), (5), (6), (7), (8) and (9) of section 4 of *The Act Respecting Electric Railways*. 2 Edw. VII. c. 27.

14. The Company may by purchase, gift or exchange acquire and hold any of the stock, or bonds, or debentures issued by any company having powers similar to, or the same as any of the powers included in section 9 of *The Electric Railway Act*. Purchase of stock in other companies.

15. The Company shall have the power to collect and receive all charges subject to which goods or commodities may come into their possession, and on payment of such charges by the Company, the Company 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 to all the rights and remedies of such persons for such charges. Payment of charges on goods carried.

16. The provisional directors of the Company, and the Council of the Municipality of the City of St. Thomas are hereby authorized to enter into an agreement for the purposes hereinafter mentioned, which agreement shall be binding on the Company when (after the passing of the by-law hereinafter mentioned) it has been executed by the chairman of the provisional board of directors and shall be binding on the St. Thomas Street Railway Company (though such companies shall not be parties or be privy to or have any such notice of such agreement) and shall be binding upon the said municipality upon the passing of a by-law of the said Council approving of such agreement and upon the execution of such agreement by the mayor of the said City of St. Thomas, and the clerk of the said Council under the corporate seal of such municipality. The agreement so to be made may provide for the construction and operation of the railway authorized by the said Act along any highways within the said municipality as set out in such agreement, and may provide for running powers over any part of the railway constructed by the St. Thomas Street Railway Company, or by the said municipality upon such terms and conditions and for such a period as may be set out in such agreement, and the said municipality is hereby given power to make such by-law and agreement. Power to make agreement with city.

Powers of ex-propriation.

R. S. O. 1897
c. 207.

Municipal corporations may subscribe for stock or grant bonus etc.

17. The Company shall have power to expropriate lands, and the provisions of section 9, sub-sections (3), (4), (5), (11), (12), (13) and (18), and sections 11 to 20, both inclusive of *The Railway Act of Ontario*, shall apply to the Company.

18. Municipal corporations in this province may subscribe for any number of shares in the capital stock of, or grant any bonus in money to the Company, and may assess and levy from time to time upon the whole rateable property of the municipality a sufficient sum for them to discharge the debt so contracted or pay the money so granted, and for the like purpose may issue debentures payable at such times and for such sums respectively not less than \$20, and bearing or not bearing interest, as such municipal corporation thinks fit.

(2) Any such debenture shall be valid and binding upon the municipal corporation, if signed or endorsed or counter-signed by the officer or person and in such manner and form as directed by any by-law of the corporation, and the seal of the corporation thereto shall not be necessary, nor the observance of any other form with regard to the debentures than as directed in the by-law.

(3) It shall not be necessary that any such by-law shall be submitted to or receive the assent of the ratepayers.

(4) The mayor, warden or reeve or other chief officer of such municipal corporation subscribing for and holding stock in the Company to the amount of \$20,000 or upwards, or granting any bonus of the same amount or upwards shall be ex-officio one of the directors of the Company in addition to the number of directors authorized by the special Act, and shall have the same rights, powers and duties as any of the directors of the Company.

SCHEDULE A.

(Section 7.)

Know all men by these presents that I (or we) (insert the name or names of the vendor or vendors) in consideration of \$ _____, paid to me (or us) by the Middlesex and Elgin Interurban Railway Company, the receipt whereof is hereby acknowledged, do grant and convey unto the said company, and I (or we) (insert the name or names of any other party or parties) in consideration of \$ _____, paid to me (or us) by the said company, the receipt whereof is hereby acknowledged, do grant and release all that certain parcel (or those 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 Middlesex and Elgin Interurban Railway Company, their successors and assigns forever (here insert any other clauses, conditions and covenants required) and I (or we) the wife (or wives) or 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

An Act respecting the Sandwich, Windsor and Amherstburg Railway and the City Railway Company of Windsor, Limited.

WHEREAS the Sandwich, Windsor and Amherstburg Railway, (hereinafter called the Sandwich Company) is incorporated under an Act of the Legislative Assembly of the Province of Ontario and amending Acts as more particularly set forth in the Acts of the said Legislative Assembly, being chapter 94 of the Acts passed in the second year of His Majesty's reign; and whereas the City Railway Company of Windsor, Limited, (hereinafter called the City Company) is a company incorporated under the provisions of *The Street Railway Act*; and whereas the said two Companies are operated as one system and under one management; and whereas the provisions of *The Electric Railway Act* are not applicable to the Sandwich Company, which is the principal Company of the said system, the City Company being subsidiary thereto; and whereas the said two Companies have petitioned for an Act empowering any municipality through any part of which its railway passes to exempt the Sandwich Company and its property from municipal assessments or taxation, or to agree to a certain sum per annum or otherwise in lieu of all or any municipal rates or assessments as provided by section 77 of *The Electric Railway Act* and to confirm the agreement entered into between the said two companies and the Corporation of the City of Windsor bearing date the 28th day of July 1902; and whereas it is expedient to grant the prayer of said petitioners:

Preamble.

Rev. Stat. c. 208.

Rev. Stat. c. 209.

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

1. The Corporation of any Municipality through any part of which the railway of the Sandwich Company passes or in which it is situated, by by-law specially passed for that purpose, may exempt the Sandwich Company and its property within such municipality either in whole or in part from municipal assessments or taxation, or may 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

Municipalities may exempt from taxation.

ation may deem expedient, not exceeding twenty-one years; and no such by-law shall be repealed unless in conformity with the conditions contained therein.

Agreement
declared legal
and valid.

2. The said agreement between the Sandwich Company, the City Company and the Corporation of the City of Windsor 5 bearing date the 28th day of July 1902 and set forth in Schedule A to this Act is hereby declared to be valid and legal and to be binding upon the parties thereto.

SCHEDULE A.

This Agreement made this 28th day of July, A. D. 1902, between the Corporation of the City of Windsor, hereinafter called the "Corporation," of the first part, and the Sandwich, Windsor and Amherst Railway, hereinafter called the "Sandwich Company," and the City Railway Company of Windsor, Limited, hereinafter called the "City Company," of the second part.

WHEREAS the parties hereto of the second part have acquired certain rights and franchises from the City of Windsor under the terms of two certain agreements bearing date the seventeenth day of April, 1893, and the fourth day of July, 1893 respectively and made and entered into in respect of the firstly mentioned agreement between the Corporation the Sandwich Company and the Windsor Electric Street Railway Company and with respect to the secondly mentioned agreement between the Corporation the Sandwich Company and the Windsor Street Railway Company and the City Company.

And whereas such rights and franchises by the terms of the firstly mentioned agreement expire on the 31st day of December, 1912.

And whereas the Sandwich Company intends to commence and complete an extension of its line of railway from its present terminus in the Township of Sandwich West to the Town of Amherstburg and in order thereto has requested an extension of its present franchises and agreements until and including the 31st day of December, 1922.

And whereas the municipal council of the corporation considers that the extension of the said line to the Town of Amherstburg will benefit the inhabitants of the City of Windsor and deem it advisable to grant such extension of franchises upon the terms hereinafter set forth.

Now therefore this Agreement witnesseth as follows :

1. Instead of the period of twenty years from and including the year 1893 being the time within which the said two companies the parties hereto of the second part shall exercise the rights, franchises and permissions to construct, alter, equip, maintain and operate an electric railway and an electric street railway within the City of Windsor and upon and along the highways of the said city mentioned in the said two agreements such period shall be extended for a further period of ten years up to and including the 31st day of December, 1922.

2. The parties hereto of the second part agree to give up and abandon and do hereby give up and abandon to the corporation the exclusive right to construct and operate electric street railways and electric railways within the limits mentioned in paragraphs four and six of said firstly mentioned agreement. Provided, however, that the said parties of the second part or either of them shall have the first right to construct an extension to its street railway system within said corporation and upon such of the highways thereof as the council of the municipality considers the operation of a street railway would be of advantage to

the residents of the locality in which such streets are located or to the public generally, which said extensions shall be constructed and operated upon such terms and conditions as are contained in said two hereinbefore recited agreements and in this agreement and as are applicable to the lines of railway which are constructed or were authorized to be constructed thereunder; the said right shall be exercised within three months from the time that the corporation notifies the parties of the second part in writing that another company has made an application for the use of the streets in the City of Windsor or some of them upon which to operate a street railway and calling upon the said parties of the second part to build said railway, and in the event of refusing to construct the same within six months thereafter then the said corporation may grant the right to construct and operate a railway upon such streets or highways to another company.

3. Notwithstanding anything contained in the preceding paragraph hereof, it is understood and agreed that the corporation may grant permission to any suburban line to construct and operate lines of railway on any street not in use by the parties of the second part or either of them.

4. It is nevertheless agreed that no right shall be granted to either an electric company or to an electric street railway company to construct its line of railway along the same streets upon which the line of railway of the parties of the second part are constructed but the parties of the second part agree to allow any line to cross their or either of their lines of railway at such point and upon such terms as the municipal council of the corporation may see fit. Provided however, that the whole costs of the crossings shall be borne by such line and the operation of the said two Companies' lines of railway shall not be unreasonably interfered with.

5. In the event of any suburban electric railway company desiring to enter the city over the lines of either of the parties of the second part, it is agreed that such suburban railway shall have such privilege subject to such terms and conditions as to running powers, rentals, and other matters as may be reasonable or as are usual in the case of a suburban line running over the lines of a city company and as may be agreed upon or as may be determined by arbitration and the parties of the second part agree that they will execute with such suburban electric railway company an arbitration deed it being understood that the parties hereto of the second part shall appoint one arbitrator, that the said suburban electric railway shall appoint one arbitrator, and that the said two arbitrators shall appoint a third, but in the event of their failing to agree then upon application to the Senior Judge of the County of Essex, the said arbitration, arbitration proceedings, and the submission to arbitration to be in such form and to include such provisions as to procedure as may be settled by the solicitor of the corporation, due regard being had to the provisions of *The Arbitration Act*.

6. The parties of the second part shall upon a grade being established by the city engineer and upon being notified by the proper authorities of the corporation, within a reasonable time and as promptly as possible, make its track conform to the level of such grade, and when an unpaved street is paved, without delay, upon being notified as aforesaid, the parties of the second part shall conform the grade of their tracks to the grade of such pavement.

7. The parties of the second part shall hereafter use only grooved girder rails on paved streets of not less than 85 pounds weight, and when any unpaved street or part thereof is being paved, shall substitute grooved girder rails of said weight for any other kinds of rails previously in use. This clause is not to apply to the present change of tracks on London Street from Bruce Avenue to Ouellette Avenue upon which portion of said highway it is agreed that Shanghai T. Rails shall be laid and maintained to replace the present rails, provided however, these may, at the option of the Company, be replaced by girder rails under the preceding portion of this clause.

8. Clause five in said firstly mentioned agreement of date the 17th day of April, 1893, and all clauses in said two hereinbefore recited agreements referring to the payment of money or taxes for franchise privileges to the Corporation shall upon the extension of the line as aforesaid from a point in the Township of Sandwich West being the terminus of the present road to the Town of Amherstburg being completed and in operation be deemed to be cancelled and of no effect, except in respect to the payments which have been made thereunder or which should have been made thereunder and after the extension and completion of the line of railway as aforesaid the following clause shall be read as a part of said agreements in substitution for said clause five and of all clauses relating to the payment of money or taxes as aforesaid, namely, the parties of the second part their successors and assigns shall on and after the 15th day of December immediately following the completion of said extension and on the 15th day of December, in each year thereafter up to and including the 15th day of December 1912 pay to the Corporation the annual or yearly sum of five hundred dollars (\$500.00) and on the 15th day of December, 1913 in each year thereafter up to and including the year 1917 pay the annual or yearly sum of seven hundred and fifty dollars (\$750.00) and on the 15th day of December, 1918 and every year thereafter up to and including the 15th day of December, 1922 pay the annual or yearly sum of one thousand dollars (\$1,000.00) which said payments shall be in lieu of all taxes or rates other than school rates upon the property hereinafter exempted from the payment of taxes.

9. The tracks, rights-of-way, poles, wires, rolling stock, and all superstructures and substructures and all the property of the said parties of the second part not exempted by law from taxes shall, except the real estate not hereinbefore mentioned, be exempt from all taxes other than school rates until and including the 31st day of December, 1922.

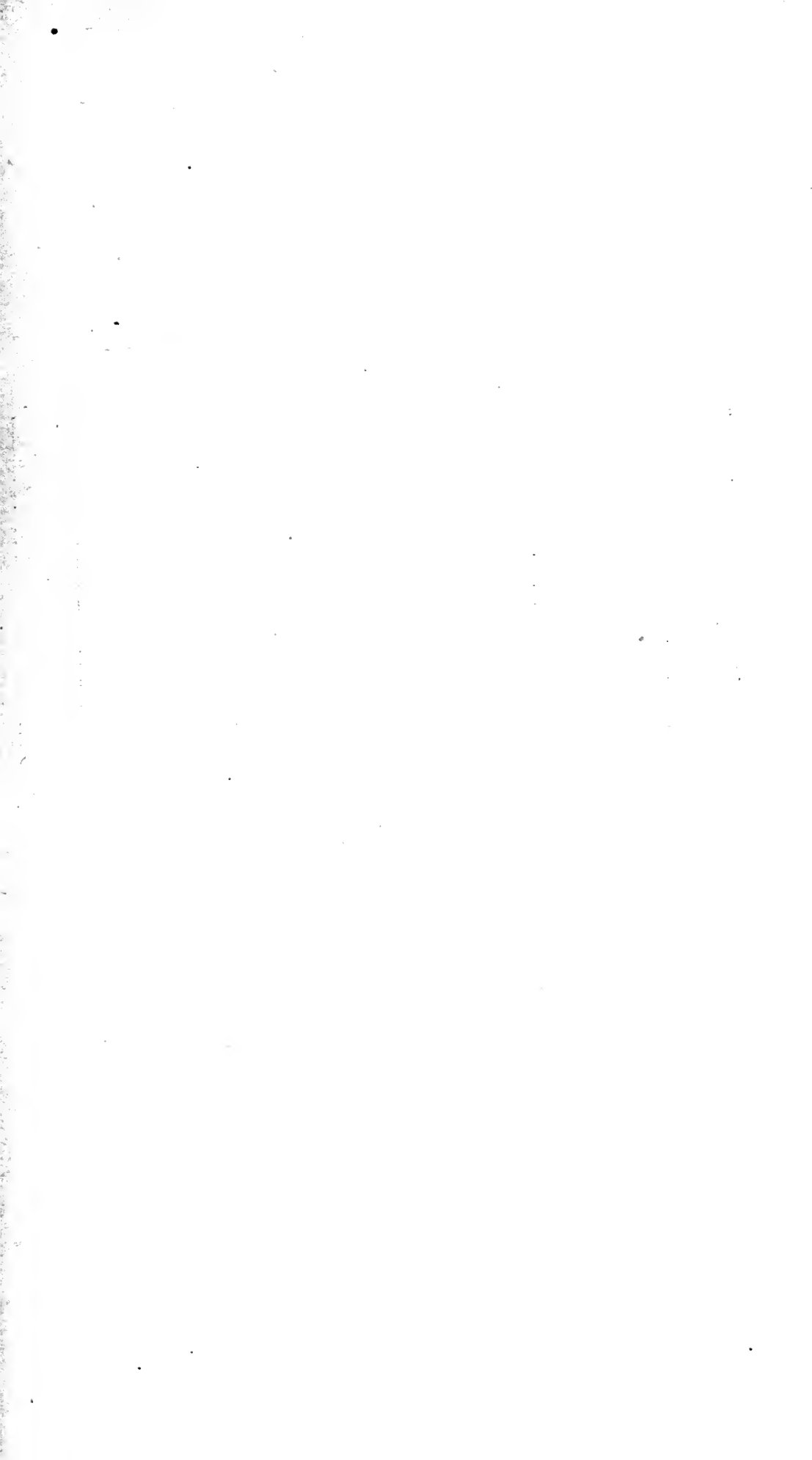
10. This agreement shall be read as a part of the said two agreements hereinbefore mentioned, all the terms of which shall be still binding upon the parties as well for the extended period as for the original term during which said agreements are in force, except where inconsistent with the terms of this agreement when the terms of this agreement shall prevail.

11. This agreement is only to be binding upon the parties hereto in the event of the Sandwich Company extending its line of railway to the Town of Amherstburgh on or before the 17th day of March, 1904, and until the said Sandwich Company shall complete the extension of its line to Amherstburg as aforesaid and place the same in operation the terms of the two hereinbefore recited agreements shall be in full force and effect.

12. In order that the terms of this agreement may be made certain and binding upon the parties hereto it is hereby agreed on the part of the Corporation that it will assist the parties of the second part in obtaining legislation to validate and confirm this agreement, the said legislation to be procured at the expense of the said two Companies, the parties hereto of the second part.

In Witness whereof the seals of the Corporation and of the said two Companies have been affixed and the proper officers have set their hands.

Sgd.	THE SANDWICH, WINDSOR AND AMHERSTBURGH RAILWAY, By J. C. HUTCHINS.	(Seal.)
	Attest. A. E. PETERS.	
Sgd.	THE CORPORATION OF THE CITY OF WINDSOR, By J. F. SMYTH, Mayor, and STEPHEN LUSTED, Clerk	(Seal.)
Sgd.	THE CITY RAILWAY COMPANY OF WINDSOR, By J. C. HUTCHINS.	(Seal.)
	Attest. A. E. PETERS.	



An Act respecting the Sandwich, Windsor and Amherstburg Railway and the City Railway Company of Windsor, Limited.

WHEREAS the Sandwich, Windsor and Amherstburg Railway, (hereinafter called the Sandwich Company) is incorporated under an Act of the Legislative Assembly of the Province of Ontario and amending Acts as more particularly set forth in the Acts of the said Legislative Assembly, being chapter 94 of the Acts passed in the second year of His Majesty's reign: and whereas the City Railway Company of Windsor, Limited, (hereinafter called the City Company) is a company incorporated under the provisions of *The Street Railway Act*; and whereas the said two Companies are operated as one system and under one management: and whereas the provisions of *The Electric Railway Act* are not applicable to the Sandwich Company, which is the principal Company of the said system, the City Company being subsidiary thereto; and whereas the said two Companies have petitioned for an Act empowering any municipality through any part of which its railway passes to exempt the Sandwich Company and its property from municipal assessments or taxation,²⁰⁸ other than school rates,²⁰⁹ or to agree to a certain sum per annum or otherwise in lieu of all or any municipal rates or assessments other than school rates,²⁰⁹ as provided by section 77 of *The Electric Railway Act* and to confirm the agreement entered into between the said two companies and the Corporation of the City of Windsor bearing date the 28th day of July 1902; and whereas it is expedient to grant the prayer of said petitioners:

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

1. The Corporation of any Municipality through any part of which the railway of the Sandwich Company passes or in which it is situated, by by-law specially passed for that purpose, may exempt the Sandwich Company and its property within such municipality either in whole or in part from municipal assessments or taxation,²⁰⁸ other than school rates²⁰⁹ or may 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 assessments²⁰⁹ other than of school rates²⁰⁹ to be imposed by such municipal corporation, and for such term of years, as such municipal corporation may

Preamble.

Rev. Stat. c. 208.

Rev. Stat. c. 209.

Municipalities may exempt from taxation.

deem expedient, not exceeding twenty-one years; and no such by-law shall be repealed unless in conformity with the conditions contained therein.

Agreement
declared legal
and valid.

2. The said agreement between the Sandwich Company, the City Company and the Corporation of the City of Windsor bearing date the 28th day of July 1902 and set forth in Schedule A to this Act is hereby declared to be valid and legal and to be binding upon the parties thereto.

SCHEDULE A.

This Agreement made this 28th day of July, A. D. 1902, between the Corporation of the City of Windsor, hereinafter called the "Corporation," of the first part, and the Sandwich, Windsor and Amherstburg Railway, hereinafter called the "Sandwich Company," and the City Railway Company of Windsor, Limited, hereinafter called the "City Company," of the second part.

WHEREAS the parties hereto of the second part have acquired certain rights and franchises from the City of Windsor under the terms of two certain agreements bearing date the seventeenth day of April, 1893, and the fourth day of July, 1893 respectively and made and entered into in respect of the firstly mentioned agreement between the Corporation the Sandwich Company and the Windsor Electric Street Railway Company and with respect to the secondly mentioned agreement between the Corporation the Sandwich Company and the Windsor *Electric* Street Railway Company and the City Company.

And whereas such rights and franchises by the terms of the firstly mentioned agreement expire on the 31st day of December, 1912.

And whereas the Sandwich Company intends to commence and complete an extension of its line of railway from its present terminus in the Township of Sandwich West to the Town of Amherstburg and in order thereto has requested an extension of its present franchises and agreements until and including the 31st day of December, 1922.

And whereas the municipal council of the corporation considers that the extension of the said line to the Town of Amherstburg will benefit the inhabitants of the City of Windsor and deem it advisable to grant such extension of franchises upon the terms hereinafter set forth.

Now therefore this Agreement witnesseth as follows :

1. Instead of the period of twenty years from and including the year 1893 being the time within which the said two companies the parties hereto of the second part shall exercise the rights, franchises and permissions to construct, alter, equip, maintain and operate an electric railway and an electric street railway within the City of Windsor and upon and along the highways of the said city mentioned in the said two agreements such period shall be extended for a further period of ten years up to and including the 31st day of December, 1922.

2. The parties hereto of the second part agree to give up and abandon and do hereby give up and abandon to the corporation the exclusive right to construct and operate electric street railways and electric railways within the limits mentioned in paragraphs four and six of said firstly mentioned agreement. Provided, however, that the said parties of the second part or either of them shall have the first right to construct an extension of its street railway system within said corporation and upon such of the highways thereof as the council of the municipality considers the *operating* of a street railway would be of advantage to

the residents of the locality in which such streets are located or to the public generally, which said extensions shall be constructed and operated upon such terms and conditions as are contained in said two hereinbefore recited agreements and in this agreement and as are applicable to the lines of railway which were constructed or were authorized to be constructed thereunder; the said right shall be exercised within three months from the time that the corporation notifies the parties of the second part in writing that another company has made an application for the use of the streets of the City of Windsor or some of them upon which to operate a street railway and calling upon the said parties of the second part to build said railway, and in the event of their refusing to construct the same within six months thereafter then the said corporation may grant the right to construct and operate a railway upon such streets or highways to another company.

3. Notwithstanding anything contained in the preceding paragraph hereof, it is understood and agreed that the corporation may grant permission to any suburban line to construct and operate lines of railway on any street not in use by the parties of the second part or either of them.

4. It is nevertheless agreed that no right shall be granted to either an electric company or to an electric street railway company to construct its line of railway along the same streets upon which the line of railway of the parties of the second part are constructed but the parties of the second part agree to allow any line to cross their or either of their lines of railway at such point and upon such terms as the municipal council of the corporation may see fit. Provided however, that the whole costs of the crossings shall be borne by such line and the operation of the said two Companies' lines of railway shall not be unreasonably interfered with.

5. In the event of any suburban electric railway company desiring to enter the city over the lines of either of the parties of the second part, it is agreed that such suburban railway shall have such privilege subject to such terms and conditions as to running powers, rentals, and other matters as may be reasonable or as are usual in the case of a suburban line running over the lines of a city company and as may be agreed upon or as may be determined by arbitration and the parties of the second part agree that they will execute with such suburban electric railway company an arbitration deed it being understood that the parties hereto of the second part shall appoint one arbitrator, that the said suburban electric railway company shall appoint one arbitrator, and that the said two arbitrators shall appoint a third, but in the event of their failing to agree then upon application to the Senior Judge of the County of Essex, the said arbitration, arbitration proceedings, and the submission to arbitration to be in such form and to include such provisions as to procedure as may be settled by the solicitor of the corporation, due regard being had to the provisions of *The Arbitration Act*.

6. The parties of the second part shall upon a grade being established by the city engineer and upon being notified by the proper authorities of the corporation, within a reasonable time and as promptly as possible, make its track conform to the level of such grade, and when an unpaved street is paved, without delay, upon being notified as aforesaid, the parties of the second part shall conform the grade of their tracks to the grade of such pavement.

7. The parties of the second part shall hereafter use only grooved girder rails on paved streets of not less than 85 pounds weight, and when any unpaved street or part thereof is being paved, shall substitute grooved girder rails of said weight for any other kinds of rails previously in use. This clause is not to apply to the present change of tracks on London Street from Bruce Avenue to Ouellette Avenue upon which portion of said highway it is agreed that Shanghai T. Rails shall be laid and maintained to replace the present rails, provided however, these may, at the option of the Company, be replaced by girder rails under the preceding portion of this clause.

8. Clause five in said firstly mentioned agreement of date the 17th day of April, 1893, and all clauses in said two hereinbefore recited agreements referring to the payment of money or taxes for franchise privileges to the Corporation shall upon the extension of the line as aforesaid from a point in the Township of Sandwich West being the terminus of the present road to the Town of Amherstburg being completed and in operation be deemed to be cancelled and of no effect, except in respect to the payments which have been made thereunder or which should have been made thereunder and after the extension and completion of the line of railway as aforesaid the following clause shall be read as a part of said agreements in substitution for said clause five and of all clauses relating to the payment of money or taxes as aforesaid, namely, the parties of the second part their successors and assigns shall on and after the 15th day of December immediately following the completion of said extension and on the 15th day of December, in each year thereafter up to and including the 15th day of December 1912 pay to the Corporation the annual or yearly sum of five hundred dollars (\$500.00) and on the 15th day of December, 1913 in each year thereafter up to and including the year 1917 pay the annual or yearly sum of seven hundred and fifty dollars (\$750.00) and on the 15th day of December, 1918 and every year thereafter up to and including the 15th day of December, 1922 pay the annual or yearly sum of one thousand dollars (\$1,000.00) which said payments shall be in lieu of all taxes or rates other than school rates upon the property hereinafter exempted from the payment of taxes.

9. The tracks, rights-of-way, poles, wires, rolling stock, and all superstructures and substructures and all the property of the said parties of the second part not exempted by law from taxes shall, except the real estate not hereinbefore mentioned, be exempt from all taxes other than school rates until and including the 31st day of December, 1922.

10. This agreement shall be read as a part of the said two agreements hereinbefore mentioned, all the terms of which shall be still binding upon the parties as well for the extended period as for the original term during which said agreements are in force, except where inconsistent with the terms of this agreement when the terms of this agreement shall prevail.

11. This agreement is only to be binding upon the parties hereto in the event of the Sandwich Company extending its line of railway to the Town of Amherstburg on or before the 17th day of March, 1904, and until the said Sandwich Company shall complete the extension of its line to Amherstburg as aforesaid and place the same in operation the terms of the said two hereinbefore recited agreements shall be in full force and effect.

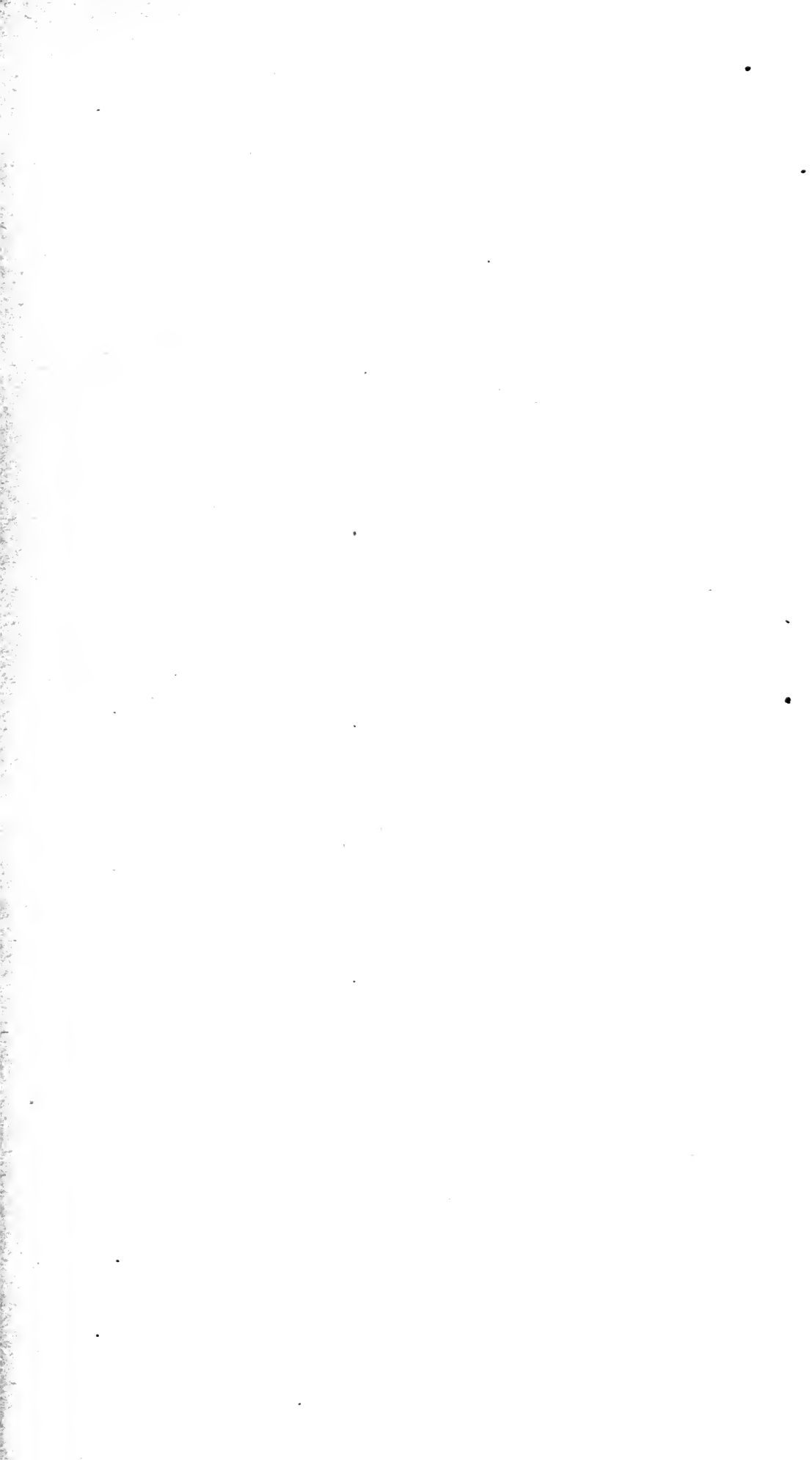
12. In order that the terms of this agreement may be made certain and binding upon the parties hereto it is hereby agreed on the part of the Corporation that it will assist the parties of the second part in obtaining legislation to validate and confirm this agreement, the said legislation to be procured at the expense of the said two Companies, the parties hereto of the second part.

In Witness whereof the seals of the Corporation and of the said two Companies have been affixed and the proper officers have set their hands.

Sgd. THE CORPORATION OF THE
CITY OF WINDSOR,
By J. F. SMYTH, Mayor,
STEPHEN LUSTED, Clerk (Seal.)

Sgd. THE SANDWICH, WINDSOR AND
AMHERSTBURGH RAILWAY,
By J. C. HUTCHINS, Vice-President. (Seal.)
Attest. A. E. PETERS, Assistant Secretary (Seal.)

Sgd. THE CITY RAILWAY
COMPANY OF WINDSOR,
By J. C. HUTCHINS, Vice-President. (Seal.)
Attest. A. E. PETERS, Assistant-Secretary (Seal.)



1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Sandwich, Windsor
and Amherstburg Railway and the City
Railway Company of Windsor, Limited.

First Reading, 24th April, 1903.

(Reprinted as amended by the Railway
Committee.)

MR. AULD.

TORONTO:

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

An Act respecting the Elgin Loan and Savings Co.

WHEREAS The Elgin Loan and Savings Company herein- Preamble.
 after referred to as the Provincial Company was incor-
 porated on the 21st day of April, 1879, under *The Building*
Societies' Act, being chapter 64 of the revised statutes of
 5 Ontario, 1877; and whereas The Elgin Loan and Savings
 Company, Limited, hereinafter referred to as the Dominion
 Company, was incorporated by letters patent under the great
 seal of the Dominion of Canada, dated the 5th day of October,
 1902, issued under *The Loan Companies Act* of Canada, 1899,
 10 being 62-63 Vic. chap. 41, by which letters patent it was pro-
 vided that the said Dominion Company might take over the
 assets and business of the said Provincial Company; and
 whereas the said Provincial Company duly executed a certain
 indenture dated the 28th day of February, 1903, subject to
 15 the validating thereof by the Legislative Assembly of the
 Province of Ontario (of which indenture a true copy is set
 out in the schedule to this Act) whereby the said Provincial
 Company provisionally granted, assigned, transferred and set
 over unto the said Dominion Company, its successors and
 20 assigns, all the assets, rights, credits, effects, and property,
 real, personal, and mixed, of whatsoever kind, and whereso-
 ever situate, belonging to the Provincial Company, or to
 which it was, or might be, or become entitled; and whereas
 the said Dominion Company similarly executed the said
 25 indenture, and therein covenanted and agreed with the said
 Provincial Company, its successors and assigns to pay, dis-
 charge, carry out, and perform all the debts, liabilities, obliga-
 tions, contracts and duties for or in respect of which the Pro-
 vincial Company was then or might thereafter become liable
 30 to pay, discharge, carry out, or perform, and therein further
 covenanted and agreed to indemnify and save harmless the
 said Provincial Company in respect thereof; and whereas the
 said Provincial Company has prayed that the said indenture
 shall be validated and confirmed, and that all the property
 35 and assets of the said Provincial Company shall be vested in
 the said Dominion Company; 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 On-
 40 tario, enacts as follows:—

Indenture confirmed.

1. The said indenture bearing date the 28th day of February, 1903 (a copy of which is set out in the schedule to this Act) is hereby validated and confirmed as from the passing of this Act, and shall have the effect of granting, assigning, transferring and setting over unto the said Dominion 5 Company, its successors and assigns, to its and their own use absolutely all the assets, interests, rights, credits, effects, and property, real, personal, and mixed, of whatsoever kind and wheresoever situate, of or belonging to the said Provincial Company or to which the said Provincial Company is or shall 10 hereafter be or become entitled.

Assets of Provincial Company vested in Dominion Company.

2. All the assets, interests, rights, credits, effects, and property, real, personal, and mixed, of whatsoever kind and wheresoever situate, belonging to the said Provincial Company, or to which it is or may be or become entitled, shall be, 15 and the same are hereby transferred to and vested in the said Dominion Company, its successors and assigns, to its and their own use absolutely for all the estate, right, title, interest, claims, properties, and demands which the said Provincial Company had or was entitled to have at the date of 20 the passing of this Act, or to which the said Provincial Company may hereafter at any time be or become entitled, and the said Dominion Company shall have and is hereby empowered to exercise all the powers, rights, and privileges in relation to the said assets, interests, rights, credits, effects, and 25 property, real, personal, and mixed, of whatsoever kind and wheresoever situate, as the said Provincial Company had or might have had, and no suit, action, or proceeding being carried on or power being exercised shall be discontinued or abated by or on account of this Act, but the same may be 30 continued in the name of the said Provincial Company, and the said Dominion Company shall have the same rights and remedies, and be subject to the same liabilities and duties, and shall pay and receive the like costs as if the suits, actions, or proceedings had been commenced or defended in the name 35 of the said Dominion Company.

Dominion Company to be registered. Rev. Stat., Chap. 205.

3. The said Dominion Company shall by virtue hereof upon due application be admissible to registry under the *Loan Corporations Act* on the loan companies register for the unexpired portion of the then current registry year, and the 40 said Provincial Company shall as from the registration of the said Dominion Company cease to do business and cease to be registered under the said Act.

Rights of creditors not impaired.

4. Nothing in this Act shall impair or affect the rights of 45 any creditor of the said Provincial Company or of the said Dominion Company, and any person having any claim, demand, right, cause of action or complaint against the said Provincial Company or to whom the said Provincial Company is under any liability, obligation, contract or duty, shall have the same

- rights and powers with respect thereto and to the collection and enforcement thereof from and against the said Dominion Company, its directors and shareholders as such person has against the said Provincial Company, its directors and share-
 5 holders. Provided that all duties and obligations entered upon or undertaken after the passing of this Act shall be deemed to be duties and obligations of the said Dominion Company and not of the said Provincial Company. Pro-
 10 vided, however, that all liability whatsoever upon or in respect of the unpaid portion of the partly paid up shares of the capital stock of the said Provincial Company shall by mere effluxion of time be reduced by five equal annual
 15 amounts at the end of one, two, three, four and five years respectively from the 31st day of December, 1903, so that at the end of the said fifth year all liability whatsoever upon or
 20 in respect of the unpaid portion of said partly paid-up shares shall be absolutely extinguished; but no such annual reduction shall take effect unless and until such of the liabilities of the said Provincial Company as shall have matured, up to the
 25 time when application is made for such a certificate as is next hereinafter mentioned, shall have been discharged by the said Dominion Company and proof of the same given to the satisfaction of the Registrar of Loan Corporations, who shall thereupon issue his certificate to the effect that all liability
 30 whatsoever upon or in respect of the unpaid portion of the partly paid-up shares of the capital stock of the said Provincial Company has been reduced or extinguished (as the case may be) as set forth in his certificate, and his certificate shall be final and conclusive as to the matter certified to therein.
- 30 5. For the purposes of *The Land Titles Act* or of registration under *The Registry Act* or of *The Bills of Sale and Chattel Mortgage Act* or any other Act of this Province it shall be sufficient, in order to show the transmission of title from the Provincial Company to the Dominion Com-
 35 pany, if any instrument affecting lands or interests in lands or personal property or interests in personal property included or intended to be included in the indenture set out in the schedule to this Act recite or mention the title of this Act and the Chapter and Statute year in which this Act was
 40 passed.

Proviso.

Registration of Instruments

Rev. Stat. c. 138.

Rev. Stat. c. 136.

Rev. Stat. c. 148.

SCHEDULE.

This Indenture made in triplicate this 28th day of February, 1903, between The Elgin Loan and Savings Company, hereinafter called the Provincial Company, of the first part and The Elgin Loan and Savings Company, Limited, hereinafter called the Dominion Company, of the second part.

Whereas the said Provincial Company is a corporation duly incorporated under *The Building Societies' Act*, being chap. 164 of the Revised Statutes of Ontario, 1877, and stands registered under *The Loan Corporations Act* on the Loan Companies Register.

And whereas the said Dominion Company is a corporation duly incorporated by Letters Patent issued under *The Loan Companies Act of Canada*, 1899, being 62-63 Vict. chapter 41.

And whereas it is provided by the said Letters Patent that the said Dominion Company may take over the assets and business of the said Provincial Company ;

And whereas the terms and conditions upon which the said Dominion Company has agreed to take over the assets and business of the said Provincial Company are as hereinafter set forth ;

And whereas the said terms and conditions have been duly adopted by the board of directors of each of the said companies and have been approved, ratified and confirmed by a general meeting of the shareholders of each of the said companies ;

And whereas it is necessary that this indenture or conveyance and the transfer thereby purporting to be made should be validated 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 validation and confirmation hereof by the passing of an Act in that behalf by the Legislature of the Province of Ontario, this indenture shall *ipso facto* come into effect, and shall, as from the said passing, have the effect of granting, assigning, transferring and setting over unto the said Dominion Company, its successors and assigns, to its and their own use absolutely, all the assets, interests, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate, of or belonging to the said Provincial Company, or to which the said Provincial Company is or shall hereafter be or become entitled.

ARTICLE 2.

On and from the passing of the said Act, all the assets, interests, rights, credits, effects and property, real, personal and mixed of whatsoever kind, and wheresoever situate, belonging to the said Provincial Company, or to which it is or may be or become entitled shall be transferred to and vested in the said Dominion Company, its successors and assigns, to its and their own use absolutely, for all the assets, rights, title, interests, claims, properties and demands which the said Provincial Company has, or is entitled to, or to which the said Provincial Company may hereafter at any time be or become entitled, and the said Dominion Company shall be entitled to exercise all the powers, rights, and privileges in relation to the said assets, interests, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate as the said Provincial Company has or might have.

ARTICLE 3.

No suit, action or proceeding by or against the said Provincial Company shall be discontinued or abated by or on account of the said grant, assignment and transfer, but shall continue as if this indenture had not been made, and the said Dominion 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 said Dominion Company.

ARTICLE 4.

On and from the passing of the said Act, the creditors of the said Provincial Company shall be to all intents and purposes creditors of the Dominion Company, and shall have the same rights and remedies against the said Dominion Company as they would have had against the said Provincial Company had this indenture not been made, or the said Act had not been passed. The said Dominion Company hereby covenants

and agrees with the said Provincial Company, its successors and assigns to pay, discharge, carry out and perform all the debts, liabilities, obligations, contracts and duties for or in respect of which the said Provincial Company is or might hereafter become liable to pay, discharge, carry out and perform, and the said Dominion Company hereby further covenants and agrees with the said Provincial Company, its successors and assigns to indemnify and save harmless the said Provincial Company, its directors and shareholders or any of them, from every such debt, liability, obligation, contract and duty.

ARTICLE 5.

The consideration of the said grant, assignment and transfer shall be approximately the sum of \$237,036.86. The said consideration shall be paid and satisfied by the issue to the individual shareholders of the said Provincial Company of the capital stock of the said Dominion Company (being \$312,500 divided into 12,500 shares of the par value of \$25 each) as follows:—One fully paid-up share of the capital stock of the said Dominion Company shall be issued as aforesaid for each share of the capital stock of the said Provincial Company now held by any shareholder of the said Provincial Company, upon which share the sum of \$25 has been paid to the said Provincial Company, and, in case of shares of the capital stock in the said Provincial Company upon which a less amount than \$25 per share has been paid to the said Provincial Company, there shall be issued to the holder of such last mentioned share the same number of partly paid shares of the capital stock of the said Dominion Company, upon which there shall be credited per share the full amount paid by such shareholder to the said Provincial Company, and such shareholder shall be liable to pay to the said Dominion Company after calls duly made by the said Dominion Company upon such partly paid shares, the difference between the amount so credited on each partly paid share and the par value of such share. Provided that no single call upon such partly paid shares of the capital stock of the said Dominion Company shall exceed ten per cent of the par value thereof, and that six months at least shall elapse between any two successive calls.

ARTICLE 6.

The said Provincial Company shall from the registration of the said Dominion Company under *The Loan Corporations' Act* of Ontario cease to do business.

ARTICLE 7.

A duplicate original of this indenture, together with a schedule of the shareholders of the said Dominion Company, showing the name and address of each of the said shareholders and the amount of the capital stock of the said Dominion Company held by each and the amount credited thereon pursuant to Article 5 of this indenture, shall be filed by the said Dominion Company in the office of the Registrar of Loan Corporations for the Province of Ontario forthwith after the passing of the Act validating and confirming this indenture.

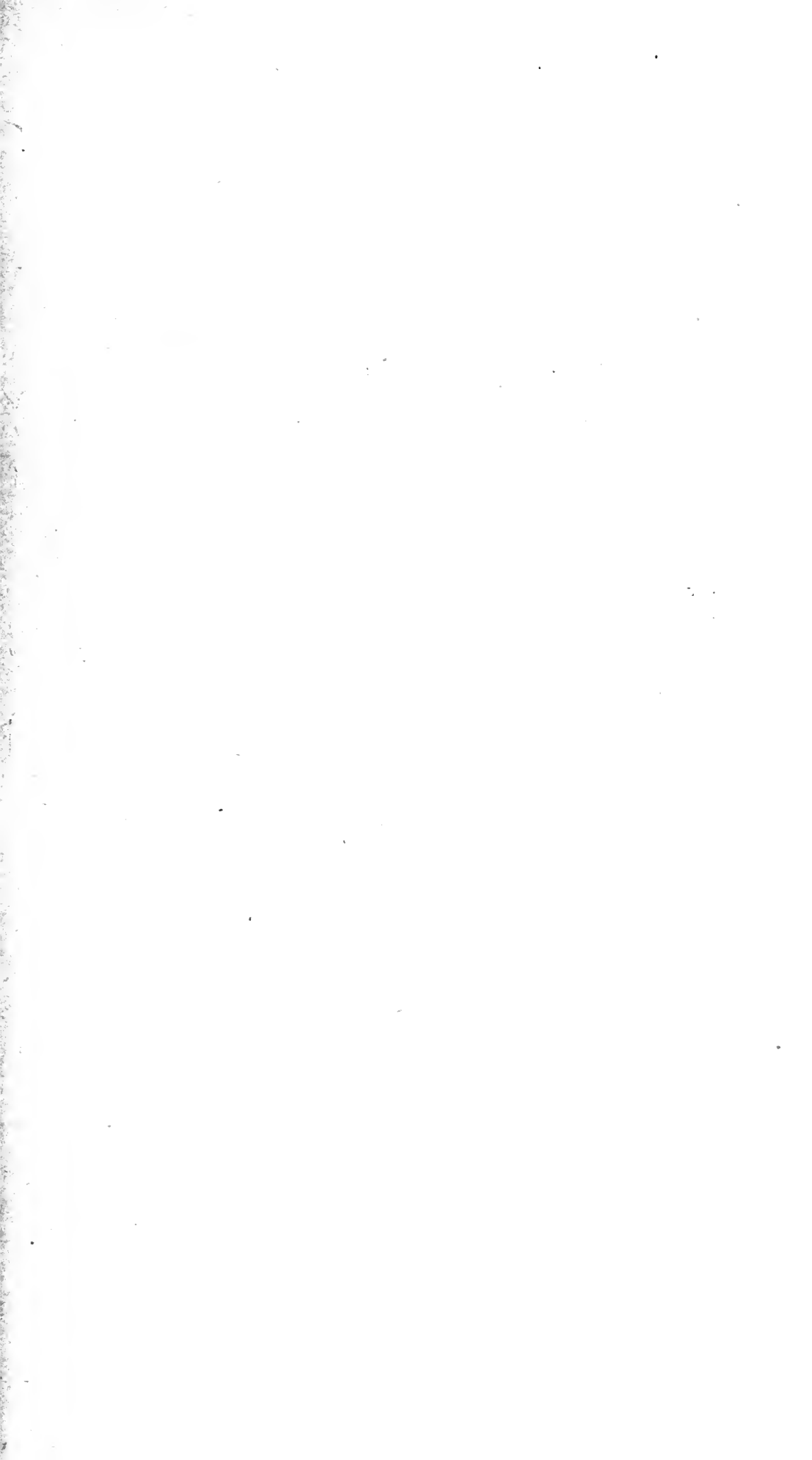
In witness whereof the said Provincial Company and the said Dominion Company have hereunto affixed their respective corporate seals by the hands of their proper officers.

Signed, sealed and delivered
in the presence of

(Sgd.) KATIE COLEMAN.

{ (Sgd.) JNO. BAIRD,
President. [Seal]
(Sgd.) GEO. ROWLEY,
Manager.

(Sgd.) JNO. BAIRD,
President. [Seal.]
(Sgd.) GEO. ROWLEY,
Manager.



1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting The Elgin Loan and
Savings Company.

First Reading, 1903.

(Private Bill.)

Mr. Patullo.

TORONTO.

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

An Act respecting the Elgin Loan and Savings Co.

WHEREAS The Elgin Loan and Savings Company herein- Preamble.
after referred to as the Provincial Company was incorporated on the 21st day of April, 1879, under *The Building Societies' Act*, being chapter 64 of the revised statutes of Ontario, 1877; and whereas The Elgin Loan and Savings Company, Limited, hereinafter referred to as the Dominion Company, was incorporated by letters patent under the great seal of the Dominion of Canada, dated the 5th day of October, 1902, issued under *The Loan Companies Act* of Canada, 1899, being 62-63 Vic. chap. 41, by which letters patent it was provided that the said Dominion Company might take over the assets and business of the said Provincial Company; and whereas the said Provincial Company duly executed a certain indenture dated the 28th day of February, 1903, subject to the validating thereof by the Legislative Assembly of the Province of Ontario (of which indenture a true copy is set out in the schedule to this Act) whereby the said Provincial Company provisionally granted, assigned, transferred and set over unto the said Dominion Company, its successors and assigns, all the assets, rights, credits, effects, and property, real, personal, and mixed, of whatsoever kind, and wheresoever situate, belonging to the Provincial Company, or to which it was, or might be, or become entitled; and whereas the said Dominion Company similarly executed the said indenture, and therein covenanted and agreed with the said Provincial Company, its successors and assigns to pay, discharge, carry out, and perform all the debts, liabilities, obligations, contracts and duties for or in respect of which the Provincial Company was then or might thereafter become liable to pay, discharge, carry out, or perform, and therein further covenanted and agreed to indemnify and save harmless the said Provincial Company in respect thereof; and whereas the said Provincial Company has prayed that the said indenture shall be validated and confirmed, and that all the property and assets of the said Provincial Company shall be vested in the said Dominion Company; 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:—

Indenture confirmed.

1. The said indenture bearing date the 28th day of February 1903 (a copy of which is set out in the schedule to this Act) is hereby validated and confirmed as from the passing of this Act, and shall ~~as~~ from the passing hereof ~~to~~ have the effect of granting, assigning, transferring and setting over unto the said Dominion Company, its successors and assigns, to its and their own use absolutely all the assets, interests, rights, credits, effects, and property, real, personal, and mixed, of whatsoever kind and wheresoever situate, of or belonging to the said Provincial Company or to which the said Provincial Company is or shall hereafter be or become entitled.

Assets of Provincial Company vested in Dominion Company.

2. ~~On~~ On and from the passing of this Act ~~all~~ all the assets, interests, rights, credits, effects, and property, real, personal, and mixed, of whatsoever kind and wheresoever situate, belonging to the said Provincial Company, or to which it is or may be or become entitled, shall be, and the same are hereby transferred to and vested in the said Dominion Company, its successors and assigns, to its and their own use absolutely for all the estate, right, title, interest, claims, properties, and demands which the said Provincial Company had or was entitled to have at the date of the passing of this Act, or to which the said Provincial Company may hereafter at any time be or become entitled, and the said Dominion Company shall have and is hereby empowered to exercise all the powers, rights, and privileges in relation to the said assets, interests, rights, credits, effects, and property, real, personal, and mixed, of whatsoever kind and wheresoever situate, as the said Provincial Company had or might have had, and no suit, action, or proceeding being carried on or power being exercised shall be discontinued or abated by or on account of this Act, but the same may be continued in the name of the said Provincial Company, and the said Dominion Company shall have the same rights and remedies, and be subject to the same liabilities and duties, and shall pay and receive the like costs as if the suits, actions, or proceedings had been commenced or defended in the name of the said Dominion Company.

Dominion Company to be registered. Rev. Stat., Chap. 205.

3. The said Dominion Company shall by virtue hereof upon due application be admissible to registry under the *Loan Corporations Act* on the loan companies register for the unexpired portion of the then current registry year, and the said Provincial Company shall as from the registration of the said Dominion Company cease to do business and cease to be registered under the said Act.

Rights of creditors not impaired.

4. Nothing in this Act shall impair or affect the rights of any creditor of the said Provincial Company or of the said Dominion Company, and any person having any claim, demand, right, cause of action or complaint against the said Provincial Company or to whom the said Provincial Company is under any liability, obligation, contract or duty, shall have the same

rights and powers with respect thereto and to the collection and enforcement thereof from and against the said Dominion Company, its directors and shareholders as such person has against the said Provincial Company, its directors and shareholders. Provided that all duties and obligations entered upon or undertaken after the passing of this Act shall be deemed to be duties and obligations of the said Dominion Company and not of the said Provincial Company. Provisio. Provided, however, that all liability whatsoever upon or in respect of the unpaid portion of the partly paid up shares of the capital stock of the said Provincial Company shall by mere effluxion of time be reduced by five equal annual amounts at the end of one, two, three, four and five years respectively from the 31st day of December, 1903, so that at the end of the said fifth year all liability whatsoever upon or in respect of the unpaid portion of said partly paid-up shares shall be absolutely extinguished; but no such annual reduction shall take effect unless and until such of the liabilities of the said Provincial Company as shall have matured, up to the time when application is made for such a certificate as is next hereinafter mentioned, shall have been discharged by the said Dominion Company and proof of the same given to the satisfaction of the Registrar of Loan Corporations, who shall *have authority* thereupon to issue his certificate to the effect that all liability whatsoever upon or in respect of the unpaid portion of the partly paid-up shares of the capital stock of the said Provincial Company has been reduced or extinguished (as the case may be) as set forth in his certificate, and his certificate shall be final and conclusive as to the matter certified to therein.

5. For the purposes of *The Land Titles Act* or of registration under *The Registry Act* or of *The Bills of Sale and Chattel Mortgage Act* or any other Act of this Province it shall be sufficient, in order to show the transmission of title from the Provincial Company to the Dominion Company, if any instrument affecting lands or interests in lands or personal property or interests in personal property included or intended to be included in the indenture set out in the schedule to this Act recite or mention the title of this Act and the Chapter and Statute year in which this Act was passed.

Registration
of Instruments
Rev. Stat.
c. 138.
R. v. Stat.
c. 136
Rev. Stat.
c. 148

SCHEDULE.

This Indenture made in triplicate this 28th day of February, 1903, between The Elgin Loan and Savings Company, hereinafter called the Provincial Company, of the first part and The Elgin Loan and Savings Company, Limited, hereinafter called the Dominion Company, of the second part.

Whereas the said Provincial Company is a corporation duly incorporated under *The Building Societies' Act*, being chap. 164 of the Revised Statutes of Ontario, 1877, and stands registered under *The Loan Corporations Act* on the Loan Companies Register,

And whereas the said Dominion Company is a corporation duly incorporated by Letters Patent issued under *The Loan Companies Act of Canada, 1899*, being 62-63 Vict. chapter 41.

And whereas it is provided by the said Letters Patent that the said Dominion Company may take over the assets and business of the said Provincial Company ;

And whereas the terms and conditions upon which the said Dominion Company has agreed to take over the assets and business of the said Provincial Company are as hereinafter set forth ;

And whereas the said terms and conditions have been duly adopted by the board of directors of each of the said companies and have been approved, ratified and confirmed by a general meeting of the shareholders of each of the said companies ;

And whereas it is necessary that this indenture or conveyance and the transfer thereby purporting to be made should be validated 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 validation and confirmation hereof by the passing of an Act in that behalf by the Legislature of the Province of Ontario, this indenture shall *ipso facto* come into effect, and shall, as from the said passing, have the effect of granting, assigning, transferring and setting over unto the said Dominion Company, its successors and assigns, to its and their own use absolutely, all the assets, interests, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate, of or belonging to the said Provincial Company, or to which the said Provincial Company is or shall hereafter be or become entitled.

ARTICLE 2.

On and from the passing of the said Act, all the assets, interests, rights, credits, effects and property, real, personal and mixed of whatsoever kind, and wheresoever situate, belonging to the said Provincial Company, or to which it is or may be or become entitled shall be transferred to and vested in the said Dominion Company, its successors and assigns, to its and their own use absolutely, for all the assets, rights, title, interests, claims, properties and demands which the said Provincial Company has, or is entitled to, or to which the said Provincial Company may hereafter at any time be or become entitled, and the said Dominion Company shall be entitled to exercise all the powers, rights, and privileges in relation to the said assets, interests, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate as the said Provincial Company has or might have.

ARTICLE 3.

No suit, action or proceeding by or against the said Provincial Company shall be discontinued or abated by or on account of the said grant, assignment and transfer, but shall continue as if this indenture had not been made, and the said Dominion 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 said Dominion Company.

ARTICLE 4.

On and from the passing of the said Act, the creditors of the said Provincial Company shall be to all intents and purposes creditors of the said Dominion Company, and shall have the same rights and remedies against the said Dominion Company as they would have had against the said Provincial Company had this indenture not been made, or the said Act had not been passed. The said Dominion Company hereby covenants

and agrees with the said Provincial Company, its successors and assigns to pay, discharge, carry out and perform all the debts, liabilities, obligations, contracts and duties for or in respect of which the said Provincial Company is or might hereafter become liable to pay, discharge, carry out and perform, and the said Dominion Company hereby further covenants and agrees with the said Provincial Company, its successors and assigns to indemnify and save harmless the said Provincial Company, its directors and shareholders or any of them, from every such debt, liability, obligation, contract and duty.

ARTICLE 5.

The consideration of the said grant, assignment and transfer shall be approximately the sum of \$237,036 86. The said consideration shall be paid and satisfied by the issue to the individual shareholders of the said Provincial Company of the capital stock of the said Dominion Company (being \$12,500 divided into 12,500 shares of the par value of \$25 each) as follows:—One fully paid-up share of the capital stock of the said Dominion Company shall be issued as aforesaid for each share of the capital stock of the said Provincial Company now held by any shareholder of the said Provincial Company, upon which share the sum of \$25 has been paid to the said Provincial Company, and, in case of shares of the capital stock in the said Provincial Company upon which a less amount than \$25 per share has been paid to the said Provincial Company, there shall be issued to the holder of such last mentioned share the same number of partly paid shares of the capital stock of the said Dominion Company, upon which there shall be credited per share the full amount paid by such shareholder to the said Provincial Company, and such shareholder shall be liable to pay to the said Dominion Company after calls duly made by the said Dominion Company upon such partly paid shares, the difference between the amount so credited on each partly paid share and the par value of such share. Provided that no single call upon such partly paid shares of the capital stock of the said Dominion Company shall exceed ten per cent of the par value thereof, and that six months at least shall elapse between any two successive calls

ARTICLE 6.

The said Provincial Company shall from the registration of the said Dominion Company under *The Loan Corporations' Act* of Ontario cease to do business.

ARTICLE 7.

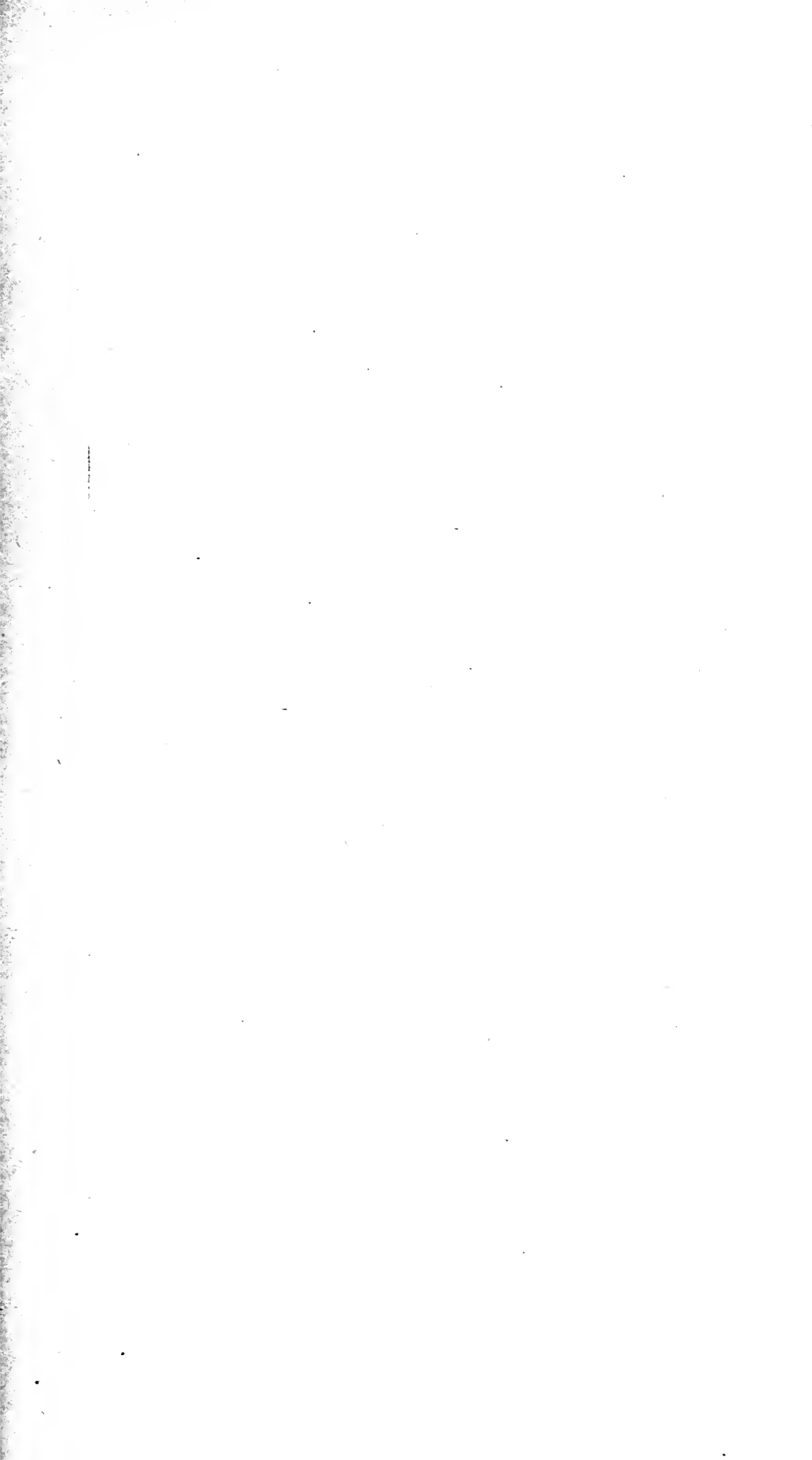
A duplicate original of this indenture, together with a schedule of the shareholders of the said Dominion Company, showing the name and address of each of the said shareholders and the amount of the capital stock of the said Dominion Company held by each and the amount credited thereon pursuant to Article 5 of this indenture, shall be filed by the said Dominion Company in the office of the Registrar of Loan Corporations for the Province of Ontario forthwith after the passing of the Act validating and confirming this indenture.

In witness whereof the said Provincial Company and the said Dominion Company have hereunto affixed their respective corporate seals by the hands of their proper officers.

Signed, sealed and delivered
in the presence of
(Sgd.) KATIE COLEMAN.

{ (Sgd.) JNO. BAIRD,
President. [Seal]
(Sgd.) GEO. ROWLEY,
Manager.

(Sgd.) JNO. BAIRD,
President. [Seal.]
(Sgd.) GEO. ROWLEY,
Manager.



1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting The Elgin Loan and
Savings Company.

First Reading, 28th April, 1903.

(Private Bill.)

(Reprinted as amended by Private Bills
Committee.)

Mr. PATTULLO.

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 Town of Sault Ste. Marie, in the District of Algoma, has a population of 7,196, as shewn by the last census of the Dominion of Canada; and whereas the mayor and six councillors of the said town are elected by a general vote; and whereas the council of said town has by petition prayed that the said town be divided into four wards, and that the mayor of the said town be elected by general vote and two councillors elected for each of the said wards; and whereas the said council has by petition further 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 and collectors' rolls in the said town are alleged to have taken place, and that in consequence thereof 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 whereas the said council has by petition further represented that a high school has recently been established in the said town and trustees thereof duly appointed, and that doubts have been expressed as to the power of the said council to establish such high school or appoint such trustees under *The High Schools Act*, and has prayed that the establishment of such high school and the appointment of such trustees be validated and confirmed; and whereas it is expedient to grant the prayers 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 town of Sault Ste. Marie shall be and is hereby divided into four wards to be called, respectively, the First, Second, Third and Fourth wards.
 2. The said wards shall be respectively composed of these portions of the said town lying within the following defined boundaries, which said boundaries shall be the respective boundaries of the said wards:

Preamble.

Rev. Stat.
c. 224.Rev. Stat.
c. 293.Town divided
into wards.

Boundaries.

The First ward shall be bounded on the north by the northerly limit of the said town; on the east by the easterly limit of the said town; on the south by the St. Mary's River; and on the west by Pim street and the Great Northern Road;

The Second ward shall be bounded on the north by the northerly limit of said town; on the east by Pim street and the Great Northern Road; on the south by the St. Mary's River; and on the west by Spring street, Spring street produced northerly to the intersection of Borron avenue with Fauquier avenue, Fauquier avenue from its intersection with 10 Borron avenue to MacDonald street, MacDonald street from Fauquier avenue to Gladstone avenue, and Gladstone avenue from its intersection with MacDonald street to the northerly limit of said town;

The Third ward shall be bounded on the north by the 15 northerly limit of the said town; on the east by Spring street, Spring street produced northerly to the intersection of Borron avenue with Fauquier avenue, Fauquier avenue from its intersection with Borron avenue to MacDonald street, Mac- 20 Donald street from Fauquier avenue to Gladstone avenue, and Gladstone avenue from its intersection with MacDonald street to the northerly limit of said town; on the south by the St. Mary's River; and on the west by Denis street, Denis street produced to Wilson street, and Wilson street from its inter- 25 section with Denis street produced to the northerly limit of the said town.

The Fourth ward shall be bounded on the north by the northerly limits of said town; on the east by Denis street, Denis street produced to Wilson street, and Wilson street from its intersection with Denis street produced to the 30 northerly limit of the said town; on the south by St. Mary's River; on the west by the westerly limits of the said town.

Councillors.

3. Two councillors shall be annually elected for each of the said wards, but the Mayor shall be elected by a general vote.

Council may re-arrange wards.

4. The said council may at any time before the 1st day of 35 July in any year after the current year submit a by-law to the ratepayers for increasing the number of or for re-arranging the said wards.

Assessment collectors roll validated.

5. All assessment rolls of the said town heretofore finally revised, and all collectors' rolls of the said town heretofore 40 returned by the collectors thereof are hereby validated and confirmed, notwithstanding anything to the contrary in *The Consolidated Assessment Act, 1892*, or in *The Assessment Act* contained, and notwithstanding any failure to comply with the provisions of the said Acts or of either of them. 45

Tax sales confirmed.

6. All sales of lands within the said town had before the 1st of January, 1902, 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 roll 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, declaration, affirmation 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 arrears 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.

7. The high school in the Town of Sault Ste. Marie is hereby declared to be legally established, and the appointment of the trustees thereof by the council of the corporation of the said town is hereby validated, ratified and confirmed; and the powers relating to high schools, and the appointment of high school trustees conferred upon the councils of separated towns under *The Municipal Act*, are hereby conferred upon the Municipal Council of the Corporation of the Town of Sault Ste. Marie.

8. The District Judge of the District of Algoma shall have all the powers of a County Judge under *The High Schools Act* in all matters relating to or concerning high schools in the Town of Sault Ste. Marie.

9. Nothing herein shall affect pending litigation.

Rev. Stat.
c. 224.

High school.

Rev. Stat.
c. 223.

Power
conferred on
District
Judge.
Rev. Stat.
c. 293.

Pending
litigation.

No. 66

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL
An Act respecting the Town of Sault Ste.
Marie.

First Reading, _____, 1903.

Private Bill.)

Mr. CONNÉE.

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 Town of Sault Ste. Marie, in the District of Algoma, has a population of 7,196, as shewn by the last census of the Dominion of Canada; and whereas the council of the said town has by petition represented that the mayor and six councillors of the said town are now elected by a general vote, and that it is desirable that the said town should be divided into wards and that the mayor of the said town should be elected by general vote and two councillors elected for each of the said wards; and whereas the said council has by petition further 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 and collectors' rolls in the said town are alleged to have taken place, and that in consequence thereof 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 whereas the said council has by petition further represented that a high school has recently been established in the said town and trustees thereof duly appointed, and that doubts have been expressed as to the power of the said council to establish such high school or appoint such trustees under *The High Schools Act*, and has prayed that the establishment of such high school and the appointment of such trustees be validated and confirmed; and whereas it is expedient to grant to the said council power to submit a by-law to the electors dividing the said town into wards and providing for the election of mayor and councillors as aforesaid and otherwise to grant the prayer of the said petition;

Preamble.

Rev. Stat.
c. 224.Rev. Stat.
c. 293.

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

1. The Council of the Municipality of the Town of Sault Ste. Marie may at any time before the first day of July in any year, after the passing of this Act, submit a by-law or by-laws to the electors of the said town, dividing the said town into wards, and defining the limits or boundaries of such wards respectively, or increasing the number of wards, or altering any division of the said town into wards previously made.

Council
empowered to
submit by-law
increasing
number of
wards.

Two coun-
cillors for
each ward.

2. From and after the final passing of any such by-law and at the next municipal election, and at succeeding municipal elections, two councillors shall be elected for each of such wards, but the mayor shall be elected by a general vote.

Assessment
collectors roll
validated.

3. All assessment rolls of the said town heretofore finally revised, and all collectors' rolls of the said town heretofore returned by the collectors thereof are hereby validated and confirmed, notwithstanding anything to the contrary in *The Consolidated Assessment Act, 1892*, or in *The Assessment Act* contained, and notwithstanding any failure to comply with the provisions of the said Acts or of either of them.

Tax sales
confirmed.

4. All sales of lauds within the said town had before the 1st of January, 1901, 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 roll 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, declaration, affirmation 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 arrears 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.

High school.

5. The high school in the Town of Sault Ste. Marie is hereby declared to be legally established, and the appointment of the trustees thereof by the council of the corporation of the said town is hereby validated, ratified and confirmed; and the powers relating to high schools, and the appointment of high school trustees conferred upon the councils of separated towns under *The Municipal Act*, are hereby conferred upon the Municipal Council of the Corporation of the Town of Sault Ste. Marie.

Rev. Stat.
c. 223.

Power
conferred on
District
Judge.
Rev. Stat.
c. 293.

6. The District Judge of the District of Algoma shall have all the powers of a County Judge under *The High Schools Act* in all matters relating to or concerning high schools in the Town of Sault Ste. Marie.

Pending
litigation.

7. Nothing herein shall affect pending litigation.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL

An Act respecting the Town of Sault Ste.
Marie.

First Reading, 28th April, 1903.

(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 to incorporate the Loboro Railway Company.

WHEREAS, James Gillies of the Town of Carleton Place ^{Preamble} in the County of Lanark, lumberman, John Gillies of the Township of McNab, in the County of Renfrew, manufacturer, John S. Gillies of the said Township of McNab, bookkeeper, and A. E. DeRenzy of the said Township of McNab, ⁵ bookkeeper, and Allen McLellan of the City of Ottawa in the County of Carleton, expert miner, have by their petition prayed for incorporation under the name of The Loboro Railway Company for the purpose of constructing a line of rail- ¹⁰ way, between a point on Loughborough Lake in the County of Frontenac, where said lake is crossed by the public highway leading from Perth to Kingston, running along the north westerly shore of said lake and some point on the line of the Kingston and Pembroke railway; and whereas it is expedient ¹⁵ 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:—

²⁰ **1.** The said James Gillies, John Gillies, John S. Gillies, A. E. ^{Incorporation.} DeRenzy, and Allen McLellan 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 Loboro Railway Company hereinafter called "The Company."

²⁵ **2.** The Company is hereby authorized and empowered to ^{Location of Line.} survey, lay out, construct, complete, equip, maintain and operate a steam railway with double or single iron or steel tracks, from a point at or near the line of the Kingston and Pembroke Railway Company, in the Township of Kingston, ³⁰ in the County of Frontenac, thence north easterly along the north westerly shore of Loughborough Lake to a point thereon at or near Loughbrough Bridge where said lake is crossed by the public highway leading from Perth to Kingston.

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

Provisional
directors.

4. From and after the passing of this Act, the said James Gillies, John Gillies, John S. Gillies, A. E. DeRenzy and Allen McLellan, with power to add to their number, shall be and are hereby constituted a board of provisional directors of the Company, of whom a majority shall be a quorum, and shall hold office as such until the first election of directors under this Act. 5

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 'o their stock, and to sue for and recover the same; and to cause plans and surveys to be made, and to receive for the Company any grant, loan, bonus or gift made to it, or in aid of the undertaking, and to enter into any agreement respecting the conditions or disposition of any gift or bonus in aid of the railway; and with all such other powers as under *The Railway Act of Ontario*, are vested in ordinary directors. The said directors, or a majority of them, or the board of directors to be elected as hereinafter mentioned, may in their discretion, exclude any one from subscribing for stock, who, in their judgment, would hinder, delay or prevent the Company from proceeding with and completing their undertaking under the provisions of this Act; and if at any time a portion or more than the whole stock shall have been subscribed, the said provisional directors, or board of directors shall allocate and apportion it amongst the subscribers as they shall deem most advantageous and conducive to the furtherance of the undertaking; and in such allocation the said directors may, in their discretion, exclude any one or more of the said subscribers, if, in their judgment, such exclusion will best secure the building of the said railway; and all meetings of the provisional board of directors shall be held at the City of Ottawa, in the County of Carleton, or at such other place as may best suit the interests of the Company. 25 30 35

Rev. Stat.
c. 207.

Conveyances
of land—
what suf-
ficient.

6. Conveyances of land to the Company for the purposes of and powers given by this Act, made in the form set forth in Schedule A hereunder written, or to the like effect, shall be sufficient conveyance to the Company, their successors and assigns, of the estate or interest therein mentioned and sufficient bar of dower, respectively, of all persons executing the same; and such conveyances shall be registered in 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. 40 45

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.

Subscription
for stock,
when bind-
ing.

8. The Company may receive from any Government or from any persons or body 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.

9. The capital stock of the Company hereby incorporated shall be \$50,000 (with power to increase the same in the manner provided by *The Railway Act of Ontario*), to be divided into 500 shares of \$100 each and shall be raised by the persons and corporations who may become shareholders in the Company; and the money so raised shall be applied, in the first place, to the payment of all fees, expenses and disbursements of, and incidental to, the passing of this Act, and for making the surveys, plans and estimates connected with the works hereby authorized; and the remainder of said money shall be applied to the making, equipping, completing and maintaining of the said railway, and to the other purposes of this Act.

Capital stock.

R. v. Stat.
c. 207.

10. When and as soon as shares to the amount of \$5,000 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 City of Ottawa, of the time, place and purpose of the said meeting.

First general
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 them, shall choose not less than three nor more than five persons to be directors of the Company in manner and qualified as hereinafter mentioned, who shall constitute a board of directors and shall hold office until the next annual general meeting, and a majority of whom shall form a quorum of the board, and may pass such rules, regulations and by-laws as may be deemed expedient, provided they be not inconsistent with this Act and *The Railway Act of Ontario*.

Election of
directors.

Rev. Stat.
c. 207.

Qualification
of directors.

12. No person shall be qualified to be a director 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.

Rev. Stat.
c 207.

13. The Company is hereby authorized and empowered to take and make the surveys and levels of the lands through 5 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 10 Railway Act of Ontario* and the amendments thereto with respect to plans and surveys, by sections or portions less than the length of the whole railway authorized, of such length as the Company may from time to time see fit, so that no one of such sections or portions shall be less than two 15 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 20 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 25 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." 30

Rights of
shareholders.

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 35 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 40 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 45 and 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 pro-

motors 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 said City of Ottawa, and the general annual meeting of the shareholders of the Company shall be held in such place in the said City of Ottawa on such days and at such hours as may be directed by the by-laws of the Company; and public notice thereof shall be given at least four weeks previously in *The Ontario Gazette*, and once a week in one newspaper published in the said City of Ottawa during the four weeks immediately preceding the week in which such meeting is to take place.

Head office;
general annual
meeting.

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 gen-
eral meetings.

19. Every holder of one or more shares of the said capital stock shall at any general meeting of the shareholders be entitled to one vote for every share so held, and at all meetings of the Company the shareholders thereof may vote by proxy, and the proxy may be appointed in such manner and by such means as the by laws of the Company may provide; but no person shall be qualified to be so appointed who is not himself a shareholder of the Company.

Votes.

Proxies.

20. At all meetings of the shareholders of the Company the stock held by such corporations as may be legally entitled to invest in the stock of the Company may be represented by such persons as they shall respectively have appointed in that behalf by resolution under the seal of the corporation, and such persons shall at such meetings be entitled equally with the other shareholders to vote by proxy; and no shareholder shall be entitled to vote on any matter whatever unless all calls due on the stock held by such shareholder shall have been paid up at least one week before the day appointed for such meeting.

Corporations
to vote by
proxy.

21. Any meeting of the provisional or elected directors of the Company regularly summoned at which at least a majority are present, shall be competent and entitled to exercise and use all and every of the powers hereby vested in the said directors; and the said board may employ and pay one of their number as managing director.

Managing
Director.

22. The directors of the Company shall have power to issue bonds of the Company for the purpose of raising money

Issue of bonds

Rev. Stat.
c. 207.

for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all the sum of \$10,000 for each mile of the said railway, and the provisions of sub-sections (19), (20), (21), (22) and (23) of section 9, of *The Railway Act of Ontario* shall apply to all such bonds and the issue thereof, and such bonds shall be issued subject and according to, and in conformity with the provisions of the said sub-sections. 5

Negotiable
instruments.

23. The Company shall have power and authority to become parties to promissory notes and bills of exchange for 10 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 15 every such promissory note or bill of exchange 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 20 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 25 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.

Provisc.

Mortgage of
bonds.

24. The Company may from time to time, for advances of money to be made thereon, mortgage or pledge any bonds 30 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.

25. It shall be lawful for the directors of the Company to enter into an agreement or agreements with any other com- 35 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 com- 40 panies, 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. 45

Telegraph and
telephone
lines.

26. The Company may also construct an electric telegraph and a telephone line in connection with their railway; and, for the purpose of constructing, working and protecting the said

telegraph and telephone line, 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
 5 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 exclu-
 10 sively for the purpose of the business of the Company.

27. 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
 15 within such municipality, either in the 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 corpora-
 20 tion, 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.

28. Any municipality through which the said railway may
 25 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
 30 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.

29. Whenever it shall be necessary, for the purpose of pro-
 35 curing sufficient lands for stations or gravel pits, or for constructing, maintaining and using the said railway, and in case, by purchasing the whole or any lot or parcel of land over which the railway is to run, the Company can obtain the same at a more reasonable price or to greater advantage than by
 40 purchasing the railway line only, the Company may purchase, hold, use and enjoy such lands, and also the right of way thereto if the same be separated from their railway, and may sell and convey the same, or part thereof from time to time as they may deem expedient; but the compulsory clauses of
 45 *The Railway Act of Ontario* shall not apply to this section.

30. 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

Proviso.

Councils may exempt from taxation.

Gift of lands.

Power to purchase whole lcts.

Rev. Stat., c 207.

Acquiring materials for construction.

Rev. Stat.,
c. 207.

with the owner of the lands on which the same are situate for the purchase thereof, cause an Ontario Land Surveyor to make a map and description of the property so required, and they shall serve a copy thereof, with their notice of arbitration, as in case of acquiring the roadway, and the notice of arbitration, the award and the tender of compensation, shall have the same effect as in case of arbitration for the roadway; and all the provisions of *The Railway Act of Ontario*, and of this Act, as to the service of the said notice, arbitration, compensation, deeds, payment of money into Court, the right to sell, the right to convey, and the parties from whom land may be taken or who may sell, shall apply to the subject matter of this section, as to the obtaining materials as aforesaid; and such proceedings may be had by the Company either for the right to the fee simple in the land from which said materials shall be taken, 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.

31.—(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 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 publications of notices shall apply and may be used and exercised to obtain the right of way from the railway to the land on which the 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 and sand, sub-section (9) of section 20 of *The Railway Act of Ontario* shall not apply.

Incidental
powers, ware-
houses, docks,
etc.

32. 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, freight and other traffic in connection with the railway, on Loughborough Lake and other lakes on the line of the said railway.

Snow fences.

33. 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 5 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.

10 **34.** The Company shall have power to agree for connections and making running arrangements with the Kingston and Pembroke Railway Company or 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 15 shareholders at a special general meeting to be held for that purpose; and it shall also be lawful for the Company to enter into an agreement with the said railway companies, if lawfully authorized to enter into such an agreement, for the sale or leasing or hiring of the whole or any portion of the railway 20 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 25 approved of by two-thirds in value of the shareholders voting in person or by proxy at a special general meeting to be called for that purpose, and every such agreement shall be valid and binding according to the terms and tenor thereof, and the Company purchasing, leasing or entering into such agreement 30 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 35 the Province of Ontario.

Agreements
with other
companies.

35. 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 40 are surrendered to the Company, or the surrender thereof dispensed with by the Company.

Transfer of
shares.

36. The Company shall have power to collect and receive all charges subject to which goods or commodities may come into their possession, and on payment of such back charges, 45 and without any formal transfer, shall have the same lien for the amount thereof upon such goods 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.

Power to
collect back
charges, etc.

Rev. Stat. o.
207.
What section
to apply.

37. The several clauses of *The Railway Act of Ontario* and 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 "the 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

Time for com-
mencement
and
completion.

38. The railway shall be commenced within three years and finally completed within five years of the passing of this Act. 10

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 Loboro Railway Company, the receipt whereof is hereby acknowledged, do grant and convey unto the said Company, and I (or we) (*insert the name 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 Loboro 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 three.

Signed, Sealed and Delivered, }
In the presence of }

An Act respecting the Town of Oakville.

WHEREAS the Municipal Council of the Town of Oakville ^{Preamble.} has by Petition represented that there is a deficiency of \$5,234.73 in the sinking fund provided for the payment of the current debentures of the Municipality of the Town of Oakville, and that it will be necessary to place that amount to the credit thereof in addition to the amount at present standing to the credit of the said sinking fund in order to pay the current debentures of the said municipality at maturity, and has further represented that there is also an outstanding floating indebtedness of \$10,311 arising from the defalcation of the late Treasurer of the said municipality and otherwise; and that the said municipality is unable to pay the said amounts otherwise than by the issue of debentures of the said municipality of sufficient amount to raise the sum of \$15,500; and that it is desirable for such purpose to issue debentures of the said municipality to the amount of \$23,831.60 payable in equal annual amounts of \$1,191.58 in each year for a period of twenty years from the issue thereof; and whereas the Municipal Council of the said town has petitioned praying that an Act be passed to confirm and legalize a by-law of the municipality to authorize the Municipal Corporation to issue debentures to the amount of \$23,831.60 for the purposes aforesaid; 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 No. 298 of the Municipal Corporation of the Town of Oakville set forth in the Schedule to this Act and the debentures which may be issued under or in pursuance of the provisions of the said by-law are hereby ratified and confirmed and declared legal, valid and binding upon the said municipal corporation and the ratepayers thereof, notwithstanding any want of jurisdiction on the part of the said municipality to pass the said by-law or to issue the said debentures and notwithstanding any defect in substance or in form of the said by-law or debentures or in the manner of passing or issuing the same; and the corporation of the Town of Oakville is hereby authorized and empowered to issue ^{By-law No. 279 ratified.}

debentures as authorized by the said by-law; and the said debentures so issued under the said by-law are hereby declared legal and binding upon the said municipality; and the said corporation is hereby authorized and empowered to do all acts and things necessary for the full and proper carrying out of the said By-law No. 298.

SCHEDULE.

BY-LAW NUMBER 298 OF THE MUNICIPAL CORPORATION OF THE TOWN OF OAKVILLE.

A By law to authorize the Municipal Corporation of the Town of Oakville, to issue debentures to the amount of \$23,831.60 for the purpose of making up the deficiency in the sinking fund of the said Municipality, and for the purpose of wiping off the present floating indebtedness thereof.

Whereas there is a deficiency of \$5,234.73 in the sinking fund of the said Municipality;

And whereas the said municipality is indebted to the Board of Education for the Town of Oakville in the sum of \$3,086.00 levied by the said municipality for the said Board of Education in the year 1902, but not paid over to it;

And whereas the said Municipality is indebted to the Separate School Board for the Town of Oakville in the sum of \$200 levied by the said Municipality for the Separate School Board in the year 1902 but not paid over to it;

And whereas there is due to the County of Halton for the County rate levied by the said Municipality in the year 1902, but not paid over to the said County, the sum of \$500;

And whereas there is due and owing the Merchants Bank of Canada the sum of \$5,025 00 on account of money borrowed by the said Municipality from the said Merchants Bank for current expenses pending the collection of taxes during the year 1902;

And whereas there are other outstanding liabilities of the said Municipality incurred in and during the year 1902 exceeding the sum of \$1500.00;

And whereas the creditors of the said Municipality are pressing for payment of their debts by the said Municipality;

And whereas the said Municipality is altogether unable at the present time to raise by way of levy of taxes the amount required to pay the said debts and provide for the deficiency in the sinking fund in addition to meeting the ordinary necessary expenses thereof;

And whereas it will require the sum of \$15,500 to provide for the said deficiency in the sinking fund and to pay the said debts of the said Municipality;

And whereas it is desired to raise the said amount of \$15,500 by the issue of debentures of the said Municipality and to spread the repayment thereof over a period of twenty years;

And whereas in order to raise the said sum of \$15,500 it will be necessary to issue debentures of the said Municipality for the sum of \$23,831.60 as hereinafter provided, which is the amount of the debt intended to be created hereby the proceeds of the said debentures to be applied to the purpose aforesaid and to no other;

And whereas it is desirable to issue the said debentures at one time and to make the principal of the said debt repayable by yearly sums during the period of twenty years being the currency of the said debentures; and the said yearly sums being of such respective amounts that the aggregate amount payable in each year for principal and interest in respect of said debt shall be as nearly as possible equal to the amount so payable in each of the other nineteen years of the said period of twenty years;

And whereas the total amount required by *The Municipal Act* to be raised annually by special rate for paying the said debt and interest as hereinafter provided is \$1,191.58;

And whereas the whole amount of the whole rateable property of the Town of Oakville, according to the last revised assessment roll thereof, is the sum of \$449,327.00;

And whereas the amount of the existing debenture debt of the said Municipality of the Town of Oakville is \$28,188.80 whereof no part of either principal or interest is in arrears;

Therefore the Municipal Council of the Town of Oakville enacts as follows :

1. That for the purpose of raising the said sum of \$15,500 debentures of the said Town of Oakville, amounting to the sum of \$23,831.60, as aforesaid, in sums of \$1,191.58 each, shall be issued on the 15th day of May, A.D. 1903, payable one each on the 15th day of May in each of the years A.D. 1904 to A.D. 1923, inclusive, at the office of the Treasurer of the Town of Oakville, without interest, the interest on the said loan calculated at the rate of four and one-half per centum per annum being already included in the amount of the said debentures.

2. It shall be lawful for the Mayor of the said Municipality, and he is hereby authorized and instructed to sign and issue the said debentures hereby authorized to be issued, and to cause the same to be signed by the Treasurer of the said Municipality, and the Clerk of the said Municipality is hereby authorized and instructed to attach the seal of the said Municipality to the said debentures.

3. That during the currency of the said debentures there shall be raised annually by special rate on all the rateable property in the Town of Oakville the sum of \$1,191.58 for the purpose of paying the amount due in each of the said years for principal and interest in respect of the said debt.

4. This by-law shall not come into force or be of any effect whatsoever until after the Municipal Council of the Town of Oakville shall have been empowered and authorized to pass the same and until the said by-law shall have been declared valid and binding upon the said Municipality by an Act of the Legislative Assembly of the Province of Ontario.

5. Subject to the provisions of the fourth paragraph hereof this by-law shall take effect, on from and after the day upon which any Act of the said Legislative Assembly declaring this by-law valid and binding upon the said Municipality shall come into force.

Dated this 9th day of March A.D. 1903.

Mayor
Clerk

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Town of Oakville.

First Reading, _____, 1903.

(Private Bill.)

Mr. BARBER.

TORONTO :

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

An Act respecting the Town of Oakville.

WHEREAS the Municipal Council of the Town of Oakville ^{Preamble.} has by petition represented that there is a deficiency of \$5,234.73 in the sinking fund provided for the payment of the current debentures of the Municipality of the Town of Oakville, and that it will be necessary to place that amount to the credit thereof in addition to the amount at present standing to the credit of the said sinking fund in order to pay the current debentures of the said municipality at maturity, and has further represented that there is also an outstanding floating indebtedness of \$10,311 arising from the defalcation of the late treasurer of the said municipality and otherwise; and that the said municipality is unable to pay the said amounts otherwise than by the issue of debentures of the said municipality of sufficient amount to raise the sum of \$15,500; and that it is desirable for such purpose to issue debentures of the said municipality to the amount of \$23,831, payable in equal annual amounts of \$1,191.58 in each year for a period of twenty years from the issue thereof; and whereas the municipal council of the said town has petitioned praying that an Act be passed to confirm and legalize a by-law of the municipality to authorize the municipal corporation to issue debentures to the amount of \$23,831.60 for the purposes aforesaid; 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 No. 298 of the Municipal Corporation of the Town of Oakville set forth in the Schedule to this Act and the debentures which may be issued under or in pursuance of the provisions of the said by-law are ratified and confirmed and declared legal, valid and binding upon the said municipal corporation and the ratepayers thereof, notwithstanding any want of jurisdiction on the part of the said municipality to pass the said by-law or to issue the said debentures and notwithstanding any defect in substance or in form of the said by-law or debentures or in the manner of passing or issuing the same; and the Corporation of the Town of Oakville is authorized and empowered to issue ^{By-law No. 298 ratified.}

debentures as authorized by the said by-law; and the said debentures so issued under the said by-law are declared legal and binding upon the said municipality; and the said corporation is authorized and empowered to do all acts and things necessary for the full and proper carrying out of the said By-law No. 298.

SCHEDULE.

BY-LAW NUMBER 298 OF THE MUNICIPAL CORPORATION OF THE TOWN OF OAKVILLE,

A By law to authorize the Municipal Corporation of the Town of Oakville, to issue debentures to the amount of \$23,831.60 for the purpose of making up the deficiency in the sinking fund of the said Municipality, and for the purpose of wiping off the present floating indebtedness thereof.

Whereas there is a deficiency of \$5,234.73 in the sinking fund of the said Municipality;

And whereas the said municipality is indebted to the Board of Education for the Town of Oakville in the sum of \$3,086.00 levied by the said municipality for the said Board of Education in the year 1902, but not paid over to it;

And whereas the said Municipality is indebted to the Separate School Board for the Town of Oakville in the sum of \$200 levied by the said Municipality for the Separate School Board in the year 1902 but not paid over to it;

And whereas there is due to the County of Halton for the County rate levied by the said Municipality in the year 1902, but not paid over to the said County, the sum of \$500;

And whereas there is due and owing to the Merchants Bank of Canada the sum of \$5,025.00 on account of money borrowed by the said Municipality from the said Merchants Bank for current expenses pending the collection of taxes during the year 1902;

And whereas there are other outstanding liabilities of the said Municipality incurred in and during the year 1902 exceeding the sum of \$1500.00;

And whereas the creditors of the said Municipality are pressing for payment of their debts by the said Municipality;

And whereas the said Municipality is altogether unable at the present time to raise by way of levy of taxes the amount required to pay the said debts and provide for the deficiency in the sinking fund in addition to meeting the ordinary necessary expenses thereof;

And whereas it will require the sum of \$15,500 to provide for the said deficiency in the sinking fund and to pay the said debts of the said Municipality;

And whereas it is desired to raise the said amount of \$15,500 by the issue of debentures of the said Municipality and to spread the repayment thereof over a period of twenty years;

And whereas in order to raise the said sum of \$15,500 it will be necessary to issue debentures of the said Municipality for the sum of \$23,831.60 as hereinafter provided, which is the amount of the debt intended to be created hereby the proceeds of the said debentures to be applied to the purpose aforesaid and to no other;

And whereas it is desirable to issue the said debentures at one time and to make the principal of the said debt repayable by yearly sums during the period of twenty years being the currency of the said debentures; the said yearly sums being of such respective amounts that the aggregate amount payable in each year for principal and interest in respect of said debt shall be as nearly as possible equal to the amount so payable in each of the other nineteen years of the said period of twenty years;

And whereas the total amount required by *The Municipal Act* to be raised annually by special rate for paying the said debt and interest as hereinafter provided is \$1,191.58;

And whereas the whole amount of the whole rateable property of the Town of Oakville, according to the last revised assessment roll thereof, is the sum of \$449,327.00;

And whereas the amount of the existing debenture debt of the said Municipality of the Town of Oakville is \$28,188.80 whereof no part of either principal or interest is in arrears;

Therefore the Municipal Council of the Town of Oakville enacts as follows :

1. That for the purpose of raising the said sum of \$15,500 debentures of the said Town of Oakville, amounting to the sum of \$23,831.60, as aforesaid, in sums of \$1,191.58 each, shall be issued on the 15th day of May, A. D. 1903, payable one each on the 15th day of May in each of the years A. D. 1904 to A. D. 1923, inclusive, at the office of the Treasurer of the Town of Oakville, without interest, the interest on the said loan calculated at the rate of four and one-half per centum per annum being already included in the amount of the said debentures.

2. It shall be lawful for the Mayor of the said Municipality, and he is hereby authorized and instructed to sign and issue the said debentures hereby authorized to be issued, and to cause the same to be signed by the Treasurer of the said Municipality, and the Clerk of the said Municipality is hereby authorized and instructed to attach the seal of the said Municipality to the said debentures.

3. That during the currency of the said debentures there shall be raised annually by special rate on all the rateable property in the Town of Oakville the sum of \$1,191.58 for the purpose of paying the amount due in each of the said years for principal and interest in respect of the said debt.

4. This by law shall not come into force or be of any effect whatsoever until after the Municipal Council of the Town of Oakville shall have been empowered and authorized to pass the same and until the said by-law shall have been declared valid and binding upon the said Municipality by an Act of the Legislative Assembly of the Province of Ontario.

5. Subject to the provisions of the fourth paragraph hereof this by-law shall take effect, on from and after the day upon which any Act of the said Legislative Assembly declaring this by-law valid and binding upon the said Municipality shall come into force.

Dated this 9th day of March A. D. 1903.

 JOHN KELLEY,

Mayor

 W. E. DAVIS,

Clerk

1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act respecting the Town of Oakville.

First Reading, 7th May, 1903.

(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 respecting the Town of Oakville.

WHEREAS the Municipal Council of the Town of Oakville ^{Preamble.} has by petition represented that there is a deficiency of \$5,234 in the sinking fund provided for the payment of the current debentures of the Municipality of the Town of Oakville, and that it will be necessary to place that amount to the credit thereof in addition to the amount at present standing to the credit of the said sinking fund in order to pay the current debentures of the said municipality at maturity, and has further represented that there is also an outstanding floating indebtedness of \$10,311 arising from the defalcation of the late treasurer of the said municipality and otherwise; and that the said municipality is unable to pay the said amounts otherwise than by the issue of debentures of the said municipality of sufficient amount to raise the sum of \$15,500; and that it is desirable for such purpose to issue debentures of the said municipality to the amount of \$23,831, payable in equal annual amounts of \$1,191.58 in each year for a period of twenty years from the issue thereof; and whereas the municipal council of the said town has petitioned praying that an Act be passed to confirm and legalize a by-law of the municipality to authorize the municipal corporation to issue debentures to the amount of \$23,831.60 for the purposes aforesaid; 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 No. 298 of the Municipal Corporation of the Town of Oakville set forth in the Schedule to this Act and the debentures which may be issued under or in pursuance of the provisions of the said by-law are ratified and confirmed and declared legal, valid and binding upon the said municipal corporation and the ratepayers thereof, notwithstanding any want of jurisdiction on the part of the said municipality to pass the said by-law or to issue the said debentures and notwithstanding any defect in substance or in form of the said by-law or debentures or in the manner of passing or issuing the same: and the Corporation of the Town of Oakville is authorized and empowered to issue ^{By-law No. 298 ratified.}

debentures as authorized by the said by-law; and the said debentures so issued under the said by-law are declared legal and binding upon the said municipality; and the said corporation is authorized and empowered to do all acts and things necessary for the full and proper carrying out of the said By-law No. 298.

Debentures,
how to be
issued.

§ 2. Sufficient of the said debentures to be issued under the authority of the said by-law and of this Act to raise the sum of \$10,266 may be sold by the said municipal corporation forthwith after the passing of this Act, and the balance of the said debentures shall be deposited with the treasurer of the said town and shall only be sold when, and to the extent that it may become necessary from time to time to meet any deficit in the sinking fund for the repayment of debentures of the said municipal corporation now outstanding provided always that if, on any sale of debentures under the said by-law, any balance, less in amount than the proceeds of one of the said debentures, shall remain in hand after realizing the said sum of \$10,266, or after meeting the deficiency then existing in the said sinking fund, such balance shall be immediately deposited to the credit of the sinking fund of the said municipal corporation.

Application of
moneys that
may be
recovered in
respect of
defalcation of
late treasurer.

§ 3. In case any moneys are recovered by the said municipal corporation from the representatives of Thomas Howarth, late treasurer thereof, or from any surety or sureties for the said Thomas Howarth or as the result of the action now pending between the said municipal corporation and one George Andrew, wherein the said town is endeavoring to recover from the said George Andrew the amount of the said Thomas Howarth's indebtedness, or as the result of any other action or actions for the recovery of the amount due the said municipal corporation by the said Thomas Howarth, then in any such case the moneys so recovered shall, after deducting the costs, charges and disbursements of such recovery, immediately after receipt thereof by the said municipal corporation, be deposited to its credit in a special account and shall be used only for the redemption of the debentures now outstanding of the said municipal corporation or for the redemption of the debentures to be issued under and in pursuance of the said By-law No. 298 of the said municipal corporation and of this Act.

No levy to be
made under
By-law 298
until
necessary.

§ 4. After the recovery and receipt by the said municipal corporation of any portion or portions of the amount of the said indebtedness of the said Thomas Howarth to the said municipal corporation, and until the amount or amounts so recovered as aforesaid shall have been exhausted in payment of outstanding debentures or of the debentures to be issued under and in pursuance of said By-law No. 298 as aforesaid, no levy under the said by-law for the purpose of raising money to meet the said debentures issued under and in pursuance of the said By-law No. 298 shall be made.

SCHEDULE.

BY-LAW NUMBER 298 OF THE MUNICIPAL CORPORATION OF THE TOWN OF OAKVILLE.

A By law to authorize the Municipal Corporation of the Town of Oakville, to issue debentures to the amount of \$23,831.60 for the purpose of making up the deficiency in the sinking fund of the said Municipality, and for the purpose of wiping off the present floating indebtedness thereof.

Whereas there is a deficiency of \$5,234.73 in the sinking fund of the said Municipality;

And whereas the said municipality is indebted to the Board of Education for the Town of Oakville in the sum of \$3,086.00 levied by the said municipality for the said Board of Education in the year 1902, but not paid over to it;

And whereas the said Municipality is indebted to the Separate School Board for the Town of Oakville in the sum of \$200 levied by the said Municipality for the Separate School Board in the year 1902 but not paid over to it;

And whereas there is due to the County of Halton for the County rate levied by the said Municipality in the year 1902, but not paid over to the said County, the sum of \$500;

And whereas there is due and owing to the Merchants Bank of Canada the sum of \$5,025 00 on account of money borrowed by the said Municipality from the said Merchants Bank for current expenses pending the collection of taxes during the year 1902;

And whereas there are other outstanding liabilities of the said Municipality incurred in and during the year 1902 exceeding the sum of \$1500.00;

And whereas the creditors of the said Municipality are pressing for payment of their debts by the said Municipality;

And whereas the said Municipality is altogether unable at the present time to raise by way of levy of taxes the amount required to pay the said debts and provide for the deficiency in the sinking fund in addition to meeting the ordinary necessary expenses thereof;

And whereas it will require the sum of \$15,500 to provide for the said deficiency in the sinking fund and to pay the said debts of the said Municipality;

And whereas it is desired to raise the said amount of \$15,500 by the issue of debentures of the said Municipality and to spread the repayment thereof over a period of twenty years;

And whereas in order to raise the said sum of \$15,500 it will be necessary to issue debentures of the said Municipality for the sum of \$23,831.60 as hereinafter provided, which is the amount of the debt intended to be created hereby the proceeds of the said debentures to be applied to the purpose aforesaid and to no other;

And whereas it is desirable to issue the said debentures at one time and to make the principal of the said debt repayable by yearly sums during the period of twenty years being the currency of the said debentures; the said yearly sums being of such respective amounts that the aggregate amount payable in each year for principal and interest in respect of said debt shall be as nearly as possible equal to the amount so payable in each of the other nineteen years of the said period of twenty years;

And whereas the total amount required by *The Municipal Act* to be raised annually by special rate for paying the said debt and interest as hereinafter provided is \$1,191.58;

And whereas the whole amount of the whole rateable property of the Town of Oakville, according to the last revised assessment roll thereof, is the sum of \$449,327.00;

And whereas the amount of the existing debenture debt of the said Municipality of the Town of Oakville is \$28,188.80 whereof no part of either principal or interest is in arrears;

Therefore the Municipal Council of the Town of Oakville enacts as follows :

1. That for the purpose of raising the said sum of \$15,500 debentures of the said Town of Oakville, amounting to the sum of \$23,831.60, as aforesaid, in sums of \$1,191.58 each, shall be issued on the 15th day of May, A. D. 1903, payable one each on the 15th day of May in each of the years A. D. 1904 to A. D. 1923, inclusive, at the office of the Treasurer of the Town of Oakville, without interest, the interest on the said loan calculated at the rate of four and one-half per centum per annum being already included in the amount of the said debentures.

2. It shall be lawful for the Mayor of the said Municipality, and he is hereby authorized and instructed to sign and issue the said debentures hereby authorized to be issued, and to cause the same to be signed by the Treasurer of the said Municipality, and the Clerk of the said Municipality is hereby authorized and instructed to attach the seal of the said Municipality to the said debentures.

3. That during the currency of the said debentures there shall be raised annually by special rate on all the rateable property in the Town of Oakville the sum of \$1,191.58 for the purpose of paying the amount due in each of the said years for principal and interest in respect of the said debt.



4. This by-law shall not come into force or be of any effect whatsoever until after the Municipal Council of the Town of Oakville shall have been empowered and authorized to pass the same and until the said by-law shall have been declared valid and binding upon the said Municipality by an Act of the Legislative Assembly of the Province of Ontario.

5. Subject to the provisions of the fourth paragraph hereof this by-law shall take effect, on from and after the day upon which any Act of the said Legislative Assembly declaring this by-law valid and binding upon the said Municipality shall come into force.

Dated this 9th day of March A. D. 1903.

JOHN KELLEY, 

Mayor

 W. E. DAVIS, 

Clerk

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Town of Oakville.

First Reading, 7th May, 1903.

(Reprinted as again amended by Private
Bills Committee.)

Mr. BARBER.

TORONTO :

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

An Act respecting the Lindsay Public Library.

WHEREAS the Corporation of the Town of Lindsay, has by Preamble.
 petition, represented that Andrew Carnegie of the City
 of New York has offered the said Corporation \$10,000 for the
 erection of a free public library building, upon the condition
 5 that the said corporation will furnish a site therefor, and ex-
 pend annually a sum of not less than \$1,000 for the maintenance
 of the same, and that the said corporation has accepted the
 said offer and desires to use part of what is known as Market
 or Queen's square in the said town upon which to erect the
 10 said library building, and has prayed for authority to accept
 the said offer and to erect and maintain a library building in
 the said town and to use part of the said square for that pur-
 pose; 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. The Corporation of the town of Lindsay is authorized Agreement
with Mr.
Carnegie
authorized.
 and empowered to accept the offer of the said Andrew Car-
 20 negie of \$10,000, and of any additional sum that he may
 hereafter offer, for the erection of a free public library build-
 ing in the town of Lindsay, and to enter into such agreement
 with the said Andrew Carnegie for the furnishing of a free
 site for the same and for expending not less than \$1,000
 25 annually for the maintenance of the said library, as shall be
 approved of by the said Andrew Carnegie and the council of
 the said corporation.

2. The said corporation may set apart that portion of Library site.
 Market or Queen's square in the said town, owned by the said
 30 corporation, north of Kent street and east of Victoria avenue,
 for the purpose of erecting a public library building thereon,
 and such part so set apart may be used for public library
 purposes so long as required for that purpose.

3. The Lindsay Public Library Board is empowered to ex- Public
Library Board
empowered to
spend the gift.
 35 pend the said gift of the said Andrew Carnegie in the erec-
 tion upon the said portion of Market or Queen's square in the
 said town of Lindsay, such buildings as the said board may
 deem necessary for the purposes of a free public library and

Rev. Stat.
c. 232.

reading room and all other purposes authorized by *The Public Libraries Act*, and for that purpose may enter into all necessary contracts and agreements, so however that the total expenditure to be made for the said purposes shall not exceed the amount of the said gift. 5

Town shall
raise \$1,000 a
year.

4. The Municipal Council of the Corporation of the town of Lindsay, after payment over of the said sum of \$10,000 by the said Andrew Carnegie to the said library board, shall each year raise and levy the sum of \$1,000, by a special rate sufficient therefor, on all the rateable property in the town of Lindsay for the maintenance of the said free public library, and such levy shall be considered part of the public library rate referred to in section 14, sub-section 1 of *The Public Libraries Act*. 10

Rev. Stat.
c. 232.

Control of the
building.

5. The said public library building shall after erection be under the control and management of the Lindsay Public Library Board, or such other body or persons as may by law from time to time be given the control or management of the public library in the town of Lindsay. 15



1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.
An Act respecting the Lindsay Public
Library.

First Reading, , 1903.

(Private Bill.)

Mr. FOX.

TORONTO:

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

An Act respecting the Lindsay Public Library.

WHEREAS the Corporation of the Town of Lindsay, has by Preamble.
 petition, represented that Andrew Carnegie of the City
 of New York has offered the said corporation \$13,000 for the
 erection of a free public library building, upon the condition
 that the said corporation will furnish a site therefor, and exp-
 end annually a sum of not less than \$1,300 for the
 maintenance of the same, and that the said corporation has
 accepted the said offer and desires to use part of what is
 known as Market or Queen's square in the said town upon
 which to erect the said library building, and has prayed for
 authority to accept the said offer and to erect and maintain a
 library building in the said town and to use part of the said
 square for that purpose; 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 Corporation of the Town of Lindsay is authorized Agreement
with Mr.
Carnegie
authorized.
 and empowered to accept the offer of the said Andrew Car-
 negie of \$13,000 and of any additional sum that he may
 hereafter offer, for the erection of a free public library build-
 ing in the town of Lindsay, and to enter into such agreement
 not inconsistent with the terms of this Act, with the
 said Andrew Carnegie for the furnishing of a free site for
 the same and for expending not less than \$1,300 annually
 for the maintenance of the said library, as shall be approved
 of by the said Andrew Carnegie and the council of the said
 corporation.

2. The said corporation may set apart *such part of that* Library site.
 portion of Market or Queen's square in the said town, owned
 by the said corporation, north of Kent street and east of Vic-
 toria avenue as the council of the said corporation may
 deem advisable, for the purpose of erecting a public library
 building thereon, and such part so set apart may be used for
 public library purposes so long as required for that purpose.

3. The Lindsay Public Library Board is empowered to ex- Public
Library Board
empowered to
spend the gift.
 pend the said gift of the said Andrew Carnegie in the erec-

tion upon the said portion of Market or Queen's square in the said town of Lindsay *so set apart* such buildings as the said board may deem necessary for the purposes of a free public library and reading room and all other purposes authorized by *The Public Libraries Act*, and for that purpose may enter into all necessary contracts and agreements, so however that the total expenditure to be made for the said purposes shall not exceed the amount of the said gift.

Rev. Stat.
c. 232.

Town shall
raise \$1,000 a
year.

4. The municipal council of the *said* corporation, after payment over of the said sum of \$13,000 by the said Andrew Carnegie to the said library board, shall each year raise and levy the sum of ~~the~~ \$1,300, (less any revenue that may be received by way of government or municipal grants or from any other sources for the maintenance of the said Free Public Library), ~~and~~ by a special rate sufficient therefor, on all the rateable property in the town of Lindsay, for the maintenance of the said free public library, and such levy shall be considered part of the public library rate referred to in section 14, sub-section 1 of *The Public Libraries Act*.

Rev. Stat.
c. 232.

Control of the
building.

5. The said public library building shall after erection be under the control and management of the Lindsay Public Library Board, or such other body or persons as may by law from time to time be given the control or management of the public library in the town of Lindsay.

1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act respecting the Lindsay Public
Library.

First Reading, 24th April, 1903.

(Private Bill)

(Reprinted as amended by Private Bills
Committee.)

Mr. FOX.

TORONTO:

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

An Act respecting the City of Ottawa.

WHEREAS the Municipal Council of the Corporation of ^{Preamble.}
the City of Ottawa has by its petition set forth that,
owing to the growth of the said city, the police station therein
no longer affords sufficient accommodation, and that it is desir-
5 able that an extension thereto should be built at a cost not to
exceed \$10,000; that a system of main drainage for the said
city has been constructed but that the sums authorized to be
raised therefor have been found to be insufficient, and that a
further sum not exceeding \$20,000 will need to be raised to
10 complete the payment of the cost of the construction of the
same; that a hospital for the reception of persons afflicted
with the smallpox and other contagious diseases has recently
been established, erected and furnished in the said city at a
cost in the neighborhood of \$60,000, and that owing to the pre-
15 sent financial condition of the said city it would be a hardship
upon the ratepayers thereof to be compelled to repay the sum
necessary to be raised to provide for the payment of the cost
thereof within 10 years; that the sums authorized to be
raised for the purpose, amongst others, of extending the water
20 mains in the said city have proved insufficient therefor and
that a further sum not exceeding \$50,000 is required for the
completion of the said work; and has prayed that the said
Corporation may be authorized to borrow the said respective
sums for the said respective purposes by a special issue of
25 debentures payable within the times hereinafter mentioned;
and whereas the said Council has further shown that certain
debts and liabilities have been contracted in connection with
the holding of an annual exhibition in the said city and are
now outstanding, and has prayed that the said Corporation
30 may be authorized to borrow upon the security of Lansdowne
Park in the said city a sum not exceeding \$26,000 to be ap-
plied in payment of the same; and whereas the said council
has further shown that the sum of \$15,000 authorized by By-
law No. 2151 of the said Corporation, which by-law was rati-
35 fied and confirmed by the Act passed in the 2nd year of His
Majesty's reign, chaptered 55, for purchasing a site for, and
furnishing, a free public library in the said city, has been
found insufficient therefor, and that at least \$25,000 will be
required, and that the said Council has passed By-law No. 2247,
40 subject to confirmation by this Legislature, amending By-law
No. 2151, authorizing the raising of the last mentioned sum

for the said purposes, and has prayed for the ratification of the said By-law No. 2247; and whereas the said council has further shown that it is desirable, in the interest of the rate-payers of the said City and of the public generally, that the said Council should be authorized to pass a by-law or by-laws to acquire the works and property of any street railway company operating in the said city, or in any adjoining municipality, and to maintain and operate the same and to build, equip, maintain and operate or lease a street railway upon any of the streets of the said city not occupied by any existing street railway, and to extend the same into any adjoining municipality, and to acquire and develop for the purposes of any work being carried on by the said Municipality, any water privilege or privileges and to dispose of any surplus power developed; 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:

Issue of debentures for \$10,000 for building extension to police station authorized.

1. The Corporation of the City of Ottawa may borrow by a special issue of debentures, bearing interest at such rate as the said Corporation may determine and payable in 20 years from the date thereof, a sum not exceeding \$10,000 for the purpose of building an extension to the Police Station in the said City.

25

Issue of debentures for \$20,000 for main drainage authorized.

2. The said Corporation may also borrow by a special issue of debentures, bearing interest at such rate as the said Corporation may determine and payable in 30 years from the date thereof, a sum not exceeding \$20,000 for the purpose of completing the payment of the cost of the construction in the said City of the system of main drainage mentioned and referred to in the Act passed in the 63rd year of the reign of Her late Majesty, intituled *An Act respecting the City of Ottawa*; the sums mentioned in the said Act having been found insufficient for the said purpose.

35

Issue of debentures for \$60,000 for erection of hospital for smallpox patients authorized.

3. The said Corporation may also borrow by a special issue of debentures, bearing interest at such rate as the said Corporation may determine and payable in 30 years from the date thereof, a sum not exceeding \$60,000, to be applied in payment of the cost of the establishment, erection and furnishing of the hospital for the reception of persons afflicted with smallpox and other contagious diseases recently established, erected and furnished in the said City.

40

Issue of debentures for \$50,000 for extending

4. The said Corporation may also borrow by a special issue of debentures, bearing interest at such rate as the said Corporation may determine and payable in 40 years from the

45

date thereof, a sum not exceeding \$50,000 for the purpose of extending and enlarging the water mains in certain streets of the said City.

5 **5.** For the payment of the debt and interest represented by the said debentures to be issued under the authority of sections 1, 2 and 3 hereof, there shall be annually raised, levied and collected by the said Corporation during the currency of the said debentures by an annual special rate upon the amount of the assessable property of the said Corporation according to the then last revised assessment roll thereof a sum sufficient to discharge the said debt and interest when the same shall be respectively payable.

Special annual rate to be levied.

15 **6.** For the payment of the debt and interest represented by the said debentures to be issued under the authority of section 4 hereof, there shall be annually raised during the currency of the said debentures, with the authority conferred upon the said Corporation in and by the Act passed in the 35th year of the reign of Her late Majesty, chaptered 80, and intituled *An Act for the Construction of Waterworks for the City of Ottawa*, by the said Corporation from the water rates, a sum sufficient to discharge the said debt and interest when the same shall respectively become due, such sum to be in addition to the money required to be raised to meet the charges of maintenance, and the cost of renewals in connection with the said waterworks, and for the payment of the principal and interest of all debts heretofore authorized to be contracted for the purposes of the said waterworks, or to be charged against the said water rates by any Act of this Legislature: but if at any time the moneys accruing from the said water rates shall prove insufficient for the purposes aforesaid, then when and so often as the said deficiency shall occur, there shall be raised, levied and collected by the said Corporation by a special rate upon the assessable property of the said Corporation according to then last revised assessment roll thereof a sum sufficient to make good such deficiency.

Annual water rates to be raised sufficient to meet debt and interest of debentures.

and **7.** None of the by-laws to be passed under sections 1, 2, 3, and 4, hereof shall require to be submitted to or have the assent of the electors of the said City before the final passing thereof.

Assent of electors not required.

40 **8.** The said Corporation may also borrow upon the security of a further mortgage upon the lands and premises in the said City known as Lansdowne Park at a rate of interest not exceeding 5 per cent per annum a sum not exceeding \$26,000 to be applied in payment of certain outstanding debts and liabilities contracted in connection with the holding of an annual exhibition in the said City and may guarantee the repayment of the said sum and the payment of the interest thereon.

Mortgage of Lansdowne Park for \$26,000 to meet debts of exhibition authorized.

Application
of sums
borrowed.

9. The sums hereinbefore authorized to be borrowed shall when raised be used for the respective purposes hereinbefore specified and no others.

Borrowing
powers to be
exercised
within one
year.

10 Unless the borrowing powers hereinbefore conferred are exercised within one year from the date of the passing of this Act the same shall lapse. 5

By-Law, No.
2247 con-
firmesl.

11. By-law No. 2247 of the said Corporation intituled "A by-law to amend By-law No. 2151 entitled " Being a by-law to establish a free public library in the City of Ottawa and to accept the offer of Andrew Carnegie, Esquire, of the sum of \$100,000 to be expended for the erection of the same " which by-law is set out in Schedule " A " to this Act is ratified and confirmed and declared to be legal, valid and binding upon the said Corporation and the ratepayers thereof. 10

Authority to
purchase
street railway
and operate
same.

12. The Council of the said Corporation may pass a by-law or by-laws for the acquisition by purchase of the works and property, in the Province of Ontario, of any street railway company operating in the said City and in any adjoining Municipality; for equipping, maintaining and operating the same; and for leasing the same from time to time on such terms as may be determined on; and for levying an annual special rate to defray the yearly interest on the expenditure therefor and to form an equal yearly sinking fund for the payment of the principal within a time not exceeding 40 years. 20

Authority to
build, equip
and operate
street railway

13. The said Council may also pass a by-law or by-laws for the building, equipping, maintaining and operating a street railway, or street railways, to be propelled by animal or any mechanical power, in, along or over, such of the streets or parts of streets of the said city as are not at present occupied by any street railway company under agreement with the said Corporation, and, with the consent of the Council of any adjoining Municipality to be expressed by by-law, into and through any such Municipality, and in, along and over any of the highways, streets or roads thereof; and for leasing the same from time to time on such terms as may be determined on and for levying an annual special rate to defray the yearly interest on the expenditure; and to form an equal yearly sinking fund for the payment of the principal within a time not exceeding 40 years. Provided, however, that the said Council shall not levy any such special rate or commence the building of any such railway, until the said Council has, by by law, fixed a price to offer for the works and property in the Province of Ontario as well without as within the said City, of any street railway company operating in the said City, nor until thirty days have elapsed after notice of such price has been communicated to such Company, without the Company having accepted the same, or without the Company having under the provisions of *The Municipal Act*, as to arbitrations, named and given 25 30 35 40 45

Prov' so.

notice of an arbitration to determine the price, nor until the price accepted or awarded has been paid or has been secured to the satisfaction of the Company.

14. In case the Corporation and the Company do not agree upon the price to be paid under either of the two immediately preceding sections, the same shall be determined by arbitration under the provisions of *The Municipal Act* and in any such arbitration the arbitrators shall determine the value of such works and property upon the basis, according to the principle and in the manner provided in clause (a2) of subsection 4. of section 566 of *The Municipal Act*.

Arbitration
in case of dis-
agreement
of Corpora-
tion and
Company.
Rev. Stat.
c. 223.

15. Instead of providing for the levying of an annual special rate or rates as aforesaid the said Council may, in and by the said by laws, or any of them, make provision for the payment of the yearly interest on, and for the creation of a sinking fund for the re-payment of the debt incurred in connection with the acquisition or building and equipping of any such street railway, within the time aforesaid, solely out of the revenues arising therefrom, and for the mortgaging of any such railway and the property and works thereof and the property and works used in connection therewith to secure the payment of the said interest and the re-payment of the said debt; in such case however provision shall be made that in the event of the said revenues, after the deduction of the expenses of maintenance and operation, proving insufficient, in any year, for the payment of the said interest and the sum estimated to be necessary in each year for the creation of the said sinking fund, a special general rate shall be levied upon all the rateable property in the said City to make good such deficiency.

Sinking Fund.

16. Subsections 2, 3, 4 and 5, (with the exception of the addition made to said subsection 4 by *The Municipal Amendment Act*, 1901) of section 569 and subsection 4 of section 699 of *The Municipal Act* are hereby incorporated in, and the same shall, *mutatis mutandis*, be read as forming part of this Act.

Application
of certain
provision of
Rev. Stat.
c. 223

17. Notwithstanding anything contained in any Statute of the Province of Ontario, the said Corporation may operate any railway, to be acquired or built as aforesaid, on Sundays.

Authority
to operate
railway on
Sunday.

18. The said Council may also pass a by-law or by-laws for the acquisition by lease or purchase of a water privilege or water privileges, together with sufficient land adjacent thereto for the proper user thereof, either within the limits of the said City or within ten miles thereof, and may from time to time expend thereon such sums of money as are necessary for the development, repairs and user of such water privilege or privileges and lands, including the erection, improvement and repair of buildings and works in connection therewith.

Power to
acquire or
lease water
privileges and
lands adja-
cent.

Authority to
issue debentures
for payment of water
privileges.

19. For the purpose mentioned in the immediately preceding section the said Council may borrow upon the debentures of the Corporation of the City of Ottawa such sums as are required for the same for such periods and at such rates of interest as the said Council may determine, and no by-law authorizing the issue of such debentures or the acquisition of the water privilege or water privileges aforesaid shall require to be submitted to, or to have the assent of the electors of the said City before being finally passed. 5

Leasing
privileges.

20. Upon the acquisition of such water privilege or water privileges the said Corporation may use the same for its own purposes, and may grant leases of the whole or any parts thereof upon such terms and conditions as may be agreed upon and may otherwise deal with the same as fully and effectually to all intents and purposes as might be done by an individual. 10 15

SCHEDULE A.

A BY-LAW to amend By-law No. 2151 entitled "Being a By-law to establish a free public library in the City of Ottawa and to accept the offer of Andrew Carnegie, Esquire, of the sum of \$100,000 to be expended for the erection of the same."

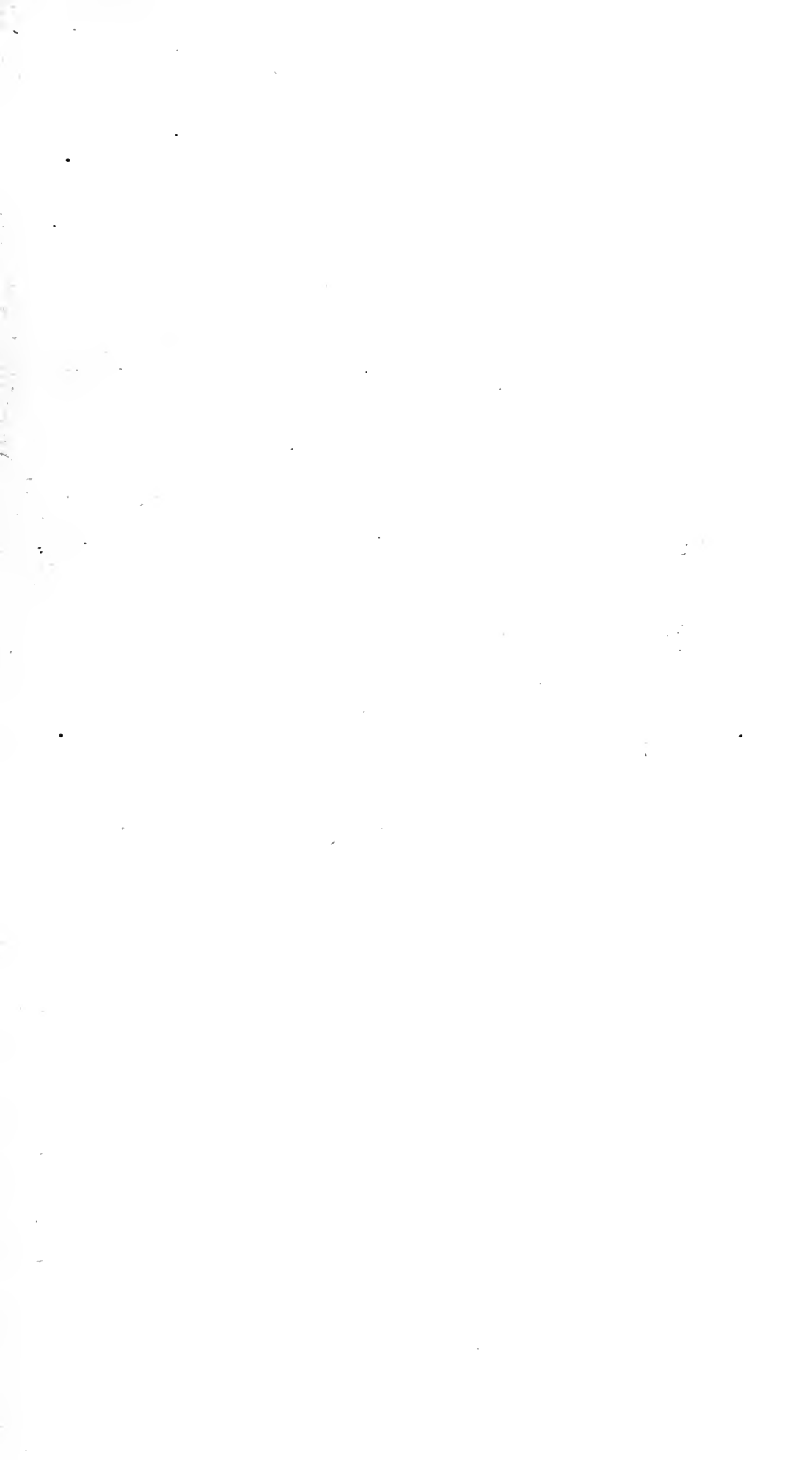
The Municipal Council of the Corporation of the City of Ottawa, subject to confirmation by the Legislature of the Province of Ontario, enacts as follows :—

1. By-law Number 2151, entitled "Being a By-law to establish a free public library in the City of Ottawa and to accept the offer of Andrew Carnegie, Esquire, of the sum of \$100,000 to be expended for the erection of the same," is hereby amended by striking out the figures "\$5,000" where the same occur in the fourth line of section 9 thereof and by substituting therefor the figures "25,000."

Given under the Corporate Seal of the City of Ottawa this 2nd day of March, 1903.

Certified. (Sgd.) JOHN HENDERSON,
City Clerk.

FRED. COOK,
Mayor.



1st Session, 10th Legislature.
3 Edward VII., 1903.

BILL.
An Act respecting the City of Ottawa.

First Reading, _____, 1903.

(Private Bill.)

Mr.

TORONTO:

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

An Act respecting the City of Ottawa.

WHEREAS the Municipal Council of the Corporation of Preamble.
the City of Ottawa has by its petition set forth that, it is desirable to assist The Dominion Live Stock and Eastern Ontario Poultry Associations by providing a suitable building for the accommodation of the said Associations to enable the said Associations to hold jointly an annual exhibition of fat stock and poultry in the said city, and has prayed that it may be given power to raise by a special issue of debentures the sum of \$10,000 for the said purpose, without submitting any by-law in connection therewith to, or obtaining the assent thereto of, the electors before the final passing thereof; that a system of main drainage for the said city has been constructed but that the sums authorized to be raised therefor have been found to be insufficient, and that a further sum not exceeding \$20,000 will need to be raised to complete the payment of the cost of the construction of the same; that a hospital for the reception of persons afflicted with the small-pox and other contagious diseases has recently been established, erected and furnished in the said city at a cost in the neighborhood of \$60,000, and that it would be a hardship upon the ratepayers thereof to be compelled to repay the sum necessary to be raised to provide for the payment of the cost thereof within 10 years; that the sums authorized to be raised for the purpose, amongst others, of extending the water mains in the said city have proved insufficient therefor and that a further sum not exceeding \$50,000 is required for the completion of the said work; and has prayed that the said corporation may be authorized to borrow the said respective sums for the said respective purposes by a special issue of debentures payable within the times hereinafter mentioned; and whereas the said council has further shown that certain debts and liabilities have been contracted in connection with the holding of an annual exhibition in the said city and are now outstanding, and has prayed that the said corporation may be authorized to borrow upon the security of Lansdowne Park in the said city a sum not exceeding \$26,000 to be applied in payment of the same; and whereas the said council has further shown that the sum of \$15,000 authorized by By-law No. 2151 of the said Corporation, which by-law was ratified and confirmed by the Act passed in the 2nd year of His

Majesty's reign, chaptered 55, for purchasing a site for, and furnishing, a free public library in the said city, has been found insufficient therefor, and that at least \$25,000 will be required, and that the said Council has passed By-law No. 2247, subject to confirmation by this Legislature, amending By-law No. 2151, authorizing the raising of the last mentioned sum for the said purposes, and has prayed for the ratification of the said By-law No. 2247; 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:

Authority to issue debentures for \$10,000 to erect building for Dominion Live Stock and Eastern Ontario Poultry Association.

1. The Council of the Corporation of the City of Ottawa may borrow upon a special issue of debentures, bearing interest at such rate as the said Council may determine and payable in 30 years from the date thereof, a sum not exceeding \$10,000 to provide for the cost of the erection of a building for the accommodation of The Dominion Live Stock and Eastern Ontario Poultry Associations suitable for the holding of an annual Fat Stock and Poultry Exhibition.

Issue of debentures for \$20,000 for main drainage authorized.

2. The said Corporation may also borrow by a special issue of debentures, bearing interest at such rate as the said Corporation may determine and payable in 30 years from the date thereof, a sum not exceeding \$20,000 for the purpose of completing the construction in the said City of the system of main drainage mentioned and referred to in the Act passed in the 63rd year of the reign of Her late Majesty, intituled *An Act respecting the City of Ottawa*.

Issue of debentures for \$60,000 for erection of hospital for smallpox patients authorized.

3. The said Corporation may also borrow by a special issue of debentures, bearing interest at such rate as the said Corporation may determine and payable in 20 years from the date thereof, a sum not exceeding \$60,000, to be applied in payment of the cost of the establishment, erection and furnishing of the hospital for the reception of persons afflicted with smallpox and other contagious diseases recently established, erected and furnished in the said city.

Issue of debentures for \$50,000 for extending

water mains authorized.

4. The said corporation may also borrow by a special issue of debentures, bearing interest at such rate as the said corporation may determine and payable in 40 years from the date thereof, a sum not exceeding \$50,000 for the purpose of extending and enlarging the water mains in certain streets of the said City.

Special annual rate to be levied.

5. For the payment of the debt and interest represented by the said debentures to be issued under the authority of sections 1, 2 and 3 hereof, there shall be annually raised,

levied and collected by the said corporation during the currency of the said debentures by an annual special rate upon the amount of the assessable property of the said corporation according to the then last revised assessment roll thereof a sum sufficient to discharge the said debt and interest when the same shall be respectively payable.

6. For the payment of the debt and interest represented by the said debentures to be issued under the authority of section 4 hereof, there shall be annually raised during the currency of the said debentures, with the authority conferred upon the said corporation in and by the Act passed in the 35th year of the reign of Her late Majesty, chaptered 80, and intitled *An Act for the Construction of Waterworks for the City of Ottawa*, by the said corporation from the water rates, a sum sufficient to discharge the said debt and interest when the same shall respectively become due, such sum to be in addition to the money required to be raised to meet the charges of maintenance, and the cost of renewals in connection with the said waterworks, and for the payment of the principal and interest of all debts heretofore authorized to be contracted for the purposes of the said waterworks, or to be charged against the said water rates by any Act of this Legislature; but if at any time the moneys accruing from the said water rates shall prove insufficient for the purposes aforesaid, then when and so often as the said deficiency shall occur, there shall be raised, levied and collected by the said corporation by a special rate upon the assessable property of the said corporation according to then last revised assessment roll thereof a sum sufficient to make good such deficiency.

Annual water rates to be raised sufficient to meet debt and interest of debentures.

7. None of the by-laws to be passed under sections 1, 2, 3, and 4, hereof shall require to be submitted to or have the assent of the electors of the said city before the final passing thereof.

Assent of electors not required.

8. The said corporation may also borrow upon the security of a further mortgage upon the lands and premises in the said city known as Lansdowne Park at a rate of interest not exceeding 5 per cent per annum a sum not exceeding \$26,000 to be applied in payment of certain outstanding debts and liabilities contracted in connection with the holding of an annual exhibition in the said city and may guarantee the repayment of the said sum and the payment of the interest thereon.

Mortgage of Lansdowne Park for \$26,000 to meet debts of exhibition authorized.

9. The sums hereinbefore authorized to be borrowed shall when raised be used for the respective purposes hereinbefore specified and no others.

Application of sums borrowed.

10 Unless the borrowing powers hereinbefore conferred are exercised within one year from the date of the passing of this Act the same shall lapse.

Borrowing powers to be exercised within one year.

By-Law, No.
2247 con-
firmed.

11. By-law No. 2247 of the said Corporation intituled "Being a by-law to establish a free public library in the City of Ottawa and to accept the offer of Andrew Carnegie, Esquire, of the sum of \$100,000 to be expended for the erection of the same" which is set out in the Schedule to this Act is ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

SCHEDULE.

BY-LAW No. 2247.

A BY-LAW to amend By-law No. 2151 entitled "Being a By-law to establish a free public library in the City of Ottawa and to accept the offer of Andrew Carnegie, Esquire, of the sum of \$100,000 to be expended for the erection of the same."

The Municipal Council of the Corporation of the City of Ottawa, subject to confirmation by the Legislature of the Province of Ontario, enacts as follows:—

1. By-law Number 2151, entitled "Being a By-law to establish a free public library in the City of Ottawa and to accept the offer of Andrew Carnegie, Esquire, of the sum of \$100,000 to be expended for the erection of the same," is hereby amended by striking out the figures \$ 5,000" where the same occur in the fourth line of section 9 thereof and by substituting therefor the figures "25,000."

Given under the Corporate Seal of the City of Ottawa this 2nd day of March, 1903.

Certified.

JOHN. HENDERSON,
City Clerk.

FRED. COOK,
Mayor.

1st Session, 10th Legislature.
3 Edward VII, 1903.

BILL.
An Act respecting the City of Ottawa.

First Reading: 5th May, 1903.
Second Reading, 15th May, 1903.

Reprinted as amended by the Private
Bills Committee.

Mr. POWELL.

TORONTO:

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

An Act respecting the Town of Collingwood.

WHEREAS the Municipal Corporation of the Town of Collingwood has by petition represented, that by an Act passed in the 63rd year of the reign of Her late Majesty Queen Victoria, chaptered 65, the said Town of Collingwood was authorized to grant a cash bonus to Charles D. Cramp and John Allister Currie to assist in the establishment of a blast furnace and steel smelting industry at the Town of Collingwood; that the said Cramp and Currie have with the consent of the said corporation assigned all their interest in the said bonus to the Cramp Ontario Steel Company, Limited; that, in pursuance of the agreement, set out as Schedule A to the said Act, as amended by the Act passed in the first year of the reign of His Majesty King Edward the Seventh, chaptered 50, the said town has purchased a suitable site for the said industry at a cost of \$6000, and has borrowed the said amount until the debentures authorized by the said first mentioned Act could be issued and sold; and that the said company will not be entitled to payment of the said bonus for at least two years from this time and it is not desirable that the whole of the said debentures should be issued and sold, and the moneys realized therefrom kept in hand unused and uninvested for such a period, but that in order that the said amount of \$6000 so borrowed as aforesaid, may be repaid, it is desirable to issue debentures therefor; and whereas the Municipal Corporation of the Town of Collingwood has further represented that, by an Act passed in the 62nd year of the reign of Her late Majesty Queen Victoria, chaptered 44, the said town was authorized to consolidate its debenture debt at the sum of \$200,000 and that owing to discrepancies in some of the several clauses of the said Act, the meaning thereof is obscure and doubtful; and whereas the said municipal corporation has prayed that an Act may be passed confirming and legalizing a by-law of the said corporation authorizing the issue of debentures for \$6000 for the purposes aforesaid, and amending the said Act passed in the 62nd year of the reign of Her late Majesty Queen Victoria, so as to render the meaning thereof clear and unmistakeable; 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 :—

By-law 630 confirmed.

1. By-law No. 630 of the Municipal Corporation of the Town of Collingwood set forth as Schedule A to this Act is declared legal, valid and binding upon the said Municipal Corporation and the ratepayers thereof, notwithstanding any want of jurisdiction in the said municipality to pass such by-law, and notwithstanding any defect in substance or in form of said by-law, or in the manner of passing the same. 5 10.

\$6,000 to be set apart to redeem debentures.

2. Upon the sale of the debentures authorized to be issued by the Act passed in the 63rd year of the reign of Her late Majesty Queen Victoria, chaptered 65, the sum of \$6,000, part of the proceeds thereof, shall be set apart and invested for the purpose of redeeming the debentures authorized to be issued under said by-law No. 630. 15

Secs. 4 and 5 of 62 V. c. 44 amended.

3. Sections 4 and 5 of the Act passed in the 62nd year of the reign of Her late Majesty Queen Victoria, chaptered 44, are hereby struck out of the said Act, and the following clauses substituted therefor :— 20

4. "The said debentures shall be repayable by annual instalments of principal and interest in not more than thirty-five years from the issue thereof, as the said Corporation may direct."

5. "Interest upon the said debentures shall be computed at the rate of four and one-half per cent. per annum, and the debentures issued in any one year shall be repayable by equal annual instalments of principal and interest during a period of thirty-five years from the issue thereof, and so that the aggregate amount payable for principal and interest under any series of debentures issued 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, during which that series of debentures are to run." 25 30 35

Sec. 13 of 62 V., c. 44 repealed.

4. Section 13 of the said last mentioned Act is hereby repealed, and it is hereby enacted that the debentures issued under the said last mentioned Act may be in the form of Schedule A A to this Act, and that the by-law or by-laws authorizing the same may be in the form of Schedule B B to this Act. 40

SCHEDULE A.

By-law number 630 of the Town of Collingwood to raise by way of debentures the sum of six thousand dollars for the purpose of repaying the amount borrowed on the security of the promissory note of the said Municipality, to pay for the site of the Cramp Steel Company, Limited, and to amend By-law Number 581 providing for the issue of debentures to the amount of one hundred and twenty-five thousand dollars to grant by way of bonus to the establishment of an iron and steel smelting industry and rolling mills at the Town of Collingwood, to purchase a site therefor and to make provision toward dredging out a channel to the docks of the said industry.

Whereas by an agreement bearing date the fifth day of March, A.D. 1900, and made between Charles D. Cramp of the City of Philadelphia, in the State of Pennsylvania, one of the United States of America, capitalist and manufacturer, and John Allister Currie of the City of Toronto, in the County of York, broker, thereafter called the "parties of the first part" and the Corporation of the Town of Collingwood, in the Province of Ontario, thereafter called the "corporation of the second part," the said parties did agree that they would cause to be constructed, equipped and operated within the Town of Collingwood an iron and steel smelting industry employing not less than six hundred men continuously, and that they would invest not less than the sum of seven hundred thousand dollars in the establishment of the said industry, and in consideration thereof, the said corporation agreed to grant a cash bonus of one hundred and fifteen thousand dollars, a free site on the water front containing fifty acres including water lots, together with certain privileges therein set forth as to the description and assessment of the said property;

And whereas the said Charles D. Cramp and John Allister Currie have, with the consent of the said Corporation, assigned all their interest in the said contract to the Cramp Steel Company, Limited;

And whereas by By-law Number 551 of the said Corporation, debentures were authorized to be issued for the sum of one hundred and twenty-five thousand dollars, to grant by way of bonus to the said Company toward the establishment of the said iron and steel smelting industry, to purchase the site therefor and to make provision toward dredging out the channel to the dock of the said industry;

And whereas in pursuance of the said agreement, the said Corporation have purchased a suitable site for the said industry at a cost of six thousand dollars, and have borrowed the amount thereof on their promissory note until the said debentures should be issued and sold;

And whereas the said Cramp Steel Company will not be entitled to payment of the said bonus for some two or three years, and it is not desirable that the whole of the said debentures should be issued and sold and the moneys realized therefor kept in hand, unused and uninvested for such a period, but, in order that the said amount of six thousand dollars, so borrowed as aforesaid, may be repaid, it is desirable to issue debentures therefor repayable in thirty equal annual instalments or principal and interest, and that the amount of six thousand dollars should be deducted from the said amount of one hundred and twenty-five thousand dollars aforesaid to be issued under the said By-law Number 551, and set apart and invested for the purpose of redeeming the debentures authorized to be issued under this By-law;

And whereas that amount of the whole rateable property of the Municipality of the Town of Collingwood according to the last revised assessment roll amounts to \$1,624,630;

And whereas the existing debenture indebtedness of the said Municipality amounts to \$318,445.04, and no principal or interest is in arrears;

And whereas it will require the sum of \$368.35 to be raised annually for a period of thirty years to pay the interest of and discharge the said debt, as the same becomes due and payable ;

Therefore the Municipal Council of the Town of Collingwood enacts as follows :—

1. That the Mayor of the said town is hereby authorized and required to issue debentures of the said town to the amount of six thousand dollars, and such debentures shall be signed by the Mayor and Treasurer of the Town of Collingwood, and sealed with the Corporate Seal, and there shall the thirty such debentures each for the sum of \$368.35 payable the first day of December in the year of our Lord 1903, and on each of the next succeeding twenty-nine years, it being estimated that such thirty debentures are equal to six thousand dollars of principal money with interest from the first day of December, 1902, at the rate of four and one-half per centum per annum upon the amount of principal money from time to time remaining unpaid, the amount of principal and interest represented in each of such debentures being as follows :—

Year.	Interest.	Principal	Amount.
1.....	\$270 00	\$ 98 35	\$368 35
2.....	265 57	102 78	368 35
3.....	269 95	107 40	368 35
4.....	236 12	112 23	368 35
5.....	251 07	117 28	368 35
6.....	245 79	122 56	368 35
7.....	240 27	128 08	368 35
8.....	234 51	133 84	368 35
9.....	228 49	139 86	368 35
10.....	222 19	146 16	368 35
11.....	215 62	152 73	368 35
12.....	208 75	159 60	368 35
13.....	201 56	166 79	368 35
14.....	194 06	174 29	368 35
15.....	186 22	182 13	368 35
16.....	178 02	190 33	368 35
17.....	169 45	198 90	368 35
18.....	160 50	207 85	368 35
19.....	151 15	217 20	368 35
20.....	141 37	226 98	368 35
21.....	131 16	237 19	368 35
22.....	120 49	247 86	368 35
23.....	109 33	259 02	368 35
24.....	97 68	270 67	368 35
25.....	85 50	282 85	368 25
26.....	72 77	295 58	368 35
27.....	59 47	308 88	368 35
28.....	45 57	322 78	368 35
29.....	31 04	337 31	368 35
30.....	15 86	352 49	368 35

2. That the proceeds of the said debentures shall be applied in repaying the amount of six thousand dollars, borrowed for the purpose of purchasing the said site.

3. To provide for the payment of the said sum of six thousand dollars, and the interest thereon as aforesaid, the sum of \$368.35 shall be levied and raised annually for a period of thirty years commencing with the year 1903, by special rate sufficient therefor on all the rateable property in the Town of Collingwood.

4. That the said debentures shall be payable at the Bank of Toronto, Collingwood.

5. That upon the sale of the debentures for one hundred and twenty-five thousand dollars aforesaid, to be issued by By-law Number 551, the sum of six thousand dollars, part of the proceeds thereof, shall be set apart and invested for the purpose of redeeming the debentures aforesaid, to be issued under this By-law.

6. That this By-law shall come into force and have effect from and after the passing thereof.

Passed in open Council this 16th day of March, A. D., 1903.

SCHEDULE AA.

Province of Ontario, Town of Collingwood, Consolidated Debenture Debt.

Under and by virtue of the Collingwood Debenture Act, 1899, and by virtue of By-law Number _____ of the Corporation of the Town of Collingwood, the Corporation of the Town of Collingwood promises to pay to the bearer at _____ in the Town of Collingwood the sum of \$ _____ on the first day of December, 190

Dated at Collingwood this _____ day of _____ A. D.

SCHEDULE BB.

By-law Number _____ of the Town of Collingwood to Authorize the Issue of Debentures Under Authority of the Collingwood Debenture Act, 1899.

Whereas the said Act authorizing the issue of debentures for the purpose herein mentioned, to be known as Consolidated Debt Debentures not exceeding the sum of two hundred thousand dollars in the whole, as the Corporation of the Town of Collingwood may, in pursuance of, and in conformity with the provisions of the said Act, direct

And whereas for the purpose mentioned in the said Act it is necessary and expedient to issue debentures to the extent of \$ _____ repayable in thirty-five equal annual instalments of principal and interest,

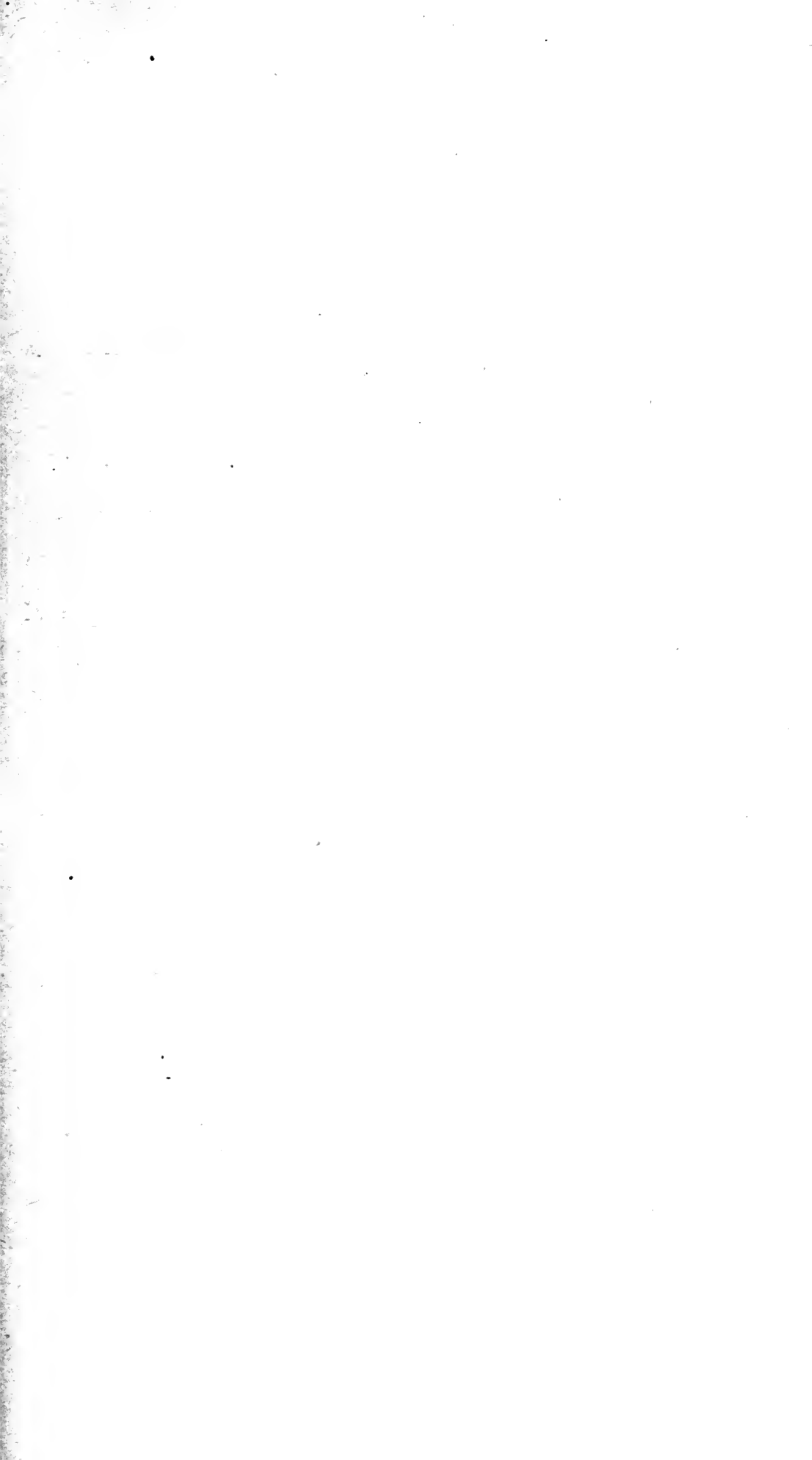
And whereas the amount of the whole rateable property of the Town of Collingwood, according to the last assessment roll, amounts to \$ _____

And whereas the existing debenture indebtedness of the said municipality amounts to \$ _____ and no principal or interest is in arrears

And whereas it will require the sum of \$ _____ to be raised annually for a period of thirty-five years to pay the interest of and discharge the said debt, as the same becomes due and payable.

Therefore the Municipal Council of the Town of Collingwood enacts as follows :—

1. Debentures under the said Act, and for the purposes therein mentioned, to be known as Consolidated Debt Debentures, to the extent of the sum of \$ _____ are hereby authorized and directed to be issued, and such debentures shall be signed by the Mayor and Treasurer of the Town of Collingwood and sealed with the Corporate Seal, and there shall be thirty-five such debentures each for the sum of \$ _____ payable on the first day of December in the year of our Lord, 190 _____, and on each of the next succeeding thirty-four years,



1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Town of Colling-
wood.

First Reading, 1903.

(Private Bill).

Mr. DUFF.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting the Town of Collingwood.

WHEREAS the Municipal Corporation of the Town of Collingwood has by petition represented, that by an Act passed in the 63rd year of the reign of Her late Majesty Queen Victoria, chaptered 65, the said Town of Collingwood was authorized to grant a cash bonus to Charles D. Cramp and John Allister Currie to assist in the establishment of a blast furnace and steel smelting industry at the Town of Collingwood; that the said Cramp and Currie have with the consent of the said corporation assigned all their interest in the said bonus to The Cramp Ontario Steel Company, Limited; that, in pursuance of the agreement, set out as Schedule A to the said Act, as amended by the Act passed in the first year of the reign of His Majesty King Edward the Seventh, chaptered 50, the said town has purchased a suitable site for the said industry at a cost of \$6000, and has borrowed the said amount until the debentures authorized by the said first mentioned Act could be issued and sold; that the said company will not be entitled to payment of the said bonus for at least two years from this time and it is not desirable that the whole of the said debentures should be issued and sold, and the moneys realized therefrom kept in hand unused and uninvested for such a period, but that in order that the said amount of \$6000 so borrowed as aforesaid, may be repaid, it is desirable to issue debentures therefor; and whereas the Municipal Corporation of the Town of Collingwood has further represented that, by an Act passed in the 62nd year of the reign of Her late Majesty Queen Victoria, chaptered 44, the said town was authorized to consolidate its debenture debt at the sum of \$200,000 and that owing to discrepancies in some of the several clauses of the said Act, the meaning thereof is obscure and doubtful; and whereas the said Municipal Corporation has prayed that an Act may be passed confirming and legalizing a by-law of the said corporation authorizing the issue of debentures for \$6000 for the purposes aforesaid, and amending the said Act passed in the 62nd year of the reign of Her late Majesty Queen Victoria, so as to render the meaning thereof clear and unmistakeable; and whereas the Municipal Corporation of the Town of Collingwood has by petition further represented that on the

6th day of April, 1903, the municipal council of the said town submitted to the duly qualified ratepayers thereof a by-law to authorize the said council to lend the sum of \$25,000 to one Robert J. Disney to aid him in the establishment of a large industry for the manufacture of furniture in the said town; to issue debentures therefor, and to fix the assessment of the property to be acquired by the said Disney in the said town for the said industry at the sum of \$12,500 for a period of ten years; that on the submission of the said by-law to the said ratepayers the number voting upon the said by-law was 517, of whom 482 voted in favor of the said by-law and 35 against the same; that under *The Municipal Act* it would require 596 votes in favor of the said by-law to carry the same, but owing to a large number of the ratepayers of the town being engaged in maritime pursuits a large number of the voters of the said town were absent from home when the said vote was taken; and whereas the said municipal corporation has prayed that an Act may be passed confirming and validating 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:—

By law 630 confirmed.

1. By-law *number* 630 of the Municipal Corporation of the Town of Collingwood set forth as Schedule A to this Act is declared legal, valid and binding upon the said municipal corporation and the ratepayers thereof, notwithstanding any want of jurisdiction in the said municipality to pass such by-law, and notwithstanding any defect in substance or in form of said by-law, or in the manner of passing the same.

\$6,000 to be set apart to redeem debentures.

2. Upon the sale of the debentures authorized to be issued by the Act passed in the 63rd year of the reign of Her late Majesty Queen Victoria, chaptered 65, the sum of \$6,000, part of the proceeds thereof, shall be set apart and invested for the purpose of redeeming the debentures authorized to be issued under *the* said by-law *number* 630.

Secs. 4 and 5 of 62 V. c 41 amended.

3. Sections 4 and 5 of the Act passed in the 62nd year of the reign of Her late Majesty Queen Victoria, chaptered 44, are repealed, and the following clauses substituted therefor:—

4. "The said debentures shall be repayable by annual instalments of principal and interest in not more than thirty-five years from the issue thereof, as the said Corporation may direct."

5. "Interest upon the said debentures shall be computed at the rate of *not more than* four and one-half per cent. per annum, and the debentures issued in any one year shall be repayable by equal annual instalments of principal and interest during a period of thirty-five years from the issue thereof, and so that the aggregate amount payable for principal and interest under any series of debentures issued 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, during which that series of debentures is to run."

4. Section 13 of the said last mentioned Act is repealed, and it is enacted that the debentures issued under the said last mentioned Act may be in the form of Schedule AA to this Act, and that the by-law or by-laws, authorizing the same may be in the form of Schedule BB to this Act.

Sec. 13 of 62
V., c. 44 re-
pealed.

5. By-law Number 634 of the said municipal corporation set forth as Schedule C to this Act, is declared legal, valid and binding upon the said municipal corporation and the ratepayers thereof notwithstanding any want of jurisdiction in the said municipality to pass such by-law, and notwithstanding any defect in substance or in form of the said by-law, or in the manner of passing the same.

SCHEDULE A.

By-law number 630 of the Town of Collingwood to raise by way of debentures the sum of six thousand dollars for the purpose of repaying the amount borrowed on the security of the promissory note of the said Municipality, to pay for the site of the Cramp Steel Company, Limited, and to amend By-law Number 581 providing for the issue of debentures to the amount of one hundred and twenty-five thousand dollars to grant by way of bonus to the establishment of an iron and steel smelting industry and rolling mills at the Town of Collingwood, to purchase a site therefor and to make provision toward dredging out a channel to the docks of the said industry.

Whereas by an agreement bearing date the fifth day of March, A.D. 1900, and made between Charles D. Cramp of the City of Philadelphia, in the State of Pennsylvania, one of the United States of America, capitalist and manufacturer, and John Allister Currie of the City of Toronto, in the County of York, broker, hereinafter called the "parties of the first part" and the Corporation of the Town of Collingwood, in the Province of Ontario, hereinafter called the "corporation of the second part." the said parties did agree that they would cause to be constructed, equipped and operated within the Town of Collingwood an iron and steel smelting industry employing not less than six hundred men continuously,

and that they would invest not less than the sum of seven hundred thousand dollars in the establishment of the said industry, and in consideration thereof, the said corporation agreed to grant a cash bonus of one hundred and fifteen thousand dollars, a free site on the water front containing fifty acres including water lots, together with certain privileges therein set forth as to the description and assessment of the said property ;

And whereas the said Charles D. Cramp and John Allister Currie have, with the consent of the said Corporation, assigned all their interest in the said contract to the Cramp Steel Company, Limited ;

And whereas by By-law Number 551 of the said Corporation, debentures were authorized to be issued for the sum of one hundred and twenty-five thousand dollars, to grant by way of bonus to the said Company toward the establishment of the said iron and steel smelting industry, to purchase the site therefor and to make provision toward dredging out the channel to the dock of the said industry ;

And whereas in pursuance of the said agreement, the said Corporation have purchased a suitable site for the said industry at a cost of six thousand dollars, and have borrowed the amount thereof on their promissory note until the said debentures should be issued and sold ;

And whereas the said Cramp Steel Company will not be entitled to payment of the said bonus for some two or three years, and it is not desirable that the whole of the said debentures should be issued and sold and the moneys realized therefor kept in hand, unused and uninvested for such a period, but, in order that the said amount of six thousand dollars, so borrowed as aforesaid, may be repaid, it is desirable to issue debentures therefor repayable in thirty equal annual instalments or principal and interest, and that the amount of six thousand dollars should be deducted from the said amount of one hundred and twenty-five thousand dollars aforesaid to be issued under the said By-law Number 551, and set apart and invested for the purpose of redeeming the debentures authorized to be issued under this By-law ;

And whereas that amount of the whole rateable property of the Municipality of the Town of Collingwood according to the last revised assessment roll amounts to \$1,624,630 ;

And whereas the existing debenture indebtedness of the said Municipality amounts to \$318,445.04, and no principal or interest is in arrears ;

And whereas it will require the sum of \$368.35 to be raised annually for a period of thirty years to pay the interest of and discharge the said debt, as the same becomes due and payable ;

Therefore the Municipal Council of the Town of Collingwood enacts as follows :—

1. That the Mayor of the said town is hereby authorized and required to issue debentures of the said town to the amount of six thousand dollars, and such debentures shall be signed by the Mayor and Treasurer of the Town of Collingwood, and sealed with the Corporate Seal, and there shall the thirty such debentures each for the sum of \$368.35 payable the first day of December in the year of our Lord 1903, and on each of the next succeeding twenty-nine years, it being estimated that such thirty debentures are equal to six thousand dollars of principal money with interest from the first day of December, 1902, at the rate of four and one-half per centum per annum upon the amount of principal money from time to time remaining unpaid, the amount of principal and interest represented in each of such debentures being as follows :—

Year.	Interest.	Principal.	Amount.
1.....	\$270 00	\$ 98 35	\$368 35
2.....	265 57	102 78	368 35
3.....	269 95	107 40	368 35

Year.	Interest.	Principa	Amount.
4.....	256 12	112 23	368 35
5.....	251 07	117 28	368 35
6.....	245 79	122 56	368 35
7.....	240 27	128 08	368 35
8.....	234 51	133 84	368 35
9.....	228 49	139 86	368 35
10.....	222 19	146 16	368 35
11.....	215 62	152 73	368 35
12.....	208 75	159 60	368 35
13.....	201 56	166 79	368 35
14.....	194 06	174 29	368 35
15.....	186 22	182 13	368 35
16.....	178 02	190 33	368 35
17.....	169 45	198 90	368 35
18.....	160 50	207 85	368 35
19.....	151 15	217 20	368 35
20.....	141 37	226 98	368 35
21.....	131 16	237 19	368 35
22.....	120 49	247 86	368 35
23.....	109 33	259 02	368 35
24.....	97 68	270 67	368 35
25.....	85 50	282 85	368 25
26.....	72 77	295 58	368 35
27.....	59 47	308 88	368 25
28.....	45 57	322 78	368 35
29.....	31 04	337 31	368 35
30.....	15 86	352 49	368 35

2. That the proceeds of the said debentures shall be applied in repaying the amount of six thousand dollars, borrowed for the purpose of purchasing the said site.

3. To provide for the payment of the said sum of six thousand dollars, and the interest thereon as aforesaid, the sum of \$368.35 shall be levied and raised annually for a period of thirty years commencing with the year 1903, by special rate sufficient therefor on all the rateable property in the Town of Collingwood.

4. That the said debentures shall be payable at the Bank of Toronto, Collingwood.

5. That upon the sale of the debentures for one hundred and twenty-five thousand dollars aforesaid, to be issued by By-law Number 551, the sum of six thousand dollars, part of the proceeds thereof, shall be set apart and invested for the purpose of redeeming the debentures aforesaid, to be issued under this By-law.

6. That this By-law shall come into force and have effect from and after the passing thereof.

Passed in open Council this 16th day of March, A. D., 1903.

SCHEDULE AA.

Province of Ontario, Town of Collingwood, Consolidated Debenture Debt.

Under and by virtue of the Collingwood Debenture Act, 1899, and by virtue of By-law Number _____ of the Corporation of the Town of Collingwood, the Corporation of the Town of Collingwood promises to pay to the bearer at _____ in the Town of Collingwood the sum of \$ _____ on the first day of December, 190 _____

Dated at Collingwood this _____ day of _____ A. D.

SCHEDULE BB.

By-law Number _____ of the Town of Collingwood to Authorize the Issue of Debentures Under Authority of the Collingwood Debenture Act, 1899.

Whereas the said Act authorizing the issue of debentures for the purpose herein mentioned, to be known as Consolidated Debt Debentures not exceeding the sum of two hundred thousand dollars in the whole, as the Corporation of the Town of Collingwood may, in pursuance of, and in conformity with the provisions of the said Act, direct

And whereas for the purpose mentioned in the said Act it is necessary and expedient to issue debentures to the extent of \$ _____ repayable in thirty-five equal annual instalments of principal and interest,

And whereas the amount of the whole rateable property of the Town of Collingwood, according to the last assessment roll, amounts to \$ _____

And whereas the existing debenture indebtedness of the said municipality amounts to \$ _____ and no principal or interest is in arrears

And whereas it will require the sum of \$ _____ to be raised annually for a period of thirty-five years to pay the interest of and discharge the said debt, as the same becomes due and payable.

Therefore the Municipal Council of the Town of Collingwood enacts as follows :—

1. Debentures under the said Act, and for the purposes therein mentioned, to be known as Consolidated Debt Debentures, to the extent of the sum of \$ _____ are hereby authorized and directed to be issued, and such debentures shall be signed by the Mayor and Treasurer of the Town of Collingwood and sealed with the Corporate Seal, and there shall be thirty-five such debentures each for the sum of \$ _____ payable on the first day of December in the year of our Lord, 190 _____, and on each of the next succeeding thirty-four years, it being estimated that such thirty-five debentures are equal to \$ _____ of principal money with interest from the day of _____ 190 _____, at the rate of _____ per centum per annum, upon the amount of principal money from time to time remaining unpaid, the amount of principal and interest in each of such debentures being as follows :

2. That the proceeds of the said debentures shall be applied as directed by the said Act.

3. To provide for the payment of the said sum of \$ _____ and the interest thereon as aforesaid, the sum of \$ _____ shall be levied and raised annually for a period of thirty-five years, commencing with the year _____, by special rate sufficient therefor on all the rateable property within the Town of Collingwood.

4. That the said debentures shall be payable at the _____ in the Town of Collingwood.

5. That this by-law shall come into force and have effect, from and after the passing thereof.

Passed in open Council this _____ day of _____

SCHEDULE C.

BY-LAW No. 634.

Of the Corporation of the Town of Collingwood for the purpose of granting by way of loan to Robert J. Disney, of the Town of Hanover, Manufacturer, the sum of twenty-five thousand dollars toward the establishment of an industry within the said town for the manufacture of furniture, and to issue debentures for the sum of twenty-five thousand dollars for that purpose.

Whereas the said Robert J. Disney has proposed to establish within the Town of Collingwood a large industry for the manufacture of furniture, employing at least seventy-five hands in its operation, provided the said Corporation would loan to him for twenty years the sum of twenty-five thousand dollars, secured by mortgage upon the said industry and repayable in annual instalments, with interest at $4\frac{1}{2}$ per centum per annum.

And whereas the said Corporation have agreed to make the said loan upon the terms and conditions more fully set forth in an Agreement bearing date the twenty-eighth day of February, A D. 1903, entered into between the said Robert J. Disney and the said Corporation, a copy of which Agreement is set out in Schedule B to this By-law.

And whereas it is necessary in order to make the said loan to borrow the sum of twenty-five thousand dollars, and to issue debentures of the said municipality therefor.

And whereas the whole rateable property of the Town of Collingwood, according to the last revised assessment roll, amounts to \$1,620,183.

And whereas the existing debenture indebtedness of the said municipality amounts to \$318,446.04, and no principal or interest is in arrears.

And whereas it will require the sum of \$1,921.90 to be raised annually for a period of twenty years to pay the interest of and discharge the said debt as the same become due and payable.

Therefore the Municipal Council of the Corporation of the Town of Collingwood enacts as follows:—

1. That the Mayor of the said town be hereby authorized and required to issue debentures of the said town to the amount of \$25,000, and such debentures shall be signed by the Mayor and Treasurer of the Town of Collingwood and sealed with the corporate seal, and there shall be twenty such debentures, each for the sum of \$1,921.90 payable the first day of December, 1904, and on each of the next succeeding nineteen years thereafter, it being estimated that twenty such debentures are equal to \$25,000 of principal money and interest at the rate of $4\frac{1}{2}$ per centum per annum upon the amount of principal money from time to time remaining unpaid, the amount of principal and interest represented in each of such debentures being as follows:—

Year.	Interest.	Principal.	Annual Payment.
1.....	\$1,125 00	\$ 796 90	\$1,921 90
2.....	1,089 14	832 76	1,921 90
3.....	1,051 66	870 24	1,921 90
4.....	1,012 50	909 40	1,921 90
5.....	971 58	950 32	1,921 90
6.....	928 82	993 08	1,921 90
7.....	884 13	1,037 77	1,921 90
8.....	837 43	1,084 47	1,921 90
9.....	788 63	1,133 27	1,921 90

Year.	Interest.	Principal.	Annual Payment.
10	737 63	1,184 27	1,921 90
11	684 33	1,237 57	1,921 90
12	628 65	1,293 25	1,921 90
13	570 45	1,351 45	1,921 90
14	509 63	1,412 27	1,921 90
15	446 08	1,475 82	1,921 90
16	379 67	1,542 25	1,921 90
17	310 27	1,611 63	1,921 90
18	237 74	1,684 16	1,921 90
19	161 96	1,759 94	1,921 90
20	82 76	1,839 14	1,921 90
		\$24,999 94	

2. The proceeds of the said debentures shall be applied in manner following, that is to say:—

The sum of \$25,000 to be loaned to the said Robert J. Disney under the said agreement.

3. To provide for the payment of the said sum of \$25,000 and interest thereon, as aforesaid, the sum of \$1,921.90 shall be levied and raised annually for a period of twenty years commencing with the year 1904, by special rate sufficient therefor on all the rateable property of the Town of Collingwood.

4. The said debentures shall be payable at the Bank of Toronto, Collingwood.

5. That the votes of the qualified electors of the said town shall be taken by ballot upon this By-law at the following time and places and by the undermentioned deputy-returning officers, that is to say:—*on Monday, the thirtieth day of March, 1903*, at the hour of nine o'clock in the forenoon, continuing until five o'clock in the afternoon of the same day at the following polling places by the following deputy-returning officers.

In polling sub-division No. 1, first ward, Town Hall, Hurontario Street, *George Gillson* deputy-returning officer.

In polling sub-division No. 2, second ward, Diison's old store, lot 25, East Hurontario Street, *J. W. Archer* deputy-returning officer.

In polling sub-division No. 3, second ward, Mrs. Hill's residence, lot No. 8, East Ste. Marie Street, *W. C. Miller* deputy-returning officer.

In polling sub-division No. 4, third ward, James' pump factory, lot 13, East Beech Street, *M. J. Pomphrey* deputy-returning officer.

In polling sub-division No. 5, fourth ward, Thomas Gillson's house, lot 42, West Pine Street, *Patrick Howard* deputy-returning officer.

In polling sub-division No. 5, fourth ward, Patrick Howard's shoe shop, on the corner of Hurontario and Third Streets, *Thos. Gillson* deputy-returning officer

7. That at the hour of ten o'clock in the forenoon of *Friday, March 27th, 1903*, at the Town Hall, Collingwood, the persons to attend the various polling places on behalf of persons interested in promoting or opposing the passage of the by-law shall be appointed, and such persons shall also attend at ten o'clock in the forenoon of *Tuesday, 31st March, 1903*, at the said Town Hall, at the final summing-up of the votes given for and against the by-law together with the two persons to be appointed by the head of the municipality as required by *The Municipal Act*.

8. That the clerk of the said municipality at ten o'clock in the forenoon on the *31st March*, at the said Town Hall, shall sum up the votes given for and against this by-law and shall then and there declare the results.

9. That this by-law shall come into force and have effect from and after the passing thereof.

SCHEDULE B. TO BY-LAW NUMBER 634.

This Agreement made in duplicate this Twenty-eight day of February, in the year of our Lord, one thousand nine hundred and three, between the Municipal Corporation of the Town of Collingwood of the first part, and Robert J. Disney of the Town of Hanover in the County of Bruce, and Province of Ontario, Manufacturer, of the second part.

Whereas the said party of the second part has proposed to form a Joint Stock Company, and to establish within the Town of Collingwood a large industry for the manufacture of furniture, and to employ at least not less than from seventy-five to eighty hands in the operation of the said industry, provided that the said Corporation would loan to him for a term of years, the sum of twenty-five thousand dollars, with interest at four and a half per cent. per annum, and fix the annual assessment of said industry for a period of ten years.

And whereas the said Corporation have agreed to make the said loan, and to fix the said assessment provided the same shall be approved of by the electors of the said town as hereinafter mentioned.

Now therefore this agreement witnesseth:—That the said parties hereto do hereby agree to and with each other in manner following, that is to say:—The said party of the second part doth for himself, his heirs, executors and administrators agree with the said Corporation as follows:—

1. That he will erect within the Town of Collingwood suitable buildings, equipped with all modern machinery and plant for the manufacture of furniture, such building to be of substantial character and to be built of brick, iron, cement or stone, at a cost of not less than fifteen thousand dollars.

2. That he will install in said buildings a first class plant and machinery for the manufacture of furniture at a cost of not less than fifty thousand dollars.

3. That he will commence building operations immediately upon the passing of the by-law hereinafter referred to and will commence producing manufactured material on or before the first day of January, 1904.

4. That he will pay the school taxes on said building, plant and machinery at an annual fixed assessment of twelve thousand five hundred dollars for a period of ten years, such taxation to begin immediately after the erection of said buildings and the installation of said plant.

5. That he will employ continuously at Collingwood in the operation of the said industry not less than seventy-five hands, and will increase the number as the business demands it.

6. That he will keep such industry in proper and continuous operation at the Town of Collingwood for a period of twenty years from the commencement of operations.

7. That he will insure the said buildings, plant and machinery in a Stock Company approved of by the Corporation, to an amount sufficient to protect the interest of the Corporation as they shall from time to time appear, and, if at any time during the said period of twenty years, the said buildings, plant and machinery, or any part thereof, should be destroyed by fire or otherwise, he shall either reinstate the same, or the said Corporation shall be entitled to be paid out of the said insurance monies an amount equal to a proportionate part of the said bonus which shall not have been earned by the said party of the second part.

8. That he will deposit with the said Corporation the sum of two hundred dollars as an evidence of his good faith, to be returned to him if the said By-law should not carry, and, in the event of its carrying, when he begins the erection of said buildings.

9. That upon the erection of the said buildings and the installation of the said plant, he will make to the said Corporation a first mortgage upon the said site, buildings, plant and machinery, to secure the repayment of the said loan of twenty-five thousand dollars in manner following, that is to say :—He will pay interest at the rate of four and one half per cent. per annum yearly upon the unpaid principal from time to time remaining unpaid, and will pay off the principal sum in fifteen equal annual instalments, beginning at the expiration of five years from the beginning of operations, the first instalment to be due and payable five years from the beginning of operations with interest after the rate aforesaid, payable yearly upon the principal sum from time to time remaining unpaid.

In consideration whereof the said Corporation agrees with the said party of the second part as follows :—

10. That they will grant to the said party of the second part, or his assigns, by way of loan the sum of twenty-five thousand dollars, such sum to be payable in cash to the said party of the second part, or his assigns, upon the completion of the said buildings, or the installation of the said plant, or from time to time during the progress of the work, upon security satisfactory to the Corporation being given by the said party of the second part for the repayment of the said advances. Such loan to be secured by mortgage upon the said site, buildings, plant and machinery repayable with interest at four and one-half per cent. at the times and in the manner above set forth.

11. That they will fix the annual assessment of the said buildings, plant and machinery at the sum of twelve thousand five hundred dollars for a period of ten years, after which period the said buildings, plant and machinery shall be assessed in the same manner as if this agreement had not been made.

12. That they will supply from their system of waterworks, water to the extent of not more than two thousand gallons per day for manufacturing purposes only, free of charge to the said industry.

13. That they will, if the said parties of the second part require a site on the water front, grant a lease of a suitable site for twenty years at a fair rental to be hereafter determined, and at the end of twenty years the said lease shall be renewed for a further period of twenty years, and the rent thereof fixed by arbitration in the usual manner.

14. That they will submit a By-law to the duly qualified electors of the said Town to vote upon this agreement, as soon as conveniently may be after the execution of these presents.

It is also agreed that :—

15. The said mortgage to be given by the said party of the second part shall, besides the usual clauses contain a stipulation that, if the said industry shall cease operations for a period of six months, the said mortgage shall at once become due and payable without notice, and the said lease terminated.

16. This agreement shall be valid and binding upon the said Corporation only in the event of the assent of the electors thereof being duly given in the manner required by law.

17. The said Corporation agrees to provide adequate fire protection for the said industry provided it is located within a reasonable distance of the present mains of the Corporation's Waterworks System.

In witness whereof the said parties hereto have hereunto affixed their hands and seals the day and year first above written.

Signed, Sealed and Delivered } Signed, R J. DISNEY, [L.S.]
in the presence of /

[Corporate Seal.]

W. A. HOGG,
Mayor.
JOHN DUNCAN,
Clerk.

No. 71

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Town of Colling-
wood.

First Reading, 24th April, 1903.

(Reprinted as amended by Private Bills
Committee).

Mr. DUFF.

TORONTO:

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

An Act to revive, extend and amend an Act to incorporate the Kingston and Gananoque Electric Railway Company

WHEREAS John M. Campbell and others were, by an Act Preamble. passed in the 58th year of Her late Majesty's reign, Chapter 104, incorporated as a company under the name of "The Kingston and Gananoque Electric Railway Company" for the purpose of constructing and operating certain electric railways from the City of Kingston to the Town of Gananoque along the routes set forth in the said Act to the Town of Perth; and whereas by Section 12 of the said Act it was provided that the said work should be commenced within two years from the passage of the said Act; and whereas the said Company have been unable to commence the said railways within the said two years and have by their petition prayed that the time for the commencement of the same be extended for two years from the passing of this Act, and that the powers of the Company be otherwise extended in the manner hereinafter set forth; and 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 Act passed in the 58th year of Her late Majesty's reign, Chapter 104, and entitled *An Act to incorporate The Kingston and Gananoque Electric Railway Company* is hereby revived and the said The Kingston and Gananoque Electric Railway Company is declared to be and to have been from the date of the passing of the said Act an existing corporation as incorporated by and subject to the provisions of the said Act as amended by this Act, and the time for the commencement of the said railways or such section or branches thereof as are authorized by the said Act is hereby extended to two years and the completion to five years after the passing of this Act. 58 V. c. 104 revived.

2. Section 3 of the said Act is hereby repealed and the following substituted therefor:—

Provisional directors.

John M. Campbell, C. E. Britton, E. L. Atkinson, W. J. Gibson, J. C. Judd, J. B. McArthur and Colir James Sewell, 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. 5

Certain sections repealed.

3. Sections 6, 9, 10 and 11 of the said Act are hereby repealed.

No. of directors.

4. The number of directors shall not be less than five, nor 10 more than nine.

Date of annual meeting.

5. The date of the annual meeting of the shareholders shall be fixed by the by-laws of the Company.

Calls.

6. The directors of the Company may from time to time make such calls of money upon the respective shareholders 15 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 twenty-five per centum of the amount subscribed by each shareholder, or be made at 20 a less interval than one month from the previous call.

Bonds.

7. The directors of the Company shall have power to issue bonds and debentures of the Company for the purpose of raising money for prosecuting the undertaking, but the whole amount of the issue of such bonds and debentures shall not 25 exceed \$20,000 for each mile of said railway, and no bonds or debentures shall be issued until ten per cent. of the authorized capital appropriated to any one of the branches or sections has been actually expended on such branch or section.

Rights of aliens.

8. Aliens and companies incorporated abroad, as well as 30 British subjects and Corporations, may be shareholders in the Company, and all such shareholders, whether resident in this Province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible to office as directors of the Company. 35

Company may secure bonds, etc., by mortgage.

9. The Company may secure the bonds, debentures or other securities, hereby authorized to be issued, 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 40 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 in order to preserve the priority lien, charge, mortgage or privilege purporting to appertain to or be created by any bond, debenture or other security issued, or mortgage deed executed under the authority of this Act, that such bond or deed should be registered in any manner or in any place whatsoever except at the office of the Provincial Secretary as aforesaid, nor shall it be necessary to comply with the provisions of *The Bills of Sale and Chattel Mortgage Act*, or any Act requiring the registration or renewal of mortgages of chattels, but any mortgage which may be executed by the Company under the powers conferred upon it, shall, upon the same being deposited in the office of the Provincial Secretary, have full force and effect and priority according to the time of the 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, had been fully complied with.

10. The provisions of *The Ontario Companies Act* relating to the issue of preferential stock and being section 22 of said Act and the amendments thereto are hereby incorporated in and made part of this Act.

11. 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 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 railways 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 five 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 railways, 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 railways 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 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 statement of the whole of said railways 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. The construction of the railway in sections may be commenced at such point on the line of railway as the directors may determine, but the said work of construction shall be carried on from such point by sections continuing therefrom so as to form at all times one continuous line of railway; provided, however, that the Lieutenant-Governor in Council may sanction and approve of the construction by sections at different points and not continuously along the said line of railway.

Power to
operate road
in sections.

Rev. Stat.,
c. 209.

Directors
empowered to
pay in stock.

Proviso.

12. Whenever any section of the said railway, of not less than five miles, has been completed, the Company may give to the Commissioner of Public Works a notice as to it, similar to that required by section 87 of *The Electric Railway Act*, and unless ordered as provided by section 89 of the said Act to postpone the same, may open and operate such section as if it were a completed road, and all the sections of the said Act applicable thereto shall thereupon apply to the said section as if it were a completed road and to its operation.

13. The directors may enter into a contract or contracts with any individual, corporation or association of individuals for the construction or equipment of a railway or any part thereof, including or excluding the purchase of right of way, and may pay therefor either in whole or in part, either in cash or bonds, or in paid up stock, and may pay or agree to pay in paid up stock or in bonds of the said Company such sums as they may deem expedient to engineers, or for the right of way or material, plant or rolling stock, and also for the services of the promoters or other persons who may be employed by the directors for the purpose of assisting the directors and 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; provided that no such contract shall be of any force or validity

till sanctioned by resolution passed by the votes of the shareholders in person or by proxy, representing two thirds in value of the whole amount paid up of the total capital stock of the Company then issued and outstanding at a general meeting of the shareholders especially called for the purpose of considering such matters, and the stock so acquired by any person shall for all purposes be deemed to be paid up in cash.

14. The Company may make uniform special rates for the carriage of fruits, milk and other perishable freight. Special rates.

10 15. The Company shall have the power to collect and receive all charges subject to which goods or commodities may come into their possession, and on payment of such back charges and without any formal transfer shall have the same lien for the amount thereof upon such goods or commodities as the person to whom such charges were originally due, and shall be subrogated by such payment in all the rights and remedies of such persons for such charges. Collection of back charges.

16. The Company shall have power to agree for connections and making running arrangements with the Brockville Westport and Sault Ste Marie Railway, the Grand Trunk Railway Company of Canada, the Canadian Pacific Railway Company, or any one or more of said companies, if lawfully empowered to enter into any such agreement, upon terms to be approved by two-thirds in value of the shareholders, at a special general meeting to be held for that purpose; and it shall also be lawful for the said company to enter into an agreement or agreements with the said companies or any of them, if lawfully authorized to enter into any such agreement, for the sale or leasing or hiring of any portion of the railway herein authorized or the use thereof, or for the sale or leasing or hiring any motors, carriages or cars or any of them or any part thereof, or touching any service to be rendered by one company to the other, and the compensation therefor, if the arrangements and agreements shall be approved of by two-thirds in value of the shareholders voting in person or by proxy at a special general meeting to be called for that purpose; and every such agreement shall be valid and binding according to the terms and tenor thereof; and the company purchasing, leasing or entering into such agreement for using the said railway, may and are hereby authorized to work the said railway, in the same manner as if incorporated with their own line, subject to the provisions of any by-law or by-laws of the said municipalities which may from time to time be in force so far as the same may affect the Company hereby incorporated, or the railway to be built under the authority of this Act; provided that electric power, compressed air, or any other motive power approved of by the Commissioner of Public Works, except steam, only shall be used in operating any portion of the said railways or any section or branch Power to make connections and running arrangements with certain railways.
Proviso.

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. 5

Power to lease or hire rolling stock of other companies.

17. It shall be lawful for the directors of the Company to enter into an agreement or agreements with any other company or companies for leasing, hiring or use of any cars, 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 cars, rolling stock and moveable property of the other or others of them on such terms as to compensation or otherwise as may be agreed upon. 10 15 20

Municipalities may exempt Company from taxation.

18. It shall be lawful for the corporation of any municipality through any part of which the undertaking 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, but not including assessment or taxation for school purposes, 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. 25 30

Aid to Company

19. The Company may receive from any persons or bodies corporate, municipal or politic, who have power to make or grant the same, aid towards the construction, equipment or maintenance of such 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. 35

Power to cross other railway.

20. Notwithstanding any provisions 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. 40

Conveyance of land, form of.

21. 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 45

- 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 duplicate thereof.
- 10 **22.** The directors are hereby authorized to pay out of moneys of the Company 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. Payment of Fees and Expenses.
- 15 **23.** Notwithstanding anything contained in this Act, or in any Statute of the Province, no municipality shall have the power to grant to said railway any exclusive rights, privileges or franchise as to the transmission of electrical energy for power, light and heat over or across any public highway or street in said municipality. Municipalities not to grant exclusive rights.
- 20 **24.** The undertaking hereby authorized shall be commenced within two years, and put into 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. Time for Commencement.
- 25.** The several clauses of *The Electric Railway Act* and of every Act and 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 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 Electric Railway Act*, and of every Act in amendment thereof so incorporated with this Act. Rev. Stat. 209 Electric Railway Act, when to apply.
- 30 **26.** 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 said railway or branches; and, for the purpose of constructing, working and protecting the said telegraph and telephone lines the powers conferred upon telegraph companies by *The Act Respecting Telegraph Companies*, being Chapter 192 of the Revised Statutes of Ontario, 1897, are hereby conferred upon the Company; provided that no poles shall be erected in the construction of either of the said lines in or through any city, town, or incorporated village, without the consent of the council of such city, town, or village being first obtained by the Company; and the Company may undertake the trans- Telegraph and Telephone Line.
- 35
- 40
- 45

mission of messages for the public by such line or lines of telegraph or telephone, and collect tolls for doing so. And, with the consent of the Lieutenant-Governor in Council, may enter upon, use, occupy and enjoy any unoccupied lands of the Crown for any or all of the purposes aforesaid.

5

Powers of Company.

27. The Company shall have power and authority :—

Power houses, docks, etc.

(1) To purchase land for, and erect power houses, warehouses, elevators, docks, stations, workshops, machine shops, foundries and offices, and to sell and convey such land as may be found unnecessary for any such purpose, and the Company shall have the power to build, own, operate and hold as part of the property of the Company as many steam or other vessels as the directors of the Company may deem requisite, from time to time to facilitate the carriage of passengers, freight, and other traffic in connection with the railway ;

15

Buildings, stations, 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, wagons and other machinery and contrivances necessary or convenient for the working of the railway and the accommodation and use of the passengers, freight and business of the railway ;

20

Works for production of electricity.

(3) To construct, maintain and operate works for the production of electricity for the motive power of the said railway and for the lighting and heating the rolling stock and other property of the Company ;

25

Disposal of surplus electric power.

(4) To sell or lease, in any municipality where such sale or lease is authorized by by-law of the council of the municipality and subject to the terms and conditions of such by-law, 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.

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Rev. Stat. 200

Acquiring right to transmit electricity

(5) To acquire, by purchase or lease, 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 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

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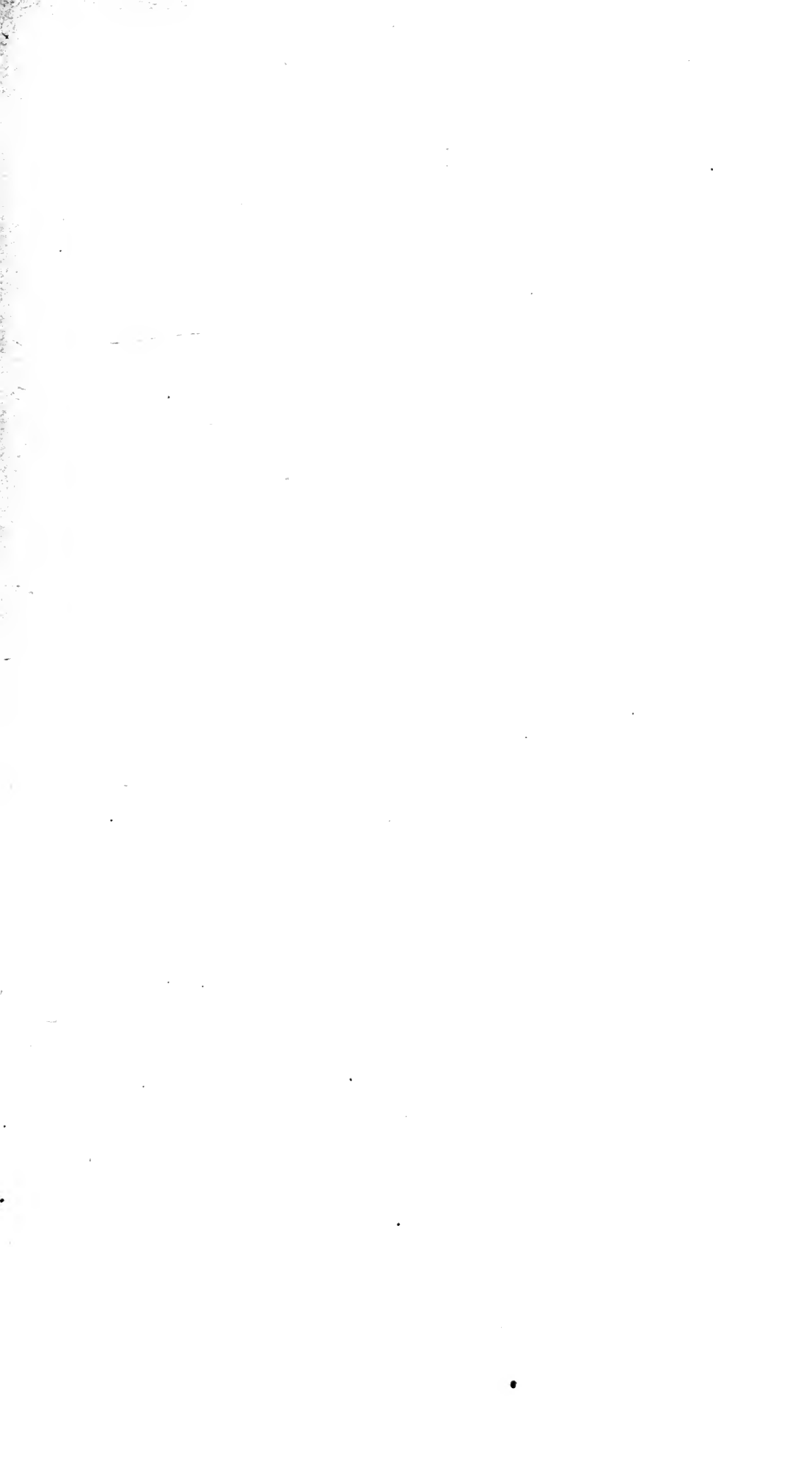
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the cords or wires of such lines, or the conduits for such electricity, upon and subject to such agreement in respect thereof as shall first be made between the Company and any private owners of the land affected, and between the Company
 5 and any municipality in which said works, or any part thereof, or of the railway, may be situate, and under and subject to any by-law or by-laws of the council of such municipality passed in pursuance thereof. And, with the consent of the Lieutenant-Governor in Council to enter upon, use,
 10 occupy and enjoy any unoccupied lands of the Crown for any or all the purposes aforesaid.

28. The council of any municipality through which the said railway passes, having jurisdiction over any highway, may, subject to the conditions and restrictions contained in
 15 *The Electric Railway Act* and in *The Municipal Act* and any Act or Acts amending the same, pass a by-law or by-laws empowering the Company to make their road and lay their tracks along such highway: and any individual firm or corporation, owning any road, or bridge, or land, over or along
 20 which it is desired to carry the said railway, may grant the right to the Company to make their road and lay their track and operate their railway over and along the same, and such council, individual, firm and corporation and the Company are empowered to enter into such mutual agreements res-
 25 pectively relating thereto, and upon such terms as to them seem just and proper, subject to the terms of any agreement heretofore lawfully entered into between any municipality and any other railway company.

Municipalities
 may grant
 right of way
 on highways.





An Act to revive, extend and amend an Act to incorporate the Kingston and Gananoque Electric Railway Company

WHEREAS John M. Campbell and others were, by an Act Preamble. passed in the 58th year of Her late Majesty's reign, Chapter 104, incorporated as a company under the name of "The Kingston and Gananoque Electric Railway Company" for the purpose of constructing and operating certain electric railways from the City of Kingston to the Town of Gananoque, along the routes set forth in the said Act, to the Town of Perth; and whereas by Section 12 of the said Act it was provided that the said work should be commenced within two years from the passage of the said Act; and whereas the said Company have been unable to commence the said railways within the said two years and have by their petition prayed that the time for the commencement of the same be extended for two years from the passing of this Act, ^{and} and that the said railway may be extended from the Town of Perth in a northerly direction through the Townships of Drummond and Lanark in the County of Lanark to the Village of Lanark, ^{and} and that the powers of the Company be otherwise extended in the manner hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

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

1. The Act passed in the 58th year of Her late Majesty's 58 V. c. 104 reign, Chapter 104, and entitled *An Act to incorporate The Kingston and Gananoque Electric Railway Company* is hereby revived revived and the said The Kingston and Gananoque Electric Railway Company is declared to be and to have been from the date of the passing of the said Act an existing corporation as incorporated by and subject to the provisions of the said Act as amended by this Act, and the time for the commencement of the said railways or such sections or branches thereof as are authorized by the said Act is hereby extended to two years and the completion to five years after the passing of this Act.

^{REV} 50 V. c. 104, s. 2, amended. ^{REV} 2. Section 2 of the said Act is amended by inserting after the word "Perth" in the 13th line thereof the words "thence, in a northerly direction through the Townships of Drummond and Lanark, in the County of Lanark, to the Village of Lanark."^{REV}

3. Section 3 of the said Act is hereby repealed and the following substituted therefor:—

Provisional directors.

3. John M. Campbell, C. E. Britton, E. L. Atkinson, W. J. Gibson, J. C. Judd, J. B. McArthur and Colin James Sewell, 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.

Certain sections repealed.

4. Sections 6, 8, 9, 10 and 11 of the said Act are hereby repealed.

No. of directors.

5. The number of directors shall not be less than five, nor more than nine.

Date of annual meeting.

6. The date of the annual meeting of the shareholders shall be fixed by the by-laws of the Company.

Calls.

7. 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, *as provided by The Electric Railway Act*, 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.

^{REV} Rev. Stat., c. 209.

Rights of aliens.

8. Aliens and companies incorporated abroad, as well as British subjects and Corporations, may be shareholders in the Company, and all such shareholders, whether resident in this Province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible to office as directors of the Company.

Preferential stock. Rev. Stat., c. 191.

9. The provisions of *The Ontario Companies Act* relating to the issue of preferential stock and being section 22 of said Act and the amendments thereto are hereby incorporated in and made part of this Act.

Powers to make surveys and build railway in sections.

10. 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 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 railways 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 five 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 railways, 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 railways 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 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 statement of the whole of said railways 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. The construction of the railway in sections may be commenced at such point on the line of railway as the directors may determine, but the said work of construction shall be carried on from such point by sections continuing therefrom so as to form at all times one continuous line of railway: provided, however, that the Lieutenant-Governor in Council may sanction and approve of the construction by sections at different points and not continuously along the said line of railway.

Rev. Stat.
209.

11. Whenever any section of the said railway, of not less than five miles, has been completed, the Company may give to the Commissioner of Public Works a notice as to it, similar to that required by section 87 of *The Electric Railway Act*, and unless ordered as provided by section 89 of the said Act to postpone the same, may open and operate such section as if it were a completed road, and all the sections of the said Act applicable thereto shall thereupon apply to the said section as if it were a completed road and to its operation.

Power to
operate road
in sections.

Rev. Stat.,
c. 209.

12. The said company shall have all the borrowing powers conferred by the provisions relating thereto in *The Electric Railway Act*, and may issue bonds, debentures and other securities, as therein provided, to an amount not exceeding \$20,000 for each mile of the railway, and the power of issuing such bonds, debentures or other securities may be exercised from time to time as said sections of five miles or over are opened, to the amount of \$20,000 a mile for each mile so opened, although twenty per centum of the authorized capital

Power to bor-
row by the
issue of bonds,
etc.

may not have been then actually expended, and when said twenty per centum has been actually expended on the work of the said railway, then the company shall have all the powers relating to the issue of bonds, debentures and securities conferred by *The Electric Railway Act*, and to the said limit or amount of \$20,000 per mile of the railway.

Rev. Stat.,
c. 209.

Directors
empowered to
pay in stock.

13. The directors may enter into a contract or contracts with any individual, corporation or association of individuals for the construction or equipment of a railway or any part thereof, including or excluding the purchase of right of way, and may pay therefor either in whole or in part, either in cash or bonds, or in paid up stock, and may pay or agree to pay in paid up stock or in bonds of the said Company such sums as they may deem expedient to engineers, or for the right of way or material, plant or rolling stock, and also for the services of the promoters or other persons who may be employed by the directors for the purpose of assisting the directors and 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; provided that no such contract shall be of any force or validity till sanctioned by resolution passed by the votes of the shareholders in person or by proxy, representing two-thirds in value of the whole amount paid up of the total capital stock of the Company then issued and outstanding at a general meeting of the shareholders especially called for the purpose of considering such matters, and the stock so acquired by any person shall for all purposes be deemed to be paid up in cash.

Proviso.

Special rates.

14. The Company may make uniform special rates for the carriage of fruits, milk and other perishable freight.

Collection of
back charges.

15. The Company shall have the power to collect and receive all charges subject to which goods or commodities may come into their possession, and on payment of such back charges and without any formal transfer shall have the same lien for the amount thereof upon such goods or commodities as the person to whom such charges were originally due, and shall be subrogated by such payment in all the rights and remedies of such persons for such charges.

Power to
make con-
nections and
running
arrangements
with certain
railways.

16. The Company shall have power to agree for connections and making running arrangements with the Brockville Westport and Sault Ste Marie Railway, the Grand Trunk Railway Company of Canada, the Canadian Pacific Railway Company, or any one or more of said companies, if lawfully empowered to enter into any such agreement, upon terms to be approved by two-thirds in value of the shareholders, at a special general meeting to be held for that purpose; and it shall also be lawful for the said company to enter into an agree-

ment or agreements with the said companies or any of them, if lawfully authorized to enter into any such agreement, for the sale or leasing or hiring of any portion of the railway herein authorized or the use thereof, or for the sale or leasing or hiring any motors, carriages or cars or any of them or of any part thereof, or touching any service to be rendered by one company to the other, and the compensation therefor, if the arrangements and agreements shall be approved of by two-thirds in value of the shareholders voting in person or by proxy at a special general meeting to be called for that purpose; and every such agreement shall be valid and binding according to the terms and tenor thereof; and the company purchasing, leasing or entering into such agreement for using the said railway, may and are hereby authorized to work the said railway, in the same manner as if incorporated with their own line, subject to the provisions of any by-law or by-laws of the said municipalities which may from time to time be in force so far as the same may affect the Company hereby incorporated, or the railway to be built under the authority of this Act; provided that electric power, compressed air, or any other motive power approved of by the Commissioner of Public Works, except steam, 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.

17. The authority and power conferred upon the Company by this Act to enter into agreements with any other railway Company for connections, running arrangements, sale lease or hiring of the said railway, or to sell or lease or transmit electrical power, shall be subject to such terms, conditions and regulations as may be provided and enacted by any general or special Act or Acts which may at the time such agreement is entered into be in force, and to such terms, conditions and regulations, general or special, as the Lieutenant-Governor-in-Council or any special Committee of the Executive Council of Ontario appointed for that purpose may from time to time order.

18. Notwithstanding any provisions 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.

Payment of
Fees and
Expenses.

19. The directors are hereby authorized to pay out of moneys of the Company 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.

Municipalities
not to grant
exclusive
rights.

20. Notwithstanding anything contained in this Act, or in any Statute of the Province, no municipality shall have the power to grant to said railway any exclusive rights, privileges or franchise as to the transmission of electrical energy for power, light and heat over or across any public highway or street in said municipality.

Rev. Stat. 209
Electric Rail-
way Act, when
to apply.

21 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 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 Electric Railway Act*, and of every Act in amendment thereof so incorporated with this Act.

Telegraph and
Tel phone
Line.

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 said railway or branches; and, for the purpose of constructing, working and protecting the said telegraph and telephone lines the powers conferred upon telegraph companies by *The Act Respecting Telegraph Companies*, being Chapter 192 of the Revised Statutes of Ontario, 1897, are hereby conferred upon the Company; provided that no poles shall be erected in the construction of either of the said lines in or through any city, town, or incorporated village, without the consent of the council of such city, town, or village being first obtained by the company; ⁴² provided also, that such telegraph and telephone lines shall be used exclusively for the purposes of the business of the company. ⁶³

Disposal of
surplus
electric power.

23. ⁴² The company may ⁶³ sell or lease in any municipality where such sale or lease is authorized by by-law of the council of the municipality and subject to the terms and conditions of such by-law, 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 section.

24. Any municipality through which the said railway passes and having jurisdiction in the premises may, subject to the provisions and conditions contained in this Act, *The Municipal Act* and any Act or Acts amending the same, and subject also to the terms of, and unless restricted by, any agreement lawfully entered into between any such municipality and any other railway or street railway company, 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 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, and it shall and may be lawful for the said company to enter into and perform any such agreements as they may from time to time deem expedient with any municipality, corporation or person, for the construction or for the maintenance and repair of gravel or other public roads leading to or used by the said railway.

¹²⁷ Laying rails
on highways. ¹²⁸
¹²⁷ Rev. Stat.,
c. 223. ¹²⁸

25. Notwithstanding anything in this Act contained, the railway shall not be constructed within the limits of any city except upon and subject to such terms and conditions as may mutually be agreed upon between the Company and any street railway or electric railway already operating in such city, provided always that if the council of such city shall by by-law or resolution request the street railway company or electric railway company to allow its tracks or any of the city streets to be used for the entrance of the railway to be constructed under this Act into such city, the company shall permit its tracks or any city streets to be so used to some central point in the said city to be named by the city Council upon such terms and conditions as to compensation and otherwise as may be mutually agreed upon between the company authorized by this Act to construct a railway, the city corporation and such street railway or electric railway company, or as shall be settled and determined by the Lieutenant-Governor in Council in case the city corporation and the said two companies are unable to agree upon the same.

¹²⁷ Operating in
cities. ¹²⁸

26. The name of the Kingston and Gananoque Electric Railway Company is hereby changed, and the corporate name of the company is hereby declared to be The Kingston, Gananoque and Perth Electric Railway Company.

1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act to revive, extend and amend an Act to incorporate The Kingston and Gananoque Electric Railway Company.

First Reading, 1st May, 1903.

(Reprinted as amended by Railway
Committee.)

(Private Bill.)

Mr. CALDWELL

TORONTO:

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

An Act respecting the Village of Fenelon Falls.

WHEREAS The Municipal Corporation of the Village of ^{Preamble.} Fenelon Falls has by its petition represented that the said corporation has passed a By-law to authorize the purchase by the said municipal corporation of first preference 5 stock to the amount of \$15,000 in Sandford Woodenware, Limited, and to provide for the issuing of debentures of the said municipal corporation to the amount of \$15,000 to raise the sum required therefor: that the said by-law was submitted to a vote of the ratepayers when there were 159 10 votes in favor and only 7 votes against the same; that Sandford Woodenware Limited, mentioned in the said by-law has since been incorporated under the name of Sandford Furniture and Woodenware, Limited, and has entered into an agreement with the municipal corporation pursuant to the provisions of the said by-law; and whereas the said municipal 15 corporation has further by its petition represented that the said municipal corporation has passed a By-law respecting water, light and power in the Village of Fenelon Falls, after the same had been duly submitted to the ratepayers, and that 20 an agreement with reference thereto has been entered into between Messrs. McDougal, Brandon and Austin and the Fenelon Falls Electric Light Company, Limited, of the one part and the said municipal corporation of the other part; and whereas the said municipal corporation has by its said petition 25 prayed that the said by-law may be legalized and declared valid and binding and that the said agreements may be ratified and confirmed; and whereas no opposition has been offered to the said petition and it is expedient to grant the prayer of the said petition;

30 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. 427 of the municipal corporation of the ^{By-law 427 confirmed.} Village of Fenelon Falls, set forth as Schedule A to this 35 Act, and the debentures to be issued thereunder as therein provided are confirmed and declared valid and binding on the said municipal corporation, and it is declared that the said by-law applies to and shall enure to the benefit of "Sandford Furniture and Woodenware, Limited," as though the same 40 were mentioned therein wherever "Sandford Woodenware, Limited," is mentioned.

Agreement
with Sanford
Furniture and
Woodenware,
Limited,
confirmed.

2. The said agreement between "Sandford Furniture and Woodenware, Limited," and the said municipal corporation, set forth as Schedule B to this Act, is hereby ratified and confirmed and declared valid and binding on the parties thereto, and it is expressly declared that where any provisions in the said agreement vary or conflict with the provisions of the said by-law, the said agreement shall govern, and the said municipal corporation are hereby authorized and empowered to pass all necessary by-laws to carry out the said agreement. 5

Council to
elect one
Director of
Company.

3. So long as the said municipal corporation hold the said \$15,000 preference stock or a majority thereof, the municipal council of the said corporation shall have power from time to time, by by-law, to elect one director of the said Sandford Furniture and Woodenware Limited, who shall hold office during the pleasure of the council, and such director shall not be required to hold any stock or have any other qualifications. 15

Power to
Company to
redeem prefer-
ence stock.

4. Sandford Furniture and Woodenware Limited, may from time to time redeem or buy in for cancellation the whole or any part of their preferred stock in sums of not less than \$100 upon payment of the par value thereof, together with all unpaid dividends thereon and interest, as provided in their charter up to the date of such redemption, the respective shares to be paid off to be decided by lot in case the parties cannot agree upon the same. 20 25

Preference
Stock to be
used for pay-
ment of
Debentures.

5. The said preferred stock when purchased by the said corporation shall be held upon, and the same is hereby impressed with a trust for the payment of the debentures to be issued under the said by-law, No. 427, and interest thereon, and the said stock and dividends thereon and proceeds from sales thereof and interest thereon shall not be used for any other purpose until the said debentures and interest thereon have been fully paid and satisfied. 30

Power of
Council to sell
preference
stock.

6. The council of the said corporation shall from time to time by a vote of two-thirds of the whole council have power to sell and dispose of the said preference stock or any part thereof, and the proceeds of such sales from time to time shall be used in the payment of said debentures and the interest thereon, but should the whole proceeds of any sale not be required for that purpose by reason of the debentures not being due and payable, such part of the proceeds as are not required shall be set apart and invested at interest until the same are required. 35 40

Power to
pledge stock.

7. The council shall also have power in case default is, at any time, made in the payment of dividends on said stock, or in case moneys are required to pay an instalment of principal 45

of the debentures, to borrow money on the credit of the corporation, and pledge the said debentures and dividends as security therefor, so as to pay any instalment of principal or interest payable under said by-law, such loan to be repaid out of the dividends when received, or the stock disposed of, as the case may be.

8. It shall not be necessary for the council of the said municipal corporation to raise the sum of \$1,153.14, as required by section 4 of the said by-law, No. 427, provided they have from dividends or proceeds of the sale of said stock and interest thereon, or from loan raised, as provided for in the preceding section, sufficient moneys on hand to pay the same, and if they have part of the moneys on hand it shall only be necessary to raise the balance of the said sum required under the said by-law.

Power to Council to vary terms of By-law.

9. By-law, No. 428 of the Municipal Corporation of the Village of Fenelon Falls, set forth as Schedule C to this Act and the debentures issued thereunder, and the agreement between Messrs. McDougall, Brandon and Austin and the Fenelon Falls Electric Light Company, Limited, of the one part, and the said municipal corporation of the other part, dated the 24th day of March, 1903, set forth as Schedule D to this Act, are hereby ratified and confirmed and declared valid and binding upon the said parties thereto, and the municipal council of the said corporation is hereby authorized and empowered to issue debentures as provided for by the said by-law and agreement and to carry out the said purchase.

By-law 428 and agreement permanent thereto confirmed.

10. The properties mentioned in the said agreement and all extensions, alterations, developments and additions thereto and improvements thereof shall be and the same are hereby charged with the repayment of the debentures which may be issued under the terms of the said By-law No. 428 and the interest thereon, and the holders from time to time of any such debentures shall have a charge on the said properties, extensions, alterations, developments, additions and improvements for the securing of such debentures and interest, preferential to the claim of the holder of any other debentures issued by the said municipal corporation for any purpose other than in said By-law No. 428 mentioned.

Properties charged with Debentures.

11. The said debentures shall be issued by the Reeve and Treasurer of the said corporation, from time to time upon the request of the Board of Commissioners, and it shall not be necessary to issue the same within one year, and such debentures shall be for such sum or sums as may be required by the said Board for any of the purposes aforesaid which may be decided upon, but so that the total amount of indebtedness represented by debentures outstanding shall not at any time

Debentures to be issued by reeve and treasurer.

exceed the amount of \$75,000 without the consent of the Legislature being first had and obtained.

Debentures not to be part of general debt. **12.** It is hereby declared that the said debentures shall form no part of the general debt of the Village of Fenelon Falls, and it shall not be necessary to recite the amount thereof in any by-law for borrowing money on the credit of the village, but the village shall nevertheless be liable for the payment of all such debentures and interest thereon. 5

Chapters 234 and 235 R. S. O. made applicable. **13.** *The Municipal Water Works Act and The Municipal Light and Heat Act* shall apply to the said properties when purchased and any properties hereafter acquired, and all extensions and developments thereof, and the same shall be managed by a board of four commissioners who shall be a corporate body under the name of "The Board of Water, Light and Power Commissioners of the Village of Fenelon Falls," with perpetual succession and a common seal, and who shall have all the rights, powers, privileges, authorities and immunities, expressed to be given to commissioners or to municipal councils under either of the said Acts. 15

Powers of commissioners. Rev. Stat. c. 223. **14.** The said board of commissioners shall have all the powers conferred upon municipal councils under section 564 of *The Municipal Act* and in addition shall have and exercise the powers following:— 20

(a) To generate or develop electric energy by means of water power or otherwise, either in the said municipality or elsewhere. 25

(b) To construct, maintain and operate waterworks for all purposes, and to construct and maintain a sewerage system throughout the said village or any part thereof.

(c) To purchase, lease, or otherwise acquire and hold all such real estate, water power or powers, as may from time to time be necessary and proper for the purposes and uses of the municipal corporation of the Village of Fenelon Falls in connection with the matters aforesaid, and also to sell, lease or otherwise dispose of the same, or any part or parts thereof from time to time in such manner and on such terms as they may deem fit: provided always that such real estate acquired for the purposes hereinbefore mentioned shall at all times be held exclusively for the purposes and uses of the said corporation as by this Act authorized, and not otherwise. 35 40

(d) To contract and agree with any municipality, corporation and company or person, for the purchase or lease of water power and lands in connection therewith and for erecting and constructing buildings, plant, machinery and appliances for the purpose of such development. 45

(e) To purchase such land and erect such buildings, plant, machinery and appliances.

(f) To contract and agree with any municipality, corporation, company or person for the right to erect, construct, lay or affix any poles, conduits or wires, or other necessary appliances over, under, or along the lands, ways, roads, public or real property of such municipality, corporation, company or person.

(g) To carry or transport electric energy so developed thereon, and to use, distribute, supply, sell or dispose of such electric energy in the Village of Fenelon Falls, or in the vicinity thereof to any corporation, company or person, or to any municipality.

(h) To build, erect, construct, lease or purchase, and operate buildings, plant, machinery or appliances for producing or transforming such electric energy for any purpose for which it is or may be used.

15 **15.** The Reeve of the Village of Fenelon Falls shall ex-officio be one of the commissioners, and the other three shall be elected as provided by *The Municipal Water Works Act*, except that each of the said elected commissioners, save as provided in section 16 with respect to the first election, shall continue in office for three years, and until his successor has been elected, and after the first election one commissioner shall be elected annually, at the same time and in the same manner as the Reeve.

Reeve to be a commissioner.

Rev. Stat. c. 234.

25 **16.** The Corporation shall forthwith, after the passing of this Act, pass a by-law and fix a time and provide for the first election of commissioners, and the election shall proceed and take place in the same manner as the election of a reeve, except that each elector may vote for three commissioners, and all the provisions of *The Municipal Act* in reference to elections for reeves shall apply thereto, and the commissioner elected having the lowest number of votes shall retire at the next annual municipal election, and the one having the second lowest number of votes shall retire at the second annual election, and thereafter the commissioners shall retire in rotation. In the event of the first three commissioners being elected by acclamation the Board of Commissioners shall at their first meeting determine by lot the order in which they shall retire respectively, and in case of a vacancy from any cause or causes occurring at any time on the Board the municipal council of the village may by by-law appoint a commissioner to hold office until the next annual election, when a new commissioner shall be elected to fill the said vacancy, who shall hold office for the residue of the term of the commissioner whose seat during the previous year became vacant, and the election to fill such vacancy shall be a separate election from the election of the commissioner then to be elected for three years.

Election of commissioners.

Rev. St. t. c. 223.

SCHEDULE A.

BY LAW No. 147.

A By-law to authorize the purchase by the Village of Fenelon Falls of first preference stock to the amount of \$15,000 in Sanford Woodenware, Limited, and to provide for the issuing of debentures of the said village to the amount of \$15,000 and to raise the sum required thereof.

Whereas Francis Sanford, Donald J. McKinnon and John McEachern purpose to form a company under the name of "Sanford Woodenware, Limited," (or some other suitable name) and to erect a large factory for the manufacture of furniture and woodenware within the Village of Fenelon Falls, and have undertaken that the said company, when incorporated, shall enter into an agreement with the said village, conditional upon the passing and validation of this By-law, to erect such factory and to employ therein at least an average number of fifty men for a period of twenty years from the first day of October next (1903).

Whereas it is advisable that the Corporation of the Village of Fenelon Falls should purchase first preference Capital Stock of Sanford Woodenware, Limited, to the amount of \$15,000.

And whereas, in order so to do, it will be necessary to issue debentures of the said municipality for the sum of \$15,000 as hereinafter provided (which is the account of the debt intended to be created by this by-law) the proceeds of the said debentures to be applied to the purpose aforesaid and to no other.

And whereas it is desirable to issue the said debentures at one time and to make the principal of the said debt payable by yearly sums during the period of twenty years (the currency of the said debentures) said yearly sum being for such respective amounts that the aggregate amount payable in each year for principal and interest shall be as nearly as possible equal to the amount so payable in each of the nineteen years of the said period.

And whereas the total amount required by *The Municipal Act* to be raised annually by special rate for paying the said debt and interest as hereinbefore provided is \$1,153.14.

And whereas the amount of the whole rateable property of the Village of Fenelon Falls, according to the last revised Assessment Roll thereof, is \$296,238.00.

And whereas the said village has no existing debenture debt neither for principal or interest.

Therefore the Municipal Council of the Village of Fenelon Falls enacts as follows:—

1. When and so soon as the said above named parties shall have obtained incorporation under the name of "Sanford Woodenware, Limited" (or some other suitable name), and have shown to the Council of the corporation of the Village of Fenelon Falls that at least \$35,000 of the common stock of the said company has been actually and bona fide subscribed and fully paid up, and the said company has entered into an agreement with the said corporation to employ within the Village of Fenelon Falls an average number of fifty men during a period of twenty years, the Municipal Council of the said Village of Fenelon Falls shall expend the sum of \$15,000 in the purchase of first preference shares entitled to dividends at the rate of five per cent. per annum in the capital stock of the said company under whatever name the said parties may be incorporated, and for the purpose of raising the said sum, debentures of the said village to the amount of \$15,000 as aforesaid, in sums of not less than \$100 each, shall be issued on the first day of September, A.D. 1903, or on such later day, being within one year of the passing of the by-law, as the company shall comply with the conditions herein-

before expressed ; each of which debentures shall be dated on the date of the issue thereof and shall be payable within twenty years thereafter at the Bank of British North America in the said Village of Fenelon Falls.

2. Each of the said debentures shall be signed by the Reeve of the said Village of Fenelon Falls and by the treasurer thereof, and the Clerk thereof shall attach thereto the corporation seal of the municipality.

3. The said debentures shall bear interest at the rate of four and one-half per cent. per annum, payable yearly at the said bank on the first day of December in each and every year the currency thereof.

4. During the currency of the said debentures there shall be raised annually by special rate on the rateable property in the said Village of Fenelon Falls the sum of \$1,153.14 for the purpose of paying the amount due in each of the said years for the principal and interest in respect to the said debt, as follows :

Year.	Interest.	Principal.	Total amount.
1904.....	\$675 00	\$478 14	\$1,153 14
1905.....	653 48	499 66	1,153 14
1906.....	631 00	522 14	1,153 14
1907.....	607 50	545 64	1,153 14
1908.....	582 95	570 19	1,153 14
1909.....	557 29	595 85	1,153 14
1910.....	530 47	622 67	1,153 14
1911.....	502 45	650 69	1,153 14
1912.....	473 17	679 97	1,153 14
1913.....	442 57	710 57	1,151 14
1914.....	410 60	742 54	1,153 14
1915.....	377 18	775 96	1,153 14
1916.....	342 26	810 88	1,153 14
1917.....	305 78	847 36	1,153 14
1918.....	267 65	885 49	1,153 14
1919.....	227 80	925 34	1,153 14
1920.....	186 16	966 98	1,153 14
1921.....	142 64	1,011 50	1,153 14
1922.....	98 17	1,054 97	1,153 14
1923.....	39 65	1,103 49	1,153 14

5. This by-law shall take effect on the day of the passing thereof and on its validation by an Act of the Legislature of the Province of Ontario.

6. The assessment of the real and personal property of the said company, its successors and assigns within the village, used in connection with its business now or hereafter acquired (not however including any dwelling property) shall be and is hereby affixed for twenty years from the first day of January, A.D., 1903, at an annual assessment of \$5,000.

7. The votes of the electors of the said Village of Fenelon Falls shall be taken on this by-law on the following times and places :

That is to say, on

Monday, the ninth day of March next (1903), commencing at the hour of nine o'clock in the forenoon and continuing until five o'clock of the same day, by the following Deputy Returning Officers :

Number of polling places.	Place where situated.	Deputy Returning officer.
1.....	Twomey's Hall	C. W. Burgoyne
2.....	Jordan's Hall	W. T. Junkin.

8. On Friday, the 6th day of March, A.D. 1903, the Reeve of the said Village of Fenelon Falls shall attend at the Council Chamber at ten o'clock in the forenoon to appoint persons to attend at the various polling places aforesaid, and at the final summing up of the votes by the clerk on behalf of the persons interested in promoting or opposing the passing of this by-law respectively.

9. The Clerk of the Council of the said Village of Fenelon Falls shall attend at the Council chamber at ten o'clock in the forenoon on Wednesday, the 11th day of March, A. D. 1903, to sum up the number of votes for and against the by-law.

Read a first and second time at the Village of Fenelon Falls this ninth day of February, A. D. 1903.

W. T. JUNKIN,
Clerk.

JOS. MCFARLAND,
Reeve.

SCHEDULE B.

THIS INDENTURE made this Twentieth day of March, in the year of our Lord One Thousand Nine Hundred and Three, between Sandford Furniture and Woodenware Limited, hereinafter called the Company of the First Part, and The Corporation of the Village of Fenelon Falls, hereinafter called the Village, of the Second Part :—

Whereas the Company have lately been incorporated for the following purposes, that is to say :—

To manufacture, buy, sell and otherwise deal in furniture, wire-screen-doors and windows, and all articles which may be manufactured from wood in any form, and for the said purposes : (a) To acquire the business and the assets of the business now being carried on at the said Village of Fenelon Falls by the said Francis Sandford under the name of "F. Sandford," and to pay for the same by the allotment of fully paid-up stock ; (b) To acquire and take over the rights and privileges now owned or otherwise held by the said Francis Sandford in the Water-power of the Fenelon River, and in any and all agreements and leases in connection therewith, and (c) To carry on the business of a timber and lumber merchant.

And whereas the Company intend to largely increase the business heretofore carried on by the said Francis Sandford and have applied to the Village to assist them by purchasing the said fifteen thousand dollars of preference stock and fixing their assessment at the sum of five thousand dollars, which the said Village have agreed to do upon the terms hereinafter mentioned.

And whereas the capital of the said Company is one hundred thousand dollars divided into one thousand shares of one hundred dollars each, of which one hundred and fifty shares amounting to fifteen thousand dollars are preference shares.

And whereas the Village have submitted to the ratepayers for approval a By-Law No. 427, entitled, "a by-law to authorize the purchase by the Village of Fenelon Falls of first preference stock to the amount of \$15,000 and to raise the sum required therefor," on the understanding that this agreement should be entered into and which said by-law has been carried by a vote of over two-thirds of the ratepayers entitled to vote thereon, there being one hundred and fifty-nine votes in favor and only seven votes against the same.

And whereas the parties mentioned in the said by-law have formed a company under the name of Sandford Furniture and Woodenware Limited, instead of the name mentioned in the said by-law.

Now this indenture witnesseth that the said parties mutually covenant, promise and agree to and with each other as follows :

1. The Village agree that upon the Company proving to the satisfaction of the Council of the said Village that the conditions hereinafter mentioned have been complied with they will subscribe for and purchase from the

Company the whole of their preference stock amounting to fifteen thousand dollars, the same to be paid for by delivery to the Company of the fifteen thousand dollars of debentures, provided for by the said by-law No. 427, the said stock to commence earning dividends at the rate of five per cent. per annum from the delivery of the said debentures and the Company to pay to the Village the accrued interest on the debentures up to the date of delivery, it being agreed and understood that the proceeds of the said debentures when disposed of by the Company shall be used solely in the operations of the Company.

2. The said purchase to be subject to the following conditions :—

(a) That the Company have acquired and taken over as a going concern the business of the Manufacture of Woodenware, now carried on by the said Francis Sandford, and have also acquired and taken over the rights and privileges now owned or otherwise held by the said Francis Sandford, in the water-power of the Fenelon River, and any and all agreements in connection therewith, the whole to be free from incumbrance, and paid for by the allotment of the ordinary stock of the Company.

(b) That twenty thousand dollars of the ordinary stock of the Company has been subscribed and paid for to the company in cash at par value, the same to be used solely in the erection of new buildings, purchase of plant machinery, installing water-wheels, shafting, fire protection and general extension of the business, and not for paying for the business property to be taken over from the said Sandford.

(c) That the company have erected in the Village of Fenelon Falls on the south side of the Fenelon River a new factory or factories sufficient for the purposes of the company and have placed the plant and machinery therein and have the same in operation.

3. That the assessment of the real and personal property of the company, within the village used in connection with its business now or hereafter acquired shall be, and the same is hereby fixed for a period of twenty years from the first day of January, one thousand nine hundred and four, at an annual assessment of five thousand dollars and the company shall pay taxes upon an assessment of that amount. It is expressly agreed and understood however that such assessment shall not include any dwelling property or any other property not used or required for the purpose of carrying on the company's said manufacturing business and that all such property if owned or occupied by the Company shall be assessed in the usual way in addition to the said assessment of five thousand dollars.

4. The Company agree with the Village that from the first day of October, nineteen hundred and three, during a period of twenty years, they will employ in their factory and business in the Village of Fenelon Falls, an average number of at least fifty employees or that they will pay to the number of employees who are employed by them in the factory and business as aforesaid (exclusive of directors of the company or the manager thereof) wages averaging not less than \$1,500 per year during said twenty years, and that they shall not remove their business from the said Village.

5. The village shall make an application to the Legislative Assembly for a special act ratifying and confirming this agreement and the said by-law and giving the Village power to carry out the same.

6. In event of the special Act being obtained the Company shall pay to the Village all costs, charges and expenses incurred by them in connection with the said by-law and one-half the Parliamentary fee of \$100 for the special Act.

7. That in the event of the Legislature failing to pass the said special Act this agreement shall be null and void, and each party shall pay their own costs and expenses in connection therewith.

8. The Village and the Company agree each with the other that they

will join in asking to have inserted in the said special Act two clauses amending their charter as follows :—

(a) That so long as the Corporation of the Village of Fenelon Falls holds the said \$15,000 preference stock or a majority thereof the municipal council of the said corporation shall have power from time to time by law to elect one director of the said "Sanford Furniture and Woodware Limited" who shall hold office during the pleasure of the council and such directors shall not be required to hold any stock or have any qualification.

(b) The said "Sanford Furniture and Woodware Limited" may from time to time redeem or buy in for cancellation the whole or any part of their preferred stock in sums of not less than one thousand dollars, upon repayment of the par value thereof together with all unpaid dividends thereon and interest as provided in their charter up to the date of redemption the respective shares to be paid off to be decided by lot in case the parties cannot agree upon the same.

IN WITNESS WHEREOF the president of the said company has hereunto set his hand and affixed the corporate seal of the company, and the Reeve of the said Village has hereunto set his hand and affixed the corporate seal of the said village.

Signed, sealed and delivered in the presence of (Sgd.) F. A. McDIARMID.	}	(Sgd.) JOS. MCFARLANE, [Seal.] Reeve.
		(Sgd.) W. T. JUNKIN, Clerk.
		(Sgd.) D. J. MCKINNON, [Seal.] President,
		for Sandford Furniture & Wood- enware Limited.

SCHEDULE C.

By LAW No. 428.

A By-law respecting Water, Light and Power in the Village of Fenelon Falls.

Whereas by agreement bearing date the 24th day of March, 1903, the Village of Fenelon Falls agreed with Messrs. McDougall, Brandon and Austin and with the Fenelon Falls Electric Light Company, Limited, for the purchase of their share of the Water Power and privileges in the Fenelon River, their mill, machinery, plant, apparatus and franchises and all property real and personal held or used in connection therewith, for the sum of \$35,000.00.

And whereas it may be possible to purchase other parts or shares of the water power of the Fenelon River ;

And whereas it is necessary and advisable to further extend, alter and improve the development of the said properties ;

And whereas it is desirable to establish a system of waterworks for fire protection and other purposes ;

And whereas for these purposes it has been estimated that a further sum not to exceed \$40,000.00 will be required ;

And whereas it has been resolved that debentures shall be issued for such purposes, bearing interest at the rate of four per cent. per annum payable half yearly, and that the interest only shall be payable for ten years and thereafter the said debentures shall be payable in thirty years in instalments with interest at the rate aforesaid, so that such instalments shall be such that the aggregate amount payable for principle and interest during any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of such period of thirty years,—

And whereas it will be necessary to raise the sum of \$3,000.00 annually by special rate sufficient therefor during the first ten years for the payment of the interest on the said debt, and to raise the sum of \$4,338.66 annually by special rate sufficient therefor afterwards, during the term of thirty years, for the payment of the said debt, and interest in instalments according to the terms of this By-law ;

And whereas the amount of the whole rateable property of the Village of Fenelon Falls, according to the last revised assessment roll, is \$290,238.00 ;

And whereas there is no existing debenture debt neither for principal or interest ;

Therefore the Municipal Corporation of the Village of Fenelon Falls enacts as follows :—

1. That for the purposes aforesaid or any of them, it shall be lawful for the Reeve of the said Corporation and he is hereby authorized and required to cause debentures of the said Village of Fenelon Falls to be made, executed and issued for such amount as may be required for the purposes aforesaid or any of them, not however exceeding in the whole the sum of \$75,000.00 in sums of not less than \$100.00 payable in annual instalments on the first day of July in each year for thirty years, for the following amounts for the following years, that is to say :—

1914.....	\$1,350	1929.....	\$2,400
1915.....	1,400	1930.....	2,500
1916.....	1,450	1931.....	2,600
1917.....	1,500	1932.....	2,700
1918.....	1,550	1933.....	2,800
1919.....	1,600	1934.....	2,950
1920.....	1,700	1935.....	3,050
1921.....	1,750	1936.....	3,200
1922.....	1,850	1937.....	3,350
1923.....	1,900	1938.....	3,450
1924.....	1,950	1939.....	3,550
1925.....	2,050	1940.....	3,700
1926.....	2,150	1941.....	3,850
1927.....	2,200	1942.....	4,000
1928.....	2,300	1943.....	4,200

2. That the said debentures shall bear interest at the rate of four per cent. per annum, payable half-yearly on the first days of January and July in each year, and shall have coupons attached for the payment of interest and the debentures and interest may be expressed in sterling money of Great Britain, or in currency of Canada, and shall be made payable at the Bank of British North America in the Village of Fenelon Falls.

3. That there shall be raised and levied in each year for the first ten years the sum of \$3,000.00 for the payment of the interest upon the said debentures, by a special rate sufficient therefor on all the rateable property in the municipality in the Village of Fenelon Falls, and shall be raised and levied in each year for the year 1914 and twenty-nine subsequent years for the payment of the said debt and interest and the debentures issued therefor the sum of \$4,338.66 by a special rate sufficient therefor on all the rateable property in the municipality of the Village of Fenelon Falls, the same being sufficient to discharge the several yearly sums of principal and interest accruing due as the said yearly sums become respectively due and payable according to the terms of this By-law.

Provided that the Corporation may deduct from the said sum in any year any surplus, revenue from the said properties, which they may have on hand, and may deduct the sums necessary to be raised to pay on any of the said debentures which may not at that time have been issued, and

raise the balance only of the said sum in that year by special rate, in which case said surplus revenue shall be applied in payment of said debentures and interest thereon.

4. That the said debentures shall be known and marked as "Water, Light and Power Debentures" and shall be the first lien and charge upon the said properties and all other properties held or used in connection therewith, and all extensions and improvements thereof.

5. This by-law shall come into force and take effect upon the same being approved by the ratepayers of the Village of Fenelon Falls qualified to vote thereon, and upon the same being ratified and confirmed by the Legislature of the Province of Ontario.

6. The votes of the electors of the said Village of Fenelon Falls shall be taken on this by-law at the following time and places, that is to say on Monday, the 20th day of April, A.D. 1903, commencing at the hour of nine o'clock in the forenoon, and continuing until five o'clock in the afternoon of the same day, by the following deputy returning officers :

Polling Sub-division No. 1.—Twomey's Hall, deputy returning officer, C. W. Burgoyne.

Polling Sub-division No 2.—Jordan's Hall, deputy returning officer, W. T. Junkin.

7. On Friday, the 17th day of April, A.D. 1903, the Reeve of the Village shall attend at the council chamber in Twomey's Hall in the said village at ten o'clock in the forenoon, to appoint persons to attend at the various polling places aforesaid and at the final summing up of the votes by the clerk on behalf of the persons interested in and promoting or opposing the passing of this by-law respectively.

8. The clerk of the Village shall attend at the council chamber in Twomey's Hall in the said village at ten o'clock in the forenoon of Tuesday, the 21st day of April, A.D. 1903, to sum up the votes given for or against this by-law.

Dated at Fenelon Falls, this 24th day of March, A.D. 1903.

..... Reeve.
 Clerk.

SCHEDULE D.

Memorandum of agreement made this 24th day of March in the year of our Lord One Thousand Nine Hundred and Three.

Between Findlay McDougal, John H Brandon and Henry Austin of the Village of Fenelon Falls, in the County of Victoria, Millers carrying on business under the name, style and firm of McDougal, Brandon & Austin, and The Fenelon Falls Electric Light Company, Limited, hereinafter called the Vendors of the first part and

The Corporation of the Village of Fenelon Falls hereinafter called the Village of the second part.

Whereas the said Village are desirous of purchasing the said McDougal, Brandon & Austin's mills, property, water power and appurtenances in the said Village of Fenelon Falls.

And whereas the Village are desirous of purchasing from the vendors, the Fenelon Falls Electric Light Company, Limited, their electric light plant, franchise and rights and all their property used in connection therewith.

And whereas the Vendors and the Village have agreed upon the sum of thirty-five thousand dollars as the amount to be paid by the said village to the said vendors for their said properties on the terms and conditions hereinafter mentioned.

Now this debenture witnesseth that the said parties hereby mutually covenant, promise and agree to and with each other as follows:—

1. The vendors hereby agree to sell to the Village and the Village hereby agree to purchase from the Vendors at or for the price or sum of thirty-five thousand dollars, the following property, that is to say:—

(a) The said McDougal, Brandon & Austin's mill property in the Village of Fenelon Falls, being composed of that portion of block letter "N" in the subdivision of the west half of lot number twenty-three in the tenth concession of the Township of Fenelon (Register plan number seventeen) lying to the east of Colborne street, south of the lands east of Colborne street, surrendered to Her late Majesty Queen Victoria for canal purposes, and extending southerly and easterly to the waters edge of the Fenelon river, and their one-fourth part or share of the water power of the Fenelon River together with the stone flour mill and all buildings, machinery, race-ways, water courses, water, flumes, sluices, ponds, dams, wharves, rights-of-way, easements, appurtenances and privileges belonging to or in any way appertaining, or used in connection with the said mill property or water power, all of which is more particularly mentioned and described in a certain deed thereof from the executors of the late R. C. Smith to the said McDougal, Brandon & Austin, dated the fourteenth day of June One Thousand Eight Hundred and Ninety-Three and registered as number one hundred and sixty-six of the Village of Fenelon Falls, the intention and agreement being that the Village take and acquire all the property and rights so acquired by the said McDougal, Brandon & Austin and upon the same terms and conditions and subject also to the right granted to one Francis Sandford to maintain a shafting to his factory.

(b) All the works and property owned by the Fenelon Falls Electric Light Company, Limited, in the Village of Fenelon Falls, for the purpose of supplying electric light and energy, together with all the said Company's good will, franchise, rights, contracts, for light, plant, machinery, dynamos, poles, wires, lamps, and Electric apparatus and appliances of every nature and kind whatsoever owned or used by the Company in connection with their works except electric supplies.

2. The Vendors are to retain possession of the said property and have the use and benefit thereof up to the thirty-first day of August next, Nineteen Hundred and Three, when the purchase is to be completed and the purchase money paid with the right to the purchasers to have the time extended for one month.

3. The said Vendors covenant with the purchasers that they will from and after this date and until the said purchase shall be wholly completed, keep and maintain all the said properties in complete and thorough repair, and will not suffer the same to become deteriorated in any way, reasonable wear and tear only excepted.

4. The Vendors, McDougal, Brandon & Austin, agree that upon the completion of the said purchase they will, if the Village so desires, take a lease of the Stone Flour Mill upon the said premises with free ingress, egress and regress to and from the same, together with all necessary water or electric power and electric light to operate the same at its present capacity, for a term of ten years from the completion of this purchase, at a yearly rental of twelve hundred dollars a year, payable half yearly on the first day of January and the first day of July in each year, together with taxes on an assessment of six thousand dollars, such lease to contain the usual covenants and agreement contained in Mill Leases.

5. It is agreed that a clause may be inserted in the said lease providing that the said Village shall have full right, power and privilege to

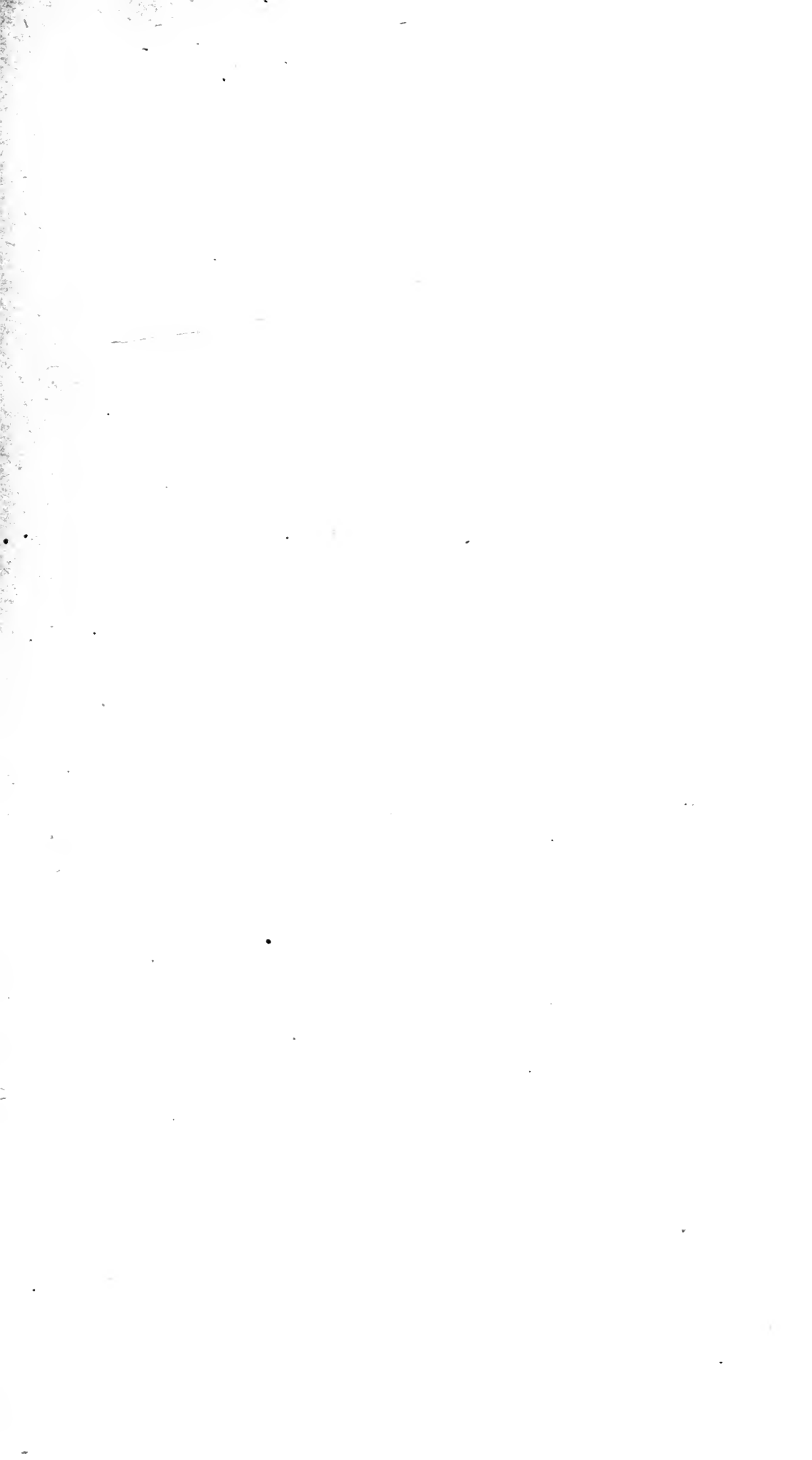
enter in or upon the said mill property and to alter, extend and improve the race-way or flume, and do all necessary works in connection with the development of the property, and shall not be liable for any damage occasioned to the Vendors in connection therewith, but for any time the mill is stopped or shut down on account of such alterations or improvements no rent is to be charged.

6. It is agreed that the purchasers shall accept the title of the Vendors, McDougal, Brandon Austin, to their mill, property, water power and appurtenances that they received from the executors of the R. C. Smith estate and that the Vendors shall not be bound to furnish any title deeds, abstracts or other evidence of title than those in their possession and that the Village shall examine the title at their own expense.

7. The Village agree that they will forthwith submit a by-law to the rate payers approving of this agreement and providing for the issue of debentures to carry out the same and that they will also apply to the Legislative Assembly of the Province of Ontario at its present session, for a special Act ratifying and confirming this agreement and the said by-law and it is agreed that in the event of the Village failing to obtain the said Act this agreement shall be null and void.

In witness whereof the said Findlay McDougal, John H. Brandon and Henry Austin have hereunto set their hands and seals, the president of the Fenelon Falls Electric Light Company, Limited, has hereunto set his hand and affixed the Corporate Seal of the Company, and the Reeve of the said village has hereunto set his hand and affixed the Corporate Seal of the said Village.

Signed Sealed and Delivered in the presence of (Sgd.) W. E. BRANDON.	}	(Sgd.) FINDLAY McDUGAL,	[L. S.]
		(Sgd.) JOHN H. BRANDON,	[L. S.]
		(Sgd.) AUSTIN,	[L. S.]
		For the Fenelon Falls Electric Light Co., Limited.	
		(Sgd.) JOHN H. BRANDON,	(Seal)
		President.	
		(Sgd.) JOS. McFARLAND,	(Seal)
		Reeve.	
		(Sgd.) W. T. JUNKIN,	
		Clerk.	
		For the Corporation of the Village of Fenelon Falls.	



NO. 13.
1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Village of Fenelon
Falls.

First Reading, _____, 1903.

(Private Bill.)

Mr. CARNEGIE.

TORONTO:

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

An Act respecting the Village of Fenelon Falls.

WHEREAS the Municipal Corporation of the Village of Fenelon Falls has by its petition represented that the said corporation has passed a by-law to authorize the purchase by the said municipal corporation of first preference stock to the amount of \$15,000 in Sandford Woodenware, Limited, and to provide for the issuing of debentures of the said municipal corporation to the amount of \$15,000 to raise the sum required therefor: that the said by-law was submitted to a vote of the ratepayers when there were 159 votes in favor and only 7 votes against the same; that Sandford Woodenware Limited, mentioned in the said by-law has since been incorporated under the name of Sandford Furniture and Woodenware, Limited, and has entered into an agreement with the municipal corporation pursuant to the provisions of the said by-law; and whereas the said municipal corporation has by its petition *further* represented that the said municipal corporation has passed a by-law respecting water, light and power in the Village of Fenelon Falls, after the same had been duly submitted to the ratepayers, when there were 121 votes in favor of and 30 votes against the same, and that an agreement with reference to the said matters has been entered into between Messrs. McDougal, Brandon and Austin and The Fenelon Falls Electric Light Company, Limited, of the one part and the said municipal corporation of the other part: and whereas the said municipal corporation has by its said petition prayed that the said by-laws may be legalized and declared valid and binding and that the said agreements may be ratified and confirmed; and whereas no opposition has been offered to the said petition 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. By-law No. 427 of the Municipal Corporation of the Village of Fenelon Falls, set forth as Schedule A to this Act, and the debentures to be issued thereunder as therein provided are confirmed and declared valid and binding on the said municipal corporation, and it is declared that the said by-law applies to and shall enure to the benefit of Sandford Furniture and Woodenware, Limited, as though the same

Preamble.

By-law 427 confirmed.

were mentioned therein wherever Sandford Woodenware, Limited, is mentioned.

Agreement
with Sanford
Furniture and
Woodenware,
Limited,
confirmed.

2. The said agreement between Sandford Furniture and Woodenware, Limited, and the said municipal corporation, set forth as Schedule B to this Act, is ratified and confirmed and declared valid and binding on the parties thereto, and it is expressly declared that where any provisions in the said agreement vary or conflict with the provisions of the said by-law, the said agreement shall govern, and the said municipal corporation is authorized and empowered to pass all necessary by-laws to carry out the said agreement; ~~as~~ provided, however, that nothing in the said agreement or this Act contained shall affect the assessment or taxation of any property for school purposes. ~~as~~

Council to
elect one
Director of
Company.

3. So long as the said municipal corporation shall hold the \$15,000 preference stock ~~as~~ referred to in the said By-law, No. 427, or the major part thereof for the time being outstanding ~~as~~ the municipal council of the said corporation shall have power from time to time, by by-law, to elect one director of Sandford Furniture and Woodenware, Limited, who shall hold office during the pleasure of the council, and such director shall not be required to hold any stock or have any other qualifications.

Power to
Company to
redeem prefer-
ence stock.

4. Sandford Furniture and Woolenware, Limited, may from time to time redeem or buy in for cancellation the whole or any part of their preferred stock in sums of not less than \$100 upon payment of the par value thereof, together with all unpaid dividends thereon and interest, as provided in their charter up to the date of such redemption, the respective shares to be paid off to be decided by lot in case the parties cannot agree upon the same.

Preference
Stock to be
used for pay-
ment of
Debentures.

5. The said preferred stock when purchased by the said corporation shall be held upon, and the same is hereby impressed with a trust for the payment of the debentures to be issued under the said By-law No. 427, and interest thereon, and the said stock and dividends thereon and proceeds from sales thereof and interest thereon shall not be used for any other purpose until the said debentures and interest thereon have been fully paid and satisfied.

Power of
Council to sell
preference
stock.

6. The council of the said corporation shall from time to time by a vote of two-thirds of the whole council have power to sell and dispose of the said preference stock or any part thereof, and the proceeds of such sales shall be used in the payment of the said debentures and the interest thereon, but should the whole proceeds of any sale not be required for the said purpose by reason of the debentures not being due

and payable *at the time of such sale*, such part of the proceeds as is not *immediately so required* shall be set apart and invested at interest until the same is required for the said purpose.

Power to
pledge stock.

7. The council shall also have power in case default is at any time made in the payment of dividends on *the said stock*, or in case moneys are required to pay an instalment of principal of the debentures, to borrow money on the credit of the corporation, and pledge the said *stock* and dividends as security therefor.

8. It shall not be necessary for the council of the said municipal corporation to raise the sum of \$1,153.14, as required by section 4 of the said by-law, No. 427, provided they have from dividends or proceeds of the sale of *the said stock* and interest thereon, or from loan raised, as provided for in the *next* preceding section, sufficient moneys on hand to pay the same, and if they have part of the moneys on hand it shall only be necessary to raise the balance of the said sum required under the said by-law.

Power to
Council to
vary terms of
By-law.

9. (1) By-law, No. 428 of the Municipal Corporation of the Village of Fenelon Falls, set forth as Schedule C to this Act, *as amended by this section*, and the debentures issued thereunder, and the agreement between Messrs. McDougall, Brandon and Austin and The Fenelon Falls Electric Light Company, Limited. of the one part, and the said municipal corporation of the other part, dated the 24th day of March, 1903, set forth as Schedule D to this Act, are ratified and confirmed and declared valid and binding upon the parties thereto, and the municipal council of the said corporation is hereby authorized and empowered to issue debentures as provided for by the said by-law *as so amended* and *the said agreement* and to carry out the said purchase.

By-law 428
and agreement
permanent
thereto con-
firmed.

(2) The said By-law No. 428 is amended by striking out enacting clause numbered 1 thereof, and *substituting* therefor the following clause:—

That for the purposes aforesaid or any of them, it shall be lawful for the reeve of the said corporation and he is hereby authorized and required to cause debentures of the Village of Fenelon Falls to be made, executed and issued for such amount as may be required for the purposes aforesaid, or any of them, not, however, exceeding in the whole the sum of \$75 000, in sums of not less than \$100, payable in annual instalments on the first day of July in each year, beginning with the year 1909, for twenty-five years, for the following amounts respectively, that is to say:—

1909	\$1,800.00
1910	1,850.00
1911	1,950.00
1912	2,050.00
1913	2,100.00
1914	2,200.00
1915	2,250.00
1916	2,400.00
1917	2,450.00
1918	2,550.00
1919	2,650.00
1920	2,800.00
1921	2,900.00
1922	3,000.00
1923	3,100.00
1924	3,250.00
1925	3,350.00
1926	3,500.00
1927	3,650.00
1928	3,800.00
1929	3,950.00
1930	4,100.00
1931	4,250.00
1932	4,450.00
1933	4,650.00

(3) The said By-law No. 428 is further amended by striking out the clause numbered 3 thereof, and substituting therefor the following clause:—

That there shall be raised and levied in each of the years 1904, 1905, 1906, 1907 and 1908 the sum of \$3,000.00 for the payment of the interest upon the said debentures, by a special rate sufficient therefor, on all the rateable property in the Municipality of the Village of Fenelon Falls, and that there shall be raised and levied in each year, for the year 1909 and twenty-four following years, for the payment of the said debt and interest and the debentures issued therefor, the sum of \$4,801,52, by a special rate sufficient therefor, on all the rateable property in the Municipality of the Village of Fenelon Falls, the same being sufficient to discharge the several yearly sums of principal and interest accruing due as the said yearly sums become respectively due and payable according to the terms of this by-law; provided that the Corporation may deduct from the said sum in any year any surplus, revenue from the said properties, which they may have on hand, and may deduct the sums necessary to be raised to pay on any of the said debentures which may not at that time have been issued, and raise the balance only of

the said sum in that year by special rate, in which case *the* said surplus revenue shall be applied in payment of *the* said debentures and interest thereon.

10. (1) The properties mentioned in the said agreement and all extensions, alterations, developments and additions thereto and improvements thereof shall be and the same are hereby charged with the repayment of the debentures which may be issued under the terms of the said By-law No. 428 *as by this Act amended* and the interest thereon, and the holders from time to time of any such debentures shall have a charge on the said properties, extensions, alterations, developments, additions and improvements for the securing of such debentures and interest, preferential to the claim of the holder of any other debentures issued by the said municipal corporation for any purpose other than in said By-law No. 428 *and in this Act mentioned*.

Properties charged with Debentures.

11. The said debentures shall be issued by the reeve and treasurer of the said corporation, *for the time being*, from time to time, upon the request of the Board of Commissioners *hereinafter mentioned*, and it shall not be necessary to issue *all the said debentures at one time nor within two years from the passing of this Act*, and such debentures shall be for such sum or sums as may be required by the said board for any of the purposes aforesaid which may be decided upon but so that the total amount of indebtedness represented by debentures outstanding shall not at any time exceed the amount of \$75,000.

Debentures to let issued by reeve and treasurer.

12. *The Municipal Water Works Act and The Municipal Light and Heat Act* shall apply to the said properties when purchased and any properties hereafter acquired, and all extensions and developments thereof, and the same shall be managed by a board of four commissioners who shall be a corporate body under the name of The Board of Water, Light and Power Commissioners of the Village of Fenelon Falls, with perpetual succession and a common seal, and who shall have all the rights, powers, privileges, authorities and immunities, expressed to be given to commissioners or to municipal councils under either of the said Acts.

Chapters 234 and 235 R. S. O. made applicable.

13. The said board of commissioners shall have all the powers conferred upon municipal councils under section 564 of *The Municipal Act* and in addition shall have and exercise the powers following:—

Powers of commissioners. Rev. Stat. c. 223.

(a) *Power to generate or develop electric energy by means of water power or otherwise, either in the said municipality or elsewhere.*

(b) *Power to construct, maintain and operate waterworks for*

all purposes, and to construct and maintain a sewerage system throughout the said village or any part thereof.

(c) *Power* to purchase, lease, or otherwise acquire and hold all such real estate, water power or powers, as may from time to time be necessary and proper for the purposes and uses of the Municipal Corporation of the Village of Fenelon Falls in connection with the matters aforesaid, and also to sell, lease or otherwise dispose of the same, ^{as} as well as the property acquired under the agreement set forth as Schedule D to this Act, ^{or} or any part or parts thereof from time to time in such manner and on such terms as they may deem fit: provided always that such real estate acquired for the purposes hereinbefore mentioned shall at all times be held exclusively for the purposes and uses of the said corporation as by this Act authorized, and not otherwise, ^{and} and provided further, that in case of the sale by the said Board of Commissioners of any of the said property, so long as any of the debentures issued under the authority of the said By-law No. 428, as amended by this Act, remain outstanding and unpaid, the proceeds of any such sale shall be applied towards the payment of the said debentures, and should none of the said debentures be due and payable at the time of any such sale, then the said proceeds shall be set apart and invested at interest until required for such purpose. ^{the}

(d) *Power* to contract and agree with any municipality, corporation and company or person, for the purchase or lease of water power and lands in connection therewith and for erecting and constructing buildings, plant, machinery and appliances for the purpose of such development.

(e) *Power* to purchase such land and erect such buildings, plant, machinery and appliances.

(f) *Power* to contract and agree with any municipality, corporation, company or person for the right to erect, construct, lay or affix any poles, conduits or wires, or other necessary appliances over, under, or along the lands, ways, roads, public or real property of such municipality, corporation, company or person.

(g) *Power* to carry or transport electric energy and to use, distribute, supply, sell or dispose of electric energy in the Village of Fenelon Falls, and within 20 miles thereof, to any corporation, company or person, or to any municipality.

(h) *Power* to build, erect, construct, lease or purchase, and operate buildings, plant, machinery or appliances for producing or transforming such electric energy for any purpose for which it is or may be used.

¹⁴ 14. The said Board of Commissioners shall insure and keep insured the buildings, erections, plant and machinery under their control to their full insurable value. ^{the}

15. The Reeve of the Village of Fenelon Falls shall ex-officio be one of the commissioners, and the other three shall be elected as provided by *The Municipal Water Works Act*, except that each of the said elected commissioners, save as provided in section 16 with respect to the first election, shall continue in office for three years, and until his successor has been elected, and after the first election one commissioner shall be elected annually, at the same time and in the same manner as the Reeve of the said village.

Reeve to be commissioner.

Rev. Stat. c. 234.

16. The said municipal corporation shall forthwith, after the passing of this Act, pass a by-law and fix a time and provide for the first election of a Board of Commissioners, and the election shall proceed and take place in the same manner as the election of a reeve, except that each elector may vote for three commissioners, and all the provisions of *The Municipal Act* in reference to elections for Reeves shall apply thereto, and the commissioner elected having the lowest number of votes shall retire at the next annual municipal election, and the one having the second lowest number of votes shall retire at the second annual election, and thereafter the commissioners shall retire in rotation. In the event of the first three commissioners being elected by acclamation the Board of Commissioners shall at their first meeting determine by lot the order in which they shall retire respectively, and in case of a vacancy from any cause or causes occurring at any time on the Board the municipal council of the village may by by-law appoint a commissioner to hold office until the next annual election, when a new commissioner shall be elected to fill the said vacancy, who shall hold office for the residue of the term of the commissioner whose seat during the previous year became vacant, and the election to fill such vacancy shall be a separate election from the election of the commissioner then to be elected for three years.

Election of commissioners.

Rev. Stat. c. 223.

SCHEDULE A.

BY-LAW No. 427.

A By-law to authorize the purchase by the Village of Fenelon Falls of first preference stock to the amount of \$15,000 in Sandford Woodenware, Limited, and to provide for the issuing of debentures of the said village to the amount of \$15,000 and to raise the sum required therefor.

Whereas Francis Sandford, Donald J. McKinnon and John McEachern purpose to form a company under the name of "Sandford Woodenware, Limited," (or some other suitable name) and to erect a large factory for the manufacture of furniture and woodenware within the Village of Fenelon Falls, and have undertaken that the said company, when incorporated, shall enter into an agreement with the said village, conditional upon the passing and validation of this By-law, to erect such factory and to employ therein at least an average number of fifty men for a period of twenty years from the first day of October next (1903).

Whereas it is advisable that the Corporation of the Village of Fenelon Falls should purchase first preference Capital Stock of Sandford Woodenware, Limited, to the amount of \$15,000.

And whereas, in order so to do, it will be necessary to issue debentures of the said municipality for the sum of \$15,000 as hereinafter provided (which is the *amount* of the debt intended to be created by this by-law) the proceeds of the said debentures to be applied to the purpose aforesaid and no other.

And whereas it is desirable to issue the said debentures at one time and to make the principal of the said debt payable by yearly sums during the period of twenty years (the currency of the said debentures) said yearly sum being for such respective amounts that the aggregate amount payable in each year for principal and interest shall be as nearly as possible equal to the amount so payable in each of the nineteen years of the said period.

And whereas the total amount required by *The Municipal Act* to be raised annually by special rate for paying the said debt and interest as hereinbefore provided is \$1,153.14.

And whereas the amount of the whole rateable property of the Village of Fenelon Falls, according to the last revised Assessment Roll thereof, is \$296,238.00.

And whereas the said village has no existing debenture debt neither for principal or interest.

Therefore the Municipal Council of the Village of Fenelon Falls enacts as follows :—

1. When and so soon as the said above named parties shall have obtained incorporation under the name of "Sandford Woodenware, Limited" (or some other suitable name), and have shown to the Council of the corporation of the Village of Fenelon Falls that at least \$35,000 of the common stock of the said company has been actually and bona fide subscribed and fully paid up, and the said company has entered into an agreement with the said corporation to employ within the Village of Fenelon Falls an average number of fifty men during a period of twenty years, the Municipal Council of the said Village of Fenelon Falls shall expend the sum of \$15,000 in the purchase of first preference shares entitled to dividends at the rate of five per cent. per annum in the capital stock of the said company under whatever name the said parties may be incorporated, and for the purpose of raising the said sum, debentures of the said village to the amount of \$15,000 as aforesaid, in sums of not less than \$100 each, shall be issued on the first day of September, A. D. 1903, or on such later day, being within one year of the passing of the by-law, as the company shall comply with the conditions hereinbefore expressed; each of which debentures shall be dated on the date of the issue thereof and shall be payable within twenty years thereafter at the Bank of British North America in the said Village of Fenelon Falls.

2. Each of the said debentures shall be signed by the Reeve of the said Village of Fenelon Falls and by the treasurer thereof, and the Clerk thereof shall attach thereto the corporate seal of the municipality.

3. The said debentures shall bear interest at the rate of four and one-half per cent. per annum, payable yearly at the said bank on the first day of December in each and every year the currency thereof.

4. During the currency of the said debentures there shall be raised annually by special rate on the rateable property in the said Village of Fenelon Falls the sum of \$1,153.14 for the purpose of paying the amount due in each of the said years for the principal and interest in respect to the said debt, as follows :

Year.	Interest.	Principal.	Total amount.
1904.....	\$675 00	\$478 14	\$1,153 14
1905.....	653 48	499 66	1,153 14
1906.....	631 00	522 14	1,153 14
1907.....	607 50	545 64	1,153 14
1908.....	582 95	570 19	1,153 14
1909.....	557 29	595 85	1,153 14
1910.....	530 47	622 67	1,153 14
1911.....	502 45	650 69	1,153 14
1912.....	473 17	679 97	1,153 14
1913.....	442 57	710 57	1,153 14
1914.....	410 60	742 54	1,153 14
1915.....	377 18	775 96	1,153 14
1916.....	342 26	810 88	1,153 14
1917.....	305 78	847 36	1,153 14
1918.....	267 65	885 49	1,153 14
1919.....	227 80	925 34	1,153 14
1920.....	186 16	966 98	1,153 14
1921.....	142 64	1,010 50	1,153 14
1922.....	98 17	1,054 97	1,153 14
1923.....	49 65	1,103 49	1,153 14

5. This by-law shall take effect on the day of the passing thereof and on its validation by an Act of the Legislature of the Province of Ontario.

6. The assessment of the real and personal property of the said company, its successors and assigns within the village, used in connection with its business now or hereafter acquired (not however including any dwelling property) shall be and is hereby *fixed* for twenty years from the first day of January, A. D., 1903, at an annual assessment of \$5,000.

7. The votes of the electors of the said Village of Fenelon Falls shall be taken on this by-law on the following times and places :

That is to say, on

Monday, the ninth day of March next (1903), commencing at the hour of nine o'clock in the forenoon and continuing until five o'clock in the afternoon of the same day, by the following Deputy Returning Officers :

Number of polling places.	Place where situated.	Deputy Returning officer.
1.....	Twomey's Hall	C. W. Burgoyne
2.....	Jordan's Hall	W. T. Junkin.

8. On Friday, the 6th day of March, A. D. 1903, the Reeve of the said Village of Fenelon Falls shall attend at the Council Chamber at ten o'clock in the forenoon to appoint persons to attend at the various polling places aforesaid, and at the final summing up of the votes by the clerk on behalf of the persons interested in promoting or opposing the passing of this by-law respectively.

9. The Clerk of the Council of the said Village of Fenelon Falls shall attend at the Council chamber at ten o'clock in the forenoon on Wednesday, the 11th day of March, A. D. 1903, to sum up the number of votes for and against the by-law.

Read a first and second time at the Village of Fenelon Falls this ninth day of February, A. D. 1903.

~~Read~~ Read a third time and passed this 15th day of April, A. D. 1903. ~~Read~~

W. T. JUNKIN,
Clerk.

JOS. MCFARLAND,
Reeve.

SCHEDULE B.

THIS INDENTURE made this Twentieth day of March, in the year of our Lord One Thousand Nine Hundred and Three, between Sandford Furniture and Woodenware Limited, hereinafter called the Company of the First Part, and The Corporation of the Village of Fenelon Falls, hereinafter called the Village, of the Second Part :—

Whereas the Company have lately been incorporated for the following purposes, that is to say :—

To manufacture, buy, sell and otherwise deal in furniture, wire-screen-doors and windows, and all articles which may be manufactured from wood in any form, and for the said purposes : (a) To acquire the business and the assets of the business now being carried on at the said Village of Fenelon Falls by the said Francis Sandford under the name of "F. Sandford," and to pay for the same by the allotment of fully paid-up stock ; (b) To acquire and take over the rights and privileges now owned or otherwise held by the said Francis Sandford in the Water-power of the Fenelon River, and in any and all agreements and leases in connection therewith, and (c) To carry on the business of a timber and lumber merchant.

And whereas the Company intend to largely increase the business heretofore carried on by the said Francis Sandford and have applied to the Village to assist them by purchasing the said fifteen thousand dollars of preference stock and fixing their assessment at the sum of five thousand dollars, which the said Village have agreed to do upon the terms hereinafter mentioned.

And whereas the capital of the said Company is one hundred thousand dollars divided into one thousand shares of one hundred dollars each, of which one hundred and fifty shares amounting to fifteen thousand dollars are preference shares.

And whereas the Village have submitted to the ratepayers for approval a By-Law No. 427, entitled, "a by-law to authorize the purchase by the Village of Fenelon Falls of first preference stock to the amount of \$15,000, ~~in~~ in Sandford Woodenware, Limited, and to provide for the issuing of debentures of the said Village to the amount of \$15,000, ~~and~~ and to raise the sum required therefor," on the understanding that this agreement should be entered into and which said by-law has been carried by a vote of over two-thirds of the ratepayers entitled to vote thereon, there being one hundred and fifty-nine votes in favor and only seven votes against the same.

And whereas the parties mentioned in the said by-law have formed a company under the name of Sandford Furniture and Woodenware Limited, instead of the name mentioned in the said by-law.

Now this indenture witnesseth that the said parties mutually covenant, promise and agree to and with each other as follows :

1. The Village agree that upon the Company proving to the satisfaction of the Council of the said Village that the conditions hereinafter mentioned have been complied with they will subscribe for and purchase from the Company the whole of their preference stock amounting to fifteen thousand dollars, the same to be paid for by delivery to the Company of the fifteen thousand dollars of debentures, provided for by the said by-law No. 427, the said stock to commence earning dividends at the rate of five per cent. per annum from the delivery of the said debentures, and the Company to pay to the Village the accrued interest on the debentures up to the date of delivery, it being agreed and understood that the proceeds of the said debentures when disposed of by the Company shall be used solely in the operations of the Company.

2. The said purchase to be subject to the following conditions :—

(a) That the Company have acquired and taken over as a going concern the business of the Manufacture of Woodenware, now carried on by the said Francis Sandford, and have also acquired and taken over the rights and privileges now owned or otherwise held by the said Francis Sandford, in the water-power of the Fenelon River, and any and all agreements in connection therewith, the whole to be free from incumbrance, and paid for by the allotment of the ordinary stock of the Company.

(b) That twenty thousand dollars of the ordinary stock of the Company has been subscribed and paid for to the company in cash at par value, the same to be used solely in the erection of new buildings, purchase of plant machinery, installing water-wheels, shafting, fire protection and general extension of the business, and not for paying for the business property to be taken over from the said Sandford.

(c) That the company have erected in the Village of Fenelon Falls on the south side of the Fenelon River a new factory or factories sufficient for the purposes of the company and have placed the plant and machinery therein and have the same in operation.

3. That the assessment of the real and personal property of the company, within the village used in connection with its business now or hereafter acquired shall be, and the same is hereby fixed for a period of twenty years from the first day of January, one thousand nine hundred and four, at an annual assessment of five thousand dollars and the company shall pay taxes upon an assessment of that amount. It is expressly agreed and understood however that such assessment shall not include any dwelling property or any other property not used or required for the purpose of carrying on the company's said manufacturing business and that all such property if owned or occupied by the Company shall be assessed in the usual way in addition to the said assessment of five thousand dollars.

4. The Company agree with the Village that from the first day of October, nineteen hundred and three, during a period of twenty years, they will employ in their factory and business in the Village of Fenelon Falls, an average number of at least fifty employees or that they will pay to the number of employees who are employed by them in the factory and business as aforesaid (exclusive of directors of the company or the manager thereof) wages averaging not less than \$15,000 per year during said twenty years, and that they shall not remove their business from the said Village.

5. The village shall make an application to the Legislative Assembly for a special act ratifying and confirming this agreement and the said by-law and giving the Village power to carry out the same.

6. In event of the special Act being obtained *as aforesaid*, the Company shall pay to the Village all costs, charges and expenses incurred by them in connection with the said by-law and one-half the Parliamentary fee of \$100 for the special Act.

7. That in the event of the Legislature failing to pass the said special Act this agreement shall be null and void, and each party shall pay their own costs and expenses in connection therewith.

8. The Village and the Company agree each with the other that they will join in asking to have inserted in the said special Act two clauses amending their charter as follows :—

(a) That so long as the Corporation of the Village of Fenelon Falls holds the said \$15,000 preference stock or a majority thereof the municipal council of the said corporation shall have power from time to time by by-law to elect one director of the said "Sanford Furniture and Woodenware Limited" who shall hold office during the pleasure of the council and such directors shall not be required to hold any stock or have any qualification.

(b) The said "Sanford Furniture and Woodenware Limited" may

from time to time redeem or buy in for cancellation the whole or any part of their preferred stock in sums of not less than one thousand dollars, upon repayment of the par value thereof together with all unpaid dividends thereon and interest as provided in their charter up to the date of redemption the respective shares to be paid off to be decided by lot in case the parties cannot agree upon the same.

IN WITNESS WHEREOF the president of the said company has hereunto set his hand and affixed the corporate seal of the company, and the Reeve of the said Village has hereunto set his hand and affixed the corporate seal of the said village.

Signed, sealed and delivered in the presence of (Sgd.) F. A. MCDIARMID.	}	(Sgd.) JOS. MCFARLANE, [Seal.] Reeve.
		(Sgd.) W. T. JUNKIN, Clerk.
		(Sgd.) D. J. MCKINNON, [Seal.] President, for Sandford Furniture & Wood- enware Limited.

SCHEDULE C.

BY-LAW No. 428.

A By-law respecting Water, Light and Power in the Village of Fenelon Falls.

Whereas by agreement bearing date the 24th day of March, 1903, the Village of Fenelon Falls agreed with Messrs. McDougall, Brandon and Austin and with the Fenelon Falls Electric Light Company, Limited, for the purchase of their share of the Water Power and privileges in the Fenelon River, their mill, machinery, plant, apparatus and franchises and all property real and personal held or used in connection therewith, for the sum of \$35,000,00.

And whereas it may be possible to purchase other parts or shares of the water power of the Fenelon River ;

And whereas it is necessary and advisable to further extend, alter and improve the development of the said properties ;

And whereas it is desirable to establish a system of waterworks for fire protection and other purposes ;

And whereas for these purposes it has been estimated that a further sum not to exceed \$40,000,00 will be required ;

And whereas it has been resolved that debentures shall be issued for such purposes, bearing interest at the rate of four per cent. per annum payable half yearly, and that the interest only shall be payable for ten years and thereafter the said debentures shall be payable in thirty years in instalments with interest at the rate aforesaid, so that such instalments shall be such that the aggregate amount payable for principle and interest during any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of such period of thirty years,—

And whereas it will be necessary to raise the sum of \$3 000 00 annually by special rate sufficient therefor during the first ten years for the payment of the interest on the said debt, and to raise the sum of \$4,338.66 annually by special rate sufficient therefor afterwards, during the term of thirty years, for the payment of the said debt, and interest in instalments according to the terms of this By-law ;

And whereas the amount of the whole rateable property of the Village of Fenelon Falls, according to the last revised assessment roll, is \$296,238.00 ;

And whereas there is no existing debenture debt neither for principal or interest ;

Therefore the Municipal Corporation of the Village of Fenelon Falls enacts as follows:—

1. That for the purposes aforesaid or any of them, it shall be lawful for the Reeve of the said Corporation and he is hereby authorized and required to cause debentures of the said Village of Fenelon Falls to be made, executed and issued for such amount as may be required for the purposes aforesaid or any of them, not however exceeding in the whole the sum of \$75,000.00 in sums of not less than \$100.00 payable in annual instalments on the first day of July in each year for thirty years, for the following amounts for the following years, that is to say:—

1914.....	\$1,350	1929.....	\$2,400
1915.....	1,400	1930.....	2,500
1916.....	1,450	1931.....	2,600
1917.....	1,500	1932.....	2,700
1918.....	1,550	1933.....	2,800
1919.....	1,600	1934.....	2,950
1920.....	1,700	1935.....	3,050
1921.....	1,750	1936.....	3,200
1922.....	1,850	1937.....	3,350
1923.....	1,900	1938.....	3,450
1924.....	1,950	1939.....	3,550
1925.....	2,050	1940.....	3,700
1926.....	2,150	1941.....	3,850
1927.....	2,200	1942.....	4,000
1928.....	2,300	1943.....	4,200

2. That the said debentures shall bear interest at the rate of four per cent. per annum, payable half-yearly on the first days of January and July in each year, and shall have coupons attached for the payment of interest and the debentures and interest may be expressed in sterling money of Great Britain, or in currency of Canada, and shall be made payable at the Bank of British North America in the Village of Fenelon Falls.

3. That there shall be raised and levied in each year for the first ten years the sum of \$3,000 00 for the payment of the interest upon the said debentures, by a special rate sufficient therefor on all the rateable property in the municipality in the Village of Fenelon Falls, and shall be raised and levied in each year for the year 1914 and twenty-nine subsequent years for the payment of the said debt and interest and the debentures issued therefor the sum of \$4,338.66 by a special rate sufficient therefor on all the rateable property in the municipality of the Village of Fenelon Falls, the same being sufficient to discharge the several yearly sums of principal and interest accruing due as the said yearly sums become respectively due and payable according to the terms of this By-law.

Provided that the Corporation may deduct from the said sum in any year any surplus, revenue from the said properties, which they may have on hand, and may deduct the sums necessary to be raised to pay on any of the said debentures which may not at that time have been issued, and raise the balance only of the said sum in that year by special rate, in which case said surplus revenue shall be applied in payment of said debentures and interest thereon.

4. That the said debentures shall be known and marked as "Water, Light and Power Debentures" and shall be the first lien and charge upon the said properties and all other properties held or used in connection therewith, and all extensions and improvements thereof.

5. This by-law shall come into force and take effect upon the same being approved by the ratepayers of the Village of Fenelon Falls qualified to vote thereon, and upon the same being ratified and confirmed by the Legislature of the Province of Ontario.

6. The votes of the electors of the said Village of Fenelon Falls shall be taken on this by-law at the following time and places, that is to say on Monday, the 20th day of April, A.D. 1903, commencing at the hour of nine o'clock in the forenoon, and continuing until five o'clock in the afternoon of the same day, by the following deputy returning officers :

Polling Sub-division No. 1.—Twomey's Hall, deputy returning officer, C. W. Burgoyne.

Polling Sub-division No 2.—Jordan's Hall, deputy returning officer, W. T. Junkin.

7. On Friday, the 17th day of April, A.D. 1903, the Ræve of the Village shall attend at the council chamber in Twomey's Hall in the said village at ten o'clock in the forenoon, to appoint persons to attend at the various polling places aforesaid and at the final summing up of the votes by the clerk on behalf of the persons interested in and promoting or opposing the passing of this by-law respectively.

8. The clerk of the Village shall attend at the council chamber in Twomey's Hall in the said village at ten o'clock in the forenoon of Tuesday, the 21st day of April, A.D. 1903, to sum up the votes given for or against this by-law.

Read a first and second time this 24th day of March, A.D. 1903.

Read a third time and passed this 24th day of April, A.D. 1903.

(Sgd.) JOS. MCFARLAND, Reeve.

(Sgd.) W. T. JUNKIN, Clerk.

(Seal.)

SCHEDULE D.

Memorandum of agreement made this 24th day of March in the year of our Lord One Thousand Nine Hundred and Three.

Between Findlay McDougall, John H Brandon and Henry Austin of the Village of Fenelon Falls, in the County of Victoria, Millers carrying on business under the name, style and firm of McDougall, Brandon & Austin, and The Fenelon Falls Electric Light Company, Limited, hereinafter called the Vendors of the first part and

The Corporation of the Village of Fenelon Falls hereinafter called the Village of the second part.

Whereas the said Village are desirous of purchasing the said McDougall, Brandon & Austin's mills, property, water power and appurtenances in the said Village of Fenelon Falls.

And whereas the Village are desirous of purchasing from the vendors, the Fenelon Falls Electric Light Company, Limited, their electric light plant, franchise and rights and all their property used in connection therewith.

And whereas the Vendors and the Village have agreed upon the sum of thirty-five thousand dollars as the amount to be paid by the village to the said vendors for their said properties on the terms and conditions hereinafter mentioned.

Now this debenture witnesseth that the said parties hereby mutually covenant, promise and agree to and with each other as follows :—

1. The vendors hereby agree to sell to the Village and the Village hereby agree to purchase from the Vendors at or for the price or sum of thirty-five thousand dollars, the following property, that is to say ;—

(a) The said McDougall, Brandon & Austin's mill property in the Village of Fenelon Falls, being composed of that portion of block letter "N" in the subdivision of the west half of lot number twenty-three in

the tenth concession of the Township of Fenelon (Register plan number seventeen) lying to the east of Colborne street, south of the lands east of Colborne street, surrendered to Her late Majesty Queen Victoria for canal purposes, and extending southerly and easterly to the waters edge of the Fenelon river, and their one-fourth part or share of the water power of the Fenelon River together with the stone flour mill and all buildings, machinery, race-ways, water courses, water, flumes, sluices, ponds, dams, wharves, rights of-way, easements, appurtenances and privileges belonging to or in any way appertaining, or used in connection with the said mill property or water power, all of which is more particularly mentioned and described in a certain deed thereof from the executors of the late R. C. Smith to the said McDougall, Brandon & Austin, dated the fourteenth day of June One Thousand Eight Hundred and Ninety-Three and registered as number one hundred and sixty-six of the Village of Fenelon Falls, the intention and agreement being that the Village take and acquire all the property and rights so acquired by the said McDougall, Brandon & Austin and upon the same terms and conditions and subject also to the right granted to one Francis Sandford to maintain a shafting to his factory.

(b) All the works and property owned by the Fenelon Falls Electric Light Company, Limited, in the Village of Fenelon Falls, for the purpose of supplying electric light and energy, together with all the said Company's good will, franchise, rights, contracts, for light, plant, machinery, dynamos, poles, wires, lamps, and Electric apparatus and appliances of every nature and kind whatsoever owned or used by the Company in connection with their works except electric supplies.

2. The Vendors are to retain possession of the said property and have the use and benefit thereof up to the thirty-first day of August next, Nineteen Hundred and Three, when the purchase is to be completed and the purchase money paid with the right to the purchasers to have the time extended for one month.

3. The said Vendors covenant with the purchasers that they will from and after this date and until the said purchase shall be wholly completed, keep and maintain all the said properties in complete and thorough repair, and will not suffer the same to become deteriorated in any way, reasonable wear and tear only excepted.

4. The Vendors, McDougall, Brandon & Austin, agree that upon the completion of the said purchase they will, if the Village so desires, take a lease of the Stone Flour Mill upon the said premises with free ingress, egress and regress to and from the same, together with all necessary water or electric power and electric light to operate the same at its present capacity, for a term of ten years from the completion of this purchase, at a yearly rental of twelve hundred dollars a year, payable half yearly on the first day of January and the first day of July in each year, together with taxes on an assessment of six thousand dollars, such lease to contain the usual covenants and agreement contained in Mill Leases.

5. It is agreed that a clause may be inserted in the said lease providing that the said Village shall have full right, power and privilege to enter in or upon the said mill property and to alter, extend and improve the race-way or flume, and do all necessary works in connection with the development of the property, and shall not be liable for any damage occasioned to the Vendors in connection therewith, but for any time the mill is stopped or shut down on account of such alterations or improvements no rent is to be charged.

6. It is agreed that the purchasers shall accept the title of the Vendors, McDougall, Brandon Austin, to their mill, property, water power and appurtenances that they received from the executors of the R. C. Smith estate and that the Vendors shall not be bound to furnish any title deeds, abstracts or other evidence of title than those in their possession and that the Village shall examine the title at their own expense.

7. The Village agree that they will forthwith submit a by-law to the rate payers approving of this agreement and providing for the issue of debentures to carry out the same and that they will also apply to the Legislative Assembly of the Province of Ontario at its present session, for a special Act ratifying and confirming this agreement and the said by-law and it is agreed that in the event of the Village failing to obtain the said Act this agreement shall be null and void.

In witness whereof the said Findlay McDougall, John H. Brandon and Henry Austin have hereunto set their hands and seals, the president of the said Fenelon Falls Electric Light Company, Limited, has hereunto set his hand and affixed the Corporate Seal of the Company, and the Reeve of the said village has hereunto set his hand and affixed the Corporate Seal of the said Village.

Signed Sealed and Delivered in the presence of (Sgd.) M. W. BRANDON.	}	(Sgd.) FINDLAY McDOUGALL, [L.S.]	
		(Sgd.) JOHN H. BRANDON, [L.S.]	
		(Sgd.) HENRY AUSTIN, [L.S.]	
		For the Fenelon Falls Electric Light Co., Limited.	
		(Sgd.) JOHN H. BRANDON, (Seal) President.	
		(Sgd.) JOS. McFARLAND, (Seal) Reeve.	
		(Sgd.) W. T. JUNKIN, Clerk.	
		For the Corporation of the Village of Fenelon Falls.	

1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act respecting the Village of Fenelon
Falls.

First Reading, 28th April, 1903.

(Reprinted as amended in Private Bills
Committee).

Mr. CARNEGIE.

TORONTO:

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

An Act respecting the Village of Fenelon Falls.

WHEREAS the Municipal Corporation of the Village of Fenelon Falls has by its petition represented that the said corporation has passed a by-law to authorize the purchase by the said municipal corporation of first preference stock to the amount of \$15,000 in Sandford Woodenware, Limited, and to provide for the issuing of debentures of the said municipal corporation to the amount of \$15,000 to raise the sum required therefor; that the said by-law was submitted to a vote of the ratepayers when there were 159 votes in favor and only 7 votes against the same; that Sandford Woodenware Limited, mentioned in the said by-law has since been incorporated under the name of Sandford Furniture and Woodenware, Limited, and has entered into an agreement with the municipal corporation pursuant to the provisions of the said by-law; and whereas the said municipal corporation has by its petition *further* represented that the said municipal corporation has passed a by-law respecting water, light and power in the Village of Fenelon Falls, after the same had been duly submitted to the ratepayers, when there were 121 votes in favor of and 30 votes against the same, and that an agreement with reference to the said matters has been entered into between Messrs. McDougal, Brandon and Austin and The Fenelon Falls Electric Light Company, Limited, of the one part and the said municipal corporation of the other part; and whereas the said municipal corporation has by its said petition prayed that the said by-laws may be legalized and declared valid and binding and that the said agreements may be ratified and confirmed; and whereas no opposition has been offered to the said petition and 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 No. 427 of the Municipal Corporation of the Village of Fenelon Falls, set forth as Schedule A to this Act, and the debentures to be issued thereunder as therein provided are confirmed and declared valid and binding on the said municipal corporation, and it is declared that the said by-law applies to and shall enure to the benefit of Sandford Furniture and Woodenware, Limited, as though the same

By-law 427 confirmed.

were mentioned therein wherever Sandford Woodenware Limited, is mentioned.

Agreement with Sanford Furniture and Woodenware, Limited, confirmed.

2. The said agreement between Sandford Furniture and Woodenware, Limited, and the said municipal corporation, set forth as Schedule B to this Act, is ratified and confirmed and declared valid and binding on the parties thereto, and it is expressly declared that where any provisions in the said agreement vary or conflict with the provisions of the said by-law, the said agreement shall govern, and the said municipal corporation is authorized and empowered to pass all necessary by-laws to carry out the said agreement; ~~as~~ provided, however, that nothing in the said agreement or this Act contained shall affect the assessment or taxation of any property for school purposes.

Council to elect one Director of Company.

3. So long as the said municipal corporation shall hold the \$15,000 preference stock referred to in the said By-law, No. 427, or the major part thereof for the time being outstanding the municipal council of the said corporation shall have power from time to time, by by-law, to elect one director of Sandford Furniture and Woodenware, Limited, who shall hold office during the pleasure of the council, and such director shall not be required to hold any stock or have any other qualifications.

Power to Company to redeem preference stock.

4. Sandford Furniture and Woodenware, Limited, may from time to time redeem or buy in for cancellation the whole or any part of their preferred stock in sums of not less than \$100 upon payment of the par value thereof, together with all unpaid dividends thereon and interest, as provided in their charter up to the date of such redemption, the respective shares to be paid off to be decided by lot in case the parties cannot agree upon the same.

Preference Stock to be used for payment of Debentures.

5. The said preferred stock when purchased by the said corporation shall be held upon, and the same is hereby impressed with a trust for the payment of the debentures to be issued under the said By-law No. 427, and interest thereon, and the said stock and dividends thereon and proceeds from sales thereof and interest thereon shall not be used for any other purpose until the said debentures and interest thereon have been fully paid and satisfied.

Power of Council to sell preference stock.

6. The council of the said corporation shall from time to time by a vote of two-thirds of the whole council have power to sell and dispose of the said preference stock or any part thereof, and the proceeds of such sales shall be used in the payment of the said debentures and the interest thereon, but should the whole proceeds of any sale not be required for the said purpose by reason of the debentures not being due

and payable at the time of such sale, such part of the proceeds as is not immediately so required shall be set apart and invested at interest until the same is required for the said purpose.

Power to
pledge stock.

7. The council shall also have power in case default is at any time made in the payment of dividends on the said stock, or in case moneys are required to pay an instalment of principal of the debentures, to borrow money on the credit of the corporation, and pledge the said stock and dividends as security therefor.

8. It shall not be necessary for the council of the said municipal corporation to raise the sum of \$1,153.14, as required by section 4 of the said by-law, No. 427, provided they have from dividends or proceeds of the sale of the said stock and interest thereon, or from loan raised, as provided for in the next preceding section, sufficient moneys on hand to pay the same, and if they have part of the moneys on hand it shall only be necessary to raise the balance of the said sum required under the said by-law.

Power to
Council to
vary terms of
By-law.

9. (1) By-law, No. 428 of the Municipal Corporation of the Village of Fenelon Falls, set forth as Schedule C to this Act, as amended by this section, and the debentures issued thereunder, and the agreement between Messrs. McDougall, Brandon and Austin and The Fenelon Falls Electric Light Company, Limited, of the one part, and the said municipal corporation of the other part, dated the 24th day of March, 1903, set forth as Schedule D to this Act, are ratified and confirmed and declared valid and binding upon the parties thereto, and the municipal council of the said corporation is hereby authorized and empowered to issue debentures as provided for by the said by-law as so amended and the said agreement and to carry out the said purchase.

By-law 428
and agreement
permanent
thereto con-
firmed.

(2) The said By-law No. 428 is amended by striking out enacting clause numbered 1 thereof, and substituting therefor the following clause:—

That for the purposes aforesaid or any of them, it shall be lawful for the reeve of the said corporation and he is hereby authorized and required to cause debentures of the Village of Fenelon Falls to be made, executed and issued for such amount as may be required for the purposes aforesaid, or any of them, not, however, exceeding in the whole the sum of \$75,000, in sums of not less than \$100, payable in annual instalments on the first day of July in each year, beginning with the year 1909, for twenty-five years, for the following amounts respectively, that is to say:—

1909	\$1,800.00
1910	1,850.00
1911	1,950.00
1912	2,050.00
1913	2,100.00
1914	2,200.00
1915	2,250.00
1916	2,400.00
1917	2,450.00
1918	2,550.00
1919	2,650.00
1920	2,800.00
1921	2,900.00
1922	3,000.00
1923	3,100.00
1924	3,250.00
1925	3,350.00
1926	3,500.00
1927	3,650.00
1928	3,800.00
1929	3,950.00
1930	4,100.00
1931	4,250.00
1932	4,450.00
1933	4,650.00

(3) The said By-law No. 428 is further amended by striking out the clause numbered 3 thereof, and substituting therefor the following clause:—

That there shall be raised and levied in each of the years 1904, 1905, 1906, 1907 and 1908 the sum of \$3,000.00 for the payment of the interest upon the said debentures, by a special rate sufficient therefor, on all the rateable property in the Municipality of the Village of Fenelon Falls, and that there shall be raised and levied in each year, for the year 1909 and twenty-four following years, for the payment of the said debt and interest and the debentures issued therefor, the sum of \$4,801.52, by a special rate sufficient therefor, on all the rateable property in the Municipality of the Village of Fenelon Falls, the same being sufficient to discharge the several yearly sums of principal and interest accruing due as the said yearly sums become respectively due and payable according to the terms of this by-law; provided that the Corporation may deduct from the said sum in any year any surplus, revenue from the said properties, which they may have on hand, and may deduct the sums necessary to be raised to pay on any of the said debentures which may not at that time have been issued, and raise the balance only of

the said sum in that year by special rate, in which case *the* said surplus revenue shall be applied in payment of *the* said debentures and interest thereon.

10. (1) The properties mentioned in the said agreement and all extensions, alterations, developments and additions thereto and improvements thereof shall be and the same are hereby charged with the repayment of the debentures which may be issued under the terms of the said By-law No. 428 *as by this Act amended* and the interest thereon, and the holders from time to time of any such debentures shall have a charge on the said properties, extensions, alterations, developments, additions and improvements for the securing of such debentures and interest, preferential to the claim of the holder of any other debentures issued by the said municipal corporation for any purpose other than in said By-law No. 428 *and in this Act mentioned*.

Properties charged with Debentures.

11. The said debentures shall be issued by the reeve and treasurer of the said corporation, *for the time being*, from time to time, upon the request of the Board of Commissioners *hereinafter mentioned*, and it shall not be necessary to issue *all the said debentures at one time nor within two years from the passing of this Act*, and such debentures shall be for such sum or sums as may be required by the said board for any of the purposes aforesaid which may be decided upon but so that the total amount of indebtedness represented by debentures outstanding shall not at any time exceed the amount of \$75,000.

Debentures to let issued by reeve and treasurer.

12. *The Municipal Water Works Act and The Municipal Light and Heat Act* shall apply to the said properties when purchased and any properties hereafter acquired, and all extensions and developments thereof, and the same shall be managed by a board of four commissioners who shall be a corporate body under the name of The Board of Water, Light and Power Commissioners of the Village of Fenelon Falls, with perpetual succession and a common seal, and who shall have all the rights, powers, privileges, authorities and immunities, expressed to be given to commissioners or to municipal councils under either of the said Acts.

Chapters 234 and 235 R. S. O. made applicable.

13. The said board of commissioners shall have all the powers conferred upon municipal councils under section 564 of *The Municipal Act* and in addition shall have and exercise the powers following:—

Powers of commissioners. Rev. Stat. c. 223.

(a) *Power to generate or develop electric energy by means of water power or otherwise, either in the said municipality or elsewhere.*

(b) *Power to construct, maintain and operate waterworks for*

all purposes, and to construct and maintain a sewerage system throughout the said village or any part thereof.

(c) *Power* to purchase, lease, or otherwise acquire and hold all such real estate, water power or powers, as may from time to time be necessary and proper for the purposes and uses of the Municipal Corporation of the Village of Fenelon Falls in connection with the matters aforesaid, and also to sell, lease or otherwise dispose of the same, ~~and~~ as well as the property acquired under the agreement set forth as Schedule D to this Act, ~~or~~ any part or parts thereof from time to time in such manner and on such terms as they may deem fit: provided always that such real estate acquired for the purposes hereinbefore mentioned shall at all times be held exclusively for the purposes and uses of the said corporation as by this Act authorized, and not otherwise, ~~and~~ and provided further, that in case of the sale by the said Board of Commissioners of any of the said property, so long as any of the debentures issued under *the* authority of the said By-law No. 428, as amended by this Act, remain outstanding and unpaid, the proceeds of any such sale shall be applied towards the payment of the said debentures, and should none of the said debentures be due and payable at the time of any such sale, then the said proceeds shall be set apart and invested at interest until required for such purpose. ~~and~~

(d) *Power* to contract and agree with any municipality, corporation and company or person, for the purchase or lease of water power and lands in connection therewith and for erecting and constructing buildings, plant, machinery and appliances for the purpose of such development.

(e) *Power* to purchase such land and erect such buildings, plant, machinery and appliances.

(f) *Power* to contract and agree with any municipality, corporation, company or person for the right to erect, construct, lay or affix any poles, conduits or wires, or other necessary appliances over, under, or along the lands, ways, roads, public or real property of such municipality, corporation, company or person.

(g) *Power* to carry or transport electric energy and to use, distribute, supply, sell or dispose of electric energy in the Village of Fenelon Falls, and within 20 miles thereof, to any corporation, company or person, or to any municipality.

(h) *Power* to build, erect, construct, lease or purchase, and operate buildings, plant, machinery or appliances for producing or transforming such electric energy for any purpose for which it is or may be used.

~~and~~ 14. The said Board of Commissioners shall insure and keep insured the buildings, erections, plant and machinery under their control to their full insurable value. ~~and~~

15. The Reeve of the Village of Fenelon Falls shall ex-officio be one of the commissioners, and the other three shall be elected as provided by *The Municipal Water Works Act*, except that each of the said elected commissioners, save as provided in section 16 with respect to the first election, shall continue in office for three years, and until his successor has been elected, and after the first election one commissioner shall be elected annually, at the same time and in the same manner as the Reeve of the said village.

Reeve to be commissioner.

Rev. Stat. c. 234.

16. The said municipal corporation shall forthwith, after the passing of this Act, pass a by-law and fix a time and provide for the first election of a Board of Commissioners, and the election shall proceed and take place in the same manner as the election of a reeve, except that each elector may vote for three commissioners, and all the provisions of *The Municipal Act* in reference to elections for reeves shall apply thereto, and the commissioner elected having the lowest number of votes shall retire at the next annual municipal election, and the one having the second lowest number of votes shall retire at the second annual election, and thereafter the commissioners shall retire in rotation. In the event of the first three commissioners being elected by acclamation the Board of Commissioners shall at their first meeting determine by lot the order in which they shall retire respectively, and in case of a vacancy from any cause or causes occurring at any time on the Board the municipal council of the village may by by-law appoint a commissioner to hold office until the next annual election, when a new commissioner shall be elected to fill the said vacancy, who shall hold office for the residue of the term of the commissioner whose seat during the previous year became vacant, and the election to fill such vacancy shall be a separate election from the election of the commissioner then to be elected for three years.

Election of commissioners.

Rev. Stat. c. 223.

17. Sections 14 to 18 inclusive, 22, 25 to 32 inclusive, 44, 45, 46 and 50 of the Act passed at the present session of this Legislature intituled *An Act to provide for the construction of Municipal Power Works and the Transmission, Distribution and Supply of Electrical and other Power and Energy* are incorporated with and shall be read as part of this Act and as applying to the said Village of Fenelon Falls and to the works constructed or to be constructed under the authority of this Act, and the words "commission" or "commissioners" where they occur in the said sections so incorporated shall, as respects the Village of Fenelon Falls, be deemed and be taken to mean the Board of Water, Light and Power Commissioners of the Village of Fenelon Falls; but, save as aforesaid the above mentioned Act shall not apply to or affect the Village of Fenelon Falls.

Application of general provisions as to municipal power works.

SCHEDULE A.

BY-LAW No. 427.

A By-law to authorize the purchase by the Village of Fenelon Falls of first preference stock to the amount of \$15,000 in Sandford Woodenware, Limited, and to provide for the issuing of debentures of the said village to the amount of \$15,000 and to raise the sum required therefor.

Whereas Francis Sandford, Donald J. McKinnon and John McEachern purpose to form a company under the name of "Sandford Woodenware, Limited," (or some other suitable name) and to erect a large factory for the manufacture of furniture and woodenware within the Village of Fenelon Falls, and have undertaken that the said company, when incorporated, shall enter into an agreement with the said village, conditional upon the passing and validation of this By-law, to erect such factory and to employ therein at least an average number of fifty men for a period of twenty years from the first day of October next (1903).

Whereas it is advisable that the Corporation of the Village of Fenelon Falls should purchase first preference Capital Stock of Sandford Woodenware, Limited, to the amount of \$15,000.

And whereas, in order so to do, it will be necessary to issue debentures of the said municipality for the sum of \$15,000 as hereinafter provided (which is the *amount* of the debt intended to be created by this by-law) the proceeds of the said debentures to be applied to the purpose aforesaid and no other.

And whereas it is desirable to issue the said debentures at one time and to make the principal of the said debt payable by yearly sums during the period of twenty years (the currency of the said debentures) said yearly sum being for such respective amounts that the aggregate amount payable in each year for principal and interest shall be as nearly as possible equal to the amount so payable in each of the nineteen years of the said period.

And whereas the total amount required by *The Municipal Act* to be raised annually by special rate for paying the said debt and interest as hereinbefore provided is \$1,153.14.

And whereas the amount of the whole rateable property of the Village of Fenelon Falls, according to the last revised Assessment Roll thereof, is \$296,238.00.

And whereas the said village has no existing debenture debt neither for principal or interest.

Therefore the Municipal Council of the Village of Fenelon Falls enacts as follows :—

1. When and so soon as the said above named parties shall have obtained incorporation under the name of "Sandford Woodenware, Limited" (or some other suitable name), and have shown to the Council of the corporation of the Village of Fenelon Falls that at least \$35,000 of the common stock of the said company has been actually and bona fide subscribed and fully paid up, and the said company has entered into an agreement with the said corporation to employ within the Village of Fenelon Falls an average number of fifty men during a period of twenty years, the Municipal Council of the said Village of Fenelon Falls shall expend the sum of \$15,000 in the purchase of first preference shares entitled to dividends at the rate of five per cent. per annum in the capital stock of the said company under whatever name the said parties may be incorporated, and for the purpose of raising the said sum, debentures of the said village to the amount of \$15,000 as aforesaid, in sums of not less than \$100 each, shall be issued on the first day of September,

A. D. 1903, or on such later day, being within one year of the passing of the by-law, as the company shall comply with the conditions hereinbefore expressed; each of which debentures shall be dated on the date of the issue thereof and shall be payable within twenty years thereafter at the Bank of British North America in the said Village of Fenelon Falls.

2. Each of the said debentures shall be signed by the Reeve of the said Village of Fenelon Falls and by the treasurer thereof, and the Clerk thereof shall attach thereto the corporate seal of the municipality.

3. The said debentures shall bear interest at the rate of four and one-half per cent. per annum, payable yearly at the said bank on the first day of December in each and every year the currency thereof.

4. During the currency of the said debentures there shall be raised annually by special rate on the rateable property in the said Village of Fenelon Falls the sum of \$1,153.14 for the purpose of paying the amount due in each of the said years for the principal and interest in respect to the said debt, as follows:

Year.	Interest.	Principal.	Total amount.
1904.....	\$675 00	\$478 14	\$1,153 14
1905.....	653 48	499 66	1,153 14
1906.....	631 00	522 14	1,153 14
1907.....	607 50	545 64	1,153 14
1908.....	582 95	570 19	1,153 14
1909.....	557 29	595 85	1,153 14
1910.....	530 47	622 67	1,153 14
1911.....	502 45	650 69	1,153 14
1912.....	473 17	679 97	1,153 14
1913.....	442 57	710 57	1,153 14
1914.....	410 60	742 54	1,153 14
1915.....	377 18	775 96	1,153 14
1916.....	342 26	810 88	1,153 14
1917.....	305 78	847 36	1,153 14
1918.....	267 65	885 49	1,153 14
1919.....	227 80	925 34	1,153 14
1920.....	186 16	966 98	1,153 14
1921.....	142 64	1,010 50	1,153 14
1922.....	98 17	1,054 97	1,153 14
1923.....	49 65	1,103 49	1,153 14

5. This by-law shall take effect on the day of the passing thereof and on its validation by an Act of the Legislature of the Province of Ontario.

6. The assessment of the real and personal property of the said company, its successors and assigns within the village, used in connection with its business now or hereafter acquired (not however including any dwelling property) shall be and is hereby fixed for twenty years from the first day of January, A. D., 1903, at an annual assessment of \$5,000.

7. The votes of the electors of the said Village of Fenelon Falls shall be taken on this by-law on the following times and places:

That is to say, on

Monday, the ninth day of March next (1903), commencing at the hour of nine o'clock in the forenoon and continuing until five o'clock in the afternoon of the same day, by the following Deputy Returning Officers:

Number of polling places.	Place where situated.	Deputy Returning officer.
1.....	Twomey's Hall	C. W. Burgoyne
2.....	Jordan's Hall	W. T. Junkin.

8. On Friday, the 6th day of March, A. D. 1903, the Reeve of the said Village of Fenelon Falls shall attend at the Council Chamber at ten o'clock in the forenoon to appoint persons to attend at the various polling places aforesaid, and at the final summing up of the votes by the clerk on behalf of the persons interested in promoting or opposing the passing of this by-law respectively.

9. The Clerk of the Council of the said Village of Fenelon Falls shall attend at the Council chamber at ten o'clock in the forenoon on Wednesday, the 11th day of March, A. D. 1903, to sum up the number of votes for and against the by-law.

Read a first and second time at the Village of Fenelon Falls this ninth day of February, A. D. 1903.

~~Re~~ Read a third time and passed this 15th day of April, A. D. 1903. ~~Re~~

W. T. JUNKIN,
Clerk.

JOS. MCFARLAND,
Reeve.

SCHEDULE B.

THIS INDENTURE made this Twentieth day of March, in the year of our Lord One Thousand Nine Hundred and Three, between Sandford Furniture and Woodenware Limited, hereinafter called the Company of the First Part, and The Corporation of the Village of Fenelon Falls, hereinafter called the Village, of the Second Part :—

Whereas the Company have lately been incorporated for the following purposes, that is to say :—

To manufacture, buy, sell and otherwise deal in furniture, wire-screens and windows, and all articles which may be manufactured from wood in any form, and for the said purposes : (a) To acquire the business and the assets of the business now being carried on at the said Village of Fenelon Falls by the said Francis Sandford under the name of "F. Sandford," and to pay for the same by the allotment of fully paid-up stock ; (b) To acquire and take over the rights and privileges now owned or otherwise held by the said Francis Sandford in the Water-power of the Fenelon River, and in any and all agreements and leases in connection therewith, and (c) To carry on the business of a timber and lumber merchant.

And whereas the Company intend to largely increase the business heretofore carried on by the said Francis Sandford and have applied to the Village to assist them by purchasing the said fifteen thousand dollars of preference stock and fixing their assessment at the sum of five thousand dollars, which the said Village have agreed to do upon the terms hereinafter mentioned.

And whereas the capital of the said Company is one hundred thousand dollars divided into one thousand shares of one hundred dollars each, of which one hundred and fifty shares amounting to fifteen thousand dollars are preference shares.

And whereas the Village have submitted to the ratepayers for approval a By-Law No. 427, entitled, "a by-law to authorize the purchase by the Village of Fenelon Falls of first preference stock to the amount of \$15,000, ~~in~~ in Sandford Woodenware, Limited, and to provide for the issuing of debentures of the said Village to the amount of \$15,000, ~~and~~ and to raise the sum required therefor," on the understanding that this agreement should be entered into and which said by law has been carried by a vote of over two-thirds of the ratepayers entitled to vote thereon, there being one hundred and fifty-nine votes in favor and only seven votes against the same.

And whereas the parties mentioned in the said by-law have formed a company under the name of Sandford Furniture and Woodenware Limited, instead of the name mentioned in the said by-law.

Now this indenture witnesseth that the said parties mutually covenant, promise and agree to and with each other as follows :

1. The Village agree that upon the Company proving to the satisfaction of the Council of the said Village that the conditions hereinafter mentioned have been complied with they will subscribe for and purchase from the Company the whole of their preference stock amounting to fifteen thousand dollars, the same to be paid for by delivery to the Company of the fifteen thousand dollars of debentures, provided for by the said by-law No. 427, the said stock to commence earning dividends at the rate of five per cent. per annum from the delivery of the said debentures, and the Company to pay to the Village the accrued interest on the debentures up to the date of delivery, it being agreed and understood that the proceeds of the said debentures when disposed of by the Company shall be used solely in the operations of the Company.

2. The said purchase to be subject to the following conditions :—

(a) That the Company have acquired and taken over as a going concern the business of the Manufacture of Woodenware, now carried on by the said Francis Sandford, and have also acquired and taken over the rights and privileges now owned or otherwise held by the said Francis Sandford, in the water-power of the Fenelon River, and any and all agreements in connection therewith, the whole to be free from incumbrance, and paid for by the allotment of the ordinary stock of the Company.

(b) That twenty thousand dollars of the ordinary stock of the Company has been subscribed and paid for to the company in cash at par value, the same to be used solely in the erection of new buildings, purchase of plant machinery, installing water-wheels, shafting, fire protection and general extension of the business, and not for paying for the business property to be taken over from the said Sandford.

(c) That the company have erected in the Village of Fenelon Falls on the south side of the Fenelon River a new factory or factories sufficient for the purposes of the company and have placed the plant and machinery therein and have the same in operation.

3. That the assessment of the real and personal property of the company, within the village used in connection with its business now or hereafter acquired shall be, and the same is hereby fixed for a period of twenty years from the first day of January, one thousand nine hundred and four, at an annual assessment of five thousand dollars and the company shall pay taxes upon an assessment of that amount. It is expressly agreed and understood however that such assessment shall not include any dwelling property or any other property not used or required for the purpose of carrying on the company's said manufacturing business and that all such property if owned or occupied by the Company shall be assessed in the usual way in addition to the said assessment of five thousand dollars.

4. The Company agree with the Village that from the first day of October, nineteen hundred and three, during a period of twenty years, they will employ in their factory and business in the Village of Fenelon Falls, an average number of at least fifty employees or that they will pay to the number of employees who are employed by them in the factory and business as aforesaid (exclusive of directors of the company or the manager thereof) wages averaging not less than \$15,000 per year during said twenty years, and that they shall not remove their business from the said Village.

5. The village shall make an application to the Legislative Assembly for a special act ratifying and confirming this agreement and the said by-law and giving the Village power to carry out the same.

6. In event of the special Act being obtained *as aforesaid*, the Company shall pay to the Village all costs, charges and expenses incurred by them in connection with the said by-law and one-half the Parliamentary fee of \$100 for the special Act.

7. That in the event of the Legislature failing to pass the said special Act this agreement shall be null and void, and each party shall pay their own costs and expenses in connection therewith.

8. The Village and the Company agree each with the other that they will join in asking to have inserted in the said special Act two clauses amending their charter as follows :—

(a) That so long as the Corporation of the Village of Fenelon Falls holds the said \$15,000 preference stock or a majority thereof the municipal council of the said corporation shall have power from time to time by by-law to elect one director of the said “Sanford Furniture and Woodware Limited” who shall hold office during the pleasure of the council and such directors shall not be required to hold any stock or have any qualification.

(b) The said “Sanford Furniture and Woodware Limited” may from time to time redeem or buy in for cancellation the whole or any part of their preferred stock in sums of not less than one thousand dollars, upon repayment of the par value thereof together with all unpaid dividends thereon and interest as provided in their charter up to the date of redemption the respective shares to be paid off to be decided by lot in case the parties cannot agree upon the same.

IN WITNESS WHEREOF the president of the said company has hereunto set his hand and affixed the corporate seal of the company, and the Reeve of the said Village has hereunto set his hand and affixed the corporate seal of the said village.

Signed, sealed and delivered in the presence of (Sgd.) F. A. McDIARMID.	}	(Sgd.) JOS. MCFARLANE, [Seal.] Reeve.
		(Sgd.) W. T. JUNKIN, Clerk.
		(Sgd.) D. J. MCKINNON, [Seal.] President, for Sandford Furniture & Wood- enware Limited.

SCHEDULE C.

BY LAW No. 428.

A By-law respecting Water, Light and Power in the Village of Fenelon Falls.

Whereas by agreement bearing date the 24th day of March, 1903, the Village of Fenelon Falls agreed with Messrs. McDougall, Brandon and Austin and with the Fenelon Falls Electric Light Company, Limited, for the purchase of their share of the Water Power and privileges in the Fenelon River, their mill, machinery, plant, apparatus and franchises and all property real and personal held or used in connection therewith, for the sum of \$35,000.00.

And whereas it may be possible to purchase other parts or shares of the water power of the Fenelon River ;

And whereas it is necessary and advisable to further extend, alter and improve the development of the said properties ;

And whereas it is desirable to establish a system of waterworks for fire protection and other purposes ;

And whereas for these purposes it has been estimated that a further sum not to exceed \$40,000.00 will be required ;

And whereas it has been resolved that debentures shall be issued for such purposes, bearing interest at the rate of four per cent. per annum payable half yearly, and that the interest only shall be payable for ten years and thereafter the said debentures shall be payable in thirty years in instalments with interest at the rate aforesaid, so that such instalments shall be such that the aggregate amount payable for principle and interest during any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of such period of thirty years,—

And whereas it will be necessary to raise the sum of \$3,000 00 annually by special rate sufficient therefor during the first ten years for the payment of the interest on the said debt, and to raise the sum of \$4,338.66 annually by special rate sufficient therefor afterwards, during the term of thirty years, for the payment of the said debt, and interest in instalments according to the terms of this By-law ;

And whereas the amount of the whole rateable property of the Village of Fenelon Falls, according to the last revised assessment roll, is \$296,238.00 ;

And whereas there is no existing debenture debt neither for principal or interest ;

Therefore the Municipal Corporation of the Village of Fenelon Falls enacts as follows :—

1. That for the purposes aforesaid or any of them, it shall be lawful for the Reeve of the said Corporation and he is hereby authorized and required to cause debentures of the said Village of Fenelon Falls to be made, executed and issued for such amount as may be required for the purposes aforesaid or any of them, not however exceeding in the whole the sum of \$75,000.00 in sums of not less than \$100.00 payable in annual instalments on the first day of July in each year for thirty years, for the following amounts for the following years, that is to say :—

1914.....	\$1,350	1929.....	\$2,400
1915.....	1,400	1930.....	2,500
1916.....	1,450	1931.....	2,600
1917.....	1,500	1932.....	2,700
1918.....	1,550	1933.....	2,800
1919.....	1,600	1934.....	2,950
1920.....	1,700	1935.....	3,050
1921.....	1,750	1936.....	3,200
1922.....	1,850	1937.....	3,350
1923.....	1,900	1938.....	3,450
1924.....	1,950	1939.....	3,550
1925.....	2,050	1940.....	3,700
1926.....	2,150	1941.....	3,850
1927.....	2,200	1942.....	4,000
1928.....	2,300	1943.....	4,200

2. That the said debentures shall bear interest at the rate of four per cent. per annum, payable half-yearly on the first days of January and July in each year, and shall have coupons attached for the payment of interest and the debentures and interest may be expressed in sterling money of Great Britain, or in currency of Canada, and shall be made payable at the Bank of British North America in the Village of Fenelon Falls.

3. That there shall be raised and levied in each year for the first ten years the sum of \$3,000 00 for the payment of the interest upon the said debentures, by a special rate sufficient therefor on all the rateable property in the municipality in the Village of Fenelon Falls, and shall be raised and levied in each year for the year 1914 and twenty-nine subsequent years for the payment of the said debt and interest and the debentures issued therefor the sum of \$4,338.66 by a special rate sufficient therefor on all the rateable property in the municipality of the

Village of Fenelon Falls, the same being sufficient to discharge the several yearly sums of principal and interest accruing due as the said yearly sums become respectively due and payable according to the terms of this By-law.

Provided that the Corporation may deduct from the said sum in any year any surplus, revenue from the said properties, which they may have on hand, and may deduct the sums necessary to be raised to pay on any of the said debentures which may not at that time have been issued, and raise the balance only of the said sum in that year by special rate, in which case said surplus revenue shall be applied in payment of said debentures and interest thereon.

4. That the said debentures shall be known and marked as "Water, Light and Power Debentures" and shall be the first lien and charge upon the said properties and all other properties held or used in connection therewith, and all extensions and improvements thereof.

5. This by-law shall come into force and take effect upon the same being approved by the ratepayers of the Village of Fenelon Falls qualified to vote thereon, and upon the same being ratified and confirmed by the Legislature of the Province of Ontario.

6. The votes of the electors of the said Village of Fenelon Falls shall be taken on this by-law at the following time and places, that is to say on Monday, the 20th day of April, A.D. 1903, commencing at the hour of nine o'clock in the forenoon, and continuing until five o'clock in the afternoon of the same day, by the following deputy returning officers:



Polling Sub-division No. 1.—Twomey's Hall, deputy returning officer, C. W. Burgoyne.

Polling Sub-division No 2.—Jordan's Hall, deputy returning officer, W. T. Junkin.

7. On Friday, the 17th day of April, A.D. 1903, the Reeve of the Village shall attend at the council chamber in Twomey's Hall in the said village at ten o'clock in the forenoon, to appoint persons to attend at the various polling places aforesaid and at the final summing up of the votes by the clerk on behalf of the persons interested in and promoting or opposing the passing of this by-law respectively.

8. The clerk of the Village shall attend at the council chamber in Twomey's Hall in the said village at ten o'clock in the forenoon of Tuesday, the 21st day of April, A.D. 1903, to sum up the votes given for or against this by-law.

Read a first and second time this 24th day of March, A.D. 1903.

 Read a third time and passed this 24th day of April, A.D. 1903. 

(Sgd.) Jos. McFarland, Reeve.

(Sgd.) W. T. JUNKIN, Clerk.

(Seal.)

SCHEDULE D.

Memorandum of agreement made this 24th day of March in the year of our Lord One Thousand Nine Hundred and Three.

Between Findlay McDougall, John H. Brandon and Henry Austin of the Village of Fenelon Falls, in the County of Victoria, Millers carrying on business under the name, style and firm of McDougall, Brandon & Austin, and The Fenelon Falls Electric Light Company, Limited, hereinafter called the Vendors of the first part and

The Corporation of the Village of Fenelon Falls hereinafter called the Village of the second part.

Whereas the said Village are desirous of purchasing the said McDougall, Brandon & Austin's mills, property, water power and appurtenances in the said Village of Fenelon Falls.

And whereas the Village are desirous of purchasing from the vendors, the Fenelon Falls Electric Light Company, Limited, their electric light plant, franchise and rights and all their property used in connection therewith.

And whereas the Vendors and the Village have agreed upon the sum of thirty-five thousand dollars as the amount to be paid by the village to the said vendors for their said properties on the terms and conditions hereinafter mentioned.

Now this debenture witnesseth that the said parties hereby mutually covenant, promise and agree to and with each other as follows :—

1. The vendors hereby agree to sell to the Village and the Village hereby agree to purchase from the Vendors at or for the price or sum of thirty-five thousand dollars, the following property, that is to say ;—

(a) The said McDougall, Brandon & Austin's mill property in the Village of Fenelon Falls, being composed of that portion of block letter "N" in the subdivision of the west half of lot number twenty-three in the tenth concession of the Township of Fenelon (Register plan number seventeen) lying to the east of Colborne street, south of the lands east of Colborne street, surrendered to Her late Majesty Queen Victoria for canal purposes, and extending southerly and easterly to the waters edge of the Fenelon river, and their one-fourth part or share of the water power of the Fenelon River together with the stone flour mill and all buildings, machinery, race-ways, water courses, water, flumes, sluices, ponds, dams, wharves, rights-of-way, easements, appurtenances and privileges belonging to or in any way appertaining, or used in connection with the said mill property or water power, all of which is more particularly mentioned and described in a certain deed thereof from the executors of the late R. C. Smith to the said McDougall, Brandon & Austin, dated the fourteenth day of June One Thousand Eight Hundred and Ninety-Three and registered as number one hundred and sixty-six of the Village of Fenelon Falls, the intention and agreement being that the Village take and acquire all the property and rights so acquired by the said McDougall, Brandon & Austin and upon the same terms and conditions and subject also to the right granted to one Francis Sandford to maintain a shafting to his factory.

(b) All the works and property owned by the Fenelon Falls Electric Light Company, Limited, in the Village of Fenelon Falls, for the purpose of supplying electric light and energy, together with all the said Company's good will, franchise, rights, contracts, for light, plant, machinery, dynamos, poles, wires, lamps, and Electric apparatus and appliances of every nature and kind whatsoever owned or used by the Company in connection with their works except electric supplies.

2. The Vendors are to retain possession of the said property and have the use and benefit thereof up to the thirty-first day of August next, Nineteen Hundred and Three, when the purchase is to be completed and the purchase money paid with the right to the purchasers to have the time extended for one month.

3. The said Vendors covenant with the purchasers that they will from and after this date and until the said purchase shall be wholly completed, keep and maintain all the said properties in complete and thorough repair, and will not suffer the same to become deteriorated in any way, reasonable wear and tear only excepted.

4. The Vendors, McDougall, Brandon & Austin, agree that upon the completion of the said purchase they will, if the Village so desires, take a lease of the Stone Flour Mill upon the said premises with free ingress, egress and regress to and from the same, together with all necessary water or electric power and electric light to operate the same at its pres-

ent capacity, for a term of ten years from the completion of this purchase, at a yearly rental of twelve hundred dollars a year, payable half yearly on the first day of January and the first day of July in each year, together with taxes on an assessment of six thousand dollars, such lease to contain the usual covenants and agreement contained in Mill Leases.

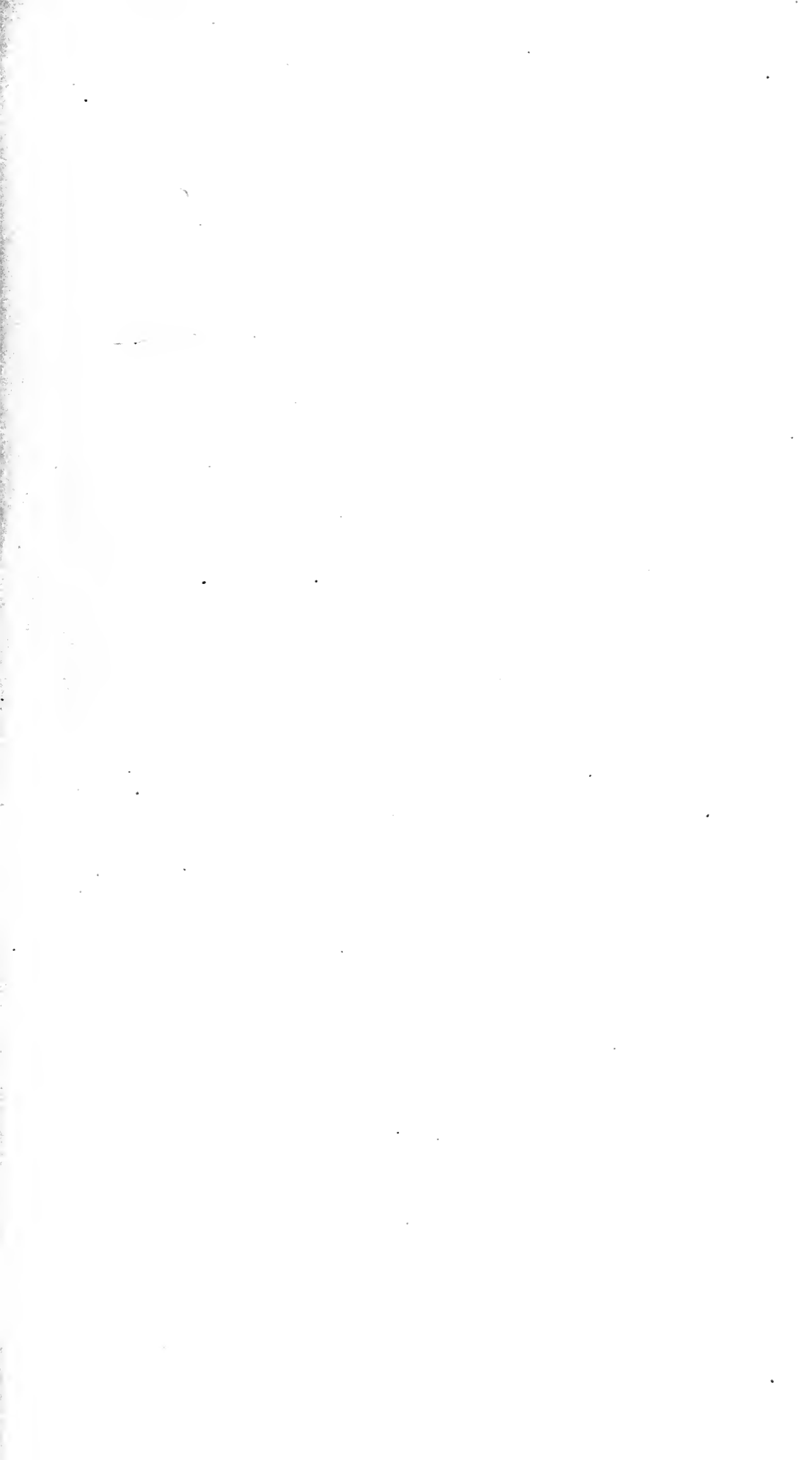
5. It is agreed that a clause may be inserted in the said lease providing that the said Village shall have full right, power and privilege to enter in or upon the said mill property and to alter, extend and improve the race-way or flume, and do all necessary works in connection with the development of the property, and shall not be liable for any damage occasioned to the Vendors in connection therewith, but for any time the mill is stopped or shut down on account of such alterations or improvements no rent is to be charged.

6. It is agreed that the purchasers shall accept the title of the Vendors, McDougall, Brandon Austin, to their mill, property, water power and appurtenances that they received from the executors of the R. C. Smith estate and that the Vendors shall not be bound to furnish any title deeds, abstracts or other evidence of title than those in their possession and that the Village shall examine the title at their own expense.

7. The Village agree that they will forthwith submit a by-law to the rate payers approving of this agreement and providing for the issue of debentures to carry out the same and that they will also apply to the Legislative Assembly of the Province of Ontario at its present session, for a special Act ratifying and confirming this agreement and the said by-law and it is agreed that in the event of the Village failing to obtain the said Act this agreement shall be null and void.

In witness whereof the said Findlay McDougall, John H. Brandon and Henry Austin have hereunto set their hands and seals, the president of the said Fenelon Falls Electric Light Company, Limited, has hereunto set his hand and affixed the Corporate Seal of the Company, and the Reeve of the said village has hereunto set his hand and affixed the Corporate Seal of the said Village.

Signed Sealed and Delivered in the presence of (Sgd.) M. W. BRANDON.	}	(Sgd.) FINDLAY McDOUGALL,	[L.S.]
		(Sgd.) JOHN H. BRANDON,	[L.S.]
		(Sgd.) HENRY AUSTIN,	[L.S.]
		For the Fenelon Falls Electric Light Co., Limited.	
		(Sgd.) JOHN H. BRANDON,	(Seal)
		President.	
		(Sgd.) JOS. McFARLAND,	(Seal)
		Reeve.	
		(Sgd.) W. T. JUNKIN,	
		Clerk.	
		For the Corporation of the Village of Fenelon Falls.	



No. 73.

1st Session, 10th Legislature,
3 Edward VII, 1903.

BILL.

An Act respecting the Village of Fenelon
Falls.

First Reading, 28th April, 1903.
Second Reading, 8th May, 1903.

(Reprinted as amended in Committee
of Whole.)

Mr. CARNEGIE.

TORONTO :

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

An Act respecting The Home Savings and Loan Company, Limited.

WHEREAS The Home Savings and Loan Company, Preamble.
 Limited, has by its petition represented that it was
 incorporated on the 25th day of April, A.D. 1877, under the
 provisions of *The Ontario Joint Stock Companies Letters* Rev. Stat.
 5 *Patent Act*, and that Supplementary Letters Patent were after- c. 190.
 wards granted authorizing an increase of capital, subject to the
 provisions of *The Loan Corporations Act*, and that its capital Rev. Stat.
 stock now consists of 20,000 shares of \$100 each, upon which c. 205.
 ten per centum has been paid; and whereas the shareholders
 10 of the said company have at a general meeting, specially
 called to consider the application for this Act, unanimously
 approved of the said application, there being present and
 represented at such meeting, in person or by proxy, 19,356
 shares; and whereas the said company has prayed that it be
 15 enacted as herein set forth; and whereas it is expedient to
 grant the prayer of the said petition;

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

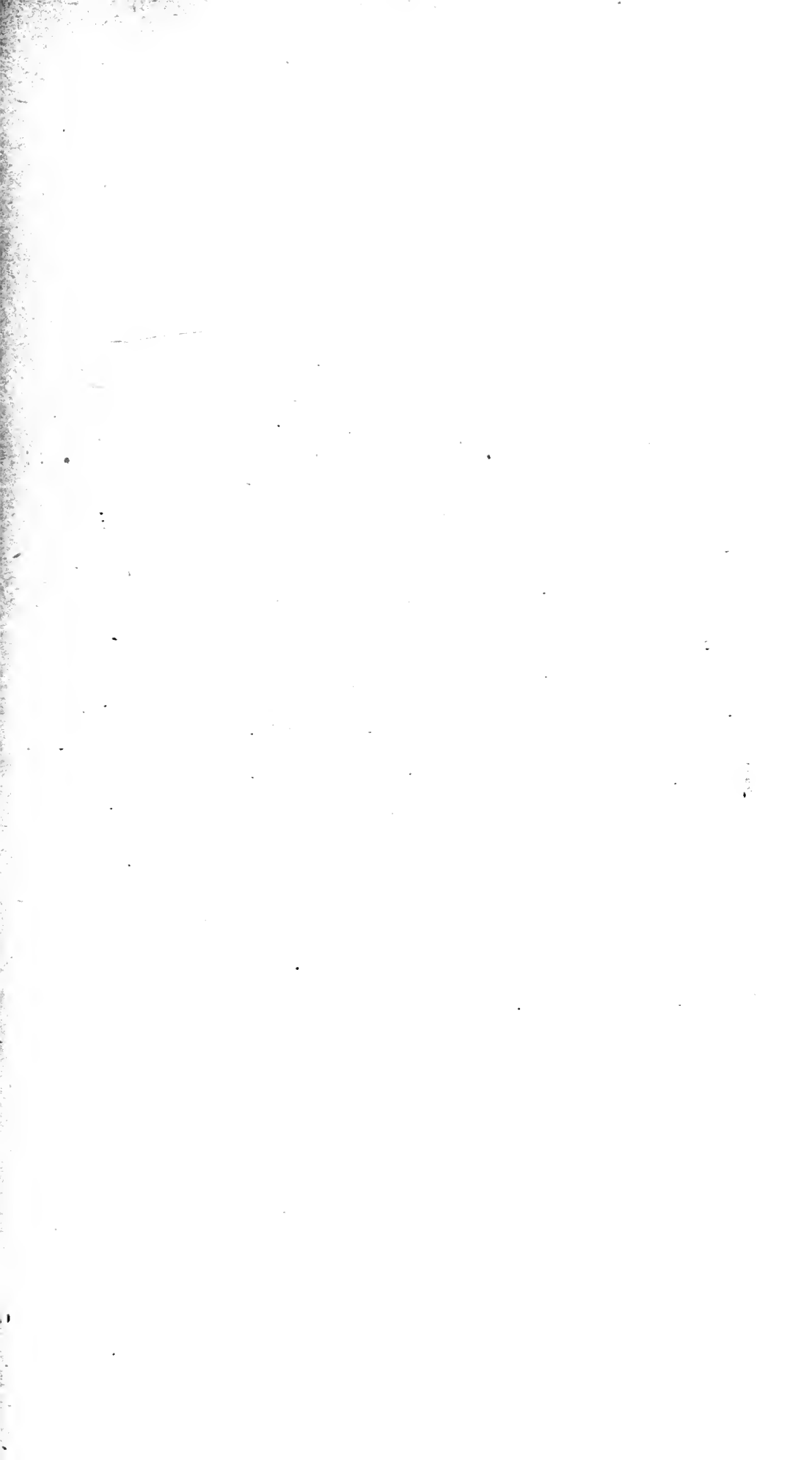
20 1. The Home Savings and Loan Company, Limited, is Authority
 hereby authorized and empowered to sell and transfer the to sell assets
 good will of the said company and its property, assets, rights, to a bank.
 credits and effects, or such part or parts thereof as a bank is
 authorized to hold or invest in, to a bank incorporated or to
 25 be incorporated under *The Bank Act*, and may enter into an R. S. C. c. 120.
 arrangement whereby the shareholders of the said company
 may receive shares in the said bank as the consideration, or
 part of the consideration, for such transfer, and for the
 carrying out of such arrangement by the cancellation or
 30 surrender or transfer of such shares in connection with such
 sale.

Creditors pro-
tected.

2. Nothing in this Act contained or done in pursuance thereof shall take away or prejudice any claim, demand, right, security, cause of action or complaint which any person has against the said company or its directors or shareholders, or shall relieve the said company, its directors or shareholders 5 from the performance of any debt, liability, obligation, contract or duty.

Company to
cease to do
business.

3. From the time of the completion of such sale to such bank and the completion of the purchase by such bank the said company shall cease to receive deposits or to transact 10 any business except such as is necessary to enable it to carry out the agreement for sale to the said bank, and to realize upon any assets not included in the agreement for sale, and to pay and discharge its liabilities and such as is incidental to the winding up of its business, and the shareholders shall 15 not assign their shares, and the charter of the said company shall continue in force only for the purpose in this section specified.



An Act respecting the Town of Port Arthur.

WHEREAS the Municipal Council of the Town of Port Arthur has by its Petition represented that it has constructed and is now operating a municipal telephone system in the said Town, and also connecting the said Town with the municipal telephone system installed and operated by the Town of Fort William; that it has constructed dams and other works necessary to utilize the water power of Current River and that the said power is now being utilized in the operation of its electric railway and lighting systems; that The Pigeon River Lumber Company has constructed and now has in operation in the said Town of Port Arthur a large saw mill and planing mill and that the Municipal Corporation of Port Arthur has purchased a site for the said company's planing mill and has leased the same to the said company; that said works were constructed and the said lands purchased and leased to the said company under the authority of by-laws of the said municipal corporation, the same having been duly submitted to the vote of the ratepayers entitled to vote thereon as provided by *The Municipal Act* in that behalf; and whereas it has also been represented by the said petition that the municipal corporation of Port Arthur is the owner of and is now operating its own electric street railway and lighting systems and its own power system, and that is is desirable that special powers should be granted to enable the Municipal Corporation of Port Arthur to effectively carry on the said operations; and whereas it is expedient to grant the prayer of the said petition;

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

1. By-law No. 590 of the Corporation of the Town of Port Arthur, set forth as Schedule A to this Act, is ratified and confirmed and declared to be legal and binding. By-law No. 590 confirmed.

2. By-law No. 591 of the Corporation of the Town of Port Arthur, set forth as Schedule B to this Act, is ratified and confirmed and declared to be legal and binding. By-law No. 591 confirmed.

- By-law No. 615 confirmed.** **3.** By-law No. 615 of the Corporation of the Town of Port Arthur, set forth as Schedule C to this Act, is ratified and confirmed and declared to be legal and binding.
- Debentures validated.** **4.** The debentures issued, or to be issued, pursuant to the said by-laws, or any of them, shall be and are declared to be valid and binding. 5
- 58 Vic. c 73 amended.** **5.** Section 4 of chapter 73 of the Acts passed in the 58th year of the reign of Her late Majesty Queen Victoria, is amended by striking out all words after the word "election" in the seventeenth line thereof, and sub-section 4 (b) of section 4 of chapter 65 of the Acts passed in the 1st year of the reign of His Majesty Edward the Seventh is amended by striking out all words after the word "town" in the third line thereof.
- Qualifications of electric railway and light commissioners.** **6.** No person shall be qualified to be elected or appointed an electric railway and light commissioner unless such person resides within the municipality and unless such person has, or his wife has, at the time of his election or appointment, as owner or tenant, a legal or equitable freehold, or an estate partly freehold and partly leasehold, or partly legal and partly equitable, which is rated in his own name, or in the name of his wife on the last revised assessment roll of the municipality, to at least the value following, over and above all charges, liens and encumbrances affecting the same, that is to say:—Freehold, \$400; leasehold, \$800. 20 25
- Members of Council not to be commissioners.** **7.** No member of the council of the said town shall be eligible for election as an electric railway or light commissioner, but nothing in this section contained shall apply to the mayor of the town for the time being who shall be ex officio one of such commissioners, or to the member of the said board who is appointed by the council. 30
- Other dis-qualifications.** **8.** No person having by himself or his partner an interest in any contract with or on behalf of the corporation of the Town of Port Arthur or the said commissioners for any matter or thing within the jurisdiction of the said commissioners or over which they exercise control, or having a contract for the supply of goods or materials to the contractor for work for which the said corporation or commissioners pay or are liable directly or indirectly to pay and coming within the jurisdiction or under the control of the said commissioners as aforesaid, shall be qualified to be an electric railway or light commissioner. 35 40
- Commissioners to submit an annual statement to the council** **9.** The said commissioners shall submit to the Municipal Council of the Town of Port Arthur on or before the first day of August in each year, or at such time as may be required by the Council, a statement showing the estimated receipts 45

and expenses for the electric street railway and electric light and power plants for the current municipal year. If such statement shows an estimated deficit it shall be the duty of the Municipal Council to levy and collect the amount of such deficit upon the taxable property of the Municipality in the manner provided in *The Municipal Act and Assessment Act*. If any profits arise from the operation of the said systems the amount thereof shall belong to the Municipality and shall be applied in the reduction of the general taxation.

Rev. Stat.
c. 223, 224.

10 **10.** All accounts for wages and supplies and all other out-
goings and expenses in connection with the operation and
maintenance of the said electric railway, electric lighting and
power systems and the amount of interest and sinking fund
payable on the debentures issued for the construction of the
15 said works, shall be audited and certified by the said commis-
sioners and upon being passed by the town council shall be
paid by the town treasurer on the order of the said commis-
sioners.

Operating
expenses.

20 **11.** Sub-section C. of section 5 of the Act passed in the
58th year of the reign of Her late Majesty Queen Victoria
chaptered 73 is repealed.

Part of Sec. 5,
c. 73, 58 Vic.
repealed.

12. Notwithstanding anything to the contrary in any Act,
the said commissioners, upon receiving the assent of the town
council, shall be at liberty to purchase from time to time, and
25 instal, equip, construct and erect such poles, lines, circuits,
transformers, installations, meters, street lamps, tools, appli-
ances, telephones, railway switches and other things which
may be necessary or expedient for the completion and the
effective operation of their street railway, electric lighting,
30 power and telephone systems, and to pay for the same out of
the current receipts of the said systems; and the said municip-
al council shall be at liberty to issue debentures for the cost
of any such matters or things, upon receiving the assent of the
ratepayers entitled to vote on money by-laws; such debentures
35 to be repayable with interest in not more than fifteen equal
annual instalments; and such debentures shall be valid and
binding in all respects.

Power of Com-
missioners.

13. Notwithstanding anything to the contrary in *The*
Municipal Act or any other Act, the said Council, upon obtain-
40 ing the assent of the ratepayers in the manner provided in
the said *Municipal Act* with regard to by-laws creating debts,
shall be at liberty to purchase from time to time such street cars
as may be necessary for their railway, and to issue debentures
for the same, repayable with interest in not more than twenty-
45 five annual payments, and to extend their street railway and
power plants, erect buildings, construct dams and purchase
real estate, and to issue debentures therefor, repayable in
thirty years; and for such last mentioned debentures it shall

Powers of
Council.

only be necessary to levy and raise a sinking fund on the basis of one per cent. per annum.

Power to Council to invest in sinking funds.

14. The said municipal council shall be at liberty to invest any of its sinking funds or other moneys in the purchase of any of the fifteen year or twenty-five year debentures mentioned in paragraphs 12 and 13 hereof to an amount equal to the amount of such debentures as an investment on account of the sinking fund, and may deal with the same accordingly. 5

Sinking Funds.

15. Notwithstanding anything to the contrary in any Act or Acts it shall only be necessary for the said town hereafter to levy and raise a sinking fund on the basis of one per cent. per annum for the repayment of the following debentures, that is to say:—\$30,000, Current River power debentures, issued under By-Law No. 572; \$30,000, Current River power debentures, issued under By-Law No. 591; \$6,000, Pigeon River Lumber Company debentures, issued under By-Law No. 590, and the \$50,000, Ontario and Rainy River Railway debentures, issued under By-Law No. 551; and to levy and raise a sinking fund on the basis of two per cent. per annum for the payment of the \$12,000, telephone debentures issued or to be issued under By-Law No. 615. 10 15 20

Council authorized to give Commissioners control of telephone system.

16. It shall be lawful for the municipal council of the said town at any time hereafter to place the control of the maintenance and operation of the telephone system of the said town with the said electric railway and light commissioners, and they shall thereupon have the same powers with regard thereto as they now have over the said electric railway, lighting and power systems. 25

Certain debentures to be only indirect liabilities of the Town.

17. Notwithstanding anything to the contrary in any Act, the debentures issued by the said town for street railway, lighting, power and telephone purposes shall be considered as only indirect liabilities of the Town; and in stating the debenture debt of the Town in any by-law for raising money for purposes other than those above mentioned it shall not be necessary to include the amount of the said debentures issued for street railway, electric lighting, power and telephone purposes. 30 35

How annual rate to be made up.

18. The municipal council in striking the annual rate shall only levy and raise a sum sufficient to pay the estimated deficit, if any, in the said street railway, electric lighting, power and telephone systems; and, in making out the collectors' roll and tax notices, in addition to giving the amount of the debentures issued for the purposes aforesaid, the amount of such deficit, if any, shall be stated and the amount of the rate to cover such deficit; and in case the said systems, or any of them, produce sufficient revenue to pay the interest and sinking fund and maintenance and operation then it shall not be necessary to make any levy for such system. 40 45

SCHEDULE A.

TOWN OF PORT ARTHUR.

By law to raise by way of debentures the sum of \$6,000 for the purchase of a site for the works of The Pigeon River Lumber Company, Limited, and to authorize a certain agreement with the said Company.

Whereas, The Pigeon River Lumber Company, Limited, has proposed to establish and operate within the Town of Port Arthur its saw mills and general lumber manufacturing plant on condition that the said Town furnish a free site and on other terms and conditions more fully set out in the Agreement bearing date the 15th day of August, 1901, made between this Corporation and the said Company, a copy whereof is attached hereto marked "A ;"

And whereas the said Company will employ a large number of men, and will expend large sums of money in the said Town, and it will be greatly in the interests of the said Town to procure the establishment of the said saw mill and general lumber manufacturing plant within its limits ;

And whereas it will require the sum of \$501.50 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 \$6,000 and interest on the debentures to be issued therefor, of which the sum of \$300 will be for interest, and the sum of \$201.50 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 \$1,483,828.00, of which \$304,702.00 is wholly exempt from taxation, and \$79,027.00 is exempt except for school taxes ;

And whereas the amount of the existing debenture debt of the said Town of Port Arthur is \$331,250.00 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. It shall and may be lawful for the Mayor and Clerk of the Town of Port Arthur and they are hereby authorized and empowered for and on behalf of the Corporation of the Town of Port Arthur and under the corporate seal of the said Town to execute the said agreement "A" attached hereto, and to carry out its terms and do all things necessary therefor.

2. The works, buildings, plant and real and personal estate of the said The Pigeon River Lumber Company, Limited, actually used in connection with their said saw mill and general lumbering plant in Port Arthur, shall be exempt from all municipal taxation, except school taxes and local improvement taxes, for a period of ten years from the date of the said agreement, provided however that such exemption shall cease upon the Company failing to carry out any of the terms and conditions on its part contained in the said agreement.

3. That for the purpose of purchasing the said site for the said company's works it shall be lawful for the mayor of the said corporation and he is hereby authorized and empowered to cause any number of debentures of the said Corporation of the Town of Port Arthur to be made, executed and issued to the amount of six thousand dollars each, which said debentures shall be signed by the mayor of the said corporation and countersigned by the Treasurer for the time being of the said corporation and duly sealed with the corporate seal thereof.

4. 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.

5. That the said debentures shall bear interest at and after the rate of five per centum per annum from the date thereof, and such interest shall be made payable half yearly, namely on the first day of July and the first day of January 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.

6. For the purpose of paying the said debt hereby created and the interest on the debentures to be issued therefor as aforesaid the sum of \$501.50 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 \$300.00 shall be for such interest and the sum of \$201.50 for a sinking fund for the ultimate payment of such debentures.

7. That this By-law shall come into force on the day of the final passing thereof.

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 Wednesday the eleventh day of September, 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 Subdivision No. 1, embracing all that part of the Town of Port Arthur known as the first ward, at the Council Chamber on Park Street by Mr. Wm. H. Hesson as Deputy Returning Officer.

Polling Subdivision No. 2, embracing all that part of the Town of Port Arthur known as the second ward, at Lot 5, West Side of Cumberland Street, by Mr. Wm. A. McCallum as Deputy Returning Officer.

Polling Subdivision No. 3, embracing all that part of the Town of Port Arthur known as the third ward, at Mr. A. L. Russel's office on part of Lot 2, north side of Cameron street, by Mr. Wm. Powley as Deputy Returning Officer.

9. On Monday the 9th day of September, 1901, at his office in the Council Chamber 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 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 12th day of September, 1901, at the Council Chamber 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.

By-law read a first time this 15th day of August, 1901.

J. McTEIGUE,
Town Clerk.

By-law read a second time this 15th day of August, 1901.

J. McTEIGUE,
Town Clerk.

Read a third time, passed, signed and sealed this 14th day of October, 1901.

(Sigd.) I. L. MATTHEWS,
Mayor.
J. McTEIGUE,
Clerk.

SCHEDULE A.

Memorandum of Agreement made this 15th day of August, one thousand nine hundred and one, between The Pigeon River Lumber Company, Limited, hereinafter called the "Company," of the first part, and the Corporation of the Town of Port Arthur, hereinafter called the "Corporation," of the second part.

Whereas the Company is about to erect at Port Arthur a saw mill and general lumber manufacturing plant, and the Corporation has offered to assist the enterprise by granting the free site hereinafter mentioned and exempting the property of the Company from taxation;

Now therefore this agreement witnesseth as follows:—

1. The Company covenants with the Corporation that it will forthwith proceed to construct and complete in a good and workmanlike manner upon the premises at Port Arthur leased by the Company from the Canadian Pacific Railway Company, under agreement between the Company and the said Canadian Pacific Railway Company, dated the first day of March, 1901, a first-class saw mill and general lumber manufacturing plant having a capacity of manufacturing and turning out one hundred and twenty thousand feet of lumber daily, and will have the said saw mill and general lumber manufacturing plant completely finished in manner aforesaid and in actual operation on or before the first day of July, 1902, and will in each year thereafter by means of the said saw mill and general lumber manufacturing plant cut and manufacture a quantity of lumber aggregating at least ten million feet. Provided that if there shall be any year in which the lumber trade or business is so very bad that the Company cannot without great loss cut and manufacture the whole of the ten million feet, the Company shall not be required in such year to cut and manufacture more than five million feet of lumber; but notwithstanding this proviso the Company shall cut and manufacture in a period of four consecutive years at least forty million feet of lumber.

2. The company's chief place of business, and office for their lumber enterprise in the District of Thunder Bay shall be at the Town of Port Arthur.

3. The corporation agrees to purchase from the present owners that certain block of land in the McVicar Addition to the said Town of Port Arthur fronting on the southerly side of Front Street, between Van Horne and Stephen Streets and having a depth of 150 feet more or less.

4. The corporation agrees with the company to lease to it the lands described in the last paragraph at a nominal yearly rental of one dollar, the said lease to continue for the same time as the company's lease from the Canadian Pacific Railway Company under said recited agreement of March 1st, 1901.

5. The corporation agrees with the company that the works, buildings, plant and the real and personal property of the company actually used in connection with their said enterprise shall be exempt from all municipal taxation except school taxes and local improvement taxes for a period of ten years from this date. Provided, however, that such exemption shall cease if the company fails to carry out any of the terms or conditions on its part herein contained.

6. The company will pay at their office in Port Arthur all the men employed by them in and about and in connection with their said enterprise.

7. The company will not engage in or be connected with any business as merchants in the said Town of Port Arthur.

8. Provided, however, and it is hereby distinctly understood and agreed by and between the parties hereto that if the operations of the said mill and lumber manufacturing plant shall at any time during the continuance of this agreement be discontinued for the space of twelve months or if the company shall at any such time make default in the observance and

performance of any of the agreements, conditions and stipulations expressed or implied herein then and in any such case the corporation may determine and put an end to the lease hereinbefore mentioned and may re-enter and re-possess the said lands in the same manner to all intents and purposes as if such lease had expired by the effluxion of time.

In witness whereof the parties hereto have caused their corporate seals to be hereunto affixed and the hands of their proper officers to be set.

Signed, sealed and delivered in the presence of :

(Signed) PIGEON RIVER LUMBER Co.
Per H. FINGER,
Manager.

(Signed) I. L. MATTHEWS.
The Corporations of the Town of Port Arthur.
J. McTEIGUE,
Clerk.

SCHEDULE B.

TOWN OF PORT ARTHUR.

No. 591.

By-law to raise the further sum of \$30,000.00 to complete the Current River water power development works.

Whereas under the authority of By-law No. 572 of this Corporation passed on the 25th day of February, 1901, and intituled "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," the Council of the Town of Port Arthur is proceeding with the construction of the necessary works and improvements therein mentioned ;

And whereas it has been found that the said sum of \$30,000 authorized to be expended for such purpose by the said By-law is not sufficient for the completion of the said works ;

And whereas it is expedient and necessary to raise the further sum of \$30,000.00 for the completion of the same ;

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 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 \$1,483,828, of which \$304,702 is wholly exempt from taxation and \$79,027 is exempt except for school taxes ;

And whereas the amount of the existing debenture debt of the said Town of Port Arthur is \$331,250.00 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. That the construction and completion of the works and improvements, and the additions to and the extensions of the electric lighting plant and electric power of the town, as mentioned in the said By-law No. 572, in such manner as the Council of the said town may consider expedient or necessary, is hereby authorized.

2. That for the purposes 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 \$100 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 first day of January, 1902, 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 centum per annum from the date thereof, and such interest shall be made payable half yearly, namely, on the first day of July and the first day of January 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 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 or 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 issued under the said By-law No 572, and with the debentures 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 the said property and plant.

7. That this By-law shall come into force on the day of the final passing thereof.

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 Wednesday, the eleventh day of September, 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 subdivision No. 1, embracing all that part of the Town of Port Arthur known as the first ward, at the Council Chamber on Park street, by Mr. William H. Hesson as Deputy Returning Officer.

Polling subdivision No. 2, embracing all that part of the Town of Port Arthur known as the second ward, at Lot 5, west side of Cumberland street, by Mr. W. A. McCallum as Deputy Returning Officer.

Polling subdivision No. 3, embracing all that part of the Town of Port Arthur known as the third ward, at Mr. A. L. Russel's office, on part of Lot 2, north side of Cameron street, by Mr. William Powley as Deputy Returning Officer.

9. On Monday, the ninth day of September, 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 twelfth day of September, 1901, at the Council Chamber aforesaid at twelve 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 Chamber, Port Arthur, 14th day of Oct., 1901.

(Sigd.) I. L. MATTHEWS, Mayor.
J. McTEIQUE, Clerk.

SCHEDULE C.

TOWN OF PORT ARTHUR.

No. 615.

By-law to construct, maintain and operate a Telephone Business and Service.

Whereas, by section 570 of *The Municipal Act*, being chapter 223 of R.S.O., 1897, power is given to the councils in cities and towns to construct, maintain and operate a telephone business and service and to issue debentures therefore, payable at any time not exceeding thirty years nor less than five years.

And whereas it is deemed advisable to construct, maintain and operate such telephone business and service in the Town of Port Arthur, and to provide for the issue of debentures to the amount of \$12,000 for such purpose :

And whereas it will require the sum of \$813.96 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 \$12,000, and interest on the debentures to be issued therefor, of which the sum of \$600.00 will be for interest and the sum of \$213 96 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 \$1,438,828.00 of which \$304,702.00 is wholly exempt from taxation and \$79,027.00 is exempt except for school taxes.

And whereas the amount of the existing debenture debt of the said Town of Port Arthur is \$367,250 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 building, construction, purchase, leasing or renting of all works, lands, buildings, plant, machinery, conduits, materials, equipment, apparatus and appurtenances necessary for the construction, maintenance and operation of the said telephone business and service, or thereto belonging or appertaining or that may be properly used therewith, and the maintenance and operation thereof, is hereby authorized.

2. That for the purposes 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 \$12,000, which said debentures shall be signed by the Mayor of the said corporation for the time being and countersigned by the Treasurer for the time being of the said corporation, and duly sealed with the corporate seal thereof.

3. That the said debentures shall bear date upon and be made payable in thirty years from the day hereinafter appointed for the coming into force of this By-law at the Ontario Bank at the City of Toronto.

4. That the said debentures shall bear interest at and after the rate of five per centum per annum from the date thereof, and such interest shall be made payable half yearly, namely, on the first day of January and on the first day of July in each and every year during the currency of the said debentures at the said Ontario Bank of 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 \$813.96 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 \$600.00 shall be for such interest, and the sum of \$213.96 for a sinking fund for the ultimate payment of such debentures.

6. The debentures issued under this By-law shall be a first preferential charge or lien on the said telephone property and plant and shall also be a first charge or lien on the net income derived from operating the same.

7. This By-law shall come into force on the day of the final passing thereof.

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 Wednesday, the fourteenth day of May, 1902, 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 SUBDIVISION No. 1.

Embracing all that part of the Town of Port Arthur known as the first ward, at the Council Chamber, on Park Street, by Thos. I. Roberts, as Deputy Returning Officer.

POLLING SUBDIVISION, No. 2.

Embracing all that part of the Town of Port Arthur known as the second ward, at McCutcheon's paint shop, on part of lot 9 on the east side of Cumberland Street, by W. H. Hesson, Deputy Returning Officer.

POLLING SUBDIVISION No. 3.

Embracing all that part of the Town of Port Arthur known as the third ward, at A. L. Russell's office, on part of lot 2, on the north side of Cameron Street, by R. E. Mitchell, Deputy Returning Officer.

9. On Monday, the twelfth day of May, 1902, at his office in the Council Chamber 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 fifteenth day of May, 1902, at the Council Chamber 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.

Finally passed this 27th day of May, 1902.

(Sigd.) J. L. MATTHEWS.

Mayor.

T. McTEIGUE,

Clerk.

1st Session, 10th Legislature.
3 Edward VII., 1903.

BILL.

An Act respecting the Town of Port
Arthur.

First Reading, 1903,

(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 Municipal Council of the Town of Port Arthur has by its Petition represented that it has constructed and is now operating a municipal telephone system in the said Town, and also connecting the said Town with the municipal telephone system installed and operated by the Town of Fort William; that it has constructed dams and other works necessary to utilize the water power of Current River and that the said power is now being utilized in the operation of its electric railway and lighting systems; that The Pigeon River Lumber Company has constructed and now has in operation in the said Town of Port Arthur a large saw mill and planing mill and that the Municipal Corporation of Port Arthur has purchased a site for the said company's planing mill and has leased the same to the said company; that said works were constructed and the said lands purchased and leased to the said company under the authority of by-laws of the said municipal corporation, the same having been duly submitted to the vote of the ratepayers entitled to vote thereon as provided by *The Municipal Act* in that behalf; and whereas it has also been represented by the said petition that the municipal corporation of Port Arthur is the owner of and is now operating its own electric street railway and lighting systems and its own power system, and that the qualifications of the Electric Railway and Light Commissioners of the said Town should be changed, and that special powers should be granted to the said Electric Railway and Light Commissioners, to enable the Municipal Corporation of Port Arthur to effectively carry on the said operations; and whereas it has also been represented that owing to the large number of municipal improvements and public works which the said Town has already undertaken and is about to undertake, and the present high rate of taxation in the said Town, it is expedient that the said Town should be relieved from providing the full amount of the sinking fund authorized and required by the by-laws authorizing the construction of certain of the said public works and the raising of money to pay for the same, and that the said Town should not be called upon to provide the full sinking fund at present required by law in respect of the construction of a system of water-works and sewers in the said Town; and whereas it

appears that the financial position of the said Town is steadily improving ; and whereas it is further represented that the said Municipal Corporation is now in receipt of substantial revenues from the street railway, electric lighting, power, and telephone systems of the said Town, and will, upon the construction of the said water-works system, be in receipt of a revenue therefrom ; and it is expedient that the said Town, in striking its annual rate, should only be called upon to levy and raise a sum sufficient to pay the estimated deficit (if any) in the maintenance and operation of the said street railway, electric lighting, power, telephone, and water-works systems ; and whereas it is further represented that the said Municipal Council has submitted to the ratepayers of the said Town, entitled to vote thereon, a by-law for the construction of water-works in the said Town, and the said ratepayers have approved of the said by-law, but certain of the ratepayers of the said Town desire the opportunity of voting on the question of whether a pumping or gravitation system should be adopted in the construction of the water-works for the said Town, and it is desired by the said Council that the ratepayers should have the said privilege, and that the said Council should be authorized to proceed with the construction of water-works in accordance with the system approved of by a majority of the ratepayers voting on the said question ; and whereas it has been further represented that it would be a great saving of expense to the said Town to put down a system of sewers in the said Town at the same time as the said Town puts in the said water-works, and that power should be granted to the said Council to put in a system of sewers upon the ratepayers of the said Town, authorized to vote on money by-laws, approving thereof ; and whereas it is expedient to grant the prayer of the said petition: ~~and~~

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

By-law No.
590 confirmed.

1. By-law No. 590 of the Corporation of the Town of Port Arthur, set forth as Schedule A to this Act, is ratified and confirmed and declared to be legal and binding.

By-law No.
591 confirmed.

2. By-law No. 591 of the Corporation of the Town of Port Arthur, set forth as Schedule B to this Act, is ratified and confirmed and declared to be legal and binding.

By-law No.
615 confirmed.

3. By-law No. 615 of the Corporation of the Town of Port Arthur, set forth as Schedule C to this Act, is ratified and confirmed and declared to be legal and binding.

Debentures
validated.

4. The debentures issued, or to be issued, pursuant to the said by-laws, or any of them, shall be and are declared to be valid and binding.

5. Section 4 of chapter 73 of the Acts passed in the 58th year of the reign of Her late Majesty Queen Victoria, is amended by striking out all words after the word "election" in the seventeenth line thereof, and sub-section 4 (b) of section 4 of chapter 65 of the Acts passed in the 1st year of the reign of His Majesty Edward the Seventh is amended by striking out all words after the word "town" in the third line thereof.

6. No person shall be qualified to be elected or appointed an electric railway and light commissioner unless such person resides within the municipality and unless such person has, or his wife has, at the time of his election or appointment, as owner or tenant, a legal or equitable freehold, or an estate partly freehold and partly leasehold, or partly legal and partly equitable, which is rated in his own name, or in the name of his wife on the last revised assessment roll of the municipality, to at least the value following, over and above all charges, liens and encumbrances affecting the same, that is to say:—Freehold, \$400; leasehold, \$800.

Qualifications of electric railway and light commissioners.

7. No member of the council of the said town shall be eligible for election as an electric railway or light commissioner, but nothing in this section contained shall apply to the mayor of the town for the time being who shall be ex officio one of such commissioners.

Members of Council not to be commissioners.

8. No person having by himself or his partner an interest in any contract with or on behalf of the corporation of the Town of Port Arthur or the said commissioners for any matter or thing within the jurisdiction of the said commissioners or over which they exercise control, or having a contract for the supply of goods or materials to the contractor for work for which the said corporation or commissioners pay or are liable directly or indirectly to pay and coming within the jurisdiction or under the control of the said commissioners as aforesaid, shall be qualified to be an electric railway or light commissioner.

Other dis-qualifications.

9. The said commissioners shall submit to the Municipal Council of the Town of Port Arthur on or before the first day of August in each year, or at such time as may be required by the Council, a statement showing the estimated receipts and expenses for the electric street railway, electric light and power and telephone plants for the current municipal year. If such statement shows an estimated deficit it shall be the duty of the Municipal Council to levy and collect the amount that may be deemed by the said council sufficient to cover such deficit upon the taxable property of the Municipality in the manner provided in *The Municipal Act* and *Assessment Act*. If any profits arise from the operation of the said systems the

Commissioners to submit an annual statement to the council

amount thereof shall belong to the Municipality and shall be applied in the reduction of the general taxation.

Operating expenses.

10. All accounts for wages and supplies and all other outgoings and expenses in connection with the operation and maintenance of the said electric railway, electric lighting and power systems and the amount of interest and sinking fund payable on the debentures issued for the construction of the said works, shall be audited and certified by the said commissioners and upon being passed by the town council shall be paid by the town treasurer on the order of the said commissioners.

Part of Sec. 5, c. 73, 58 Vic. repealed.

11. Sub-section C. of section 5 of the Act passed in the 58th year of the reign of Her late Majesty Queen Victoria chaptered 73 is repealed.

Power of Commissioners.

12. Notwithstanding anything to the contrary in any Act, the said commissioners, upon receiving the assent of *two-thirds of the members of the town council*, shall be at liberty to ^{and} expend during the present year a sum not exceeding \$10,000 in the purchase of street cars and shall further be at liberty with the like consent to ^{and} purchase from time to time, and *sell, instal, equip, construct and erect* such poles, *wires, circuits, transformers, installations, meters, street lamps, tools, appliances, telephones, railway switches and other things* which may be necessary or expedient for the completion and the effective operation of their street railway, electric lighting, power and telephone systems, and to pay for the same out of the current receipts of the said systems; and the said municipal council shall be at liberty to issue debentures for the cost of any such matters or things, upon receiving the assent of the ratepayers entitled to vote on money by-laws; such debentures to be repayable with interest in not more than fifteen equal annual instalments; and such debentures shall be valid and binding in all respects, ^{and} but nothing in this section contained shall apply to any extension of the said street railway exceeding one half mile in length. ^{and}

Powers of Council.

13. Notwithstanding anything to the contrary in *The Municipal Act* or any other Act, the said Council, upon obtaining the assent of the ratepayers in the manner provided in the said *Municipal Act* with regard to by-laws creating debts, shall be at liberty to purchase from time to time such street cars as may be necessary for their railway, and to issue debentures for the same, repayable with interest in not more than twenty annual payments, and to extend their street railway and power plants, erect buildings, construct dams and purchase real estate, and to issue debentures therefor, repayable in thirty years; and for such last mentioned debentures it shall only be necessary to levy and raise a sinking fund on the basis of one per cent. per annum. ^{and} But nothing in this sec-

tion contained shall limit the right and powers of the said commissioners with the consent of the Council of the said Town to expend the sum of ten thousand dollars in the purchase of street cars during the present year as in section 12 hereof provided. ⁶²

14. The said municipal council shall be at liberty to invest any of its sinking funds or other moneys in the purchase of any of the fifteen year or twenty-five year debentures mentioned in paragraphs 12 and 13 hereof to an amount equal to the amount of such debentures as an investment on account of the sinking fund, and may deal with the same accordingly. ^{Power to Council to invest in sinking funds.}

15. (1) Notwithstanding anything to the contrary contained in any Act or Statute of this Province, it shall only be necessary for the said Town to raise a sinking fund on the basis of one per cent. per annum for the repayment of the following debentures issued by the said Town, that is to say:— ^{Sinking funds not required under certain by-laws.}

\$30,000 Current River power debentures issued under by-law No. 572.

\$30,000 Current River power debentures issued under by-law No. 591.

\$6,000 Pigeon River Lumber Co. debentures issued under by-law No. 590.

\$50,000 Ontario & Rainy River Railway debentures issued under by-law No. 551.

provided the Town obtains the consent in writing of the holders of two-thirds in value of the said several classes of debentures; and in case the Town obtains the consent in writing of the holders of two-thirds in value of the debentures issued under any of the said by-laws, the provisions of this section shall apply to the sinking fund in respect of the debentures issued under the by-law in respect of which such consent has been obtained as aforesaid. ⁶³

15. (2) Notwithstanding anything to the contrary contained in any Act or Statute of this Province, it shall only be necessary for the said Town to raise a sinking fund on the basis of two per cent. per annum for the repayment of 12,000 telephone debentures issued or to be issued under by-law No. 615, and on the basis of one per cent. per annum for the repayment of any debentures the Town may issue as authorized under the provisions of sections 19 and 20 hereof to secure the construction of waterworks and sewers in the said Town. ⁶⁴

16. It shall be lawful for the municipal council of the said town at any time hereafter to place the control of the maintenance and operation of the telephone system of the said town with the said electric railway and light commissioners, and they shall thereupon have the same powers with regard thereto as they now have over the said electric railway, lighting and power systems. ^{Council authorized to give Commissioners control of telephone system.}

Rate to make up deficit in street railway, lighting and telephone systems.

17. The Municipal Corporation, in striking the annual rate, shall, in respect of the street railway, electric light, power and telephone systems, levy and raise a sum sufficient to pay the estimated deficit (if any) in the said street railway, electric light, power and telephone systems for the year, and the collectors' rolls and tax notices shall, in addition to stating the amount of the debentures issued for each of the purposes aforesaid, set forth the amount of such deficit (if any) and the amount of the rate to cover such deficit, and in case the said systems, or any of them, produce sufficient revenue to pay the interest, sinking fund, repairs and maintenance, cost of operation and other expenses chargeable to revenue in respect of all the said systems, it shall not be necessary to make any levy in respect thereof.

Statement to be furnished annually by Electric Railway and Light Commissioners.

18. The Electric Railway and Light Commissioners of the said town shall, on or before the 15th day of December in each year, furnish to the clerk of the said town a detailed statement of the receipts and expenditures for the portion of the year ending on the said date, in respect of each of the systems or services under the charge of the said Electric Railway and Light Commissioners, under the following heads :

1. Capital account.
2. Repairs and maintenance.
3. Cost of operation.
4. Interest on debentures.
5. Sinking fund.
6. Expenditures for all other purposes.
7. Receipts from all sources.
8. Surplus or deficit.

together with a statement of the assets and liabilities in respect of each of the said systems or services, and a similar statement in detail respecting the last fifteen days of the preceding year shall be attached thereto. The said statement shall be signed by the chairman of the said Electric Railway and Light Commissioners, and the council of the said town shall publish the said statement at the same time and in the same manner as the statement of receipts and expenditures, and of the assets and liabilities of the said corporation, required to be published under the provisions of *The Municipal Act*.

Rev. Stat.,
c. 233.

WATERWORKS.

Submission of question of waterworks.

19.—(1) The said Council shall, before proceeding with the construction of waterworks in the said town, submit to the electors of the said town entitled to vote on a money by-law, the following questions :—

1. Are you in favour of the pumping system of waterworks ?

2. Are you in favour of the gravitation system of waterworks?

And the said Town may pass a by-law providing for such submission, which said by-law shall contain an estimate of the intended expenditure in respect of each of the said systems, the day appointed for holding a poll of the electors on the said questions, and the day appointed for passing the by-law authorized by sub-section 4 hereof for the construction of the said waterworks; and the poll for taking said vote shall be held in the same manner and continued for the same time as at elections for Councillors; but nothing herein contained shall prevent the Town from proceeding in the meantime with such work or works as would be common to the construction of both systems.

(2) The said Town shall give notice of the holding of the said poll for the taking of the said vote of the electors by publishing the said by-law providing for the said vote to be so taken, once a week for three weeks preceding the day on which the said vote is to be taken in a public newspaper published in the said Town.

(3) The ballot for the taking of the said vote shall be divided into two compartments, and in each compartment shall be printed one of the questions above set forth, and the voter desiring to vote in favour of the pumping system of waterworks shall mark his ballot in the usual manner of marking ballots, by making his cross in the compartment on the said ballot containing the words "Are you in favour of the pumping system of waterworks," and the voter desiring to vote in favour of the gravitation system of waterworks, shall mark his ballot in the usual manner of marking ballots, by making his cross in the compartment on the said ballot containing the words "Are you in favour of the gravitation system of waterworks?"

(4) The system in respect of which the larger number of votes is cast, shall be the system adopted by the said Town for the construction of waterworks.

(5) Notwithstanding the provisions of any Act or Statute of this Province to the contrary, the said Council shall, upon taking the said vote as aforesaid, be entitled to forthwith pass a by-law for the construction of waterworks for the said Town according to the system so approved of by the electors, and for the issuing of debentures for raising money for the said expenditure, and for levying an annual special rate to defray the yearly interest of the expenditure and to form an equal yearly sinking fund for the payment of the principal thereof, without further notice or further submitting the same to the

electors; *the* said debentures to be issued in accordance with the provisions of section 384 of *The Municipal Act*, save as *the* same are modified by this Act, and the amount thereof shall not exceed \$200,000; and all debentures issued by *the* said Town under the provisions of the said by-law shall be valid and binding upon the said Town.

SEWERS.

20.—(1) The said council may construct a system of sewers in the municipality and may pass by-laws therefor and for the issue of debentures for raising money for the said expenditure and for raising the amount required to be raised annually to defray the yearly interest of the debt thus contracted and to form an equal yearly sinking fund for the payment of the principal thereof in part by levying a special rate of one dollar per foot frontage on all real property fronting or abutting upon the street or streets in which a sewer is constructed and the balance by levying a special rate sufficient therefor on all rateable property in the municipality, the debentures to be issued under such by-laws to be issued in accordance with the provisions of section 384 of *The Municipal Act*, save as the same are modified by this Act.

(2) The by-law for constructing a system of sewers shall not be passed until estimates of the intended expenditure, and notice of the time for holding a poll of the electors on the proposed by-law, and a copy of the proposed by-law at length, as the same is to be ultimately passed, and a notice of the day appointed for finally considering the same in council have been published once a week for three weeks in some newspaper in the municipality; nor until at a poll held in the same manner and at the same place and continued for the same time as at elections for councillors, a majority of the electors (entitled to vote on money by-laws) voting at the poll, vote in favor of the by-law.

(3) The vote of the electors hereinbefore required may be taken at the same poll and at the same time and places and by the same officers as the vote on the system of waterworks hereinbefore provided for.

(4) Any additions or extensions to the said system of sewers may be made by the said Municipal Corporation either upon the initiative of the council of the said town or on the petition of the ratepayers whose property would be affected thereby, and all extensions so made in the said sewer system shall be carried out in accordance with the provisions of subsection 1 of this section.

SCHEDULE A.

TOWN OF PORT ARTHUR.

No. 590.

By law to raise by way of debentures the sum of \$6,000 for the purchase of a site for the works of The Pigeon River Lumber Company, Limited, and to authorize a certain agreement with the said Company.

Whereas, The Pigeon River Lumber Company, Limited, has proposed to establish and operate within the Town of Port Arthur its saw mills and general lumber manufacturing plant on condition that the said Town furnish a free site and on other terms and conditions more fully set out in the Agreement bearing date the 15th day of August, 1901, made between this Corporation and the said Company, a copy whereof is attached hereto marked "A ;"

And whereas the said Company will employ a large number of men, and will expend large sums of money in the said Town, and it will be greatly in the interests of the said Town to procure the establishment of the said saw mill and general lumber manufacturing plant within its limits ;

And whereas it will require the sum of \$501.50 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 \$6,000 and interest on the debentures to be issued therefor, of which the sum of \$300 will be for interest, and the sum of \$201.50 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 \$1,483,828.00, of which \$304,702.00 is wholly exempt from taxation, and \$79,027.00 is exempt except for school taxes ;

And whereas the amount of the existing debenture debt of the said Town of Port Arthur is \$331,250.00 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. It shall and may be lawful for the Mayor and Clerk of the Town of Port Arthur and they are hereby authorized and empowered for and on behalf of the Corporation of the Town of Port Arthur and under the corporate seal of the said Town to execute the said agreement "A" attached hereto, and to carry out its terms and do all things necessary therefor.

2. The works, buildings, plant and real and personal estate of the said The Pigeon River Lumber Company, Limited, actually used in connection with their said saw mill and general lumbering plant in Port Arthur, shall be exempt from all municipal taxation, except school taxes and local improvement taxes, for a period of ten years from the date of the said agreement, provided however that such exemption shall cease upon the Company failing to carry out any of the terms and conditions on its part contained in the said agreement.

3. That for the purpose of purchasing the said site for the said company's works it shall be lawful for the mayor of the said corporation and he is hereby authorized and empowered to cause any number of debentures of the said Corporation of the Town of Port Arthur to be made, executed and issued to the amount of six thousand dollars each, which said debentures shall be signed by the mayor of the said corporation and countersigned by the Treasurer for the time being of the said corporation and duly sealed with the corporate seal thereof.

4. 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.

5. That the said debentures shall bear interest at and after the rate of five per centum per annum from the date thereof, and such interest shall be made payable half yearly, namely on the first day of July and the first day of January 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.

6. For the purpose of paying the said debt hereby created and the interest on the debentures to be issued therefor as aforesaid the sum of \$501.50 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 \$300.00 shall be for such interest and the sum of \$201.50 for a sinking fund for the ultimate payment of such debentures.

7. That this By-law shall come into force on the day of the final passing thereof.

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 Wednesday the eleventh day of September, 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 Subdivision No. 1, embracing all that part of the Town of Port Arthur known as the first ward, at the Council Chamber on Park Street by Mr. Wm. H. Hesson as Deputy Returning Officer.

Polling Subdivision No. 2, embracing all that part of the Town of Port Arthur known as the second ward, at Lot 5, West Side of Cumberland Street, by Mr. Wm. A. McCallum as Deputy Returning Officer.

Polling Subdivision No. 3, embracing all that part of the Town of Port Arthur known as the third ward, at Mr. A. L. Russel's office on part of Lot 2, north side of Cameron street, by Mr. Wm. Powley as Deputy Returning Officer.

9. On Monday the 9th day of September, 1901, at his office in the Council Chamber 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 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 12th day of September, 1901, at the Council Chamber 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.

By-law read a first time this 15th day of August, 1901.

J. McTEIGUE,
Town Clerk.

By-law read a second time this 15th day of August, 1901.

J. McTEIGUE,
Town Clerk.

Read a third time, passed, signed and sealed this 14th day of October, 1901.

(Sigd.) I. L. MATTHEWS,
Mayor.
J. McTEIGUE,
Clerk.

SCHEDULE A TO ABOVE BY-LAW.

Memorandum of Agreement made this 15th day of August, one thousand nine hundred and one, between The Pigeon River Lumber Company, Limited, hereinafter called the "Company," of the first part, and the Corporation of the Town of Port Arthur, hereinafter called the "Corporation," of the second part.

Whereas the Company is about to erect at Port Arthur a saw mill and general lumber manufacturing plant, and the Corporation has offered to assist the enterprise by granting the free site hereinafter mentioned and exempting the property of the Company from taxation ;

Now therefore this agreement witnesseth as follows :—

1. The Company covenants with the Corporation that it will forthwith proceed to construct and complete in a good and workmanlike manner upon the premises at Port Arthur leased by the Company from the Canadian Pacific Railway Company, under agreement between the Company and the said Canadian Pacific Railway Company, dated the first day of March, 1901, a first-class saw mill and general lumber manufacturing plant having a capacity of manufacturing and turning out one hundred and twenty thousand feet of lumber daily, and will have the said saw mill and general lumber manufacturing plant completely finished in manner aforesaid and in actual operation on or before the first day of July, 1902, and will in each year thereafter by means of the said saw mill and general lumber manufacturing plant cut and manufacture a quantity of lumber aggregating at least ten million feet. Provided that if there shall be any year in which the lumber trade or business is so very bad that the Company cannot without great loss cut and manufacture the whole of the ten million feet, the Company shall not be required in such year to cut and manufacture more than five million feet of lumber ; but notwithstanding this proviso the Company shall cut and manufacture in a period of four consecutive years at least forty million feet of lumber.

2. The company's chief place of business, and office for their lumber enterprise in the District of Thunder Bay shall be at the Town of Port Arthur.

3. The corporation agrees to purchase from the present owners that certain block of land in the McVicar Addition to the said Town of Port Arthur fronting on the southerly side of Front Street, between Van Horne and Stephen Streets and having a depth of 150 feet more or less.

4. The corporation agrees with the company to lease to it the lands described in the last paragraph at a nominal yearly rental of one dollar, the said lease to continue for the same time as the company's lease from the Canadian Pacific Railway Company under said recited agreement of March 1st, 1901.

5. The corporation agrees with the company that the works, buildings, plant and the real and personal property of the company actually used in connection with their said enterprise shall be exempt from all municipal taxation except school taxes and local improvement taxes for a period of ten years from this date. Provided, however, that such exemption shall cease if the company fails to carry out any of the terms or conditions on its part herein contained.

6. The company will pay at their office in Port Arthur all the men employed by them in and about and in connection with their said enterprise.

7. The company will not engage in or be connected with any business as merchants in the said Town of Port Arthur.

8. Provided, however, and it is hereby distinctly understood and agreed by and between the parties hereto that if the operations of the said mill and lumber manufacturing plant shall at any time during the continuance of this agreement be discontinued for the space of twelve months or if the company shall at any such time make default in the observance and

performance of any of the agreements, conditions and stipulations expressed or implied herein then and in any such case the corporation may determine and put an end to the lease hereinbefore mentioned and may re-enter and re-possess the said lands in the same manner to all intents and purposes as if such lease had expired by the effluxion of time.

In witness whereof the parties hereto have caused their corporate seals to be hereunto affixed and the hands of their proper officers to be set.

Signed, sealed and delivered in the presence of :

(Signed) PIGEON RIVER LUMBER Co.
Per H. FINGER,
Manager.

(Signed) I. L. MATTHEWS
The Corporations of the Town of Port Arthur.
J. McTEIGUE,
Clerk.

SCHEDULE B.

TOWN OF PORT ARTHUR.

No. 591.

By-law to raise the further sum of \$30,000.00 to complete the Current River water power development works.

Whereas under the authority of By-law No. 572 of this Corporation passed on the 25th day of February, 1901, and intituled "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," the Council of the Town of Port Arthur is proceeding with the construction of the necessary works and improvements therein mentioned ;

And whereas it has been found that the said sum of \$30,000 authorized to be expended for such purpose by the said By-law is not sufficient for the completion of the said works ;

And whereas it is expedient and necessary to raise the further sum of \$30,000.00 for the completion of the same ;

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 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 \$1,483,828, of which \$304,702 is wholly exempt from taxation and \$79,027 is exempt except for school taxes ;

And whereas the amount of the existing debenture debt of the said Town of Port Arthur is \$331,250.00 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. That the construction and completion of the works and improvements, and the additions to and the extensions of the electric lighting plant and electric power of the town, as mentioned in the said By-law No. 572, in such a manner as the Council of the said town may consider expedient or necessary, is hereby authorized.

2. That for the purposes 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 \$100 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 first day of January, 1902, 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 centum per annum from the date thereof, and such interest shall be made payable half yearly, namely, on the first day of July and the first day of January 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 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 or 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 issued under the said By-law No 572, and with the debentures 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 the said property and plant.

7. That this By-law shall come into force on the day of the final passing thereof.

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 Wednesday, the eleventh day of September, 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 subdivision No. 1, embracing all that part of the Town of Port Arthur known as the first ward, at the Council Chamber on Park street, by Mr. William H. Hesson as Deputy Returning Officer.

Polling subdivision No. 2, embracing all that part of the Town of Port Arthur known as the second ward, at Lot 5, west side of Cumberland street, by Mr. W. A. McCallum as Deputy Returning Officer.

Polling subdivision No. 3, embracing all that part of the Town of Port Arthur known as the third ward, at Mr. A. L. Russel's office, on part of Lot 2, north side of Cameron street, by Mr. William Powley as Deputy Returning Officer.

9. On Monday, the ninth day of September, 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 twelfth day of September, 1901, at the Council Chamber aforesaid at twelve 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 Chamber, Port Arthur, 14th day of Oct., 1901.

(Sigd.)

I. L. MATTHEWS,

Mayor.

J. McTEIQUE,

Clerk.

SCHEDULE C.

TOWN OF PORT ARTHUR.

No. 615.

By-law to construct, maintain and operate a Telephone Business and Service.

Whereas, by section 570 of *The Municipal Act*, being chapter 223 of R.S.O., 1897, power is given to the councils in cities and towns to construct, maintain and operate a telephone business and service and to issue debentures therefore, payable at any time not exceeding thirty years nor less than five years.

And whereas it is deemed advisable to construct, maintain and operate such telephone business and service in the Town of Port Arthur, and to provide for the issue of debentures to the amount of \$12,000 for such purpose ;

And whereas it will require the sum of \$813.96 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 \$12,000, and interest on the debentures to be issued therefor, of which the sum of \$600.00 will be for interest and the sum of \$213.96 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 \$1,438,828.00 of which \$304,702.00 is wholly exempt from taxation and \$79,027.00 is exempt except for school taxes.

And whereas the amount of the existing debenture debt of the said Town of Port Arthur is \$367,250.00, 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 building, construction, purchase, leasing or renting of all works, lands, buildings, plant, machinery, conduits, materials, equipment, apparatus and appurtenances necessary for the construction, maintenance and operation of the said telephone business and service, or thereto belonging or appertaining or that may be properly used therewith, and the maintenance and operation thereof, is hereby authorized.

2. That for the purposes 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 \$12,000, which said debentures shall be signed by the Mayor of the said corporation for the time being and countersigned by the Treasurer for the time being of the said corporation, and duly sealed with the corporate seal thereof.

3. That the said debentures shall bear date upon and be made payable in thirty years from the day hereinafter appointed for the coming into force of this By-law at the Ontario Bank at the City of Toronto.

4. That the said debentures shall bear interest at and after the rate of five per centum per annum from the date thereof, and such interest shall be made payable half yearly, namely, on the first day of January and on the first day of July in each and every year during the currency of the said debentures at the said Ontario Bank of 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 \$813.96 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 \$600.00 shall be for such interest, and the sum of \$213.96 for a sinking fund for the ultimate payment of such debentures.

6. The debentures issued under this By-law shall be a first preferential charge or lien on the said telephone property and plant and shall also be a first charge or lien on the net income derived from operating the same.

7. This By-law shall come into force on the day of the final passing thereof.

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 Wednesday, the fourteenth day of May, 1902, 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 SUBDIVISION No. 1.

Embracing all that part of the Town of Port Arthur known as the first ward, at the Council Chamber, on Park Street, by Thos. I. Roberts, as Deputy Returning Officer.

POLLING SUBDIVISION, No. 2.

Embracing all that part of the Town of Port Arthur known as the second ward, at McCutcheon's paint shop, on part of lot 9 on the east side of Cumberland Street, by W. H. Hesson, Deputy Returning Officer.

POLLING SUBDIVISION No. 3.

Embracing all that part of the Town of Port Arthur known as the third ward, at A. L. Russell's office, on part of lot 2, on the north side of Cameron Street, by R. E. Mitchell, Deputy Returning Officer.

9. On Monday, the twelfth day of May, 1902, at his office in the Council Chamber 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 fifteenth day of May, 1902, at the Council Chamber 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.

Finally passed this 27th day of May, 1902.

(Sigd.) J. L. MATTHEWS.

Mayor.

T. McTEIGUE,

Clerk.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Town of Port
Arthur.

First Reading, 5th May, 1903.

(Reprinted as amended by Private Bills
Committee.)

(Private Bill.)

Mr. CONNIE.

TORONTO:

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

An Act to change the Boundaries of the Town of
Berlin.

WHEREAS the Municipal Corporation of the Town of Preamble.
Berlin have by their petition represented that it is
expedient to change the boundaries of the Town of Berlin by
adding to the said town certain lands on the northerly side
5 of the said town, and by detaching from the said town and
adding to the adjacent Township of Waterloo certain other
lands on the southerly side of the said town, such changes
being desired in order that the lands upon which the Beet
Root Sugar Factory of The Ontario Sugar Factory, Limited,
10 is erected, may be comprised in and added to the said town,
thereby making it legal for the said corporation to pay over
to the said company the bonus of \$25,000 voted to the said
company by the ratepayers of the said town; and whereas
15 the effect of the change in boundaries asked for will be to
decrease the area 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:—

20 **1.** The boundaries of the Municipal Corporation of the Boundaries
Town of Berlin are hereby changed by adding to the lands changed.
comprised within the limits of the said town the lands fol-
lowing, that is to say: All and singular that certain parcel or
tract of land and premises situate lying and being in the Town-
25 ship of Waterloo, in the County of Waterloo, and Province of
Ontario, being composed of parts of lots numbers 58 and 59 of
the German Company Tract in said township and lots "F" and
"G" as shown on plan No. 40 in the Registry Office of the
said County of Waterloo, more particularly described as fol-
30 lows, that is to say: Commencing at the north-easterly angle
of lot number 3 of the German Company Tract aforesaid,
thence north sixty-four degrees thirty minutes east along the
northerly limit of the County Industrial Farm twenty chains
more or less to the easterly limit thereof, thence south thirty-
35 eight degrees thirty minutes east along the same eleven
chains and sixty links to the southerly limit of the lands of
one Luft, thence north sixty-four degrees thirty minutes east
along the same three chains and sixty-nine links to the
westerly limit of lot "B" as shown on plan No. 40 aforesaid,
40 thence north twenty-five degrees thirty minutes west along
the said westerly limit and the westerly limits of lots "D"
and "A" as shown on said plan forty-one chains to the

southerly limit of lot number 59 of the German Company Tract in said township thence north sixty-four degrees thirty minutes east along the same twenty-two chains more or less to the centre line of the Grand River thence north-westerly along the same up stream nineteen chains and ninety links to the line of the northerly limit of the part of lot number 59 of the German Company Tract owned by one Hopp thence south sixty-four degrees thirty minutes west along the same thirty-four chains more or less to the centre line of Lancaster street thence southerly along said centre line to the westerly limit of lot number 58 aforesaid, thence south thirty-eight degrees thirty minutes east along the same to the place of beginning: And by detaching from the said town and adding to the adjacent Township of Waterloo all and singular that certain parcel or tract of land and premises situate and lying and being in the Town of Berlin in the County of Waterloo and Province of Ontario, being composed of part of lot number 1 of the German Company Tract and part of lot number 25 of J. Y. Shantz's Survey more particularly described as follows: Commencing at the southerly angle of lot number 1 of the German Company Tract aforesaid, thence north thirty-eight degrees thirty minutes west along the easterly limit of said lot fifty-six chains more or less to the northerly limit of said lot, thence south sixty-four degrees thirty minutes west along the northerly limit of said lot twenty chains more or less to the lands of one Snyder, thence south twenty-five degrees thirty minutes east along the same fifteen chains and twenty-three links to southerly limit of the lands of said Snyder, thence south sixty-four degrees thirty minutes west along the same five chains and seventy links to the easterly limit of Park lot number 25 of J. Y. Shantz's Survey thence south thirty-eight degrees thirty minutes east along the same eleven chains and forty-six links more or less to the centre line of the Natchez Road, thence south fifty-seven degrees west along the same eighteen chains and forty-seven links more or less to the centre line of King Street, thence south fifty-nine degrees east along the same nine chains and eighty-four links to the line of the southerly limit of aforesaid Park lot number 25, thence south fifty-seven degrees west along the same thirty-five chains more or less to an angle thereof, thence south thirty-eight degrees thirty minutes east along said Park lot number 25 and the easterly limit of the adjoining lot number 24 of J. Y. Shantz's Survey aforesaid, fourteen chains and eighty-four links to the southerly limit of lot number 1 of the German Company Tract thence north sixty-four degrees thirty minutes east along the same to the place of beginning.

When change
of ward
boundaries to
take effect.

2. For all purposes of municipal taxation the change of boundaries hereby effected shall be deemed to have been made on the first day of January, 1903.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act to change the boundaries of the
Town of Berlin.

First Reading, , 1903.

(Private Bill.)

Mr. LACKNER.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act to change the Boundaries of the Town of Berlin.

WHEREAS the Municipal Corporation of the Town of Preamble.
Berlin has by petition represented that it is expedient to change the boundaries of the Town of Berlin by adding to the said town certain lands on the northerly side thereof and by detaching from the said town and adding to the adjacent Township of Waterloo certain other lands on the southerly side of the said town, such change being desired in order that the lands upon which the beet root sugar factory of The Ontario Sugar Company, Limited, is erected, may be comprised in and added to the said town, thereby making it legal for the said corporation to pay over to the said company the bonus of \$25,000 voted to the said company by the ratepayers of the said town; and whereas the effect of the change in boundaries asked for will be to decrease the area of the said town; ~~and~~ and whereas there appears to be no opposition to the request of 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:—

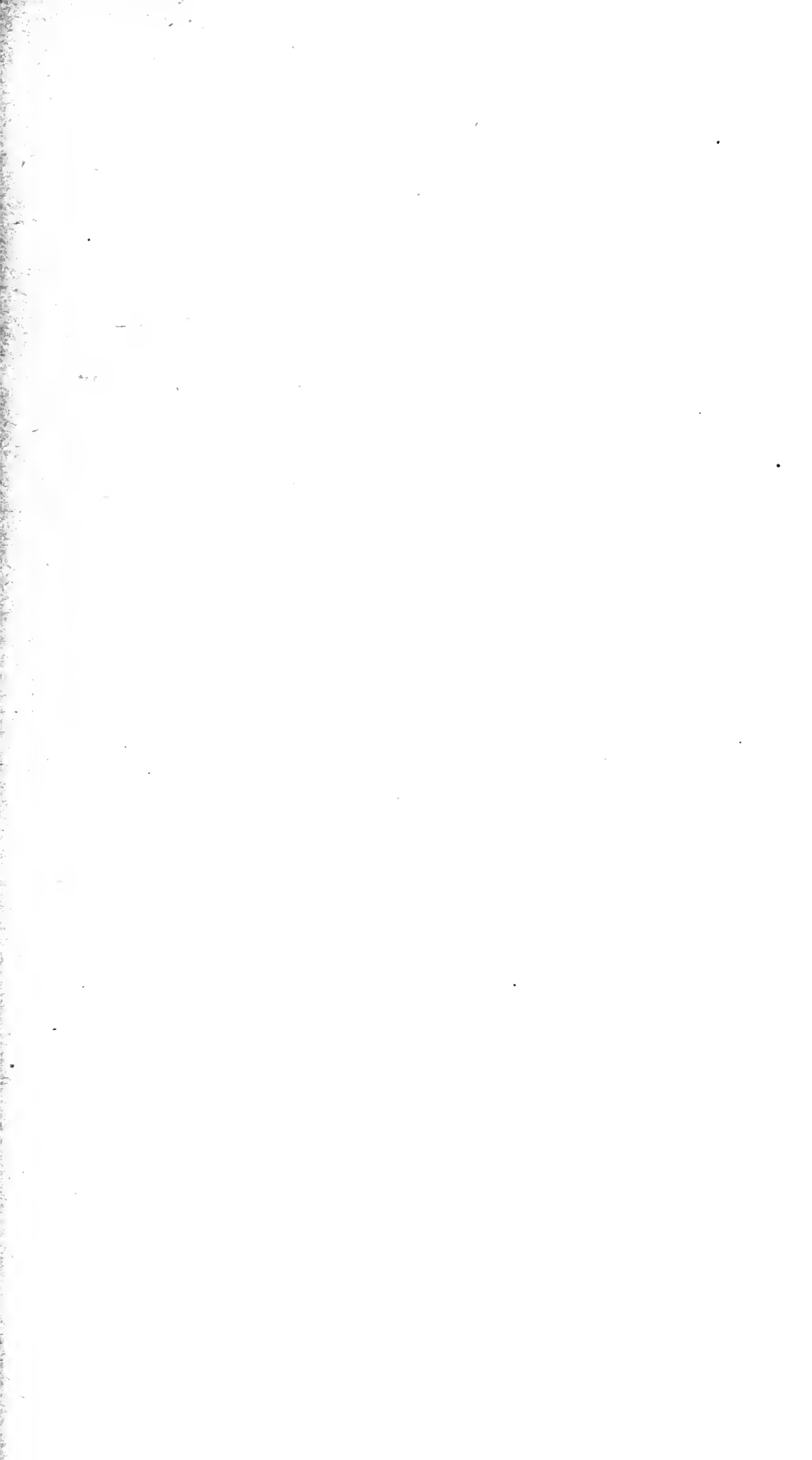
1. The boundaries of the Municipal Corporation of the Town of Berlin are hereby changed by adding to the lands comprised within the limits of the said town the lands following, that is to say: All and singular that certain parcel or tract of land and premises situate lying and being in the Township of Waterloo, in the County of Waterloo, and Province of Ontario, being composed of parts of lots numbers 58 and 59 of the German Company Tract in said township and lots "F" and "G" as shown on plan No. 40 in the Registry Office of the said County of Waterloo, more particularly described as follows, that is to say: Commencing at the north-easterly angle of lot number 3 of the German Company Tract aforesaid, thence north sixty-four degrees thirty minutes east along the northerly limit of the County Industrial Farm twenty chains more or less to the easterly limit thereof, thence south thirty-eight degrees thirty minutes east along the same eleven chains and sixty links to the southerly limit of the lands of one Luft, thence north sixty-four degrees thirty minutes east along the same three chains and sixty-nine links to the westerly limit of lot "B" as shown on plan No. 40 aforesaid, thence north twenty-five degrees thirty minutes west along the said westerly limit and the westerly limits of lots "D" and "A" as shown on said plan forty-one chains to the

Boundaries
changed.

southerly limit of lot number 59 of the German Company Tract in said township thence north sixty-four degrees thirty minutes east along the same twenty-two chains more or less to the centre line of the Grand River thence north-westerly along the same up stream nineteen chains and ninety links to the line of the northerly limit of the part of lot number 59 of the German Company Tract owned by one Hopp thence south sixty-four degrees thirty minutes west along the same thirty-four chains more or less to the centre line of Lancaster street thence southerly along said centre line to the westerly limit of lot number 58 aforesaid, thence south thirty-eight degrees thirty minutes east along the same to the place of beginning: And by detaching from the said town and adding to the adjacent Township of Waterloo all and singular that certain parcel or tract of land and premises situate and lying and being in the Town of Berlin in the County of Waterloo and Province of Ontario, being composed of part of lot number 1 of the German Company Tract and part of lot number 25 of J. Y. Shantz's Survey more particularly described as follows: Commencing at the *south-easterly* angle of lot number 1 of the German Company Tract aforesaid, thence north thirty-eight degrees thirty minutes west along the easterly limit of said lot fifty-six chains more or less to the northerly limit of said lot, thence south sixty-four degrees thirty minutes west along the northerly limit of said lot twenty chains more or less to the lands of one Snyder, thence south twenty-five degrees thirty minutes east along the same fifteen chains and twenty-three links to southerly limit of the lands of said Snyder, thence south sixty-four degrees thirty minutes west along the same five chains and seventy links to the easterly limit of Park lot number 25 of J. Y. Shantz's Survey thence south thirty-eight degrees thirty minutes east along the same eleven chains and forty-six links more or less to the centre line of the Natchez Road, thence south fifty-seven degrees west along the same eighteen chains and forty-seven links more or less to the centre line of King Street, thence south fifty-nine degrees east along the same nine chains and eighty four links to the line of the southerly limit of aforesaid Park lot number 25. thence south fifty-seven degrees west along the same thirty-five chains more or less to an angle thereof, thence south thirty-eight degrees thirty minutes east along said Park lot number 25 and the easterly limit of the adjoining lot number 24 of J. Y. Shantz's Survey aforesaid, fourteen chains and eighty-four links to the southerly limit of lot number 1 of the German Company Tract thence north sixty-four degrees thirty minutes east along the same to the place of beginning.

When change
of ward
boundaries to
take effect.

2. For all purposes of municipal taxation the change of boundaries hereby effected shall be deemed to have been made on the first day of January, 1903.



1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act to change the boundaries of the
Town of Berlin.

First Reading, 28th April, 1903.

(Private Bill)

(Reprinted as amended by Private Bills
Committee.)

Mr. LACKNER.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

An Act respecting the Municipality of Shuniah.

WHEREAS The Municipal Council of the Municipality of Shuniah, has by petition represented that since the incorporation of the said municipality, 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 municipality have taken place, and that in consequence great difficulties have been met with in the effort to collect taxes within the said municipality; and has prayed that all assessment rolls of the said municipality heretofore finally passed, and all collectors rolls of the said municipality heretofore returned, and all sales of lands within the said municipality heretofore had for arrears of taxes should be validated and confirmed, and also that any lands within the said municipality, bought in by or for the said municipality 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;

Preamble.

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. All assessment rolls of the Municipality of Shuniah heretofore finally revised, and all collectors' rolls of the said municipality heretofore returned by the collectors thereof, are hereby validated and confirmed, 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. Assessment and collector's rolls validated
2. All sales of lands within the said municipality had before the first day of January 1903, 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 roll or collector's roll of the said municipality has Tax sales validated.

Rev. Stat.
c. 224.Rev. Stat.
c. 224.

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 municipality, or in regard to the furnishing authenticating or depositing of any list of lands in arrears for taxes within the said municipality, 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 municipality to comply with any requirements of the said Acts, and notwithstanding anything to the contrary in either of the said Acts contained.

Lands acquired by municipality at tax sale, to be liable to be assessed.

3. Any lands within the said municipality which, at any sale for arrears of taxes heretofore have been, or hereafter may be bought in by or for the said municipality, shall be liable to be assessed for and charged with payment of all debt, local improvement, school and general rates within the said municipality in the same manner and to the same extent in every respect as if the said lands did not belong to a municipal corporation.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.
An Act respecting the Municipality of
Shuniah.

First Reading, , 1903.

(Private Bill.)

Mr. CONNELL.

TORONTO:

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

An Act respecting the Municipality of Shuniah.

WHEREAS the Council of the Municipality of Shuniah, Preamble. has by petition represented that since the incorporation of the said municipality, 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 municipality have taken place, and that in consequence great difficulties have been met with in the effort to collect taxes within the said municipality; and has prayed that all assessment rolls of the said municipality heretofore finally passed, and all collectors' rolls of the said municipality heretofore returned, and all sales of lands within the said municipality heretofore had for arrears of taxes should be validated and confirmed, and also that any lands within the said municipality, bought in by or for the said municipality 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 *whereas* no objection has been made on the part of any ratepayer ~~and~~ and it is expedient to grant the prayer of the said petition; ~~and~~

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. All assessment rolls of the Municipality of Shuniah heretofore finally revised, and all collectors' rolls of the said municipality heretofore returned by the collectors thereof, are validated and confirmed 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.

Assessment and collector's rolls validated

Rev. Stat. c. 224.

2. All sales of lands within the said municipality had before the first day of January 1901, and purporting to be made for arrears of taxes in respect of the lands so sold, are 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 roll or collector's roll of the said municipality has

Tax sales validated.

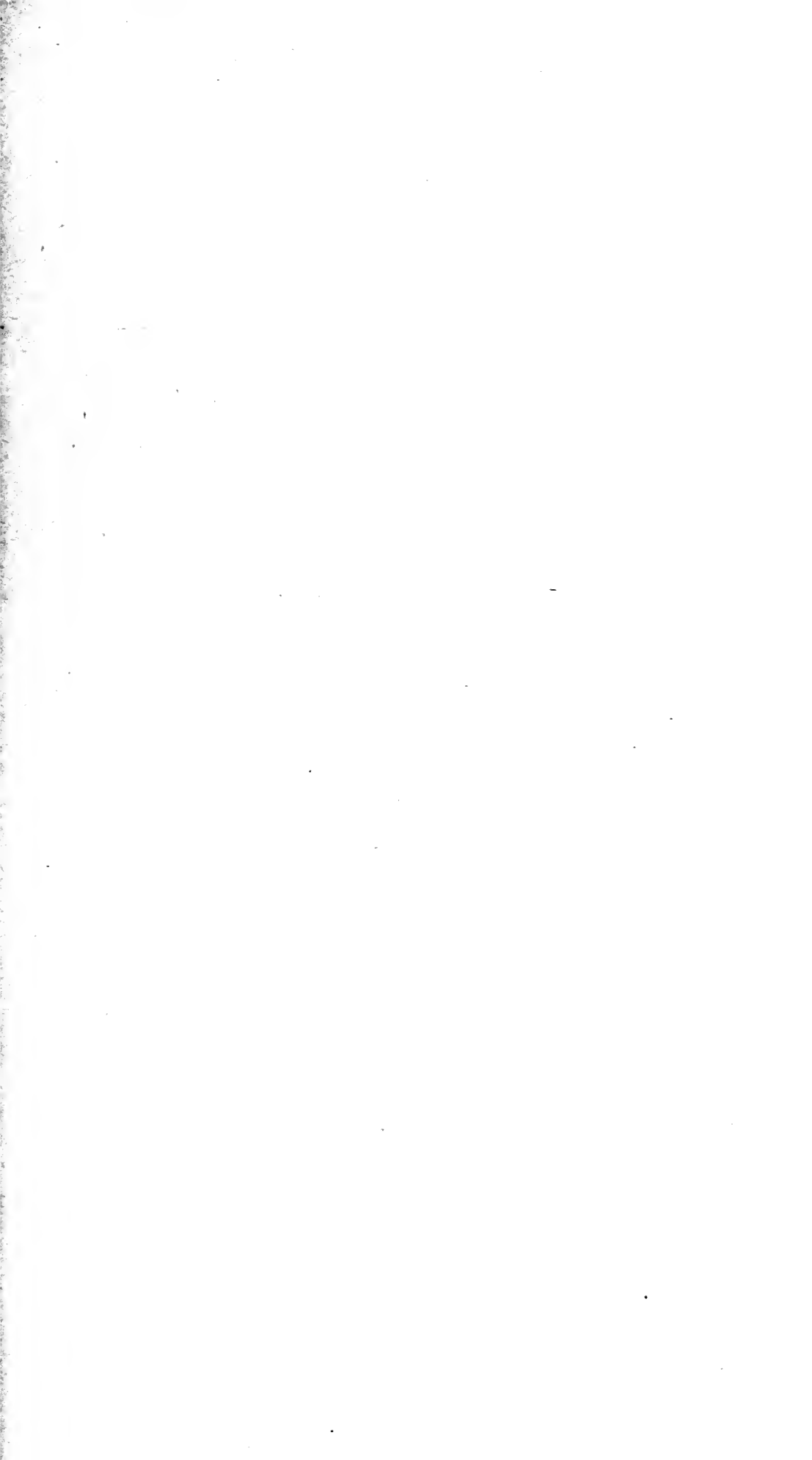
Rev. Stat. c. 224.

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 municipality, or in regard to the furnishing, authenticating or depositing of any list of lands in arrears for taxes within the said municipality, 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 municipality to comply with any requirements of the said Acts, and notwithstanding anything to the contrary in either of the said Acts contained.

Lands acquired by municipality at tax sale, to be liable to be assessed.

3. Any lands within the said municipality which, at any sale for arrears of taxes, have heretofore been, or may hereafter be bought in by or for the said municipality, shall be liable to be assessed for and charged with payment of all debentures, local improvement, school and general rates within the said municipality in the same manner and to the same extent in every respect as if the said lands did not belong to the municipal corporation.

4. Nothing herein contained shall affect any pending litigation.



1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.
An Act respecting the Municipality of
Shuniah.

First Reading, 24th April, 1903.

(Reprinted as amended by Private Bills
Committee).

(Private Bill.)

Mr. CONNIE.

TORONTO:

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

An Act to incorporate the New Ontario and Hudson
Bay Railway Company.

WHEREAS John R. MacArthur, James W. Colt, and Carl Preamble.
E. Hansen all of the firm of MacArthur Brothers,
Railway Contractors of the City of New York, in the
State of New York, and of the City of Chicago, in the
5 State of Illinois, in the United States of America; Thomas
Lincoln Beiseker of the City of Fessenden, in the State of
North Dakota, one of the United States of America, Banker;
Charles Hervey Davidson, of the City of Minneapolis, in the
State of Minnesota, in the United States of America, Banker;
10 Edwin Franklin Getchell, of the said City of Chicago, Broker,
John Frederick Langan, of the said City of Chicago,
Attorney at Law, and Duncan MacArthur, Lumber Manufac-
turer, of Winnipegosis in the Province of Manitoba, have
by their petition prayed for an Act to incorporate under
15 the name of "New Ontario and Hudson Bay Railway
Company" for the purpose of constructing, maintaining,
owning and operating a line of railway in New Ontario
from a point at or near the Town of North Bay in the
the district of Nipissing to a point on Lake Temiskamingue
20 at or near New Liskeard, and thence northerly and westerly
through the Blanche River Valley to the height of land and
across the height of land northerly and westerly to a point
on the Abitibi River at or near Iroquois Falls, thence north-
erly along the western margin of the Abitibi River to a point
25 at or near its intersection with the boundary line between the
districts of Algoma and Nipissing, thence westerly to a point
on the Mattagami River at or near the point where the Mus-
kego River empties into the Mattagami, thence northerly
along either margin of the Mattagami River to a point on
30 James Bay; also to construct and operate a branch line com-
mencing at a point where the main line touches or crosses the
Mattagami River, thence westerly and southerly through the
clay belt in the district of Algoma to a point on the Missinaibi
River at the Elbow, or St. Paul's Portage, thence southerly
35 and westerly to a point on the main line of the Canadian
Pacific Railway at or near Missanaibi Station; and with
power to settle and develop the lands along the said railways;
and it has been represented that the line of railway of the
company so to be incorporated will for the most part be
40 constructed in the unorganized part of the Province; and it

Rev. Stat.
c. 209.

is proposed to operate the same by steam or electricity; and whereas owing to the location of the line of the said railway the provisions of *The Electric Railway Act* are not applicable to the company so to be incorporated and the said Petitioners have prayed that there may be conferred upon them the powers ordinarily given upon the incorporation of a railway to be operated by steam; and whereas for the reasons aforesaid the circumstances of the said proposed line of railway are exceptional; and whereas it is expedient to grant the prayer of the said petition;

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

Incorporation.

1. John R. MacArthur, James W. Colt, Carl E. Hansen, Thomas Lincoln Beiseker, Charles Hervey Davidson, Edwin Franklin Getchell, John Frederick Langan and Duncan MacArthur, and such other persons and incorporations as shall hereafter become shareholders in said company are hereby constituted a body corporate and politic under the name of "New Ontario and Hudson Bay Railway Company," hereinafter called "the Company."

Location of line.

2. The Company is authorized and empowered to survey lay out, construct, complete, equip, own and maintain a railway to be operated by steam or electricity with double or single iron or steel tracks from a point at or near the Town of North Bay, in the district of Nipissing to a point on Lake Temiskamingue at or near New Liskeard, and thence northerly and westerly through the Blanche River Valley to the height of land across the height of land northerly and westerly to a point on the Abitibi River at or near Iroquois Falls, thence northerly along the western margin of the Abitibi River to a point at or near its intersection with the boundary line between the districts of Algoma and Nipissing, thence westerly to a point on the Mattigami River at or near the point where the Muskego River empties into the Mattagami thence northerly along either margin of the Mattagami River to a point on James Bay; also to construct, maintain, own and operate a branch line commencing at a point where the main line touches or crosses the Mattagami River; thence westerly and southerly through the clay belt in the district of Algoma to a point on the Missinabo River at the Elbow or St. Paul's Portage, thence southerly and westerly to a point on the main line of the Canadian Pacific Railway at or near Missanaibie Station; and to construct, maintain, own and operate branch railways and to exercise all the powers, rights and privileges required therefor in as full and ample a manner as for the railway; and the said railways or any part thereof, so far as the same may be operated by electricity may be carried along and upon such public highways as may be

authorized by the by laws of the respective corporations having jurisdiction over the same and subject to the restrictions and provisions therein and in this Act contained, and under and subject to any agreements between the Company
 5 and 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
 10 to the provisions and conditions contained in this Act and in *The Municipal Act.* Rev. Stat.
c. 223.

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

4. The said John R. MacArthur, James W. Colt, Carl E. Hansen, Thomas Lincoln Beiseker, Charles Hervey Davidson,
 15 Edwin Franklin Getchell, John Frederick Langan, and Duncan MacArthur, with power to add to their number, shall be and are hereby constituted the Board of Provisional
 20 Directors of the Company, of whom the majority shall be a quorum, and shall hold office as such until other Directors shall be appointed or elected under the provisions of this Act by the Shareholders. Provisional
Directors.

5. The said Board of Provisional Directors shall have power forthwith to open stock books and procure subscriptions of
 25 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 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
 30 made to it or in aid of the undertaking and to enter into any agreement respecting conditions or dispositions of any gift or bonus in aid of the railway and with all such 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
 35 Directors to be elected as hereinafter mentioned may in their discretion exclude from subscribing for stock any one who in their judgment would hinder, delay or prevent the Company from proceeding with and completing their undertaking,
 40 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
 45 may in their discretion exclude any one or more of the said subscribers, if in their judgment such exclusion will best secure the building of the said Railway: and all meetings of the Provisional Board of Directors shall be held at the City of Toronto, in the County of York, or at such other place as may best suit
 50 the interests of the Company. Rev. Stat.
c. 207.

Conveyance
of land to
Company.

6. Conveyances of land to the Company for the purposes of the 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 conveyance 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. 5

Subscriptions
for stock when
binding.

7. No subscription of stock in the capital of the Company shall be binding on the Company unless it shall be approved of by resolution of the Directors nor unless ten per centum of the amount subscribed has been actually paid thereon within one month after subscription. 15

Aid to
railway.

8. The Company may receive from any Government or from any persons or bodies corporate, municipal or politic who may have power to grant the same, aid towards the construction, equipment or maintenance of the said railway by way of gift, bonus or loan of money or debentures or other securities for money or by way of guarantee upon such terms and conditions as may be agreed upon. 20

Capital Stock
Rev. Stat.
c. 207.

9. The capital stock of the Company hereby incorporated shall be \$10,000,000 (with power to increase the same in the manner provided by *The Railway Act of Ontario*) to be divided into 100,000 shares of \$100 each, and shall be raised by the persons and corporations who may become shareholders in the Company and the money so raised shall be applied in the first place to the payment of all fees, expenses and disbursements of and incidental to the passing of this Act and for making the surveys, plans and estimates connected with the works hereby authorized, and the remainder of the said money shall be applied to the making, equipping, completing and maintaining of the said railway and to the other purposes of this Act. 25 30 35

First election
of directors.

10. When and as soon as shares to the amount of \$100,000 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 City of Toronto, of the time, place and purpose of said meeting. 40 45

11. At such general meeting the shareholders present either in person or by proxy who shall at the opening of such meeting have paid up ten per centum on the stock subscribed by them, shall elect not less than five and not more than fifteen 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 the 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*.

Number of
Directors and
quorum.

Rev. Stat.
c. 207.

12. No person shall be qualified to be elected as such director by the shareholders unless he be a shareholder holding at least ten shares of stock in the Company, and unless he has paid up all calls thereon.

Qualificati
n
of directors.

13. The Company is 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 lengths 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 thereto 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.

Power to
construct line
in sections.

Rev. Stat.
c. 207.

14. Aliens and companies incorporated abroad, as well as British subjects and corporations, may be shareholders in the Company, and all such shareholders, whether resident in this Province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible for office as directors in the Company.

Rights of
aliens.

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. 5

Payments in stocks or bonds. 16. The provisional directors or the elected directors may pay or agree to pay in paid-up stock or in bonds of the Company, such sums as they may deem expedient to engineers or contractors, or for the right of way, or material, plant or rolling stock; and also, when sanctioned by a vote of the shareholders at any general meeting, for the services of the promoters or other persons who may be employed by the directors in furthering the undertaking, or for 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 15

Head office—general meeting. 17. The head office of the Company shall be at the said City of Toronto, and the general annual meeting of the shareholders of the Company shall be held in such place in said City of Toronto on such days and at such hours as may be directed by the by-laws of the Company; and public notice thereof shall be given at least four weeks previously in *The Ontario Gazette*, and once a week in one newspaper published in the said City of Toronto, during the four weeks immediately preceding the week in which such meeting is to take place. 20 25

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 the by-laws of the Company, upon such notice as is provided in the last preceding section. 30

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 may provide, but no person shall be qualified to be so appointed who is not himself a shareholder in the Company. 35

Issue of bonds. 20. The directors of the Company shall have power to issue bonds of the Company for the purpose of raising money for prosecuting the said undertaking, and the provisions of subsections (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 subsections. 40

Rev. Stat. o 207.

Bonds etc. how payable. 21. All such bonds, debentures and other securities and coupons and interest warrants thereon respectively, may be 45

made payable to bearer and transferable by delivery, and any holder of any such securities so made payable to bearer, may sue at law thereon in his own name. Transfer of bonds.

22. The Company shall have power and authority to 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. Provisc.

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. 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 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 for leasing or hiring rolling stock.

25 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*, are hereby conferred upon Telegraph and telephone lines. Rev. Stat. c. 192.

Proviso. 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 incorporated 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

Aid from municipalities. **26.** Any municipality, or any portion of a township municipality, which may be interested in securing the construction of the said railway, or through any part of which, or near which the railway or works of the Company shall pass or be situate, may aid the Company, by giving money or debentures by way of bonus, gift or loan, or by the guarantee of the municipal corporation, under and subject to the provisions 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 may be) in accordance with and as provided by law in respect to granting aid, by way of bonuses to railways. 10 15 20

Proviso.

Submitting bonus by-laws **27.** 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 30

(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. 35

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 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. 40 45

By-law what to contain.

28. Such by-laws shall in each instance provide:

(1) For raising the amount petitioned for in the municipality or portion of the township municipality (as the case may

be) mentioned in the petition, by the issue of debentures of the county or minor municipality, respectively, and shall also provide for the delivery of said debentures, or the application of the amount to be raised thereby, as may be expressed in the said by-law.

(2) For assessing and levying upon all rateable property lying within the municipality or portion of the township municipality defined in said by-law (as the case may be) an annual special rate, sufficient to include a sinking fund for the repayment of the said debentures within twenty years with interest thereon, payable yearly or half-yearly, which debentures the respective municipal councils, wardens, mayors, reeves and other officers thereof, are hereby authorized to execute and issue in such cases respectively.

29. Before any such by-law is submitted, the 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. 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.

31. Within one month after the passing of such by-laws 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.

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 payment of the debentures issued therefor, and the interest thereon, shall be assessed and levied upon such portion only of such municipality.

Levying rates on portion of Municipality.

33. The provisions of *The Municipal Act* and the amendments thereto, so far as the same are not inconsistent with this Act shall apply to any by-law so passed by or for a portion of a township municipality to the same extent as if the same had been passed by or for the whole municipality.

Application of provision of Rev. Stat. c. 223.

34. 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 that stipulated for in the by-law or by-laws granting such aid, from time to time; provided that no such extension shall be for a longer period than one year.

Councils may extend time for commencement of work.

Councils may extend time for completion.

35. It shall and may be lawful for the council of any municipalities that may grant aid by way of bonus to the Company by resolution or by-law, to extend the time for the completion of the works (on 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. 5

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 Company towards the construction of such railway, notwithstanding that such aid may increase the municipal taxation of such municipality, or portion thereof, beyond what is allowed by law; provided that such aid shall not require the levying of a greater aggregate annual rate for all purposes exclusive of school rates, than three cents in the dollar upon the value of the rateable property therein. 10 15

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 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. 20 25 30

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 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. 35 40

Issue of debentures.

39. Whenever any municipality or portion of a township municipality shall grant aid by way of bonus or gift to the 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 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 45

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
 5 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
 10 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-
 15 Governor in Council

40. The said trustees shall receive the said debentures or bonds in trust, firstly, under the direction of the Company, but subject to the conditions of the by-laws in relation thereto as to time or manner, to convert the same into money
 20 or otherwise to 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 Ontario and Hudson Bay Railway Municipal Trust Account," and to pay the same out to the Company
 25 from time to time as the Company becomes entitled thereto, under the conditions of the by-law granting the said bonus, and on the certificate of the chief engineer of the said railway for the time being, in the form set out in schedule B, hereto, or to the like effect, which certificate shall set forth that the
 30 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
 35 by any person who may sue therefor.

Trusts of proceeds of debentures.

41. The trustees shall be entitled to their reasonable fees and charges from the said trust fund, and the act of two of such trustees shall be as valid and binding as if the three had agreed.

Fees to trustees.

40 42. Whenever it shall be necessary for the purpose of procuring sufficient land for stations, or gravel pits, or for constructing, maintaining and using the said railway, and in case, by purchasing the whole of any lot or parcel of land over which the railway is to run, the Company can obtain the
 45 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

Power to purchase whole lots.

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.

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 can not 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 the 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 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.

Rev. Stat.
c. 207.

Sidings to
gravel pits.

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 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.

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.

45

General
powers.
Warehouses,
docks, etc.

45. The Company shall have power and authority:

(1) To purchase land for and erect dams, power-houses, ware houses, elevators, docks, stations, work shops, saw-mills,

pulp-mills, paper-mills, factories, machine shops, foundries and offices, and to sell and convey such lands as may be found superfluous for any such purpose, and the Company shall have power to build, own and operate and hold as part
5 of the property of the Company as many steam or other vessels as the directors of the Company may deem requisite from time to time to facilitate the carriage of passengers, freight and other traffic in connection with the railway.

(2) To erect and maintain all necessary and convenient
10 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
15 of the passengers, freight and business of the railway.

Erect necessary buildings, wharves, etc.

(3) To construct, maintain and operate works for the production of electricity for the motive power of said railway, and for the lighting and heating the rolling stock and other property of the Company and for the other purposes of the
20 Company generally.

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 the obligations and restrictions of a
25 Joint Stock Company incorporated under *The Act respecting Companies for supplying Steam, Heat, Electricity or Natural Gas for Heat, Light or Power*, and to acquire and hold any property necessary for the purposes mentioned in this subsection.
30

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 municipality affected, to purchase the right to lay conduits under or
35 erect poles or 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 of this Province by the erection of the necessary fixtures including posts, piers or
40 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 owner of the land affected and between the Company and any municipality in which such
45 works or any part thereof or of the railway may be situated, and under and subject to any by-law or by-laws of the council of such municipality passed in pursuance thereof.

Acquiring rights for conveying electricity.

(6) To carry on business as a colonization Company and for that purpose to use the funds of the Company in develop-
Colonization business.

ing the lands of the Company and in procuring settlers and placing them thereon and to assist such settlers by advances of money, supplies, and agricultural implements, and the erection of dwelling houses, barns, stables, and other agricultural buildings upon the lands located by such settlers. 5

Water power. (7) To acquire, develop, own and operate water powers for the purposes of the Company.

Industries. (8) To construct, erect, own, maintain and operate saw-mills, shingle mills, pulp mills, iron foundries and factories and to purchase or manufacture, amongst other things, any goods, 10 plant or machinery which may be required for the purposes of the Company or for the use of settlers upon the lands of the Company.

Town sites. (9) To acquire and lay out town sites upon the lands of the Company and to erect thereon such dwellings, stores, 15 schools, churches, halls, and other buildings as may be necessary or convenient for the use of the Company and the settlers upon or in the neighborhood of such lands.

Construction on streets. 46. (1) The railway of the Company shall not be constructed or operated on, upon or along any street, highway or 20 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 25 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, 30 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 buildings erected in the vicinity of the same, and the electric and other 35 appliances shall be of such an improved manufacture and so placed as to avoid so far as possible any danger to buildings or other property, and provided that none of the works or property of the Company shall be so constructed or placed as to injuriously interrupt navigation in any navigable water. 40

(2) The by-laws mentioned in section 2, subsection 5, of the preceding section, and in this section, shall be subject to the conditions and provisions of section 632 of *The Municipal Act*.

Rev. Stat.
c 223.

47. The Company shall have the right on and after the 45 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 to such railway, to have been actually suffered; provided always that any such snow fences so erected shall be removed on or before the first day of April next following.

48. The Company is authorized and empowered to make necessary arrangements to contract and agree with the Canadian Pacific Railway Company, the Grand Trunk Railway Company of Canada, the Ontario Hudson Bay and Western Railway Company, formerly the Sault Ste. Marie and Hudson Bay Railway Company, the Algoma Central Railway Company, the James Bay Railway Company and the Canada Atlantic Railway Company, if lawfully authorized to enter into such arrangements for amalgamation provided that the terms of such amalgamation are approved of by two-thirds in value of the shareholders voting either in person or represented by proxy at a special general meeting to be called for that purpose in accordance with this Act.

Amalgamation with other companies.

49. The Company shall have power to agree for connections and make running arrangements with the Canadian Pacific Railway Company, the Grand Trunk Railway Company of Canada, the Ontario Hudson Bay and Western Railway Company, formerly the Sault Ste Marie and Hudson Bay Railway Company, the Algoma Central Railway Company, the James Bay Railway Company and the Canada Atlantic 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 Company to enter into an agreement with any or either of said railway companies, if lawfully authorized to enter into such an agreement, for the sale or leasing or hiring of the whole or any portion of the railway herein authorized or the use thereof, or for the sale or 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 or the preceding section shall be construed as purporting or intending to confer the rights or powers upon any company which is not within the Legislative authority of the Province of Ontario.

Arrangements with other companies.

Transfer of shares.

50. 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 5 dispensed with by the Company.

Payment of back charges on goods.

51. 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 10 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.

Rev. Stat., c. 207, to apply to company.

52. The provisions of *The Electric Railway Act* shall not 15 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 20 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 25 with this Act.

Commencement and completion of line.

53. The railway hereby authorized shall be commenced within one year from the completion of the Ontario Government Railway to New Liskeard, and finished and put into operation within fifteen years after the passing of this Act, and in default thereof the powers hereby conferred shall abso- 30 lutely cease with respect to so much of the railway as then remains uncompleted.

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 New Ontario and Hudson Bay 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 New Ontario and Hudson Bay Railway Company, their successors and assigns forever (*here insert any other clauses, covenants and con-*

ditions 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 three.

Signed, sealed and delivered }
in the presence of }

SCHEDULE B.

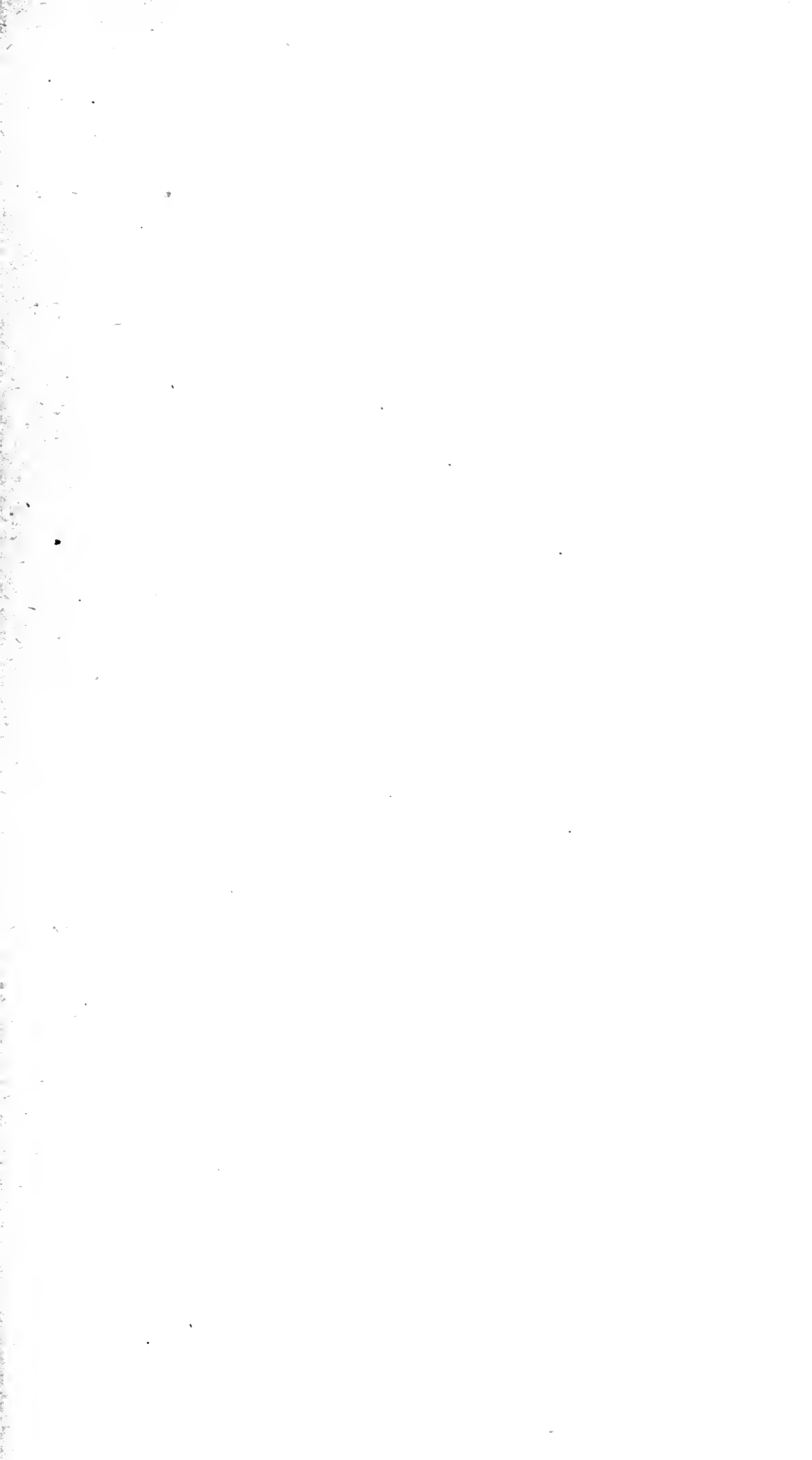
(SECTION 40) Chief Engineer's Certificate.

The New Ontario and Hudson Bay Railway Company's Office.
No. _____ A D. 1903.

ENGINEER'S DEPARTMENT.

Certificates to be attached to cheques drawn on the New Ontario and
Hudson Bay Railway Company Municipal Trust Account given under
section _____ chapter _____ of the Acts of the Legislature of Ontario,
passed in the 3rd year of His Majesty's reign.

I, _____ chief engineer of The New
Ontario and Hudson Bay 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 _____*
1903, 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.)



1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act to incorporate the New Ontario and
Hudson Bay Railway Company.

First Reading, 1903.

(Private Bill.)

Mr. JAMES.

TORONTO:

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

An Act respecting the Township of York.

WHEREAS the Corporation of the Township of York has represented that the chief means of access to an important district of the said township commonly called North Rosedale, adjacent to the City of Toronto, from and to the said city is Glen road, upon part of which is an iron bridge over a deep ravine, which bridge was erected by a private corporation, and the ownership in which, prior to the passing of *The Surveys Act* (being chapter 181 of the Revised Statutes of Ontario, 1897) was vested in the said private corporation, and that while the said township is not liable for the repair and maintenance of the said bridge yet that the same has become to all intents a public bridge; and that it has been made to appear to the council of the said township that a majority of the owners of real property in the said district of North Rosedale, representing about two-thirds of the assessed value thereof, desire the said council to reconstruct the said bridge as a local improvement, and assess the whole cost thereof on the property benefited thereby; but the said council has been adverse to pass a by-law for such purpose which might have the effect of imposing liability on the said township for the repair and maintenance of said bridge, in case the mind of those now asking to be so locally assessed should change after the cost of the reconstruction of the said bridge had been incurred, and might successfully avoid assessment for their share of the costs; and it is expedient to give relief in the premises;

Preamble.

Rev. Stat.
c. 181.

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

1. The council of the corporation of the Township of York may pass a by-law under the provisions of *The Municipal Act* declaring it to be expedient and necessary to construct or repair Glen road and the iron bridge thereon, and that it is inequitable to charge the whole of the cost of the said improvement upon the lands fronting thereon, and may determine that the whole or any portion of the said district of North Rosedale which is bounded on the east by the right of way of the Belt Line railway, on the north by the right of way of the Canadian Pacific railway, and on the south and

Maintenance
of Glen road
bridge.Rev. Stat.
c. 223.

west by the limits of the City of Toronto, are benefited by such works and improvement, and the proportion in which the cost thereof may be assessed against the lands so benefited, without incurring any liability for the maintenance and repair of the said road and bridge greater than exists therefor at the time of the passing of this Act. Such by-law may be in the form as near as may be of that in Schedule A to this Act. 5

Act not to
create obliga-
tion to pass
by-law.
Rev. Stat.
c. 223

2. This Act is not to be construed as creating any obligation to pass such a by-law provided that within one month from the passing of this Act a petition under *The Municipal Act* against the passing of the same signed by a majority of the owners of the properties benefited in the said district representing one-half of the value of the same shall be filed 10

SCHEDULE A.

No.

A BY-LAW.

To authorize the improvement or repair by the Corporation of the Township of York of the steel bridge on the highway in the said township known as Glen Road, as a local improvement.

Whereas Edmund B. Osler, Walter S. Andrews and many other property owners and ratepayers within the limits of the unincorporated village commonly known as North Rosedale, in the Township of York, to a number more than one-half of the whole number of the property owners in the said village and representing, as is alleged, more than one-half in value of the property which may be described as follows : Bounded on the east and north-east by the right of way of the Belt Line Railway Company, on the south and west by the northern and eastern limits of the City of Toronto, and on the north by the right of way of the Canadian Pacific Railway, have, by their petition to the Municipal Council of the Township of York, represented that the said bridge, originally laid out and constructed by private owners, has become out of repair and dangerous, and that the said property owners are prejudiced thereby and that the said bridge should be re-constructed or repaired as a local improvement, to be assessed on the property benefited thereby, being the property above named ;

And whereas certain of the said petitioning owners have agreed to dedicate to the public without compensation lands sufficient to provide highways giving access to the said bridge and City of Toronto from the north of said lands, which will be a benefit to residents of other portions of the said township.

And whereas, in the opinion of the Council of the said Township, it is expedient and necessary to repair the said bridge, and the said Council is of opinion that by reason of the small amount of property fronting on the said bridge, it is inequitable to charge the whole of the cost of the improvement of the same on the lands so fronting.

3

I.

The Municipal Council of the Township of York hereby determines that the lands above mentioned are benefited by such works or improvements and that the cost of the same shall be assessed against the said lands equally.

II.

The repair and improvement of the said bridge under the supervision of the township engineer, or such other engineer as may be placed in charge of the same, is hereby authorized to be proceeded with.

III.

After the completion of the said improvement and repairs the said township engineer, or said other engineer, shall report to the said municipal council upon the cost of the same, together with a list and description of the properties comprised in the lands above mentioned which are liable to be assessed for such local improvement, which report after adoption by the said Council, shall be referred to the Court of Revision to allow opportunity for an appeal from the said proposed assessment of the same as provided by *The Municipal Act*, due notice being given to the owners of property proposed to be assessed as in the case of other local improvements, and after the confirmation of the said assessment the township solicitor shall thereupon prepare a by-law for making the necessary assessment or assessments and providing for the issue and sale of debentures, to provide the amount of money required to retire the temporary loan which has been obtained for the cost of the said work and improvement.

This by-law shall go into effect on and from the passing thereof.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting the Township of York

First Reading. 1903.

(Private Bill).

Mr. FOY.

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

An Act respecting Glen Road Bridge in the
Township of York.

WHEREAS certain owners of real property in the Town- Preamble.
ship of York have represented that the chief means of
access to an important district of the said township commonly
called North Rosedale, adjacent to the City of Toronto, from
the said city is Glen Road, upon part of which is an iron
bridge over a deep ravine, which bridge was erected by a Rev. Stat.
c. 181.
private corporation, and the ownership in which, prior to the
passing of *The Surveys Act* (being chapter 181 of the Revised
Statutes of Ontario, 1897) was vested in the said private cor-
poration, and that while the said township is not liable for
the repair and maintenance of the said bridge yet that the
same has become to all intents a public bridge; and whereas it
has been made to appear that a majority of the owners of real
property in the said district of North Rosedale, representing
about two-thirds of the assessed value of the said district,
desire the said council to reconstruct the said bridge as a
local improvement, and assess the whole cost thereof on the
property benefited thereby; and whereas it is expedient to
grant relief in the premises; ¹

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

1. The Council of the Corporation of the Township of York Reconstruc-
tion of Glen
Road bridge.
shall, without passing a by-law, reconstruct and repair Glen
Road Bridge, and shall assess the cost thereof by a special
annual rate upon the real estate contained in the area bounded
on the east by the right of way of the Belt Line Railway, on
the north by the right of way of the Canadian Pacific Rail-
way Company, and on the south and west by the limits of the
City of Toronto, in the proportion in which the value for
assessment purposes of each parcel of land in said area bears
to the whole value for assessment purposes of the lands in the
said area.

2. The entry forthwith upon the said road and works by Authority
conferred on
township.
the servants and officers of the said Corporation is hereby
authorized; but the assumption of the said road and bridge
for public use by the undertaking of the said works shall not

increase the liability of the said township for the maintenance and repair of the said bridge beyond what exists therefor at the time of the passing of this Act.

Engineer to be appointed by County Judge. **3.** The repair and reconstruction of the said works shall be performed under the supervision of a competent engineer to be appointed by one of the judges of the County Court of the County of York upon notice to be served upon the clerk of the said township.

St. Andrew's College and Lacrosse Grounds to be assessed. **4.** Notwithstanding any provision of *The Assessment Act* and the Act passed in the 56th year of the reign of Her late Majesty Queen Victoria, chaptered 87, the lands of St. Andrew's College, Limited, and of The Toronto Lacrosse and Athletic Association, Limited, shall be liable to be assessed for such special rate.

Township authorized to borrow funds. **5.** The council of the said township may borrow sufficient funds to pay for the said improvement, and upon completion thereof and ascertainment of the cost of the same may without passing a by-law as provided by *The Municipal Act* issue debentures to repay such temporary loan or advance; provided, however, that the amount thereof shall not exceed an amount equal to twelve and one-half per cent. of the value for assessment purposes of the lands in the said area.

Debentures—how issued. **6.** The said debentures shall be issued in currency or sterling money for amounts not less than \$100 currency or twenty pounds sterling, and shall be sealed with the seal of the said Corporation, and be signed by the reeve and township treasurer.

Terms of, etc. **7.** The said debentures shall be made payable in twenty years from the date thereof and shall have attached to them coupons for the payment of interest, which shall not exceed four and one-half per cent. per annum payable yearly. 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 municipal corporation may deem expedient.

Sale of debentures. **8.** The said debentures may be sold or hypothecated, and the proceeds applied for the purpose above specified and for no other purpose.

May be guaranteed by Township. **9.** The debt to be incurred may be, and in such debentures may be declared to be, guaranteed by the said municipality at large.

By-laws may be passed. **10.** The said council may pass a by-law or by-laws for the issue of such debentures under the provisions of *The Municipal Act*, in addition to the provisions hereof, and not inconsistent therewith. *EV*



1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act respecting Glen Road Bridge in
the Township of York.

First Reading, 7th May, 1903.

(Reprinted as amended by Private Bills
Committee.)

Mr. FOY.

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

An Act to incorporate the Midland Terminal
Railway Company.

WHEREAS John James Drummond of the Town of Midland, in the County of Simcoe, Manufacturer, Charles Gudewill, of the City of Montreal, in the Province of Quebec, Civil Engineer, Frank Leeming of the City of Brantford, in the County of Brant, Capitalist, Peter Freyseng, of the City of Toronto, in the County of York, Manufacturer, Richard Wilton, of the City of Montreal, in the Province of Quebec, Accountant, Arthur K. Fisk, of the City of Montreal, in the Province of Quebec, Chartered Accountant, and George E. Drummond, of the City of Montreal, in the Province of Quebec, Manufacturer, have by their petition prayed for an Act of incorporation under the name of "Midland Terminal Railway Company," for the purpose of constructing, equipping, maintaining and operating a railway, with terminal facilities, between a point at or near the Town of Midland, in the County of Simcoe, and a point at or near the Village of Perksfield, in the said County of Simcoe, passing through the Townships of Tay and Tiny, and the Town of Penetanguishene, in the County of Simcoe aforesaid, and have further prayed that it may be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

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

1. The said John James Drummond, Charles Edward Gudewill, Frank Leeming, Peter Freyseng, Richard Wilton, Arthur K. Fisk, George E. Drummond, and such other persons and corporations as shall hereafter become shareholders in the Company hereby incorporated, are constituted a body corporate and politic under the name of "Midland Terminal Railway Company," hereinafter called "the Company."

2. The Company is authorized and empowered to survey, lay out, construct, equip, complete and operate and maintain a railway of the gauge of four feet eight and one-half inches, from a point at or near the harbour of the Town of Midland, in the County of Simcoe, thence south to Midland Point, thence, southwesterly, along and through the lands adjacent

to the water front of the harbour of the Town of Midland, and the lands of the Township of Tay, and continuing south-westerly and north-westerly, to a point on the line of the Grand Trunk Railway, at or near the harbour of the Town of Penetanguishene, and passing through the lands of the Town- 5
 ship of Tiny and the lands adjacent to the said harbour and waterfront of the said Town of Penetanguishene, all in the County of Simcoe, in the Province of Ontario, thence westerly and south-westerly to a point on the line of the Grand Trunk Railway, at or near the Village of Perkinsfield, in the said 10
 County of Simcoe.

Provisional
 directors.

3. The said John James Drummond, Charles Edward Gude-
 will, Frank Leeming, Peter Freyseng, Richard Wilton, Arthur
 K. Fisk and George E. Drummond, with power to add to their
 number, shall be a board of Provisional Directors of the Com- 15
 pany, and shall hold office as such until other Directors
 shall be appointed under the provisions of this Act by the
 shareholders.

Subscription
 and allotment
 of stock.

4. The said board of provisional directors shall have the
 power forthwith to open stock-books and procure subscrip- 20
 tions of stock for the undertaking, and to allot stock and to
 receive payment on account of stock subscribed, and to make
 calls upon subscribers in respect to the 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 25
 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 the 30
 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 35
 this Act, and if at any time a portion or more than the whole
 stock shall have been subscribed, the said provisional
 directors, or board of directors, shall allocate and apportion it
 among the subscribers as they shall deem most advantageous
 and conducive to the furtherance of the undertaking; and in 40
 such allocations, the said directors may in their discretion
 exclude any one or more of the said subscribers, if, in their
 judgment, such exclusion will best secure the building of the
 said railway; and all meetings of the provisional board of
 directors shall be held at the Town of Midland, in the County 45
 of Simcoe, or at such other place as may best suit the
 interests of the Company.

Rev. Stat.
 c. 207.

Conveyance
 of land to
 Company.

5. Conveyances of land to the Company for the purposes
 of and powers given in 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 5 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 10 endorsed on the duplicate thereof.

6. No subscriptions for stock in the capital of the Com- Subscriptions
pany shall be binding on the Company unless it shall be for stock
approved by the resolution of the directors, nor unless ten when binding.
per centum of the amount subscribed has been actually paid 15 thereon within one month after subscription.

7. The Company may receive from any Government or Aid to
from any persons or bodies corporate, municipal or politic, railway.
who may have power to make or grant the same, aid towards
the construction, equipment or maintenance of the said rail-
20 way by way of gift, bonus or loan of money or debentures or
other securities for money, or by way of guarantee upon such
terms and conditions as may be agreed upon.

8. The capital stock of the Company hereby incorporated Capital stock.
shall be \$500,000 (with power to increase the same in the
25 manner provided by *The Railway Act of Ontario*) to be Rev. Stat.
divided into 5,000 shares of \$100 each, and shall be raised by c 207.
the persons and corporations who may become shareholders
in the Company, and the money so raised shall be applied, in
30 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 pur-
35 poses of this Act.

9. When, and as soon as shares to the amount of \$100,000 of First election
capital stock in the Company shall have been subscribed and of directors.
ten per centum paid thereon into some chartered bank of the
Dominion having an office in the Province of Ontario, to the
40 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'
45 notice by advertisement in *The Ontario Gazette* and in at
least one newspaper published in the said Town of Midland,
of the time, place and purpose of the said meeting.

Number of
directors and
quorum.

10. At such general meeting the shareholders present either in person or by proxy, who shall at the opening of such meeting have paid up ten per centum on the stock subscribed by them, shall elect not less than five and not more than twelve persons to be directors of the Company in manner and qualified as hereinafter mentioned, who shall constitute a board of directors and shall hold office until the next general annual meeting; and a majority of directors shall form a quorum of the board, and may pass such rules, regulations and by-laws as may be deemed expedient and are not inconsistent with this Act and *The Railway Act of Ontario*; and the said board may employ and pay one of their number as managing director. 5 10

Rev. Stat.
c. 207.

Qualifications
of directors.

11. 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. 15

Power to
construct line
in sections.

12. The Company is 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 its course and direction, and of the lands intended to be passed over and taken therefor so far as then ascertained, and also the book of reference for the railway, and to deposit the same as required by the clauses of *The Railway Act of Ontario*, and the amendments thereto with respect to plans and surveys, by sections or portions less than the length of the whole railway authorized, of such length as the Company may from time to time see fit, so that no one of such sections or portions shall be less than ten miles in length; and upon such deposit as aforesaid of the map or plan and book of reference of any and each of such sections or portions of the said railway, all and every clause 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 books 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." 20 25 30 35 40 46

Rev. Stat.
c. 207.

Rights of
aliens.

13. Aliens and companies incorporated abroad, as well as British subjects and corporations, may be shareholders in the Company, and all such shareholders, whether resident in this Province or elsewhere, shall be entitled to vote on their 45

shares equally with British subjects, and shall also be eligible for office as directors in the Company.

14. The directors may from time to time make calls as Calls on stock. they think fit; provided that no call shall be made at any one 5 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 16 of this Act.

15. The directors may enter into a contract or contracts Contracts for construction of lines, etc. with any individual, corporation or association of individuals 10 for the construction or equipment of the railway or any part thereof, including or excluding the purchase of right of way, and may pay therefor, either in whole or in part, either in cash or bonds, or in paid-up stock, or in bonds of the Company such sums as they may deem expedient to engineers or for the 15 right of way, material, plant or rolling stock, and also for the services of the promoters or other persons who may be employed by the directors for the purpose of assisting the directors and furthering the undertaking, whether such promoters or other persons be provisional or elected directors 20 or not; provided that no such contract shall be of any force or validity until sanctioned by resolution passed by the votes of the shareholders in person or by proxy, representing two-thirds in value of the whole amount paid up of the total capital stock of the Company then issued and outstanding, at a 25 general meeting of the shareholders specially called for the purpose of considering such matters. Proviso.

16. The head office of the Company shall be at the said Head office. Town of Midland, in the County of Simcoe, and the general annual meeting of the shareholders of the Company shall be 30 held in such place in the said Town of Midland 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 Town of Midland 35 during the four weeks immediately preceding the week in which such meeting is to take place.

17. Special general meetings of the shareholders of the Special general meetings. Company shall 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 upon such notice as is provided in the last preceding section.

18. At all meetings of the Company the shareholders Voting by proxy at meetings. thereof may vote by proxy, and the proxy may be appointed in such manner and by such means as the by laws of the 45 Company may provide, but no person shall be qualified to be so appointed who is not himself a shareholder in the Company.

- Bonds.** **19.** The directors of the Company shall have power to issue bonds of the Company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all the sum of \$20 000 for each mile of the said railway and branches, and the provisions of sub sections (19), (20), (21), (22) and (23) of section 9 of *The Railway Act of Ontario* shall apply to all such bonds and the issue thereof, and such bonds shall be issued subject and according to and in conformity with the provisions of the said sub-sections.
- Rev. Stat., s. 207.** 5
- Bonds, etc., how payable** **20.** All such bonds, debentures and other securities and coupons and interest warrants thereon respectively may be made payable to bearer and transferable by delivery, and any holder of any such securities so made payable to bearer may sue at law thereon in his own name.
- Transfer of bonds.** 15
- Negotiable instruments.** **21.** The Company shall have power and authority to become parties to promissory notes and bills of exchange for sums not less than \$100, and any such promissory note or bill of exchange made, accepted or endorsed by the president 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 the proper authority until the contrary be shewn; and in no case shall it be necessary to have the seal of the said Company affixed to such promissory note or bill of exchange, nor shall the president, vice president, or the secretary 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.
- Proviso.** 20
- Mortgaging and pledging bonds.** **22.** The Company may from time to time, for advance of money to be made thereon, mortgage or pledge any bonds which they may be enabled under the powers of this Act, to issue for the construction of the said railway.
- Agreements with other companies for leasing or hiring rolling stock.** **23.** It shall be lawful for the directors of the Company to enter into an agreement or agreements with any other company or companies, if lawfully authorized to enter into such agreements, or with any person or persons, for leasing, hiring or use of any locomotives, carriages, rolling stock and other moveable property from such companies or persons for such time or times and on such terms as may be agreed on; and
- 25
- 30
- 35
- 40
- 45

also to enter into agreement with any railway company or companies, if so lawfully authorized, for the use by one or more of such contracting companies of the locomotives, carriages, rolling stock and other moveable property of the other
 5 or others of them on such terms as to compensation and otherwise as may be agreed on.

24. The Company may also construct an electric telegraph line and a telephone line throughout and along the whole line of their railway and the branches thereof, or any part of
 10 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 here
 15 by 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
 20 and telephone lines shall be used exclusively for the purposes of the business of the Company.

Telegraph and
telephone
lines.

Rev. Stat
c. 192
Proviso

25. Any municipality or any portion of a township municipality which may be interested in securing the construction of said railway, or through any part of which or near which
 25 the railway or works of the Company shall pass or be situated may aid the Company by giving money or debentures by way or 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
 30 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 be) in accordance with and as provided by law in respect to granting aid, by way of bonuses to railways.

Aid from
Municipalities

Proviso

35 26. Such by-law shall be submitted by the municipal council to the vote of the ratepayers in manner following, namely:—
 40 submitting
bonus by-law

(1) The proper petition shall first be presented to the council expressing the desire to aid the railway, stating in
 40 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.

45 (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 Municipal Act* and the amendments thereto.

Rev. Stat.
c. 223

(3) In 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. 5

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 10 fifty resident freeholders in such section of the municipality, being duly qualified voters as aforesaid.

By-law what
to contain.

27. Such by-laws shall in each instance provide:—

(1) For raising the amount petitioned for in the municipality or portion of the township municipality (as the case 15 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 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 the 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, 25 with the 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.

Deposit before
by-law is
submitted.

28. Before any such by-law is submitted the Company 30 shall if required, deposit with the treasurer of the municipality a sum sufficient to pay the expenses to be incurred in submitting said bylaw.

Council to
pass by-law if
assented to.

29. In case the by-law submitted be approved of and carried in accordance with the provisions of the law in that 35 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.

Issue of
debentures.

30. Within one month after the passing of such by law the said council and the mayor, warden, reeve or other head, 40 or other officer 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.

Levying rates
on portion of
municipality.

31. In case any such loan, guarantee or bonus, be so 45 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 portions only of such municipality.

5 **32.** The provisions of *The Municipal Act* and the amend- Application
of Rev. Stat.
c. 223.
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.

10 **33.** The council for all corporations that may grant aid By-laws grant-
ing extension
of time for
commence-
ment.
by way of bonus to the 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.

15 **34.** It shall and may be lawful for the council of any By-laws grant-
ing extension
of time for
completion.
municipality that may grant aid by way of bonus to the
company, by resolution or by-law, to extend the time for the
completion of the work (on completion of which the said
company would be entitled to such bonus) from time to time;
20 provided that no such extension shall be for a longer period
than one year at a time.

35. Any municipality or portion of a township muni- Extent of aid
from muni-
cipalities.
cipality, interested in the construction of a railway of the
Company, may grant aid by way of bonus to the Company
25 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
30 school rates, than three cents in the dollar upon the value of
the rateable property therein. Proviso.

36. It shall be lawful for the corporation of any muni- By-laws grant-
ing exemption
from taxation.
cipality through any part of which the railway of the Com-
pany passes, or in which it is situate, by by-law especially
35 passed for that purpose, to exempt the Company and its pro-
perty within such municipality, either in whole or in part
from municipal assessment or taxation or to agree to a cer-
tain sum per annum, or otherwise in gross, by way of com-
mutation or composition for payment, or in lieu of all or any
40 municipal rates or assessments to be imposed by such muni-
cipal 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 con-
formity with a condition contained therein.

45 **37.** Any municipality through which said railway may Gifts of lands
from muni-
cipalities.
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 said railway; and the Company shall have power to accept gifts of land from any Govern- 5 ment or any person or body corporate or politic, and shall have power to sell or otherwise dispose of the same for the benefit of the Company.

Trustees of
municipal
debentures.

38. Whenever any municipality or portion of a township municipality shall grant aid by way of bonus or gift to the 10 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 Company, and one by 15 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 20 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 25 such other trustee or 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 30 appointed by the Lieutenant Governor in Council.

Trusts of
municipal
debentures.

39. The said trustees shall receive the 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 and manner, to convert the same into money or otherwise dispose of them; secondly, to deposit the debentures or 35 amount realized from the sale in some chartered bank having an office in the Province of Ontario in the name of "Midland Terminal Railway Company Municipal Trust Account," and to pay the same out to the Company from time to time as the Company becomes entitled thereto, under the 40 conditions of the by law granting the said bonus, and on the certificate of the chief engineer of the said railway for the time being in the form set out in Schedule B. hereto, or to the like effect, which certificate shall set forth that the conditions of the by-law have been complied with, and is to be 45 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.

40. The trustees shall be entitled to their reasonable fees and charges from the said trust fund, and the act of any two of such trustees shall be as valid and binding as if the three had agreed. FEES of the trustees.

5 41. Whenever it shall be necessary for the purpose of pro-
curing sufficient land for stations, or gravel pits, or for con-
structing, maintaining and using the said railway, and in
case, by purchasing the whole lot or parcel of land over which
the railway is to run, the Company can obtain the same at a
10 more reasonable price or to greater advantage than by pur-
chasing 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
15 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.

42. 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
20 with the owner of the lands on which the same are situate for the purchase thereof, cause an Ontario 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,
25 the award and tender of compensation, shall have the same effect as in case of arbitration for the railway; 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
30 right to convey, and the parties from whom the land may be taken, or who may sell shall apply to the subject matter of this section, as to 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 mater-
35 ials 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 materials for road beds, etc.
Rev. Stat. c. 207.

43. When said gravel, stone, earth or sand shall be taken under the preceding section of this Act, at a distance from the
40 line of 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 material shall be found, whatever the distance may be: and all the provisions of *The Railway Act of Ontario* and of this Act,
45 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.

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. 5

Powers of
company.

44. The Company shall have power and authority.

Warehouses,
elevators, etc.

(1) To purchase lands for the erection, building, use and maintenance of warehouses, elevators, docks, dockyards, wharfs, slips, piers, stations, workshops, machine shops, rolling mills, foundries and offices, and from time to time to alter, repair and enlarge the same and to sell and convey such lands as may be found superfluous for such purposes; and the Company shall have power to build, own and hold as part of the property of the Company as many steam and 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. 10 15

Ferries.

(2) To acquire and operate railway ferries and steam ferry vessels for the accommodation of passengers and freight. 20

Water and
steam power.

(3) To acquire and utilize water and steam power for the purposes of compressing air or generating electricity, for lighting, heating, motive power or other purposes required for the undertakings mentioned in this section. 25

Rolling stock.

(4) To build, purchase and acquire engines, carriages, wagons and all machinery and contrivances necessary and convenient for the working of the railway and the accommodation and use of passengers, freight and business of the railway or which may be required for the proper equipment of the company in carrying out any undertaking authorized by this Act. 30

Terminal
facilities.

(5) To acquire, construct and maintain railway terminal facilities in or near the said Towns of Midland and Penetanguishene or at other points on the land of the said railway.

Snow fences.

45. 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 damage (if any) as may hereafter be established in the manner provided by law in respect to such railway, to have been actually suffered; provided always that any such snow fences so erected shall be removed on or before the first day of April next following. 35 40

Provisi.

Agreements
with other
companies.

46. The Company is authorized and empowered to make necessary arrangements to contract and agree with the Grand 45

Trunk Railway Company of Canada, The Canadian Pacific Railway Company, The Canada Atlantic Railway Company, The Intercolonial Railway Company and The Manitoulin and North Shore Railway Company, if lawfully authorized to enter into such arrangements for amalgamation with any or either of them; provided that no such contract shall be of any force or validity unless first authorized by resolution passed by the votes of the shareholders in person or by proxy, representing two-thirds in value of the subscribed capital stock and on which no call is in default and unpaid, at a general meeting specially called for that purpose.

47. The Company shall have power to agree for connections and make running arrangements with the Grand Trunk Railway Company of Canada, the Canadian Pacific Railway Company, the Canada Atlantic Railway Company, the Intercolonial Railway Company and the Manitoulin & North Shore Railway Company, lawfully empowered to enter into such arrangements, upon terms to be first authorized 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 agreement with either of the said railway companies, if lawfully authorized to enter into such an agreement, for the sale or leasing or hiring of the whole or any portion of the railway herein 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 if the arrangements and agreements shall be so authorized 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 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 the Province of Ontario.

48. 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 to shares intended to be transferred are surrendered to the Company, or the surrender thereof dispensed with by the Company.

49. 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.

Application of
Rev. Stat.
c. 207.

50. The provisions of *The Railway Act of Ontario* and of every Act in amendment thereof shall be incorporated with, and be deemed to be part of this Act, and shall apply to the Company and to the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof; and the expression "this Act" when used herein, shall be understood to include the clauses of the said *Railway Act* and of every Act in amendment thereof so incorporated with this Act. 5

Time for com-
mencement
and comple-
tion of road.

51. The railway hereby authorized shall be commenced within two 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. 15

Agreements
as to running
arrangements
subject to
Government
control.

52. The authority and power conferred on the Company by this Act to enter into agreements with any other railway company for connections, running arrangements, sale, lease, amalgamation or hiring of the said railway shall be subject to such terms, conditions and regulations as may be provided and enacted by any general or special Act or Acts which may at the time such agreement is entered into be in force, and to such terms, conditions and regulations, general or special, as the Lieutenant-Governor in Council, or any Special Committee of the Executive Council of Ontario appointed for that purpose, may from time to time order. 20 25

SCHEDULE A.

(Section 5).

Know all men by these presents that I (or we) (*insert the name or names of the vendor or vendors*) in consideration of _____ dollars paid to me (or us) by Midland Terminal 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 Midland Terminal 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 _____

SCHEDULE B.

(Section 39).

CHIEF ENGINEER'S CERTIFICATE.

Midland Terminal Railway Company's Office.
No. A.D. 19

ENGINEER'S DEPARTMENT.

Certificates to be attached to cheques drawn on Midland Terminal Railway Company Municipal Trust Account given under section chapter , of the Acts of the Legislature of Ontario, passed in the third year of His Majesty's reign.

I, chief engineer of Midland Terminal Railway Company do hereby certify that the said Company has fulfilled the terms and conditions necessary to be fulfilled under the by-law No. of the township of (or under the agreement dated the day of 19 between the corporation of and the said company to entitle the said company to receive from the said Trust the sum of (here set out the terms and conditions, if any, which have been fulfilled).

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act to incorporate the Midland
Terminal Railway Company.

First Reading. 1903.

(Private Bill).

Mr. TUDHOPE.

TORONTO:

PRINTED BY L. K. CAMERON.

Printer to the King's Most Excellent Majesty.

An Act to incorporate The Midland Terminal
Railway Company.

WHEREAS John James Drummond of the Town of Mid- Preamble.
land, in the County of Simcoe, Manufacturer, Charles
Edward Gudewill, of the City of Montreal, in the Province of
Quebec, Civil Engineer, Frank Leeming of the City of Brantford,
in the County of Brant, Capitalist, Peter Freyseng, of the City
of Toronto, in the County of York, Manufacturer, Richard
Wilton, of the City of Montreal, in the Province of Quebec,
Accountant, Arthur K. Fisk, of the City of Montreal, in the
Province of Quebec, Chartered Accountant, and George E.
Drummond, of the City of Montreal, in the Province of Que-
bec, Manufacturer, have by their petition prayed for an Act
of incorporation under the name of "*The Midland Terminal
Railway Company*," for the purpose of constructing, equipping
and maintaining a railway, ^{to} to be operated by steam ^{trains}, with
terminal facilities, between a point at or near the Town of
Midland, in the County of Simcoe, and a point at or near the
Village of Perkinfield, in the said County of Simcoe, passing
through the Townships of Tay and Tiny, and the Town of
Penetanguishene, in the County of Simcoe aforesaid, and have
further prayed that it may be enacted as hereinafter set forth;
and whereas it is expedient to grant the prayer of the said
petition;

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

1. The said John James Drummond, Charles Edward Gude- Incorporation
will, Frank Leeming, Peter Freyseng, Richard Wilton, Arthur
K. Fisk, George E. Drummond, and such other persons and cor-
porations as shall hereafter become shareholders in the Com-
pany hereby incorporated, are constituted a body corporate
and politic under the name of "*The Midland Terminal Rail-
way Company*," hereinafter called "the Company."

2. The Company is authorized and empowered to survey, Location of
lay out, construct, equip and maintain a railway ^{to} to be oper- line.
ated by steam, ^{trains} of the gauge of four feet eight and one-half
inches, from a point at or near the harbour of the Town of Mid-
land, in the County of Simcoe thence south to Midland Point,
thence, southwesterly, along and through the lands adjacent

to the water front of the harbour of the Town of Midland, and the lands of the Township of Tay, and continuing south-westerly and northwesterly, to a point on the line of the Grand Trunk Railway, at or near the harbour of the Town of Penetanguishene, and passing through the lands of the Township of Tiny and the lands adjacent to the said harbour and waterfront of the said Town of Penetanguishene, all in the County of Simcoe, in the Province of Ontario, thence westerly and southwesterly to a point on the line of the Grand Trunk Railway, at or near the Village of Perkinsfield, in the said County of Simcoe.

Provisional directors.

3. (1) The said John James Drummond, Charles Edward Gudewill, Frank Leeming, Peter Freyseng, Richard Wilton, Arthur K. Fisk and George E. Drummond, shall be ~~and~~ and are hereby constituted ~~as~~ a board of provisional directors of the Company, ~~of~~ of whom a majority shall be a quorum, ~~and~~ and shall hold office as such until other directors shall be appointed under the provisions of this Act by the shareholders.

~~(2)~~ (2) The said provisional directors shall have power to add to their number, or to substitute for any member of the said board of provisional directors (whether named in this Act, or by the said provisional directors) who may desire to resign or withdraw from his position as a provisional director of the said company, any other person as a provisional director thereof; and all such persons as shall, from time to time, be provisional directors of the said Company, pursuant to the provisions of this Act, shall constitute the board of provisional directors thereof. ~~(3)~~

~~(3)~~ (3) The first meeting of the board of provisional directors may be called upon notice signed by or on behalf of three provisional directors: such notice to be mailed to the said provisional directors at their respective places of address, as set forth in this Act; and the said board of provisional directors may, from time to time, pass resolutions or by-laws providing for the time, place or manner of calling future meetings of the said board of provisional directors. ~~(4)~~

Subscription and allotment of stock.

4. The said board of provisional directors shall have the power forthwith to open stock-books and procure subscriptions of stock for the undertaking, and to allot *the* stock and to receive payment on account of stock subscribed, and to make calls upon subscribers in respect of *their* stock, and to sue for and recover the same; and to cause plans and surveys to be made, and to receive for the Company any grant, loan bonus or gift made to it, or in aid of the undertaking, and to enter into any agreement respecting the conditions or disposition of any gift or bonus in aid of the railway, *and shall have all such* other powers as under *The Railway Act of Ontario*, are vested in ordinary directors. The said *provisional* directors, or a majority of them, or the board of directors to be elected as

Rev. Stat. c. 207.

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 among the subscribers as they shall deem most advantageous and conducive to the furtherance of the undertaking; and in such allocation, the said directors may in their discretion exclude any one or more of the said subscribers, if, in their judgment, such exclusion will best secure the building of the said railway; and all meetings of the provisional board of directors shall be held at the Town of Midland, in the County of Simcoe, or at such other place as may best suit the interests of the Company.

5. Conveyances of land to the Company for the purposes of and powers given by this Act, made in the form set forth in Schedule A hereunder written, or to the like effect, shall be sufficient conveyance to the Company, their successors and assigns of the estate or interest therein mentioned, and sufficient bar of dower respectively, of all persons executing the same; and such conveyances shall be registered in the same manner and 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 duplicate thereof.

Conveyance
of land to
Company.

6. No subscription for stock in the capital of the Company shall be binding on the Company unless it shall be approved by resolution of the directors, nor unless ten per centum of the amount subscribed has been actually paid thereon within one month after subscription.

Subscriptions
for stock
when binding.

7. The Company may receive from any Government or from any persons or bodies corporate, municipal or politic, who may have power to make or grant the same, aid towards the construction, equipment or maintenance of the said railway by way of gift, bonus or loan of money or debentures or other securities for money, or by way of guarantee upon such terms and conditions as may be agreed upon.

Aid to
railway.

8. The capital stock of the Company hereby incorporated shall be \$500,000 (with power to increase the same in the manner provided by *The Railway Act of Ontario*) to be divided into 5,000 shares of \$100 each, and shall be raised by the persons and corporations who may become shareholders in the Company, and the money so raised shall be applied, in the first place, to the payment of all fees, expenses and disbursements of and incidental to the passing of this Act,

Capital stock.
Rev. Stat.
c. 207.

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 election of directors.

9. When, and as soon as shares to the amount of \$100,000 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 week's notice of such meeting by advertisement in *The Ontario Gazette* and in at least one newspaper published in the said Town of Midland, of the time, place and purpose of the said meeting.

Number of directors and quorum.

10. At such general meeting the shareholders present either in person or by proxy, who shall at the opening of such meeting have paid up ten per centum on the stock subscribed by them, shall elect not less than five and not more than twelve persons to be directors of the Company in manner and qualified as hereinafter mentioned, who shall constitute a board of directors and shall hold office until the next general annual meeting; and a majority of directors shall form a quorum of the board, and may pass such rules, regulations and by-laws as may be deemed expedient and are not inconsistent with this Act and *The Railway Act of Ontario*; and the said board may employ and pay one of their number as managing director.

Rev. Stat. c. 207.

Qualifications of directors.

11. 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 construct line in sections.

12. The Company is 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, 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

Rev. Stat. c. 207.

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."

13. Aliens and companies incorporated abroad, as well as British subjects and corporations, may be shareholders in the Company, and all such shareholders, whether resident in this Province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible for office as directors in the Company. Rights of
aliens.

14. The directors may from time to time make calls ^{§27} on the subscribed stock of the Company ^{§28} 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 16 of this Act. Calls on stock

15. The directors may enter into a contract or contracts with any individual, corporation or association of individuals for the construction or equipment of the railway or any part thereof, including or excluding the purchase of right of way, and may pay therefor, either in whole or in part, either in cash or bonds, or in paid-up stock, ^{§29} and may pay or agree to pay in paid up stock ^{§30} or in bonds of the Company such sums as they may deem expedient to engineers or for the right of way, material, plant or rolling stock, and also for the services of the promoters or other persons who may be employed by the directors for the purpose of assisting the directors and furthering the undertaking, ^{§31} or for the purchase of right of way, material, plant or rolling stock ^{§32} whether such promoters or other persons be provisional or elected directors or not; provided that no such contract shall be of any force or validity ^{§33} unless first authorized ^{§34} by resolution passed by the votes of the shareholders in person or by proxy, representing two-thirds in value ^{§35} of the subscribed capital stock, and on which no call is in default and unpaid at a general meeting specially called for that purpose. Contracts for
construction
of lines, etc.

Provi-o.

16. The head office of the Company shall be at the said Town of Midland, in the County of Simcoe, and the general annual meeting of the shareholders of the Company shall be Head office.

held in such place in the said Town of Midland 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 Town of Midland during the four weeks immediately preceding the week in which such meeting is to take place.

Special
general
meetings.

17. Special general meetings of the shareholders of the Company shall 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 by
proxy at
meetings.

18. At all meetings of the Company the shareholders thereof may vote by proxy, and the proxy may be appointed in such manner and by such means as the by laws of the Company may provide, but no person shall be qualified to be so appointed who is not himself a shareholder in the Company.

Bonds.

19. The directors of the Company shall have power to issue bonds of the Company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all the sum of \$20,000 for each mile of the said railway and branches, and the provisions of sub sections 19, 20, 21, 22 and 23 of section 9 of *The Railway Act of Ontario* shall apply to all such bonds and the issue thereof, and such bonds shall be issued subject and according to and in conformity with the provisions of the said sub-sections.

Rev. Stat., s.
207.

Bonds, etc.,
how payable.

Transfer of
bonds.

20. All such bonds, debentures and other securities and coupons and interest warrants thereon respectively may be made payable to bearer and transferable by delivery, and any holder of any such securities so made payable to bearer may sue at law thereon in his own name.

Negotiable
instruments.

21. The Company shall have power and authority to become parties to promissory notes and bills of exchange for sums not less than \$100, and any such promissory note or bill of exchange made, accepted or endorsed by the president 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 the proper authority until the contrary be shewn; and in no case shall it be necessary to have the seal of the said Company affixed to such promissory note or bill of exchange, nor shall

the president, vice-president, or the secretary 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. Proviso.

22. The Company may from time to time, for advances of money to be made thereon, mortgage or pledge any bonds which they may be enabled under the powers of this Act, to issue for the construction of the said railway. Mortgaging and pledging bonds.

23. It shall be lawful for the directors of the Company to enter into an agreement or agreements with any other company or companies, if lawfully authorized to enter into such agreements, or with any person or persons, for leasing, hiring or use of any locomotives, carriages, rolling stock and other moveable property from such companies or persons for such time or times and on such terms as may be agreed on; and also to enter into agreements with any railway company or companies, if so lawfully authorized, for the use by one or more of such contracting companies of the locomotives, carriages, rolling stock and other moveable 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 for leasing or hiring rolling stock.

24. The Company may also construct an electric telegraph line and a telephone line throughout and along the whole line of their railway and the branches thereof, or any part of the said railway or branches, and for the purpose of constructing, working and protecting the said telegraph and telephone lines, the powers conferred upon telegraph companies by *The Act respecting Telegraph Companies*, being chapter 192 of the Revised Statutes of Ontario, 1897, are hereby conferred upon the Company; provided that no poles shall be erected in the construction of either of the said lines in or through any city, town or incorporated village, without the consent of the council of such city, town or village being first obtained by the Company; provided also that such telegraph and telephone lines shall be used exclusively for the purposes of the business of the Company. Telegraph and telephone lines.
Rev. Stat c. 192
Proviso

25. Any municipality or any portion of a township municipality which may be interested in securing the construction of said railway, or through any part of which or near which the railway or works of the Company shall pass or be situated may aid the Company by giving money or debentures by way of bonus, gift or loan, or by the guarantee of the munici- Aid from Municipalities

Proviso ciproal corporation, under and subject to the provisions herein-after contained; provided always that such aid shall not be given except after the passing of a by-law for the purpose, and the adoption of such by-law by the qualified ratepayers of the municipality or portion of the municipality (as the case be) in accordance with and as provided by law in respect to granting aid, by way of bonuses to railways.

Submitting bonus by-laws **26.** Such by-law shall be submitted by the municipal council to the vote of the ratepayers in manner following, namely:—

(1) The proper petition shall first be presented to the council expressing the desire to aid the railway, 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.

Rev. Stat. c. 223 (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 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

By-law what to contain. **27.** Such by-laws shall in each instance provide:—

(1) For raising the amount petitioned for in the municipality or portion of the township municipality (as the case may be) mentioned in the petition, by the issue of debentures of the county or minor municipality, respectively, and shall also provide for the delivery of said debentures, or the application of the amount to be raised thereby, as may be expressed in the said by-law.

(2) For assessing and levying upon all rateable property lying within the municipality or portion of the township municipality defined in the 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 the 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.

28. In case of aid from a county municipality, fifty resident freeholders of the county may petition the county council against submitting the said by-law, upon the ground that certain minor municipalities or portions thereof, comprised in the said by-law, would be injuriously affected thereby, or upon any other ground ought not to be included therein, and upon deposit by the petitioners, with the treasurer of the county, of a sum sufficient to defray the expenses of such reference, the said council shall forthwith refer the said petition to three arbitrators, one being the judge of the county court, 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.

Petition
against aid
from county.

29. The term "Minor Municipality" shall be construed to mean any town not separated from the municipal county, township or incorporated village situate in the county municipality.

Minor municipality
meaning of

30. Before any such by-law is submitted the Company shall if required, deposit with the treasurer of the municipality a sum sufficient to pay the expenses to be incurred in submitting said by-law.

Deposit before
by-law is
submitted.

31. In case the by-law submitted be approved of and carried in accordance with the provisions of the law in that behalf, then within four weeks after the date of such voting, the municipal council which submitted the same shall read the said by-law a third time and pass the same.

Council to
pass by-law if
assented to.

32. Within one month after the passing of such by-law the said council and the mayor, warden, reeve or other head,

Issue of
debentures.

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.

33. In case any such loan, guarantee or bonus, be so granted by a portion of a township municipality, the rate to be levied for payment of the debentures issued therefor, and the interest thereon, shall be assessed and levied upon such portions only of such municipality.

34. The provisions of *The Municipal Act* and the amendments thereto so far as the same are not inconsistent with this Act shall apply to any by-law so passed by or for a portion of a township municipality, to the same extent as if the same had been passed by or for the whole municipality.

35. The council 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 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.

36. It shall and may be lawful for the council of any municipality that may grant aid by way of bonus to the company, by resolution or by-law, to extend the time for the completion of the work (on 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.

37. Any municipality or portion of a township municipality, interested in the construction of the railway of the Company, may grant aid by way of bonus to the Company towards the construction of such railway, notwithstanding that such aid may increase the municipal taxation of such municipality, or portion thereof, beyond what is allowed by law; provided that such aid shall not require the levying of a greater aggregate annual rate for all purposes exclusive of school rates, than three cents in the dollar upon the value of the rateable property therein.

38. It shall be lawful for the corporation of any municipality through any part of which the railway of the Company passes, or in which it is situate, by by-law especially passed for that purpose, to exempt the Company and its property within such municipality, either in whole or in part from municipal assessment or taxation or to agree to a certain sum per annum, or otherwise in gross, by way of com-

mutation 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.

39. Any municipality through which 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 said railway; and the Company shall have power to accept gifts of land from any Government or any person or body corporate or politic, and shall have power to sell or otherwise dispose of the same for the benefit of the Company.

Gifts of lands
from municipalities.

40. Whenever any municipality or portion of a township municipality shall grant aid by way of bonus or gift to the 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 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 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.

Trustees of
municipal
debentures.

41. The said trustees shall receive the said debentures or bonds, in trust, firstly, under the directions of the Company, but subject to the conditions of the by-laws in relation thereto as to time and manner, to convert the same into money or otherwise dispose of them; secondly, to deposit the debentures or amount realized from the sale in some chartered bank having an office in the Province of Ontario in the name of "The Midland Terminal Railway Company Municipal Trust Ac-

Trusts of
municipal
debentures.

count," and to pay the same out to the Company from time to time as the Company becomes entitled there'o, under the conditions of the by law granting the said bonus, and on the certificate of the chief engineer of the said railway for the time being in the form set out in Schedule B. hereto, or to the like effect, which certificate shall set forth that the conditions of the by-law have been complied with, and is to be attached to the cheque or order drawn by the said trustees for such payment or delivery of debentures, and such engineer shall not wrongfully grant any such certificate under a penalty of \$500, recoverable in any court of competent jurisdiction by any person who may sue therefor.

Fees of
the trustees.

42. The trustees shall be entitled to their reasonable fees and charges from the said trust fund, and the act of any two of such trustees shall be as valid and binding as if the three had agreed.

Power to
purchase
whole lots.

43. 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.

Rev. Stat.
c. 207.

Acquiring
materials for
road beds, etc.

44. When stone, gravel, earth or sand is or are required for the construction or maintenance of said railway or any part thereof, the Company may, in case they cannot agree with the owner of the lands on which the same are situate for the purchase thereof, cause an Ontario *Land Surveyor* to make a map and description of the property so required, and they shall serve a copy thereof, with their notice of arbitration, as in case of acquiring the roadway, and the notice of arbitration, the award and tender of compensation, shall have the same effect as in case of arbitration for the railway; 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 land may be taken, or who may sell shall apply to the subject matter of this section, as to 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 mater-

Rev. Stat
c. 207.

ials 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.

45. When said gravel, stone, earth or sand shall be taken under the preceding section of this Act, at a distance from the line of railway, the Company may lay down the necessary sidings and tracks over any lands which may intervene between the railway and the lands on which the said material shall be found, whatever the distance may be; and all the provisions of *The Railway Act of Ontario* and of this Act, except such as relate to filing plans and publications of notice, shall apply and may be used and exercised to obtain the right of way from the railway to the land on which such materials are situated; and such right may be so acquired for a term of years or permanently, as the Company may think proper; and the powers in this and the preceding section may at all times be exercised and used in all respects after the railway is constructed, for the purpose of repairing and maintaining the said railway.

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.

46. The Company shall have power and authority,

(1) To purchase lands for the erection, building, use and maintenance of warehouses, elevators, docks, dockyards, wharfs, slips, piers, stations, workshops, machine shops, foundries and offices, and from time to time to alter, repair and enlarge the same and to sell and convey such lands as may be found superfluous for such purposes; and the Company shall have power to build, own and hold as part of the property of the Company as many steam and 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.

Powers of company.

Warehouses, elevators, etc.

(2) To acquire and operate railway ferries and steam and ferry vessels for the accommodation of passengers and freight.

Ferries.

(3) To acquire *by lease or purchase* and utilize water power for the purposes of compressing air or generating electricity, for lighting, heating, or other purposes required for the undertakings mentioned in this section.

Water and steam power.

(4) To build, purchase and acquire engines, carriages, wagons and all machinery and contrivances necessary and convenient for the working of the railway and the accommodation and use of passengers, freight and business of the railway or which may be required for the proper equipment of the company in carrying out any undertaking authorized by this Act.

Rolling stock

Terminal facilities.

(5) To acquire, construct and maintain railway terminal facilities in or near the said Towns of Midland and Penetanguishene or at other points on the land of the said railway.

Snow fences.

47. The Company shall have the right on and after the first day of November in each year to enter into and upon any lands of 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 damage (if any) as may hereafter be established in the manner provided by law in respect to such railway, to have been actually suffered; provided always that any such snow fences so erected shall be removed on or before the first day of April next following.

Proviso.

Agreements with other companies.

48. The Company is authorized and empowered to make necessary arrangements to contract and agree with the Grand Trunk Railway Company of Canada, The Canadian Pacific Railway Company, The Canada Atlantic Railway Company, The Intercolonial Railway Company and The Manitoulin and North Shore Railway Company, ^{and} and any other railway company the lines of which are approached or crossed by the line or lines of the Company, ^{and} if lawfully authorized to enter into such arrangements for amalgamation with any or either of them; provided that no such contract shall be of any force or validity unless first authorized by resolution passed by the votes of the shareholders in person or by proxy, representing two-thirds in value of the subscribed capital stock and on which no call is in default and unpaid, at a general meeting specially called for that purpose.

Proviso.

Agreements for running arrangements with other companies.

49. The Company shall have power to agree for connections and make running arrangements with the Grand Trunk Railway Company of Canada, the Canadian Pacific Railway Company, the Canada Atlantic Railway Company, the Intercolonial Railway Company and the Manitoulin and North Shore Railway Company ^{and} and any other railway company the lines of which are approached or crossed by the line or lines of the Company, if ^{and} lawfully empowered to enter into such arrangements, upon terms to be first authorized 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 Company *hereby incorporated* to enter into *an* agreement with either of the said railway companies, if lawfully authorized to enter into such an agreement, for the sale or leasing or hiring of the whole or any portion of the railway herein 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 if the arrangements and agreements shall be so authorized 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 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 the Province of Ontario.

50. The Company shall grant running powers over the said line of railway, or any portions thereof, and the necessary use of its tracks, stations, station grounds, wharves and docks without discrimination or preference, to all other steam railway companies applying therefor, upon such terms as may be agreed upon between the Company and the railway so applying, and in default of agreement upon such terms as the Railway Committee of the Executive Council of Ontario may fix and determine. *§1*

51. Shares in the capital stock of the Company may be transferred by any form of instrument in writing, but no transfer shall become effectual unless the stock or scrip certificates issued in respect to shares intended to be transferred are surrendered to the Company, or the surrender thereof dispensed with by the Company. Transfer of shares.

52. The Company shall have power to collect and receive all charges subject to which goods or commodities may come into their possession, and on payment of such back charges, and without any formal transfer, shall have the same lien for the amount thereof upon such goods and commodities as the person to whom such charges were originally due, and shall be subrogated by such payment in all the rights and remedies of such persons for such charges. Collecting back charges on goods.

53. The provisions of *The Railway Act of Ontario* and of every Act in amendment thereof shall be incorporated with, and be deemed to be part of this Act, and shall apply to the Company and to the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof; and the expression "this Act" when used herein, shall be understood to include the clauses of the said *Railway Act* and of every Act in amendment thereof so incorporated with this Act. Application of Rev. Stat. c. 207.

54. The railway hereby authorized shall be commenced within two 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. Time for commencement and completion of road.

Agreements
as to running
arrangements
subject to
Government
control.

55. The authority and power conferred on the Company by this Act to enter into agreements with any other railway company for connections, running arrangements, sale, lease, amalgamation or hiring of the said railway shall be subject to such terms, conditions and regulations as may be provided and enacted by any general or special Act or Acts which may at the time such agreement is entered into be in force, and to such terms, conditions and regulations, general or special, as the Lieutenant-Governor in Council, or any Special Committee of the Executive Council of Ontario appointed for that purpose, may from time to time order.

SCHEDULE A.

(Section 5).

Know all men by these presents that I (or we) (*insert the name or names of the vendor or vendors*) in consideration of _____ dollars paid to me (or us) by The Midland Terminal 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 Midland Terminal 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 _____

SCHEDULE B.

(Section 41).

CHIEF ENGINEER'S CERTIFICATE

The Midland Terminal Railway Company's Office.
No. _____ A.D. 19 _____

ENGINEER'S DEPARTMENT.

Certificates to be attached to cheques drawn on The Midland Terminal Railway Company Municipal Trust Account given under section _____ chapter _____, of the Acts of the Legislature of Ontario, passed in the third year of His Majesty's reign.

I, _____ chief engineer of The Midland Terminal Railway Company do hereby certify that the said Company has fulfilled the terms and conditions necessary to be fulfilled under the by-law No. _____ of the township of _____ (or under the agreement dated the _____ day of _____ 19 _____ between the corporation of _____ and the said company to entitle the said company to receive from the said Trust the sum of _____ (*here set out the terms and conditions, if any, which have been fulfilled*).

No. 80.

1st Session, 10th Legislature,
3 Edward VII., 1903.

BILL.

An Act to incorporate The Midland
Terminal Railway Company.

First Reading, 28th April 1903.

(Reprinted as amended by Railway Com-
mittee.)

(Private Bill).

Mr. TUDHOPE.

TORONTO:

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

An Act to amend the Act incorporating the Ontario
Electric Railway Company.

WHEREAS, *The Ontario Electric Railway Company* has Preamble.
petitioned for an Act to amend its Act of Incorporation, 2 Edward VII., chapter 87, by adding a clause thereto providing for its organization; and whereas, it is expedient to
5 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 Act of Incorporation being chapter 87 of the 2 Edward
10 Acts passed in the session, held in the second year of His Majesty's reign, is amended by adding thereto as part thereof, VII., c. 87,
the following clause, as section 7a thereof:— amended.

7a. When and as soon as ten per cent. of the authorized Meeting of
capital stock has been subscribed, and ten per cent. on the company for
15 subscribed capital has been paid in cash into some chartered election of
bank in Canada, the provisional directors, or a majority of directors.
them, shall call a meeting of the shareholders of the company
for the purpose of organization, at the place where the head
office is situate, at such time as they think proper, giving the
20 notice prescribed by section 54 of *The Electric Railway Act*,
at which meeting the shareholders who have paid at least ten Rev. Stat.,
per cent. of the amount of stock subscribed for by them, c. 209.
shall, from the shareholders possessing the qualifications
mentioned in said *Electric Railway Act*, elect the number of
25 directors prescribed by this Act.

An Act to amend the Act incorporating The Ontario
Electric Railway Company.

WHEREAS, The Ontario Electric Railway Company has Preamble.
petitioned for an Act to amend its Act of Incorporation, 2 Edward VII., chapter 87, by adding a clause thereto providing for its organization; 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 Act of Incorporation being chapter 87 of the Acts passed in the session held in the second year of His Majesty's reign, is amended by adding thereto as part thereof, the following clause, as section 7a thereof:— 2Edward VII, c. 87, amended.

7a. When and as soon as ten per cent. of the authorized capital stock has been subscribed, and ten per cent. on the subscribed capital has been paid in cash into some chartered Meeting of company for election of directors.
*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 of the company for the purpose of organization, at the place where the head office is situate, at such time as they think proper, giving the notice prescribed by section 54 of *The Electric Railway Act*, at which meeting the shareholders who have paid at least ten per cent. of the amount of stock subscribed for by them, shall, from the shareholders possessing the qualifications mentioned in said Electric Railway Act, elect the number of directors prescribed by this Act. Rev. Stat., c. 209.*

No. 81.

1st Session, 10th Legislature.
3 Edward VII, 1903.

BILL

An Act to amend the Act incorporating
The Ontario Electric Railway Com-
pany.

First Reading, 24th April, 1903.

(Reprinted as amended by the Railway
Committee.)

Mr. GRAHAM.

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

