









# BILL

## An Act respecting the Berlin and Bridgeport Electric Street Railway Company, Limited.

**W**HEREAS The Berlin and Bridgeport Electric Street <sup>Preamble.</sup> Railway Company, Limited, was incorporated on the seventh day of January, 1901, by Letters Patent under the Great Seal of Ontario, for the purpose of constructing and operating an electric railway between the points set out in the said Letters Patent, and to construct and operate works for the production, sale and distribution of electricity for the purpose of light, heat and power; and whereas the Company has by its petition prayed that an Act may be passed to re-incorporate the said Company under the name of "The Berlin and Northern Electric Railway Company," increasing the capital stock of the Company to \$400,000; declaring that all existing Municipal By-laws relating to the said Company shall continue as before re-incorporation, unless and until the said existing Municipal By-laws are lawfully changed; authorizing the Company to construct, equip, own, maintain and operate an extension of its present railway line from a point in or near the Village of Bridgeport, in the county of Waterloo, to the Villages of Elora and Fergus, in the county of Wellington, and to cross the Grand River, or branches thereof, by bridges as may be required; and to purchase, acquire, lease and own any other railway or part thereof; and to make traffic, both freight and passenger, arrangements with any electric or steam railway company; and to generate and use electrical, steam and other energy, and with power to dispose of surplus electricity for lighting and power purposes to municipalities, corporations and persons along the said railway, subject to the provisions of *The Power Commission Act*; and to construct, equip, own and operate telephone lines and to charge tolls for the use thereof, and for other purposes; 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:—

**Change of name.**      **1.** The name of the Berlin and Bridgeport Electric Street Railway Company, Limited, is changed to the "Berlin and Northern Railway Company."

**Capital stock.**      **2.** The capital stock of the Company shall be \$400,000.

**Application of municipal by-laws.**      **3.** All existing Municipal By-laws relating to the said Company shall continue as before the passing of this Act, unless and until such Municipal By-laws are changed.

**Location of line.**      **4.** The Company is authorized and empowered to lay out, construct, equip, maintain, own and operate an extension of the Company's railway line from a point in or near the Village of Bridgeport, in the County of Waterloo, to the Villages of Elora and Fergus, in the County of Wellington, and may operate its said railway by electricity, steam or other motive power.

**Crossing Grand River.**      **5.** The Company is authorized to cross the Grand River, or branches thereof by bridges as may be required.

**Power to amalgamate with, purchase, etc., other railways.**      **6.** The Company may, subject to the provisions of *The Ontario Railway Act, 1906*,

(a) Amalgamate with any other steam or electric railway, now or hereafter incorporated, which operates wholly or in part within the territory of the Company.

(b) Acquire by purchase or lease any electric or steam railway, operating wholly or in part within the territory of the Company, or any part of the trackage or rolling stock of any such railway.

(c) Make traffic arrangements, both freight and passenger, with any electric or steam railway Company.

**Development of electrical power.**      **7.** The Company shall have power to generate and use electrical, steam or other energy, and may enter into contracts for the purpose of disposing of surplus electricity for lighting and power purposes to municipalities, corporations and persons along said railway, subject to the provisions of *The Power Commission Act*.

**Telephone lines.**      **8.** The Company may construct, equip, own, maintain and operate telephone lines throughout and along the whole line of its railway and charge tolls for the use thereof.

**9.** The Company is authorized for all or any of the purposes aforesaid to acquire, lease, purchase, own and hold land and franchises; and to make and execute such agreements and contracts as may be necessary and advisable from time to time with any municipalities, corporations and persons. <sup>Power to hold land.</sup> <sup>Agreements with municipalities.</sup>

**10.** The Company may issue bonds, debentures or other securities to the extent of \$30,000 a mile of single track of the said railway, constructed or under contract to be constructed. <sup>Bonds.</sup>

**11.** The provisions of *The Ontario Railway Act, 1906*, except where inconsistent with the provisions of this Act, shall apply to the Company and to the Railway. <sup>Application of 6 Edw. VII. c. 30.</sup>

No. 1.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting the Berlin and Bridge-  
port Electric Street Railway Com-  
pany, Limited.

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1st Reading, 1912.

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(*Private Bill.*)

MR. LACKNER.

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



# BILL

## An Act respecting The Berlin and Bridgeport Electric Street Railway Company, Limited.





**W**HEREAS The Berlin and Bridgeport Electric Street <sup>Preamble.</sup> Railway Company, Limited, was incorporated on the seventh day of January, 1901, by Letters Patent under the Great Seal of Ontario, for the purpose of constructing a railway <sup>to</sup> to be operated by electricity, <sup>between</sup> between the points set out in the said Letters Patent, and to construct and operate works for the production, sale and distribution of electricity for the purpose of light, heat and power; and whereas the Company has by its petition prayed that an Act may be passed to re-incorporate the said Company under the name of "The Berlin and Northern Railway Company," increasing the capital stock of the Company to \$400,000; authorizing the Company to construct, equip, own, maintain and operate an extension of its present railway from a point in or near the Village of Bridgeport, <sup>in</sup> in the Township of Waterloo, <sup>in</sup> in the County of Waterloo, to the Villages of Elora and Fergus, <sup>in</sup> in the Township of Nichol, <sup>in</sup> in the County of Wellington; and with power to dispose of surplus electricity for lighting and power purposes to municipalities, corporations and persons along the said railway, subject to the provisions of *The Power Com-* <sup>7 Edw. VII.</sup> *mission Act*; and whereas it is expedient to grant the prayer <sup>c. 19.</sup> 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 Berlin and Bridgeport Electric Street <sup>Change of name.</sup> Railway Company, Limited, is changed to "The Berlin and Northern Railway Company," <sup>hereinafter</sup> hereinafter called "the Company." <sup>to</sup>

2. The capital stock of the Company shall be \$400,000. <sup>Capital stock.</sup>

Location  
of line.



3. The Company is authorized and empowered to *survey*, lay out, construct, *complete*, equip *and* maintain an extension of the Company's railway line from a point in or near the Village of Bridgeport,  in the Township of Waterloo,  in the County of Waterloo, to the Villages of Elora and Fergus,  in the Township of Nichol,  in the County of Wellington, and may operate its said railway by electricity, steam or other motive power.

Agreements  
with other  
railway  
companies.



 4. Subject to the provisions of *The Ontario Railway Act, 1906*, the Company may enter into agreements with any other railway or transportation company which may be constructed and operated in any portion of the country to be served by the proposed undertaking hereby authorized for any of the purposes specified in Section 58 of *The Ontario Railway Act, 1906*. 

Disposal of  
surplus  
electricity



7 Edw. VII.  
c. 19.

 5.—(1) The Company may enter into contracts for the purpose of disposing of surplus electricity for lighting and power purposes to municipalities, corporations and persons along said railway subject to the provisions of *The Power Commission Act*. 


Consent of  
municipality  
and approval  
of Hydro-  
Electric  
Power  
Commission.


 (2) The Company shall not supply electricity in any municipality except under a by-law passed by the council of the municipality, or under an agreement entered into with the municipal corporation, and no such by-law or agreement shall take effect or be binding upon the municipality until the same has been approved by the Hydro-Electric Power Commission of Ontario. 



Supervision  
of rates by  
Commission.



 (3) The rates chargeable by the Company for supplying electricity shall at all times be subject to the supervision of the Hydro-Electric Power Commission of Ontario, and upon the complaint in writing of any municipal corporation, company or person that the company is charging rates which are excessive or unfair, or is unjustly discriminating against or in favour of any municipal corporation, company or person the Chairman of the Commission may appoint a time and place at which the said Commission, or some member thereof, will hear and determine the matter in dispute. 



Notice of  
hearing by  
Commission.

 (4) Such notice of such appointment as the Chairman may direct shall be given by the Secretary of the said Commission to all parties concerned. At the time and place appointed the said Commission, or, with the consent of all parties, any member of the said Commission shall hear and determine the matter in dispute, and shall make an order dismissing or allowing the complaint and directing what rates



shall be charged by the company, and directing the amendment of any by-law or agreement accordingly 

 (5) The said Commission or the member thereof conducting the hearing, shall have the powers authorized to be conferred upon a commissioner appointed under *The Public Inquiries Act*.  <sup>Powers of Commission. 8 Edw. VII. c. 8.</sup>

 (6) If the Company neglects or refuses to obey or carry out the order or direction of the said Commission, or the member thereof conducting such case, it shall forfeit to His Majesty for the uses of the Province the sum of \$100 for every day during which such refusal or neglect shall continue.  <sup>Penalty.</sup>

 (7) The Company shall keep entirely separate and distinct all accounts, contracts, statements and records thereof relating to the construction, development and transmission of the said power, and such accounts shall not in any way become involved or mixed with the accounts for the construction, maintenance or operation of the said railway.  <sup>Separate accounts to be kept.</sup>

**6.** The Company may issue bonds, debentures or other securities to the extent of \$30,000 a mile of single track of the said railway, constructed or under contract to be constructed. <sup>Bonds.</sup>

**7.** The provisions of *The Ontario Railway Act, 1906*, except where inconsistent with the provisions of this Act, shall apply to the Company and to the railway constructed or  to be constructed by it.  <sup>Application of 6 Edw. VII. c. 30.</sup>

No. 1.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting The Berlin and Bridge-  
port Electric Street Railway Com-  
pany, Limited.

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1st Reading, February 15th, 1912.

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*(Private Bill.)*

*(Reprinted as amended by the Railway  
Committee.)*

MR. JACKNER.

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

# BILL

## An Act respecting The St. Catharines General and Marine Hospital

**W**HEREAS the Trustees of The St. Catharines General <sup>Preamble.</sup> and Marine Hospital have by their petition represented that The St. Catharines General and Marine Hospital was incorporated by Chapter 107 of the Acts of the Parliament of the late Province of Canada passed in the 29th year of the reign of Her late Majesty Queen Victoria; that the said Hospital has been established and maintained in the city of St. Catharines for a period of more than forty years as a public hospital, and that the said hospital has been and is now receiving aid from the Government of Ontario; that by reason of the large section of country and population served by the said hospital the buildings and equipment for many years in use have proved inadequate, and the said Trustees have acquired additional lands and erected new and additional buildings at a cost of more than \$70,000, and that there is now a balance owing in respect of the said additional land, buildings and equipment of \$30,000, and that the said Trustees have no present means of paying the same; and whereas the said Trustees have also represented that a doubt exists as to the quantity or value of land which the said corporation is, by virtue of the said recited Act, authorized to acquire, and that the said corporation should be authorized to acquire such land and to erect such buildings as may be necessary for the purposes of the said Hospital and as a residence or training school for nurses and as a residence for a physician in connection therewith; and whereas the said Trustees have further represented that the said corporation should be authorized to issue bonds or debentures as its needs or purposes may require to an amount not exceeding one-half the value of the real property held by the corporation, and to mortgage the real property of the corporation to an amount not exceeding one-half the value of such real property either as security for any such issue of bonds or debentures or for any other purpose which the needs or objects of the corporation may require; and whereas the said Trustees have further represented that there has been established and maintained

for more than twenty years in connection with the said hospital a residence and training school for nurses called The Mack Training School for Nurses, and that they should be authorized to continue and maintain the said training school for nurses and to prescribe rules and periods of training for and issue certificates or diplomas to nurses trained therein; that they have applied to the Council of the Municipal Corporation of the City of St. Catharines for aid by way of guarantee of the principal and interest of the bonds or debentures of the said The St. Catharines General and Marine Hospital to the amount of \$30,000, to be issued for the purpose of paying the balance due in respect of the said new and additional buildings and the furnishing and equipment thereof, and that a by-law for such purpose has been submitted to and approved of by the qualified ratepayers and that it is desirable that such by-law be confirmed; and whereas the said Trustees have prayed that an Act be passed for the above purposes; 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:—

29 V. c. 107,  
s. 2, repealed.

1. Section 2 of Chapter 107 of the Acts of the Parliament of the late Province of Canada passed in the twenty-ninth year of the reign of Her late Majesty Queen Victoria is repealed and the following section substituted therefor:

Power to  
acquire and  
hold land.

(1) The said corporation may purchase, acquire and hold any real estate within this Province which the said corporation may require for its actual use and occupation or for the purposes of the said corporation, or as a training school and residence for nurses in connection with or for the purposes of the said hospital, or as a site for the residence of a physician or physicians in attendance on or in connection with the said hospital; and may sell, lease or otherwise alienate any part of such real estate when no longer required for the purposes of the said corporation.

Issue of  
bonds or  
debentures.

(2) The said corporation is authorized and empowered to make and issue the bonds or debentures of the corporation from time to time as its needs or purposes may require to an amount not exceeding in the whole one-half of the value of the real property held by the corporation.

Power to  
mortgage.

(3) The said corporation is authorized and empowered from time to time to mortgage the real property of the corporation to an amount not exceeding in the whole one-half the value of the real property held by the corporation either

as security for any such issue of bonds or debentures as aforesaid or for any other purpose which the needs or objects of the corporation may require.

(4) The said corporation is authorized and empowered to Attorneys. appoint an attorney or attorneys for the management of its affairs, and also to appoint and remove at pleasure such physicians, officers and servants as may be deemed desirable.

2. Section 6 of the said Act is repealed.

29 V. c. 107,  
s. 6, repealed.

3. The said corporation is also authorized to maintain Training school for nurses. and continue in connection with, or as a part of, the said hospital the training school for nurses known as The Mack Training School for Nurses now and for many years past established and maintained in connection with the said hospital, and to prescribe rules and periods of training for, and to issue certificates or diplomas to, nurses trained and educated therein.

4. A By-law of the Municipal Corporation of the City of By-law of City of St. Catharines confirmed. St. Catharines intituled "A By-law to grant aid to the St. Catharines General and Marine Hospital by the guarantee of the debentures thereof to the amount of \$30,000.00," set out as Schedule "A" to this Act, which was submitted for the votes of the qualified ratepayers of the City of St. Catharines at the annual municipal election of the said city for the year 1912 and received a majority of such votes, is hereby validated and confirmed and declared binding upon the said municipal corporation.

SCHEDULE "A."

BY-LAW NUMBER ———.

A By-law to grant aid to the St. Catharines General and Marine Hospital, by the guarantee of the debentures thereof to the amount of \$30,000.00.

Whereas by Section 2a of Section 588 of the Consolidated Municipal Act, 1903, it is enacted that by-laws may be passed by the councils of cities for granting aid to any incorporated society or any association of individuals for the erection, establishment, and equipment of public hospitals for the treatment of persons suffering from disease or from injuries by accidents or violence.

And whereas the Trustees of the St. Catharines General and Marine Hospital, a body politic and corporate, incorporated under the authority of chapter 107 of the Statutes of the late Province of Canada, passed in the twenty-ninth year of the Reign of Her late Majesty Queen Victoria, have represented to this Council that the said hospital has been established and maintained in this City for a period of more than forty years as a public hospital for the treatment of persons suffering from diseases, or from injuries caused by accidents or violence, and the said Trustees have further represented to this Council that they have recently erected a new and additional building to the said hospital, and for use in con-

nection therewith, at an expenditure of \$70,000.00, and the said Trustees have also represented to this Council that in order to pay for the erection and establishment of the said new and additional building, and its equipment as a hospital, it will be necessary for the said Trustees to borrow the sum of \$30,000.00, and to issue the debentures of the said the St. Catharines General and Marine Hospital therefor, extending over a period of fifteen years, and the said Trustees have applied to the Council of this corporation for aid, by way of guarantee by this corporation, of the principal and interest of the said debentures, so to be issued as aforesaid.

And whereas this Council deems it expedient and in the public interest to grant the said aid by way of guarantee.

Therefore the Council of the corporation of the City of St. Catharines enacts as follows:—

1. That it shall be lawful for this Corporation to guarantee the payment of the principal and interest of the debentures of the St. Catharines General and Marine Hospital, to the amount of \$30,000.00, the said issue of debentures to consist of sixty debentures for the sum of \$500.00 each, with interest at four and one-half per cent. per annum, to bear date the thirty-first day of December, 1911, and to become due and payable as follows:—Four of such debentures to become due and payable on the thirty-first day of December in each of the years 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, and 1926.

2. That for the voting by such of the electors of the City of St. Catharines as are by law entitled to vote on this by-law the polls will be held at the same hour, on the same day, at the same place or places, and by the same Deputy Returning Officers and Poll Clerks as for the Municipal Election for the City of St. Catharines for the year 1912.

3. The twenty-ninth day of December, 1911, in the Council Chamber, in the City Building, St. Catharines, at ten o'clock in the forenoon, is appointed as the time and place for the appointment in writing by the Mayor or Head of the Municipality of the City of St. Catharines of persons to attend at the various polling places and at the final summing up of the votes by the Clerk of the Council on behalf of the persons interested in, and promoting or opposing, the passing of this by-law respectively.

4. The third day of January, 1912, at ten o'clock in the forenoon, at the City Clerk's Office, in the City of St. Catharines, is hereby appointed for the summing up by the said Clerk of the number of votes given for and against this by-law respectively.

5. This by-law shall not come into force until validated and confirmed by an Act of the Legislative Assembly of the Province of Ontario.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 1911.

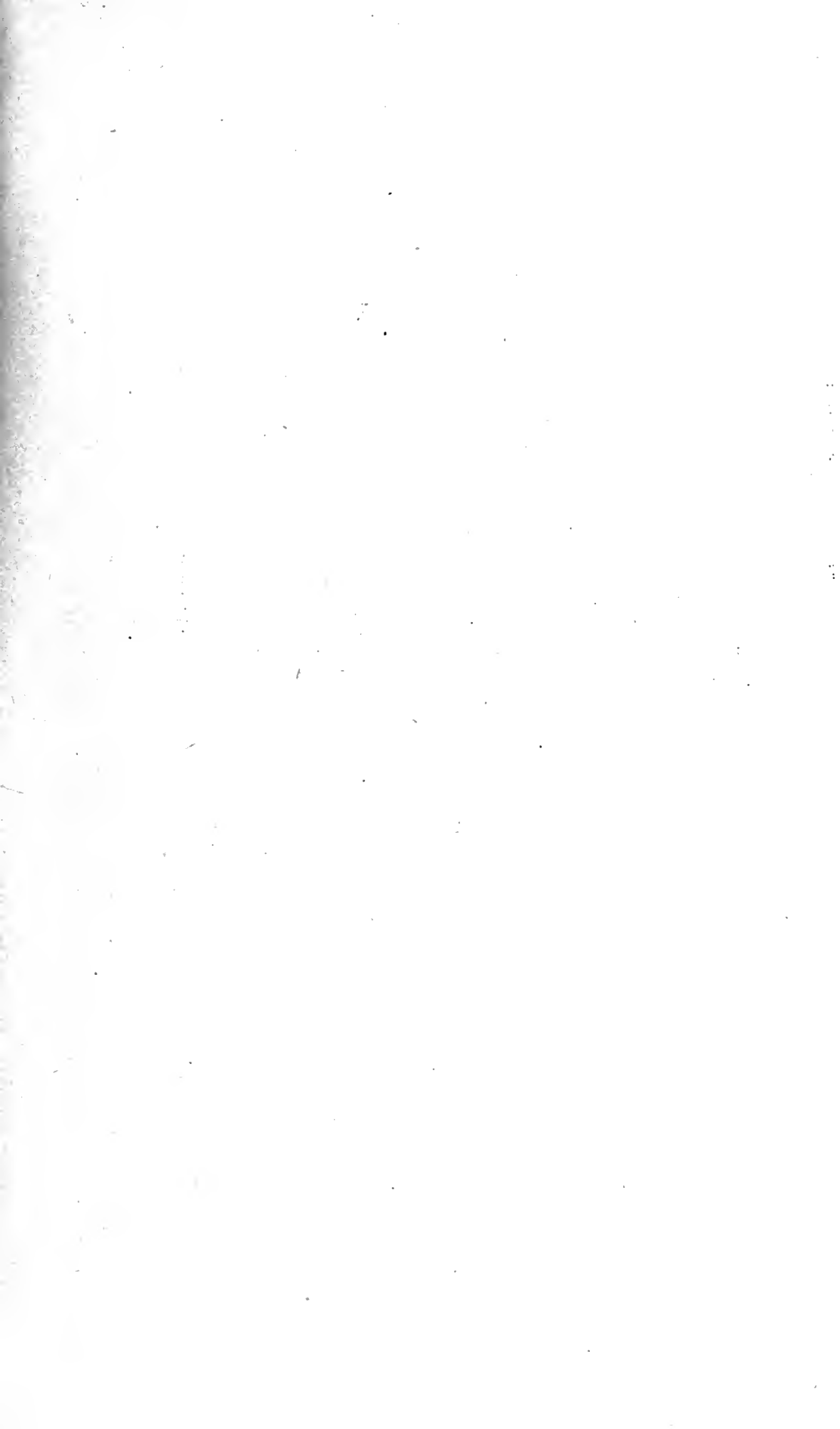
.....  
City Clerk.

.....  
Mayor.









No. 2.

1st Session, 13th Legislature,  
2 George V., 1912.

BILL.

An Act respecting the St. Catharines Gen-  
eral and Marine Hospital.

1st Reading                      1912.

(*Private Bill.*)

Mr. JESSOP.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

# BILL

## An Act to Incorporate the Porcupine Rand Belt Electric Railway Company.

**W**HEREAS Stephen Ferdinand Adalia, Gentleman; Preamble.  
Henry A. Rowland, Druggist; Frank Regan, Clerk; and W. H. Best, all of the City of Toronto, in the County of York, have by their petition prayed for an Act of Incorporation under the name of "The Porcupine Rand Belt Electric Railway Company," for the purpose of constructing and maintaining a railway to be operated by steam, electricity, or other motive power from a point at or near the eastern boundary of the Province of Ontario, in the Township of McGarry, thence westerly and southerly to a point at or near the Townsite of Lar'der City, thence westerly through the Townships of McVittie and Hearst, Gauthier and McElroy, Lebel and Boston, to a point at or near the Townsite of Dane, and crossing the line of the Temiskaming and Northern Ontario Railway Company by a separation of grades; thence westerly through the Townships of Otto and Teck, Grenfell and Eby, Burt and Holmes, Alma and Baden to a point at or near the headwaters of the Montreal River; thence westerly through the Townships of Robertson, McNeil and Argyle, Hincks and Cleaver, Geikie and Bartlett, Musgrove and Doyle, to a point at or near the eastern shore of the Matagami River, the expansion of which here is known as Kenogamisse Lake; with power to construct branches or extensions at different points along the route and to connect with the Temiskaming and Northern Ontario Railway and any other railways that may be built; and with power to generate electricity for operation and to dispose of the surplus electricity for lighting and power purposes to municipalities, corporations and persons along said railway, subject to the provisions of *The Power Commission Act*; and with power to build, acquire, operate and maintain hotels and sanitariums along the route of the proposed railway and for sundry other powers that appear in 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:—

Incorporation.

**1.** The said Stephen Ferdinand Adalia, Henry A. Rowland, Frank Regan, W. H. Best 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 Porcupine Rand Belt Electric Railway Company."

Location of line.

**2.** The company is authorized and empowered to survey, lay out, construct, complete, equip and maintain a railway to be operated by steam, electricity, or other motive power from a point at or near the eastern boundary of the Province of Ontario in the Township of McGarry, thence westerly and southerly to a point at or near the Townsite of Larder City, thence westerly through the Townships of McVittie and Hearst, Gauthier and McElroy, Lebel and Boston, to a point at or near the Townsite of Dane, and crossing the line of the Temiskaming and Northern Ontario Railway Company by a separation of grades; thence westerly through the Townships of Otto and Teck, Grenfell and Eby, Burt and Holmes, Alma and Baden, to a point at or near the headwaters of the Montreal River; thence westerly through the Townships of Robertson, McNeil and Argyle, Hincks and Cleaver, Geikie and Bartlett, Musgrove and Doyle, to a point at or near the eastern shore of the Mattagami River, the expansion of which here is known as Kenogamisse Lake; with power to construct branches or extensions at different points along the route and to connect with the Temiskaming and Northern Ontario Railway and any other railways that may be built.

Provisional directors.

**3.** The said Stephen Ferdinand Adalia, Henry A. Rowland, Frank Regan, W. H. Best shall be the provisional directors of the company.

Capital stock.

**4.** The capital stock of the company hereby incorporated shall be \$100,000.

Bonds and debentures.

**5.** The company may issue bonds, debentures or other securities to the extent of \$30,000 per mile of single track of the railway constructed or under contract to be constructed.

Number of directors.

**6.** The Board of Directors of the Company shall consist of not less than five or more than nine persons.

Head Office.

**7.** The head office of the company shall be at the City of Toronto, in the County of York.

8. Subject to the provisions of *The Ontario Railway Act, 1906*, the company shall have power to make traffic or running arrangements with the Canadian Pacific Railway Company, the Grand Trunk Railway Company, the Canadian Northern Railway Company and the Metropolitan Railway Company upon such terms as may be agreed upon.

Traffic and running arrangements.

9.—(1) The company may enter into contracts for the purpose of disposing of surplus electricity for lighting and power purposes to municipalities, corporations and persons along said railway subject to the provisions of *The Power Commission Act*.

Disposal of surplus electricity.

(2) The company shall not supply electricity in any municipality except under a by-law passed by the council of the municipality, or under an agreement entered into with the municipal corporation, and no such by-law or agreement shall take effect or be binding upon the municipality until the same has been approved by the Hydro-Electric Power Commission of Ontario.

Consent of municipality and approval of Hydro-Electric Power Commission.

(3) The rates chargeable by the company for supplying electricity shall at all times be subject to the supervision of the Hydro-Electric Power Commission of Ontario, and upon the complaint in writing of any municipal corporation, company or person that the company is charging rates which are excessive or unfair, or is unjustly discriminating against or in favour of any municipal corporation, company or person the Chairman of the Commission may appoint a time and place at which the said Commission, or some member thereof, will hear and determine the matter in dispute.

Supervision of rates by Commission.

(4) Such notice of such appointment as the Chairman may direct shall be given by the Secretary of the said Commission to all parties concerned. At the time and place appointed the said Commission, or, with the consent of all parties, any member of the said Commission shall hear and determine the matter in dispute, and shall make an order dismissing or allowing the complaint and directing what rates shall be charged by the company, and directing the amendment of any by-law or agreement accordingly.

Notice of hearing by Commission.

(5) The said Commission or the member thereof conducting the hearing, shall have the powers authorized to be conferred upon a commissioner appointed under *The Public Inquiries Act*.

Powers of Commission.

(6) If the company neglects or refuses to obey or carry out the order or direction of the said Commission, or the member thereof conducting such case, it shall forfeit to His

Penalty.

Majesty for the uses of the Province the sum of \$100 for every day during which such refusal or neglect shall continue.

Separate  
accounts to  
be kept.

(7) The company shall keep entirely separate and distinct all accounts, contracts, statements and records thereof relating to the construction, development and transmission of the said power, and such accounts shall not in any way become involved or mixed with the accounts for the construction, maintenance or operation of the said railway.

Hotels,  
sanitariums.

(8) The company may purchase land for and may erect, maintain, control and acquire hotels, and sanitariums in connection with the said railway and at any point along its route or on the lands of its branches as aforesaid.

Application  
of 6 Edw.  
VII., c. 30.

(9) The provisions of *The Ontario Railway Act, 1906*, except where inconsistent with the provisions of this Act, shall apply to the Company and the railway to be constructed by it.









No. 3.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to Incorporate the Porcupine Rand  
Belt Electric Railway Company.

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1st Reading	1912.
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(*Private Bill.*)



Mr. McCREA.

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

# BILL

## An Act to Incorporate The Porcupine Rand Belt Electric Railway Company.

**W**HEREAS Stephen Ferdinand Adalia, Gentleman; Preamble.  
 Henry A. Rowland, Druggist; Frank Regan, Clerk; and W. H. Best, *Clerk*, all of the City of Toronto, in the County of York, have by their petition prayed for an Act of Incorporation under the name of "The Porcupine Rand Belt Electric Railway Company," for the purpose of constructing and maintaining a railway to be operated by steam, electricity, or other motive power,  in the Districts of Nipissing and Sudbury,  from a point at or near the eastern boundary of the Province of Ontario, in the Township of McGarry, thence westerly and southerly to a point at or near the Townsite of Larder City, thence westerly through the Townships of McVittie and Hearst, Gauthier and McElroy, Lebel and Boston, to a point at or near the Townsite of Dane, and crossing the line of the Temiskaming and Northern Ontario Railway Company by a separation of grades; thence westerly through the Townships of Otto and Teck, Grenfell and Eby, Burt and Holmes. Alma and Baden to a point at or near the headwaters of the Montreal River; thence westerly through the Townships of Robertson, McNeil and Argyle, Hincks and Cleaver, Geikie and Bartlett, Musgrove and Doyle, to a point at or near the eastern shore of the Matagami River, the expansion of which here is known as Kenogamisse Lake; with power to construct branches or extensions at different points along the route and to connect with the Temiskaming and Northern Ontario Railway and any other railways that may be built; and with power to dispose of surplus electricity for lighting and power purposes to municipalities, corporations and persons along said railway, subject to the provisions of *The Power Commission Act*; and <sup>7 Edw. VII.,</sup> with power to build, acquire, operate and maintain hotels <sup>c. 19.</sup> and sanitariums along the route of the proposed 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:—

- Incorporation.** 1. The said Stephen Ferdinand Adalia, Henry A. Rowland, Frank Regan, W. H. Best 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 Porcupine Rand Belt Electric Railway Company," hereinafter called "the Company."
- Location of line.** 2. The company is authorized and empowered to survey, lay out, construct, complete, equip and maintain a railway to be operated by steam, electricity, or other motive power in the Districts of Nipissing and Sudbury, from a point at or near the eastern boundary of the Province of Ontario in the Township of McGarry, thence westerly and southerly to a point at or near the Townsite of Larder City, thence westerly through the Townships of McVittie and Hearst, Gauthier and McElroy, Lebel and Boston, to a point at or near the Townsite of Dane, and crossing the line of the Temiskaming and Northern Ontario Railway Company by a separation of grades; thence westerly through the Townships of Otto and Teck, Grenfell and Eby, Burt and Holmes, Alma and Baden, to a point at or near the headwaters of the Montreal River; thence westerly through the Townships of Robertson, McNeil and Argyle, Hincks and Cleaver, Geikie and Bartlett, Musgrove and Doyle, to a point at or near the eastern shore of the Mattagami River, the expansion of which here is known as Kenogamisse Lake: with power to construct branches or extensions at different points along the route and to connect with the Temiskaming and Northern Ontario Railway and any other railways that may be built.
- Provisional directors.** 3. The said Stephen Ferdinand Adalia, Henry A. Rowland, Frank Regan and W. H. Best shall be the provisional directors of the company.
- Capital stock.** 4. The capital stock of the company hereby incorporated shall be \$500,000.
- Bonds and debentures.** 5. The company may issue bonds, debentures or other securities to the extent of \$30,000 per mile of single track of the railway constructed or under contract to be constructed.
- Number of directors.** 6. The Board of Directors of the Company shall consist of not less than five or more than nine persons.
- Head Office.** 7. The head office of the company shall be at the City of Toronto, in the County of York.

8. Subject to the provisions of *The Ontario Railway Act, 1906*, the company shall have power to make running arrangements with the Canadian Pacific Railway Company, the Grand Trunk Railway Company, the Canadian Northern Railway Company and the Metropolitan Railway Company upon such terms as may be agreed upon.

9.—(1) The company may enter into contracts for the purpose of disposing of surplus electricity for lighting and power purposes to municipalities, corporations and persons along said railway subject to the provisions of *The Power Commission Act*.

Running arrangements.  
Disposal of surplus electricity.  
Edw. VII. c. 19.

(2) The company shall not supply electricity in any municipality except under a by-law passed by the council of the municipality, or under an agreement entered into with the municipal corporation, and no such by-law or agreement shall take effect or be binding upon the municipality until the same has been approved by the Hydro-Electric Power Commission of Ontario.

Consent of municipality and approval of Hydro-Electric Power Commission.

(3) The rates chargeable by the company for supplying electricity shall at all times be subject to the supervision of the Hydro-Electric Power Commission of Ontario, and upon the complaint in writing of any municipal corporation, company or person that the company is charging rates which are excessive or unfair, or is unjustly discriminating against or in favour of any municipal corporation, company or person the Chairman of the Commission may appoint a time and place at which the said Commission, or some member thereof, will hear and determine the matter in dispute.

Supervision of rates by Commission.

(4) Such notice of such appointment as the Chairman may direct shall be given by the Secretary of the said Commission to all parties concerned. At the time and place appointed the said Commission, or, with the consent of all parties, any member of the said Commission shall hear and determine the matter in dispute, and shall make an order dismissing or allowing the complaint and directing what rates shall be charged by the company, and directing the amendment of any by-law or agreement accordingly.

Notice of hearing by Commission.

(5) The said Commission or the member thereof conducting the hearing, shall have the powers authorized to be conferred upon a commissioner appointed under *The Public Inquiries Act*.

Powers of Commission.  
Edw. VII. c. 3.

(6) If the company neglects or refuses to obey or carry out the order or direction of the said Commission, or the member thereof conducting such case, it shall forfeit to His

Penalty.

Majesty for the uses of the Province the sum of \$100 for every day during which such refusal or neglect shall continue.

Separate  
accounts to  
be kept.

(7) The company shall keep entirely separate and distinct all accounts, contracts, statements and records thereof relating to the construction, development and transmission of the said power, and such accounts shall not in any way become involved or mixed with the accounts for the construction, maintenance or operation of the said railway.

Hotels,  
sanitariums.

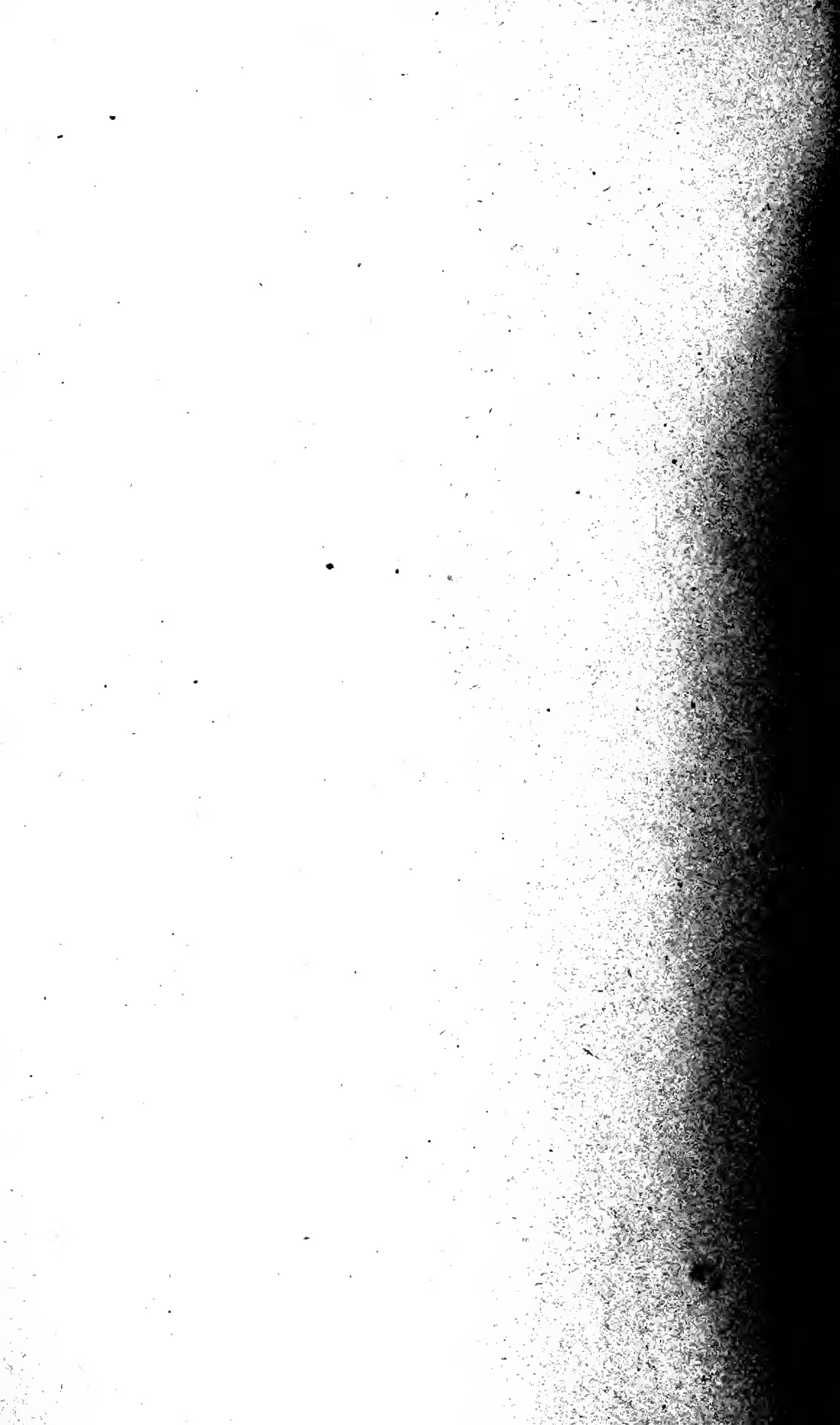
10. The Company may purchase land for and may erect, maintain, control and acquire hotels, and sanitariums in connection with the said railway and at any point along its route or on the lands of its branches as aforesaid.

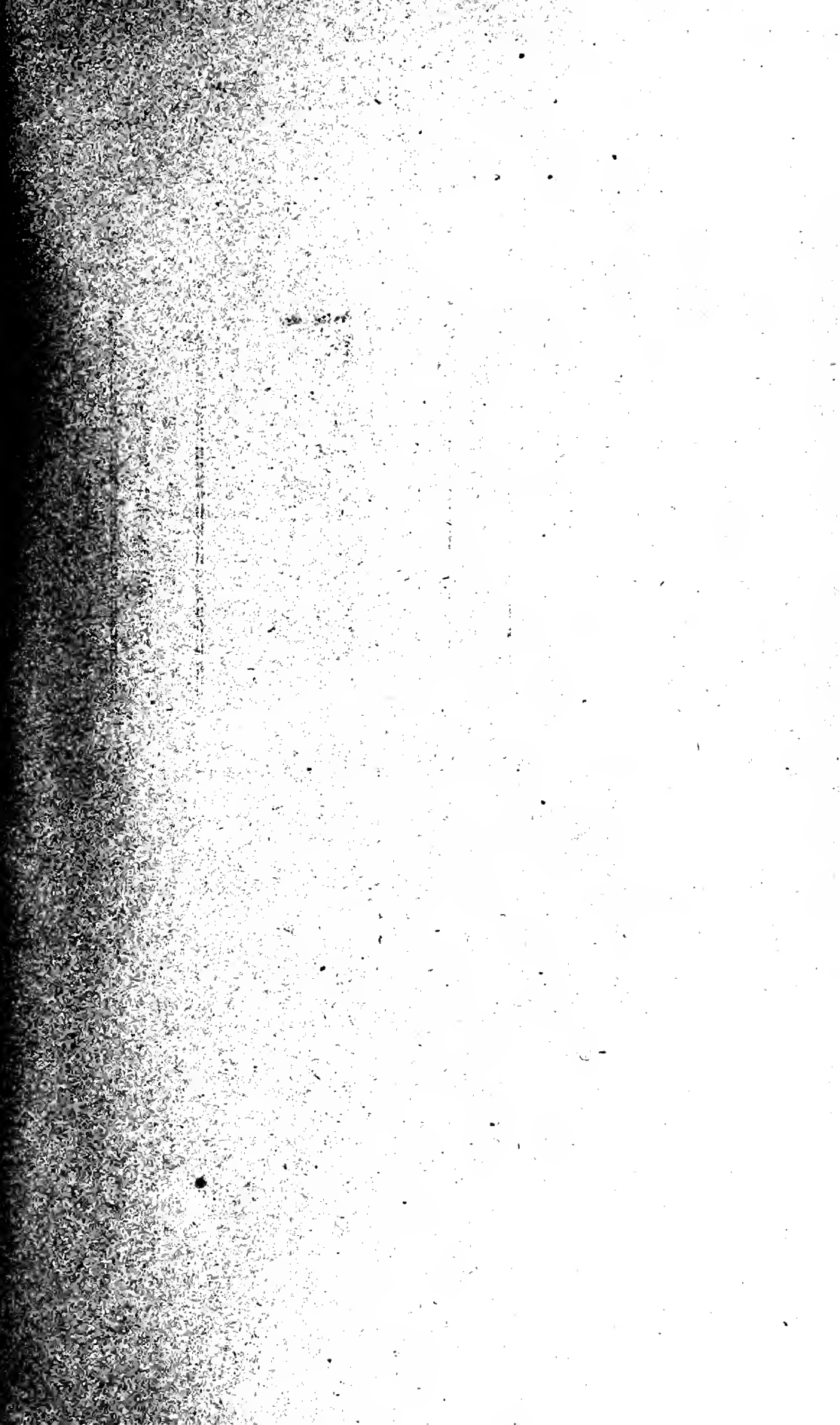
Application  
of 6 Edw.  
VII., c. 30.

11. The provisions of *The Ontario Railway Act, 1906*, except where inconsistent with the provisions of this Act, shall apply to the Company and the railway to be constructed by it.









No. 3.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to Incorporate The Porcupine  
Rand Belt Electric Railway Company.

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1st Reading, 15th February, 1912.

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*(Reprinted as amended by the Railway  
Committee.)*

*(Private Bill.)*

Mr. McCrea.

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TORONTO:

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

# BILL

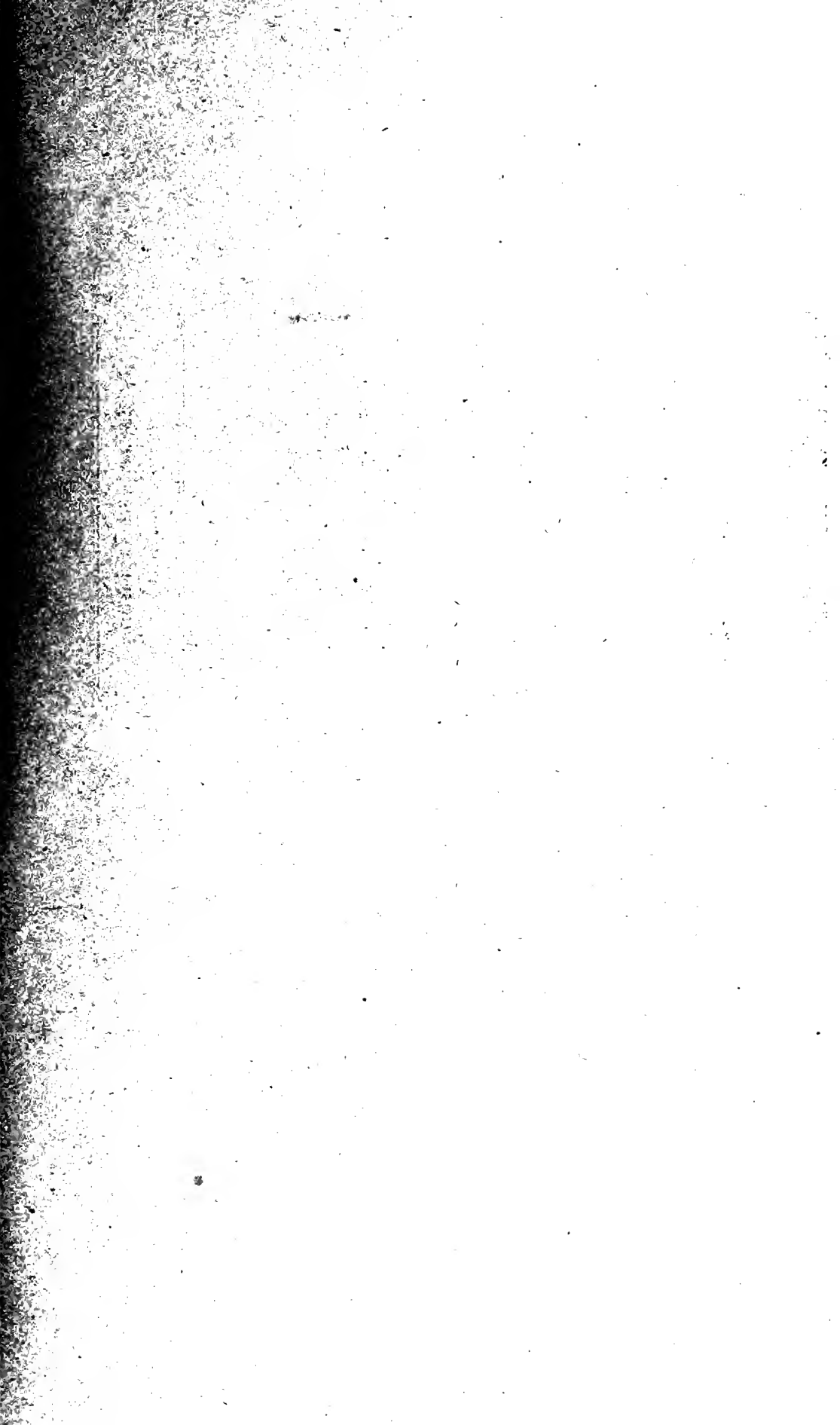
An Act to authorize the Law Society of Upper Canada to admit Harry Sanders to practise as a Barrister and Solicitor.

**W**HEREAS Harry Sanders, of the City of Toronto, <sup>Preamble.</sup> Gentleman, has by his petition represented that he is a Graduate in Arts of Trinity College Dublin, and in Arts and Laws of the University of the Cape of Good Hope; that he is fully qualified and entitled to be admitted to practise at the Bar of His Majesty's Courts in South Africa, having passed all the examinations required by Law in that behalf; that he is and has been for more than six years a Solicitor of the Supreme Court, at first of the Cape Colony and latterly of South Africa, and a Notary Public; that he has practised the said professions continuously for upwards of five years and has held a Commission as a Justice of the Peace; that, since the month of May, 1911, he has been employed by a firm of Barristers and Solicitors practising in Toronto, and has further, in spare time, endeavoured, to the best of his ability to become familiar with the Laws of the Province of Ontario and the Dominion of Canada and with the practice of the Courts thereof; and whereas it has been shown that the said Harry Sanders is otherwise a proper person to be admitted to practise as a Barrister and Solicitor in the Province of Ontario; and whereas the said Harry Sanders has by his petition prayed that an Act may be passed to authorize the Law Society of Upper Canada to admit him to practise at the Bar of His Majesty's Courts in Ontario, and also to practise as a Solicitor in the Supreme Court of Judicature; 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 admit  
Harry San-  
ders to  
practise as  
barrister  
and solicitor.

1. The Law Society of Upper Canada at any time here-  
after may admit the said Harry Sanders to practise at the  
Bar of His Majesty's Courts in Ontario and to practise as a  
Solicitor in the Supreme Court of Judicature for Ontario on  
his paying the proper fees in that behalf and on passing such  
examination as may be prescribed by the said Society, and  
without complying with any other requirements of the Law  
or any other rules or regulations of the said Society in that  
behalf.



No. 4.

1st Session, 13th Legislature,  
2 George V., 1912.

BILL.

To authorize the Law Society of Upper  
Canada to admit Harry Sanders to  
practise as a Barrister and  
Solicitor.

1st Reading. 1912.

(*Private Bill.*)

Mr. McPHERSON.



# BILL

## An Act respecting the Floating Debt of the Town of Dundas

**W**HEREAS the Municipal Corporation of the Town of Preamble.  
Dundas has by petition represented that the said Corporation has incurred a floating debt of about \$4,000 in addition to the ordinary expenses of the said Corporation, which debt has been incurred in dredging the Desjardins Canal, in pursuance of the terms of the award of William Tyndale Jennings, late of the City of Toronto, Civil Engineer, deceased, sole arbitrator appointed by The Hamilton and Dundas Street Railway Company and the petitioner by agreement dated 26th March, 1902; the particulars of such debt being as follows:—

- \$8,788.00 for 33,800 cubic yards earth excavation at 26c.
- \$300.00 for delay to dredge moving past prohibited ground.
- \$150.00 for 50 lineal feet sheet piling.
- \$100.00 for towing charges and rent of scows.
- \$40.00 paid J. F. Freeborn for permit to dump.
- \$20.00 paid E. Freeborn for damages to crops.
- \$12.00 paid E. Freeborn for repairs to fence.
- \$2.00 paid E. Freeborn for building drain.
- \$150.00 paid S. Watson *et al.* for permit to dump.
- \$18.00 paid S. Watson *et al.* for repairs to fence.
- \$10.00 paid Mitchell & Haines for damages to crops.
- \$10.00 paid Charles Wilson for damages to crops.
- \$100.00 paid Hydro-Electric Commission for moving material.
- \$25.00 paid W. F. Church for clearing roads.
- \$621.70 paid J. F. Armour for engineer's fees and for plan, etc.
- \$70.00 paid Tyrell & MacKay for survey, etc.
- \$50.00 for advertising.
- \$108.00 for incidentals.

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\$10,574.70; 37½% whereof in terms of said award being payable by the petitioner and amounting to \$3,965.62.

And whereas the said Corporation has further represented that to pay the said floating debt forthwith in addition to meeting the necessary annual expenses of the Corporation would be unduly oppressive to the ratepayers of the said Corporation; and whereas it has been made to appear that the members of the Council of the said Corporation are in favour of the consolidation of the said debt; and whereas the said Corporation by its said petition has prayed that the said floating debt may be consolidated and that the said Corporation may issue debentures for the amount thereof; 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:—

Floating  
debt con-  
solidated  
at \$4,000.

**1.** The said floating debt of the Corporation of the Town of Dundas is consolidated at the sum of \$4,000 and the said Corporation may raise by way of loan, on the credit of its debentures to be issued under the authority of this Act, from any person or persons or body corporate, the sum of \$4,000.

Amount  
of each  
debenture.

**2.** The said debentures shall be in sums of not less than \$100 each and shall be made payable at such places as the Corporation may deem expedient.

Term and  
mode of  
payment of  
debentures.

**3.** A portion of such debentures shall be made payable in each year, for a period not exceeding twenty years from the date of 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 the aggregate amount payable for principal and interest during each of the other years of the period within which this debt is to be discharged; such interest shall be made payable by coupons, to be attached to the said debentures, if the by-law so directs and shall be at such rate not exceeding five per centum per annum as the said Corporation may direct, and shall be payable half-yearly.

Hypotheca-  
tion of  
debentures.

**4.** The said Corporation may for the purpose herein mentioned raise money by way of loan on the said debentures or sell and dispose of the same as may be deemed expedient.

Application  
of proceeds  
of debentures

**5.** The said debentures and all moneys arising therefrom shall be applied by the said Corporation to the redemption of the said floating debt of \$4,000, and for no other purpose whatsoever.

6. It shall not be necessary to obtain the assent of the ratepayers of the said Corporation to the passing of any By-law or By-laws which shall be passed under the provisions of this Act, or to observe the formalities in relation thereto prescribed by *The Consolidated Municipal Act, 1903*, and any provisions in the Acts respecting municipal institutions in the Province of Ontario which are or may be inconsistent with the provisions of this Act shall not apply to the By-law or By-laws to be passed by the said Corporation under the provisions of this Act.

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

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

9. The said Corporation shall levy on all the rateable property in the said Town, 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 Floating Debt Rate," and it shall not be necessary to levy for or provide any sinking fund to retire the said debentures or any of them.

10. Nothing in this Act contained shall be held or taken to discharge the Corporation of the Town of Dundas from any indebtedness or liability which may not be included in the indebtedness hereby consolidated.

11. It shall be the duty of the Treasurer for the time being, of the said Corporation to keep, and it shall be the duty of the members from time to time of the Council of the said Corporation 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 be

come due and payable, and the several amounts which shall from time to time, be realized from the sale or negotiation of the said debentures, and the application which shall from time to time be made of the said amounts; and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said Corporation, 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.







No. 5.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting the Floating Debt of the  
Town of Dundas.

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1st Reading,                      1912.

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(*Private Bill.*)

Mr. McQUEEN,

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



# BILL

## An Act respecting the City of Kingston.

**W**HEREAS, the Corporation of the City of Kingston Preamble. has by petition represented that it is desirous of procuring the erection of an hotel in said City and has entered into an agreement with persons willing to undertake the erection of such hotel as set forth in Schedule X to the By-law of said Corporation set out in the Schedule to this Act; and whereas the said By-law was on 16th November, 1911, submitted to the votes of the electors of said City qualified to vote on money By-laws under the provisions of the Municipal Act and a large majority of the said electors voted for said By-law and the said By-law was subsequently on the twentieth day of November, A.D. 1911, passed by the Council of said Corporation, but subject to validation and confirmation by an Act of the Legislature of the Province of Ontario; and whereas the commercial interests of the city would, it is believed, be greatly promoted by the erection of the said hotel as proposed in the agreements annexed to said By-law; and whereas the Corporation of the City of Kingston has by its petition prayed that an Act be passed to validate 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. 40 (1911), of the Corporation of the City of Kingston set out in the Schedule to this Act is ratified and confirmed and declared to be valid and within the powers of the said the Corporation of the City of Kingston and to be binding upon the said Corporation. By-law No. 40 (1911) of City of Kingston confirmed.

## SCHEDULE.

BY-LAW No. 40, 1911.

*A By-law to ratify and confirm an agreement to guarantee a bond issue of \$100,000 to promote the erection of an hotel.*

Whereas, it is desirable that this Corporation should aid in promoting the erection at Kingston of an hotel of the kind and description referred to in Schedule "A" hereunto annexed;

And whereas this Corporation has, with a view to promoting the erection of said hotel, entered into the agreement hereto annexed and forming Schedule "X" to this By-law and it is expedient to pass a By-law to ratify and confirm the same;

Be it therefore enacted by the Council of the Corporation of the City of Kingston as follows:

1. The agreement hereto annexed, marked Schedule "X" is hereby ratified and confirmed, but subject to the conditions severally set out in paragraph 9 of said Schedule "X."

2. The votes of the duly qualified electors of the City of Kingston shall be taken on this By-law by the Deputy Returning Officers hereinafter named, on Thursday, the 16th day of November, 1911, commencing at nine o'clock in the morning and continuing until five o'clock in the afternoon at the undermentioned places:—

Sydenham Ward.—Polling Sub-Division No. 1, at No. 42 Wellington Street, Jeff Lovitt, Deputy Returning Officer.

Sydenham Ward.—Polling Sub-Division No. 2, at No. 95 William Street, W. C. McDonald, Deputy Returning Officer.

Ontario Ward.—Polling Sub-Division No. 3, at Ontario Hall, Francis A. Quinn, Deputy Returning Officer.

Ontario Ward.—Polling Sub-Division No. 4, at No. 216 Bagot Street, John Johnson, Deputy Returning Officer.

St. Lawrence Ward.—Polling Sub-Division No. 5, at No. 345 King Street, A. E. Loscombe, Deputy Returning Officer.

St. Lawrence Ward.—Polling Sub-Division No. 6, at No. 316 Princess Street, G. E. Lennox, Deputy Returning Officer.

Cataraqui Ward.—Polling Sub-Division No. 7, at No. 72 Queen Street, James Barry, Deputy Returning Officer.

Cataraqui Ward.—Polling Sub-Division No. 8, at No. 229 Wellington Street, James Gowan, Deputy Returning Officer.

Cataraqui Ward.—Polling Sub-Division No. 9, at No. 43 Bagot Street, William Woods, Deputy Returning Officer.

Cataraqui Ward.—Polling Sub-Division No. 10, at corner Montreal and John Streets, James A. Donaldson, Deputy Returning Officer.

Frontenac Ward.—Polling Sub-Division No. 11, at No. 267 Princess Street, John Anderson, Deputy Returning Officer.

Frontenac Ward.—Polling Sub-Division No. 12, at No. 83 Colborne Street, James B. Gordon, Deputy Returning Officer.

Frontenac Ward.—Polling Sub-Division No. 13, at No. 41 Colborne Street, William Dean, Deputy Returning Officer.

Frontenac Ward.—Polling Sub-Division No. 14, at No. 58 John Street, Robert R. Allen, Deputy Returning Officer.

Frontenac Ward.—Polling Sub-Division No. 15, at No. 21 John Street, William J. Robinson, Deputy Returning Officer.

Rideau Ward.—Polling Sub-Division No. 16, at No. 270 Division Street, William Saunders, Deputy Returning Officer.

Rideau Ward.—Polling Sub-Division No. 17, at 605 Princess Street, John Hopkirk, Deputy Returning Officer.

Rideau Ward.—Polling Sub-Division No. 18, at No. 346 Brock Street, Richard James, Deputy Returning Officer.

Rideau Ward.—Polling Sub-Division No. 19, at No. 34 U. William Street, Herbert Holder, Deputy Returning Officer.

Rideau Ward.—Polling Sub-Division No. 20, at No. 346 University Avenue, Oscar Telgmann, Deputy Returning Officer.

Rideau Ward.—Polling Sub-Division No. 21, at No. 670 Princess Street, John Peters, Deputy Returning Officer.

Victoria Ward.—Polling Sub-Division No. 22, at No. 248 Earl Street, Andrew C. McMahon, Deputy Returning Officer.

Victoria Ward.—Polling Sub-Division No. 23, at No. 3 Division Street, Chester Wood, Deputy Returning Officer.

Victoria Ward.—Polling Sub-Division No. 24, at No. 57 King Street, Alfred Simons, Deputy Returning Officer.

Victoria Ward.—Polling Sub-Division No. 25, at corner Beverley and Kings Streets, Harvey Bates, Deputy Returning Officer.

3. On the 14th day of November, 1911, at the hour of twelve o'clock noon, the Mayor of the said City shall attend at the office of the City Clerk, in said City, for the purpose of appointing, and shall appoint in writing, signed by him, two persons to attend at the final summing up of the votes given for and against this By-law, 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 the By-law, which place, day and hour are hereby fixed for said purpose:

4. On the 18th day of November, 1911, at the hour of twelve o'clock noon, at his office in the City of Kingston, the Clerk of the Municipality shall attend and sum up the number of votes given for and against the By-law.

5. This By-law shall come in force and take effect on its passing.

#### SCHEDULE "X."

Memorandum of agreement made this 23rd day of October, A.D. 1911.

#### BETWEEN:

Wallace H. Pendle, Charles E. Phenix and J. Wilbur Stevens, all of the City of Boston, in the State of Massachusetts, one of the United States of America, hereinafter called the Contractors, of the First Part,

—and—

The Corporation of the City of Kingston, hereinafter called the Corporation, of the Second Part.

#### WITNESSETH:

Whereas the Board of Trade of the City of Kingston have agreed with the Contractors as in the memorandum of agreement hereto annexed marked "A";

And whereas in consideration of the execution and performance of said memorandum of agreement by the said parties on their several parts the Corporation is willing to enter into this agreement with the Contractors for the purpose of binding itself to do, observe and perform the stipulations on its part proposed to be assumed by it as set out in said memorandum of agreement:

Now this Agreement witnesseth that in consideration of the premises and of the execution and due and faithful performance by the parties thereto of the agreement hereto annexed marked "A," the parties hereto covenant, promise and agree each with the other of them their and each of their executors, administrators, successors and assigns, as follows:

1. The Contractors shall well and faithfully do, observe and perform the several covenants, stipulations and agreements made, assumed and entered into on their part and contained in the said memorandum of agreement hereto annexed marked "A" and the Corporation may enforce the performance of the said several covenants, stipulations and agreements as if they had been made, assumed and entered into by the Contractors to and with the Corporation.

2. The bond issue of \$100,000 mentioned in the annexed memorandum of agreement marked "A," shall mature and be payable as to the whole of the principal thereof at the expiration of thirty years from the date of said bonds; and payment of the principal and interest of the said bonds shall be guaranteed by the Corporation, and such guarantee shall be endorsed and printed upon each of the said bonds, and shall be signed by the Mayor and Treasurer of the Corporation under the corporate seal in the following form:

This debenture is guaranteed by the Corporation of the City of Kingston.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 1911.

Mayor.

(Seal.)

Treasurer.

3. The said bonds after the endorsement of the guarantee by the Corporation shall be delivered to the Toronto General Trusts Corporation, and shall be secured by a first mortgage to the Toronto General Trusts Corporation upon the lands, hotel and premises referred to in the annexed memorandum of agreement marked "A"; such mortgage shall be in a form to be approved by the City Solicitor of the Corporation and shall be executed, delivered and registered in the Registry Office for the Registry Division of the City of Kingston before the issue of any of said bonds.

4. Contemporaneously with the delivery to the Toronto General Trusts Corporation by the Corporation of the said bonds guaranteed as aforesaid, the Toronto General Trusts Corporation shall execute and deliver to the Corporation a deed of trust in a form to be approved by the City Solicitor of the Corporation declaring the trusts upon which the said bonds or the proceeds of the sale of them, and all moneys paid to the Toronto General Trusts Corporation on account of the sinking fund of said bonds are and shall be held by the said the Toronto General Trusts Corporation and binding the said the Toronto General Trusts Corporation well and faithfully to execute and discharge the said trusts.

5. The assessment of the said lands, hotel and premises, including the business assessment shall, during the currency of the said bonds, be fixed for all Municipal purposes at the sum of \$50,000; except that the said lands, hotel and premises shall for School purposes be assessed at their full assessable value, including business assessment.

6. The said Hotel and buildings erected in connection therewith shall by the Contractors and at their sole cost and charge be insured against fire in a Company or Companies approved by the Corporation to an amount equal to the amount of the said bonds outstanding, less the amount from time to time on deposit with the Toronto General Trusts Corporation at the credit of the sinking fund for the redemption of said bonds and the policy or policies of insurance shall, in the usual form, be assigned or made payable to the Toronto General Trusts Corporation and a duplicate or duplicates of all said policies of insurance shall be deposited with the City Treasurer of the Corporation as shall also a duplicate or duplicates of all renewal receipts issued from time to time in respect of said policy or policies of insurance.

7. The Contractors shall pay to the Toronto General Trusts Corporation upon demand all its commission, fees and charges as Trustee in and about the execution and discharge of the trusts arising out of the issue of the said bonds and the delivery of the same to the said the Toronto General Trusts Corporation and shall indemnify and save harmless the Corporation of and from payment of said commission, fees and charges.

8. The company to be incorporated by the Contractors as set out in paragraph one of the memorandum of agreement hereto annexed and marked "A," shall forthwith after its incorporation enter into and execute an agreement with the Corporation binding the said proposed Company to do, observe and perform in all respects the covenants, stipulations and agreements herein on the part of the Contractors agreed to be done, observed and performed.

9. This agreement shall become operative and binding upon the Corporation:

First: Upon an agreement satisfactory to the City Solicitor of the Corporation being made and executed by or on behalf of the Board of Trade of the City of Kingston with the Corporation, binding the said Board of Trade to do, observe and perform the several things in the memorandum of agreement hereto annexed marked "A," agreed by the said Board of Trade on its part to be done, observed and performed;

Secondly: Upon a By-law of the Corporation ratifying and confirming this agreement being submitted to and approved by the ratepayers of the said City of Kingston as by law required in the case of a bonus By-law; and

Thirdly: Upon the said By-law being validated and confirmed by an act of the Legislative Assembly of the Province of Ontario:

IN WITNESS WHEREOF the said parties of the first part have hereunto set their several hands and seals, and the party of the second part has affixed its seal, authenticated by the hand of its Mayor, the day and year first above written.

Signed, sealed and delivered in presence of J. M. Farrell as to signature of Wallace H. Pendle and Charles E. Phenix.

Clifford B. Allen as to signature of J. Wilbur Stevens.

WALLACE H. PENDLE.

CHARLES E. PHENIX.

J. WILBUR STEVENS.

C. J. GRAHAM, Mayor.

L. S.

*Schedule A.*

Memorandum of agreement made this 23rd day of October, A.D. 1911.

BETWEEN

Wallace H. Pendle, Charles E. Phenix and J. Wilbur Stevens, all of the City of Boston, in the State of Massachusetts, one of the United States of America (hereinafter called the Contractors),

and

The Board of Trade of the City of Kingston (hereinafter called the Board).

Whereas the Contractors undertake and agree to form a corporation under the laws of Ontario, said Corporation to erect an hotel in the City of Kingston, in said Province;

And whereas the Board propose to assist them in the erection of said hotel;

Now this agreement witnesseth that in consideration of the premises and the sum of one dollar, the parties hereto do hereby mutually covenant, promise and agree to and with each other as follows, that is to say:

1. The Contractors agree to form a Company under the laws of the Province of Ontario, capitalized for Two hundred and ten thousand dollars (\$210,000), Eighty-five thousand dollars (\$85,000) of which shall be Common Stock, and One hundred and twenty-five thousand dollars (\$125,000) shall be Preferred Stock. The par value of said shares of stock shall be One hundred dollars (\$100), and the holder of a certificate of Preferred Stock will be entitled to receive a semi-annual cumulative dividend at the rate of six per cent. (6 per cent.) per annum before any dividend is paid upon the Common Stock.

2. Said Preferred Stock to be subject to redemption at One hundred and ten dollars (\$110) per share and accumulated dividends, upon such notice to the holders thereof as the Directors may determine on any interest day, and upon surrender of the certificates to the Treasurer of the said Company.

3. The said Preferred Stock shall be secured by a second mortgage on the lands particularly described in paragraph six of this agreement, and on the buildings to be erected thereon, from the said Company to the Standard Bank of Canada, as Trustees for the said Preferred Stockholders.

4. Every share of Preferred Stock shall carry with it the same voting powers as like shares of the Common Stock.

5. In the event of liquidation the net proceeds of the assets of the Company, after discharging any mortgage that may be on the property to secure the bonds hereinafter named, shall be first applied to the payment to the holders of the Preferred Stock of the sum of One hundred dollars (\$100) per share, and accrued and unpaid dividends thereof, and the said payment shall be a first charge on the said assets, subject as aforesaid.

6. The Board is to convey to the said Company, free and clear of all encumbrances, the lot of land on King Street known as the Carruthers Lot, containing about three and one-half acres, and the Board is to pay to the Company, as hereinafter mentioned, the sum of Twenty thousand dollars (\$20,000), and for said Twenty thou-

said dollars (\$20,000) and said deed of land the said Company is to deliver to the Board Fifty thousand dollars (\$50,000), par value, of said Preferred Stock.

7. The said Company is to make a bond issue of One hundred thousand dollars (\$100,000), secured by a first mortgage to the Toronto General Trusts Corporation as Trustees on said land, and the buildings to be erected thereon, which said bonds shall bear interest at the rate of four and one-half per cent. (4½ per cent.) per annum, payable half-yearly.

8. The Board agrees that it will use its best efforts to have the City of Kingston guarantee the said bond issue of One hundred thousand dollars (\$100,000).

9. The Contractors will proceed, within thirty days after the final passing of the City By-law guaranteeing the said bonds, to erect a fireproof hotel on said lands as per plans filed with the Board, and plans and specifications to be submitted to and approved by an architect to be designated by the Corporation of the City of Kingston, at an approximate cost of One hundred and eighty thousand dollars (\$180,000), exclusive of the land, and complete same within eighteen months; and will furnish and equip the same ready for business, the approximate cost of said furniture and equipment to be Fifty thousand dollars (\$50,000).

10. The said hotel, when completed, is to be leased by the said Company to the said Charles E. Phenix and J. Wilbur Stevens for a term of ten years, with a renewal option of ten years, and at a cash rental sufficient to pay the interest on said bonds, the dividends on said Preferred Stock, and provide a sinking fund of at least Two thousand one hundred dollars (\$2,100) a year for the purpose of retiring said first mortgage bonds, said annual payments for the sinking fund to be paid to the Toronto General Trusts Corporation, trustees for the bond holders; and in addition to said amount the said Charles E. Phenix and J. Wilbur Stevens shall pay all taxes, including local improvement taxes, insurance, repairs, replacements and other charges of every nature and kind connected with or incident to the maintenance and running of said hotel during the term of said lease or the renewal thereof.

11. The bonds guaranteed by the City of Kingston are to be issued (or, if previously sold, the proceeds thereof advanced) by the Trustees to the Company in the following manner:

An architect to be named by the City of Kingston is to give the Toronto General Trusts Corporation, the Trustees, monthly a certificate, signed by him, of the value, as a part of the hotel to be constructed as aforesaid, of the work done and material used in the erection of the hotel for a month preceding the date of the certificate, and upon the said certificate the Trustees are to advance to the Company fifty per cent. (50 per cent.) of the value of construction for the month so ascertained until the whole value of the work done and certified as aforesaid shall be One hundred and fifty thousand dollars (\$150,000); the balance of the bonds or the proceeds thereof not so advanced to be issued or paid over to the Company by the Trustees after the expiration of thirty-one days from the completion of the hotel, as certified to by the said architect upon delivery to the Trustees of a certificate of the Registrar for the City of Kingston that at the expiration of said thirty-one days no undischarged mechanics' liens were registered against the lands comprised in said mortgage.

12. The Board will arrange for a fixed assessment on the property at a sum not to exceed Fifty thousand dollars (\$50,000), exclusive of school taxes.

13. The Contractors agree that the City Solicitor of Kingston shall be a Director on the Board of the said Company as the

nominee of the City of Kingston, and for this purpose agree to transfer to the City of Kingston, free of charge, sufficient Common Stock to qualify him as a Director.

14. The Preferred Stockholders who may from time to time hold the Fifty thousand dollars (\$50,000) of Preferred Stock to be issued in the first place to this Board, or such persons as it may designate, shall have as a Director of the Company such person as may be nominated by the majority in value of the holders of said Fifty thousand dollars (\$50,000) Preferred Stock.

15. All Contractors in the City of Kingston are to have an opportunity to tender for the construction of the said hotel.

In witness whereof the said parties hereto have hereunto subscribed their names and affixed their seals the day and year first above written.

Signed, sealed and delivered in presence of

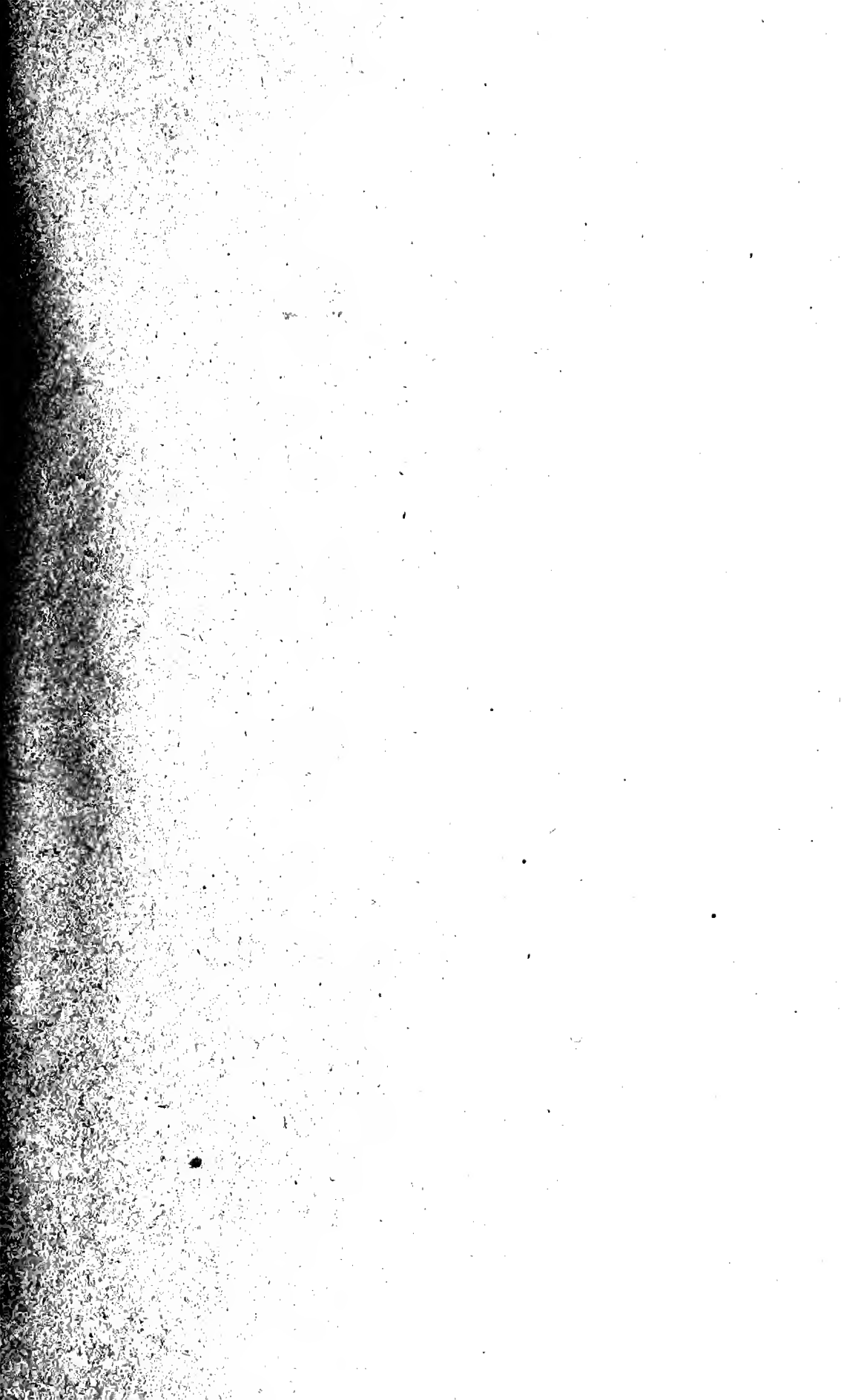
WALLACE H. PENDLE.

CHARLES E. PHENIX.

J. WILBUR STEVENS.

Per pro CHARLES E. PHENIX.









No. 6.

1st Session, 13th Legislature,  
2 George V., 1912.

BILL.

An Act respecting the City of Kingston.

1st Reading, 1912.

(*Private Bill.*)

Mr. Ross.

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

# BILL

## An Act respecting the Town of Lindsay.

**W**HEREAS the Corporation of the Town of Lindsay **Preamble.** has by petition represented that the construction of the local improvement works provided for by By-laws Numbers 1221, 1222, 1240 and 1241 of the said Corporation, particulars of which are set forth in Schedule "A" hereto, was undertaken, and the said By-laws have been passed by the Council of the said Town, and most of such works have been constructed and paid for out of moneys provided by way of temporary loans; that by reason of certain of such works having been constructed a few years prior to the passing of the By-laws, the repayment of the loan and the maturing of the debentures, as provided for in the said By-laws, does not fall within the probable life of certain of the said works or improvements, as certified by the proper officer appointed by the Council for that purpose, although within the actual probable lifetime of the said works or improvements; that for one of the said works, namely L. I. No. 191, by inadvertence, no Court of Revision was held, although all property owners petitioned for the said work and none of the said owners have made any complaint in regard to their assessment therefor; that most of the rates imposed by the said By-laws Nos. 1221 and 1222 falling due in the year 1911, have been collected; that by reason of the doubts as to the validity of the said By-laws Numbers 1221 and 1222 the said Corporation have been unable to sell the debentures thereby authorized to be issued and are unable to pay off the said temporary loans; that as doubts may arise as to the validity of By-laws Numbers 1240 and 1241 when the debentures are offered for sale, it is desirable that all of such By-laws be confirmed; and whereas the said Corporation has by its petition further represented that it has incurred a floating indebtedness of \$9,958.84 whereof \$4,524 is a shortage in the Public Schools Sinking Fund account, created by By-laws Numbers 561 and 612, and whereof \$5,434.84 has been incurred by the failure to levy a sufficient rate to pay all the current expenses in the years 1908, 1909 and 1910; that the

existing debenture debt of the said Corporation is the sum of \$267,042.44, including local improvement debentures secured by special rates; that the total assessment of the said Town of Lindsay for the year 1911 is the sum of \$2,668,075; that to pay the said floating debt forthwith would be unduly oppressive to the ratepayers of the said Corporation; that the said Town desires to borrow by special issue of debentures a sum not exceeding \$10,000, to liquidate the said floating indebtedness; and whereas the said Corporation has by its petition prayed that an Act may be passed for the above-mentioned purposes; 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:—

### PART I.

Confirmation of certain by-laws.

**1.** By-laws numbers 1221, 1222, 1240 and 1241, particulars of which are set out in Schedule "A" hereto, are confirmed and declared to be legal, valid and binding upon the said Corporation and the ratepayers thereof.

Rates imposed confirmed.

**2.** The rates imposed by the said By-laws for the payment of the debts authorized by the said By-laws, and the interest thereon, including the rates imposed, levied and collected in the year 1911, are confirmed and declared to be valid and binding upon the said Corporation and upon the lands referred to in the said By-laws respectively.

Debentures confirmed.

**3.** All debentures issued or to be issued or purporting to be issued under the said By-laws Numbers 1221, 1222, 1240 and 1241 are confirmed and declared to be valid and binding upon the Corporation of the Town of Lindsay and it shall not be necessary for the purchasers of such debentures, or any of them, to inquire into the validity of the proceedings relating to the issue of the same.

### PART II.

Floating debt consolidated.

**4.** The said floating debt of the Corporation of the said Town of Lindsay is consolidated at the sum of \$9,958.84, and the said Corporation may raise by way of loan on the credit of its debentures to be issued under the authority of this Act, from any person or body corporate, the sum of \$10,000.

Debentures, term of and when payable.

**5.** A portion of such debentures shall be made payable in each year, for a period not exceeding ten years from the date of 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 the aggregate amount payable for principal and interest during each of the other years of the

period within which the debt is to be discharged; such interest shall be made payable by coupons to be attached to the said debentures, if the By-law so directs, and shall be at such rate, not exceeding five per cent. per annum, as the said Corporation may direct, and shall be payable yearly.

**6.** The said Corporation may, for the purpose herein mentioned, raise money by way of loan on the said debentures, or sell and dispose of the same as may be deemed expedient. Hypothecation of debentures.

**7.** The said debentures, and all moneys arising therefrom, shall be applied by the said Corporation to the redemption of the said floating debt of \$9,958.84, and the costs of the special Act, and for no other purposes whatsoever. Application of proceeds of debentures.

**8.** It shall not be necessary to obtain the assent of the ratepayers of the said Corporation to the passing of any By-law or By-laws which shall be passed under this Part, or to observe the formalities in relation thereto prescribed by *The Consolidated Municipal Act, 1903*, and amendments thereto, and any provisions in the Acts respecting municipal institutions in the Province of Ontario, which are or may be inconsistent with the provisions of this Part, shall not apply to the By-law or By-laws to be passed by the said Corporation under this Part. Assent of electors not required.

**9.** No irregularity in the form of the said debentures, or any of them, or of any By-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said Corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder of said debentures shall not be bound to enquire as to the necessity of passing such By-law or issuing debentures, or as to the application of the proceeds thereof. Irregularity of form not to invalidate.

**10.** Any By-law to be passed under this Part shall not be repealed until the debt created under such By-law and interest thereon is fully paid and satisfied. By-law not to be repealed until debt satisfied.

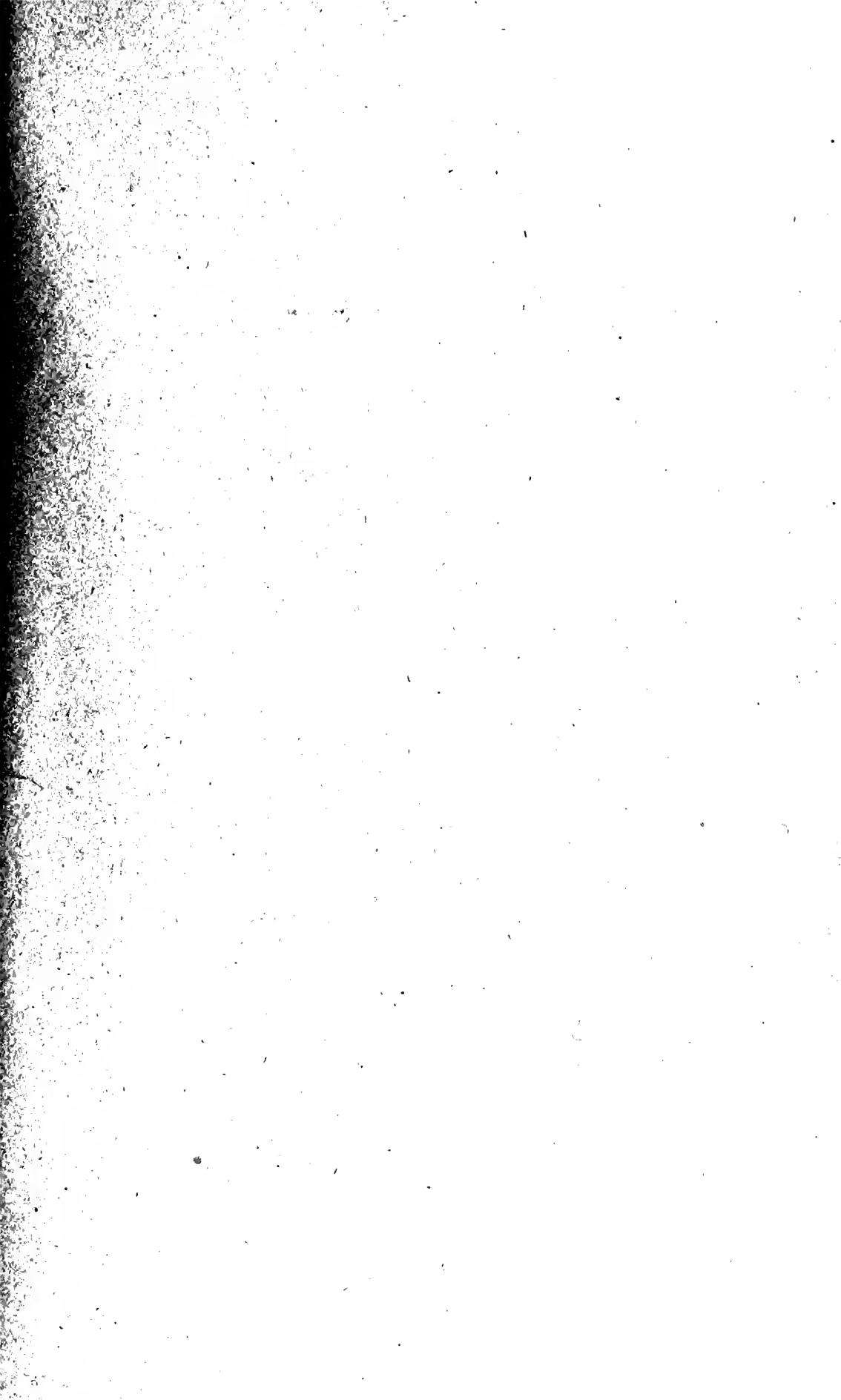
**11.** The said Corporation shall levy on all the rateable property in the said Town of Lindsay, in addition to all other rates, to be levied in each year, a special rate sufficient to pay the amount falling due annually for principal and interest in respect of the debentures authorized to be issued under this Part, for payment of the said floating debt, and it shall not be necessary to levy for or provide any sinking fund to retire the said debentures. Special rates.

**12.** Nothing in this Part contained shall be held or taken to discharge the Corporation of the Town of Lindsay from any indebtedness or liability which may not be included in the indebtedness hereby consolidated. Other indebtedness not affected.

SCHEDULE A.

No. of By-law.	Nature of Work under By-law.	When passed by Council	Total cost of work.	Amount to be borne by Town.	Amount to be borne by rate-payers.	Period of Payment.	Rate of Interest.
1221	Local Improvement Debentures to defray the ratepayers' share of the cost of certain granolithic walks, sewers and cellar drains and of a paved roadway on William Street..	June 12th, 1911	\$47,200 00	\$28,492 42	\$18,707 58	10 years for walks and 20 years for sewers, drains and paved roadway	4½%
1222	Debentures to defray Town's share of the cost of certain granolithic walks, sewers and cellar drains and of a paved roadway on William Street .....	"	"	"	"	"	"
1240	Local Improvement Debentures to defray the ratepayers' share of the cost of certain granolithic walks and sewers and cellar drains.....	December 29th, 1911	6,126 32	3,583 08	2,543 24	10 years	"
1241	Debentures to defray Town's share of the cost of certain granolithic walks and sewers and cellar drains.	"	.....	4,165 00	.....	"	"







1942

THE UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
WASHINGTON, D. C.

1942

THE UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
WASHINGTON, D. C.

THE UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
WASHINGTON, D. C.

1942

1942

THE UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
WASHINGTON, D. C.

No. 7.

1st Session, 13th Legislature,  
2 George V., 1912.

BILL.

An Act respecting the Town of Lindsay.

1st Reading, 1912.

(*Private Bill.*)

Mr. VROOMAN.

TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

# BILL

## An Act to confirm By-Law No. 305 of the Town of Haileybury.

**W**HEREAS the Corporation of the Town of Hailey-<sup>Preamble.</sup>bury has, by Petition, represented that certain expenditures were necessarily incurred by the said Corporation, over and above the estimates adopted by the Council of the said Corporation, and on which its tax rates were struck, being sums of \$3,187.18 for the erection of a municipal building and extension to fire hall and appliances for fire hall, \$19,000 for street improvements and \$3,724.73 for the extension of water mains on certain streets in the said Town of Haileybury, making a total of \$25,911.91, that the said Corporation is indebted to its bank for the said sums, and that by reason of other heavy expenditures which the said Corporation has incurred, the Council thereof could not levy a rate sufficient to meet said indebtedness without making the same unduly oppressive to the ratepayers; that the said Council, on the 15th day of December, 1911, passed By-law Number 305 to provide for the issue of \$26,000 of debentures for the purpose of paying said debts; and whereas the said Corporation has by petition prayed that the said By-law be validated and 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. By-law Number 305 of the Corporation of the Town of Haileybury, set out as Schedule "A" to this Act, is confirmed and declared legal, valid and binding upon the said Municipal Corporation and the ratepayers thereof, and the debentures to be issued thereunder when so issued, shall be legal, valid and binding upon the said Corporation and the ratepayers thereof.

By-law No. 305 of Town of Haileybury confirmed.

## SCHEDULE "A."

## THE TOWN OF HAILEYBURY.

By-law No. 305 of the Town of Haileybury, being a by-law to provide for the issue of debentures of the Town of Haileybury for the sum of twenty-six thousand dollars (\$26,000.00), required by the said Town of Haileybury.

Whereas during the years 1906, 1907, 1908 and 1909, the Council of the Town of Haileybury incurred liability amounting to the sum of \$25,911.91, made up as follows:—

\$3,187.18 for the erection of a Municipal Building, and extension to Fire Hall, and the appliances for Fire Hall; \$19,000 for street improvements, and \$3,724.73 for the extension of water mains on certain streets in the said Corporation.

And whereas sufficient moneys were not levied by the Council of the Town of Haileybury for the payment of the above mentioned sums, it being deemed unduly oppressive to levy the said amount on the ratepayers in the usual way.

And whereas the Town of Haileybury is desirous of raising by debentures the sum of \$26,000, for the purpose of paying off the said sums.

And whereas it is desirable to issue the said debentures at one time and to make the principal of each repayable by yearly sums during a 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 the 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 as shown on Schedule "A" hereto annexed.

And whereas the total amount required by the said Municipality, to be raised annually by special rate for paying the said debt and interest as hereinafter provided, is \$2,086.31.

And whereas the amount of the whole rateable property of the Town of Haileybury, according to the last revised assessment roll thereof, is \$1,925,310.

And whereas the amount of the said existing debt of the said Municipality is \$236,053.72, of which no part, either for principal or interest, is in arrear.

Now, therefore, the Municipal Corporation of the Town of Haileybury enacts as follows:—

1. The Municipal Corporation of the Town of Haileybury shall issue debentures of the said Town to the amount of \$26,000, as aforesaid, in sums of not less than \$100, each on the day of 1912, each of which debentures shall be dated on the day of the issue thereof, and shall be payable within twenty years thereafter, on the 15th day of July, in each of the years in the amount shown in said Schedule "A," at the Union Bank of Canada, in said Town of Haileybury.

2. Each of the said debentures shall be signed by the Mayor of the said Town of Haileybury, or by some other person authorized by by-law to sign the same, and by the Treasurer thereof, and the Clerk shall attach thereto the Corporate Seal of the said Municipality.

3. The said debentures shall bear interest at the rate of five per cent. (5%) per annum, payable yearly at the said Union Bank of Canada, on the 15th day of July, 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 Mayor and the Treasurer of the said Corporation.

4. During the currency of the said debentures there shall be raised annually by special rate on all rateable property in the said Town of Haileybury, the sum of \$2,086.31, for the purpose of paying the amount due in each year of the said twenty years for principal and interest in respect of the said debt as shown in Schedule "A" hereto annexed.

Dated at the Town of Haileybury, on the fifteenth day of December, 1911.

(Sgd.) Theo. H. Connor,  
Clerk.

(Sgd.) N. R. Green,

Mayor.

Seal of the Corporation.

SCHEDULE, BY-LAW NUMBER 305.

Debentures for 20 years:

Amount, \$26,000.00.

Rate 5 per cent. Coupons attached.

Equal Annual Payment, \$2,086.31.

No.	Due.	Principal.	Interest.	Coupons.
1. ....	1914 .....	\$786 31	\$1,300 00	\$39 32
2. ....	1915 .....	825 62	1,260 69	41 28
3. ....	1916 .....	866 90	1,219 41	43 35
4. ....	1917 .....	910 25	1,176 06	45 51
5. ....	1918 .....	955 76	1,130 55	47 79
6. ....	1919 .....	1,003 55	1,082 76	50 18
7. ....	1920 .....	1,053 73	1,032 58	52 69
8. ....	1921 .....	1,106 41	979 90	55 32
9. ....	1922 .....	1,161 73	924 58	58 09
10. ....	1923 .....	1,219 82	866 49	60 99
11. ....	1924 .....	1,280 80	805 51	64 04
12. ....	1925 .....	1,344 85	741 46	67 24
13. ....	1926 .....	1,412 10	674 21	70 61
14. ....	1927 .....	1,482 70	603 61	74 14
15. ....	1928 .....	1,556 84	529 47	77 84
16. ....	1929 .....	1,634 68	451 63	81 73
17. ....	1930 .....	1,716 41	369 90	85 82
18. ....	1931 .....	1,802 23	284 08	90 11
19. ....	1932 .....	1,892 34	193 97	94 61
20. ....	1933 .....	1,986 97	99 34	99 34
		<hr/>	<hr/>	<hr/>
		\$26,000 00	\$15,726 20	\$1,300 00

No. 8.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to Confirm By-law No. 305 of the  
Town of Haileybury.

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1st Reading,	1912.
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(*Private Bill.*)

Mr. SHILLINGTON.

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



# BILL

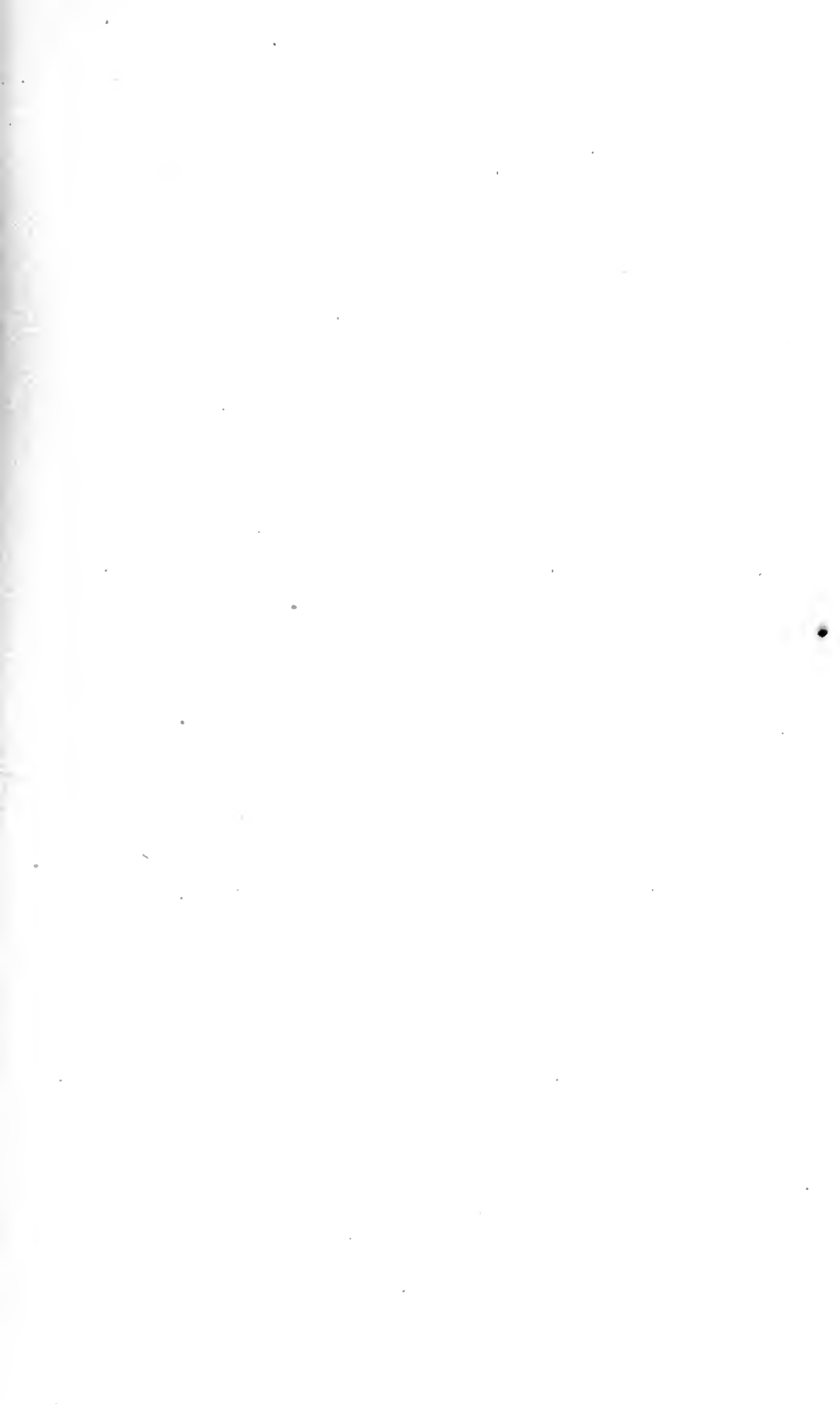
An Act to authorize the Law Society of Upper Canada to admit James George Guise-Bagley to practise as a Barrister and Solicitor.

**W**HEREAS James George Guise-Bagley, of the City Preamble. of Port Arthur, in the District of Thunder Bay, Notary Public, has, by his petition, represented that for twenty-five years he was a *bona fide* clerk to solicitors in practice in the City of London, England; that he was ten years and upwards clerk to Jas. Taylor, Mason & Taylor, Solicitors, of London, aforesaid, and for five years part thereof he filled the position of Managing Clerk to the said firm, the duties whereof involved the management without supervision of the Chancery and Conveyancing Departments of the said firm, who had a large and varied practice, and had practically the entire charge thereof, and the settling and disposing of the affairs of deceased persons, some of very large value, and was constantly in attendance before the Judges of the Supreme Court of Judicature, in London, in connection therewith, and in connection with litigation in the said Court and did in the said period a very large amount of conveyancing, without any supervision, involving property of the value of many thousands of pounds and the settlement of important questions of law relating to Freehold, Copyhold, Customary and Leasehold tenures; that the said firm had a large agency practice, and he was constantly advising country solicitors upon points of law and practice and generally acted as a duly qualified legal practitioner as such managing clerk; that subsequently he acted in a similar capacity, with similar duties, as managing clerk to Western & Sons, another London firm of solicitors, for thirteen and a half years; that the health of the said James George Guise-Bagley failed, and in the year 1900 he became a patient at the Brompton Hospital for Consumption and Diseases of the Chest and had to give up work; that for some years he was an invalid and continued to attend the said hospital, and that in the year 1906, by medical advice, he left England with his whole family and arrived at Port Arthur, in the Province of

Ontario, on the 2nd day of June, 1906; that the sea voyage and subsequent residence in Canada has restored the said James George Guise-Bagley to health; that he has for many years contemplated taking Articles, but when in health, owing to the constant attention required to the large amount of business under his charge, he was never able to devote the necessary time to the same, and when sick he was totally unable to do so, and that since arriving in Canada he had not been able to do so partly for want of means and partly because at his time of life he cannot take up a course of classics preliminary thereto; that since arriving in Canada he has studied Canadian law and has acted as managing clerk to William David Bruce Turville, a Barrister and Solicitor in Port Arthur; that in 1909 he was appointed a Notary Public for Ontario, and has used and exercised the powers granted to him by virtue of such appointment, and has from time to time done considerable work of a technical and important character for members of the legal profession in the City of Port Arthur, and is now prepared to pass the examination for admission to the Bar; and whereas the said James George Guise-Bagley has by his said petition prayed that an Act may be passed to authorize the Law Society of Upper Canada to admit him to practise at the Bar of His Majesty's Courts in Ontario and also to practise as a Solicitor in the Supreme Court of Judicature; 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. It shall and may be lawful for the Law Society of Upper Canada, at any time hereafter, to admit the said James George Guise-Bagley to practise at the Bar of His Majesty's Courts in Ontario, and to practise as a Solicitor in the Supreme Court of Judicature for Ontario, on his paying the proper fees in that behalf and on passing such examination as may be prescribed by the said Society, and without complying with any other requirements of the law or any other rules or regulations of the said Society in that behalf.



No. 9.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to authorize the Law Society of  
Upper Canada to admit James George  
Guise Bagley to practise as a  
Barrister and Solicitor.

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1st Reading.

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(*Private Bill.*)

MR. HOGARTH.

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

# BILL

An Act respecting the Town of Carleton Place.

**W**HEREAS, the Municipal Corporation of the Town of Carleton Place has petitioned, praying that an Act may be passed validating and confirming By-law number 605 of the said Corporation, set out in Schedule "A" hereto; 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 Consolidated Municipal Act, 1903*, and approved by a majority of the ratepayers entitled to vote on the said By-law; and whereas the said Corporation has petitioned that it be granted power to pass By-laws to extend from time to time, the system of Waterworks and Sewerage mentioned in said By-law number 605, and to issue debentures under such By-laws, to borrow money for defraying the cost of such extensions and improvements; and whereas no opposition has been offered, by or on behalf of any ratepayer or otherwise to the granting of the prayer of the said petition; and whereas it is expedient to grant the prayer of the said petition;

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

1. By-law number 605 of the Municipal Corporation of the Town of Carleton Place, set forth in Schedule "A" to this Act is confirmed and with the debentures to be issued thereunder is declared legal and binding upon the Municipal Corporation of the Town of Carleton Place and the ratepayers thereof, for all purposes whatever, notwithstanding any want of jurisdiction on the part of the Municipality to pass the By-law or to issue the debentures as proposed therein, 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 and empowered to do all necessary acts for the fully and properly carrying out the said By-law.

By-law No.  
605 of Town  
of Carleton  
Place con-  
firmed.

Power to  
extend and  
improve  
waterworks  
system.

2. It shall be lawful for the said Corporation, from time to time to pass By-laws for the extension and improvement of the system of waterworks and sewerage shown in the plans and specifications referred to in said By-law number 605, and for the extension and improvement of the waterworks and sewerage systems independently of each other, including in the said extensions and improvements branches to the line of the streets, whenever the Council of the Corporation by a two-thirds vote of the members of the said Council present at any regular meeting thereof, deem such extensions and improvements desirable and necessary in the public interest, and to issue debentures on the credit of the Municipality for any loan of money to pay for the cost of any work of extension or improvement so undertaken, for such term of years not exceeding forty, as the Council may think fit, and it shall not be necessary to obtain the assent of the electors or ratepayers of the said Municipality to any By-law passed under this section or to observe any of the formalities relating thereto prescribed by *The Municipal Act*.

Application  
of 3 Edw.  
VII., c. 19  
and Rev.  
Stat., c.  
235.

3. All provisions contained in *The Municipal Act* and *The Municipal Waterworks Act*, and amendments thereto, which are inconsistent with the provisions of this Act, or any of them, shall not apply to the said By-laws or debentures or any of them, referred to in the foregoing sections of this Act, or passed and issued under the authority thereof, and no irregularity in the form of the debentures 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 or any or either of them, or any part thereof, and the purchaser or holder thereof shall not be bound to enquire as to the necessity for the issue of such debentures, or any part thereof, or as to the application of the proceeds thereof.

Short title.

4. This Act may be cited as *The Carleton Place Act, 1912*.

#### SCHEDULE "A."

##### BY-LAW NUMBER 605.

##### (Section 1.)

By-law No. 605, to raise by way of loan \$150,000 for the purpose of installing a system of Waterworks and Sewerage.

Whereas it is expedient to raise by way of loan the sum of one hundred and fifty thousand dollars (\$150,000) for the purpose of installing a system of Waterworks and Sewerage in the Municipality of the Town of Carleton Place;

And whereas plans and specifications have been procured and have been approved by the Provincial Board of Health;

And whereas the total amount required to be raised annually for payment of the new debt hereby created and interest is \$8,151.47;

And whereas the amount of the whole rateable property of the Town of Carleton Place, according to the last revised assessment roll, being for the year 1911, is \$1,065,822.00;

And whereas the amount of the existing debenture debt of the Town of Carleton Place is \$85,800.00, and there is no part of principal or interest in arrears;

Therefore the Municipal Council of the Town of Carleton Place enacts as follows:

1. That it shall be lawful for the Mayor of the said Town to raise by way of loan from any person or persons, body or bodies corporate, willing to advance the same upon the credit of debentures of the Town of Carleton Place, a sum not to exceed in the whole the sum of \$150,000.00, and to cause the same to be paid into the hands of the Treasurer of the Town of Carleton Place for the purposes above recited.

2. That for the purpose aforesaid and for securing the said sum of money debentures of this Corporation be issued in sums of not less than one hundred dollars each, bearing the seal of the Town of Carleton Place, and signed by the Mayor and Treasurer thereof, the said debentures to be payable within forty years from the date of issue, in the amounts of principal and interest as per schedule "A" attached.

3. The said debentures shall bear interest at the rate of four and one-half per centum per annum, payable yearly on the thirtieth day of December in each year at the office of the Treasurer of the Town of Carleton Place, and shall have coupons attached thereto signed by the Mayor and Treasurer aforesaid, for payment of the interest thereof.

4. That during forty years the currency of the debentures to be issued under this By-law the sum of eight thousand one hundred and fifty-one dollars and forty-seven cents (\$8,151.47) shall be raised annually by a special rate on the dollar upon the assessed value of all the rateable property in the Town of Carleton Place over and above all other rates and taxes, and which special rate shall be sufficient to produce in each year the sum of \$8,151.47.

5. That the said sum of \$150,000.00 when obtained shall be applied towards the installation of a system of Waterworks and Sewerage in accordance with plans and specifications in the office of the Town Clerk, and approved by the Provincial Board of Health.

6. That the votes of the ratepayers of the said Town of Carleton Place shall be taken on this By-law on the first day of January, 1912, commencing at the hour of nine o'clock in the morning and closing at the hour of five o'clock in the afternoon of the same day, at the following places by the following Deputy-Returning Officers, viz.:

Polling Sub-division No. 1, at J. J. McGregor's office, by J. R. McDiarmid, D.R.O.

Polling Sub-division No. 2, at the Cornell Block, by G. A. Cornell, D.R.O.

Polling Sub-division No. 3, at the Town Hall, by E. A. Wilson, D.R.O.

Polling Sub-division No. 4, at the School House, Bridge Street, by Thomas Houston, D.R.O.

Polling Sub-division No. 5, at William Willoughby's house, by A. T. Hudson, D.R.O.

Polling Sub-division No. 6, at W. A. Nichol's office, by R. Morgan, D.R.O.

7. That the Clerk of the Municipality shall add up the votes for and against this By-law at his office in the Town of Carleton Place at the hour of two o'clock in the afternoon of the second day of January, 1912, and that at the hour of two o'clock in the afternoon of the thirtieth day of December, 1911, at the office of the Clerk 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 this By-law, respectively, will be made.

#### SCHEDULE "A."

Referred to in the foregoing By-law, showing how the amount, \$8,151.47, thereby required to be raised annually by special rate is apportioned.

Year.	Principal.	Interest.	Total.
1912	\$1,401 47	\$6,750 00	\$8,151 47
1913	1,464 54	6,686 93	8,151 47
1914	1,530 44	6,621 03	8,151 47
1915	1,599 31	6,552 16	8,151 47
1916	1,671 28	6,480 19	8,151 47
1917	1,746 49	6,404 98	8,151 47
1918	1,825 08	6,326 39	8,151 47
1919	1,907 21	6,244 26	8,151 47
1920	1,993 04	6,158 43	8,151 47
1921	2,082 72	6,068 75	8,151 47
1922	2,176 45	5,975 02	8,151 47
1923	2,274 58	5,876 89	8,151 47
1924	2,376 73	5,774 74	8,151 47
1925	2,483 69	5,667 78	8,151 47
1926	2,595 45	5,556 02	8,151 47
1927	2,712 24	5,439 23	8,151 47
1928	2,834 30	5,317 17	8,151 47
1929	2,961 84	5,195 63	8,151 47
1930	3,095 12	5,056 35	8,151 47
1931	3,234 40	4,917 07	8,151 47
1932	3,379 94	4,771 53	8,151 47
1933	3,532 04	4,619 43	8,151 47
1934	3,690 99	4,460 48	8,151 47
1935	3,857 08	4,294 39	8,151 47
1936	4,030 64	4,120 83	8,151 47
1937	4,212 02	3,939 45	8,151 47
1938	4,401 57	3,749 90	8,151 47
1939	4,599 64	3,551 83	8,151 47
1940	4,806 62	3,344 85	8,151 47
1941	5,022 91	3,128 56	8,151 47
1942	5,248 95	2,852 52	8,151 47
1943	5,485 15	2,666 32	8,151 47
1944	5,731 98	2,419 49	8,151 47
1945	5,989 91	2,161 56	8,151 47
1946	6,259 47	1,892 00	8,151 47
1947	6,541 15	1,610 32	8,151 47
1948	6,835 51	1,315 96	8,151 47
1949	7,143 11	1,008 36	8,151 47
1950	7,464 56	686 91	8,151 47
1951	7,800 38	351 09	8,151 47



Take notice that the above is a true copy of a proposed By-law which has been taken into consideration and which will be finally passed by the Council (in the event of the assent of the electors being obtained thereto) after one month from the first publication in the "Central Canadian" newspaper on the sixth day of December, 1911, and that at the hour, day and places therein fixed for taking the votes of the electors, the polls will be held. Passed 1st and 2nd readings December 4th, 1911; passed 3rd reading January 8th, 1912.

(Seal)

A. R. G. PEDEN, *Clerk.*  
DAVID SMYTHE, *Mayor.*

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No. 10.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting the Town of Carleton  
Place.

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1st Reading, 1912

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*(Private Bill.)*

Mr. PRESTON (Lanark).

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

# BILL

## An Act to Consolidate the Floating Debt of the Town of Arnprior.

**W**HEREAS, the Municipal Corporation of the Town of Preamble. Arnprior, has by its petition represented that it has incurred a floating indebtedness of \$24,000.00, which has been incurred in part, in the construction of certain works and improvements of a necessary and permanent character, namely: Water Works extension, Water Works maintenance, repairs to streets and other necessary expenses, and, in part, by the failure to levy a sufficient amount to pay therefor and the current expenses, and also, in part, by the defalcation of the Collector of Taxes for the years 1907, 1908 and 1909, and the interest paid by the Corporation on sums necessarily borrowed by reason of the said Collector having failed and neglected to account for and pay to the Treasurer all the taxes collected by him in and for the said years; and which defalcations amount in the aggregate to the sum of \$11,246.55; that the existing debenture debt of the said Corporation is the sum of \$214,004.53, of which the sum of \$211,237.28 is a general debenture debt; that the total assessment of the said Town for the year 1911, is the sum of \$1,215,561.00; that to pay the said floating debt of \$24,000.00 forthwith, in addition to meeting the necessary annual expenditure of the Corporation, would be unduly burdensome and oppressive, under all circumstances, to the ratepayers of the said Town; that if a rate, sufficient to pay the said floating debt forthwith, and the necessary, ordinary annual expenses, were imposed, it would necessarily be a greater rate than is allowed by *The Municipal Act*. And whereas the said Corporation by its petition has prayed that the said floating debt may be consolidated and that the said Corporation may issue debentures for the amount thereof; and whereas it is expedient to grant the prayer of the said petitioner;

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

Floating  
debt con-  
solidated.

1. The said floating debt of the Corporation of the Town of Arnprior is hereby consolidated at the sum of \$24,000, and it shall and may be lawful for the said Corporation to raise by way of loan, on the credit of its debentures, to be issued under the authority of this Act, from any person or persons or body corporate, a sum or sums of money not exceeding in the whole the said sum of \$24,000.

Term of  
debentures.

2. The said debentures shall be in sums of not less than \$100 each, and shall be made payable 30 years after the issue thereof at such place or places as the Council of the said Corporation shall deem expedient.

Interest  
and coupon.

3. The said debentures shall bear interest, payable annually, during the currency thereof, at a rate not exceeding 5%, as the said Council may determine, and shall have coupons attached thereto for the payment of the said interest, at the place mentioned thereon.

Special  
rate for  
interest.

4. For the payment of the said interest on the said debentures in each year during the currency thereof, there shall be raised, levied and collected by the said Corporation, the amount of said interest by a special rate sufficient therefor, in addition to all other rates and assessments on the whole rateable property of the said Town.

Special  
rate for  
sinking  
fund.

5. For the payment of the principal of the said debentures, there shall be raised, levied and collected annually during the currency thereof, an amount of money to form a sinking fund, which with the estimated interest on the investment thereof will be sufficient to discharge the said debentures at the maturity thereof by a special rate sufficient therefor in addition to all other rates and assessments on the whole rateable property of the said Town.

Application  
of proceeds  
of debentures.

6. The proceeds of the said debentures shall be applied by the said Corporation to the payment of the said floating debt of \$24,000, and the costs of the special Act, and for no other purpose whatever.

Assent of  
electors not  
required.

7. It shall not be necessary to obtain the assent of the ratepayers of the said Corporation to the passing of any By-law or By-laws which shall be passed under the provisions of this Act, or to observe the formalities in relation thereto prescribed by *The Consolidated Municipal Act, 1903*,

and any provisions in the Acts respecting Municipal Institutions in the Province of Ontario which are or may be inconsistent with the provisions of this Act shall not apply to the By-law or By-laws to be passed by the Council of the said Corporation under the provisions of this Act.

8. No irregularity in the form of the said debentures or any of them or of any By-law authorizing the issue thereof under the same shall be invalid and illegal or be allowed as a defence to any action brought against the said Corporation for the recovery of the amount represented by the said debentures, or interest or any part thereof; and the purchaser or holder of the said debentures shall not be bound to inquire as to the necessity of passing such By-law or issuing of debentures, or as to the application of the proceeds thereof.

Irregularity in form not to invalidate.

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

By-law not to be repealed until debt satisfied.

10. Nothing in this Act contained shall be held or taken to discharge the Corporation of the Town of Arnprior from any indebtedness or liability which is not included in the indebtedness hereby consolidated.

Other debts of town not affected.

11. It shall be the duty of the Treasurer for the time being of the said Corporation to keep, and it shall be the duty of the members from time to time of the Council of the said Corporation 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 contained in this Act and the respective amounts, payment of which is thereby secured, and the time at which the said debentures shall respectively become due and payable, and the several amounts which shall from time to time be realized from the sale or negotiation of the said debentures, and the application which shall from time to time be made of the said amounts; and the said book of account and statement shall at all times and at all reasonable hours be open to the inspection of any ratepayer of the said Corporation, 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.

No. 11.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to Consolidate the Floating Debt  
of the Town of Arnprior.

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1st Reading, 1912

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(*Private Bill.*)

Mr. McGARRY.

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



# BILL

## An Act to Incorporate the Humber Valley Electric Railway Company.

**W**HEREAS, R. Home Smith, Manager; Charles Mich-<sup>Preamble.</sup>ael Garvey, Solicitor; Frank Regan, Student-at-Law; and William George Jackson, Student-at-Law; all of the City of Toronto, in the County of York, have by their petition prayed for an Act of incorporation under the name of "The Humber Valley Electric Railway Company" for the purpose of constructing and maintaining a railway to be operated by electricity or other motive power from a point at, in or near Dundas Street, in the Village of Lambton Mills, in the Township of Etobicoke, in the County of York; thence southerly to a point at or near the west bank of the Humber River; thence along the west side of the Humber River to Bloor Street; thence easterly across the Humber River at or near that point; thence southerly along the east side of the Humber River to the shores of Lake Ontario; thence easterly along and parallel to the shores of Lake Ontario, known as the Humber Bay, to a point at or near Sunnyside Avenue, in the City of Toronto; with power to construct branches or extensions at different points along the route and to connect with other existing railroads or any that are in course of construction or that may be built; with power to generate electricity and to dispose of the surplus electricity for lighting and power purposes to municipalities, corporations and persons along said railway, subject to the provisions of *The Power Commission Act*; and with power to bond for \$30,000.00 per mile of single track; and to be permitted to construct and operate hotels, sanitariums, boats, wharves, dock houses, etc., and for such other powers as are usually given to railway companies; 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 R. Home Smith, Charles Michael Garvey, Frank Regan and William George Jackson 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 Humber Valley Electric Railway Company."

Location of line.

2. The Company is authorized and empowered to survey, lay out, construct, complete, equip and maintain a railway to be operated by electricity, or other motive power from a point at, in or near Dundas Street, in the Village of Lambton Mills, in the Township of Etobicoke, in the County of York; thence southerly to a point at or near the west bank of the Humber River; thence along the west side of the Humber River to Bloor Street; thence easterly across the Humber River at or near that point; thence southerly along the east side of the Humber River to the shores of Lake Ontario; thence easterly along and parallel to the shores of Lake Ontario, known as the Humber Bay, to a point at or near Sunnyside Avenue, in the City of Toronto; with power to construct branches or extensions at different points along the route and to connect with existing railroads, railroads under construction or that may be built.

Provisional directors.

3. The said R. Home Smith, Charles Michael Garvey, Frank Regan, and William George Jackson, shall be the Provisional Directors of the Company.

Capital stock.

4. The capital stock of the Company hereby incorporated shall be \$500,000.00.

Bonds, debentures, etc.

5. The Company may issue bonds, debentures, or other securities to the extent of \$30,000 per mile of single track of the railway constructed or under contract to be constructed.

Number of directors.

6. The Board of Directors of the Company shall consist of not less than five or more than nine persons.

Head office.

7. The head office of the Company shall be at the City of Toronto, in the County of York.

Traffic and running arrangements.

8. Subject to the provisions of *The Ontario Railway Act, 1906*, the Company shall have power to make traffic and running arrangements with existing railroads, railroads under construction or that may be built upon such terms as may be agreed upon.

9.—(1) The Company may enter into contracts for the purpose of disposing of surplus electricity for lighting and power purposes to municipalities, corporations and persons along said railway subject to the provisions of *The Power Commission Act*.

(2) The Company shall not supply electricity in any municipality except under a by-law passed by the council of the municipality, or under an agreement entered into with the municipal corporation, and no such by-law or agreement shall take effect or be binding upon the municipality until the same has been approved by *The Hydro-Electric Power Commission of Ontario*.

(3) The rates chargeable by the Company for supplying electricity shall at all times be subject to the supervision of the Hydro-Electric Power Commission of Ontario, and upon the complaint in writing of any municipal corporation, company or person that the Company is charging rates which are excessive or unfair, or is unjustly discriminating against or in favour of any municipal corporation, company or person, the Chairman of the Commission may appoint a time and place at which the said Commission, or some member thereof, will hear and determine the matter in dispute.

(4) Such notice of such appointment as the Chairman may direct shall be given by the Secretary of the said Commission to all parties concerned. At the time and place appointed the said Commission, or, with the consent of all parties, any member of the said Commission shall hear and determine the matter in dispute, and shall make an order dismissing or allowing the complaint and directing what rates shall be charged by the Company, and directing the amendment of any by-law or agreement accordingly.

(5) The said Commission, or the member thereof conducting the hearing, shall have the powers authorized to be conferred upon a commissioner appointed under *The Public Inquiries Act*.

(6) If the Company neglects or refuses to obey or carry out the order or direction of the said Commission, or the member thereof conducting such case, it shall forfeit to His Majesty for the uses of the Province the sum of \$100 for every day during which such refusal or neglect shall continue.

(7) The Company shall keep entirely separate and distinct all accounts, contracts, statements and records thereof relating to the construction, development and transmission

of the said power, and such accounts shall not in any way become involved or mixed with the accounts for the construction, maintenance or operation of the said railway.

Hotels,  
sanitariums,  
etc.

**10.** The Company may purchase land for and may erect, maintain, control and acquire hotels and sanitariums, boats, wharves and dock houses in connection with the said railway at any point along its route or on the lands of its branches as aforesaid.

Application  
of 6 Edw.  
VII., c. 30.

**11.** The provisions of *The Ontario Railway Act, 1906*, except where inconsistent with the provisions of this Act, shall apply to the Company and the railway to be constructed by it.







No. 12.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL,  
An Act to Incorporate the Humber Valley Electric Railway Company.

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1st Reading, 1912

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(*Private Bill.*)

MR. PRATT.

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



# BILL

## An Act to Incorporate The Humber Valley Electric Railway Company.



**W**HEREAS, R. Home Smith, Manager; Charles Michael Garvey, Solicitor; Frank Regan, Student-at-Law; William George Jackson, Student-at-Law; and William Herbert Price, Solicitor; all of the City of Toronto, in the County of York, have by their petition prayed for an Act of incorporation under the name of "The Humber Valley Electric Railway Company" for the purpose of constructing and maintaining a railway to be operated by electricity or other motive power *except steam* from a point at, in or near Dundas Street, in the Village of Lambton Mills, in the Township of Etobicoke, in the County of York; thence southerly to a point at or near the west bank of the Humber River; thence along the west side of the Humber River to Bloor Street; thence easterly across the Humber River at or near that point; thence southerly along the east side of the Humber River to the shores of Lake Ontario; with power to construct branches or extensions in all not exceeding three miles in length at different points along the route and to connect with other existing railroads or any that are in course of construction or that may be built; and to obtain running rights over the line of Electric Railway now constructed on the Lake Shore Road from the southerly terminus of the railway hereby authorized to the Easterly terminus of said Electric Railway constructed on the Lake Shore Road as aforesaid or extensions thereof; with power to generate electricity and to dispose of the surplus electricity for lighting and power purposes to municipalities, corporations and persons along said railway, subject to the provisions of *The Power Commission Act*; and with power to bond for \$30,000.00 per mile of single track; and to be permitted to construct and operate hotels and sanitariums; and whereas it is expedient to grant the prayer of the said petition,



Preamble.

7 Edw. VII.,  
c. 19.

Therefore, His Majesty, by and with the advice and con-

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

- Incorporation.** 1. The said R. Home Smith, Charles Michael Garvey, Frank Regan, William George Jackson and William Herbert Price, 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 Humber Valley Electric Railway Company," *hereinafter called "the Company."*
- Location of line.** 2. The Company is authorized and empowered to survey, lay out, construct, complete, equip and maintain a railway to be operated by electricity, or other motive power *except steam*, from a point at, in or near Dundas Street, in the Village of Lambton Mills, in the Township of Etobicoke, in the County of York; thence southerly to a point at or near the west bank of the Humber River; thence along the west side of the Humber River to Bloor Street; thence easterly across the Humber River at or near that point; thence southerly along the east side of the Humber River to the shores of Lake Ontario; with power to construct branches or extensions  in all not exceeding three miles in length,  at different points along the route and to connect with existing railroads, railroads under construction or that may be built.
- Provisional directors.** 3. The said R. Home Smith, Charles Michael Garvey, Frank Regan, William George Jackson and William Herbert Price, shall be the Provisional Directors of the Company.
- Capital stock.** 4. The capital stock of the Company shall be \$500,000.00.
- Bonds, debentures, etc.** 5. The Company may issue bonds, debentures, or other securities to the extent of \$30,000 per mile of single track of the railway constructed or under contract to be constructed.
- Number of directors.** 6. The Board of Directors of the Company shall consist of not less than five or more than nine persons.
- Head office.** 7. The head office of the Company shall be at the City of Toronto, in the County of York.
- Traffic and running arrangements.** 8. Subject to the provisions of *The Ontario Railway Act, 1906*, the Company shall have power to make traffic and running arrangements with existing railroads, railroads under construction or that may be built upon such terms as may be agreed upon.

 (a) The Company shall have the right to have its cars operated over the tracks of the Electric Railway known as "The Toronto and Mimico Electric Railway and Light Company Limited," now constructed on the Lake Shore Road from a point at or near the East side of the Humber River to the Easterly terminus of the said Railway at or near Sunnyside Avenue in the City of Toronto or over such other Electric Railway as the Corporation of the City of Toronto shall own and operate over the said distance from the Humber River to Sunnyside Avenue in the City of Toronto, upon such terms and conditions as may from time to time be agreed upon or as may from time to time be fixed and determined by *The Ontario Railway and Municipal Board*. 

Right to operate over Toronto and Mimico Railway.

9.—(1). The Company may enter into contracts for the purpose of disposing of surplus electricity for lighting and power purposes to municipalities, corporations and persons along said railway subject to the provisions of *The Power Commission Act*.

Disposal of surplus electrical power.  
7 Edw. VII. c. 19.

(2) The Company shall not supply electricity in any municipality except under a by-law passed by the council of the municipality, or under an agreement entered into with the municipal corporation, and no such by-law or agreement shall take effect or be binding upon the municipality until the same has been approved by *The Hydro-Electric Power Commission of Ontario*.

Agreement or by-law of municipality and approval of Hydro-Electric Power Commission.

(3) The rates chargeable by the Company for supplying electricity shall at all times be subject to the supervision of the Hydro-Electric Power Commission of Ontario, and upon the complaint in writing of any municipal corporation, company or person that the Company is charging rates which are excessive or unfair, or is unjustly discriminating against or in favour of any municipal corporation, company or person, the Chairman of the Commission may appoint a time and place at which the said Commission, or some member thereof, will hear and determine the matter in dispute.

Rates.

(4) Such notice of such appointment as the Chairman may direct shall be given by the Secretary of the said Commission to all parties concerned. At the time and place appointed the said Commission, or, with the consent of all parties, any member of the said Commission shall hear and determine the matter in dispute, and shall make an order dismissing or allowing the complaint and directing what rates shall be charged by the Company, and directing the amendment of any by-law or agreement accordingly.

Notice of appointment for hearing.

Powers of  
Commission.

s Edw. VII.,  
c. 6.

(5) The said Commission, or the member thereof conducting the hearing, shall have the powers authorized to be conferred upon a commissioner appointed under *The Public Inquiries Act*.

Penalties.

(6) If the Company neglects or refuses to obey or carry out the order or direction of the said Commission, or the member thereof conducting such case, it shall forfeit to His Majesty for the uses of the Province the sum of \$100 for every day during which such refusal or neglect shall continue.

Keeping of  
separate  
accounts.

(7) The Company shall keep entirely separate and distinct all accounts, contracts, statements and records thereof relating to the construction, development and transmission of the said power, and such accounts shall not in any way become involved or mixed with the accounts for the construction, maintenance or operation of the said railway.

Powers not  
to be exer-  
cised if  
Toronto  
Hydro-  
Electric  
System  
supply  
power.

(8) The powers granted under this Section shall not be exercised by the Company if The Toronto Hydro-Electric System supply power to the Company for the necessities of its undertaking at rates fixed by *The Hydro-Electric Power Commission of Ontario*.

Hotels,  
sanitariums.


**10.** The Company may purchase land for and may erect, maintain, control and acquire hotels and sanitariums in connection with the said railway at any point along its route or on the lands of its branches as aforesaid.



Audit of  
books.

**11.** The Auditor of the Corporation of the City of Toronto shall have the right to audit and inspect the books, papers and vouchers of the Company for the period of five years after the construction of that portion of the said railway between the Lake Shore Road and Bloor Street, and for the purpose of assisting in the said audit the Corporation's Engineer shall have access to all plans, profiles, estimates, contracts and other documents necessary to check and verify the Company's expenditures.

Right to  
acquire by  
City of  
Toronto.

**12.** The Corporation of the City of Toronto shall have the right to acquire the said railway and all real and personal property used in the operation thereof at any time within the period of five years from the date of completion of that portion of the said railway between the Lake Shore Road and Bloor Street, as fixed and determined by the certificate of The Ontario Railway and Municipal Board upon payment of the total cost of the undertaking, saving and excepting the cost of that part of the right of way now owned and controlled by R. Home Smith and his associates, and on payment of the amount of the Company's loss, if any, arising in the

operation of the road from the commencement of the operation thereof, or of any section thereof to the date of the taking over of the same by the said Corporation. 

 **13.** The powers granted by this Act shall not be of any force or effect or be exercised until after the 14th day of January, 1913, and shall not then or thereafter be of any force or be exercised if the Corporation of the City of Toronto, with the assent of the ratepayers qualified to vote upon by-laws for the creation of debts, and prior to said 14th day of January, 1913, pass a by-law or by-laws for the issue of debentures for the purpose of raising money necessary to build a railway along the route of the railway hereby authorized, or within one-quarter of a mile from either side thereof; and the Corporation of the City of Toronto may, with the assent of the ratepayers qualified to vote on by-laws for the creation of debts, pass a by-law or by-laws for the issue of debentures for the purpose of building the said railway, and such debentures shall not be treated as part of the general debenture debt of the said City. 

Powers suspended until 14th January, 1913.

**14.** The provisions of *The Ontario Railway Act, 1906*, except where inconsistent with the provisions of this Act, shall apply to the Company and the railway to be constructed by it.

Application of 6 Edw. VII., c. 30.



1911

1911

1911

1911

No. 12.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to Incorporate The Humber Valley Electric Railway Company.

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1st Reading, Feb. 15, 1912.

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

Mr. PRAET.

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



# BILL

## An Act to confirm By-law No. 411 of the Township of Humberstone.

**W**HEREAS, The Maple Leaf Milling Company has <sup>Preamble.</sup> by petition represented that the Municipal Corporation of the Township of Humberstone duly passed a By-law fixing the assessment for a term of twenty years of the lands and premises leased to and owned by the Hedley Shaw Milling Company, Limited, and which lands and premises are now owned by the said The Maple Leaf Milling Company, all of which is fully set out in said By-law, and that in order to validate the said By-law and give the same full force and effect it is desirable that an Act be passed confirming 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. 411 of the Municipal Corporation of the <sup>By-law No. 411 con-</sup> Township of Humberstone in the County of Welland, <sup>firmmed.</sup> passed on the 26th day of July, A.D., 1909, and set out as Schedule "A," hereto, is hereby confirmed.

### SCHEDULE "A."

#### BY-LAW No. 411.

A By-law fixing the assessment of the property leased and owned by The Hedley Shaw Milling Company, Limited, in the Township of Humberstone, in the County of Welland, for a period of twenty years.

Whereas The Hedley Shaw Milling Company, Limited, intends to manufacture, buy and sell flour and other food articles manufactured from grain or cereals in the said Township of Humberstone

and has signified its intention of erecting a large mill upon the lands hereinafter mentioned if the said lands and the property of the Company is assessed at \$10,000.00 a year for the next twenty years;

And whereas the said Company will employ a large number of hands and pay out a large sum of money yearly in wages, and the effect of this will be to materially increase the population of the Township, enhance the value of real estate and produce a greater revenue for the Township and the circulation of a large sum of money yearly;

And whereas it is most desirable and greatly in the interest of the Township to encourage the location in said Township of and to promote manufacturing industries in general and the said Company in particular to the benefit of the ratepayers of the said Township;

Therefore the Municipal Corporation of the Township of Humberstone enacts as follows:

1. That the following lands and premises, viz.: All and singular that certain parcel of Welland Canal Reserve Land and land covered by water situate, lying and being in the Harbour of Port Colborne, in the Township of Humberstone, in the County of Welland and Province of Ontario, which may be more fully described as follows:

Commencing at the southeast corner of Dock Number 1 situated at the south end of the west pier; thence northerly along the east face of said Dock and a production thereof 1,400 feet; thence westerly at right angles 200 feet more or less; thence southerly along a production of the westerly side of Dock Number 1 and along the westerly face of said Dock 1,400 feet more or less to the southwest corner of said Dock; thence easterly along the south face of said Dock 200 feet more or less to the place of beginning and containing by admeasurement six acres and forty-three hundredths of an acre (6.43 ac.) be the same more or less; saving and excepting therefrom a strip 12 feet in width by 630 feet in length along the west side of Dock Number 1, a strip 12 feet in width by 200 feet in length along the south end of said Dock, a strip 12 feet in width by 689 feet in length along the east side of said Dock, a strip 20 feet in width by 200 feet in length along the north side of said Dock; and a strip 20 feet in width by 200 feet in length along the face of the west pier, and all buildings and erections that may be erected or made thereon for or in connection with the flour milling business of the said Company and the plant, appliances, machinery, tools and other personal property of the said Company which may not now be, but may possibly become liable to taxation hereafter by Law and shall be annually assessed for the next 20 years from and after the year 1910 at the sum of \$10,000.00 for all municipal purposes (including business tax) except school taxes and rates.

2. That this By-law shall take effect from and after the passing thereof.

3. That the votes of electors of the said Township shall be taken on this By-law at the following times and places, that is to say, on Thursday the 22nd day of July next, commencing at the hour of nine o'clock in the forenoon and continuing till five o'clock in the afternoon of the same day by the following deputy returning officers, and at the following places:

Polling Division No. 1, at D. Michael's dwelling house, Alfred Sherk, Deputy Returning Officer.

Polling Division No. 2, at J. F. Dennis' dwelling house, A. Klein-smith, Deputy Returning Officer.

Polling Division No. 3, at Town Hall, L. R. Snider, Deputy Returning Officer.

Polling Division No. 4, at Reichman's store, O. B. Neff, Deputy Returning Officer.

Polling Division No. 5, at School House S. S. No. 4, A. G. Scilly, Deputy Returning Officer.

Polling Division No. 6, at Henry Cronmiller's polling booth, Arthur H. White, Deputy Returning Officer.

Polling Division No. 7, at School House S. S. No. 9, John Lever, Deputy Returning Officer.

4. That on Saturday the 10th day of July, the Reeve of the said Township of Humberstone shall attend at the Township Hall 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 the votes by the Clerk on behalf of the persons interested in and promoting or opposing the passing of this By-law respectively.

5. That the Clerk of the Council of the said Township of Humberstone shall attend at his office in the Township Hall at 12 o'clock in the forenoon of Friday the 23rd day of July to sum up the number of votes for and against this By-law.

Read and passed a first and second time in Council this 21st day of June, 1909.

(Sgd.) A. E. NEAR,  
*Clerk.*

(Sgd.) H. J. KNOLL,  
*Reeve.*

Read a third time and finally passed this 26th day of July, A.D. 1909.

(Sgd.) A. E. NEAR,  
*Clerk.*

(Sgd.) H. J. KNOLL,  
*Reeve.*

(Seal.)

No. 13.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to confirm By-Law No. 411 of the  
Township of Humberstone.

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1st Reading                      1912.

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(*Private Bill.*)

Mr. FRASER.

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

# BILL

An Act to authorize the Incorporated Synod of the  
Diocese of Ontario, and Rector of St. Thomas  
Church, Belleville, to sell and convey  
certain lands.

**W**HEREAS the Incorporated Synod of the Diocese of Preamble.  
Ontario and the Rector of St. Thomas Church in  
the City of Belleville, have petitioned for an Act to authorize  
the sale and conveyance of that certain parcel of land and  
premises, in the City of Belleville, in the County of Hast-  
ings, composed of part of lots numbers twenty-six and  
twenty-seven as laid down on the registered plan of the said  
City described as follows: Commencing on the easterly side  
of Church Street at the southwest corner of lot twenty-six;  
thence north thirty-eight degrees fifty minutes east two  
hundred and seven feet two inches to a point; then north  
seven degrees five minutes east eighty-one feet two inches  
to a point; thence north fifty degrees forty-nine minutes  
east one hundred and four feet three inches to the easterly  
side line of lot twenty-seven; thence northerly along said  
side line thirty-five feet to the northeast angle of said lot;  
thence westerly along the northerly boundary of said lot to  
Church Street; thence southerly along the easterly side of  
Church Street to the place of beginning and as staked by the  
surveyor and iron pegs placed by him thereon, to the Board  
of Education of the City of Belleville; and whereas the  
said lands (with other lands) were granted by the Crown  
for Church and Burial Grounds purposes and have never  
been used, and are no longer required for those purposes;  
and whereas the said Synod, with the consent of the said  
Rector, have agreed to sell and convey the said lands to the  
said Board of Education, who have agreed to purchase the  
same for the sum of \$4,500; and whereas doubts have arisen  
as to the right of the said Synod and Rector to convey  
the said property; and whereas it is equitable and expedient  
to confirm the said sale and to validate the conveyance of the  
said Synod and Rector to the said Board of Education, and  
to grant the prayer of the said Petition:

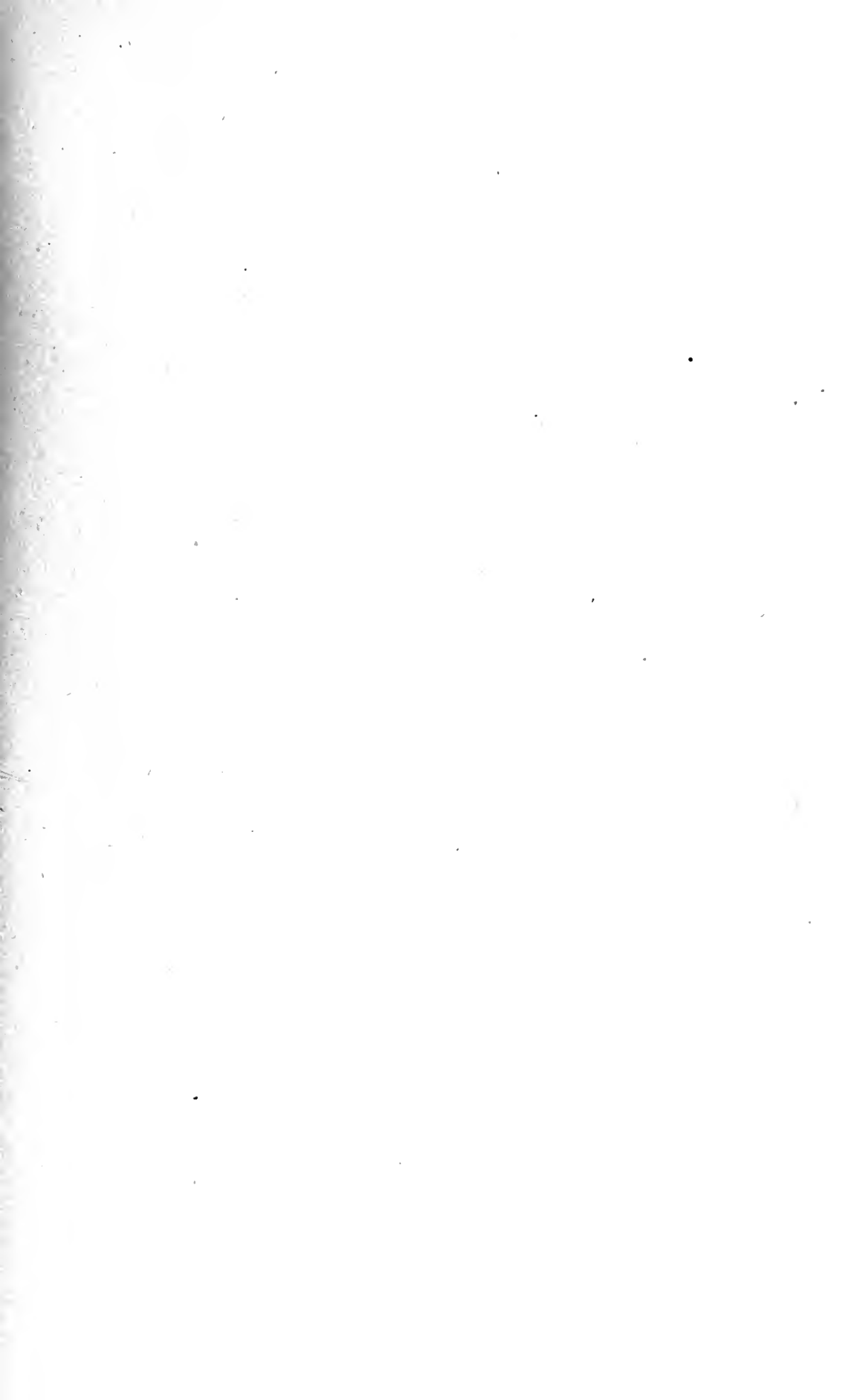
Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Authority to  
sell certain  
lands.

**1.** The Incorporated Synod of the Diocese of Ontario, with the consent of the Rector of St. Thomas Church, Belleville, shall have full power and authority to sell and convey the said lands to the said the Board of Education of the City of Belleville.

Vesting of  
land in  
Board of  
Education.

**2.** Upon payment of the said purchase money, and upon delivery of a conveyance of the said lands executed by the said parties, the title to said lands shall be absolutely vested in the said The Board of Education, of the City of Belleville.



No. 14.

1st Session, 13th Legislature,  
2 George V., 1912.

BILL.

An Act to authorize the Incorporated  
Synod of the Diocese of Ontario and  
Rector of St. Thomas Church,  
Bellefleur, to Sell and Con-  
vey Certain Lands.

1st Reading, 1912.

(*Private Bill.*)

Mr. JOHNSON.


TORONTO:

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



# BILL

An Act to authorize the Incorporated Synod of the  
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Church, Belleville, to sell and convey  
certain lands.

**W**HEREAS the Incorporated Synod of the Diocese of Preamble.  
Ontario and the Rector of St. Thomas Church in  
the City of Belleville, have petitioned for an Act to authorize  
the sale and conveyance of that certain parcel of land and  
premises, in the City of Belleville, in the County of Hast-  
ings, composed of part of lots numbers twenty-six and  
twenty-seven as laid down on the registered plan of the said  
City described as follows: Commencing on the easterly side  
of Church Street at the southwest corner of lot twenty-six;  
thence north thirty-eight degrees fifty minutes east two  
hundred and seven feet two inches to a point; then north  
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east one hundred and four feet three inches to the easterly  
side line of lot twenty-seven; thence northerly along said  
side line thirty-five feet to the northeast angle of said lot;  
thence westerly along the northerly boundary of said lot to  
Church Street; thence southerly along the easterly side of  
Church Street to the place of beginning and as staked by the  
surveyor and iron pegs placed by him thereon, to the Board  
of Education of the City of Belleville;  and whereas the  
said lands (with other lands) were granted by His late  
Majesty King George IV., on the 20th day of June, 1825, to  
the Rector and Churchwardens of the Episcopal Church of  
the then Town of Belleville, and their successors in office for  
church and burial ground purposes; and whereas an instru-  
ment purporting to be a deed of consecration by the then  
Bishop of Quebec, dated the seventh day of September, 1828,  
was registered upon the said property; and whereas that  
part of the land so granted and now sold has never been used  
and is no longer required for Church and burial ground

purposes; and whereas the said Synod, with the consent of the said Rector, have agreed to sell and convey the said lands to the said Board of Education, who have agreed to purchase the same for the sum of \$4,500; and whereas doubts have arisen as to the right of the said Synod and Rector to convey the said property; and whereas it is equitable and expedient to confirm the said sale and to validate the conveyance of the said Synod and Rector to the said Board of Education, and to grant the prayer of the said Petition;

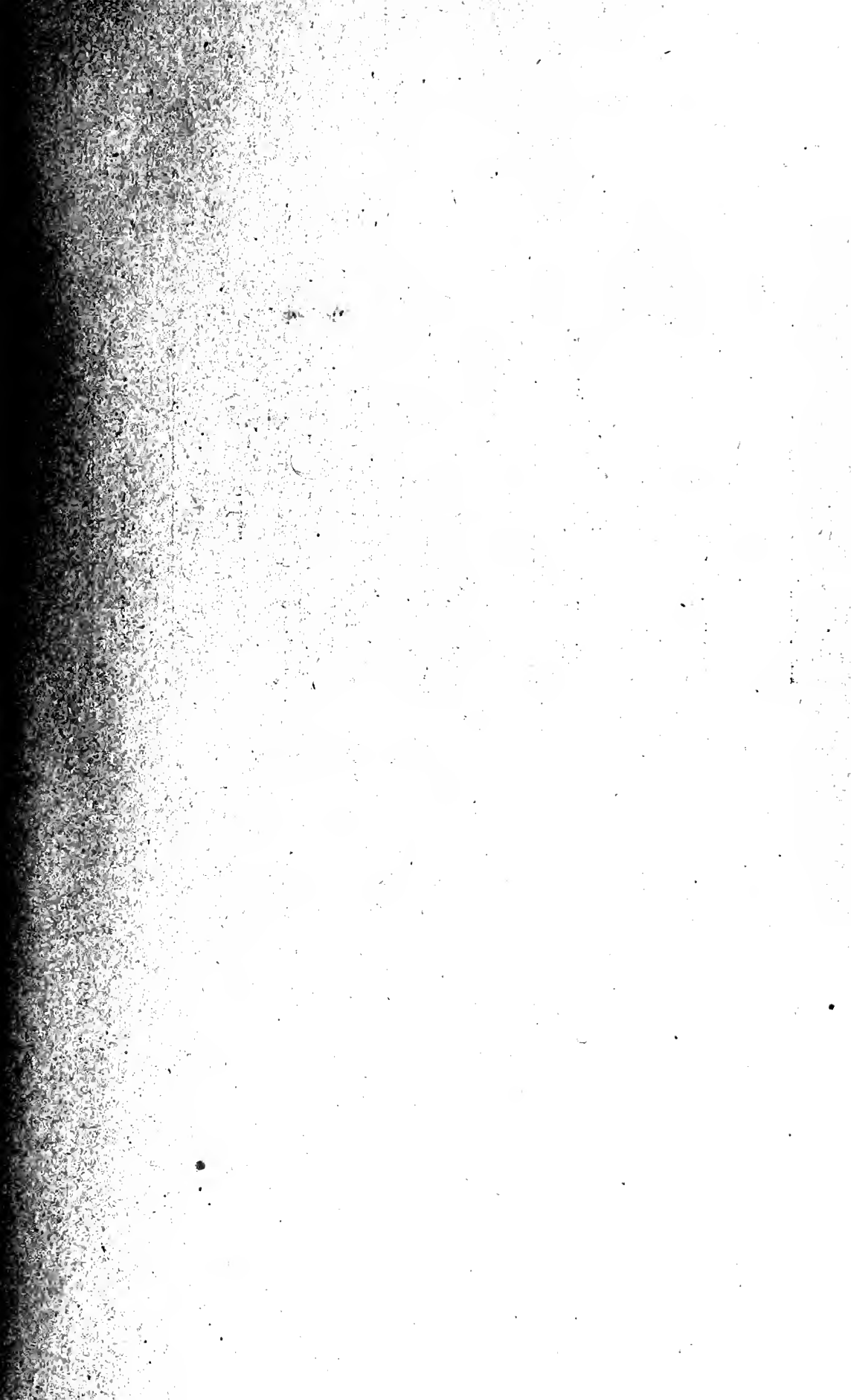
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Authority to  
sell certain  
lands.

**1.** The Incorporated Synod of the Diocese of Ontario, with the consent of the Rector of St. Thomas Church, Belleville, shall have full power and authority to sell and convey the said lands to the said the Board of Education of the City of Belleville.

Vesting of  
land in  
Board of  
Education.

**2.** Upon payment of the said purchase money, and upon delivery of a conveyance of the said lands executed by the said parties, the title to said lands shall be absolutely vested in the said The Board of Education, of the City of Belleville.



No. 14.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to authorize the Incorporated  
Synod of the Diocese of Ontario and  
Rector of St. Thomas Church,  
Belleville, to Sell and Con-  
vey Certain Lands.

---

1st Reading, February 15th, 1912.

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*(Re-printed as amended by the Private  
Bills Committee.)*

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Mr. JOHNSON.

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

# BILL

## An Act to amend the Act of Incorporation of the Toronto Stock Exchange.

**W**HEREAS the Toronto Stock Exchange has by its Preamble. petition represented that it was incorporated by Act of the Legislature of Ontario, passed in the 41st year of the Reign of Her Late Majesty Queen Victoria, Chapter 65, intituled *An Act to Incorporate the Toronto Stock Exchange*; that by said Act it was provided that the clear annual value of the real estate of the said Corporation at any one time should not exceed \$5,000; and that it is desirable to enlarge the powers of the said Corporation in respect of the holding of real estate; and whereas it is expedient to grant the prayer of said petition;

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

1. Section 1 of Chapter 65 of the Acts passed in the 41st year of the Reign of Her Late Majesty Queen Victoria, intituled *An Act to Incorporate the Toronto Stock Exchange*, is hereby amended by striking out the words “five thousand” where they appear in said section, and by substituting therefor the words “fifty thousand,” and by adding to said section the following proviso:—

41 V., c. 65,  
s. 1, amended.  
Power to  
hold land  
increased.

“Provided further that notwithstanding anything in this Proviso Act contained the Corporation may from time to time acquire and hold any lands (including the buildings thereon, if any), and may from time to time acquire, erect, improve, alter or add to and hold any building upon or in which it shall be intended that any business of the Corporation shall be carried on although the whole of any such lands or buildings may not be required exclusively for the carrying on of such business, and that the Corporation may from time to time alienate, sell, convey, mortgage, lease or otherwise dispose of any such lands or buildings or any part or parts thereof.”

No. 15.

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---

1st Session, 13th Legislature,  
2. George V., 1912.

---

---

BILL.

An Act to amend the Act of Incorporation  
of the Toronto Stock Exchange.

---

1st Reading,                      1912.

---

(*Private Bill.*)

MR. MCNAUGHT.

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

# BILL

## An Act to amend the Act of Incorporation of the Toronto Stock Exchange.



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

1. Section 1 of Chapter 65 of the Acts passed in the 41st 41 V., c. 65, s. 1, amended. year of the Reign of Her Late Majesty Queen Victoria, intituled *An Act to Incorporate the Toronto Stock Exchange*, is hereby amended by striking out the words “five thousand” where they appear in said section, and by substituting therefor the words “fifty thousand.” Power to hold land increased.

2. ~~Subject~~ Subject always to the limitation that the clear annual value of the real estate of the Corporation shall not at any one time exceed fifty thousand dollars, ~~the~~ Power to hold land not required for purposes of corporation. Corporation may from time to time acquire and hold any lands (including the buildings thereon, if any), and may from time to time acquire, erect, improve, alter or add to and hold any building upon or in which it shall be intended that any business of the Corporation shall be carried on although the whole of any such lands or buildings may not be required exclusively for the carrying on of such business, and the Corporation may from time to time alienate, sell, convey, mortgage, lease or otherwise dispose of any such lands or buildings or any part or parts thereof.

Bonding  
powers,  
etc.

**3.**  The Committee of Management of the Corporation, if thereunto duly authorized by resolution passed at a special meeting of the Corporation duly called in accordance with the By-laws of the Corporation for the purpose of considering the subject of such resolution, may borrow money, issue bonds, debentures or other securities and secure any bonds or debentures or other securities or any liability of the Corporation, by charge, mortgage or pledge of any or all of the real or personal property of the Corporation. 





No. 15.

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---

1st Session, 13th Legislature,  
2 George V., 1912.

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---

BILL.

An Act to amend the Act of Incorporation  
of the Toronto Stock Exchange.

---

1st Reading, 15th February, 1912.

---

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

Mr. MCNAUGHT.

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TORONTO:

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

# BILL

## An Act respecting the Town of Renfrew.

**W**HEREAS the Corporation of the Town of Renfrew <sup>Preamble.</sup> has by Petition represented that By-law number 532 of the said Town set out in Schedule "A" hereto was duly submitted to the ratepayers of the said Town properly qualified to vote thereon on the tenth day of May, A.D. 1911, as required by *The Consolidated Municipal Act, 1903*, and amendments thereto, whereupon out of the property owners entitled to vote on said By-law, 250 voted for and 66 against said By-law; and that on the twenty-second day of May, 1911, said By-law was given its third reading and finally passed by the Municipal Council of the said Town; and whereas the Corporation of the Town of Renfrew has by petition represented that By-law number 552 of the said Town set out in Schedule "B" hereto was duly submitted to the ratepayers of the said Town properly qualified to vote thereon on the first day of January, A.D. 1912, as required by *The Consolidated Municipal Act, 1903*, and amendments thereto, whereupon out of the property owners entitled to vote on said By-law, 150 voted for and 31 against said By-law; and that on the eighth day of January, A.D. 1912, said By-law was given its third reading and finally passed by the Municipal Council of the said Town; and whereas the amount of the rateable property of the said Corporation according to the last revised Assessment Roll is \$1,414,179.00; and the existing debenture debts of the said Corporation, inclusive of Local Improvement Debenture Debts secured by special assessments therefor, and of \$117,000 issued for development of water and electric power, now amount to the sum of \$345,268.00, and no part of the principal or interest thereof is in arrears; and whereas the said Corporation has by its petition prayed that the said By-law be validated and 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:—

By-laws Nos  
532 and 552  
confirmed.

1. By-laws number 532 and number 552 of the Corporation of the Town of Renfrew as set out in Schedules "A" and "B" hereto, are, each of them, hereby ratified and confirmed and declared to be legal, valid and binding on the said Corporation, and on the ratepayers thereof; and the said Corporation is hereby declared to be and to have been since the final passing of said By-laws, authorized and empowered to do all necessary and proper acts for the full and effectual carrying out of the objects of the said By-laws, and the debentures issued or to be issued thereunder are declared to be legal, valid and binding on the said Corporation and the ratepayers thereof.

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#### SCHEDULE "A."

##### BY-LAW No. 532.

A By-law to raise by way of loan the sum of \$25,000.00 for the purpose of repaying to the Merchants' Bank of Canada, Renfrew, the amount of overdraft under the head of Local Improvements and on General Account and to authorize the issue of Debentures therefor.

Whereas between the years 1902 and 1909 inclusive various Local Improvements works were undertaken by the Municipal Council of the Town of Renfrew under different Local Improvement By-laws;

And whereas the necessary By-laws for the performance of the said works were duly passed by the Municipal Council of the Town of Renfrew;

And whereas the amounts which were expended upon the said works in some cases exceeded the amounts provided for under the said By-law;

And whereas in many instances the Debentures authorized to be issued under the said various By-laws were not sold for some years after the said By-laws were passed and when so sold did not realize a sufficient amount to pay for the works performed under the said By-law;

And whereas certain other monies were expended from time to time on Local Improvements in the said Town of Renfrew;

And whereas the monies required to make up the deficiencies from time to time were drawn from Local Improvement Accounts of the said Municipal Corporation of the Town of Renfrew in the Merchants' Bank of Canada, Renfrew;

And whereas the amount of the overdraft from the said Local Improvement Account at the said Merchants' Bank of Canada, Renfrew, now amounts to the sum of \$20,000.00.

And whereas certain other monies amounting in all to about \$5,000.00 have been expended by the Municipal Council of the Town of Renfrew from time to time and have not been sufficiently provided for in the yearly levies;

And whereas the said sum of \$5,000.00 was borrowed from the Merchants' Bank of Canada, Renfrew, and is still due and owing to the said Bank;

And whereas the Bank requires that the said sum of \$20,000.00 overdraft on Local Improvements Account and the said sum of \$5,000.00 borrowed as aforesaid be repaid;

And whereas it is necessary to raise the sum of \$25,000.00 for the purpose of repaying the said Merchants' Bank of Canada the amount of the said overdrafts and to borrow the same on the credit of the said Town of Renfrew payable as hereinafter provided;

And whereas for the repayment of the said sum of \$25,000.00 it is proposed to issue Debentures of the said Town payable with interest at the rate of five per cent. per annum in twenty annual instalments such that the aggregate amount payable for principal and interest in any one year of the said twenty years shall be equal as nearly as may be to what is payable for principal and interest in each one of the other years of such period.

And whereas the total sum required to be raised annually by special rate during the said period of twenty years for paying the said debentures and interest is the sum of \$2,006.06;

And whereas the amount of whole rateable property of the said Municipality according to the last revised assessment roll being for the year 1910 is \$1,343,480.00;

And whereas the amount of existing Debenture debt of the said Town of Renfrew is the sum of \$236,354.00;

Be it therefore enacted and it is hereby enacted by the Municipal Council of the said Town of Renfrew:

1. That it shall be lawful for the Mayor of the said Town of Renfrew to raise by way of loan from any person or persons, body or bodies corporate who may be willing to advance the same upon the credit hereinafter mentioned a sum not exceeding in the whole the sum of \$25,000.00, and to cause the same to be paid into the hands of the Treasurer, for the purposes and with the objects above recited and for no other.

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 to attach the seal of the said Municipality to the said Debentures.

3. The said Debentures both as to principal and interest shall be payable at the Agency of the Merchants' Bank of Canada, Renfrew, and shall be dated the 22nd day of May, A.D. 1911.

4. The Debentures shall be for the sum of \$2,006.06 each and shall be payable in each year for the period of twenty years after the date of the final passing of this By-law.

5. That for the purpose of paying the said Debentures and interest on same during the currency thereof, the sum of \$2,006.06 shall be raised annually and levied in the same manner and at the same time as the taxes are levied by a special rate over and above all other rates upon the whole rateable property in the said Town of Renfrew in each year for the period of twenty (20) years after the date of the final passing of this By-law and during the period which the said Debentures have to run, and the said sum of \$2,006.06 shall in each year be appropriated to the payments of the said Debentures and interest as follows:

Year.	Interest.	Debenture.	Total Amount.
1912	\$1,250 00	\$756 06	\$2,006 06
1913	1,212 19	793 87	2,006 06
1914	1,172 50	833 56	2,006 06
1915	1,130 82	875 24	2,006 06
1916	1,087 06	919 00	2,006 06
1917	1,041 11	964 95	2,006 06
1918	992 86	1,013 20	2,006 06
1919	942 20	1,063 86	2,006 06
1920	889 00	1,117 06	2,006 06
1921	833 16	1,172 90	2,006 06
1922	774 51	1,231 55	2,006 06
1923	712 93	1,293 13	2,006 06
1924	648 28	1,357 78	2,006 06
1925	580 39	1,425 67	2,006 06
1926	509 10	1,496 96	2,006 06
1927	434 26	1,571 80	2,006 06
1928	355 67	1,650 39	2,006 06
1929	273 15	1,732 91	2,006 06
1930	186 50	1,819 56	2,006 06
1931	95 50	1,910 56	2,006 06

That this By-law shall take effect on the 22nd day of May, 1911.

That the vote of the electors of the said Municipality shall be taken on this By-law on the 10th day of May, 1911, between the hours of nine o'clock in the forenoon and five o'clock in the afternoon on the said day at the following polling places in the said Town:

North Ward at or near the Hose Reel House, Bridge Street, by C. K. Grigg, Deputy Returning Officer.

Centre Ward, at or near the Council Chambers, by A. T. Lawson, Deputy Returning Officer.

South Ward, at or near the Old Town Hall, by John Devine, Deputy Returning Officer.

That on the 8th day of May, 1911, at the hour of ten o'clock in the forenoon at the Council Chamber in the said Town of Renfrew shall be the time and place when and at which persons will be appointed by the Mayor to attend at the said respective polling places and at the final summing up of the votes by the Clerk of the said Municipality on behalf of the persons interested in promoting or opposing the By-law respectively.

That the Clerk of the said Municipality shall on the 11th day of May, 1911, at the hour of ten o'clock in the forenoon at the Council Chamber in the said Town of Renfrew sum up the number of votes for and against this By-law.

It will be finally considered in Council on the 22nd day of May, A.D. 1911.

(Signed) N. McCORMACK,  
Mayor.

Seal.

(Signed) A. T. LAWSON,  
Clerk-Treasurer.

## SCHEDULE " B."

BY-LAW No. 552

For the purpose of raising by way of Debentures the additional sum of \$60,000.00, for the development of a larger and more economical Water Power, with Electric Power and Steam Power Auxiliaries, for the purpose of Water Works System of the Town of Renfrew, as well as to supply power, if at any time necessary or desirable, for the lighting of the town, and for the distribution of electricity for manufacturing purposes, as shown on Schedule " B," hereto attached.

Whereas by By-law Number 486 of the Town of Renfrew it was provided that the sum of \$82,000 should be raised on Debentures for the purpose above mentioned;

And whereas during the construction of the said work it has been found that an additional 100 to 300 horse-power could be developed, and the development of such additional power would make the costs proportionately greater;

And whereas it is expedient that the additional power should be developed;

And whereas, by reason of unforeseen difficulties in the construction and a shortage of labor, the work of construction has taken a longer period than was contemplated;

And whereas, by reason of such delay in construction, no revenue has yet been obtained from the undertaking, and eighteen months' interest will have to be paid out of the capital;

And whereas the additional development now proposed and the payment of the said interest will require the consent of the property holders for an additional expenditure of \$60,000.00;

And whereas, for the purpose aforesaid, it will be necessary to borrow the said sum of \$60,000.00 on the credit of the Municipality, to be raised by Debentures payable as hereinafter provided;

And whereas it is desirable to make the principal of the said debt repayable by annual instalments during the period of thirty years next after the issue of the Debentures therefor, such instalments of principal 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, as shown in Schedule "A," hereto annexed;

And whereas it will be necessary to raise annually, for the period of thirty years during the currency of the Debentures to be issued hereafter, by a special rate sufficient therefor on all the rateable property of the Municipality, the sum of \$3,903.09 for paying the several instalments of principal, and interest thereon at the rate of five per cent. per annum;

And whereas the amount of the whole rateable property of the said Town of Renfrew, according to the last revised assessment roll, being for the year 1911, is the sum of \$1,414,179.00;

And whereas the existing Debenture debt of the said Town of Renfrew, exclusive of Local Improvement Debenture debt, secured by special estimates therefor, amounts to the sum of \$279,065.00, and no part of the principal or interest thereof is in arrear;

Therefore the Municipal Council of the Corporation of the Town of Renfrew enacts as follows:—

1. That it shall be lawful for the Mayor of the said Town, for the purposes aforesaid, to borrow on the credit of the Corporation of the Town of Renfrew the sum of \$60,000.00, and to issue Debentures of the said Municipality to the amount of \$60,000.00, in sums of not less than \$100.00 each.

2. The said debt shall bear interest at the rate of five (5) per cent. per annum. The said Debentures issued therefor shall be dated the 1st day of January, 1912, and shall be payable in equal amounts in each of the thirty years next succeeding the said date, such amounts being made up of the aggregate amount due each year on account of principal and interest, as shown in Schedule "A," hereto annexed.

3. The said Debentures as to principal and interest shall be payable at the agency of the Bank of Ottawa, in Renfrew, and shall be dated on the 1st day of January, 1912.

4. That 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, 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.

5. That for the purpose of paying the said Debentures, the sum of \$3,903.09 shall be raised annually and levied in the same manner, and at the same time as the taxes are levied, by special rate over and above the other rates upon the whole rateable property in the said Town of Renfrew, in each year for the period of thirty years after the date of the final passing of this By-law and during the period which the said Debentures have to run, and the said sum of \$3,903.09 shall in each year be appropriated to the payment of the said Debentures, as shown in Schedule "A," hereto annexed.

6. This By-law shall go into force and take effect on the date of the final passing thereof.

7. The votes of the Electors of the said Municipality qualified to vote on the present By-law shall be taken on the 1st day of January, 1912, commencing at nine o'clock in the forenoon, until five o'clock in the afternoon, at the following places within the said Municipality:—

In the South Ward, at or near the Old Town Hall, Hall Street; John Devine, Deputy Returning Officer.

In the Centre Ward, at or near the Council Chambers, Main Street; A. T. Lawson, Deputy Returning Officer.

In the North Ward, at or near No. 2 Hose Reel House, Bridge Street; C. K. Grigg, Deputy Returning Officer.

8. On Saturday, the 23rd day of December, 1911, at the hour of two o'clock in the afternoon, at the office of the Clerk of the said Town of Renfrew, on Raglan Street, the Mayor shall appoint in writing two persons to attend the final summing up of the votes by the Clerk, and one person to attend the poll at each polling place on behalf of the persons interested in and desirous of promoting the passing of this By-law, and one person on behalf of the persons interested in and desirous of opposing the passing of this By-law.

9. The Clerk of the Municipal Council of the said Town shall attend at his office on Raglan Street, in the said Town, at 12 o'clock



noon, on Tuesday, the 2nd day of January, 1912, to sum up the number of votes given for and against this By-law.

Dated the 11th day of December, 1911.

N. MCCORMACK,  
*Mayor.*

Seal.

A. T. LAWSON,  
*Clerk.*

*Schedule A.*

Date.	Interest.	Principal.	Total.
1913	\$3,000 00	\$903 09	\$3,903 09
1914	2,954 85	948 24	3,903 09
1915	2,907 44	995 65	3,903 09
1916	2,857 65	1,045 44	3,903 09
1917	2,805 38	1,097 71	3,903 09
1918	2,750 50	1,152 59	3,903 09
1919	2,692 87	1,210 23	3,903 09
1920	2,632 36	1,270 73	3,903 09
1921	2,568 82	1,334 27	3,903 09
1922	2,502 11	1,400 98	3,903 09
1923	2,432 06	1,471 03	3,903 09
1924	2,358 50	1,544 59	3,903 09
1925	2,281 27	1,621 82	3,903 09
1926	2,200 19	1,702 90	3,903 09
1927	2,115 04	1,788 05	3,903 09
1928	2,025 64	1,877 45	3,903 09
1929	1,931 77	1,971 32	3,903 09
1930	1,833 20	2,069 89	3,903 09
1931	1,729 70	2,173 39	3,903 09
1932	1,621 03	2,282 06	3,903 09
1933	1,506 93	2,396 16	3,903 09
1934	1,387 12	2,515 97	3,903 09
1935	1,261 33	2,641 76	3,903 09
1936	1,129 24	2,773 85	3,903 09
1937	990 54	2,912 55	3,903 09
1938	844 92	3,058 17	3,903 09
1939	692 01	3,211 08	3,903 09
1940	531 45	3,371 64	3,903 09
1941	362 87	3,540 22	3,903 09
1942	185 86	3,717 23	3,903 09

*Schedule B.*

To pay Logan Co. and Knitting Co., for Water Privileges.	\$15,000 00
To complete construction of Power House, Wing, Walls, Generators, etc.	25,000 00
For Water Works Turbine Pump and Wheel, removal of Boilers, Filters, Generators, etc.	9,000 00
To pay Debentures half of Principal and Interest for one year and a half	11,000 00
	<hr/>
	\$60,000 00

No. 16.

1st Session, 13th Legislature,  
2 George V., 1912.

BILL.

An Act respecting the Town of Renfrew.

1st Reading,	1912.
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(*Private Bill.*)

Mr. McGARRY.

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

# BILL

## An Act respecting The Dunnville, Wellandport and Beamsville Electric Railway Company.

**W**HEREAS The Dunnville, Wellandport and Beamsville <sup>Preamble.</sup> Electric Railway Company, has by petition represented that the said Company was incorporated under the name of "The Dunnville, Wellandport and Beamsville Electric Railway Company," by an Act passed in the sixth year of the Reign of His late Majesty Edward VII., Chaptered 107, as amended by an Act passed in the eighth year of his Majesty's said Reign, Chaptered 123, and as further amended by an Act passed in the ninth year of His Majesty's said Reign, Chaptered 133, and as further amended by an Act passed in the tenth year of His Majesty's said Reign, Chaptered 140, for the purposes of constructing and operating an Electric Railway as set forth in the said Acts; and whereas the said Company has by its petition prayed that the time for the completion of the said railway be extended for the term of four years and also that section 2 of the said Chapter 107 of the Statutes passed in the sixth year of the Reign of His late Majesty Edward VII., be amended by inserting after the word "electricity" in the second line of the said section, the words "or other motive power"; 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 railway authorized by the said Acts shall be completed within four years after the passing of this Act, and if the railway is not completed and put into operation within four years from the passing of this Act then the powers <sup>Time for completion extended.</sup>

granted to the Company by the said Acts shall cease and be null and void as respects so much of the railway as then remains uncompleted.

6 Edw. VII.,  
c. 107, s. 2,  
amended.

2. Section 2 of Chapter 107 of the Statute passed in the sixth year of the Reign of His late Majesty, King Edward VII., is amended by inserting after the word "electricity" in the second line of the said section the words "or other motive power."



No. 17.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting The Dunnville,  
Wellandport and Beamsville Railway  
Company.

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1st Reading,                      1912.

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(*Private Bill.*)

Mr. JESSOP.

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

# BILL

## An Act respecting The Dunnville, Wellandport and Beamsville Electric Railway Company.

**W**HEREAS The Dunnville, Wellandport and Beamsville Electric Railway Company, has by petition represented that the said Company was incorporated under the name of "The Dunnville, Wellandport and Beamsville Electric Railway Company," by an Act passed in the sixth year of the Reign of His late Majesty King Edward VII., Chaptered 107, as amended by an Act passed in the eighth year of His late Majesty's Reign, Chaptered 123, and as further amended by an Act passed in the ninth year of His late Majesty's Reign, Chaptered 133, and as further amended by an Act passed in the tenth year of His late Majesty's Reign, Chaptered 140, for the purpose of constructing and operating an Electric Railway as set forth in the said Acts; and whereas the said Company has by its petition prayed that the time for the completion of the said railway be extended for the term of *two* years and also that section 2 of the said Chapter 107 of the Statutes passed in the sixth year of the Reign of His late Majesty King Edward VII., be amended by inserting after the word "electricity" in the second line of the said section, the words "or other motive power, *except steam*"; 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 railway authorized by the said Acts shall be completed within *two* years after the passing of this Act, and if the railway is not completed and put into operation within *two* years from the passing of this Act then the powers

Time for completion extended.

granted to the Company by the said Acts *and by this Act* shall cease and be null and void as respects so much of the railway as then remains uncompleted.

6 Edw. VII.  
c. 107, s. 2,  
amended.

2. Section 2 of Chapter 107 of the Statutes passed in the sixth year of the Reign of His late Majesty, King Edward VII., is amended by inserting after the word "electricity" in the second line of the said section the words "or other motive power, *except steam.*"





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No. 17.

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1st Session, 13th Legislature,  
2 George V., 1912.

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An Act respecting The Dunnville,  
Welandport and Beansville Electric  
Railway Company.

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1st Reading, 20th February, 1912.

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(*Private Bill.*)

(*Reprinted with amendments made by  
Railway Committee.*)

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Mr. JESSOP.

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

# BILL

An Act to enable the Estate of William Copland to convey certain lands.

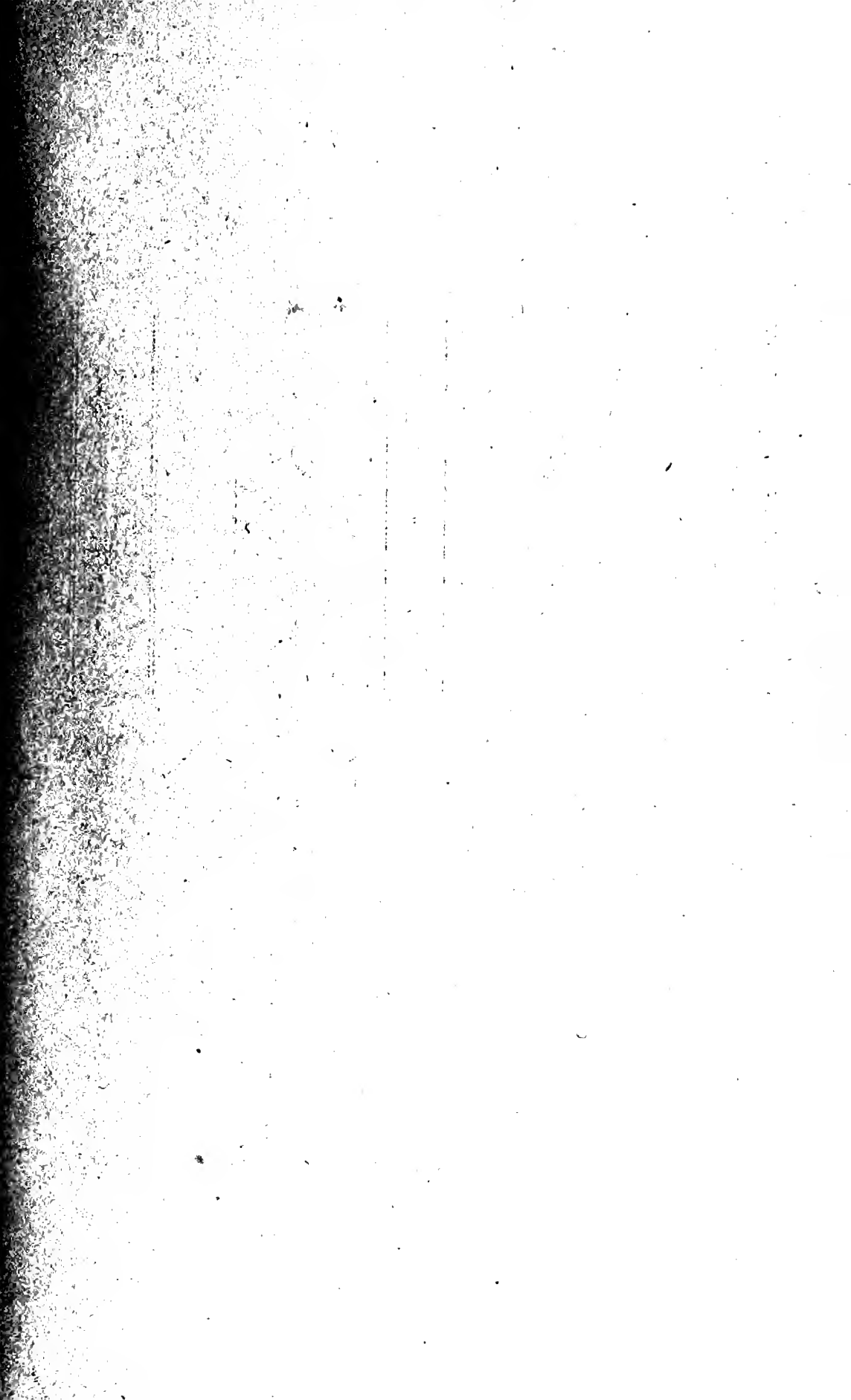
**W**HEREAS, Madge Copland, Alice Brereton Copland, Preamble.  
Wiliameen Bessie Copland and Copland William Evans, have by their petition represented that William Copland, late of the City of Toronto, Gentleman, departed this life on or about the tenth day of March, A.D. 1888, having first duly made his last will and testament bearing date the 24th day of October, 1887, and that in and by the said will the said William Copland devised certain lands to his nephew, William R. Evans, for life, and subject to such life estate he gave the same to his nephew, Copland Evans, son of the said W. R. Evans, for and during the term of his natural life, and in the event of the said Copland Evans dying without leaving children him surviving, the said William Copland further directed that the said property should revert to the estate of the said William Copland, but should the said Copland Evans die leaving children him surviving and surviving the said W. R. Evans, then the said lands were given to the said Copland Evans, his heirs and assigns forever. And also, that the said William Copland gave the residue of his estate in trust for his wife during her lifetime and after her death to his children absolutely should there be any such child or children then surviving, share and share alike, and in the event of no children or child surviving his said wife that the said estate should be divided share and share alike between his nephews the said William R. Evans and Copland Evans, and the children of his uncle Samuel Copland, of his aunt, Mrs. Berry, of his aunt Lucy Sothern, and of his aunt Susan Crisp; and also that in and by the said will the said executors named therein were authorized to sell and convey all the real estate of the said William Copland not in the said will specifically devised; and also that the said William Copland appointed his widow, the above named petitioner Madge Copland, and one Charles Herbert Brereton, the executrix and executors of the said will and that the said Charles H. Brere-

ton has departed this life leaving the said Madge Copland the sole surviving executrix of the said will; and also that the said William Copland left him surviving his widow and two daughters who are now both of the full age of twenty-one years; and also that the said William R. Evans has departed this life leaving the said Copland Evans him surviving and the said Copland Evans has intermarried and has now two children; and also that the lands so given to the said William R. Evans and Copland Evans are situate in the said City of Toronto, and are composed of lots Numbers 5, 6 and 7, according to Plan D. 136, registered in the Registry Office for the Eastern Division of the City of Toronto; and also that the said lands have changed in character and the same should be improved, but on account of the possibility of the estate in fee given to the said Copland Evans being divested under the contingency set out in the said will, and also that there is a doubt as to the power of the said executrix to convey and release the interest in the said lands that may revert to the estate, money cannot be had upon the security of the said lands to enable the same to be improved; and whereas it is advisable that the said lands should be dealt with and improved and not left in their present condition; and whereas the petitioners have prayed that an Act may be passed authorizing the representative of the estate of the said William Copland to convey or release all or any interest in the said land that the said estate now has or that may revert to the estate in the event of the happening of the contingency set out in the said will, and it is advisable 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  
sell interest  
of estate of  
William  
Copland in  
certain land.

1. The representative for the time being of the Estate of the said William Copland shall be and is hereby authorized and empowered to sell, grant, release and convey any interest that the estate of the said William Copland now has or that may revert to the said estate in Lots Numbers 5, 6 and 7, according to Plan D. 136, registered in the Eastern Division of the Registry Office for the City of Toronto, so that the said lands may be freed and discharged from all claims of the estate of the said William Copland or of any person or persons claiming under the said will other than those claiming under the said Copland Evans, his heirs and assigns.



No. 18.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to enable the Estate of William  
Copland to convey certain lands.

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1st Reading,	1912.
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(*Private Bill.*)

Mr. McPHERSON.

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

# BILL

## An Act to confirm By-law No. 418 of the Town of Brampton.

**W**HEREAS, the Corporation of the Town of Brampton<sup>Preamble.</sup> by petition has represented that the ratepayers of the said Town of Brampton having duly approved thereof, the said Corporation did, on the 12th day of December, A.D., 1911, pass a By-law Number 418 of the said Town to authorize the issue of debentures of the Corporation of the Town of Brampton for \$43,000.00 for the purpose of granting a bonus by way of loan to the Pease Foundry Company, Limited, for the purposes and on the terms in the said By-law set out; and whereas the said Corporation of the Town of Brampton has by the said petition prayed that an Act may be passed ratifying and confirming the said By-law and the agreement therein set out; and whereas it is expedient to grant the prayer of the petition;

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

**1.** The said By-law Number 418 of the Corporation of the Town of Brampton set out in the Schedule "A" hereto, and all debentures issued or to be issued thereunder, and the said agreement are hereby ratified, confirmed and declared to be legal, valid and binding upon the said Corporation, the ratepayers thereof, and all parties to the said agreement.<sup>By-law 418 of Town of Brampton confirmed.</sup>

**2.** For the purposes of the construction of the said By-law and agreement, it is declared that the word "employees" in the said agreement, shall be deemed and construed to include all persons receiving remuneration from the said Pease Foundry Company, Limited, for services rendered to it.<sup>Interpretation of "employees."</sup>

**3.** The said agreement is hereby amended by substituting in paragraph 15 thereof for the words "David Street," the words "Helstone Avenue."<sup>Amendment of agreement.</sup>

## SCHEDULE "A."

## BY-LAW No. 418.

A By-law to authorize the issue of Debentures of the Corporation of the Town of Brampton for \$43,000.00 for the purpose of granting a bonus by way of loan to Pease Foundry Company, Limited, to enable such Company to purchase a site in the said Town and to establish a factory thereon for manufacturing purposes, and also the granting of certain exemptions from taxes and water rates.

Whereas Pease Foundry Company, Limited, has entered into an agreement with the Corporation of the Town of Brampton bearing date 21st day of October, A.D. 1911, subject to the approval of the ratepayers, a copy whereof is set forth in the Schedule hereunto annexed, marked "A."

And whereas the said agreement provides among other things, that the said Company will purchase a site and will erect and establish in the Town of Brampton a factory for the manufacture of furnaces and other goods, and will employ therein annually for twenty years not less than 100 men, or in the alternative will have an annual pay roll of \$50,000.00 as set forth in said agreement, and that upon the Company giving security by way of mortgage on the site, buildings, machinery and plant, as set forth in said agreement, and complying with all conditions mentioned therein, the Corporation of the Town of Brampton will loan to the Company the sum of \$43,000.00 on the terms mentioned and set forth in said agreement, and will grant to said Company exemption from taxation, except school rates and local improvement rates for ten years from the First day of January, A.D. 1912, and will furnish water for a like period for 5 cents per thousand gallons as set forth in said agreement.

And whereas in the opinion of the Municipal Council of the Town of Brampton, it is desirable to ratify and confirm the said agreement.

And whereas in order to carry out the terms of the said agreement, it will be necessary to issue debentures for the sum of \$43,000.00 as hereinafter provided, for which said sum of \$43,000.00 is the amount of the debt intended to be created by this By-law.

And whereas it will be necessary to raise annually during the term of twenty years by special rate for paying the said debt the following sums, that is to say: \$2,150.00 annually during the first two years and \$3,678.48 annually during the remaining eighteen years.

And whereas it will be necessary to raise the several sums in each year respectively set forth in paragraph five of this By-law.

And whereas the amount of the whole rateable property of the Town of Brampton according to the last revised assessment roll thereof, being the year 1911, is \$1,619,383.00.

And whereas the existing debenture debt of the Corporation of the Town of Brampton, exclusive of local improvement debentures, amounts to \$151,198.48 of which no part of the principal or interest is in arrear.

Now therefore the Corporation of the Town of Brampton by the Council thereof enacts as follows:—

1. That the agreement set forth in the Schedule hereto, bearing date the 21st day of October, 1911, be and the same is hereby approved of.



2. That for the purpose of carrying out the said agreement it shall be lawful for the Corporation of the Town of Brampton to borrow the sum of \$43,000.00 and to issue debentures of the said Corporation to the amount of \$43,000.00 in sums of and not less than \$100.00 each, payable in the manner and for the amounts and at the times set forth in said paragraph number five hereof.

3. That the said debentures shall bear interest at the rate of five per cent. per annum payable annually on the thirty-first day of December in each year and as to both principal and interest shall be payable at the Merchants Bank of Canada at Brampton, Ontario.

4. That the Mayor of the Corporation of the Town of Brampton shall sign and issue the said debentures and the interest coupons to be attached thereto and shall 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 Corporate Seal of the said Municipality to the said debentures.

5. That the said debentures shall be dated and issued all at the one time, and within two years from the date of the passing of this By-law, and shall be payable within twenty years next after the issue of the same, and the respective amounts of principal and interest payable during each of the said twenty years shall be as follows:—

No.	Year.	Interest.	Principal.	Total.
1	1913	\$2150 00	\$	\$2150 00
2	1914	2150 00		2150 00
3	1915	2150 00	1528 48	3678 48
4	1916	2073 56	1604 92	3678 48
5	1917	1993 33	1685 15	3678 48
6	1918	1909 06	1769 42	3678 48
7	1919	1820 60	1857 88	3678 48
8	1920	1727 69	1950 79	3678 48
9	1921	1630 16	2048 32	3678 48
10	1922	1527 74	2150 74	3678 48
11	1923	1420 20	2258 28	3678 48
12	1924	1307 30	2371 18	3678 48
13	1925	1188 73	2489 75	3678 48
14	1926	1064 24	2614 24	3678 48
15	1927	933 53	2744 95	3678 48
16	1928	796 30	2882 18	3678 48
17	1929	652 18	3026 30	3678 48
18	1930	500 86	3178 62	3678 48
19	1931	342 00	3336 48	3678 48
20	1932	175 16	3503 32	3678 48
		\$27512 64	\$43000 00	\$70512 64

6. That for the purpose of paying the said instalments of principal and interest as the same fall due respectively during the said twenty years, the currency of the said debentures, there shall be levied and raised in each year by a special rate on all rateable property in the said Municipality, the following sums, that is to say:— \$2150.00 during each of the first two years, and \$3678.48 during each of the remaining eighteen years.

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

8. That for the purpose of ascertaining whether the ratepayers of the Town of Brampton qualified to vote upon this By-law assent to the same a poll will be opened on Friday, the 1st day of December, A.D. 1911, at the hour of nine o'clock in the forenoon, and continue open until five o'clock in the afternoon, at the several polling sub-divisions, as follows:

(a) For the East Ward, at Market Building, and O. B. Irvine shall be Deputy Returning Officer and Edgar Heath shall be Poll Clerk.

(b) For the North Ward, at Norval's shop, and L. Fingland shall be Deputy Returning Officer and S. Galbraith shall be Poll Clerk.

(c) For the West Ward, at Dawson's Packing House, and Thomas Morris shall be Deputy Returning Officer and Ken Sewell shall be Poll Clerk.

(d) For the South Ward at H. C. Stork's store, and Henry Brown shall be Deputy Returning Officer and G. Davis shall be Poll Clerk.

9. That on Wednesday, the 29th day of November, A.D. 1911, the Mayor of the said Town shall attend at the Municipal Office at ten o'clock in the forenoon to appoint persons to attend at the various polling places opened, 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 this By-law.

10. That the Clerk of the said Municipality shall attend at the Council Chamber in the said Town of Brampton, on Saturday, the second day of December, A.D. 1911, at 12 o'clock noon to sum up the number of votes given for and against this By-law and if the said By-law shall be carried by the requisite number of votes of the said electors the same shall be finally considered and passed on Tuesday, the 12th day of December, A.D. 1911, at the hour of eight o'clock p.m., at the Council Chamber in the said Town of Brampton.

This By-law read a first time the sixth day of November, A.D. 1911.

Read a second time the sixth day of November, A.D. 1911.

Read a third time and finally passed the twelfth day of December, A.D. 1911.

W. H. McFADDEN,  
*Clerk.*

THOS. THAUBURN,  
*Mayor.*

(L. S.)

Schedule "A" to the annexed By-law, being agreement between Pease Foundry Company, Limited, and the Corporation of the Town of Brampton, entered into the Twenty-first day of October, A.D. 1911.

Memorandum of Agreement made and entered into the twenty-first day of October, A.D. one thousand nine hundred and eleven, between Pease Foundry Company, Limited (hereinafter called "The Company") of the first part, and the Corporation of the Town of Brampton (hereinafter called "The Corporation") of the second part.

Witnesseth that the parties hereto do hereby mutually promise and agree to and with each other in manner and form following, that is to say:—

1. That the Company will erect in the Town of Brampton, in the County of Peel, a factory for the purpose of manufacturing furnaces and other goods, and will purchase a site in the said Town of Brampton, of approximately ten acres, for such purposes and will erect buildings thereon, said site and buildings to cost not less

than \$43,000.00 and will install therein suitable machinery, plant and manufacturing accessories of not less than \$50,000.00 at the original cost of the same. The Company agrees that it will either (1) Employ during each and every year for twenty years from the date on which the factory is to be in operation, not less than 100 men; or (2) That in the alternative, at the option of the Company, it will pay to its employees residing in the Town of Brampton during each business year of such period in all sums amounting to \$50,000.00, provided that if in any year the amount so paid shall be less than \$50,000.00, but not less than \$40,000.00 then and so often as the same may happen, the Company shall on the last day of such business year or within one month thereafter pay to the Town of Brampton interest for the year in which such default shall have occurred, at the rate of five per cent. per annum upon the difference between the said sum of \$50,000.00 and the amount actually paid to such employees so residing. Provided further that if the amount so paid to such employees shall be less than \$40,000.00 then the Company shall pay to the Corporation interest for the said year at the said rate upon the balance then owing by the Company. Provided nevertheless that if during the year of such default and the two succeeding years the total amount paid by the Company to such employees shall amount to the full sum of \$150,000.00 then the interest paid by the Company during such period of three years shall be credited as if paid on the account of principal.

2. In consideration thereof the Corporation agrees to loan to the Company the sum of \$43,000.00 to be repaid and to be secured as hereinafter stated.

3. The Company will purchase the said site and will commence to build within three months after the confirmation of the By-law hereinafter referred to and will if not prevented by strikes or other unavoidable causes have the factory in operation within nine months after such confirmation, but shall not be obliged to do so before the 1st day of October, 1912, and if so prevented will have the factory in operation as soon after the last mentioned date as possible.

4. Upon confirmation of the said By-law the Company will give to the Corporation a first mortgage upon the said site and upon the buildings so to be erected thereon and upon the said machinery, plant and manufacturing accessories so to be installed therein as a going concern for \$43,000.00 in form pursuant to the Short Forms Act, and free from dower or incumbrance, payable in eighteen equal instalments without interest (subject to the proviso hereinafter mentioned) the first payment to be made at the expiration of three years from the date of the said mortgage.

5. The Corporation agrees to advance to the Company \$3,000.00 when the said mortgage is so given, and will advance in monthly payments as the said buildings progress, seventy-five per cent. of the cost of all labor and materials supplied and used in or about the construction of the said buildings, and the balance upon the installation of the said machinery and manufacturing accessories, such payments to be made on the certificate of a representative to be appointed by the Corporation for the purpose.

6. The Company will insure the said buildings, machinery and manufacturing accessories in an insurance company satisfactory to the Corporation for the full insurable value of the said buildings, machinery and manufacturing accessories and make the loss (if any) under such insurance policy or policies payable to the Corporation, as its interest may appear and shall deliver such policy or policies and all renewals thereof from time to time to the Corporation, in due course, provided that this clause shall not apply to one storey buildings of concrete walls and concrete wood covered flooring and other fire resisting construction, except in so far as the same may not be of such construction.

7. The said mortgage shall contain a proviso that in case of default for one month in payment of any instalment or in the event of the Company ceasing to carry on business as aforesaid or becoming insolvent or making a general assignment for the benefit of its creditors or in the event of the continued breach of any of the other covenants contained in said mortgage and after three months' notice in writing by the Corporation specifying the breach complained of, the whole amount remaining due and unpaid on said mortgage shall forthwith become due and payable with interest at five per cent. per annum from the date of such default and all exemptions from taxation and other privileges shall thereupon immediately cease and determine, provided, however, that if at any time before the expiration of the said three months' notice the said default shall cease or shall be remedied, then the said Company shall be reinstated to its former position as if no such default had been made.

8. The Corporation agrees to grant to the Company for ten years from the First day of January, A.D. 1912, exemption from taxation except school rates and local improvement rates upon all such lands, buildings and manufacturing accessories as may be used for manufacturing purposes only but not otherwise or to be held for future extension of such manufacturing business, and will furnish water during a like period at the rate of five cents per thousand gallons (not to exceed five thousand gallons per day and not to be used for running motors or for any purpose except in connection with the factory) it being understood that the Corporation will not be in any way liable in the event of an accidental failure of such water supply not caused by wilful neglect or default, provided however that in such case of accidental failure, necessary repairs shall be made with all convenient speed. The Company agrees to pay a reasonable meter rental, or to furnish the meter at its own expense, to which meter the Corporation or the Board of Water Commissioners shall have access at all reasonable times.

9. The Company agrees to pay the expense of submitting a By-law to the ratepayers, if such By-law should be approved by the ratepayers of the Town, and confirmed or validated by the Railway and Municipal Board or the Legislature of Ontario and the Company should make default in establishing the factory pursuant to this agreement within the time limited.

10. The books of the Company shall be open for inspection by the fully accredited representatives of the Corporation at all reasonable times for the purpose of ascertaining the number of men employed and the amount of weekly and annual pay roll.

11. Upon the execution of this agreement said Corporation will proceed forthwith to submit such By-law for approval and upon being approved by the ratepayers the council of the Municipality will finally pass the same.

12. Upon such By-law being passed as aforesaid, the Corporation will make every lawful effort to secure its confirmation and validation by the Legislature or the Railway and Municipal Board of Ontario as may be necessary to validate same, and if the said By-law shall not be validated during the next session of the Ontario Legislature then this agreement shall be null and void.

13. This agreement will be binding on the Corporation only upon a By-law to carry it into effect being approved by the ratepayers and becoming valid, and being validated as hereinbefore mentioned.

14. The Company hereby agrees to take from the Corporation and use electric power for all power and lighting purposes necessary for use in connection with such factory at prices to be fixed by the Hydro-Electric Commission of Ontario. Provided that the Company may, if deemed expedient, use other power for driving the fan used for blast purpose.

15. In the event of the Company acquiring the site at the intersection of the G.T.R. and C.P.R. tracks, the Corporation agrees at its own expense to extend Joseph Street across the tracks of the Canadian Pacific Railway Company to the property of the Company, and within a reasonable time after being so requested by the Company to open and extend and grade David Street across the tracks of the Canadian Pacific Railway and across the property of the Company and to the westerly boundary thereof, the land for such extension across the property of the Company to be furnished by the Company, and that it will build and construct on both the said streets as so extended all necessary sewers, water pipes and connections to afford a supply of water to the said premises, and the whole thereof, and so as to afford complete facilities for dealing with and disposing of sewage from the said premises and the whole thereof, it being understood and agreed that the Company will be liable for and will pay for all local improvements on such streets in the usual manner.

16. In the event of the Company acquiring any other site the Corporation will open and grade such necessary streets as may be mutually agreed upon, and will build and construct all necessary sewers and water pipes thereon, subject to payment of local improvement rates in the usual manner.

17. In the event of the Company failing to acquire a site satisfactory to the Company, this agreement shall be null and void.

18. It is understood and agreed that the Corporation is at liberty to grant aid to similar industries now located or hereafter to locate in Brampton.

In witness whereof the Company have caused to be affixed the signatures of the President and Secretary of the Company, and its corporate seal and the Corporation has caused to be affixed the signatures of the Mayor and the Clerk of the said Corporation and the seal of the said Corporation.

D. J. MCKINNON,  
*President.*  
(L. S.)

R. B. MCKINNON,  
*Secretary.*

(Sgd.) W. H. MCFADDEN,  
*Clerk.*  
(L. S.)

(Sgd.) THOMAS THAUBURN,  
*Mayor.*

No. 19.

1st Session, 13th Legislature,  
2 George V, 1912.

BILL.

An Act to Confirm By-Law No. 418 of  
the Town of Brampton.

1st Reading. 1912.

(*Private Bill.*)

Mr. CHARTERS.

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

# BILL

## An Act respecting the City of Hamilton.

**W**HEREAS, the Corporation of the City of Hamilton Preamble.  
 has by petition prayed for special legislation in respect of the several matters hereinafter set forth; and whereas the said City Corporation has asked for authority to issue debentures as follows: —

(a) For an amount not exceeding \$50,000 for acquiring additional lands for a public cemetery, the present cemetery being sufficient only for immediate cemetery purposes;

(b) For an amount not exceeding \$20,000 for alterations, additions and improvements to the City Hall in order to provide additional room for offices, and

(c) For an amount not exceeding \$36,000 for acquiring lands on the south shore of Burlington Bay for public park purposes; and whereas the whole rateable property of the said City according to the last revised assessment rolls is \$52,749,884, and the existing debenture, debt of the said City is \$5,406,992 of which no part of the principal or interest is in arrear; 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:

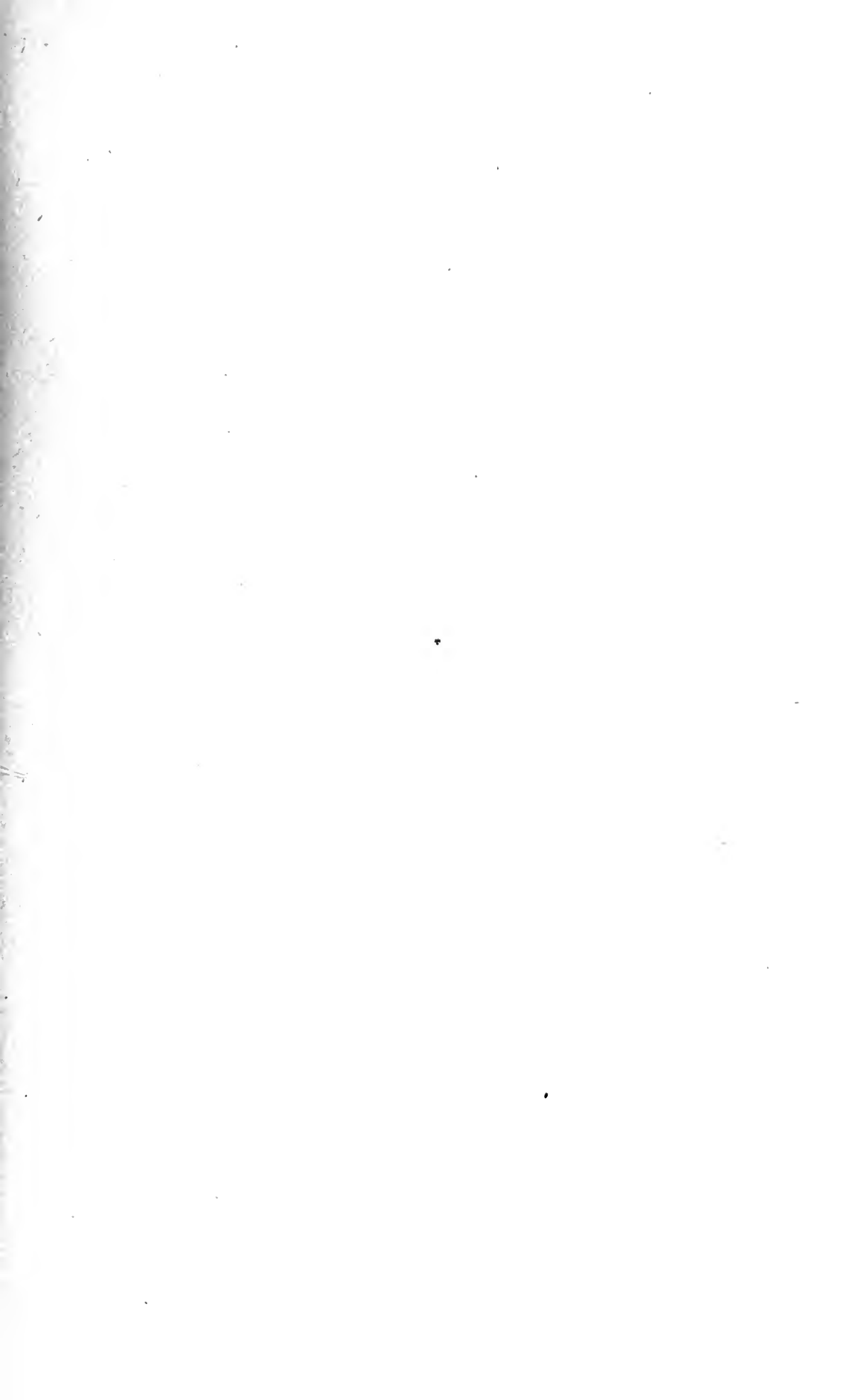
1. The Council of the Corporation of the City of Hamilton may, without submitting the same to the ratepayers qualified to vote on by-laws for the creation of debts, pass by-laws authorizing the issue of debentures as follows: (a) for an amount not exceeding \$50,000 for acquiring additional lands for a public cemetery; (b) for an amount not exceeding \$20,000 for alterations, additions and improvements to the City Hall, and (c) for an amount not exceeding \$36,000 for acquiring lands on the south shore of Bur-

Authority to issue debentures for certain purposes.

lington Bay for park purposes, and for such purposes to issue debentures of the said Corporation in sums of not less than \$100 each, the principal to be payable at the end of twenty years from the time such debentures are issued, and the interest to be payable half-yearly during the currency of such debentures at a rate not exceeding four per centum per annum, and to raise and levy annually by special rate on all the rateable property in the said municipality such sum or sums as may be necessary for payment of the said debts and interest.

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No. 20.

1st Session, 13th Legislature,  
2 George V., 1912.

BILL.

An Act respecting the City of Hamilton.

1st Reading. 1912.

(*Private Bill.*)

Mr. HENDRIE.

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

# BILL



## An Act respecting the City of Hamilton.

**W**HEREAS, the Corporation of the City of Hamilton Preamble. has by petition prayed for special legislation in respect of the several matters hereinafter set forth; and whereas the said City Corporation has asked for authority to issue debentures as follows: —

(a) For an amount not exceeding \$50,000 for acquiring additional lands for a public cemetery, the present cemetery being sufficient only for immediate cemetery purposes;

(b) For an amount not exceeding \$20,000 for alterations, additions and improvements to the City Hall in order to provide for additional room for offices;

(c) For an amount not exceeding \$36,000 for acquiring lands on the south shore of Burlington Bay for public park purposes; and

 (d) For an amount not exceeding \$20,000 for improvements to and extension of Main Street west of "The Toronto, Hamilton and Buffalo Railway" bridge;  and whereas the whole rateable property of the said City according to the last revised assessment rolls is \$52,749,884, and the existing debenture debt of the said City is \$5,406,992 of which no part of the principal or interest is in arrear; 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 Council of the Corporation of the City of Hamilton may, without submitting the same to the ratepayers qualified to vote on by-laws for the creation of debts, pass by-laws authorizing the issue of debentures as follows: (a) for an amount not exceeding \$50,000 for acquiring additional lands for a public cemetery; (b) for an amount not exceeding \$20,000 for alterations, additions and improvements to the City Hall, and (c) for an amount not exceeding \$36,000 for acquiring lands on the south shore of Bur-

Authority to issue debentures for certain purposes.

lington Bay for park purposes, (c) and (d) for an amount not exceeding \$20,000 for improvements to and extension of Main Street west of the T. H. & B. Ry. bridge; and for such purposes to issue debentures of the said Corporation in sums of not less than \$100 each, the principal to be payable in 20 years at the furthest from the time or times when the debentures are issued, and the interest to be payable half-yearly during the currency of such debentures at a rate not exceeding four per centum per annum, and to raise and levy annually by special rate on all the rateable property in the said municipality such sum or sums as may be necessary for payment of the said debts and interest.

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No. 20.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting the City of Hamilton.

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1st Reading, 20th February, 1912.

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(*Private Bill.*)

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

MR. HENDRIE.

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

# BILL

## An Act to confirm By-law No. 430 of the Town of Welland.

**W**HEREAS, Goodwillie & Son, of the Township of Thorold in the County of Welland, have by petition represented that the Municipal Corporation of the Town of Welland duly passed a by-law fixing the assessment of the lands and premises of the said Goodwillie & Son in the Town of Welland for a term of years as set out in said By-law, and that in order to validate the said By-law and give the same full force and effect, it is desirable that an Act be passed confirming it; 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 No. 430 of the Municipal Corporation of the Town of Welland in the County of Welland, passed on the twelfth day of January, A.D., 1912, and set out as Schedule "A" hereto, is fully confirmed.

### SCHEDULE "A."

#### BY-LAW No. 430.

A By-law for fixing the assessment of the lands of Goodwillie & Son, for a term of years.

Whereas Goodwillie & Son, of the Township of Thorold, in the County of Welland, are proposing to locate a factory in the Town of Welland and have agreed in consideration of the passing of this By-law to erect a factory building for their purposes and to employ from fifty to one hundred workmen and women;

And whereas the Municipal Council of the Corporation of the Town of Welland have agreed to extend a sewer, free of cost to Goodwillie & Son, to the factory building to be erected on the land

hereinafter described and the Board of Water Commissioners of the said Town have agreed to supply sufficient water for use in the said factory free of charge;

And whereas the Municipal Corporation of the Town of Welland deem it advisable in the public interest to fix the assessment of the lands and premises and property of the said Goodwillie & Son, used solely for manufacturing purposes aforesaid, at the sum of Two Thousand Dollars (\$2,000) for a period of twenty years.

Therefore the Municipal Corporation of the Town of Welland enacts as follows:

1. That from and after the First day of January, 1912, and continuously for the term of twenty years, namely: until the end of the year 1932, that portion of the lands of the said Goodwillie & Son being composed of part of Block "Y" as shown on the registered Plan of the Corporation of the Town of Welland more particularly described as follows:

Commencing at the point in the West limit of said Block "Y," being also the East limit of Burgar Street, where the North limit of Lot Number 120, being the South limit of Asher Street as shown on O. H. Garner's subdivision plan, produced easterly would intersect the said limit of Burgar Street; Thence North two degrees and eighteen minutes East along said limit of Burgar Street, sixty-six feet; Thence South eighty-seven degrees and fifty-four minutes East being parallel to the easterly production of the said South limit of Asher Street, one hundred and twenty feet; Thence North two degrees and eighteen minutes East, being parallel to the East limit of Burgar Street, one hundred and forty feet; Thence South eighty-seven degrees and fifty-four minutes East parallel to the said Easterly production of the South limit of Asher Street, three hundred and forty-six feet, more or less, to a point in the Westerly limit of the right of way of the Welland Railway; Thence Southerly along said limit of said right of way of said Railway, four hundred and ninety-nine feet and three inches, more or less, to the Northerly limit of land formerly conveyed to O. H. Garner; Thence westerly along said northerly limit of O. H. Garner's land, four hundred and eighty feet and three inches, more or less, to a point in the easterly limit of Burgar Street; Thence North two degrees and eighteen minutes East, along said limit of Burgar Street, two hundred and ninety-three feet and four inches, to the place of beginning; and the buildings, plant and appliances, machinery and tools of the said Goodwillie & Son on the said lands used for factory purposes only, which may not now but may hereafter become liable to taxation, shall be assessed at the sum of Two Thousand Dollars (\$2,000) per year for all Municipal purposes except for school taxes and for local improvements.

2. That during the said period of twenty years the said Goodwillie & Son shall be exempt from payment of any and all water rates for water used in the said factory for factory purposes.

3. That the said lands, premises and property of the said Goodwillie & Son used solely for factory purposes shall be exempt from any and all special sewer rates or assessments.

4. This By-law shall take effect from and after the passing thereof.

5. The votes of the Electors of the said Town of Welland shall be taken on this By-law on the same day, at the same hours, at the same polling places, and by the same Deputy Returning Officers as for the Municipal Elections.

6. On Tuesday, the 26th day of December, 1911, the Mayor of the said Town of Welland shall attend at the Council Chamber at



eleven o'clock in the forenoon to appoint persons to attend 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.

7. The Clerk of the Council of the said Town of Welland shall attend at his office in the Town Hall of the said Town at ten o'clock in the forenoon of the second day of January, 1912, to sum up the number of votes for and against this By-law.

Read a first and second time in Council this twelfth day of January, 1912.

(Sgd.) GEORGE R. BOYD,  
*Clerk.*

(Sgd.) G. W. SUTHERLAND,  
*Mayor.*

(Seal.)

No. 21.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to confirm By-Law No. 430 of  
the Town of Welland.

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1st Reading. 1912.

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(*Private Bill.*)

Mr. FRASER.

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

# BILL

## An Act to incorporate. The Kawartha Transportation Company.

**W**HEREAS Laurence H. Grahame, Edmund R. Tate,<sup>Preamble.</sup> Charles W. S. Dunn, Harry G. Fitzgerald, all of the Village of Lakefield, in the County of Peterborough, Manufacturers; and Richard B. Rogers, Civil Engineer; and Louis M. Hayes, Barrister-at-Law, both of the City of Peterborough, in the said County of Peterborough, have by their petition prayed for an Act of Incorporation under the name of The Kawartha Transportation Company, for the purpose of constructing and maintaining a railway, to be operated by steam, electricity or other motive power, from a point in or near the City of Peterborough, in the County of Peterborough, and from the City of Peterborough through the Townships of Smith or Douro through, in and to the Village of Lakefield, and thence through the Township of Smith, or the Townships of Dummer and Douro, to Clear Lake, and from a point on Clear Lake through the Townships of Douro and Dummer, or the Township of Smith, to a point on Stony Lake, and thence through the Townships of Smith, Burleigh and Anstruther to the Village of Apsley, and from the City of Peterborough through the Township of Smith to Chemong Lake, and from the City of Peterborough through the Townships of Otonabee and Monaghan to Rice Lake, with power to dispose of surplus electricity for lighting and power purposes to municipalities, corporations and persons along said railway, subject to the provisions of the *Power Commission Act* and for other purposes; 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 said Laurence H. Grahame, Edmund R. Tate,<sup>Incorporation.</sup>

Charles W. S. Dunn, Harry G. Fitzgerald, Richard B. Rogers and Louis M. Hayes, and such other 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 Kawartha Transportation 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 any other motive power from a point at or near the City of Peterborough, in the County of Peterborough, and from the City of Peterborough through the Townships of Smith or Douro through, in and to the Village of Lakefield, and thence through the Township of Smith or the Townships of Dummer and Douro to Clear Lake, and from a point on Clear Lake through the Townships of Douro and Dummer, or the Township of Smith, to a point on Stony Lake, and thence through the Townships of Smith, Burleigh and Anstruther to the Village of Apsley, and from the City of Peterborough through the Township of Smith to Chemong Lake, and from the said City of Peterborough through the Townships of Otonabee and Monaghan to Rice Lake.

Head office.

**3.** The Head Office of the Company shall be at the City of Peterborough, in the County of Peterborough.

Provisional directors.

**4.** The said Laurence H. Grahame, Edmund R. Tate, Charles W. S. Dunn, Harry G. Fitzgerald, Richard B. Rogers and Louis M. Hayes shall be the provisional directors of the said Company.

Board of Directors.

**5.** The Board of Directors of the Company shall consist of not less than five and not more than nine persons.

Capital stock.

**6.** The capital stock of the Company shall be one hundred thousand dollars.

Bonds and debentures.

**7.** The Company may issue bonds, debentures or other securities to the extent of \$20,000 per mile of railway constructed or under contract to be constructed.

Power to amalgamate with and make running arrangements with other companies.

**8.** The Company may, subject to the provisions of *The Ontario Railway Act, 1906*:

- (a) Amalgamate with any other electric or steam railway now or hereafter incorporated which operates wholly or in part within the territory above described;

(b) Acquire by purchase or lease any electric or steam railway operating wholly or in part within the territory above described, or any part of the trackage or rolling stock of any such railway;

(c) Acquire running rights over any other railway operating within the said territory.

9.—(1) The Company may enter into contracts for the purpose of disposing of surplus electricity for lighting and power purposes to municipalities, corporations and persons along said railway, subject to the provisions of *The Power Commission Act*. Contracts for disposing of power.

(2) The Company shall not supply electricity in any municipality except under a by-law passed by the council of the municipality or under an agreement entered into with the municipal corporation, and no such by-law or agreement shall take effect or be binding upon the municipality until the same has been approved by the Hydro-Electric Power Commission of Ontario. Restrictions in municipalities.

(3) The rates chargeable by the Company for supplying electricity shall at all times be subject to the supervision of the Hydro-Electric Power Commission of Ontario and upon the complaint in writing of any municipal corporation, company or person that the Company is charging rates which are excessive or unfair, or is unjustly discriminating against or in favour of any municipal corporation, company or person, the Chairman of the Commission may appoint a time and place at which the said Commission or some member thereof shall hear and determine the matter in dispute. Rates for supply.

(4) Such notice of such appointment as the Chairman may direct shall be given by the Secretary of the said Commission to all parties concerned. At the time and place appointed the said Commission, or with the consent of all parties any member of the said Commission, shall hear and determine the matter in dispute and shall make an order dismissing or allowing the complaint and directing what rates shall be charged by the Company and directing the amendment of any by-law or agreement accordingly. Disputes as to rates charged.

(5) The said Commission, or the member thereof, conducting the hearing, shall have the powers authorized to be conferred upon a Commissioner appointed under *The Public Inquiries Act*. Powers of Commission.

(6) If the Company neglects or refuses to obey or carry out the order or direction of the said Commission, or the Penalty for disobeying orders of Commission.

member thereof conducting such case, it shall forfeit to His Majesty for the use of the Province the sum of \$100 for every day during which the refusal or neglect shall continue.

Separate  
accounts  
be kept. to

(7) The Company shall keep entirely separate and distinct all accounts, contracts, statements and records thereof relating to the construction, development and transmission of the said power, and such account shall not in any way become involved or mixed with the accounts for the construction or maintenance or operation of the said railway.

Power to  
carry on  
express  
business.

**10.** The Company may acquire the plant and property for and carry on the business of an express company.

**11.** The Company may build or acquire by purchase, lease or otherwise, and hold as part of the property of the Company and maintain, use and operate 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 or other traffic in connection with the railway, and may from time to time sell, lease, mortgage, alienate or otherwise dispose of the same or any of them.

Application  
of 6 Edw.  
VII. Chap.  
30.

**12.** The provisions of *The Ontario Railway Act, 1906*, except where inconsistent with the provisions of this Act, shall apply to the Company and to the railway to be constructed by it.









No. 22.

1st Session, 13th Legislature,  
2 George V., 1912.

BILL.

An Act to incorporate The Kawartha  
Transportation Company.

1st Reading, 1912.



(*Private Bill.*)

MR. PECK.

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

# BILL

## An Act to incorporate. The Kawartha Transportation Company.

**W**HEREAS Laurence H. Grahame, Edmund R. Tate, Preamble. Charles W. S. Dunn, Harry G. Fitzgerald, all of the Village of Lakefield, in the County of Peterborough, Manufacturers; and Richard B. Rogers, Civil Engineer; and Louis M. Hayes, Barrister-at-Law, both of the City of Peterborough, in the said County of Peterborough, have by their petition prayed for an Act of Incorporation under the name of "The Kawartha Transportation Company," for the purpose of constructing and maintaining a railway, to be operated by steam, electricity or other motive power, from a point in or near the City of Peterborough, in the County of Peterborough, and from the City of Peterborough through the Townships of Smith or Douro through, in and to the Village of Lakefield, and thence through the Township of Smith, or the Townships of Dummer and Douro, to Clear Lake, and from a point on Clear Lake through the Townships of Douro and Dummer, or the Township of Smith, to a point on Stony Lake, and thence through the Townships of Smith, Burleigh and Anstruther to the Village of Apsley,  in the said Township of Anstruther,  and from the City of Peterborough through the Township of Smith to Chemong Lake, and from the City of Peterborough through the Townships of Otonabee and Monaghan to Rice Lake, with power to dispose of surplus electricity for lighting and power purposes to municipalities, corporations and persons along said railway, subject to the provisions of the *Power Commission Act*, 7 Edw. VII., c. 19. and for other purposes; 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 Laurence H. Grahame, Edmund R. Tate, Incorporation.

Charles W. S. Dunn, Harry G. Fitzgerald, Richard B. Rogers and Louis M. Hayes, 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 Kawartha Transportation 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 any other motive power from a point *in* or near the City of Peterborough, in the County of Peterborough, and from the City of Peterborough through the Townships of Smith or Douro through, in and to the Village of Lakefield, and thence through the Township of Smith or the Townships of Dummer and Douro to Clear Lake, and from a point on Clear Lake through the Townships of Douro and Dummer, or the Township of Smith, to a point on Stony Lake, and thence through the Townships of Smith, Burleigh and Anstruther to the Village of Apsley, and in the said Township of Anstruther, and from the City of Peterborough through the Township of Smith to Chemong Lake, and from the said City of Peterborough through the Townships of Otonabee and Monaghan to Rice Lake.

Head office.

3. The Head Office of the Company shall be at the City of Peterborough, in the County of Peterborough.

Provisional directors.

4. The said Laurence H. Grahame, Edmund R. Tate, Charles W. S. Dunn, Harry G. Fitzgerald, Richard B. Rogers and Louis M. Hayes shall be the provisional directors of the said Company.

Board of Directors.

5. The Board of Directors of the Company shall consist of not less than five and not more than nine persons.

Capital stock.

6. The capital stock of the Company shall be \$100,000.

Bonds and debentures.

7. The Company may issue bonds, debentures or other securities to the extent of \$20,000 per mile of railway constructed or under contract to be constructed.

Power to amalgamate with and make running arrangements with other companies.

8. The Company may, subject to the provisions of *The Ontario Railway Act, 1906*:

- (a) Amalgamate with any other electric or steam railway now or hereafter incorporated which operates wholly or in part within the territory above described;

- (b) Acquire by purchase or lease any electric or steam railway operating wholly or in part within the territory above described, or any part of the trackage or rolling stock of any such railway;
- (c) Acquire running rights over any other railway operating within the said territory.

9.—(1) The Company may enter into contracts for the purpose of disposing of surplus electricity for lighting and power purposes to municipalities, corporations and persons along said railway, subject to the provisions of *The Power Commission Act*. <sup>Contracts for disposing of power.</sup> 7 Edw. VII, c. 19.

(2) The Company shall not supply electricity in any municipality except under a by-law passed by the council of the municipality or under an agreement entered into with the municipal corporation, and no such by-law or agreement shall take effect or be binding upon the municipality until the same has been approved by the Hydro-Electric Power Commission of Ontario. <sup>Restrictions in municipalities.</sup>

(3) The rates chargeable by the Company for supplying electricity shall at all times be subject to the supervision of the Hydro-Electric Power Commission of Ontario and upon the complaint in writing of any municipal corporation, company or person that the Company is charging rates which are excessive or unfair, or is unjustly discriminating against or in favour of any municipal corporation, company or person, the Chairman of the Commission may appoint a time and place at which the said Commission or some member thereof will hear and determine the matter in dispute. <sup>Rates for supply.</sup>

(4) Such notice of such appointment as the Chairman may direct shall be given by the Secretary of the said Commission to all parties concerned. At the time and place appointed the said Commission, or with the consent of all parties any member of the said Commission, shall hear and determine the matter in dispute and shall make an order dismissing or allowing the complaint and directing what rates shall be charged by the Company and directing the amendment of any by-law or agreement accordingly. <sup>Disputes as to rates charged.</sup>

(5) The said Commission, or the member thereof, conducting the hearing, shall have the powers authorized to be conferred upon a Commissioner appointed under *The Public Inquiries Act*. <sup>Powers of Commission.</sup> 8 Edw. VII, c. 8.

(6) If the Company neglects or refuses to obey or carry out the order or direction of the said Commission, or the <sup>Penalty for disobeying orders of Commission.</sup>

member thereof conducting such case, it shall forfeit to His Majesty for the uses of the Province the sum of \$100 for every day during which *such* refusal or neglect shall continue.



Separate accounts to be kept.

(7) The Company shall keep entirely separate and distinct all accounts, contracts, statements and records thereof relating to the construction, development and transmission of the said power, and such accounts shall not in any way become involved or mixed with the accounts for the construction, maintenance or operation of the said railway.

Power to carry on express business.

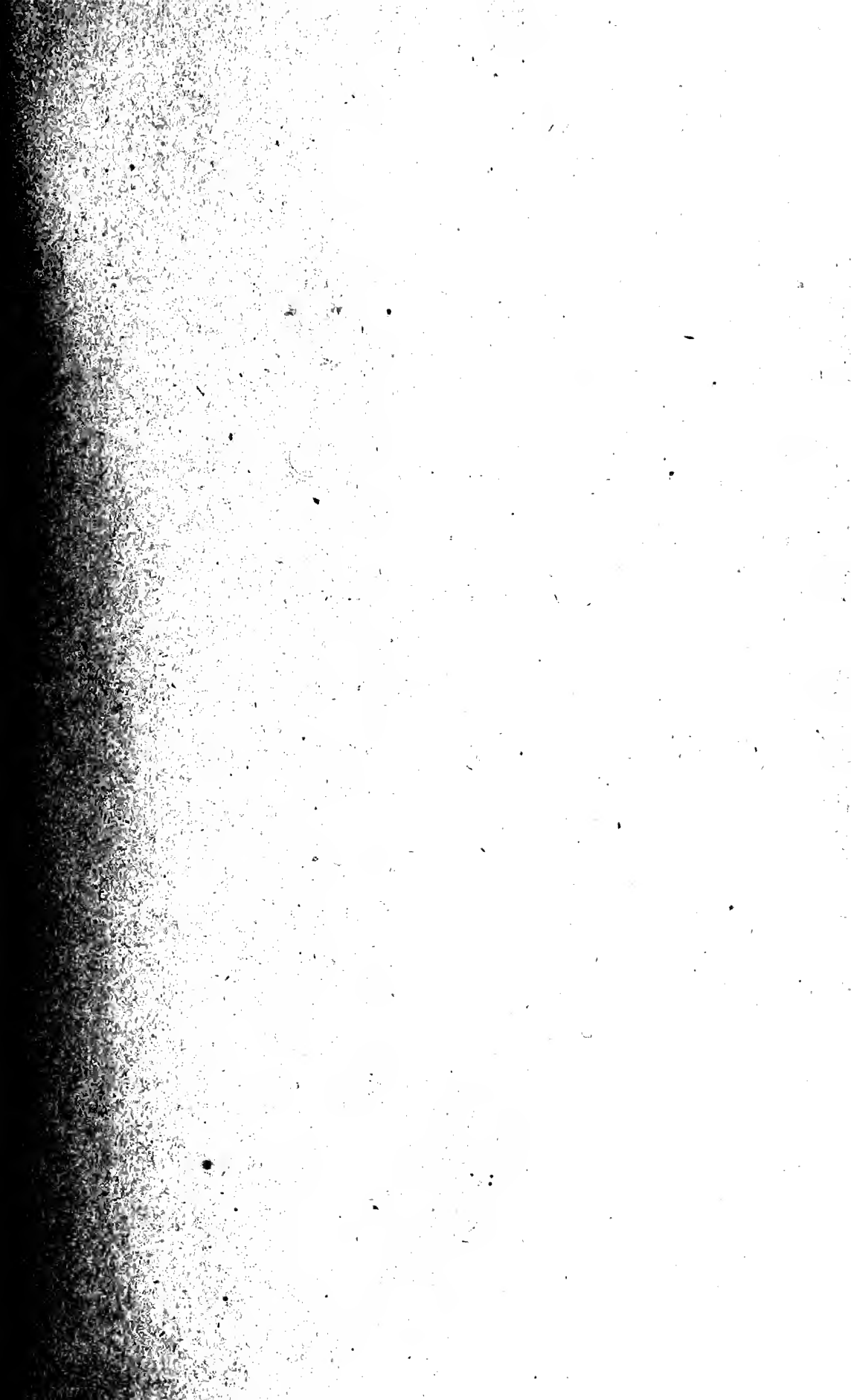
10. The Company may acquire the plant and property for and carry on the business of an express company.

Time for commencement and completion.

11.  The construction of the sections of the railway from Peterborough to Clear Lake shall be commenced by the 1st day of September, 1913, and shall be completed and put into operation by the 1st day of September, 1917, and the other sections of the railway shall be commenced within three years from the passing of this Act, and shall be completed and put into operation within two years thereafter, and if such section from Peterborough to Clear Lake is not so commenced as aforesaid, and if all sections of the railway hereby provided for are not commenced, completed and put into operation within the respective times herein provided for, the powers granted by this Act and by *The Ontario Railway Act, 1906*, shall cease and shall be null and void as respects so much of the railway as still remains uncompleted within the respective times aforesaid. 

Application of 6 Edw. VII. Chap. 30.

12. The provisions of *The Ontario Railway Act, 1906*, except where inconsistent with the provisions of this Act, shall apply to the Company and to the railway to be constructed by it.









No. 22.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to incorporate The Kawartha  
Transportation Company.

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1st Reading, 20th February, 1912.

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*(Reprinted with amendments made by  
Railway Committee.)*

MR. PECK.

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

# BILL

## An Act to incorporate the Sudbury-Copper Cliff Suburban Electric Railway Company

**W**HEREAS William Joseph Bell, Lumberman; Wilbur <sup>Preamble.</sup> Cochrane, Lumberman; John Mackey, Brewer; Delphis M. Morin, Hotel-keeper, and Louis Laforest, Capitalist, all of the Town of Sudbury, in the District of Sudbury, in the Province of Ontario, have petitioned for an Act to incorporate a Company for the purpose of constructing and maintaining a railway to be operated by steam or electricity or otherwise from a point at, in or near the Town of Sudbury, thence westerly to a point at, in or near the Town of Copper Cliff, also from a point at, in or near the Town of Sudbury; thence easterly to a point at, in or near the Village of Coniston; 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 William Joseph Bell, Wilbur Cochrane, John <sup>Incorporation.</sup> Mackey, Delphis M. Morin and Louis Laforest, together with such other persons, firms and corporations as shall hereafter become shareholders of the said Company, are hereby constituted a body corporate and politic, by the name of “The Sudbury-Copper Cliff Suburban Electric Railway Company” hereinafter called “The Company.”

**2.** The Company is authorized and empowered to survey, <sup>Location of line.</sup> lay out, construct, complete, equip and maintain a railway to be operated by steam or electricity or partly by one and partly by the other, from a point at, in or near the Town of Sudbury; thence westerly to a point at, in or near the Town of Copper Cliff, also from a point at, in or near the Town of Sudbury; thence easterly to a point at, in or near the Village of Coniston, with power to construct branches or extensions

at different points along the route and to connect with other railroads now operating or under construction.

Head Office. **3.** The head office of the Company shall be in the Town of Sudbury in the District of Sudbury.

Provisional Directors. **4.** The said William Joseph Bell, Wilbur Cochrane, John Mackey, Delphis M. Morin and Louis Laforest shall be the provisional directors of the Company.

Number of directors. **5.** The Board of Directors of the Company shall consist of not less than five or not more than nine persons.

Capital stock. **6.** The Capital Stock of the Company shall be two hundred and fifty thousand dollars.

Bonds, etc. **7.** The Company may issue bonds, debentures or other securities to the extent of thirty thousand dollars per mile of railway constructed, or under contract to be constructed.

Traffic and running arrangements. **8.** Subject to the provisions of *The Ontario Railway Act, 1906*, the Company shall have power to make traffic or running arrangements with The Canadian Pacific Railway Company, The Canadian Northern Ontario Railway Company, The Algoma Eastern Railway Company and any other railway and transportation Company, upon such terms as may be agreed upon.

Application of 6 Edw. VII. c. 30. **9.** The provisions of *The Ontario Railway Act, 1906*, shall apply to the Company, and to the railway constructed or to be constructed by it.



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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to incorporate the Sudbury-  
Copper Cliff Suburban Electric  
Railway Company.

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1st Reading.

1912.

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(*Private Bill.*)

Mr. McCREA.

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

# BILL

## An Act to incorporate The Sudbury-Copper Cliff Suburban Electric Railway Company.

**W**HEREAS William Joseph Bell, Lumberman; Wilbur <sup>Preamble.</sup> Cochrane, Lumberman; John Mackey, Brewer; Delphis M. Morin, Hotel-keeper, and Louis Laforest, Capitalist, all of the Town of Sudbury, in the District of Sudbury, in the Province of Ontario, have by their petition prayed for an Act of incorporation under the name of "The Sudbury-Copper Cliff Suburban Electric Railway Company," for the purpose of constructing and maintaining a railway in the District of Sudbury, to be operated by steam or electricity, or partly by one and partly by the other, from a point at, in or near the Town of Sudbury, thence westerly to a point at, in or near the Town of Copper Cliff; also from a point at, in or near the said Town of Sudbury, thence easterly to a point at, in or near the Village of Coniston; also from a point at, in or near the said Town of Sudbury to the Creighton Mine; and also from a point at, in or near the said Town of Sudbury to the Blezard Mine; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent <sup>Incorporation.</sup> of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The said William Joseph Bell, Wilbur Cochrane, John Mackey, Delphis M. Morin and Louis Laforest, together with such other persons, firms and corporations as shall hereafter become shareholders of the said Company, are hereby constituted a body corporate and politic, by the name of "The Sudbury-Copper Cliff Suburban Electric Railway Company" hereinafter called "the Company."

2. The Company is authorized and empowered to survey, <sup>Location of line.</sup> lay out, construct, complete, equip and maintain a railway to be operated by steam or electricity, or partly by one and

partly by the other, from a point at, in or near the Town of Sudbury, thence westerly to a point at, in or near the Town of Copper Cliff; also from a point at, in or near the *said* Town of Sudbury, thence easterly to a point at, in or near the Village of Coniston; also from a point at, in or near the said Town of Sudbury to the Creighton Mine; and also from a point at, in or near the said Town of Sudbury to the Blezard Mine, with power to construct branches or extensions at different points along the route, not exceeding ten miles in length, and to connect with other railroads now operating or under construction within the said territory.

**Head Office.** 3. The head office of the Company shall be in the *said* Town of Sudbury.

**Provisional Directors.** 4. The said William Joseph Bell, Wilbur Cochrane, John Mackey, Delphis M. Morin and Louis Laforest shall be the provisional directors of the Company.

**Number of directors.** 5. The Board of Directors of the Company shall consist of not less than five or not more than nine persons.

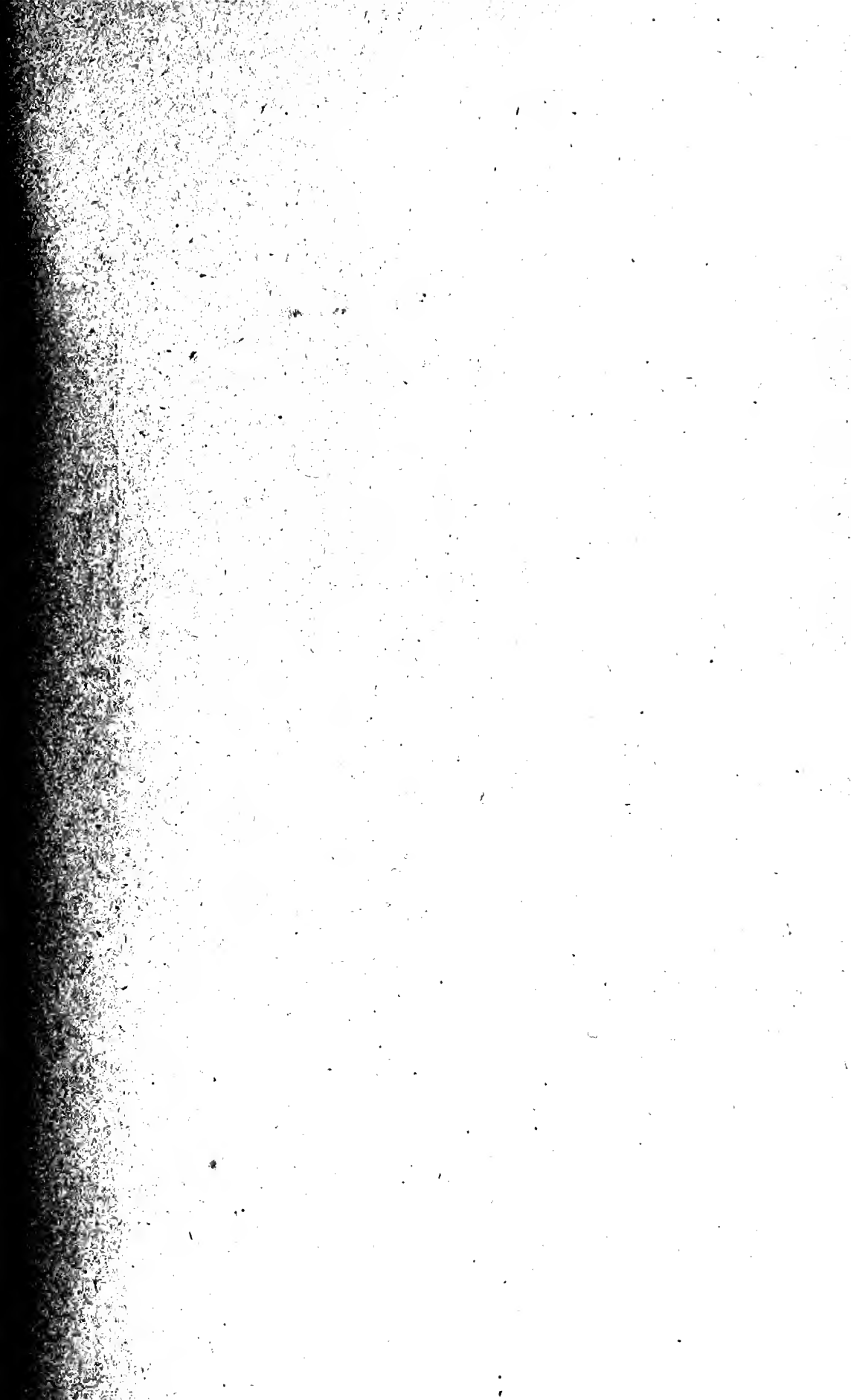
**Capital stock.** 6. The Capital Stock of the Company shall be \$250,000.

**Bonds, etc.** 7. The Company may issue bonds, debentures or other securities to the extent of \$30,000 per mile of railway constructed, or under contract to be constructed.

**Traffic and running arrangements.** 8. Subject to the provisions of *The Ontario Railway Act, 1906*, the Company shall have power to make traffic or running arrangements with The Canadian Pacific Railway Company, The Canadian Northern Ontario Railway Company, The Algoma Eastern Railway Company and any other Railway and Transportation Company, upon such terms as may be agreed upon.

**Application of 6 Edw. VII. c. 30.** 9. The provisions of *The Ontario Railway Act, 1906*, shall apply to the Company, and to the railway constructed or to be constructed by it.





No. 23.

1st Session, 13th Legislature,  
2 George V., 1912.

BILL.

An Act to incorporate The Sudbury-  
Copper Cliff Suburban Electric  
Railway Company.

1st Reading, 8th March, 1912.  
2nd Reading, 20th March, 1912.

(Reprinted as amended by the Railway  
Committee.)

*Private Bill.*

Mr. McCREA.

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

# BILL

## An Act respecting the Township of Oliver.

**W**HEREAS the Municipal Corporation of the Town-<sup>Preamble</sup>ship of Oliver has by petition represented that it is desirable and in the interest of the ratepayers of said Township and the public generally that all assessment rolls, tax sales and deeds made, held and given prior to 31st December, 1911, should be confirmed. That it is further desirable and in the interest of said Municipal Corporation and the ratepayers thereof that By-law Number 133, of the said Municipal Corporation set out as Schedule "1" hereto intituled "By-law to authorize the making of an agreement with the Kaminstiquia Power Company, Limited, as to annual taxes and a supply of power," and the agreement between the Kaminstiquia Power Company, Limited, and the said Municipal Corporation referred to in the said By-law as Schedule "A" thereto should be validated and confirmed; that the said By-law was on the 1st day of January, 1912, submitted to the qualified ratepayers of the said Township, of whom eighty-five (85) voted in favour of and twenty-five (25) against the said by-law; that it is further desirable and in the interest of the said Municipal Corporation and the ratepayers thereof that By-law Number 134 of the said Municipal Corporation set out as Schedule "2" hereto, and the debentures to be issued thereunder, should be legalized and confirmed; that the said By-law Number 134 was on the 1st day of January, 1912, submitted to the qualified ratepayers of the said Municipal Corporation of whom seventy-six (76) voted in favour of the said By-law and forty (40) against the said By-law; and whereas the said Municipal Corporation has prayed that an Act may be passed for such purposes;

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:—

Tax sales  
and deeds  
confirmed.

**1.**—(1) All sales of land in the said Township of Oliver made prior to the 31st day of December, 1911, which purported to be made by the said Municipal Corporation or the Treasurer thereof for arrears of taxes in respect of lands so sold, are hereby validated and confirmed, and all deeds of land so sold, executed by the Reeve and Treasurer of the said Municipal Corporation purporting to convey the said lands so sold to the purchaser thereof, or his assigns, are hereby validated and confirmed and shall have the effect of vesting the lands so sold and conveyed, or purported to be so sold and conveyed, and the same are hereby vested in the purchaser or his assigns and his or their heirs and assigns in fee simple, free and clear of and from all right, title and interest whatsoever of the owners thereof at the time of such sale or their assigns, and of all charges and incumbrances thereof, except taxes accrued since those for non-payment whereof the said lands were so sold.

Pending liti-  
gation not  
affected.

(2) Nothing in this section contained shall affect any action, litigation or other proceeding now pending or in which judgment has been pronounced, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this section had not been passed.

By-law No.  
133 con-  
firmed.

**2.** By-law Number 133 of the said Township set out in Schedule "1" hereto, and intituled "By-law to authorize the making of an agreement with the Kaministiquia Power Company, Limited, as to annual taxes and a supply of power," and the agreement between the said Municipal Corporation and the Kaministiquia Power Company, Limited, therein referred to as Schedule "A" thereto, are hereby ratified and confirmed and declared to be legal, valid and binding upon the said Municipal Corporation and the rate-payers thereof.

By-law No.  
134 con-  
firmed.

**3.** By-law Number 134 of the said Township set out in Schedule "2" hereto, and all debentures to be issued by the said Municipal Corporation pursuant thereto (not exceeding in all the sum of \$8,250.00), and all rates levied for the payment of the said debentures are hereby ratified and confirmed and declared to be legal, valid and binding upon the said Municipal Corporation and the ratepayers thereof.

## SCHEDULE 1.

BY-LAW No. 133.

*Municipality of the Township of Oliver.*

By-law to authorize the making of an agreement with the Kaministiquia Power Company, Limited, as to annual taxes and a supply of power.

Whereas considerable expense has been caused to the Municipality by disputes and differences with the Kaministiquia Power Company, Limited, as to the assessable value of its property and undertaking in the said Township, and the said Company has signified its willingness to supply power to the Municipality and to other consumers of power located in the said Township on terms satisfactory to the Municipality, and to pay an annual sum of twelve hundred dollars for a term of five (5) years, commencing from the 1st day of January, 1912, in lieu and in full satisfaction of any and all taxes levied or to be levied by the Municipality during the said term upon the property and undertaking of the Company.

And whereas this By-law has received the assent of the requisite proportion of the ratepayers entitled to vote thereon at the Municipal elections, held in the said Township, on the 1st day of January, 1912.

Therefore the Council of the Municipality of the Township of Oliver, in consideration of the premises, enacts as follows:

1. That the Reeve and Clerk are hereby authorized on behalf of the Municipality to execute the agreement between the Corporation of the Township of Oliver and the Kaministiquia Power Company, Limited, dated the first day of December, 1911, annexed as Schedule A hereto, and to affix thereto the corporate seal of the Municipality.

2. That this By-law shall come into force upon the passing of an Act of the Legislature of the Province of Ontario legalizing and confirming the same.

3. That the votes of such of the electors of the said Township of Oliver as are entitled to vote thereon shall be taken on this By-law on Monday, the 1st day of January, 1912, commencing at nine o'clock in the forenoon, and continuing until five o'clock in the afternoon, at the polling place and by the returning officer hereinafter mentioned, that is to say:

At the Town Hall at Murillo, in said Township, by Charles R. B. Hill, as returning officer.

4. That on the 30th day of December, 1911, at the Council Chamber in the Town Hall at Murillo, in the said Township, at ten o'clock in the forenoon, the Reeve shall, in a 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 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.

5. That the 2nd day of January, 1912, at the Council Chamber aforesaid, at twelve o'clock 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.

Done and passed in Council this 8th day of January, 1912, as witnessed by the hands of its proper officers and the seal of the said Corporation.

(Sgd.) THOS. HUGHES, Reeve.  
 (Seal.) (Sgd.) CHAS. R. B. HILL, Clerk.

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SCHEDULE A.

Agreement made (in duplicate) the 1st day of December, 1911. Between:

The Corporation of the Township of Oliver, hereinafter called "The Municipality," of the first part; and

The Kaministiquia Power Company, Limited, hereinafter called "The Company," of the second part.

Whereas for a number of years past disputes and differences have arisen between the parties hereto as to the assessable value of the company's property in the Township of Oliver aforesaid, and it is desired to put an end to such disputes and differences.

And whereas the Company is developing the water power of the Kaministiquia River at and near Kakabeka Falls and Ecarte Rapids, largely within the said Township of Oliver, and has agreed to supply power within the said Township on the terms hereinafter set forth.

Now therefore this Agreement witnesseth that in consideration of the premises and the mutual agreements and covenants herein-after contained, the said parties hereto do hereby mutually agree and covenant each with the other of them as follows, namely:

1. The Municipality shall and will, during the term of five (5) years commencing from the 1st day of January, 1912, and thereafter next ensuing, except from the Company the sum of twelve hundred dollars per annum, in lieu and in full settlement and satisfaction of any and all taxes, rates, charges and assessment (including statute labor or commutation thereof), which are or may, or but for the making of this Agreement might be, charged or levied or assessed for any purpose whatsoever upon the Company's property, assets, business, income and undertaking within the said Township of Oliver, including the Company's transmission line along the south boundary of said Township, and during the said term no other sum shall be payable by or collected from the said Company by way of taxes in the said Township.

2. The said sum shall be payable at the same time as the ordinary Municipal taxes in the said Township, and payment thereof may be enforced in the same manner and by the same means as other Municipal taxes in the said Township.

3. The said sum shall annually be divided and apportioned in the same manner as the remaining taxes collected annually by the Municipality.

4. The Company shall, during the said term, supply and deliver to the Municipality, or to other consumers of power located within the said Township, electrical power or energy up to the full capacity of the Company's plant, and not otherwise used or contracted for, at the rate of Twenty-five dollars per horse-power per year, and for the purpose thereof shall, at its own expense, build, equip and maintain all requisite transmission lines and transformer plants and equipment, subject to the conditions hereinafter mentioned:

(a) The Company shall have the right to construct and maintain all requisite transmission lines along the highways, roads, streets and public places of the Municipality free of charge.

(b) For all power supplied as aforesaid the Company shall be paid monthly, on the 15th day of the month next succeeding that in which such power is supplied.

(c) The Company shall not be required, under this Agreement, to furnish power as aforesaid unless the prospective net annual revenue derivable from the service, after payment of all operating expenses and fixed charges appertaining to the same, shall be equal to ten per centum on the outlay involved in making the requisite extensions of transmission lines, transformer plants and other plant and equipment, and unless the proposed contracts for the supply of such power shall be of reasonable duration, and the customers shall, when required, furnish the Company with satisfactory security to guarantee the faithful performance of the contract by the customers.

5. The Company will deliver power at any point on its main transmission line along the south boundary of the Township of Oliver, either to the Municipality or to other customers, free from the conditions of Clause (c), where no extensions of the Company's plant or transmission lines are required, or where such extensions are built and maintained by the customer in accordance with the Company's standards.

6. The Municipality shall also be entitled to the full benefit of the same reductions in the price to be charged per horse-power for power supplied as aforesaid as the Corporation of the City of Fort William is entitled to under the Company's present contract or agreement with it, whenever the quantity of power supplied to the Municipality hereunder shall exceed the quantity stipulated in the said contract or agreement with the City of Fort William, so as to entitle that city to the reductions referred to.

7. The Municipality shall, at the next session of the Legislature of the Province of Ontario, make application for a special Act legalizing and confirming this Agreement; and this Agreement shall take effect only from and after the passing of such an Act.

In witness whereof the said parties hereto have caused to be hereunto affixed their corporate seals under the hands of their proper officers.

Signed, sealed and delivered in the presence of

THE CORPORATION OF THE TOWNSHIP OF OLIVER.

(Sgd.) THOS. HUGHES, Reeve.

(Sgd.) CHAS. R. B. HILL, Clerk.

(Seal.)

THE KAMINISTIQUIA POWER CO., LIMITED.

(Sgd.) H. S. HOLT, President.

(Sgd.) J. S. NORRIS, Asst.-Secretary  
and Treas.

(Seal.)

## SCHEDULE 2.

## TOWNSHIP OF OLIVER.

## BY-LAW 134

Of the Municipal Corporation of the Township of Oliver, to raise the sum of eight thousand two hundred and fifty dollars as its proportion of the expenditure, within its limits and on its borders, involved in the establishment of trunk highways through the following surveyed Townships in the Electoral District of Fort William, namely: Neebing, Blake, Crooks, Pardee, Oliver, Paipouge, O'Connor, Conmee, Marks, Gillies, Scoble, Pearson, Lybster and Strange, as indicated approximately on the map attached.

Whereas a good roads movement has been started for the purpose of establishing a system of trunk highways through the above-named Townships along the routes which are approximately indicated on the said hereto attached map by red lines indicating the roads to be graded and gravelled, and yellow lines indicating the roads to be graded and completed as ordinary earth roads.

And whereas the organized Municipalities amongst the said surveyed Townships, of which the Township of Oliver is one, have proposed to bear twenty-five per cent. of the estimated cost of the portion of such system within their limits and twelve and one-half per cent. of the cost of any portion thereof on their border, on condition that the City of Fort William assumes ten per cent. of the total cost of the system to the extent of Twenty-five thousand dollars, and that the Government of the Province of Ontario adopts the general scheme and assumes the balance of the expenditure therefor over and above the amounts provided by the organized Municipalities of the City of Fort William, and undertakes the completion of the scheme before the end of the year 1913, or such later date as may be fixed by resolution of said Council.

And whereas in order to raise the said sum of eight thousand two hundred and fifty dollars for the purposes aforesaid, it will be necessary to issue debentures therefor as hereinafter provided.

And whereas it is desirable to issue said debentures at one time, and to make the principal of the said debt payable, in yearly instalments, during the period of twenty years, such instalment of principal to be of such amount that the aggregate amount payable for principal and interest in any year shall be equal, as nearly as possible, to the amount payable for principal and interest in each of the other years.

And whereas the total amount required by the Municipal Act to be raised annually by a special rate for paying the said debt and interest, as hereinafter provided, is six hundred and sixty-two dollars.

And whereas the amount of the whole rateable property of the Corporation of the Township of Oliver, according to the last revised assessment roll thereof, is four hundred and thirteen thousand seven hundred and seventy-two dollars.

And whereas the amount of the existing debenture debt of the said Municipality is nine thousand nine hundred dollars, of which no part of the principal or interest is in arrears.

Therefore the Municipal Council of the Corporation of the Township of Oliver enacts as follows:



1. The Municipal Council of the said Corporation of the Township of Oliver shall be, and it is hereby authorized, to undertake its proportion of the expenditure on the portion of the roads comprising the said scheme of trunk roads approximately shown on the hereto annexed map within the limits of the Municipality, and along the town line between the Townships of Oliver and Paipoonge, that is to say, Twenty-five per cent. of the cost of the roads within the Municipality and twelve and one-half per cent. of the cost of that portion of the said system comprising part of the town line between the Townships of Paipoonge and Oliver to the extent, but not exceeding, Eight thousand two hundred and fifty dollars, as the total amount to be assumed by the Corporation of the Township of Oliver, provided the balance of the expenditure for the whole system as approximately shown on the map is provided for by the City of Fort William, the other organized Municipalities and the Government of the Province of Ontario.

2. That the Municipal Council of the said Township of Oliver shall have the right to consent to such modifications and details as may prove necessary for the betterment of such general scheme, provided, however, that no such modifications shall increase the total amount to be assumed by the Municipality, or lessen the mileage to be constructed within the Municipality and on its borders.

3. For the purpose of raising the said sum of Eight thousand two hundred and fifty dollars, debentures of the said Municipality to the amount of Eight thousand two hundred and fifty dollars as aforesaid shall be issued.

4. Said debentures shall bear the same date, and shall be dated as of the day on which this By-law shall take effect, and shall all be payable within twenty years thereafter, at the Bank of Montreal, at the City of Port Arthur, in the District of Thunder Bay and Province of Ontario.

5. There shall be issued one or more debentures for not less than One hundred dollars each, and not exceeding in all the said sum of Eight thousand two hundred and fifty dollars, and each of the said debentures shall be payable in twenty equal consecutive annual instalments of principal and interest combined, each of such instalments of principal to be of such amount that the aggregate amount payable in each year for the principal and interest of each of the said debentures shall be, as nearly as possible, equal to what is payable in each of the other nineteen years, and each of the said debentures shall have coupons attached thereto for each of the said instalments of principal and interest combined. The said debentures shall bear interest at the rate of five per cent. per annum, and the aggregate amounts payable for principal and interest in each year in respect of the whole of the said debentures shall be as follows:—

Year.	Interest.	Principal.	Total.
1913	\$412 50	\$249 50	\$662
1914	400 00	262 00	662
1915	386 93	275 07	662
1916	373 17	288 83	662
1917	358 73	303 27	662
1918	343 56	318 44	662
1919	327 68	334 32	662
1920	310 93	351 07	662
1921	293 37	368 63	662
1922	274 94	387 06	662
1923	255 59	406 41	662
1924	235 25	426 75	662
1925	213 93	448 07	662
1926	191 54	470 46	662
1927	168 01	493 99	662

Year.	Interest.	Principal.	Total.
1928 .....	\$143 30	\$518 70	\$662
1929 .....	117 35	544 65	662
1930 .....	90 15	571 85	662
1931 .....	61 55	600 45	662
1932 .....	31 52	630 48	662
	<u>\$4,990 00</u>	<u>\$8,250 00</u>	<u>\$13,240</u>

6. The Reeve of the said Corporation shall sign and issue the said debenture or debentures, and shall cause the same and the coupons to be signed by the Treasurer of the said Corporation, and the Clerk of the said Corporation is hereby authorized and instructed to seal the said debenture or debentures with the seal of the Corporation.

7. During the said twenty years the currency of the said debentures, the sum of Six hundred and sixty-two dollars shall be raised annually for the payment of principal and interest of the said debentures falling due in such years respectively, and for that purpose a special rate of Six hundred and sixty-two dollars is hereby imposed on all the rateable property in the said Township of Oliver.

8. The votes of the Electors of the said Township of Oliver shall be taken on this By-law on the same day as the annual election for the Municipal Council is being held for the year 1912, at the same hour, at the same place, and by the same Deputy Returning Officers as for the said Municipal Election.

9. On Saturday, the 30th day of December, 1911, the Reeve of the said Township of Oliver shall attend at the Council Chamber of the Municipal Council of the said Township, at ten o'clock in the forenoon, to appoint persons to attend at the various polling places aforesaid, and 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.

10. The Clerk of the Township of Oliver shall attend at the Council Chamber, in the said Township of Oliver, at ten o'clock in the forenoon of the 2nd day of January, 1912, to sum up the votes for and against this By-law.

11. This By-law shall take effect upon the final passing thereof and upon the due passing and validating of the different By-laws of the other organized Municipalities taking part in the said scheme, and the due adoption by the Government of the said general scheme, and the Government undertaking to carry it out as proposed, and complete the same before the end of the year 1913, or such later date as the Council of the Municipality may by resolution extend the time for the completion of the said system.

Done and passed in Council this 8th day of January, 1912.

(Sgd.) THOS. HUGHES, Reeve.

(Seal.)

(Sgd.) CHAS. R. B. HILL, Clerk.







1st Session, 13th Legislature,  
2 George V., 1912.

BILL

An Act respecting the Township of Oliver.

1st Reading.                 1912.

(*Private Bill.*)

**MR. JARVIS.**

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

# BILL

## An Act respecting the Township of Oliver.

**W**HEREAS the Municipal Corporation of the Town-<sup>Preamble</sup>ship of Oliver has by petition represented that it is desirable and in the interest of the ratepayers of said Township and the public generally that all assessment rolls, tax sales and deeds made, held and given prior to 31st December, 1911, should be confirmed. That it is further desirable and in the interest of said Municipal Corporation and the ratepayers thereof that By-law Number 133, of the said Municipal Corporation set out as Schedule "1" hereto intituled "By-law to authorize the making of an agreement with the Kaminstiquia Power Company, Limited, as to annual taxes and a supply of power," and the agreement between the Kaminstiquia Power Company, Limited, and the said Municipal Corporation referred to in the said By-law as Schedule "A" thereto should be validated and confirmed; that the said By-law was on the 1st day of January, 1912, submitted to the qualified ratepayers of the said Township, of whom eighty-five (85) voted in favour of and twenty-five (25) against the said by-law; and whereas the said Municipal Corporation has prayed that an Act may be passed for such purposes; 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) All sales of land in the said Township of Oli-<sup>Tax sales and deeds confirmed.</sup>ver made prior to the 31st day of December, 1910, which purported to be made by the said Municipal Corporation or the Treasurer thereof for arrears of taxes in respect of lands so sold, are hereby validated and confirmed, and all deeds of land so sold, executed by the Reeve and Treasurer of the said Municipal Corporation purporting to convey the said lands so sold to the purchaser thereof, or his assigns, are hereby validated and confirmed and shall have the effect of

vesting the lands so sold and conveyed, or purported to be so sold and conveyed, and the same are hereby vested in the purchaser or his assigns and his or their heirs and assigns in fee simple, free and clear of and from all right, title and interest whatsoever of the owners thereof at the time of such sale or their assigns, and of all charges and incumbrances thereof, except taxes accrued since those for non-payment whereof the said lands were so sold.

Pending litigation not affected.

(2) Nothing in this section contained shall affect any action, litigation or other proceeding now pending or in which judgment has been pronounced, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this section had not been passed.

By-law No. 133 confirmed.

2.—(1). Subject to subsection (2), By-law Number 133 of the said Township set out in Schedule "1" hereto, and intituled "By-law to authorize the making of an agreement with the Kaminstiquia Power Company, Limited, as to annual taxes and a supply of power," and the agreement between the said Municipal Corporation and the Kaminstiquia Power Company, Limited, therein referred to as Schedule "A" thereto, and hereby ratified and confirmed and declared to be legal, valid and binding upon the said Municipal Corporation and the ratepayers thereof.

Taxes for school purposes named.

(2) Taxes for school purposes shall be paid in full out of the \$1,200 to be paid annually by the Company for taxes, and if in any year the taxes for school purposes on value of the property of the Company, if it were assessable, would exceed \$1,200, the Company shall pay the excess.

Township of Oliver authorized to borrow \$8,250 for improving roads.

3. The Council of the Municipality of the Township of Oliver, may, without obtaining the assent of its electors thereto, borrow on the credit of the said Municipality a sum not exceeding \$8,250 for the purpose of improving the roads in the said Municipality pursuant to a good roads movement undertaken by the Corporation of the City of Fort William and the Municipalities of Oliver, Neebing, Paipoonge and O'Connor, and the said council may issue Debentures of the said Corporation therefor, payable within twenty years from the date of issue thereof and bearing interest at such rate as the Council deems meet.



## SCHEDULE 1.

### BY-LAW No. 133.

#### *Municipality of the Township of Oliver.*

By-law to authorize the making of an agreement with the Kaministiquia Power Company, Limited, as to annual taxes and a supply of power.

Whereas considerable expense has been caused to the Municipality by disputes and differences with the Kaministiquia Power Company, Limited, as to the assessable value of its property and undertaking in the said Township, and the said Company has signified its willingness to supply power to the Municipality and to other consumers of power located in the said Township on terms satisfactory to the Municipality, and to pay an annual sum of twelve hundred dollars for a term of five (5) years, commencing from the 1st day of January, 1912, in lieu and in full satisfaction of any and all taxes levied or to be levied by the Municipality during the said term upon the property and undertaking of the Company.

And whereas this By-law has received the assent of the requisite proportion of the ratepayers entitled to vote thereon at the Municipal elections, held in the said Township, on the 1st day of January, 1912.

Therefore the Council of the Municipality of the Township of Oliver, in consideration of the premises, enacts as follows:

1. That the Reeve and Clerk are hereby authorized on behalf of the Municipality to execute the agreement between the Corporation of the Township of Oliver and the Kaministiquia Power Company, Limited, dated the first day of December, 1911, annexed as Schedule A hereto, and to affix thereto the corporate seal of the Municipality.

2. That this By-law shall come into force upon the passing of an Act of the Legislature of the Province of Ontario legalizing and confirming the same.

3. That the votes of such of the electors of the said Township of Oliver as are entitled to vote thereon shall be taken on this By-law on Monday, the 1st day of January, 1912, commencing at nine o'clock in the forenoon, and continuing until five o'clock in the afternoon, at the polling place and by the returning officer herein-after mentioned, that is to say:

At the Town Hall at Murillo, in said Township, by Charles R. B. Hill, as returning officer.

4. That on the 30th day of December, 1911, at the Council Chamber in the Town Hall at Murillo, in the said Township, at ten o'clock in the forenoon, the Reeve shall, in a 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 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.

5. That the 2nd day of January, 1912, at the Council Chamber aforesaid, at twelve o'clock 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.

Done and passed in Council this 8th day of January, 1912, as witnessed by the hands of its proper officers and the seal of the said Corporation.

(Seal.)

(Sgd.) THOS. HUGHES, Reeve.

(Sgd.) CHAS. R. B. HILL, Clerk.

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#### SCHEDULE A.

Agreement made (in duplicate) the 1st day of December, 1911.  
Between:

The Corporation of the Township of Oliver, hereinafter called "The Municipality," of the first part; and

The Kaministiquia Power Company, Limited, hereinafter called "The Company," of the second part.

Whereas for a number of years past disputes and differences have arisen between the parties hereto as to the assessable value of the company's property in the Township of Oliver aforesaid, and it is desired to put an end to such disputes and differences.

And whereas the Company is developing the water power of the Kaministiquia River at and near Kakabeka Falls and Ecarte Rapids, largely within the said Township of Oliver, and has agreed to supply power within the said Township on the terms hereinafter set forth.

Now therefore this Agreement witnesseth that in consideration of the premises and the mutual agreements and covenants hereinafter contained, the said parties hereto do hereby mutually agree and covenant each with the other of them as follows, namely:

1. The Municipality shall and will, during the term of five (5) years commencing from the 1st day of January, 1912, and thereafter next ensuing, accept from the Company the sum of twelve hundred dollars per annum, in lieu and in full settlement and satisfaction of any and all taxes, rates, charges and assessment (including statute labor or commutation thereof), which are or may, or but for the making of this Agreement might be, charged or levied or assessed for any purpose whatsoever upon the Company's property, assets, business, income and undertaking within the said Township of Oliver, including the Company's transmission line along the south boundary of said Township, and during the said term no other sum shall be payable by or collected from the said Company by way of taxes in the said Township.

2. The said sum shall be payable at the same time as the ordinary Municipal taxes in the said Township, and payment thereof may be enforced in the same manner and by the same means as other Municipal taxes in the said Township.

3. The said sum shall annually be divided and apportioned in the same manner as the remaining taxes collected annually by the Municipality.

4. The Company shall, during the said term, supply and deliver to the Municipality, or to other consumers of power located within the said Township, electrical power or energy up to the full capacity of the Company's plant, and not otherwise used or contracted for, at the rate of Twenty-five dollars per horse-power per year, and for the purpose thereof shall, at its own expense, build, equip and maintain all requisite transmission lines and transformer plants and equipment, subject to the conditions hereinafter mentioned:

(a) The Company shall have the right to construct and maintain all requisite transmission lines along the highways, roads, streets and public places of the Municipality free of charge.

(b) For all power supplied as aforesaid the Company shall be paid monthly, on the 15th day of the month next succeeding that in which such power is supplied.

(c) The Company shall not be required, under this Agreement, to furnish power as aforesaid unless the prospective net annual revenue derivable from the service, after payment of all operating expenses and fixed charges appertaining to the same, shall be equal to ten per centum on the outlay involved in making the requisite extensions of transmission lines, transformer plants and other plant and equipment, and unless the proposed contracts for the supply of such power shall be of reasonable duration, and the customers shall, when required, furnish the Company with satisfactory security to guarantee the faithful performance of the contract by the customers.

5. The Company will deliver power at any point on its main transmission line along the south boundary of the Township of Oliver, either to the Municipality or to other customers, free from the conditions of Clause (c), where no extensions of the Company's plant or transmission lines are required, or where such extensions are built and maintained by the customer in accordance with the Company's standards.

6. The Municipality shall also be entitled to the full benefit of the same reductions in the price to be charged per horse-power for power supplied as aforesaid as the Corporation of the City of Fort William is entitled to under the Company's present contract or agreement with it, whenever the quantity of power supplied to the Municipality hereunder shall exceed the quantity stipulated in the said contract or agreement with the City of Fort William, so as to entitle that city to the reductions referred to.

7. The Municipality shall, at the next session of the Legislature of the Province of Ontario, make application for a special Act legalizing and confirming this Agreement; and this Agreement shall take effect only from and after the passing of such an Act.

In witness whereof the said parties hereto have caused to be hereunto affixed their corporate seals under the hands of their proper officers.

Signed, sealed and delivered in the presence of

THE CORPORATION OF THE TOWNSHIP OF OLIVER.

(Sgd.) THOS. HUGHES, Reeve.

(Sgd.) CHAS. R. B. HILL, Clerk.

(Seal.)

THE KAMINISTQUIA POWER CO., LIMITED.

(Sgd.) H. S. HOLT, President.

(Sgd.) J. S. NORRIS, Asst.-Secretary  
and Treas.

(Seal.)

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No. 24.

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1st Session, 13th Legislature,  
2 George V., 1912.

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**BILL.**

An Act respecting the Township of Oliver.

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1st Reading, February 28th, 1912

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

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**MR. JARVIS.**

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

# BILL

## An Act respecting the Town of North Toronto.

**W**HEREAS the Municipal Corporation of the Town of North Toronto has by petition represented that it is desirable and in the interest of the said Town that an Act passed in the Ninth year of the reign of his late Majesty King Edward VII., Chapter 114, should be amended by authorizing the Council of the said Town to extend its waterworks system and lay all new watermains as Local Improvements under the provisions of the Local Improvement Sections of the Municipal Act; and whereas the said Corporation has also prayed for certain amendments to *The Municipal Act*, *The Land Titles Act* and *The Municipal Waterworks Act* and for further legislation as hereinafter specified; and whereas, subject as herein contained, 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 5a of Section 1 of Chapter 114 of the Acts passed in the ninth year of the reign of His late Majesty King Edward VII., is hereby repealed (except as to watermains already commenced) and the following substituted therefor:—

5a. It shall and may be lawful for the said Corporation of the said Town to lay new watermains under the provisions of The Local Improvement Sections of *The Municipal Act*, and to levy the whole cost of the construction of said local improvements (except the cost of such improvements opposite flankages and street intersections) by a frontage tax on the properties benefited pursuant to the provisions of the said Local Improvement Sections of *The Municipal Act*.

Preamble.

<sup>9</sup> Edw. VII.  
c. 114, s. 1  
(5a) re-  
pealed.

Power to  
lay water-  
mains under  
1 Geo. V.  
c. 58.

Provision of  
The Assessment  
Act  
as to farm  
land not to  
apply to  
Town of  
North  
Toronto.

**2.** It is hereby declared that Section 14 of Chapter 88, 10 Edward VII., respecting the assessment of farm lands in towns and villages, shall no longer be applicable to the said town of North Toronto, and the Assessor, from time to time, of the said Corporation is hereby authorized to assess lands situate within the said town without reference to the said section, and as if the same had been repealed.

Railways  
prohibited  
from carry-  
ing freight  
on high-  
ways.

**3.** Every Railway Company or Street Railway Company doing business within the said Town of North Toronto is hereby prohibited from carrying freight upon any highway within the said municipality.

Power to  
prevent and  
regulate  
location of  
laundries,  
butcher  
shops, etc.

**4.** The provisions of clause (b) of section 541a of *The Consolidated Municipal Act, 1903*, as amended, is hereby extended to and made applicable within the said Town of North Toronto.

Power to  
pass by-laws  
as to width  
of highways.

**5.** In all cases where lands are dedicated for public highways within the said Town, the Municipal Council shall be and they are hereby authorized to direct that said highways, where in the opinion of the Council it may be necessary, shall be of such greater width than sixty-six feet as the Council may deem advisable.

Power to  
fix wages to  
be paid by  
contractors  
under agree-  
ment with  
Town.

**6.** The Municipal Council of the said Town are hereby authorized to provide in every contract entered into between the said Corporation and any Contractor, a clause directing that the wages paid by said contractor for all labor performed under the said contract shall be not less than the wages fixed by the said Council.

Power to  
regulate  
depth and  
width of lot.

**7.** The said Municipal Council are hereby authorized to pass By-laws regulating and controlling the depth and the width at which building lots may hereafter be laid out within the said Town.

1 Geo. V.  
c. 28, s. 95,  
amended.

**8.** The provisions of section 94 of *The Land Titles Act* are hereby extended so as to permit the filing in the Land Titles Office of agreements for the purchase of rights-of-way or easements for the construction of sewers within the said Town.

Power to  
pay coun-  
cillors \$5  
per diem  
and mileage.

**9.** The provisions of paragraph 1 of section 538 of *The Consolidated Municipal Act* of 1903 are hereby extended and made applicable within the said Town of North Toronto.

Rev. Stat.  
c. 235,  
amended.

**10.** Section 4 of *The Municipal Waterworks Act*, for the purposes of the said Town of North Toronto, is hereby



amended by extending the limit mentioned in said section from ten miles to thirty miles, and all the powers conferred by said Act, with said section 4 amended as aforesaid, are hereby conferred upon the said Town.

No. 25.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act Respecting the Town of North  
Toronto.

---

1st Reading

1912.

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(*Private Bill.*)

MR. McCOWAN.



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TORONTO:

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

# BILL

An Act respecting the Town of North Toronto.

**W**HEREAS the Municipal Corporation of the Town of Preamble.  
North Toronto has by petition represented that it is desirable and in the interest of the said Town that an Act passed in the Ninth year of the reign of his late Majesty King Edward VII., Chapter 114, should be amended by authorizing the Council of the said Town to extend its waterworks system and lay all new watermains as local improvements under the provisions of *The Local Improvement Sections of the Municipal Act*; and whereas the said Corporation has prayed  that an Act may be passed for such 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 5a of Section 1 of Chapter 114 of the Acts 9 Edw. VII. c. 114, s. 1 (5a) repealed. passed in the ninth year of the reign of His late Majesty King Edward VII., is hereby repealed (except as to watermains already commenced) and the following substituted therefor:—

5a. It shall and may be lawful for the said Corporation Power to lay watermains under 1 Geo. V. c. 58. of the said Town to lay new watermains under the provisions of *The Local Improvement Sections of The Municipal Act*, and to levy the whole cost of the construction of said local improvements (except the cost of such improvements opposite flankages and street intersections) by a frontage tax on the properties benefited pursuant to the provisions of the said Local Improvement Sections of *The Municipal Act*.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting the Town of North  
Toronto.

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1st Reading, February 20th, 1912.

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

MR. McCOWAN.

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

# BILL

## An Act to incorporate the Lindsay and Minden Railway Company

**W**HEREAS John Henry Delamere, Gentleman, Michael Preamble.  
Brown, County Treasurer, and John James Mortimer, Hotel Keeper, all of the unincorporated Village of Minden, in the Provisional County of Haliburton; John Wilson Wood, Physician, of the Town of Lindsay, in the County of Victoria; Samuel Frederick Stinson, Mill Owner, and Joseph Martin Delamere, Lieutenant-Colonel, both of the City of Toronto, in the County of York, have by their petition prayed for an Act of incorporation under the name of "The Lindsay and Minden Railway Company," for the purpose of constructing, equipping, owning, maintaining, and operating a line of railway from a point in or near the Town of Lindsay, in the County of Victoria, thence northerly through the Townships of Ops, Fenelon, Eldon, Carden, Bexley, Laxton, Digby, Lutterworth, Anson and Minden, to the waters of Mountain Lake, in the said Township of Minden, crossing the Grand Trunk Railway at a point in the Townships of Eldon or Bexley, or such other point as may be necessary, with power to construct branches or extensions at points along the said route to connect with any other railway now built, or that may hereafter be built in proximity thereto, or to connect with navigable waters; with power to operate the said railway by steam, electricity, or otherwise, and the right to develop such energy by the construction of dams, power stations, and all other necessary appliances, and to dispose of any surplus energy thereof, with the right to purchase, acquire, lease or negotiate for power or energy from any commission, company, or corporation, for the purpose of operating said railway; to cross any river or stream along the route by bridges as may be required; to build, equip and navigate boats, scows, or other vessels upon Mountain Lake and the waters connected therewith, and to build wharves, sheds, warehouses

and such other structures as may be necessary for the accommodation of such navigation; also to construct, equip, own, maintain and operate telephone lines, and to charge tolls for the use thereof; and to purchase, lease, and own, any other railway or parts thereof, or to amalgamate with other companies, and to make traffic arrangements, both freight and passenger, with any electric or steam railway, and for all or any of the purposes aforesaid to acquire, own, lease, purchase and hold lands and franchises, and to make and execute all such agreements and contracts as may be necessary and advisable from time to time with any individual, company, corporation, municipality, or body of persons; 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. That the said John Henry Delamere, Michael Brown, John James Mortimer, John Wilson Wood, Samuel Frederick Stinson and Joseph Martin Delamere, together with such other persons, firms, and corporations as shall hereafter become shareholders of the said Company, are hereby constituted a body, corporate and politic, by the name of "The Lindsay and Minden Railway Company," hereinafter called "the Company."

Location of line.

2. The Company is authorized and empowered to survey, lay out, construct, complete, equip and maintain a railway, to be operated by steam or electricity, or partly by one, and partly by the other, from some point in or near the Town of Lindsay, in the County of Victoria, in the Province of Ontario; thence northerly through the Townships of Ops, Fenelon, Eldon, Carden, Bexley, Laxton, Digby, Lutterworth, Anson, and Minden, to the waters of Mountain Lake, in the said Township of Minden, in the Provisional County of Haliburton; also, to construct branches or extensions to connect with other railways, or navigable waters in proximity thereto.

Development of electrical power.

3. The Company may develop electrical or other power by the construction of dams, power stations and all other necessary appliances therefor, and dispose of any surplus energy so provided, for lighting or power purposes to the municipalities, corporations, and persons along the lines of said railway, subject to the provisions of the *Hydro-Electric Power Commission Act*.

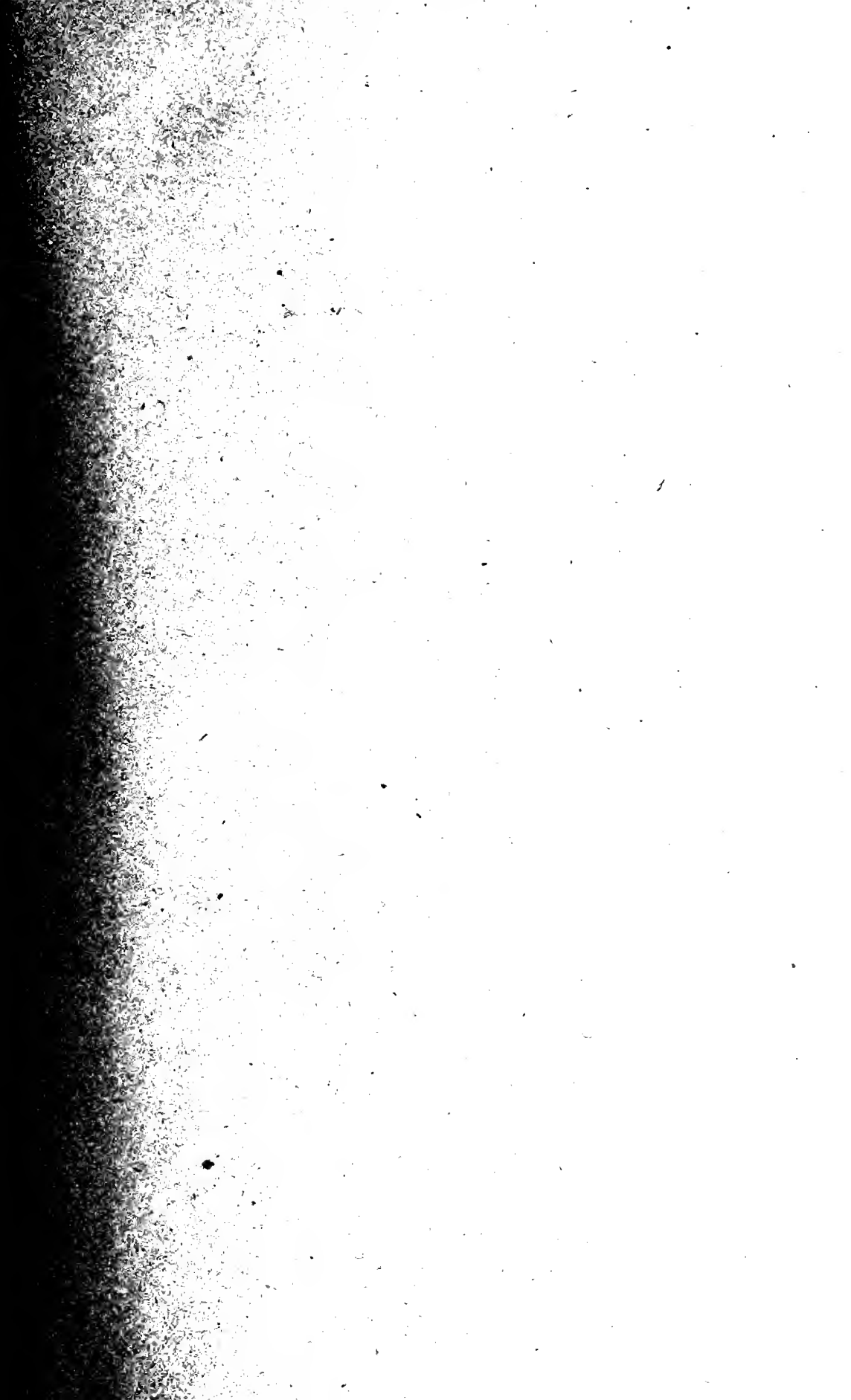
4. The Company may build boats, scows, or other vessels <sup>Vessels, wharves, etc.</sup> for the navigation of the waters of Mountain Lake, and the other waters connected therewith, within the Provisional County of Haliburton, and build wharves, sheds, warehouses and such other structures for the accommodation and development of such navigation as may be necessary.
5. The Company may construct, equip, own, maintain <sup>Telephones.</sup> and operate telephone lines, and charge tolls for the use thereof.
6. The Company may acquire the plant and property for, <sup>Express business.</sup> and carry on the business of an express company.
7. The head office of the Company shall be at the Vil-<sup>Head office.</sup>lage of Minden, in the Provisional County of Haliburton.
8. The said John Henry Delamere, Michael Brown, John <sup>Provisional directors.</sup> James Mortimer, John Wilson Wood, Samuel Frederick Stinson and Joseph Martin Delamere shall be the provisional directors of the Company.
9. The Board of Directors of the Company shall consist <sup>Number of directors.</sup> of not less than five and not more than seven persons.
10. The capital stock of the Company shall be sixty <sup>Capital stock.</sup> thousand dollars.
11. The Company may issue bonds, debentures or other <sup>Bonds.</sup> securities to the extent of \$30,000 per mile of railway constructed or under contract to be constructed.
12. The Company may for all or any of the purposes <sup>Power to acquire and hold land.</sup> aforesaid, acquire, own, lease, purchase and hold lands and franchises, and make and execute all such agreements and contracts as may be necessary and advisable from time to time with any individual, company, corporation, municipality or other body of persons to carry into effect the purposes of this Act.
13. The Company may, subject to the provisions of *The* <sup>Power to amalgamate with or purchase other railways, etc.</sup> *Ontario Railway Act, 1906*;
- (a) Amalgamate with any other electric or steam railway, now or hereafter incorporated, which operates wholly or in part within the Counties of Victoria and Haliburton.

- (b) Acquire by purchase or lease any electric or steam railway, operating wholly or in part within the territory above described, or any part of the trackage or rolling stock of any such railway.
- (c) Acquire running rights over any other railway, operating within the said territory.

Application  
of 6 Edw.  
VII. c. 30.

**14.** The provisions of *The Ontario Railway Act, 1906*, except where inconsistent with the provisions of this Act, shall apply to the Company and to the railway to be constructed by it.









No. 26.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to Incorporate The Lindsay and  
Minden Railway Company.

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1st Reading,                      1912.

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(*Private Bill.*)

MR. MASON.

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

# BILL

## An Act to Incorporate The Lindsay and Minden Railway Company

**W**HEREAS John Henry Delamere, Gentleman, Michael Preamble.  
Brown, County Treasurer, and John James Mortimer, Hotel Keeper, all of the unincorporated Village of Minden, in the Provisional County of Haliburton; John Wilson Wood, Physician, of the Town of Lindsay, in the County of Victoria; Samuel Frederick Stinson, Mill Owner, and Joseph Martin Delamere, Lieutenant-Colonel, both of the City of Toronto, in the County of York, have by their petition prayed for an Act of incorporation under the name of "The Lindsay and Minden Railway Company," for the purpose of constructing, equipping and maintaining a railway to be operated by steam or electricity, or partly by one and partly by the other, from a point in or near the Town of Lindsay, in the County of Victoria, thence northerly through the Townships of Ops, Fenelon, Eldon, Carden, Bexley, Laxton and Digby, in the said County of Victoria and the Townships of Lutterworth, Anson and Minden, in the Provisional County of Haliburton, to the waters of Mountain Lake, in the said Township of Minden, with power to construct branches or extensions at points along the said route to connect with other railways or navigable waters in proximity thereto; and with power to dispose of surplus electricity for lighting and power purposes to municipalities, corporations and persons along said railway, subject to the provisions of *The Power Commission Act*; and to carry on the business of an express company; and to amalgamate with any other electric or steam railway, now or hereafter incorporated which operates wholly or in part within the County of Victoria or the Provisional County of Haliburton; and acquire by purchase or lease any electric or steam railway, operating wholly or in part within the territory above described, or any part of the trackage or rolling stock of any such railway; and to acquire running rights over any other railway operating within the said territory; and whereas it is expedient to grant the prayer of the said petition;

7 Edw. VII.,  
c. 19.

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 John Henry Delamere, Michael Brown, John James Mortimer, John Wilson Wood, Samuel Frederick Stinson and Joseph Martin Delamere, together with such other persons, firms, and corporations as shall hereafter become shareholders of the said Company, are hereby constituted a body, corporate and politic, by the name of "The Lindsay and Minden Railway Company," hereinafter called "the Company."

Location of line.

2. The Company is authorized and empowered to survey, lay out, construct, complete, equip and maintain a railway, to be operated by steam or electricity, or partly by one, and partly by the other, from some point in or near the Town of Lindsay, in the County of Victoria, in the Province of Ontario: thence northerly through the Townships of Ops, Fenelon, Eldon, Carden, Bexley, Laxton and Digby, in the said County of Victoria and the Townships of Lutterworth, Anson, and Minden, in the Provisional County of Haliburton, to the waters of Mountain Lake, in the said Township of Minden; also, to construct branches or extensions to connect with other railways, or navigable waters in proximity thereto.

Disposal of surplus electricity.

3.—(1) The Company may enter into contracts for the purpose of disposing of surplus electricity for lighting and power purposes to municipalities, corporations and persons along said railway subject to the provisions of *The Power Commission Act*.

7 Edw. VII., c. 19.

Consent of municipality and approval of Hydro-Electric Power Commission.

(2) The Company shall not supply electricity in any municipality except under a by-law passed by the council of the municipality, or under an agreement entered into with the municipal corporation, and no such by-law or agreement shall take effect or be binding upon the municipality until the same has been approved by the Hydro-Electric Power Commission of Ontario.

Supervision of rates by Commission.

(3) The rates chargeable by the Company for supplying electricity shall at all times be subject to the supervision of the Hydro-Electric Power Commission of Ontario, and upon the complaint in writing of any municipal corporation, company or person that the company is charging rates which are excessive or unfair, or is unjustly discriminating against or in favour of any municipal corporation, company or person the Chairman of the Commission may appoint a time and

place at which the said Commission, or some member thereof, will hear and determine the matter in dispute. ↗

↗ (4) Such notice of such appointment as the Chairman may direct shall be given by the Secretary of the said Commission to all parties concerned. At the time and place appointed the said Commission, or, with the consent of all parties, any member of the said Commission shall hear and determine the matter in dispute, and shall make an order dismissing or allowing the complaint and directing what rates shall be charged by the company, and directing the amendment of any by-law or agreement accordingly. ↗

Notice of hearing by Commission.

↗ (5) The said Commission or the member thereof conducting the hearing, shall have the powers authorized to be conferred upon a commissioner appointed under *The Public Inquiries Act.* ↗

Powers of Commission.   
 8 Edw. VII.,   
 c. 8.

↗ (6) If the Company neglects or refuses to obey or carry out the order or direction of the said Commission, or the member thereof conducting such case, it shall forfeit to His Majesty for the uses of the Province the sum of \$100 for every day during which such refusal or neglect shall continue. ↗

Penalty.

↗ (7) The Company shall keep entirely separate and distinct all accounts, contracts, statements and records thereof relating to the construction, development and transmission of the said power, and such accounts shall not in any way become involved or mixed with the accounts for the construction, maintenance or operation of the said railway. ↗

Separate accounts to be kept.

4. The Company may construct, equip, own, maintain and operate telephone lines, and charge tolls for the use thereof. Telephones.

5. The Company may acquire the plant and property for, and carry on the business of an express company. Express business.

6. The head office of the Company shall be at the Village of Minden, in the Provisional County of Haliburton. Head office.

7. The said John Henry Delamere, Michael Brown, John James Mortimer, John Wilson Wood, Samuel Frederick Stinson and Joseph Martin Delamere shall be the provisional directors of the Company. Provisional directors.

Number of  
directors.

8. The Board of Directors of the Company shall consist of not less than five and not more than seven persons.

Capital  
stock.

9. The capital stock of the Company shall be \$60,000.

Bonds.

10. The Company may issue bonds, debentures or other securities to the extent of \$30,000 per mile of railway constructed or under contract to be constructed.

Power to  
amalgamate  
with or pur-  
chase other  
railways, etc.

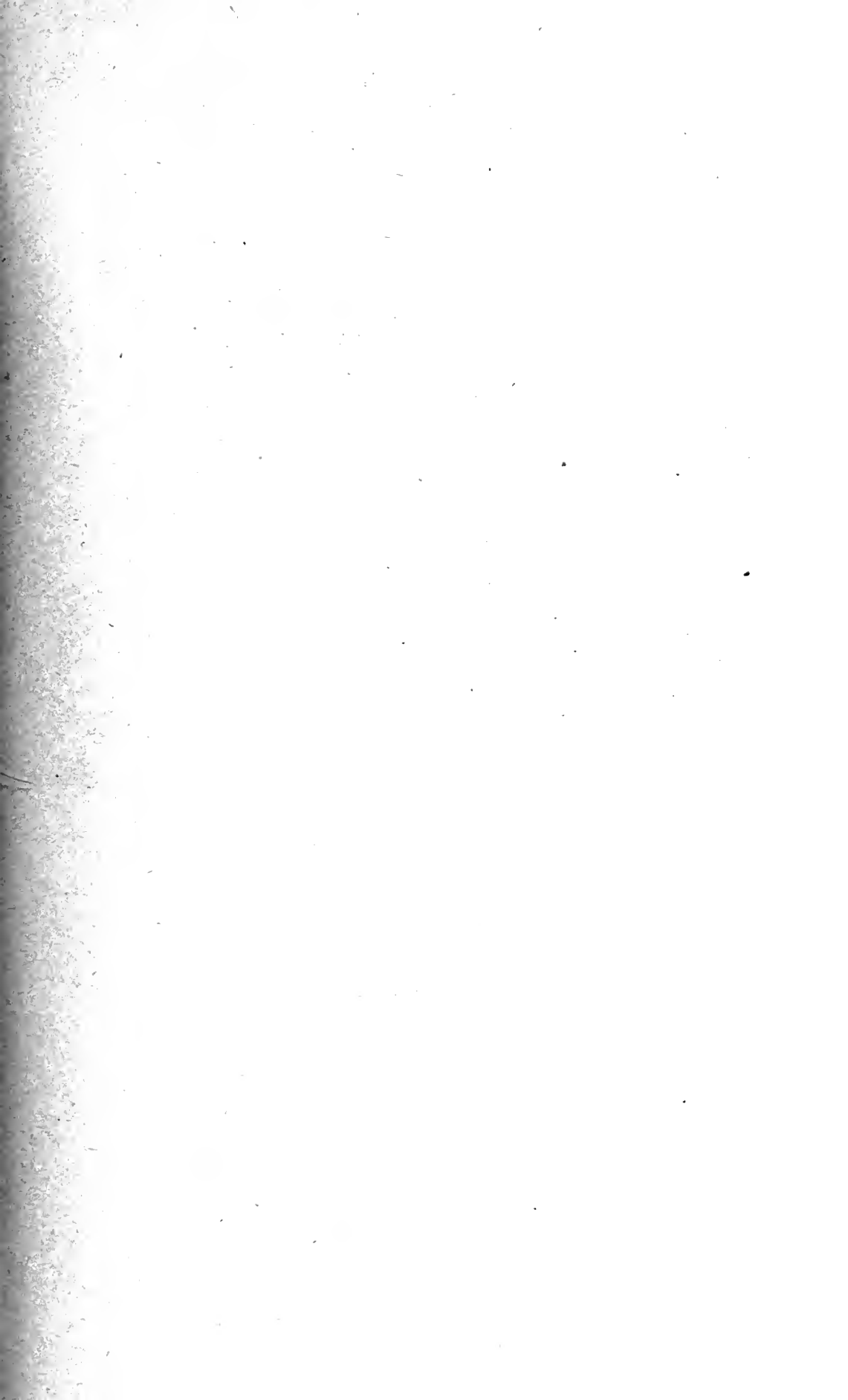
11. The Company may, subject to the provisions of *The Ontario Railway Act, 1906*;

- (a) Amalgamate with any other electric or steam railway, now or hereafter incorporated, which operates wholly or in part within the County of Victoria or *the Provisional County of Haliburton*.
- (b) Acquire by purchase or lease any electric or steam railway, operating wholly or in part within the territory above described, or any part of the trackage or rolling stock of any such railway.
- (c) Acquire running rights over any other railway, operating within the said territory.

Application  
of 6 Edw.  
VII. c. 30.

12. The provisions of *The Ontario Railway Act, 1906*, except where inconsistent with the provisions of this Act, shall apply to the Company and to the railway to be constructed by it.







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No. 26.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to Incorporate The Lindsay and  
Minden Railway Company.

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1st Reading, February 28th, 1912.

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*Reprinted as amended by the Railway  
Committee.*

*(Private Bill.)*

MR. MASON.

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

# BILL

## An Act respecting the Ontario and Minnesota Power Company, Limited

**W**HEREAS the Ontario and Minnesota Power Com-<sup>Preamble.</sup>  
pany, Limited, has by petition represented that it was duly incorporated by Letters Patent under the Great Seal of the Province of Ontario, dated the 13th day of January, 1905; that Supplementary Letters Patent have been granted to the said Company on or about the 25th day of April, 1911; and whereas the said Company has by its petition prayed that it be enacted as hereinafter provided; 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 Company shall have the right, and it is hereby empowered to enter upon, take and expropriate, without the consent of the owners thereof, the lands required for and in connection with the construction and operation of a Paper Mill within the following area: At or near the Town of Fort Frances, that is to say: Bounded on the west by the Rainy River; on the north by the north boundary of Church Street in the said Town of Fort Frances, and the said north boundary of Church Street produced westerly to the Rainy River; on the east by the west boundary of Portage Avenue, in the said Town of Fort Frances, and the said westerly boundary of Portage Avenue produced in a southerly direction to its intersection with the Rainy River; and on the south by the Rainy River, making compensation therefor to the owners, occupiers or other persons having any interest in the said lands. <sup>Power to expropriate certain lands.</sup>

**2.** A map or plan of the land intended to be taken so far as then ascertained and a Book of Reference in which shall <sup>Filing of map or plan.</sup>

be set forth (a) a general description of the said lands; (b) the names of the owners and occupiers so far as they can be ascertained, and (c) everything necessary for the right understanding of such map or plans shall be made and filed in the office of the Local Master of Land Titles at Fort Frances.

Application  
of certain  
sections of  
6 Edw. VII.  
c. 30.

3. For the purposes of this Act subsections 7, 12 and 14 of section 59 and sections 61 to 68 of *The Ontario Railway Act, 1906*, shall, so far as applicable, *mutatis mutandis* apply to the Company and to the exercise by it of the powers hereby conferred, and wherever in the said sections the word "Railway" occurs, it shall for the purposes of the Company and unless the context otherwise requires, mean the said Paper Mill.



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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting the Ontario and Minnesota Power Company, Limited.

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1st Reading, 1912.

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(*Private Bill.*)

Mr. MACHIN.

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





# BILL

## An Act respecting The Ontario and Minnesota Power Company, Limited

**W**HEREAS the Ontario and Minnesota Power Com-<sup>Preamble.</sup>  
pany, Limited, has by petition represented that it was duly incorporated by Letters Patent under the Great Seal of the Province of Ontario, dated the 13th day of January, 1905; that Supplementary Letters Patent have been granted to the said Company on or about the 25th day of April, 1911; and whereas the said Company has by its petition prayed that it be enacted as hereinafter provided; 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 Company shall have the right, and it is hereby empowered to enter upon, take and expropriate, without the consent of the owners thereof, the lands required for and in connection with the construction and operation of a Paper Mill within the following area:  that is to say; Lots A, B, C, D, F, G, H and X and the south thirty-four feet four inches of lots I and J, as shown in the original plan of the Town Plot of Alberton in the Town of Fort Frances, and the lands bounded on the north by Nelson Street between Mowat Street and Portage Avenue and Sinclaire Street between Portage Avenue and Victoria Avenue and on the east by Portage Avenue between Nelson Street and Sinclaire Street, and Victoria Avenue between the River and Sinclaire Street, and on the south and west by the Rainy River and a part of Mowat Street. 

Power to expropriate certain lands.

**2.** A map or plan of the land intended to be taken so far as then ascertained and a Book of Reference in which shall Filing of map or plan.

be set forth (a) a general description of the said lands; (b) the names of the owners and occupiers so far as they can be ascertained, and (c) everything necessary for the right understanding of such map or plans shall be made and filed in the office of the Local Master of Land Titles at Fort Frances.

Application  
of certain  
sections of  
6 Edw. VII.  
c. 30.

3. For the purposes of this Act subsections 7, 12 and 14 of section 59 and sections 61 to 68 of *The Ontario Railway Act, 1906*, shall, so far as applicable, *mutatis mutandis* apply to the Company and to the exercise by it of the powers hereby conferred, and wherever in the said sections the word "Railway" occurs, it shall for the purposes of the Company and unless the context otherwise requires, mean the said Paper Mill.



No. 27.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting The Ontario and Minnesota Power Company, Limited.

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1st Reading, 28th February, 1912.

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

Mr. MACHIN.

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

# BILL

An Act to confirm an Agreement entered into between one Joseph W. Williams and the Town of Milton, Dated 14th March, 1911, and By-law Number 441 of the Town of Milton.

**W**HEREAS the Municipal Corporation of the Town Preamble. of Milton and "Williams & Son, Limited," a Company carrying on business as Shoe Manufacturers in the said Town of Milton, have represented that a Company known as "Durgin-Williams, Limited," had prior to the year 1912 been carrying on business as Shoe Manufacturers in the Town of Brampton, in the Province of Ontario, and that owing to inability to procure assistance from the Town of Brampton and other concessions the said Company could not secure suitable premises there to carry on their business longer and were obliged to cease doing business and go into voluntary liquidation. That Joseph W. Williams, who had been a member of "Durgin-Williams, Limited," on the 14th of March, 1911, entered into an Agreement with the said Town of Milton by which in consideration that he or any Company he might organize would purchase or erect suitable buildings in the Town of Milton at a cost of not less than \$5,000.00, and properly equip same for a Shoe Manufacturing business so that the total value of the buildings, plant and machinery should not be less than \$15,000.00 free encumbrance, and would employ at least forty employees on an average in each working day in the year, with an average pay roll of \$400.00 per week, and would give the said Town of Milton a first mortgage on the premises for \$12,000.00 to secure them against any liability, the said Town agreed to submit a By-law to the ratepayers to guarantee the Bonds of the said Company to the extent of \$12,000.00, the proceeds of which were to be applied in the purchase or erection of a Shoe Factory and premises in the said Town of Milton and fully equipping same, and would also grant exemption from taxation, except school taxes, for a period of ten years

and a supply of water free, and the said Town of Milton further agreed to submit a By-law (Number 441) to the ratepayers for the purpose of carrying out the matters aforesaid; further that the said Joseph W. Williams procured a Company known as "Williams & Son, Limited," to be duly incorporated, and on the 10th day of April, 1911, the said By-law was voted upon by the ratepayers of the said Town of Milton and duly carried and was finally passed by the Council of the said Town of Milton on the 18th day of April, 1911, and registered in the Registry Office for the Registry Division of the County of Halton, on the 26th day of April, 1911. That no application has been made, action brought or proceeding had to quash or set aside the said By-law, or any part thereof, and the same has not been repealed or amended. That the said Company, "Williams & Son, Limited," have purchased premises in the said Town of Milton and have commenced to do business, but have been unable to dispose of the Bonds which have been issued pursuant to the Agreement and By-law aforesaid, and doubts have arisen as to the validity of the said Agreement and By-law, it being alleged by Counsel for intending purchasers of said Bonds that the said Agreement and By-law are in contravention of the provisions of *The Consolidated Municipal Act, 1903*, although no objection to the said Agreement and By-law had been made by the Corporation of the Town of Brampton or by any other person or party, and "The Municipal Council of the Town of Milton" and "Williams & Son, Limited," have been advised to apply for an Act to make valid the said Agreement, By-law and Bonds issued thereunder as aforesaid, and have by their Petition prayed that an Act may be passed to legalize and confirm the said Agreement and By-law; 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:—

Agreement  
and By-law  
441 con-  
firmed.

1. The Agreement entered into between Joseph W. Williams and the Municipal Corporation of the Town of Milton, bearing date the 14th day of March, A.D. 1911, as set forth in Schedule "A" to this Act, and By-law Number 441 of the Corporation of the Town of Milton intituled "A By-law to authorize the Corporation of the Town of Milton to guarantee the Bonds of "Williams & Son, Limited," of Milton, to the extent of twelve thousand dollars and interest thereon at the rate of five per cent. per annum," as set forth in Schedule "B" to this Act, are confirmed and declared to be legal, valid and binding upon the said Municipal Corporation and the

ratepayers thereof, and the said Corporation is authorized and empowered to do all acts provided for in the said By-law.

2. The said Corporation of the Town of Milton is empowered to guarantee the Bonds of "Williams & Son, Limited," as provided by the said By-law. <sup>May guarantee bonds.</sup>

3. The said Corporation of the Town of Milton is authorized and empowered to do all acts and things necessary and proper for the full and effectual carrying out of the objects of the said Agreement and By-law, and that the same shall be legal and binding upon "Williams & Son, Limited." <sup>General powers.</sup>

#### SCHEDULE "A."

This Agreement, made in duplicate this fourteenth day of March, A.D. 1911.

BETWEEN—

J. W. Williams, of the First Part;

—and—

The Municipal Corporation of the Town of Milton, of the Second Part.

WITNESSETH that the said parties hereto, for themselves, their successors and assigns, do hereby mutually promise and agree to and with each other, in manner and form as follows:—

The said Party of the First Part agrees:

Firstly: To purchase a satisfactory site and buildings located within the limits of the Town of Milton, or to purchase a site and erect thereon substantial buildings to cost not less than five thousand dollars (\$5,000.00) and to place therein machinery and plant, required in the manufacture of boots and shoes, the total equipment, including the buildings and lands and said plant and machinery, to be of not less value than fifteen thousand dollars (\$15,000.00), and to be free from all liens, charges and encumbrances of every kind, other than the mortgage hereinafter mentioned.

Secondly: The said party of the first part shall erect and complete said buildings or purchase said buildings and site and shall place the said machinery and plant therein and have the same in operation as a going concern the first day of August, A.D. 1911, and shall during the term of twenty years from the first day of August, 1911, employ in the said business, in the said Town of Milton, not less than forty employees on the average for each working day of each year in the said term, and shall pay in wages a sum averaging not less than four hundred dollars per week, unless prevented by fire, strikes or other unavoidable cause, the calculation as to number of employees employed and the amount of wages paid, to be made as hereinafter provided.

Thirdly: The said party of the first part shall execute and deliver to the said party of the second part, a first Mortgage for the sum of twelve thousand dollars (\$12,000.00) upon the said buildings, lands and premises, plant and machinery, including the boiler, engine and heating apparatus, fixed and movable, and all other fixtures, machinery and plant, to be subsequently placed upon the said premises, in connection with the said business (which said plant, machinery and fixtures shall for the purpose of the said

security be regarded as part of the freehold) free from all dower, liens, charges and encumbrances of every kind, and the same to be of the total value of at least fifteen thousand dollars (\$15,000.00) as hereinbefore set forth, as a guarantee of good faith, and for the faithful performance of all the conditions and covenants binding upon the said party of the first part, under this agreement, until the discharge of the said mortgage, as hereinafter provided, and to secure the said party of the second part against any possible loss whatsoever, on account of the said party of the second part undertaking to guarantee the bonds of the said party of the first part to the extent of twelve thousand dollars (\$12,000.00) and interest thereon at five per cent. per annum as hereinafter provided, and to secure the said Municipality against the payment of the said bonds. The said mortgage shall be prepared and made in pursuance of the Act respecting Short Forms of Mortgages, and shall contain the usual Statutory Covenants, contained in such mortgage, and such others as the Municipality shall deem advisable for the security thereby intended, right to convey, quiet possession on default, freedom from encumbrance, further assurance, that no Act to encumber has been done, insurance to the extent of at least two-thirds of the cash value of the buildings, plant and machinery on the mortgage premises, and at all times insurance to the extent of the bonds from time to time unpaid, a release from all claims, subject to proviso for repayment, a power of sale on default for three months on one months' notice, and until default Mortgagor to have quiet possession. The mortgage shall provide that all terms, conditions and provisos of this agreement shall, so far as the same may be applicable to both parties hereto be included in, and form a part of the said mortgage until the same be discharged as hereinafter provided. If at any time required by the said party of the second part the said party of the first part shall execute and deliver to the said party of the second part a Confirmatory Mortgage on the said lands and premises, machinery and plant as additional security to the said mortgage.

Fourthly: The party of the first part will assign, transfer and deliver over unto the said party of the second part the Policy or Policies of Assurance on the said buildings, plant and machinery, to be held by the said party of the second part as long as any portion of the money secured by the said mortgage shall remain unpaid and as long as the liability of the said party of the second part as Guarantors of the said Bonds of the party of the first part shall exist and until the said Bonds shall be fully paid and satisfied by the said party of the first part. In the event of damage by fire the moneys payable under said Policy or Policies shall be payable to the Municipality, and shall by the said Municipality be applied in restoring the building or buildings, plant or machinery so damaged or held by the said Municipality to pay the unpaid or unmatured bonds guaranteed by the said Municipality as aforesaid. If the party of the second part shall pay any premiums or sums of money for insurance of the said premises, plant or machinery, or any part thereof, the amount of such payments, with interest thereon at the rate of six per cent. per annum from the time of such payment, shall be repayable to them forthwith and shall be recoverable under this mortgage.

Fifthly: The said party of the first part shall annually during the said term of twenty years, if required to do so, submit to the party of the second part a statement as to wages paid and persons employed by the party of the first part, such statement to be prepared and signed by a regular Chartered Accountant satisfactory to the party of the second part, and, if required, also verified by Statutory Declaration to be made by the party of the first part, And if it shall appear at any time that the average number of employees of the said party of the first part has been less than forty on the average for each working day during any year of the said term, then the said party of the second part shall be entitled to realize from the said party of the first part as liquidated dam-



ages for such default, at the rate of \$10.00 per annum for each employee short of the said average number of forty to be so employed as hereby required; and further, if it shall appear that the average weekly amount paid for wages during the year by the said party of the first part has been less than \$400.00, then the said party of the second part shall be entitled to realize from the said party of the first part as liquidated damages for such default at the rate of \$10.00 for each \$25.00 short of the said weekly average of \$400.00. Any and all disputes arising under this clause shall be settled by a Board of three Arbitrators, one of whom shall be selected by the party of the first part, another by the party of the second part, and the third to be chosen by the other two.

Sixthly: In the event of default being made during the currency of the said mortgage in any of the conditions and terms set out to be observed and performed by the said party of the first part under this Agreement, then in such case the party of the second part shall have the right to recover as liquidated damages the several sums set out under this Agreement in reference to such default, and for such purpose may exercise all their rights and remedies as mortgagees under the said mortgage until the discharge of the said mortgage, in as full and ample a manner to recover said sums as if default had been made in payment of the sum secured by the said mortgage, and this clause may be pleaded as an estoppel to any defence preventing the said party of the second part from proceeding to realize the said sums under the said mortgage during such time. If at any time the said party of the second part shall be called upon to pay any of the said Bonds of the said party of the first part, and in every such case in which default shall be made by the said party of the first part, the party of the second part shall have the right to recover as liquidated damages such sum or sums with interest on the same at the rate of six per cent. per annum from date of payment so paid by them, and for such purpose may exercise all their rights and remedies as mortgagees under the said mortgage until the discharge thereof, in as full and ample a manner to recover the said sum or sums, with interest as aforesaid, as if default had been made in payment of the monies secured by the said mortgage, and this clause may be pleaded as an estoppel to any defence preventing the said party of the second part from proceeding to realize such sum or sums under said mortgage during such time.

Seventhly: The said party of the first part shall concentrate all their manufacturing interests identified with this loan in the said Town of Milton, and shall not remove from the said Town of Milton without the consent of the said party of the second part.

The said party of the second part agrees to submit a By-law to the ratepayers entitled to vote on by-laws for granting aid by way of loans to Manufacturing Industries, for the purpose of obtaining their consent to the said By-law to authorize the guarantee by the said Town of Milton of the Bonds of the Company to be organized for the sum of Twelve thousand dollars (\$12,000.00) and interest thereon at five per cent. payable in twenty annual payments of \$962.91 each, and upon the necessary assent of the ratepayers in conformity with the provisions of the Municipal Act in respect of By-laws for granting bonuses to Manufacturing Industries, having been obtained to the passing of the said By-law, and upon the execution and delivery to the said party of the second part of a mortgage for Twelve thousand dollars (\$12,000.00), to be made by the said party of the first part as hereinbefore provided, will guarantee the bonds of the said party of the first part for the sum of Twelve thousand dollars (\$12,000.00) as aforesaid.

The party of the second part shall guarantee the Bonds of the said party of the first part to the extent of Twelve thousand dollars (\$12,000.00), the proceeds of which bonds, upon being sold by the said party of the first part, shall be deposited to the credit of the

said party of the second part in a Chartered Bank in the Town of Milton, and the party of the second part shall advance to the said party of the first part the sum of Six thousand dollars upon the purchase or erection by the said party of the first part of the factory buildings, there being no liens, charges or encumbrances against the said buildings and premises, and shall advance the remaining six thousand when machinery and plant are installed in the said buildings and the said factory is in operation as a going concern, there being no liens or encumbrances against the said lands and buildings, machinery or plant, and satisfactory expenditure vouchers on said buildings and premises, machinery and plant having been produced by the party of the first part, if required by the said party of the second part.

The said party of the second part further agrees to grant the said party of the first part exemption from taxes and rates except those for school purposes, on the said buildings and premises, for the period of ten years.

The said party of the second part further agrees to grant to the said party of the first part during said period the use of the Town water through a one-inch pipe for factory purposes whenever the supply in the Town reservoir is within a foot of the overflow.

And it is further agreed by and between the parties hereto that if the said party of the second part should submit such By-law, and if the said By-law should not receive a vote sufficient to carry a bonus by-law, as provided by the provisions of the Municipal Act, then this Agreement shall be null and void and of no effect, and the parties thereto shall be released from all liability or obligation thereunder.

IN WITNESS WHEREOF the said party of the first part has hereunto set his hand and seal, and the Corporation of the Town of Milton by the hands of the Mayor and Clerk and the Corporate Seal.

SIGNED, SEALED AND DELIVERED  
in the presence of  
" R. WHITE."

" J. W. WILLIAMS," (L.S.)  
" A. HIGGINBOTHAM," Mayor, (L.S.)  
" G. A. HEMSTREET," Clerk. (L.S.)

(Seal.)  
TOWN OF MILTON.

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SCHEDULE " B."

BY-LAW NO. 441.

A By-Law to authorize the Corporation of the Town of Milton to guarantee the Bonds of Williams & Son, Limited, of Milton, to the extent of Twelve Thousand Dollars and Interest thereon at the rate of Five per cent. per annum.

Whereas Williams & Son, Limited, of Milton, of the One Part, and the Municipal Corporation of the Town of Milton, of the Other Part, have entered into an Agreement, that in consideration of the guarantee by the said Town of Milton of the Bonds of Williams & Son, Limited, of Milton, for the sum of Twelve Thousand dollars, and interest thereon at the rate of five per cent. per annum, payable in twenty annual payments of \$962.91 each, payable yearly in twenty years from the issue thereof, the said Williams & Son, Limited, of Milton, will purchase a factory site and factory buildings or will

purchase a site and erect thereon substantial buildings in the Town of Milton and instal therein the necessary machinery and plant required in the manufacture of boots and shoes, the total equipment, including land and buildings and said machinery and plant, to be of not less value than Fifteen thousand dollars, and to employ in said business not less than forty employees on the average for each working day of each year during the term of twenty years from the First day of August, A.D. 1811, and to pay in wages a sum averaging not less than \$400.00 per week during the said term, unless prevented by fire, strike or other unavoidable cause, and to execute and deliver to the Corporation of the Town of Milton a first Mortgage for the sum of Twelve thousand dollars, upon the said lands and premises, plant and machinery as a guarantee of good faith and for the faithful performance of the covenants in the Agreement binding upon them, the said Mortgage to be made in pursuance of the Act respecting Short Forms of Conveyances, and the said premises to be insured to the extent of at least two-thirds of the cash value of the buildings, plant and machinery. The said Corporation shall guarantee the bonds of the said Williams & Son, Limited, of Milton, to the extent of Twelve thousand dollars, the proceeds of which bonds, upon being sold, shall be deposited to the credit of the said Corporation in a Chartered Bank in the Town of Milton, and the said Corporation shall advance to the said Company a sum of Six thousand dollars, upon the purchase or erection by the said Company of the factory buildings, there being no liens, charges or encumbrances against the said buildings and premises, and the said Corporation shall advance the remaining Six thousand dollars when the machinery and plant are installed in the said buildings and the said factory is in operation as a going concern, there being no liens, charges or encumbrances against the said lands and buildings, machinery or plant, and satisfactory expenditure vouchers on said buildings and premises, machinery and plant having been produced by the said Company if required by the said Corporation.

And whereas it is expedient to pass this By-law and submit the same to the electors of the said Municipality, to authorize the said Municipal Corporation to guarantee the Bonds of the said Williams & Son, Limited, of Milton, to the extent of Twelve thousand dollars, and interest thereon at the rate of five per cent. per annum, for the purpose of aiding the said Company in establishing their factory and business in the said Town as set forth in the said Agreement hereinbefore referred to.

And whereas the total amount of the debt or engagement which this By-law is intended to create or authorize is the amount of the guarantee by the Municipal Corporation of the Town of Milton of the payment by the said Williams & Son, Limited, of Milton, of the said Bonds, to the extent of Twelve thousand dollars, and interest thereon at the rate of five per cent. per annum, payable yearly in twenty years from the issue thereof.

And whereas the annual sum of \$962.91 will be required to pay off the said Bonds, and interest, in every year for twenty years, in case of the failure of the said Company to pay the said bonds, as they respectively become due and payable.

And whereas the amount of the whole rateable property of the said Municipality according to the last revised Assessment amounts to \$504,996.

And whereas the existing Debenture debt of the said Municipality is \$54,982.85, and no principal or interest is in arrears:

Therefore the Municipal Corporation of the Town of Milton enacts as follows:

1. That the Bonds of Williams & Son, Limited, of Milton, to the amount of Twelve thousand dollars, and interest thereon at the rate of five per cent. per annum, payable in yearly instalments in twenty years from the issue thereof, be and the same are hereby guaranteed by the Town of Milton.

2. That the said Bonds shall bear date on the day on which this By-law takes effect, and shall be in sums of not less than One hundred dollars each, and shall be payable yearly in the manner and for the yearly amounts following, that is to say:

	Principal.	Interest	Total.
1912 .....	\$362 91	\$600 00	\$962 91
1913 .....	381 06	581 85	962 91
1914 .....	400 11	562 80	962 91
1915 .....	420 12	542 79	962 91
1916 .....	441 12	521 79	962 91
1917 .....	463 17	499 74	962 91
1918 .....	486 33	476 58	962 91
1919 .....	510 64	452 27	962 91
1920 .....	536 19	426 72	962 91
1921 .....	562 99	399 92	962 91
1922 .....	591 15	371 76	962 91
1923 .....	620 70	342 21	962 91
1924 .....	651 64	311 27	962 91
1925 .....	684 33	278 58	962 91
1926 .....	718 54	244 37	962 91
1927 .....	754 47	208 44	962 91
1928 .....	792 18	170 73	962 91
1929 .....	831 81	131 10	962 91
1930 .....	873 39	89 52	962 91
1931 .....	917 05	45 86	962 91

3. That the guarantee aforesaid to be given and hereby authorized to be given by the said Municipality shall be endorsed on each of the said Bonds, the aggregate amount of which shall not exceed Twelve thousand dollars, and interest thereon at the rate of five per cent. per annum, and such Guarantee shall be in the words following or to a like effect:

The Corporation of the Town of Milton, in the County of Halton, hereby guarantees the payment of the within Bond at maturity. This guarantee is given to and for the benefit of the purchasers of this Bond, and of every person, or persons, Company or Companies, body or bodies corporate, who may at any time hereafter be the holder of this Bond. This guarantee is given in pursuance of By-law No. 441 of the Town of Milton.

.....  
Mayor of the Town of Milton.

(Seal.)

4. The Mayor of the said Town of Milton is hereby authorized and empowered to sign the said Guarantee so endorsed on behalf of the said Municipal Corporation, and the Clerk of the said Town is hereby authorized and instructed to attach the seal of the said Corporation thereto. But such Guarantee shall not be executed till all the terms of the Agreement hereinbefore mentioned have been fulfilled, or until the said Company shall make, execute and deliver to the said Corporation a first Mortgage upon the lands, buildings, machinery and plant to the said Corporation as security for such indemnity to the Corporation against the payment of the said Bonds and for the carrying out of the terms of the said Agreement.

5. In case of the failure of the said Company to pay the said Bonds as they respectively become due and payable, and in case the Corporation of the Town of Milton is called upon to pay same, then, and in such case, there shall be raised and levied in each year by a special rate sufficient therefor on all the rateable property in the said Municipality, the sum of \$962.91 as hereinbefore set

forth, being a sum sufficient to discharge the several instalments of principal and interest of the said Bonds as the same respectively become payable.

6. This By-law shall take effect on the First day of June, A.D. 1911.

7. The votes of the Electors of the said Municipality shall be taken on this By-law at the following times and places, that is to say: On Monday, the Tenth day of April, next, 1911, at the hour of nine o'clock in the forenoon and continuing till five o'clock in the afternoon of the same day. The places for taking the votes of the Electors and the names of the Deputy Returning Officers shall be as follows: Polling Subdivision North Ward, at the Town Hall, by Frank Pearen, Deputy Returning Officer; Polling Subdivision South Ward, at Court House, by Chas. Jones, Deputy Returning Officer; Polling Subdivision East Ward, at Creamery Office, by J. W. Crozier, Deputy Returning Officer.

8. On Saturday, the Eighth day of April, 1911, the Mayor shall attend at the Council Chamber at two o'clock in the afternoon to appoint 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 this By-law.

9. The Clerk of the said Municipality shall attend at the Council Chamber in the Town of Milton at two o'clock in the afternoon of Wednesday, the Twelfth day of April, 1911, and shall sum up the number of votes for and against the said By-law.

10. The lands used for factory site and the buildings and premises of the said Williams & Son, Limited, of Milton, shall be exempt from taxation for the term of ten years from the First day of August, 1911, and on all rates assessable by the Corporation of the Town of Milton, except school taxes.

11. The Corporation of the Town of Milton shall grant to the said Williams & Son, Limited, of Milton, for the term of ten years from the first day of August, 1911, the use of the Town water through a one-inch pipe, for factory purposes, whenever the water supply in the Town Reservoir is within a foot of the overflow pipe.

Dated at the Town of Milton, this 15th day of March, A.D. 1911.

"A. HIGGINBOTHAM,"  
Mayor.  
"G. A. HEMSTREET,"  
Clerk.

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This is a true copy of a proposed By-law which has been taken into consideration by the Municipal Council of the Corporation of the Town of Milton, and which will be finally passed by the said Council (in the event of the assent of the Electors being obtained thereto) after one month from the Sixteenth day of March, 1911, being the date of the first publication in *The Milton Reformer* newspaper, and that at the hour, day and places therein fixed for taking the votes of the Electors, the polls will be held.

"G. A. HEMSTREET,"  
Town Clerk.

Milton, March 15th, 1911.

(Seal of the Town of Milton.)





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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to confirm an Agreement between  
one Joseph W. Williams and The  
Town of Milton and By-law  
Number 441 of The Town  
of Milton.

---

1st Reading,                      1912.

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(*Private Bill.*)

Mr. NIXON.

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



# BILL

## An Act to confirm By-law No. 95 of the Town of Webbwood.

**W**HEREAS the Town of Webbwood has by petition Preamble. represented that the construction of the concrete sidewalks provided for in By-law No. 95 of the said Corporation was desirable in the public interest and that a number of the ratepayers whose properties would be benefited thereby had requested members of the Council to procure the same to be constructed; that the Council proceeding on the initiative plan had given due notice of the intention of the Council to undertake the construction of the same as local improvements and to assess a part of the cost thereof upon the real property specially benefited thereby; that the majority of the owners of such real property representing at least one-half in value thereof, did not petition the Council against the same; that by inadvertence the said initiating notice stated that the cost of the said sidewalks would be divided into three equal annual payments; that the said walks were constructed pursuant to the said notice and paid for by moneys borrowed by way of temporary loans; that upon proceeding to pass a by-law to provide for the issue of debentures to pay for the said sidewalks the said error in the initiating notice was observed and the owners of the properties benefited, represented to the Council that they had expected to have a long term of years in which to pay for the said sidewalks and that to pay for the same in three annual payments would be unduly oppressive to all the said owners and requested that the payment might be extended over a much longer term; that the petitioners had not intended to require the said cost to be paid in three annual payments and in order to relieve the burden upon the owners and the ratepayers they had decided to make the cost of the said sidewalks payable in ten annual payments, being many years within the probable lifetime of the said sidewalks, and for that purpose had duly passed By-law No. 95, a copy of which is set out as Schedule "A" hereto; that the said by-law was passed on the 7th day of August, 1911, but that doubts

have arisen respecting the validity of the said by-law and by reason thereof the petitioners have been unable to sell debentures issued under the said by-law and are unable to pay off the said temporary loans, and the said Council has by its petition prayed that an Act may be passed confirming and legalizing the said by-law and the rates thereby imposed; that the moneys authorized by the said by-law to be borrowed may be borrowed upon the credit of the corporation at large, and that debentures may be issued under the said by-law upon the credit of the Corporation at large and that all such debentures shall be valid and binding upon the Corporation.

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. 95  
of town  
Webbwood  
confirmed.

**1.** By-law No. 95 of the Corporation of the Town of Webbwood, set out in Schedule "A", hereto is confirmed and declared to be legal, valid and binding upon the said Corporation and the ratepayers thereof. The rates imposed by the said by-law for the payment of the debt authorized by the said by-law and the interest thereon are also confirmed and declared to be valid and binding upon the Corporation and upon the lands referred to in the said by-law.

Authority  
to borrow.

**2.** The moneys authorized by the said by-law to be borrowed may be borrowed upon the credit of the Corporation at large, and the debentures authorized by the said by-law to be issued may be issued upon the credit of the Corporation at large, and such debentures shall be valid and binding upon the corporation of the Town of Webbwood and it shall not be necessary for the purchasers of such debentures to inquire into the validity of the proceedings relating to the issue of the same.

#### BY-LAW NUMBER 95

A By-law relating to the construction of certain concrete walks in the Town of Webbwood, and to authorize the issue of debentures for the sum of \$5,004.46, to pay for the same.

Whereas, in the opinion of the Council of the Corporation of the Town of Webbwood it became desirable and necessary to construct the following concrete walks, namely:—

1. Both sides of O'Neil Street from Main Street to Yonge Street.
  2. The north side of Yonge Street from gaol corner to O'Neil Street.
  3. Both sides of Main Street from Nelson Street to O'Neil Street.
  4. North side of Yonge Street from O'Neil Street to Nelson Street.
  5. Both sides of Nelson Street from Main Street to Yonge Street.
- as a local improvement;

And the said Council thereupon gave due notice of their intention to pass a By-law for that purpose, and to assess the final cost thereof to the extent of thirty-three and a third per cent. thereof upon the

properties fronting or abutting on the said streets, the remaining sixty-six and two-thirds per cent. to be assumed and paid by the Town;

And whereas, although duly notified as aforesaid, the majority of the owners of such real property, representing at least one-half of the value thereof, have not petitioned the said Council against the said work;

And whereas, the said sidewalks have been constructed and the total cost thereof is the sum of \$5,004.46, which is the amount of the debt intended to be created by this By-law, of which the sum of \$1,829.44 is assessed upon the properties fronting or abutting the said sidewalks, as set forth in the Schedule hereto annexed and marked "A," and the sum of \$3,175.02 is the Municipality's share of the cost;

And whereas, the said sum of \$5,004.46 has been raised by way of temporary loan, and the said sidewalks paid for;

And whereas, it is desirable to consolidate the several amounts and issue the debentures in one consecutive issue;

And whereas, the value of the whole rateable property of the said Municipality, according to the last revised assessment roll, is the sum of \$171,380.00;

And whereas the amount of the existing debenture debt of the said Municipality is the sum of \$1,805.17, and no part of either principal or interest is in arrears;

And whereas the said sum of \$1,829.44, part of the debt to be created under this By-law, is created on the security of the special rates settled by the By-law, and is further guaranteed by the Municipality at large;

And whereas it is desirable to make the principal of the said debt repayable by annual instalments during the period of ten years, 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;

And whereas it will be necessary to raise annually in each year for the period of ten years, during the currency of the debentures to be issued under this By-law, the sum of \$648.10 for paying the several instalments of principal and interest, such annual sum to be made up as follows: For the purpose of paying the said sum of \$1,829.44 assessed on the said real property and the interest thereon, it will be necessary to raise annually for the said term of ten years the sum of \$236.92, and for the purpose of paying the said sum of \$3,175.02 payable by the said Municipality and interest, it will be necessary to raise annually the sum of \$411.18 for the said term of ten years;

Therefore, the Municipal Council of the Corporation of the Town of Webbwood, enacts as follows:—

1. For the purpose aforesaid it shall be lawful for the Corporation to borrow on the security of the special rates hereby imposed and of the guarantee of the Municipality the sum of \$5,004.46, and for that purpose to issue debentures of the Corporation of the Town of Webbwood for the sum of \$5,004.46, which said debentures shall have coupons attached thereto for payment of interest, and that the moneys so to be raised shall be applied and expended in paying off and discharging the temporary loans heretofore obtained for the construction of the said sidewalks and in no other way and to no other purpose.

2. The said debentures shall bear interest at the rate of five per cent. per annum payable yearly, and as to both principal and interest shall be payable at the Traders Bank of Canada at Webbwood, and shall be dated the 14th day of August, A.D. 1911.

3. The Mayor of the said Municipality shall sign and issue the said debentures and coupons and 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 corporate seal of the said Municipality to the said debentures.

4. The said debentures shall be payable in ten annual instalments, and the respective amounts of principal and interest payable during each of the said years shall be as follows:—

Date of Payment.	Principal	Interest.	Total.
February 1st, 1912	\$397 88	\$250 22	\$648 10
“ “ 1913	417 77	230 33	648 10
“ “ 1914	438 66	209 44	648 10
“ “ 1915	460 59	187 51	648 10
“ “ 1916	483 62	164 48	648 10
“ “ 1917	507 80	140 30	648 10
“ “ 1918	533 19	114 91	648 10
“ “ 1919	559 85	88 25	648 10
“ “ 1920	587 85	60 25	648 10
“ “ 1921	617 24	30 86	648 10

5. That for the purpose of paying the said instalments of principal and interest as the same become due respectively, during ten years, the currency of the debentures to be issued under this By-law the sum of \$648.10 shall be raised annually as follows: The sum of \$236.92 shall be raised annually for the payment of that part of the debt and interest assessed upon the properties fronting or abutting the said sidewalks and for that purpose the special rates set forth in the Schedule hereto annexed, which is hereby declared to form part of this By-law, are hereby imposed on the real property of the ratepayers mentioned and described therein, above all other rates and taxes, which special rates are sufficient to produce in each year the sum of \$236.92, and shall be annually inserted in the collector's roll of the said Municipality, and shall be payable to and collected by him in the same manner and at the same time as other rates on the said roll, and the further sum of \$411.18 shall be raised annually for the payment of that part of the said debt and interest to be paid by the Municipality, which said sum shall be levied and raised annually by a special rate sufficient therefor above all other rates on all the rateable property in the said Municipality at the same time and in the same manner as all other rates.

6. That the debt to be created on the security of the special rates settled by this By-law be and the same is hereby guaranteed by the Municipality.

7. This By-law shall come into operation and take effect on the day of the final passing thereof.

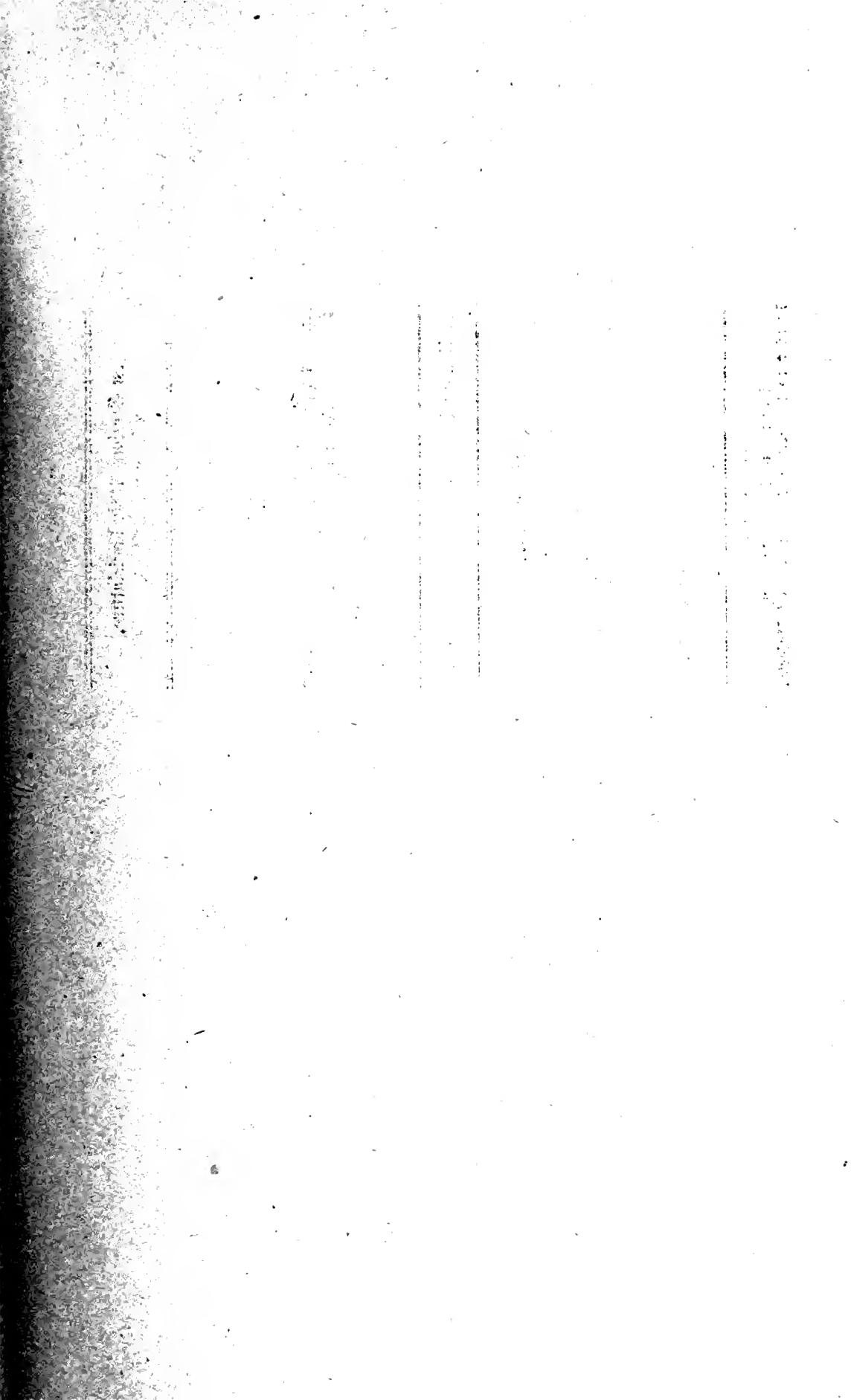
Done and passed, in Open Council, this 7th day of August, A.D. 1911.

THOS. BRIMSMEAD,  
Clerk.

\*J. C. McMILLAN,  
Mayor.

Name of Owner.	Description of Land.	Frontage—Feet.	Sq. Feet.	Extras.	Annual Rate per Sq. Foot.	Annual rate per Sq. Ft. for Extras.	Amount of Annual Assessment computed for 10 years. Interest at 5 per cent.
Wolverine Lumber Co.....	9 & 10 Nelson St.....	120	762	.....	.00982076	.0294622	\$ 57 76
M. Doyle .....	11 & 12 Young St.....	120, Nelson St. } 100, Young St. }	1,368	.....	"	"	13 43
F. Fisher .....	13 Young St.....	50	300	.....	"	"	2 94
W.m. Rollins.....	14 ".....	50	300	.....	"	"	2 94
White Pine Co.....	15 ".....	50	300	.....	"	"	2 94
John Graham .....	16 ".....	50	300	105.16	"	"	6 07
Robert Thompson .....	17 ".....	50	300	77.76	"	"	5 24
S. Minden .....	20 O'Neil.....	40	240	.....	"	"	2 35
N. Lesser.....	20 O'Neil and Young ..	80	522	.....	"	"	5 13
L. P. Metenier .....	21 O'Neil St.....	60	360	185.15	"	"	8 98
H. Akey .....	1 20 & 22 Young St.....	90	540	39.42	"	"	6 98
D. Stewart.....	1 23 Young St.....	25	150	13.32	"	"	1 86
P. Rodgers .....	1 23 ".....	25	150	.....	"	"	1 47
A. J. Hornsey .....	24 & 25 ".....	84	504	.....	"	"	4 95
C.P.R.....	25 & 26 ".....	16	91.20	.....	"	"	89
M. Donohue.....	26 ".....	51½	314.40	147.71	"	"	7 26
Miss M. McLandress.....	27 & 29 ".....	100	600	142.71	"	"	10 09
John McPhee.....	29 ".....	50	342	.....	"	"	3 35
P. Dupuis.....	30 ".....	100	642	.....	"	"	6 30
Mrs. T. Prendergast.....	32 & 33 ".....	100	600	.....	"	"	5 88
J. Malloy .....	34 ".....	50	300	.....	"	"	2 94
McFadden & Malloy.....	35, 36 & 37 Young St....	150	900	.....	"	"	8 82
L. Hoefler .....	38 Young St.....	100	618	.....	"	"	6 07
N. Lesser.....	58 O'Neil St.....	60	360	57.19	"	"	5 21
Dr. Jones .....	59 ".....	60	402	75.12	"	"	6 15
Trotter.....	60 Main and O'Neil.....	100, Main St. } 60, O'Neil St. }	1,008	97.31	"	"	12 76

Name of Owner.	Description of Land.	Frontage—Feet.	Sq. Feet.	Extras.	Annual Rate per Sq. Foot.	Annual Rate per Sq. Ft. for Extras.	Amount of Annual Assessment computed for 10 years. Interest 5 per cent.
M. Doyle	61 & 18 O'Neil St.	63	378	.....	.00982076	.0294622	\$ 28 35
S. Minden	61 O'Neil St.	45	270	.....	"	"	20 46
S. Chant	62 Main St.	50	300	73.36	"	"	39 42
M. E. Doyle	19 Youngs Street.	13	78	.....	"	"	5 85
Traders' Bank	63 Main St.	25	150	96.35	"	"	33 29
J. Dugan	63 ..	25	150	.....	"	"	11 37
D. McChesnie	64 & 65 Main St.	55	330	27.50	"	"	31 26
J. C. McMillan	65 & 66 ..	95	570	47.50	"	"	54 00
C. Purvis	67 & 68 Nelson and Main { 100, Main St. } 120, Nelson St. }		1,368	.....	"	"	108 69
Thos. Rollins	69 Nelson St.	60	402	.....	"	"	30 47
C. A. Purvis	87 Main St.	100	642	70.84	"	"	64 77
N. Lesser	89 ..	50	300	.....	"	"	22 74
Dr. Jones	90 & 91 Main St.	100	600	48.51	"	"	56 51
I. O. F.	92 Main St.	50	300	165.13	"	"	60 31
S. J. Hawkins	93 ..	50	300	26.26	"	"	28 71
J. Spellman	95 & 96 Main St.	166	1,038	72.46	"	"	95 17



No. 29.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL

An Act to confirm By-law No. 95 of the  
Town of Webbwood.

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1st Reading, 1912.

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(*Private Bill.*)

Mr. Girag.

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



# BILL

## An Act respecting the Town of Oakville.

**W**HEREAS the Municipal Corporation of the Town of <sup>Preamble.</sup> Oakville has by petition represented that By-law No. 417 of the said Town, a By-law respecting assessments for sanitary sewers, set out in Schedule "A" hereto, was duly adopted and passed by the Municipal Council of the said Corporation to provide for assessing and levying upon property benefited by the construction of certain sanitary sewers a uniform rate of 81.45 cents per foot frontage; and whereas doubts have arisen as to the legality of the said By-law No. 417; and whereas the said Corporation by its petition has prayed that an Act may be passed validating and confirming the said By-law No. 417 and permitting the said Corporation to assess and levy in accordance with said By-law No. 417; and whereas it is expedient to grant the prayer of the said petition; and whereas the said Corporation has by petition further represented that By-law No. 399 of the said Town, a By-law respecting certain local improvements and special assessments therefor, was duly adopted and passed by the Municipal Council of the said Corporation to provide for assessing and levying the cost of certain improved sidewalks upon the consent of all the owners representing the whole value of the real property to be benefited by such improved sidewalks; and whereas doubts have arisen as to the legality of the said By-law No. 399; and whereas the said corporation by its petition has prayed that an Act may be passed validating and confirming said By-law No. 399 and permitting the said Corporation to assess and levy in accordance with the said By-law No. 399; 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. 417 of the said Corporation of the Town <sup>By-law</sup> of Oakville, set out in Schedule "A" hereto, is hereby <sup>No. 417</sup> validated and confirmed.

Power to assess and levy under By-law No. 417.

**2.** The said Corporation is hereby declared to have power to assess and levy in accordance with said By-law No. 417 for sanitary sewers constructed in said Town as local improvements; and any and all By-laws that may hereafter be passed by the said Corporation for the issue of debentures for raising sums assessable and leviabale under the said By-law No. 417 shall be binding upon the said Corporation and the ratepayers thereof.

Power to amend and repeal by-law.

**3.** The said Corporation may from time to time amend said By-law No. 417, and may consolidate any such amendments to said By-law No. 417, or may repeal or re-enact said By-law or any such amending or consolidating By-law as aforesaid.

Method of assessment under By-law 417 not exclusive.

**4.** Nothing in this Act shall be construed to confine the said Corporation in levying and assessing the cost of sewers hereafter to be constructed in the said Town, to the method set forth in said By-law No. 417, or to prevent the said Corporation from constructing such sewers or assessing and levying therefor, in accordance with any other method authorized by law.

Application of surplus moneys.

**5.** In case the amount assessed and levied in respect of any particular portion of sewer, or in respect of the work constructed during any one year shall exceed the cost of construction, the surplus, together with any other moneys held by the said Corporation for sewer purposes, may be employed by the said Corporation in meeting any deficiency which may arise by reason of the cost of other portions of sewer, or the work constructed in any other year exceeding the amount assessed and levied in respect thereof, or may be otherwise employed in defraying the cost of construction of extensions, improvements, alterations or repairs of sewers in respect of which no frontage rate is assessable or leviabale under said By-law No. 417, or of septic tanks, pumping appliances, or other appliances in connection with such sewers, or in meeting any deficiency that may arise in selling debentures for raising amounts assessable and leviabale under said By-law No. 417.

By-law No. 399 confirmed.

**6.** By-law No. 399 of said Corporation, set out in Schedule "B" hereto, is hereby validated and confirmed.

Powers to assess and levy under By-law No. 399.

**7.** The said Corporation is hereby declared to have power to assess and levy in accordance with said By-law No. 399 for any and all improved sidewalks which have been constructed or may hereafter be constructed in accordance with the provisions of said By-law No. 399 and any and all By-laws that may hereafter be passed by the said Corporation

for the issue of debentures for raising amounts assessable and leviabie under said By-law No. 399; shall be binding upon said Corporation and the ratepayers thereof.

8. The said Corporation may from time to time amend said By-law No. 399, and may consolidate any such amendments to said By-law No. 399, or may repeal or re-enact said By-law or any such amending or consolidating By-law as aforesaid. Power to amend and repeal by-law.

9. Nothing in this Act shall be construed to confine the said Corporation in levying and assessing the cost of improved sidewalks hereafter to be constructed in the said Town, to the method set forth in said By-law No. 399, or to prevent the said Corporation from constructing such improved sidewalks or assessing and levying therefor, in accordance with any other method authorized by law. Method of assessment under By-law No. 399 not exclusive.

#### SCHEDULE "A."

##### BY-LAW No. 417.

##### A BY-LAW RESPECTING ASSESSMENTS FOR SANITARY SEWERS.

The Municipal Corporation of the Town of Oakville enacts as follows:—

##### INTERPRETATION.

1. In this By-law the terms "clerk," "constructing," "construction," "engineer," "lot," "owner" and "street" shall, so far as the context allows, be construed in accordance with the interpretation section of the Local Improvement Sections of the *Municipal Act*.

2. The term "corner lot" shall be deemed to mean a lot at the intersection of streets without reference to lots as originally laid out.

3. For purposes of assessment a lot shall be deemed to front upon a sewer if there is in any street upon which such lot abuts any portion of such sewer opposite to any portion of such lot, whether directly or diagonally across a street corner.

##### FRONTAGE ASSESSMENT.

4. Every lot fronting upon a sanitary sewer constructed as a local improvement shall be specially assessed at a uniform rate of 81.45 cents for each foot of the frontage of such lot, the said amount, unless commuted, to be payable in thirty successive equal annual instalments of five cents each per foot of frontage, being an amount sufficient to discharge the said sum of 81.45 cents with interest at the rate of 4½ per cent. per annum.

##### CORNER AND IRREGULARLY SHAPED LOTS.

5. In assessing corner lots a flankage exemption of one-half the total frontage shall be made, the total exemption, however, not to exceed fifty feet.

6. In assessing lots of triangular or other irregular shape or lots so situated as to be unfit for building purposes, such exemption may be made as the engineer may deem just and equitable, having regard to the situation, value and superficial area of such lots as compared with adjacent lots.

#### SPECIAL ASSESSMENT ROLL.

7. Upon the completion of any sanitary sewer constructed as a local improvement, or any portion thereof, the engineer shall prepare a special assessment roll in which shall be entered:

(a) A description, sufficient for purposes of assessment, of every lot to be specially assessed in respect of such sewer.

(b) The name of the owner of such lot.

(c) The number of feet frontage for which such lot is to be assessed.

(d) The rate per foot frontage at which such lot is to be assessed.

(e) The number of instalments by which the special assessment is to be payable.

(f) The rate per foot per year for which such lot is to be assessed.

(g) The total rate per year for which such lot is to be assessed in respect of such sewer;

(h) The total amount for which such lot is to be assessed in respect of such sewer.

#### ASSESSMENT OF LOTS NOT FRONTING ON SEWER.

8. Every lot which, though not fronting upon a sanitary sewer, is connected with such sewer by a private sewer connection shall likewise be assessed in respect of such sewer, and the frontage for which such lot is assessed shall in such cases be such as the engineer may deem just and equitable.

#### ASSESSMENT OF PROPERTY SUBSEQUENTLY CONNECTED WITH SEWER.

9. Where subsequently to the construction of any portion of sewer and the assessment of the cost thereof it is desired to connect with such sewer any property not fronting upon it, such property may be connected with such sewer upon application being duly made as in the case of other sewer connections, but before such connection is made the owner of such property shall sign an agreement consenting to an assessment of such property in accordance with this By-law for such amount of frontage as the engineer may deem just and equitable. Such agreement shall be in the form set out in Schedule "A."

#### ASSESSMENT FOR PRIVATE SEWER CONNECTIONS.

10. Where concurrently with, or subsequently to, the construction of a sanitary sewer, private sewer connections are constructed from such sanitary sewer to the street line of the lots fronting on such sanitary sewer, the cost of such private sewer connections shall be assessed against the lots for the benefit of which such private sewer connections are constructed.

11. The special assessment in respect of each of such private sewer connections shall be based on the cost of construction from the centre of the street to the street line whether or not the sewer is laid in the centre of the street.

12. Upon the completion of such private sewer connections the engineer shall prepare a special assessment roll showing:

(a) A description, sufficient for purposes of assessment, of every lot to be specially assessed in respect of any private sewer connection.

(b) The name of the owner of such lot.

(c) The amount to be assessed against such lot in respect of the cost of such private sewer connection.

(d) The number of annual instalments in which such cost is to be paid.

(e) The amount of each of such annual instalments.

#### COMBINING SPECIAL ASSESSMENT ROLLS.

13. Instead of making separate special assessment rolls for different portions of sewer or for private sewer connections, the engineer may prepare a combined report in respect of the whole of the work constructed or completed in any one year.

#### COMPLETION OF SPECIAL ASSESSMENTS.

14. The special assessment rolls shall, when duly reviewed and completed in accordance with the Local Improvement Sections of *The Municipal Act*, be numbered, and filed in the office of the clerk, and the assessments thereunder shall each year during the currency of such special assessment be duly entered on the collector's roll and collected with the other taxes of the Corporation.

15. The total amount assessed against each lot as described in the special assessment roll, and the total yearly rate therefore shall be deemed to be assessed upon the whole of the land comprised within said lot, and unless such assessment is commuted or is apportioned as hereinafter provided, the said rate in respect of such lot shall be levied upon the whole of such lot.

#### COMMUTATION OF ASSESSMENTS.

16. The owner of any lot assessed in respect of a sanitary sewer may commute such assessment by paying, in lieu of the yearly rate, the total amount of such assessment or such sum as will, if invested at three per cent. compound interest, be sufficient to discharge such assessment.

17. Where it is desired to commute an assessment as aforesaid the clerk shall give to the owner a warrant, in duplicate, in the form set out in Schedule "B" to this By-law, to the treasurer to accept the proper amount; and upon due payment of such amount the treasurer shall endorse the receipt on such warrant, and one copy of such receipted warrant shall be filed with the special assessment roll and the clerk shall make the proper entries on the said roll.

#### APPORTIONMENT OF ASSESSMENT.

18. Where subsequently to the assessment of any lot in respect of any portion of sewer, the land comprised within such lot is divided by the registration of a plan or by conveyance or otherwise, the assessment against such lot may by agreement set out in Schedule "C" to this By-law or other agreement or deed poll to a like effect, be apportioned as between divisions of such lot.

19. Every such agreement in respect of such assessment shall be in triplicate, and one copy shall be filed with the special assess-

ment roll, and the clerk shall make the proper entries upon the said roll.

20. In default of such apportionment by the owner or owners as aforesaid, the engineer or assessor may by special report apportion such special assessment in proportion to the respective areas of the divisions of such lot or in proportion to the respective frontages of such divisions.

21. Such special report shall be subject to review as provided in the case of special assessment rolls.

EXEMPTION FROM FURTHER ASSESSMENT.

22. Property assessed as aforesaid in respect of a sanitary sewer on any street shall be exempt from any other assessments for sanitary sewers on the same street.

Read a third time and finally passed on the eighteenth day of December, 1911, in open meeting of the Council duly called, seven members of the Council being present and seven members voting in favour of the By-law.

GEORGE HILLMER,  
*Mayor.*

CHARLES A. BRADBURY,  
*Clerk.*

Schedule "A."

The undersigned, being the owner of lot

and having made application for a private sewer connection between said lot and the sanitary sewer on \_\_\_\_\_ street, hereby agrees with the Corporation of the Town of Oakville that in consideration of the construction of the said private sewer connection the said land shall be assessed by the said Corporation under By-law No. \_\_\_\_\_ for a frontage of \_\_\_\_\_ feet at the rate of \_\_\_\_\_ per foot for a period of \_\_\_\_\_ years, and covenants for himself, his heirs, executors, administrators and assigns to pay any and all amounts duly levied under such assessment.

Dated at the Town of Oakville, the \_\_\_\_\_ day of \_\_\_\_\_ 191 .

Signed, sealed and delivered  
in the presence of

(Seal.)

Schedule "B."

To the Treasurer of the Town of Oakville:

Please receive from Mr. \_\_\_\_\_ the sum  
of \_\_\_\_\_ dollars, being the proper  
amount for commuting the special assessment on lot

imposed under Special Assessment Roll No. \_\_\_\_\_ for sanitary sewer  
on \_\_\_\_\_ Street.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 .

*Clerk.*

Received from Mr. \_\_\_\_\_ the above-  
named sum of \_\_\_\_\_ dollars.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 .

Treasurer.

Schedule "C."

Memorandum of agreement made the \_\_\_\_\_ day of \_\_\_\_\_  
Between—

of the Town of Oakville, in the County of Halton,  
Of the First Part

—and—

of the said Town,  
Of the Second Part.

Whereas, the said party of the first part was the owner of cer-  
tain lands described on Special Assessment Roll Number \_\_\_\_\_ as

;

And whereas, the party of the first part has sold and conveyed  
(or as the case may be) to the party of the second part, a portion  
of the said lot described as follows:

Now, therefore, this memorandum witnesseth that it is agreed  
by and between the parties hereto that the special assessment in  
respect of said lot under the said special assessment roll shall be  
apportioned as between the respective divisions and the owners  
thereof in the following proportions:

Owner.	Portion of Lot.	No. of Feet Frontage. or Area.	Annual Assessment.
--------	-----------------	-----------------------------------	-----------------------

And that the said respective owners shall be liable for the said  
proportions of said assessment and that the said respective divi-  
sions shall be subject to be assessed and levied upon for the said  
respective proportions of said assessment.

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

Signed, sealed and delivered  
in the presence of

## SCHEDULE "B."

## BY-LAW No. 399.

A By-Law respecting Certain Local Improvements and Special Assessments therefor.

Whereas it is deemed expedient and desirable in the public interest to regulate the procedure to be adopted in the construction of certain improved sidewalks as local improvements as provided in *The Consolidated Municipal Act, 1903*, and to provide the means of ascertaining and determining what real property will be immediately benefited by any such work or improvement, and the proportion in which the assessment of the cost thereof is to be made upon the various portions of real property benefited thereby;

Therefore the Municipal Council of the Corporation of the Town of Oakville enacts as follows:—

1. This By-law shall be known as Local Improvement By-law Number 2.

2. Upon the receipt of a petition praying for any such improved sidewalk under this By-law, the Town Clerk shall forthwith examine it along with the last revised Assessment Roll and ascertain and finally determine whether the petition is signed by all the owners representing the whole value of the real property to be benefited by the proposed improved sidewalk. The clerk shall then endorse on the petition his certificate as to whether the same is or is not sufficiently signed as hereinbefore provided and shall lay the same before the Council at its next meeting.

3. If such petition shall have been sufficiently signed and properly certified to as hereinbefore provided, the Council may direct the town engineer or other competent person, or persons, to examine into the subject matter of the petition and report to the Council as to the advisability of undertaking the proposed work or improvement with an estimate of the probable cost thereof.

4. If it is to be decided to do the work by contract, then after the contract has been awarded and the contract agreement duly executed, the Town engineer or such other person or persons as the Council shall appoint to superintend the work, shall authorize the work of improvement to be proceeded with and carried out to completion.

5. For the purpose of enabling the Council to avoid the necessity of making supplementary assessments or of refunding in case of over-assessment, and for the purpose of ascertaining the exact cost of any such work or improvement, the Council may make agreements with any bank, or with any person or body corporate, for temporary advances and loans for meeting the cost of any such work or improvement until completion thereof, and may then make the special assessment for the cost thereof after the work or improvement has been completed and may then pass the necessary By-law authorizing the issue of debentures to repay the amount of the temporary loans or advances and interest thereon.

6. After the completion of any such work or improvement, and after the entire cost thereof, including compensation (if any) shall have been ascertained, the Town engineer, or such person or persons as shall have been appointed to oversee and superintend the work, shall certify the total amount to the Town Treasurer.

7. The Town Treasurer shall forthwith after the receipt of the certificate mentioned in the preceding section ascertain the amount chargeable for interest on the temporary loans or advances made and the estimated interest which will accrue thereon until the necessary assessment shall have been made, the necessary By-law passed,



and the debentures to be issued thereunder disposed of, and the moneys received by which to retire such temporary loans or advances and interest thereon. The Town Treasurer shall thereupon certify the same to the Town engineer or other person or persons appointed to superintend the work.

8. Upon receiving the certificate of the Town Treasurer mentioned in section seven (7) the Town engineer, or such other person or persons appointed to superintend the work shall report to the Council:

I. What real property will be benefited by the work of improvement.

II. The probable lifetime of the work or improvement.

III. The entire cost of the work or improvement, including interest as aforesaid, engineering expenses (if any), the cost of advertising and the expense of the issue of the debentures and the share thereof which should be assessed against the property to be immediately benefited.

IV. The proportion in which the assessment of the cost of the work or improvement is to be made on the various portions of the real property benefited thereby, and showing by measurement the frontages liable for such assessment, the frontages exempt from taxation therefor, and the value (per foot frontage) of the land only, exclusive of improvements thereon, to be exempt from any portion of the general rate or assessments for the like purpose.

9. No portion whatever of the cost of constructing such pavement shall be paid by the Corporation of the Town of Oakville, but the entire cost of such pavement, including the cost of all street crossings shall be chargeable against the property benefited by the construction of such pavement.

10. As soon as the report of the Town engineer or other person or persons appointed to superintend the work or improvement has been adopted by the Council, the Town Clerk shall forthwith cause a written or printed or partly written and partly printed notice of the Sitting of the Court of Revision for the confirmation of every special assessment to be given to the owners and lessees having the right to petition, or to the agents of such owners and lessees of the property assessable for such work or improvement. Such notice shall contain a general description of the property in respect of which the same is given, and the nature of the work or improvement, the total cost thereof, the amount of the assessment on the particular piece of property, the time and manner in which the same is payable and the value (per foot of frontage) of the land only, exclusive of improvements, to be exempted from any part of any general rate or assessment for the like purpose, and such notice shall be mailed to every person entitled to receive the notice at least fifteen days before the day appointed for the Sitting of the Court of Revision. Ten days' notice of the time and place of meeting of the said Court shall also be given by an advertisement in one newspaper published in the Town of Oakville, specifying generally what such assessment is for and the total amount to be assessed.

11. The Court of Revision shall sit at the time and place mentioned in the said notice to be given as aforesaid and shall hear and determine all appeals which may be brought before it pursuant to the provisions of the Statutes in that behalf.

12. In the event of any property owner desiring to appeal from the decision of the said Court of Revision to the Judge of the County Court and giving notice of his intention so to do within the time and in the manner provided by the Statutes in that behalf, it shall be the duty of the Town Clerk to procure an appointment from the Judge of the County Court for the hearing and disposal of such an appeal.

13. In the event of the notice of appeal from the Court of Revision being given within the time limited in that behalf, or as soon as any such appeal shall have been disposed of by the Judge of the County Court, it shall be the duty of the Town Clerk to return to the Council the report of the Town engineer or other person or persons appointed to superintend the work or improvement as adopted by Council with any alterations or amendments which shall have been made therein by the said Court of Revision or the Judge of the County Court, and the Council shall thereupon have the By-law prepared for levying the necessary assessments and providing for the issue and sale of debentures to provide the amount of money required to retire the temporary loan or loans with interest thereon as aforesaid.

Passed by the Municipal Corporation of the Town of Oakville, this 14th day of September. A.D. 1910.

GEORGE HILLMER,  
*Mayor.*

CHAS. A. BRADBURY,  
*Town Clerk.*



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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL

An Act respecting the Town of Oakville.

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1st Reading

1912.

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(*Private Bill.*)

Mr. NIXON.

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TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the Town of Oakville.

**W**HEREAS the Municipal Corporation of the Town of <sup>Preamble.</sup> Oakville has by petition represented that By-law No. 417 of the said Town, a By-law respecting assessments for sanitary sewers, set out in Schedule "A" hereto, was duly adopted and passed by the Municipal Council of the said Corporation to provide for assessing and levying upon property benefited by the construction of certain sanitary sewers a uniform rate of 81.45 cents per foot frontage; and whereas doubts have arisen as to the legality of the said By-law No. 417; and whereas the said Corporation by its petition has prayed that an Act may be passed validating and confirming the said By-law No. 417 and permitting the said Corporation to assess and levy in accordance with said By-law No. 417; and whereas it is expedient to grant the prayer of the said petition; and whereas the said Corporation has by petition further represented that By-law No. 399 of the said Town, a By-law respecting certain local improvements and special assessments therefor, was duly adopted and passed by the Municipal Council of the said Corporation to provide for assessing and levying the cost of certain improved sidewalks upon the consent of all the owners representing the whole value of the real property to be benefited by such improved sidewalks; and whereas doubts have arisen as to the legality of the said By-law No. 399; and whereas the said corporation by its petition has prayed that an Act may be passed validating and confirming said By-law No. 399 and permitting the said Corporation to assess and levy in accordance with the said By-law No. 399; 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. 417 of the said Corporation of the Town <sup>By-law</sup> of Oakville, set out in Schedule "A" hereto, is hereby vali-<sub>No. 417</sub> confirmed. dated and confirmed.

Power to assess and levy under By-law No. 417.

2. The said Corporation is hereby declared to have power to assess and levy in accordance with said By-law No. 417 for sanitary sewers constructed in said Town as local improvements; and any and all By-laws that may hereafter be passed by the said Corporation for the issue of debentures for raising sums assessable and leviable under the said By-law No. 417 shall be binding upon the said Corporation and the ratepayers thereof.

Method of assessment under By-law 417 not exclusive.

3. Nothing in this Act shall be construed to confine the said Corporation in levying and assessing the cost of sewers hereafter to be constructed in the said Town, to the method set forth in said By-law No. 417, or to prevent the said Corporation from constructing such sewers or assessing and levying therefor, in accordance with any other method authorized by law.

Application of surplus moneys.

4. In case the amount assessed and levied in respect of any particular portion of sewer, or in respect of the work constructed during any one year shall exceed the cost of construction, the surplus, together with any other moneys held by the said Corporation for sewer purposes, may be employed by the said Corporation in meeting any deficiency which may arise by reason of the cost of other portions of sewer, or the work constructed in any other year exceeding the amount assessed and levied in respect thereof, or may be otherwise employed in defraying the cost of construction of extensions, improvements, alterations or repairs of sewers in respect of which no frontage rate is assessable or leviable under said By-law No. 417, or of septic tanks, pumping appliances, or other appliances in connection with such sewers, or in meeting any deficiency that may arise in selling debentures for raising amounts assessable and leviable under said By-law No. 417.

By-law No. 399 confirmed.

5. (1) By-law No. 399 of said Corporation, set out in Schedule "B" hereto, is hereby validated and confirmed.

(2) Paragraph 9 of the said By-law No. 399 is amended by striking out the word "pavement" wherever it occurs and inserting the word "sidewalk."

Powers to assess and levy under By-law No. 399.

6. The said Corporation is hereby declared to have power to assess and levy in accordance with said By-law No. 399 for any and all improved sidewalks which have been constructed or may hereafter be constructed in accordance with the provisions of said By-law No. 399 and any and all By-laws that may hereafter be passed by the said Corporation

for the issue of debentures for raising amounts assessable and leviabie under said By-law No. 399, shall be binding upon said Corporation and the ratepayers thereof.

7. Nothing in this Act shall be construed to confine the said Corporation in levying and assessing the cost of improved sidewalks hereafter to be constructed in the said Town, to the method set forth in said By-law No. 399, or to prevent the said Corporation from constructing such improved sidewalks or assessing and levying therefor, in accordance with any other method authorized by law.

Method of assessment under By-law No. 399 not exclusive.

8. The provisions of *The Local Improvement Sections of the Municipal Act* shall apply except in so far as they are inconsistent with the provisions of the said By-laws or of this Act.

Application of 1 Geo. V. s. 58.

SCHEDULE "A."

BY-LAW No. 417.

A BY-LAW RESPECTING ASSESSMENTS FOR SANITARY SEWERS.

The Municipal Corporation of the Town of Oakville enacts as follows:—

INTERPRETATION.

1. In this By-law the terms "clerk," "constructing," "construction," "engineer," "lot," "owner" and "street" shall, so far as the context allows, be construed in accordance with the interpretation section of the Local Improvement Sections of the *Municipal Act*.

2. The term "corner lot" shall be deemed to mean a lot at the intersection of streets without reference to lots as originally laid out.

3. For purposes of assessment a lot shall be deemed to front upon a sewer if there is in any street upon which such lot abuts any portion of such sewer opposite to any portion of such lot, whether directly or diagonally across a street corner.

FRONTAGE ASSESSMENT.

4. Every lot fronting upon a sanitary sewer constructed as a local improvement shall be specially assessed at a uniform rate of 81.45 cents for each foot of the frontage of such lot, the said amount, unless commuted, to be payable in thirty successive equal annual instalments of five cents each per foot of frontage, being an amount sufficient to discharge the said sum of 81.45 cents with interest at the rate of 4½ per cent. per annum.

CORNER AND IRREGULARLY SHAPED LOTS.

5. In assessing corner lots a flankage exemption of one-half the total frontage shall be made, the total exemption, however, not to exceed fifty feet.

6. In assessing lots of triangular or other irregular shape or lots so situated as to be unfit for building purposes, such exemption may be made as the engineer may deem just and equitable, having regard to the situation, value and superficial area of such lots as compared with adjacent lots.

#### SPECIAL ASSESSMENT ROLL.

7. Upon the completion of any sanitary sewer constructed as a local improvement, or any portion thereof, the engineer shall prepare a special assessment roll in which shall be entered:

(a) A description, sufficient for purposes of assessment, of every lot to be specially assessed in respect of such sewer.

(b) The name of the owner of such lot.

(c) The number of feet frontage for which such lot is to be assessed.

(d) The rate per foot frontage at which such lot is to be assessed.

(e) The number of instalments by which the special assessment is to be payable.

(f) The rate per foot per year for which such lot is to be assessed.

(g) The total rate per year for which such lot is to be assessed in respect of such sewer;

(h) The total amount for which such lot is to be assessed in respect of such sewer.

#### ASSESSMENT OF LOTS NOT FRONTING ON SEWER.

8. Every lot which, though not fronting upon a sanitary sewer, is connected with such sewer by a private sewer connection shall likewise be assessed in respect of such sewer, and the frontage for which such lot is assessed shall in such cases be such as the engineer may deem just and equitable.

#### ASSESSMENT OF PROPERTY SUBSEQUENTLY CONNECTED WITH SEWER.

9. Where subsequently to the construction of any portion of sewer and the assessment of the cost thereof it is desired to connect with such sewer any property not fronting upon it, such property may be connected with such sewer upon application being duly made as in the case of other sewer connections, but before such connection is made the owner of such property shall sign an agreement consenting to an assessment of such property in accordance with this By-law for such amount of frontage as the engineer may deem just and equitable. Such agreement shall be in the form set out in Schedule "A."

#### ASSESSMENT FOR PRIVATE SEWER CONNECTIONS.

10. Where concurrently with, or subsequently to, the construction of a sanitary sewer, private sewer connections are constructed from such sanitary sewer to the street line of the lots fronting on such sanitary sewer, the cost of such private sewer connections shall be assessed against the lots for the benefit of which such private sewer connections are constructed.

11. The special assessment in respect of each of such private sewer connections shall be based on the cost of construction from the centre of the street to the street line whether or not the sewer is laid in the centre of the street.



12. Upon the completion of such private sewer connections the engineer shall prepare a special assessment roll showing:

(a) A description, sufficient for purposes of assessment, of every lot to be specially assessed, in respect of any private sewer connection.

(b) The name of the owner of such lot.

(c) The amount to be assessed against such lot in respect of the cost of such private sewer connection.

(d) The number of annual instalments in which such cost is to be paid.

(e) The amount of each of such annual instalments.

#### COMBINING SPECIAL ASSESSMENT ROLLS.

13. Instead of making separate special assessment rolls for different portions of sewer or for private sewer connections, the engineer may prepare a combined report in respect of the whole of the work constructed or completed in any one year.

#### COMPLETION OF SPECIAL ASSESSMENTS.

14. The special assessment rolls shall, when duly reviewed and completed in accordance with the Local Improvement Sections of *The Municipal Act*, be numbered, and filed in the office of the clerk, and the assessments thereunder shall each year during the currency of such special assessment be duly entered on the collector's roll and collected with the other taxes of the Corporation.

15. The total amount assessed against each lot as described in the special assessment roll, and the total yearly rate therefore shall be deemed to be assessed upon the whole of the land comprised within said lot, and unless such assessment is commuted or is apportioned as hereinafter provided, the said rate in respect of such lot shall be levied upon the whole of such lot.

#### COMMUTATION OF ASSESSMENTS.

16. The owner of any lot assessed in respect of a sanitary sewer may commute such assessment by paying, in lieu of the yearly rate, the total amount of such assessment or such sum as will, if invested at three per cent. compound interest, be sufficient to discharge such assessment.

17. Where it is desired to commute an assessment as aforesaid the clerk shall give to the owner a warrant, in duplicate, in the form set out in Schedule "B" to this By-law, to the treasurer to accept the proper amount; and upon due payment of such amount the treasurer shall endorse the receipt on such warrant, and one copy of such receipted warrant shall be filed with the special assessment roll and the clerk shall make the proper entries on the said roll.

#### APPORTIONMENT OF ASSESSMENT.

18. Where subsequently to the assessment of any lot in respect of any portion of sewer, the land comprised within such lot is divided by the registration of a plan or by conveyance or otherwise, the assessment against such lot may by agreement set out in Schedule "C" to this By-law or other agreement or deed poll to a like effect, be apportioned as between divisions of such lot.

19. Every such agreement in respect of such assessment shall be in triplicate, and one copy shall be filed with the special assess-

ment roll, and the clerk shall make the proper entries upon the said roll.

20. In default of such apportionment by the owner or owners as aforesaid, the engineer or assessor may by special report apportion such special assessment in proportion to the respective areas of the divisions of such lot or in proportion to the respective frontages of such divisions.

21. Such special report shall be subject to review as provided in the case of special assessment rolls.

EXEMPTION FROM FURTHER ASSESSMENT.

22. Property assessed as aforesaid in respect of a sanitary sewer on any street shall be exempt from any other assessments for sanitary sewers on the same street.

Read a third time and finally passed on the eighteenth day of December, 1911, in open meeting of the Council duly called, seven members of the Council being present and seven members voting in favour of the By-law.

GEORGE HILLMER,  
Mayor.

CHARLES A. BRADBURY,  
Clerk.

Schedule "A."

The undersigned, being the owner of lot

and having made application for a private sewer connection between said lot and the sanitary sewer on \_\_\_\_\_ street, hereby agrees with the Corporation of the Town of Oakville that in consideration of the construction of the said private sewer connection the said land shall be assessed by the said Corporation under By-law No. \_\_\_\_\_ for a frontage of \_\_\_\_\_ feet at the rate of \_\_\_\_\_ per foot for a period of \_\_\_\_\_ years, and covenants for himself, his heirs, executors, administrators and assigns to pay any and all amounts duly levied under such assessment.

Dated at the Town of Oakville, the \_\_\_\_\_ day of \_\_\_\_\_ 191 .

Signed, sealed and delivered  
in the presence of

(Seal.)

Schedule "B."

To the Treasurer of the Town of Oakville:

Please receive from Mr. \_\_\_\_\_ the sum  
of \_\_\_\_\_ dollars, being the proper  
amount for commuting the special assessment on lot

imposed under Special Assessment Roll No. \_\_\_\_\_ for sanitary sewer  
on \_\_\_\_\_ Street.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 .

Clerk.

Received from Mr. \_\_\_\_\_ the above-  
 named sum of \_\_\_\_\_ dollars.  
 Dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 .  
 \_\_\_\_\_  
 Treasurer.

\_\_\_\_\_  
 Schedule "C."

Memorandum of agreement made the \_\_\_\_\_ day of \_\_\_\_\_  
 Between—

\_\_\_\_\_ of the Town of Oakville, in the County of Halton,

\_\_\_\_\_ Of the First Part

—and—

\_\_\_\_\_ of the said Town,

\_\_\_\_\_ Of the Second Part.

Whereas, the said party of the first part was the owner of cer-  
 tain lands described on Special Assessment Roll Number \_\_\_\_\_ as

;

And whereas, the party of the first part has sold and conveyed  
 (or as the case may be) to the party of the second part, a portion  
 of the said lot described as follows:

Now, therefore, this memorandum witnesseth that it is agreed  
 by and between the parties hereto that the special assessment in  
 respect of said lot under the said special assessment roll shall be  
 apportioned as between the respective divisions and the owners  
 thereof in the following proportions:

Owner.	Portion of Lot.	No. of Feet Frontage. or Area.	Annual Assessment.

And that the said respective owners shall be liable for the said  
 proportions of said assessment and that the said respective divi-  
 sions shall be subject to be assessed and levied upon for the said  
 respective proportions of said assessment.

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

Signed, sealed and delivered  
 in the presence of

## SCHEDULE "B."

## BY-LAW No. 399.

## A By-Law respecting Certain Local Improvements and Special Assessments therefor.

Whereas it is deemed expedient and desirable in the public interest to regulate the procedure to be adopted in the construction of certain improved sidewalks as local improvements as provided in *The Consolidated Municipal Act, 1903*, and to provide the means of ascertaining and determining what real property will be immediately benefited by any such work or improvement, and the proportion in which the assessment of the cost thereof is to be made upon the various portions of real property benefited thereby;

Therefore the Municipal Council of the Corporation of the Town of Oakville enacts as follows:—

1. This By-law shall be known as Local Improvement By-law Number 2.

2. Upon the receipt of a petition praying for any such improved sidewalk under this By-law, the Town Clerk shall forthwith examine it along with the last revised Assessment Roll and ascertain and finally determine whether the petition is signed by all the owners representing the whole value of the real property to be benefited by the proposed improved sidewalk. The clerk shall then endorse on the petition his certificate as to whether the same is or is not sufficiently signed as hereinbefore provided and shall lay the same before the Council at its next meeting.

3. If such petition shall have been sufficiently signed and properly certified to as hereinbefore provided, the Council may direct the town engineer or other competent person, or persons, to examine into the subject matter of the petition and report to the Council as to the advisability of undertaking the proposed work or improvement with an estimate of the probable cost thereof.

4. If it is to be decided to do the work by contract, then after the contract has been awarded and the contract agreement duly executed, the Town engineer or such other person or persons as the Council shall appoint to superintend the work, shall authorize the work of improvement to be proceeded with and carried out to completion.

5. For the purpose of enabling the Council to avoid the necessity of making supplementary assessments or of refunding in case of over-assessment, and for the purpose of ascertaining the exact cost of any such work or improvement, the Council may make agreements with any bank, or with any person or body corporate, for temporary advances and loans for meeting the cost of any such work or improvement until completion thereof, and may then make the special assessment for the cost thereof after the work or improvement has been completed and may then pass the necessary By-law authorizing the issue of debentures to repay the amount of the temporary loans or advances and interest thereon.

6. After the completion of any such work or improvement, and after the entire cost thereof, including compensation (if any) shall have been ascertained, the Town engineer, or such person or persons as shall have been appointed to oversee and superintend the work, shall certify the total amount to the Town Treasurer.

7. The Town Treasurer shall forthwith after the receipt of the certificate mentioned in the preceding section ascertain the amount chargeable for interest on the temporary loans or advances made and the estimated interest which will accrue thereon until the necessary assessment shall have been made, the necessary By-law passed,

and the debentures to be issued thereunder disposed of, and the moneys received by which to retire such temporary loans or advances and interest thereon. The Town Treasurer shall thereupon certify the same to the Town engineer or other person or persons appointed to superintend the work.

8. Upon receiving the certificate of the Town Treasurer mentioned in section seven (7) the Town engineer, or such other person or persons appointed to superintend the work shall report to the Council:

I. What real property will be benefited by the work of improvement.

II. The probable lifetime of the work or improvement.

III. The entire cost of the work or improvement, including interest as aforesaid, engineering expenses (if any), the cost of advertising and the expense of the issue of the debentures and the share thereof which should be assessed against the property to be immediately benefited.

IV. The proportion in which the assessment of the cost of the work or improvement is to be made on the various portions of the real property benefited thereby, and showing by measurement the frontages liable for such assessment, the frontages exempt from taxation therefor, and the value (per foot frontage) of the land only, exclusive of improvements thereon, to be exempt from any portion of the general rate or assessments for the like purpose.

9. No portion whatever of the cost of constructing such pavement shall be paid by the Corporation of the Town of Oakville, but the entire cost of such pavement, including the cost of all street crossings shall be chargeable against the property benefited by the construction of such pavement.

10. As soon as the report of the Town engineer or other person or persons appointed to superintend the work or improvement has been adopted by the Council, the Town Clerk shall forthwith cause a written or printed or partly written and partly printed notice of the Sitting of the Court of Revision for the confirmation of every special assessment to be given to the owners and lessees having the right to petition, or to the agents of such owners and lessees of the property assessable for such work or improvement. Such notice shall contain a general description of the property in respect of which the same is given, and the nature of the work or improvement, the total cost thereof, the amount of the assessment on the particular piece of property, the time and manner in which the same is payable and the value (per foot of frontage) of the land only, exclusive of improvements, to be exempted from any part of any general rate or assessment for the like purpose, and such notice shall be mailed to every person entitled to receive the notice at least fifteen days before the day appointed for the Sitting of the Court of Revision. Ten days' notice of the time and place of meeting of the said Court shall also be given by an advertisement in one newspaper published in the Town of Oakville, specifying generally what such assessment is for and the total amount to be assessed.

11. The Court of Revision shall sit at the time and place mentioned in the said notice to be given as aforesaid and shall hear and determine all appeals which may be brought before it pursuant to the provisions of the Statutes in that behalf.

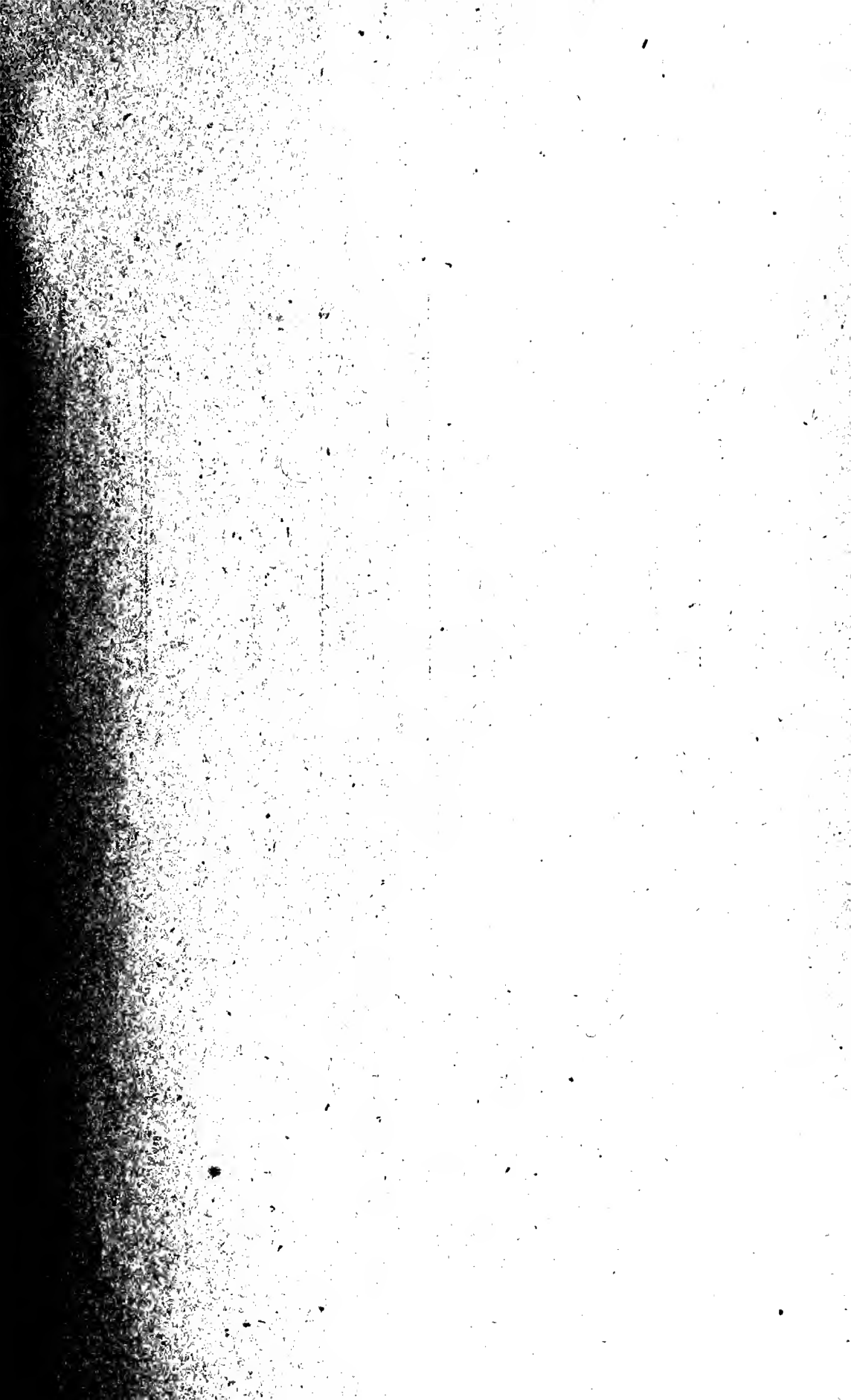
12. In the event of any property owner desiring to appeal from the decision of the said Court of Revision to the Judge of the County Court and giving notice of his intention so to do within the time and in the manner provided by the Statutes in that behalf, it shall be the duty of the Town Clerk to procure an appointment from the Judge of the County Court for the hearing and disposal of such an appeal.

13. In the event of the notice of appeal from the Court of Revision being given within the time limited in that behalf, or as soon as any such appeal shall have been disposed of by the Judge of the County Court, it shall be the duty of the Town Clerk to return to the Council the report of the Town engineer or other person or persons appointed to superintend the work or improvement as adopted by Council with any alterations or amendments which shall have been made therein by the said Court of Revision or the Judge of the County Court, and the Council shall thereupon have the By-law prepared for levying the necessary assessments and providing for the issue and sale of debentures to provide the amount of money required to retire the temporary loan or loans with interest thereon as aforesaid.

Passed by the Municipal Corporation of the Town of Oakville, this 14th day of September, A.D. 1910.

GEORGE HILLMER,  
*Mayor.*

CHAS. A. BRADBURY,  
*Town Clerk.*



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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL

An Act respecting the Town of Oakville.

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1st Reading, 28th February, 1912.

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

Mr. NIXON.

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



# BILL

## An Act to confirm By-law No. 43 of 1911, of the City of Kingston.

**W**HEREAS the Municipal Corporation of the City of Kingston has petitioned praying that an Act may be passed validating, ratifying and confirming By-law No. 43 of 1911 of the said corporation set out in Schedule "A" hereto; 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 *Consolidated Municipal Act, 1903*, as to Bonus By-laws, and was approved by more than two-thirds of the ratepayers entitled to vote on the said By-law; and whereas no opposition has been offered to the said petition; and whereas it is expedient to grant the prayer of the said petition;

Preamble.

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

By-law No. 43, of 1911, of the Municipal Corporation of the City of Kingston, set forth in Schedule "A" to this Act is confirmed and declared legal, valid and binding upon the said 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 manner of passing 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.

By-law  
No. 43 of  
1911 of the  
City of  
Kingston  
confirmed.

### SCHEDULE "A."

#### BY-LAW No. 43, 1911.

A By-law to partially exempt the property of Canadian Locomotive Company, Limited, in the City of Kingston, from the first day of January, 1912.

Passed 8th January, 1912.

Whereas Canadian Locomotive Company, Limited, have applied to this Council for a partial exemption of their property in said City and have represented that they are about to make certain additions and extensions to their works and property in this City to the amount of at least \$300,000 as hereinafter mentioned;

And whereas, it is expedient to grant the exemption prayed for, but upon the terms and conditions as hereinafter set forth;

Be it therefore enacted, by the Council of the Corporation of the City of Kingston, as follows:—

1. That the assessment of the real and personal property of Canadian Locomotive Company, Limited, owned and used by them for the purpose of their business and situated within the Municipality of the City of Kingston be fixed for the purpose of Municipal Taxation, except for school purposes, at the sum of \$100,000, including any business assessment, for the period of ten years from the 1st day of January, 1912, and, subject to the approval and confirmation of the Legislative Assembly of the Province of Ontario, for a further period of ten years from the expiration of that time, provided the said Company expend in the improvement and extension of their property, works and plant, in said city, the sum of at least \$150,000 within one year, and such further sum as with the amount expended in the first year will make the sum of at least \$300,000 expended within two years from the first day of January, A.D. 1912, such expenditure to be established to the satisfaction of the City Treasurer and upon default in making such expenditure the said exemption shall cease for the year in which the default occurs and should the \$300,000 not be expended within the said two years the exemption to wholly cease.

2. The votes of the duly qualified electors of the said Municipality shall be taken upon the By-law at the same time, and on the same day and at the same places and by the same Deputy Returning Officers as for the annual election for the Municipal Council for the year 1912.

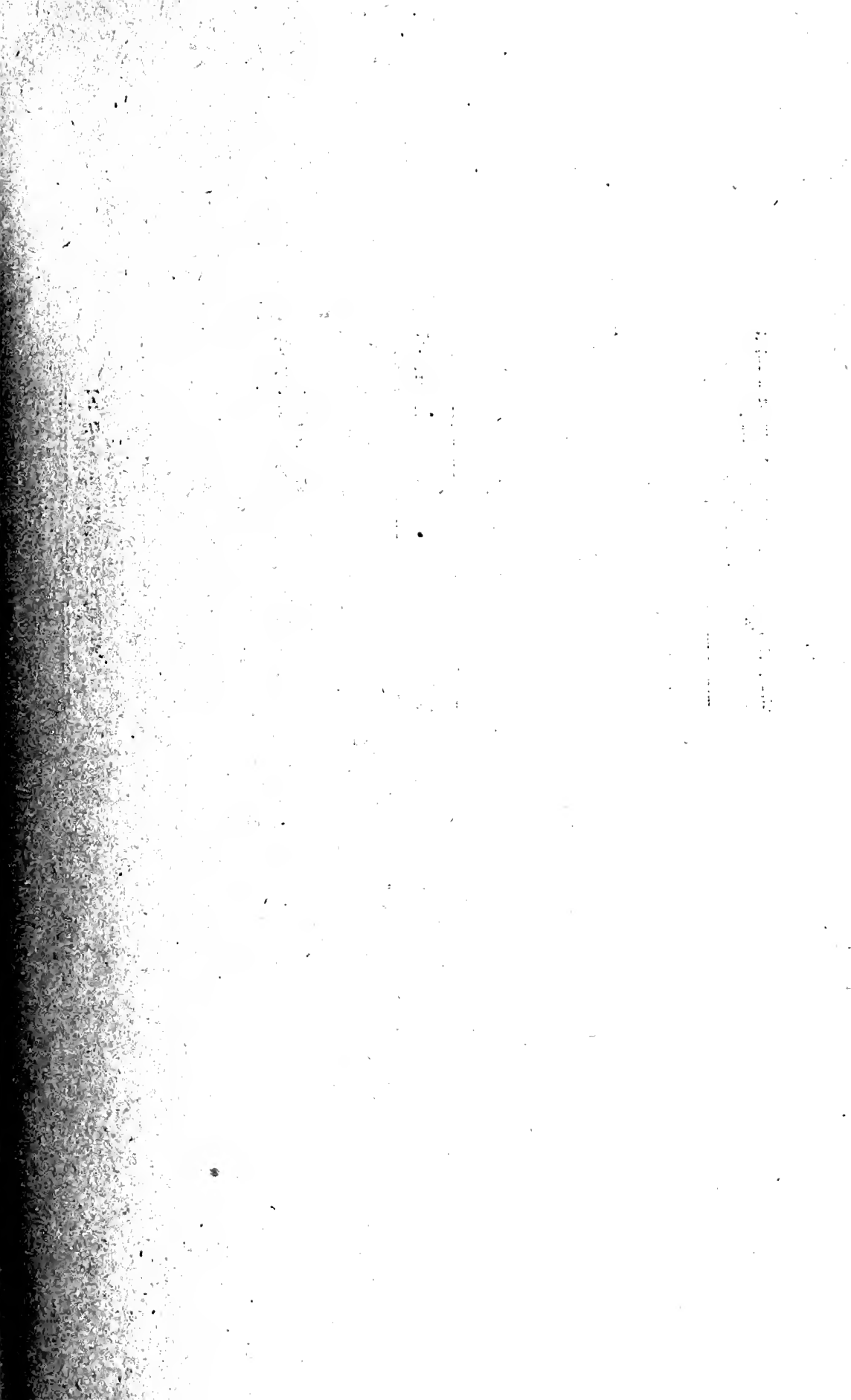
3. On the 21st day of December, 1911, at the hour of eleven o'clock in the forenoon, the Mayor of the said City shall attend at the office of the City Clerk in said City for the purpose of appointing and shall appoint in writing, signed by him, two persons to attend at the final summing up of the votes given, for and against this By-law, 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, which place, day and hour, are hereby fixed for said purpose.

4. On the second day of January, 1912, at the hour of twelve o'clock noon, at his office in the City of Kingston, the Clerk of the said Municipality shall attend and sum up the number of votes given for and against the By-law.

(Sgd.) FRANKLIN JOHN HOAG,  
*Mayor.*

Seal.

W. W. SANDS,  
*City Clerk.*



No. 31.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL

An Act to confirm By-law No. 43 of 1911  
of the City of Kingston.

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1st Reading                      1912.

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(*Private Bill.*)

Mr. Ross.

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

# BILL

## An Act respecting the Young Women's Christian Association of Stratford.

**W**HEREAS an Association under the name of "The Stratford Young Women's Christian Association" was incorporated on the Thirteenth day of July, 1905, under the provisions of an Act entitled "*An Act respecting Benevolent, Provident and other Societies,*" being Chapter 211 of the Revised Statutes of Ontario, 1897, such Association having for its object the development and improvement of the spiritual, intellectual, social and physical condition of young women and being governed by a constitution and by-laws which have received the assent of and been accepted by the members of the said Association; and whereas the said Association has by petition prayed that the said incorporation may be confirmed and its buildings and lands in the City of Stratford may be exempted from taxation, and that the powers of the said Association may be otherwise defined and enlarged; 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 incorporation of the said Association is hereby confirmed and The Stratford Young Women's Christian Association is declared to be a body corporate and politic and to have been on the Thirteenth day of July, 1905, 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 mentioned and in every manner subject to the provisions thereof.

Incorporation confirmed.

**2.** The Constitution and By-laws of the Association under which the Association has heretofore been conducted are declared to have been the Constitution and By-laws of the

Constitution and By-laws.

Association, since its incorporation and shall continue to be the Constitution and By-laws of the Association, but they or any of them may be amended or repealed and others substituted therefor in the manner and subject to the conditions and provisions therein stated.

Members  
and of-  
ficers.

**3.** The members of the Association shall continue to be members thereof and the officers of the Association shall continue to hold office in the manner provided by and subject to the Constitution and By-laws of the Association.

Power to  
hold land.

**4.** The said Association shall have power to acquire and hold real estate in the City of Stratford or any leasehold or other interest therein, provided the annual value of the real estate so acquired or held and not actually used for the work of the said Association shall not exceed at any one time \$10,000, and the Association may sell, exchange, mortgage, lease or otherwise charge or dispose of any such real estate or interest therein as occasion may require.

Trading in  
land pro-  
hibited.

**5.** Nothing herein contained shall authorize the said Association to engage in the business of trading in real estate.

Exemption  
from  
taxation.

**6.** The buildings of the said Association and the lands whereon the same are erected or used and enjoyed in connection therewith shall, so long as the same are occupied by and used for the purposes of the Association, be exempt from taxation except for local improvements.

THE UNIVERSITY OF CHICAGO

1911

THE UNIVERSITY OF CHICAGO

1911

1911

THE UNIVERSITY OF CHICAGO

No. 32.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL

An Act respecting the Young Women's  
Christian Association of the City  
of Stratford.

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1st Reading, 1912.

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(*Private Bill.*)

Mr. TORRANCE.

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



# BILL

## An Act to Incorporate the City of Sault Ste Marie, and for other purposes.

**W**HEREAS the Municipal Corporation of the Town of Sault Ste. Marie has, by petition, represented that the said town now has a population of over 11,000 inhabitants, and is rapidly increasing, and by reason of its geographical position and numerous industries established there the said town is now and will continue to be an important commercial and manufacturing centre; and whereas at the municipal election held on the 1st day of January, 1912, the question of incorporating the said Town of Sault Ste. Marie into a City, to be called the City of Sault Ste. Marie, was submitted to the electors of the said town for their approval thereto, and was carried by a large majority of the votes cast, nearly nine-tenths of those voting being in favor thereof; and whereas it has been deemed expedient by the said Council to have all sales of land for arrears of taxes within the said town held prior to December 31st, 1909, validated and confirmed; and whereas a large majority of the inhabitants of that portion of the Township of Tarentorus, known as the "Moffly Sub-division," lying adjacent to the north-westerly limits of the said town, have petitioned to have the said lands annexed to the said Town of Sault Ste. Marie; and whereas the Municipal Council of the Township of Tarentorus (of which the said Moffly Sub-division forms a part) has, by resolution dated the 8th day of January, 1912, consented to the annexation of the lands comprising the said Moffly Sub-division to the said Town of Sault Ste. Marie; and whereas the Municipal Council of the said Town of Sault Ste. Marie has agreed to take the necessary steps to have the said lands annexed to the said Town of Sault Ste. Marie, in accordance with the prayer of the said petition; and whereas the said Township of Tarentorus has

no debenture indebtedness; and whereas it is expedient to grant the prayer of the said petition;

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

Incorporation of City of Sault Ste. Marie.

**1.** On and after the passing of this Act the said Town of Sault Ste. Marie shall be and is hereby incorporated as a City, and shall be known as “The Corporation of the City of Sault Ste. Marie,” and as such shall enjoy and possess all the rights, powers and privileges of cities under *The Municipal Act*, as well as all the rights, powers and privileges heretofore possessed by the Corporation of the Town of Sault Ste. Marie.

Present mayor and council to continue in office.

**2.** Subject to the provisions of sub-section 2 of section 10 hereof, the present Mayor and Council of the said town shall be and continue to be the Mayor and Council of the said city, and shall hold office until the election of their successors, as provided by *The Municipal Act*, and shall exercise all the rights and powers and perform all the duties pertaining to the office of mayor and aldermen, respectively, of the city, and in the event of the death, resignation or disqualification of the said mayor or any member of the said Council, the vacancy so created shall be filled in the manner provided in *The Municipal Act* in case of such vacancies in cities.

Property, assets, obligations of town to pass to city.

**3.** The City of Sault Ste. Marie shall in all manners whatsoever stand and be in the place and stead of the Town of Sault Ste. Marie, and all property of every kind, and all rights, interests, assets and effects, taxes, rates, dues, revenues, obligations and income now belonging to or accruing due to or which may be assessed for by the said town, shall pass, belong to, and be the rights, property, assets, effects, taxes, revenues and obligations of the City of Sault Ste. Marie, and in the assessment for and collection of all the aforesaid property and revenues of every kind, the City of Sault Ste. Marie shall have as full power in its name to assess for, collect, demand and receive the same as the said town could have, and the said city shall assume and hereby assumes all bills, debts, debentures and liabilities of any and every kind now due or contracted or accruing due, or for which the said Town but for the passing of this Act would be liable, and the same shall and may be collected and sued for, from and against the City of Sault Ste. Marie in precisely the same manner, except in the change of name, as against the Town of Sault Ste. Marie; and all acts, matters and things whatsoever, which might be lawfully done by the Town of Sault Ste. Marie, and all matters begun or

initiated by the said town may be completed by the said city, the meaning and intention hereof being that in all matters and things the said city shall be and stand in the place of the said town.

4. The officers and servants of the said town shall, until superseded in or removed from office by the Council of the said city, remain the officers and servants of the said city. Officers and servants of town to continue.

5. The provisions of *The Municipal Act* relating to matters consequent on the formation of new municipal corporations and the other provisions of *The Municipal Act*, aforesaid, shall, except so far as is herein otherwise provided, apply to the said Corporation of the City of Sault Ste. Marie, in the same manner as if the said town had been erected into a city under the provisions of *The Municipal Act*. Application of 3 Edw. VII. c 19.

6. At any election or in voting on by-laws in the said city, held prior to December 1st, 1912, the qualifications of the electors, mayor, aldermen and school trustees shall be the same as required in towns. Qualification for any election in 1912.

7. The last revised assessment roll and voters' list of the said town shall be taken to be the assessment roll and voters' list, respectively, of the said city, to the same extent as if the same had been made by the said city. Assessment rolls and voters' lists.

8. All by-laws and municipal regulations, except so far as they are inconsistent herewith, which are in force in the Town of Sault Ste. Marie, shall continue and be in force as if they had been passed by the Corporation of the City of Sault Ste. Marie, and shall extend to and have full effect within the limits of the city hereby incorporated, until repealed by the new Corporation. By-laws, etc., of town to continue in force.

9. All provisions of law relating to the Town of Sault Ste. Marie, not inconsistent with this Act, shall apply to the City of Sault Ste. Marie and the land within the limits of the said city, or hereafter included therein. Acts relating to town to apply to city.

10.—(1) Subject to the provisions of sub-section 2 of this section, the Council of the said city for the year 1913, and for each subsequent year, shall consist of a mayor and eight aldermen, to be elected by a general vote, as provided by *The Municipal Act*. Council—how composed.

(2) Whenever on or before the 15th day of December in any year it has been ascertained by any general census, or by any census which may be taken by the assessor or under a by-law taken by the municipality for that purpose, that the said city contains over 15,000 inhabitants, then, at the Power to increase number of aldermen.

next annual municipal election the Council of the said city shall consist of a mayor and ten aldermen, who shall be elected by a general vote, as provided by *The Municipal Act*.

To form part of Algoma for judicial purposes.

**11.** The City of Sault Ste. Marie shall be, remain and form part of the District of Algoma for judicial purposes.

Tax sales and deeds confirmed.

**12.**—(1) All sales of land within the Town of Sault Ste. Marie made prior to December 31st, 1909, and which purport to be made by the Corporation of the said town for arrears of taxes in respect to lands so sold, are hereby validated and confirmed, and all deeds of land so sold, executed by the mayor and treasurer of the said town, purporting to convey the said lands so sold, to the purchaser thereof, or his assigns, are hereby validated and confirmed, and shall have the effect of vesting the lands so sold or conveyed, or purported to be sold or conveyed, and the same are hereby vested in the purchaser or his assigns, and his and their heirs and assigns in fee simple, free and clear of and from all title or interest whatsoever of the owner or owners thereof at the time of such sale, or his or their assigns, and all charges and encumbrances thereon, except taxes accrued since those for non-payment whereof the said lands were sold.

Case of town purchasing.

(2) Sub-section 1 of this section shall extend and apply to cases where the said town or any person or persons in trust for it, or on its behalf, became the purchaser of lands at any such tax sale.

Pending litigation not affected.

(3) Nothing in this section contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon and in the same manner and as fully and effectually as if this Act had not been passed.

Part of Township of Tarentorus annexed to town.

**13.** That portion of the Township of Tarentorus, in the District of Algoma, known as the "Moffly Sub-division," being composed of the southerly 102 acres of section No. 31 in said township, shall be and is henceforth detached from the said township, and shall be and is from the date hereof annexed to the said Town of Sault Ste. Marie, and forms a portion thereof.

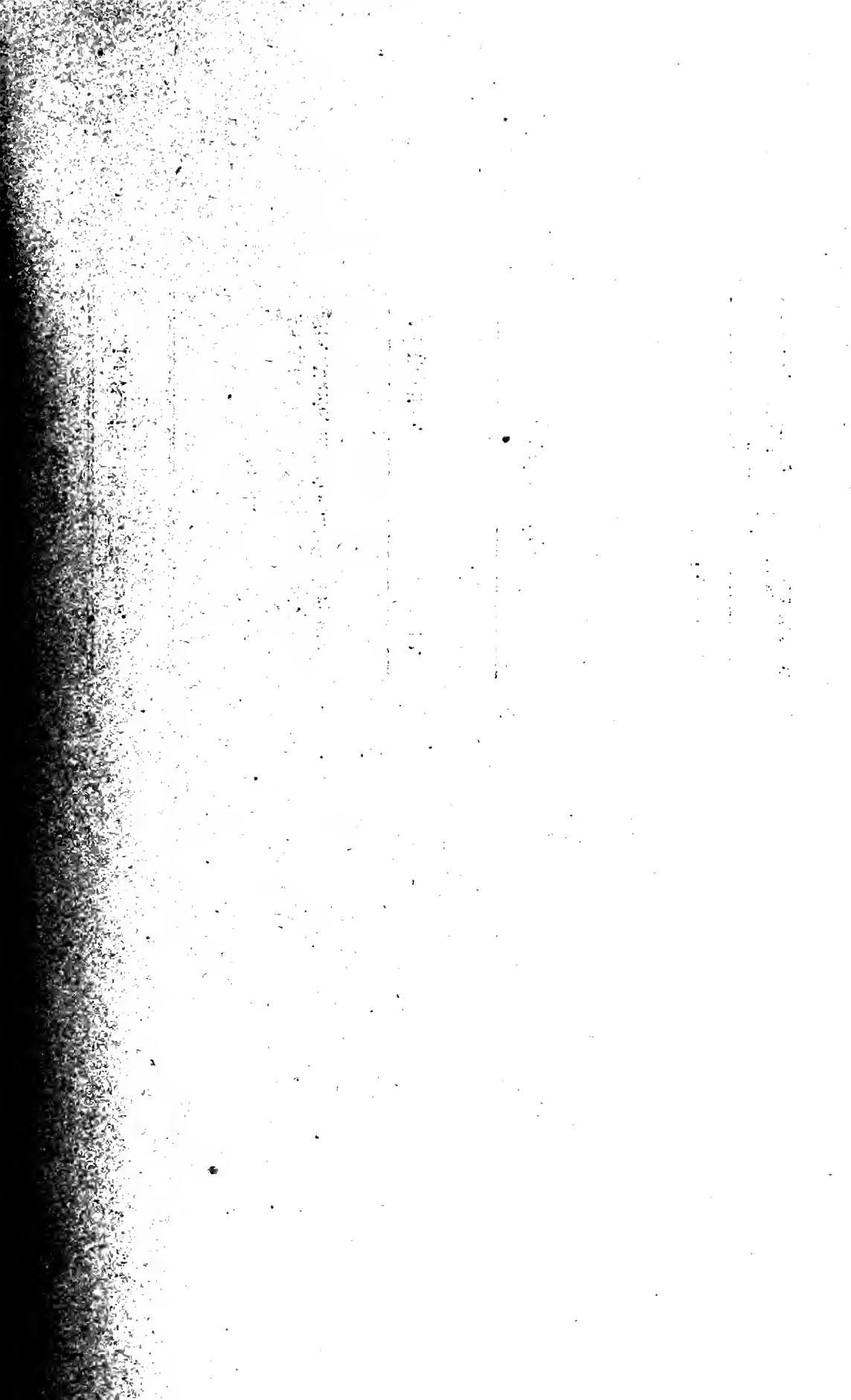
Assessment of land annexed for 1912.

**14.** All municipal officers or servants of the said Town of Sault Ste. Marie shall, from the date hereof, have similar powers and duties in respect to the lands hereby annexed, and the assessor or assessors for the said Town of Sault Ste. Marie appointed for the year 1912, shall make the assessment for the year 1912 of the lands in the said sub-division hereby annexed to the said Town of Sault Ste. Marie.

15. All arrears of taxes on the lands in the said Moffly sub-division shall continue to belong to the said Township of Tarentorus, but the treasurer of the said town shall have authority to collect such arrears, and on collection thereof shall pay same to the treasurer of Tarentorus, less any charges or expenses incurred by him in connection with said collection, but all taxes on the said lands from and after the 1st day of January, 1912, shall belong wholly to the said Town of Sault Ste. Marie.

Arrears of  
taxes in land  
annexed.





No. 33.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to Incorporate the City of Sault  
Ste. Marie, and for other Purposes.

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1st Reading,                      1912.

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(*Private Bill.*)

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Mr. GRIGG.



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



# BILL

## An Act to Incorporate the City of Sault Ste Marie, and for other purposes.

**W**HEREAS the Municipal Corporation of the Town of Sault Ste. Marie has, by petition, represented that the said town now has a population of over 11,000 inhabitants, and is rapidly increasing, and by reason of its geographical position and numerous industries established there the said town is now and will continue to be an important commercial and manufacturing centre; and whereas at the municipal election held on the 1st day of January, 1912, the question of incorporating the said Town of Sault Ste. Marie into a City, to be called the City of Sault Ste. Marie, was submitted to the electors of the said town for their approval thereto, and was carried by a large majority of the votes cast, nearly nine-tenths of those voting being in favor thereof; and whereas it has been deemed expedient by the said Council to have all sales of land for arrears of taxes within the said town held prior to December 31st, 1909,  for which tax deeds have been issued by the said Corporation,  validated and 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.** On and after the passing of this Act the said Town of Sault Ste. Marie shall be and is hereby incorporated as a City, and shall be known as "The Corporation of the City of Sault Ste. Marie," and as such shall enjoy and possess all the rights, powers and privileges of cities under *The Municipal Act*, as well as all the rights, powers and privileges heretofore possessed by the Corporation of the Town of Sault Ste. Marie.

Incorporation of  
City of Sault  
Ste. Marie.

Present mayor and council to continue in office.

2. Subject to the provisions of sub-section 2 of section 10 hereof, the present Mayor and Council of the said town shall be and continue to be the Mayor and Council of the said city, and shall hold office until the election of their successors, as provided by *The Municipal Act*, and shall exercise all the rights and powers and perform all the duties pertaining to the office of mayor and aldermen, respectively, of the city, and in the event of the death, resignation or disqualification of the said mayor or any member of the said Council, the vacancy so created shall be filled in the manner provided in *The Municipal Act* in case of such vacancies in cities.

Property, assets, obligations of town to pass to city.

3. The City of Sault Ste. Marie shall in all manners whatsoever stand and be in the place and stead of the Town of Sault Ste. Marie, and all property of every kind, and all rights, interests, assets and effects, taxes, rates, dues, revenues, obligations and income now belonging to or accruing due to or which may be assessed for by the said town, shall pass, belong to and be the rights, property, assets, effects, taxes, revenues and obligations of the City of Sault Ste. Marie, and in the assessment for and collection of all the aforesaid property and revenues of every kind, the City of Sault Ste. Marie shall have as full power in its name to assess for, collect, demand and receive the same as the said town could have, and the said city shall assume and hereby assumes all bills, debts, debentures and liabilities of any and every kind now due or contracted or accruing due, or for which the said Town but for the passing of this Act would be liable, and the same shall and may be collected and sued for, from and against the City of Sault Ste. Marie in precisely the same manner, except in the change of name, as against the Town of Sault Ste. Marie; and all acts, matters and things whatsoever, which might be lawfully done by the Town of Sault Ste. Marie, and all matters begun or initiated by the said town may be completed by the said city, the meaning and intention hereof being that in all matters and things the said city shall be and stand in the place of the said town.

Officers and servants of town to continue.

4. The officers and servants of the said town shall, until superseded in or removed from office by the Council of the said city, remain the officers and servants of the said city.

Application of 3 Edw. VII. c 19.

5. The provisions of *The Municipal Act* relating to matters consequent on the formation of new municipal corporations and the other provisions of *The Municipal Act*, aforesaid, shall, except so far as is herein otherwise provided, apply to the said Corporation of the City of Sault Ste. Marie, in the same manner as if the said town had been erected into a city under the provisions of *The Municipal Act*.

**6.** At any election or in voting on by-laws in the said city, held prior to December 1st, 1912, the qualifications of the electors, mayor, aldermen and school trustees shall be the same as required in towns.

Qualification  
for any  
election in  
1912.

**7.** The last revised assessment roll and voters' list of the said town shall be taken to be the assessment roll and voters' list, respectively, of the said city, to the same extent as if the same had been made by the said city.

Assessment  
rolls and  
voters' lists.

**8.** All by-laws and municipal regulations, except so far as they are inconsistent herewith, which are in force in the Town of Sault Ste. Marie, shall continue and be in force as if they had been passed by the Corporation of the City of Sault Ste. Marie, and shall extend to and have full effect within the limits of the city hereby incorporated, until repealed by the new Corporation.

By-laws,  
etc., of  
town to  
continue  
in force.

**9.** All provisions of law relating to the Town of Sault Ste. Marie, not inconsistent with this Act, shall apply to the City of Sault Ste. Marie and the land within the limits of the said city, or hereafter included therein.

Acts relat-  
ing to town  
to apply  
to city.

**10.**—(1) Subject to the provisions of sub-section 2 of this section, the Council of the said city for the year 1913, and for each subsequent year, shall consist of a mayor and eight aldermen, to be elected by a general vote, as provided by *The Municipal Act*.

Council—  
how com-  
posed.

(2) Whenever on or before the 15th day of December in any year it has been ascertained by any general census, or by any census which may be taken by the assessor or under a by-law taken by the municipality for that purpose, that the said city contains over 15,000 inhabitants, then, at the next annual municipal election the Council of the said city shall consist of a mayor and ten aldermen, who shall be elected by a general vote, as provided by *The Municipal Act*.

Power to  
increase  
number of  
aldermen.

**11.** The City of Sault Ste. Marie shall be, remain and form part of the District of Algoma for judicial purposes.

To form  
part of  
Algoma for  
judicial  
purposes.

**12.**—(1) All sales of land within the Town of Sault Ste. Marie made prior to December 31st, 1909, which purport to be made by the Corporation of the said town for arrears of taxes in respect to lands so sold, for which tax deeds have been issued by the said Corporation, are hereby validated and confirmed, and all deeds of land so sold, executed by the mayor and treasurer of the said town, purporting to convey the said lands so sold, to the purchaser thereof, or his assigns, are hereby validated and confirmed, and shall have

Tax sales  
and deeds  
confirmed.



the effect of vesting the lands so sold or conveyed, or purported to be sold or conveyed, and the same are hereby vested in the purchaser or his assigns, and his and their heirs and assigns in fee simple, free and clear of and from all title or interest whatsoever of the owner or owners thereof at the time of such sale, or his or their assigns, and all charges and encumbrances thereon, except taxes accrued since those for non-payment whereof the said lands were sold.



Case of town purchasing.



(2) Sub-section 1 of this section shall extend and apply to cases where the said town or any person or persons in trust for it, or on its behalf, became the purchaser of lands at any such tax sale.



Pending litigation not affected.



(3) Nothing in this section contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon and in the same manner and as fully and effectually as if this Act had not been passed.



 **13.**—(1) The council of the Township of Tarentorus shall pass a by-law on or before the 15th day of June, 1912, providing for submitting on the 2nd day of July, 1912, to a vote of the freeholders of the Southerly 102 acres of section No. 31 of the said township known as the Moffly Subdivision the following questions: 

 Are you in favour of the Moffly Subdivision being annexed to the City of Sault Ste. Marie? 

 Are you in favour of the Moffly Subdivision being annexed to the Town of Steelton? 

 (2) The clerk of the said township shall be the returning officer for the taking of the vote and shall prepare from the last revised assessment roll of the township a list of the persons entitled to vote on the questions. 

 (3) The clerk shall forthwith after the taking of the vote certify the result of the vote to the Ontario Railway and Municipal Board and the Board shall annex the said land to that municipality in favour of annexation to which the larger number of freeholders voted on such terms and conditions as may have been agreed upon by the township and the other municipality or in default of agreement as shall be determined by the Board. 

 (4) The expenses of taking the vote shall be paid in the first instance by the Township of Tarentorus and shall be repaid to it by the Municipality to which the land is annexed. 

☞ (5) Save as herein otherwise provided and except that it shall not be necessary to publish the by-law providing for the taking of the said vote, the provisions of *The Municipal Act* as to submitting a question to the electors shall apply to the taking of the said vote. ☞

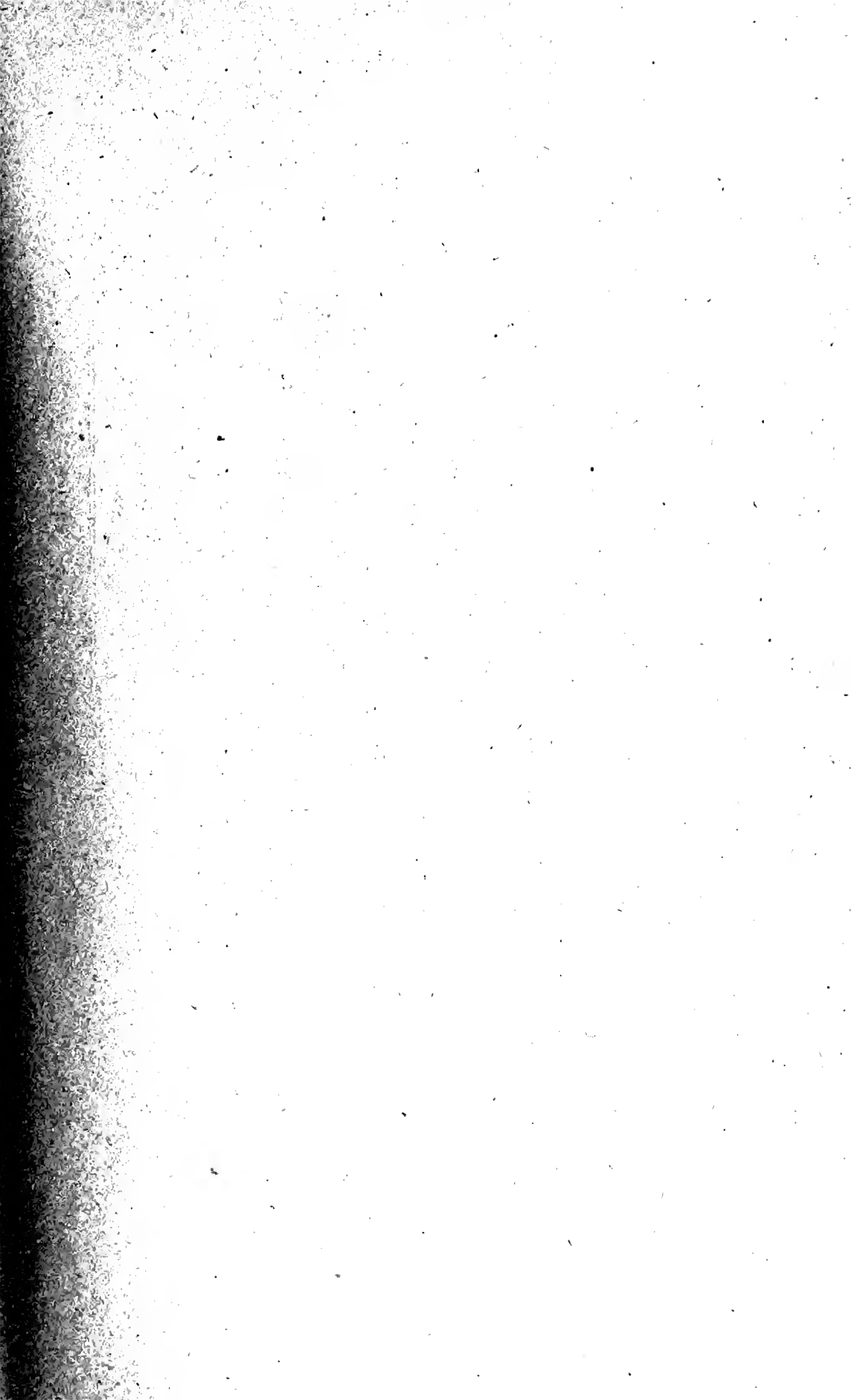
14. ☞ If the land is annexed to the City of Sault Ste. Marie ☞ all arrears and taxes on the lands in the said Moffly subdivision shall continue to belong to the said Township of Tarentorus, but the treasurer of the said *city* shall have authority to collect such arrears, and on collection thereof shall pay same to the treasurer of Tarentorus, less any charges or expenses incurred by him in connection with said collection, but all taxes *levied* on the said lands from and after the 1st day of January, 1912, shall belong wholly to the said *City* of Sault Ste. Marie. **Arrears of taxes in land annexed.**

15.—(1) If an assessment has, before such annexation takes effect, been made for the purpose of levying taxes by the Corporation of the Township of Tarentorus in said Moffly Subdivision, the same shall (subject to appeal therefrom by ratepayers to the Court of Revision and to the District Judge) be and continue *to be* the assessment for the said Moffly Sub-division and the ratepayers therein for the year 1912.

(2) If no assessment aforesaid has been made by the Corporation of the Township of Tarentorus before such annexation takes effect, the ☞ Corporation of the City of Sault Ste. Marie ☞ may cause an assessment to be made in said Moffly Subdivision upon which the taxes for the year 1912 may be levied.

(3) Any By-law passed before or after such annexation takes effect by the Corporation of the Town ☞ or City of Sault Ste. Marie ☞ for the levying of taxes in the said town *or city* shall apply to the said Moffly Sub-division and the ratepayers thereof, and the said taxes shall be levied on the respective assessments in the said Moffly Sub-division as finally revised.





No. 33.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to Incorporate the City of Sault  
Ste. Marie, and for other Purposes.

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1st Reading, 5th March, 1912.

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

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Mr. GRIGG.

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



# BILL

## An Act to incorporate the Village of Flesherton.

**W**HEREAS certain ratepayers within the Police Village <sup>Preamble.</sup> of Flesherton and the ratepayers of that portion of the Township of Artemesia adjoining the said Village comprised within the limits hereinafter mentioned have by Petition set forth that the said Police Village of Flesherton was set apart as a Police Village by by-law of the County Council of the County of Grey in the year 1892 with the following boundaries, namely:—Lots 147, 148, 149, 150, 151, 152 and 153 in the First Range South-West of the Toronto and Sydenham Road, and Lots 147, 148, 149, 150, 151, 152 and 153 in the First Range North-East of the Toronto and Sydenham Road, all in the Township of Artemesia, in the County of Grey, inclusive of all allowances for road within or between the said lands; that the said village now contains 487 inhabitants according to a special census made at the instance of the Police Trustees of said Police Village; that the Petitioners are desirous that the inhabitants of the said Village and of the following lands, namely Lots 154 and 155 in the First Range North-East, and 154 and 155 in the First Range South-West of the Toronto and Sydenham Road in the Township of Artemesia should be incorporated under the name of The Corporation of the Village of Flesherton, under the provisions of *The Consolidated Municipal Act, 1903*, and amendments thereto; that it is necessary and in the interests of the inhabitants of the said Village that works and improvements should be constructed therein which exceed the powers of Police Trustees; that it would greatly promote the interests and prosperity of the said Village to be incorporated, and have prayed that an Act may be passed to incorporate the said Village; and whereas from the position of the lands in the said Village and for other reasons it has been shown that the area of the said village should extend beyond the limits assigned to incorporated villages by *The Consolidated Municipal Act, 1903*; 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 of Village of Flesherton.

1. On and after the passing of this Act the inhabitants of the said Village of Flesherton and those portions of the Township of Artemesia adjoining the said Village comprised within the boundaries in the second section of this Act mentioned should be and they are hereby constituted a corporation or body politic, separate and apart from the township of Artemesia in which the said village is situated, under the name of the Corporation of the Village of Flesherton, and shall enjoy all such rights, powers and privileges as are now or shall hereafter be conferred on incorporated villages in the Province of Ontario.

What lands to be comprised in.

2. The said Village of Flesherton shall comprise and consist of the lands within the following boundaries, namely: Lots numbers 147, 148, 149, 150, 151, 152, 153, 154 and 155 in the First Range South-West of the Toronto and Sydenham Road, and Lots numbers 147, 148, 149, 150, 151, 152, 153, 154 and 155 in the First Range North-East of the Toronto and Sydenham Road, all in the Township of Artemesia, in the County of Grey.

Nomination and polling.

3. On the First day of May, 1912, it shall be lawful for William James Bellamy, of the Village of Flesherton, in the County of Grey, Esquire, who is hereby appointed returning officer, to hold the nomination for the first election of reeve and councillors at some prominent place in the said Village at the hour of noon, and he shall preside at said nomination, or in case of his absence the electors present shall choose from among themselves a chairman to officiate and who shall have all the powers of a returning officer, and the polling for the said election in the event of there being a poll required shall be held on the same day of the week in the week next following the said nomination and at the same place, and the duties of the returning officer shall be those prescribed by law with respect to incorporated villages.

Qualification of candidates and electors.

4. At the said election the qualification of the electors and of the reeve and councillors for the said village shall be the same as that required in townships, and at all subsequent elections the qualification of electors and of the reeve, councillors and other officers shall be the same as that required in incorporated villages.

5. The Township Clerk of the Township of Artemesia shall furnish to the returning officer upon demand so much of the last revised assessment roll of the said Township, as may be required to ascertain the persons entitled to vote at such first election, or the collector's roll or any other document, writing or statement that may be required for that purpose.

Township Clerk to furnish assessment roll to returning officer.

6. The reeve and councillors so to be elected shall hold their first meeting at some prominent place in the said Village at the hour of noon on the same day of the week in the week next following the polling, or if there be no polling, on the same day of the week in the week next following the nomination.

First meeting of council.

7. Save as otherwise provided by this Act the provisions of *The Consolidated Municipal Act, 1903*, and of all other general Acts respecting municipal institutions with regard to matters consequent upon the formation of new corporations and other provisions of the Acts applicable to incorporated villages shall apply to the Village of Flesherton in the same manner as they would have been applicable had the said Village of Flesherton been incorporated under the provisions of the said Acts.

Application of 3 Edw. VII., c. 19.

8. From and after the passing of this Act the said Village shall cease to form part of the said Township of Artemesia and shall to all intents and purposes form a separate and independent municipality, with all the rights, privileges and jurisdiction of an incorporated village in Ontario.

Separation from township.

9. The expenses of obtaining this Act and of furnishing any documents and copies of papers, writings, deeds or any matter whatsoever required by the clerk of the said Village or other officers of the said Village or otherwise shall be borne by the said Village and paid by it to any party that may be entitled thereto.

Expenses of Act, etc.

10. The said Village shall form part of the electoral district of the Centre Riding of the County of Grey.

Electoral district of which village to form part.

11. The council of the said Village may pass a by-law for taking the assessment for the year ending the 31st day of January, 1912, between the 15th day of June and the 15th day of July, 1912, and in such case the time for closing the Court of Revision shall be the 31st day of August, 1912, and for final return by the Judge of the County Court the 30th day of September, 1912.

Time for taking assessment.

No. 34.

---

1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to incorporate the Village of  
Flesherton.

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1st reading,                                      1912.

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*Private Bill.*

Mr. JAMIESON.

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

# BILL

## An Act to incorporate the Village of Flesherton.

**W**HEREAS certain ratepayers within the Police Village <sup>Preamble</sup> of Flesherton and the ratepayers of that portion of the Township of Artemesia adjoining the said Village comprised within the limits hereinafter mentioned have by Petition set forth that the said Police Village of Flesherton was set apart as a Police Village by by-law of the County Council of the County of Grey in the year 1892 with the following boundaries, namely:—Lots 147, 148, 149, 150, 151, 152 and 153 in the First Range South-West of the Toronto and Sydenham Road, and Lots 147, 148, 149, 150, 151, 152 and 153 in the First Range North-East of the Toronto and Sydenham Road, all in the Township of Artemesia, in the County of Grey, inclusive of all allowances for road within or between the said lands; that the said village now contains 487 inhabitants according to a special census made at the instance of the Police Trustees of said Police Village; that the Petitioners are desirous that the inhabitants of the said Village and of the following lands, namely Lots 154 in the First Range North-East, and 154 in the First Range South-West of the Toronto and Sydenham Road in the Township of Artemesia should be incorporated under the name of The Corporation of the Village of Flesherton, under the provisions of *The Consolidated Municipal Act, 1903*, and amendments thereto; that it is necessary and in the interests of the inhabitants of the said Village that works and improvements should be constructed therein which exceed the powers of Police Trustees; that it would greatly promote the interests and prosperity of the said Village to be incorporated, and have prayed that an Act may be passed to incorporate the said Village; and whereas from the position of the lands in the said Village and for other reasons it has been shown that the area of the said village should extend beyond the limits assigned to incorporated villages by *The Consolidated Municipal Act, 1903*; 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 of Village of Flesherton.

1. On and after the passing of this Act the inhabitants of the said Village of Flesherton and those portions of the Township of Artemesia adjoining the said Village comprised within the boundaries in the second section of this Act mentioned should be and they are hereby constituted a corporation or body politic, separate and apart from the township of Artemesia in which the said village is situated, under the name of the Corporation of the Village of Flesherton, and shall enjoy all such rights, powers and privileges as are now or shall hereafter be conferred on incorporated villages in the Province of Ontario.

What lands to be comprised in.

2. The said Village of Flesherton shall comprise and consist of the lands within the following boundaries, namely: Lots numbers 147, 148, 149, 150, 151, 152, 153 and 154 in the First Range South-West of the Toronto and Sydenham Road, and Lots numbers 147, 148, 149, 150, 151, 152, 153, and 154 in the First Range North-East of the Toronto and Sydenham Road, all in the Township of Artemesia, in the County of Grey.

Nomination and polling.

3. On the First day of May, 1912, it shall be lawful for William James Bellamy, of the Village of Flesherton, in the County of Grey, Esquire, who is hereby appointed returning officer, to hold the nomination for the first election of reeve and councillors at some prominent place in the said Village at the hour of noon, and he shall preside at said nomination, or in case of his absence the electors present shall choose from among themselves a chairman to officiate and who shall have all the powers of a returning officer, and the polling for the said election in the event of there being a poll required shall be held on the same day of the week in the week next following the said nomination and at the same place, and the duties of the returning officer shall be those prescribed by law with respect to incorporated villages.

Qualification of candidates and electors.

4. At the said election the qualification of the electors and of the reeve and councillors for the said village shall be the same as that required in townships, and at all subsequent elections the qualification of electors and of the reeve, councillors and other officers shall be the same as that required in incorporated villages.

5. The Township Clerk of the Township of Artemesia shall furnish to the returning officer upon demand so much of the last revised assessment roll of the said Township, as may be required to ascertain the persons entitled to vote at such first election, or the collector's roll or any other document, writing or statement that may be required for that purpose.

Township Clerk to furnish assessment roll to returning officer.

6. The reeve and councillors so to be elected shall hold their first meeting at some prominent place in the said Village at the hour of noon on the same day of the week in the week next following the polling, or if there be no polling, on the same day of the week in the week next following the nomination.

First meeting of council.

7. Save as otherwise provided by this Act the provisions of *The Consolidated Municipal Act, 1903*, and of all other general Acts respecting municipal institutions with regard to matters consequent upon the formation of new corporations and other provisions of the Acts applicable to incorporated villages shall apply to the Village of Flesherton in the same manner as they would have been applicable had the said Village of Flesherton been incorporated under the provisions of the said Acts.

Application of 3 Edw. VII., c. 19.

8. From and after the passing of this Act the said Village shall cease to form part of the said Township of Artemesia and shall to all intents and purposes form a separate and independent municipality, with all the rights, privileges and jurisdiction of an incorporated village in Ontario.

Separation from township.

9. The expenses of obtaining this Act and of furnishing any documents and copies of papers, writings, deeds or any matter whatsoever required by the clerk of the said Village or other officers of the said Village or otherwise shall be borne by the said Village and paid by it to any party that may be entitled thereto.

Expenses of Act, etc.

10. The said Village shall form part of the electoral district of the Centre Riding of the County of Grey.


Electoral district of which village to form part.



11. The council of the said Village may pass a by-law for taking the assessment for the year ending the 31st day of December, 1912, between the 15th day of June and the 15th day of July, 1912, and in such case the time for closing the Court of Revision shall be the 31st day of August, 1912, and for final return by the Judge of the County Court the 30th day of September, 1912.

Time for taking assessment.



12.—(1) For Continuation School purposes the Village shall be deemed to be part of the Township of Artemesia.

Continuation School.

mesia and all the provisions of *The Continuation Schools Act*, applicable to a rural Continuation School shall apply, except that the council of the Village shall appoint one member and the council of the Township shall appoint two members of the Continuation School Board. 

(2)  The present Board shall continue to hold office until the 31st day of December, 1912, when the members thereof appointed by the council of the said Township of Artemesia shall cease to hold office. 

Repeal of  
local option  
by-law.

**13.**  The local option by-law now in force in the Township of Artemesia shall continue in force in the said Village until the same shall be repealed by a vote of sixty per cent. of the qualified electors in the said Village who vote thereon. 









No. 34.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to incorporate the Village of  
Flesherton.

---

1st Reading, March 1st, 1912.

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

Mr. JAMIESON.

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

# BILL

## An Act respecting the Town of Sandwich.

**W**HEREAS the Municipal Corporation of the Town of Sandwich has by petition prayed for special legislation in respect of the several matters hereinafter set forth; and whereas it has been made to appear that there were on the last revised assessment roll of the said Town 136 non-resident ratepayers entitled to vote on by-laws for granting exemption or bonuses; and whereas it has been represented that the Town has 96 ratepayers employed in or about the City of Detroit, all of whom are so occupied that they leave the Town of Sandwich early in the morning and do not return until late in the evening and are thus unable to cast their vote on any by-law that may be submitted: that there are in addition a number of ratepayers who are mariners, locomotive engineers, firemen and assistants whose occupations entail their being necessarily absent in the course of their employment, so as to prevent them from being able to vote on any by-law which might be submitted; and whereas owing to the peculiar position of the Town as to non-resident and absentee voters, as above set out, it is impossible to obtain the necessary two-thirds vote of the duly qualified ratepayers, as required by the Municipal Act in the case of bonus by-laws; and whereas the circumstances of the said Town appear to be exceptional; and whereas, subject as is hereinafter provided, 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. Notwithstanding anything contained in *The Consolidated Municipal Act, 1903*, or in any amendments to the said Act, the Council of the Town of Sandwich may, subject to the provisions hereinafter contained, by a three-fourths vote of all the members thereof, pass by-laws for granting aid by

Power to  
bonus on  
three-fourths  
vote of  
council.

way of bonus for the promotion of manufactures within the limits of the Municipality to such person or body corporate and in respect of such branch of industry as the Council may determine upon. But to render valid any such by-law, the assent shall be necessary of two-thirds of all the duly qualified ratepayers who vote on such by-law.

Extent of  
bonus.

**2.** The aid by way of bonus shall be limited to the following:—

- (a) Free Municipal light and water for a period not exceeding ten years.
- (b) The exemption or partial exemption from taxation (except for school purposes and local improvement rates) for a period not exceeding ten years.
- (c) A grant or lease of lands for manufacturing sites.

Requirement  
as to number  
of employees.

**3.** Such aid shall be given only to such persons or body corporate as shall enter into an agreement with the municipality to employ at least 15 hands, half of whom shall be adults, and such persons or body corporate shall own his or its own site, buildings or plant, or if holding a lease from the Municipality shall agree to expend for buildings and plant at least nine times the value of the land leased and to locate permanently in the said Municipality.

Security.

**4.** The Municipality may take and receive security for the compliance of the terms and conditions upon which such land is granted or leased.

Consent of  
similar industry.

**5.** No by-law shall be passed granting a bonus to or for a manufacturer who proposes establishing an industry of a similar nature to one already established in such Municipality unless the owner or owners of such industry or industries shall first have given their consent in writing to the granting of such aid.

Case of industry  
already established  
in another  
municipality.

**6.** No by-law shall be passed for granting aid to any industry already established elsewhere in the Province or such as have been moved to such Municipality from another Municipality in the Province, whether such industry is to be carried on by the same proprietor as in the locality in which it has been or is to be removed or is to be carried on by some other person deriving title through or under such proprietor, or otherwise, or by such proprietor in partnership with other persons, or by a joint stock company, or otherwise.

7. The Council of the Town of Sandwich may by said three-fourths vote and with the approval of two-thirds of the duly qualified ratepayers actually voting thereon pass by-laws to secure from time to time lands for the purpose of such aids and also provide means necessary to procure lands as may be required from time to time for such purposes by borrowing money by the issue of debentures on the credit of the Town at large to an amount not exceeding \$5,000.

8. Nothing in this Act contained shall be construed so as to take away or in any way abridge any powers which said Council now has under *The Consolidated Municipal Act, 1903* and amendments thereto, or any Special Act to pass by-laws without obtaining the assent of the electors thereto before the final passing thereof for borrowing money on the credit of the Town at large by the issue of debentures for any of the purposes mentioned in this Act or in any of the said other Acts.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting the Town of Sandwich.

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1st Reading, 1912.

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(*Private Bill.*)

MR. ANDERSON,  
(Essex).

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



# BILL

## An Act to confirm By-Law Number 35 of the Town of Dryden.

**W**HEREAS the Municipal Corporation of the Town <sup>Preamble.</sup> of Dryden and The Dryden Timber and Power Company, Limited, have by their petition represented that By-law number 35 of the said Town of Dryden, set out in Schedule "A" hereto, was duly submitted to the qualified ratepayers of the said Town as required by *The Consolidated Municipal Act, 1903*, whereupon out of 121 votes entitled to be cast in respect of said by-law, 91 votes were cast in favour thereof, and seven votes were cast against the same; that on the 7th day of November, 1911, the said by-law was finally passed by the Municipal Corporation of the said Town; that no application has been made to quash or set aside the said by-law; that the said Town of Dryden has no debenture debt; and whereas the said petitioners have prayed that the said by-law be validated, ratified and confirmed, and that the said Corporation of the Town of Dryden and the said, The Dryden Timber and Power Company, Limited, be authorized and empowered to do all and any acts necessary to carry out and give full effect to the said agreement, according to the true intent thereof; and whereas no opposition has been offered to the said petition: and whereas it is deemed 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 35 of the Municipal Corporation of the Town of Dryden set forth in Schedule "A" to this Act, <sup>By-law No. 35, of Town of Dryden, confirmed.</sup> including the agreement set forth in the Schedule to the said by-law is hereby confirmed and declared legal, valid and binding for all purposes, and the Municipal Corporation of the Town of Dryden and The Dryden Timber and Power Company, Limited, are hereby authorized and empowered

to do any and all acts necessary to carry out and give full effect to the said by-law and to the said agreement in all respects and according to the spirit, true intent, and meaning thereof.

#### SCHEDULE "A."

##### BY-LAW No. 35.

A By-law to authorize the Corporation of the Town of Dryden to enter into a certain agreement with The Dryden Timber and Power Company, Limited, and for the purpose of enabling the Corporation to carry out its part of such agreement, to sell "Dryden Park" to the said Company; to exempt them from taxation excepting school taxes for ten years from January 1, 1912, and to fix the rate of assessment of the said Company for the said term at \$60,000.

Whereas The Dryden Timber and Power Company, Limited, are contemplating the erection of certain pulp and paper mills and the maintenance of a pulp and paper industry at the Town of Dryden; and whereas for the purposes of carrying out such an undertaking it is found necessary to secure additional land; and whereas the said Corporation of the Town of Dryden is a co-owner of, with the Corporation of the Township of Van Horne, or otherwise entitled to, the property known as "Dryden Park," which property is adjacent to the property now owned by the said Company, and is suitable and necessary for the carrying out of the said purposes or undertaking of the said Company.

And whereas in view of the advantages and benefits which will result to the said Corporation of the Town of Dryden from the maintenance of the said industry, it is deemed expedient to assist the said Dryden Timber and Power Company, Limited, in its said undertaking, and the Council of the Corporation of the Town of Dryden are desirous of assisting the said Company, according to the terms and conditions of the agreement hereinafter set forth:

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

1. It shall and may be lawful for the said Corporation, and it is hereby empowered, to enter into an agreement (which agreement forms part of this By-law) with The Dryden Timber and Power Company, Limited, to the effect set forth in Schedule "A" hereto, and the Mayor and Clerk for the time being of the said Corporation are hereby authorized to sign, seal with the corporate seal, execute and deliver the above last-mentioned agreement on behalf of the said Corporation.

2. It shall and may be lawful, in pursuance of the said agreement, for the said Corporation, and it is hereby empowered to sell and absolutely dispose of to the said The Dryden Timber and Power Company, Limited, all and singular the above-mentioned real property known as "Dryden Park," particularly described in the agreement hereinafter set forth, and the Mayor and Clerk for the time being of the said Corporation are hereby authorized to sign, seal with the corporate seal, and deliver all documents and do all acts and things necessary to convey the said land in fee simple to the said Company.

3. During the period of ten years from January 1, 1912, the assessment for school purposes of the plant of and the buildings in the Town of Dryden owned, occupied and actually used by the said The Dryden Timber and Power Company, Limited, in connection with

their said business, shall be fixed at the sum of Sixty thousand dollars (\$60,000), and the return and oath of the assessor or assessors shall be amended accordingly, and upon such assessment during such period of ten years the school taxes and rates shall be levied and collected upon and against the said land substantially in accordance with the agreement hereinafter set forth.

4. During the said period of ten years from January 1, 1912, the said The Dryden Timber and Power Company Company, Limited, shall be exempted from taxation upon their plant and buildings mentioned in the last paragraph hereof, excepting school taxes and rates, all substantially in accordance with the agreement hereinafter set forth.

5. Subject to ratification hereof by the Legislature, this By-law shall come into force on the day of the final passing hereof.

6. That the votes of the electors of the said Municipality entitled to vote on this By-law shall be taken on Wednesday, the 18th day of October, 1911, commencing at 9 o'clock in the forenoon and continuing until 5 o'clock in the afternoon, at the following polling place, within the said Municipality, before A. L. Orvis, Town Clerk: At the Town Hall, Dryden.

7. On Monday, the 16th day of October, 1911, the Mayor of the Town of Dryden shall attend at the Town Hall, at 10 o'clock in the forenoon, to appoint persons to attend at the polling place 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 Town of Dryden shall attend at the Town Hall, at 10 o'clock in the forenoon of Thursday, the 19th day of October, 1911, to sum up the number of votes for and against the said By-law, and to declare the result of the voting thereon.

Passed in Council this 7th day of November, 1911.

ALFRED PITT,  
*Mayor.*

A. L. ORVIS,  
*Clerk.*

(Seal of the Corporation.)

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SCHEDULE "A" (to the above By-law).

Memorandum of agreement made in duplicate this  
day of \_\_\_\_\_, A.D. 1911,

Between:

The Corporation of the Town of Dryden (hereinafter called  
the Town), of the first part,

—and—

The Dryden Timber and Power Company, Limited (herein-  
after called the Company), of the second part.

Whereas the Company are about to erect a "thirty-ton" pulp mill at Dryden, and to maintain a pulp mill industry; and whereas before proceeding with the expenditure necessary to be made in such a large undertaking it is found necessary to secure additional land adjacent to the property now owned by the said

Company for the proper carrying out of its undertaking or purpose as aforesaid; and whereas the property known as "Dryden Park," hereinafter particularly described is adjacent to the Company's property, and is the only suitable land for such purpose; and whereas the Town, in order to secure the erection and maintenance of the said industry and the advantages to be derived therefrom, desires to assist the Company in its undertaking; and whereas the Town is the owner of the said "Dryden Park," subject to a certain claim or interest of the Corporation of the Township of Van Horne, and is desirous of acquiring the said claim or interest so as to enable it to transfer the said land in fee simple, as hereinafter set forth:

Now, therefore, the Town and the Company in consideration of the premises and of one dollar by each paid to the other (the receipt whereof is hereby by each acknowledged) and of the mutual covenants and conditions herein contained, mutually covenant, promise and agree each with the other as follows:

1. The Town for the consideration above named will transfer or convey to the Company upon the ratification hereof by the Legislature (or so soon thereafter as the title thereto in fee simple is obtained by them) the property above mentioned, namely: Part of Lot number Four in the Fifth Concession of the said Township of Van Horne, being known as "Dryden Park," more particularly described as follows; that is to say: Commencing where a post has been planted one chain from the water's edge of the Wabigoon River south thirty-nine chains and seven links, thence east ten chains fifty links from the north-west angle of Lot number Four in the Fifth Concession of said Township, thence west astronomically ten chains fifty links to a point thence north astronomically twenty-five chains to a point, thence south sixty-four degrees forty minutes east five chains to a point thence south forty-five degrees fifty-four minutes east twelve chains to a point one chain from the water's edge of Wabigoon River, thence southerly along the shore one chain from the water's edge of Wabigoon River to the place of beginning as shown on a plan of survey by Ontario Land Surveyor, N. T. Ritchie, dated 2nd December, 1897, of record in the Department of Crown Lands, reserving, saving and excepting thereout the reservations, conditions and qualifications mentioned in this agreement, such conveyance or transfer not to be executed or delivered until the Company deposits in the office of the Clerk of the said Town a penalty bond made by a Guaranty Company approved by the Ontario Government the penalty amounting to two thousand (\$2,000) dollars in favor of the Town and conditioned that if the Company does not have erected and in operation, on or before January 1st, 1913, a thirty-ton pulp mill substantially according to the purport of this agreement, then the amount of the bond to become forfeited.

2. That the road allowance or right of way sixty-six feet in width as at present existing shall be reserved from the transfer above mentioned, such road allowance to be continued as a public road or street. The Company covenants and agrees to proceed at once with a good and proper survey of the said road allowance in order to fix the exact location of same, and upon completion of such survey to deposit a duplicate of the plans and field notes in the office of the Clerk of the said Town.

3. The Company hereby specifically covenants, promises and agrees to take at all times all due and proper precautions to safeguard the public in the use of the road, or street, last aforesaid and to protect all individuals, horses and other animals, vehicles and all traffic lawfully upon the said road from and against all obstructions, nuisances, inconveniences and dangers arising from the business of the Company or growing out of same, and to indemnify the said Town from and against all loss, costs and damages which the Town

shall or may hereafter suffer or sustain or be made to pay by reason of non-compliance with any of the provisions of this clause.

4. The Town will immediately proceed to acquire the title in fee simple of the said property and the Company promises and agrees to reimburse the Town all costs and moneys expended in so doing.

5. As a further assistance to the said Company the assessment of the Company upon its lands and buildings shall be fixed for school purposes for a period of ten years from January 1, 1912, at \$60,000, and school taxes and rates shall be levied and collected against such lands and buildings but no taxes other than school taxes shall be levied or collected against the said lands for the said period. It is understood and agreed that the lands and buildings to which such exemption and fixed assessment applies shall be the plant, lands and buildings actually used and occupied by the Company in connection with its business as aforesaid but shall not include the residences, workmen's houses or buildings of a like nature which shall or may be on property owned by the Company, the intention being that such last named buildings and the lands occupied by them shall be and remain liable to assessment and payment of taxes and rates to as full an extent as if this by-law had not been passed.

6. The said The Dryden Timber and Power Company, Limited, shall, prior to the first day of March in each year during the said period of ten years, file with the Town Clerk a declaration by an officer of the Company who shall therein state his knowledge of the facts, proving and setting forth the properties which are entitled to the exemption and fixed assessment in the last preceding clause.

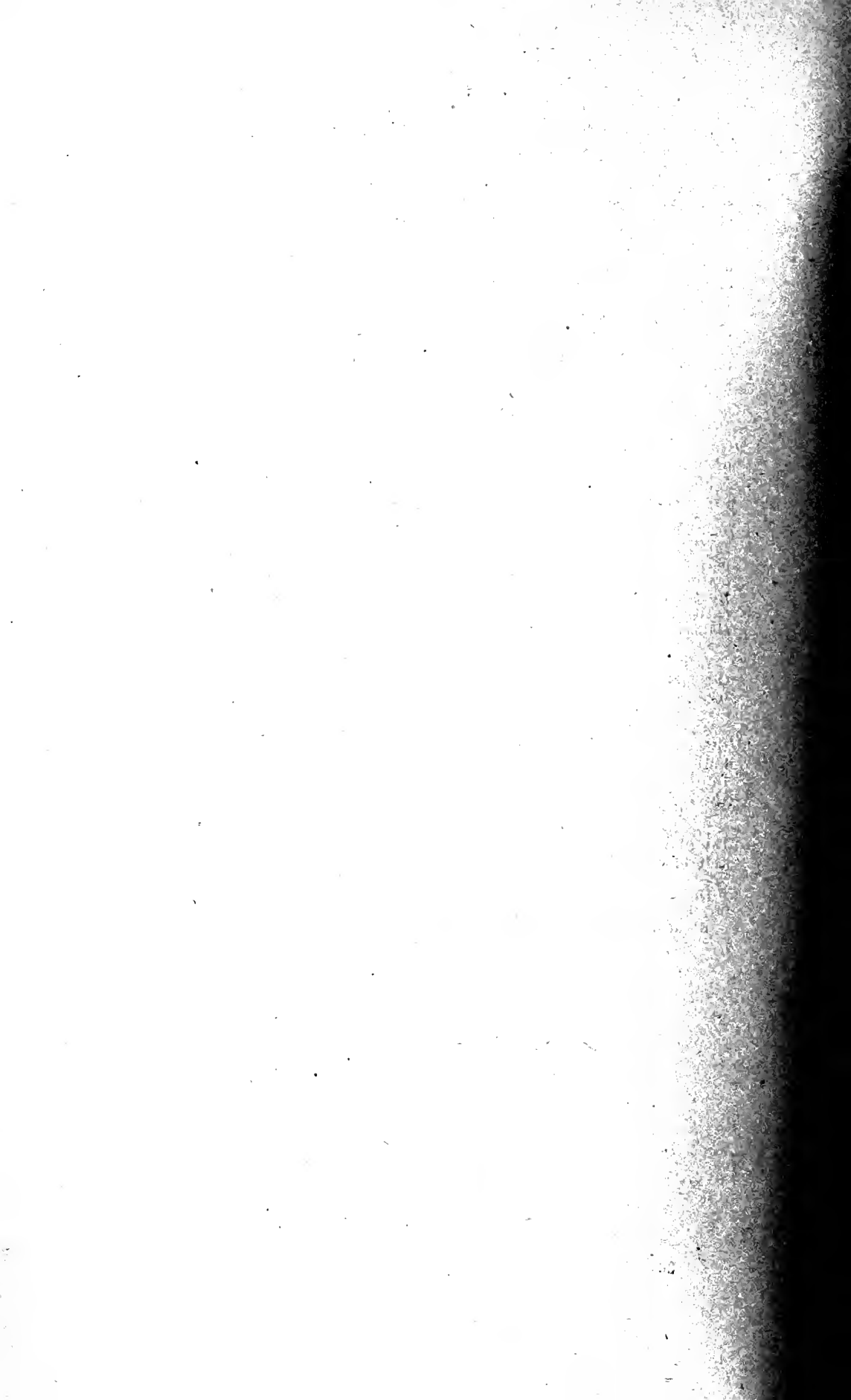
7. The Company will pay the cost of holding the poll submitting this agreement to the electors of the said Town together with all legal and other expenses in connection therewith.

8. The Town and the Company will make a joint application to the Legislature of the Province of Ontario for the ratification and authorization of the by-law of which this agreement forms part and the cost and expense of and incidental to same shall be borne by the parties hereto equally.

9. The successors and assigns of the Company shall be entitled to the privileges and shall be bound by the terms and conditions of this agreement.

In witness whereof the parties hereto have executed these presents.

Signed, sealed and delivered in the presence of





No. 36.

1st Session, 13th Legislature,  
2 George V., 1912.

BILL.

An Act to confirm By-law No. 35 of the  
Town of Dryden.

1st Reading, 1912.

(*Private Bill.*)

MR. MACHIN.

TORONTO:

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





# BILL

## An Act to confirm By-Law Number 35 of the Town of Dryden.

**W**HEREAS the Municipal Corporation of the Town of Dryden and The Dryden Timber and Power Company, Limited, have by their petition represented that By-law number 35 of the said Town of Dryden, set out in Schedule "A" hereto, was duly submitted to the qualified ratepayers of the said Town as required by *The Consolidated Municipal Act, 1903*, whereupon out of 121 votes entitled to be cast in respect of said by-law, 91 votes were cast in favour thereof, and seven votes were cast against the same; that on the 7th day of November, 1911, the said by-law was finally passed by the Municipal Corporation of the said Town; that no application has been made to quash or set aside the said by-law; that the said Town of Dryden has no debenture debt; and whereas the said petitioners have prayed that the said by-law be validated, ratified and confirmed, and that the said Corporation of the Town of Dryden and the said, The Dryden Timber and Power Company, Limited, be authorized and empowered to do all and any acts necessary to carry out and give full effect to the said agreement, according to the true intent thereof; and whereas no opposition has been offered to the said petition; and whereas it is deemed 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)  Subject to the provisions of subsection 2  by-law number 35 of the Municipal Corporation of the Town of Dryden set forth in Schedule "A" to this Act, including the agreement set forth in the Schedule to the said by-law is hereby confirmed and declared legal, valid and binding for all purposes, and the Municipal Corporation of the Town of Dryden and The Dryden Timber and Power Company, Limited, are hereby authorized and empowered

By-law  
No. 35,  
of Town of  
Dryden,  
confirmed.

to do any and all acts necessary to carry out and give full effect to the said by-law and to the said agreement in all respects and according to the spirit, true intent, and meaning thereof.

(2) Notwithstanding anything contained in the said by-law the land, property, plant, buildings and business of the said company shall for school purposes and local improvements, be assessed, rated and taxed in all respects, as though the said by-law had not been passed.

#### SCHEDULE "A."

##### BY-LAW No. 35.

A By-law to authorize the Corporation of the Town of Dryden to enter into a certain agreement with The Dryden Timber and Power Company, Limited, and for the purpose of enabling the Corporation to carry out its part of such agreement, to sell "Dryden Park" to the said Company; to exempt them from taxation excepting school taxes for ten years from January 1, 1912, and to fix the rate of assessment of the said Company for the said term at \$60,000.

Whereas The Dryden Timber and Power Company, Limited, are contemplating the erection of certain pulp and paper mills and the maintenance of a pulp and paper industry at the Town of Dryden; and whereas for the purposes of carrying out such an undertaking it is found necessary to secure additional land; and whereas the said Corporation of the Town of Dryden is a co-owner of, with the Corporation of the Township of Van Horne, or otherwise entitled to, the property known as "Dryden Park," which property is adjacent to the property now owned by the said Company, and is suitable and necessary for the carrying out of the said purposes or undertaking of the said Company.

And whereas in view of the advantages and benefits which will result to the said Corporation of the Town of Dryden from the maintenance of the said industry, it is deemed expedient to assist the said Dryden Timber and Power Company, Limited, in its said undertaking, and the Council of the Corporation of the Town of Dryden are desirous of assisting the said Company, according to the terms and conditions of the agreement hereinafter set forth:

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

1. It shall and may be lawful for the said Corporation, and it is hereby empowered, to enter into an agreement (which agreement forms part of this By-law) with The Dryden Timber and Power Company, Limited, to the effect set forth in Schedule "A" hereto, and the Mayor and Clerk for the time being of the said Corporation are hereby authorized to sign, seal with the corporate seal, execute and deliver the above last-mentioned agreement on behalf of the said Corporation.

2. It shall and may be lawful, in pursuance of the said agreement, for the said Corporation, and it is hereby empowered to sell and absolutely dispose of to the said The Dryden Timber and Power Company, Limited, all and singular the above-mentioned real property known as "Dryden Park," particularly described in the agreement hereinafter set forth, and the Mayor and Clerk for the time being of the said Corporation are hereby authorized to sign, seal with the corporate seal, and deliver all documents and do all acts and things necessary to convey the said land in fee simple to the said Company.

3. During the period of ten years from January 1, 1912, the assessment for school purposes of the plant of and the buildings in the Town of Dryden owned, occupied and actually used by the said The Dryden Timber and Power Company, Limited, in connection with their said business, shall be fixed at the sum of Sixty thousand dollars (\$60,000), and the return and oath of the assessor or assessors shall be amended accordingly, and upon such assessment during such period of ten years the school taxes and rates shall be levied and collected upon and against the said land substantially in accordance with the agreement hereinafter set forth.

4. During the said period of ten years from January 1, 1912, the said The Dryden Timber and Power Company, Limited, shall be exempted from taxation upon their plant and buildings mentioned in the last paragraph hereof, excepting school taxes and rates, all substantially in accordance with the agreement hereinafter set forth.

5. Subject to ratification hereof by the Legislature, this By-law shall come into force on the day of the final passing hereof.

6. That the votes of the electors of the said Municipality entitled to vote on this By-law shall be taken on Wednesday, the 18th day of October, 1911, commencing at 9 o'clock in the forenoon and continuing until 5 o'clock in the afternoon, at the following polling place, within the said Municipality, before A. L. Orvis, Town Clerk: At the Town Hall, Dryden,

7. On Monday, the 16th day of October, 1911, the Mayor of the Town of Dryden shall attend at the Town Hall, at 10 o'clock in the forenoon, to appoint persons to attend at the polling place 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 Town of Dryden shall attend at the Town Hall, at 10 o'clock in the forenoon of Thursday, the 19th day of October, 1911, to sum up the number of votes for and against the said By-law, and to declare the result of the voting thereon.

Passed in Council this 7th day of November, 1911.

ALFRED PITT,  
*Mayor.*

A. L. ORVIS,  
*Clerk.*

(Seal of the Corporation.)

SCHEDULE "A" (to the above By-law).

Memorandum of agreement made in duplicate this  
day of \_\_\_\_\_, A.D. 1911,

Between:

The Corporation of the Town of Dryden (hereinafter called  
the Town), of the first part,

—and—

The Dryden Timber and Power Company, Limited (herein-  
after called the Company), of the second part.

Whereas the Company are about to erect a "thirty-ton" pulp mill at Dryden, and to maintain a pulp mill industry; and whereas before proceeding with the expenditure necessary to be made in such a large undertaking it is found necessary to secure additional land adjacent to the property now owned by the said

Company for the proper carrying out of its undertaking or purpose as aforesaid; and whereas the property known as "Dryden Park," hereinafter particularly described is adjacent to the Company's property, and is the only suitable land for such purpose; and whereas the Town, in order to secure the erection and maintenance of the said industry and the advantages to be derived therefrom, desires to assist the Company in its undertaking; and whereas the Town is the owner of the said "Dryden Park," subject to a certain claim or interest of the Corporation of the Township of Van Horne, and is desirous of acquiring the said claim or interest so as to enable it to transfer the said land in fee simple, as hereinafter set forth:

Now, therefore, the Town and the Company in consideration of the premises and of one dollar by each paid to the other (the receipt whereof is hereby by each acknowledged) and of the mutual covenants and conditions herein contained, mutually covenant, promise and agree each with the other as follows:

1. The Town for the consideration above named will transfer or convey to the Company upon the ratification hereof by the Legislature (or so soon thereafter as the title thereto in fee simple is obtained by them) the property above mentioned, namely: Part of Lot number Four in the Fifth Concession of the said Township of Van Horne, being known as "Dryden Park," more particularly described as follows; that is to say: Commencing where a post has been planted one chain from the water's edge of the Wabigoon River south thirty-nine chains and seven links, thence east ten chains fifty links from the north-west angle of Lot number Four in the Fifth Concession of said Township, thence west astronomically ten chains fifty links to a point thence north astronomically twenty-five chains to a point, thence south sixty-four degrees forty minutes east five chains to a point thence south forty-five degrees fifty-four minutes east twelve chains to a point one chain from the water's edge of Wabigoon River, thence southerly along the shore one chain from the water's edge of Wabigoon River to the place of beginning as shown on a plan of survey by Ontario Land Surveyor, N. T. Ritchie, dated 2nd December, 1897, of record in the Department of Crown Lands, reserving, saving and excepting thereout the reservations, conditions and qualifications mentioned in this agreement, such conveyance or transfer not to be executed or delivered until the Company deposits in the office of the Clerk of the said Town a penalty bond made by a Guaranty Company approved by the Ontario Government the penalty amounting to two thousand (\$2,000) dollars in favor of the Town and conditioned that if the Company does not have erected and in operation, on or before January 1st, 1913, a thirty-ton pulp mill substantially according to the purport of this agreement, then the amount of the bond to become forfeited.

2. That the road allowance or right of way sixty-six feet in width as at present existing shall be reserved from the transfer above mentioned, such road allowance to be continued as a public road or street. The Company covenants and agrees to proceed at once with a good and proper survey of the said road allowance in order to fix the exact location of same, and upon completion of such survey to deposit a duplicate of the plans and field notes in the office of the Clerk of the said Town.

3. The Company hereby specifically covenants, promises and agrees to take at all times all due and proper precautions to safeguard the public in the use of the road, or street, last aforesaid and to protect all individuals, horses and other animals, vehicles and all traffic lawfully upon the said road from and against all obstructions, nuisances, inconveniences and dangers arising from the business of the Company or growing out of same, and to indemnify the said Town from and against all loss, costs and damages which the Town

shall or may hereafter suffer or sustain or be made to pay by reason of non-compliance with any of the provisions of this clause.

4. The Town will immediately proceed to acquire the title in fee simple of the said property and the Company promises and agrees to reimburse the Town all costs and moneys expended in so doing.

5. As a further assistance to the said Company the assessment of the Company upon its lands and buildings shall be fixed for school purposes for a period of ten years from January 1, 1912, at \$60,000, and school taxes and rates shall be levied and collected against such lands and buildings but no taxes other than school taxes shall be levied or collected against the said lands for the said period. It is understood and agreed that the lands and buildings to which such exemption and fixed assessment applies shall be the plant, lands and buildings actually used and occupied by the Company in connection with its business as aforesaid but shall not include the residences, workmen's houses or buildings of a like nature which shall or may be on property owned by the Company, the intention being that such last named buildings and the lands occupied by them shall be and remain liable to assessment and payment of taxes and rates to as full an extent as if this by-law had not been passed.

6. The said The Dryden Timber and Power Company, Limited, shall, prior to the first day of March in each year during the said period of ten years, file with the Town Clerk a declaration by an officer of the Company who shall therein state his knowledge of the facts, proving and setting forth the properties which are entitled to the exemption and fixed assessment in the last preceding clause.

7. The Company will pay the cost of holding the poll submitting this agreement to the electors of the said Town together with all legal and other expenses in connection therewith.

8. The Town and the Company will make a joint application to the Legislature of the Province of Ontario for the ratification and authorization of the by-law of which this agreement forms part and the cost and expense of and incidental to same shall be borne by the parties hereto equally.

9. The successors and assigns of the Company shall be entitled to the privileges and shall be bound by the terms and conditions of this agreement.

In witness whereof the parties hereto have executed these presents.

Signed, sealed and delivered in the presence of





No. 36.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to confirm By-law No. 35 of the  
Town of Dryden.

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1st Reading, March 5th, 1912.

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

Mr. MCGINN.

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



# BILL

## An Act respecting the City of Guelph

**W**HEREAS the Corporation of the City of Guelph has <sup>Preamble.</sup> by Petition represented, that on the 19th day of June, 1911, it passed a By-law No. 835, to provide for the erection in Guelph of an Isolation Hospital, and also to provide for the maintenance thereof, and also with respect to St. Joseph's Hospital, and that for the removal of doubts as to the power of the several parties to the agreements referred to and attached to the said By-law, to enter into the said agreements, and for the removal of doubts as to the power of the said Corporation to pass the said By-law, it is expedient that the said Agreements and By-law should be confirmed; and by the said Petition it is further represented that the council of the said Corporation did on the 8th day of January, 1912, finally pass a By-law No. 884, being a by-law to provide for the number of Aldermen to be elected for the City of Guelph (such by-law having first been approved by the electors of the municipality of the City of Guelph by a vote of 1,046 for, to 560 against, said by-law), as on account of the number of commissioners in the municipality it had been found that eleven Aldermen (the number provided for by the said By-law), elected by a general vote was a sufficient and satisfactory number, and that it is expedient that this By-law should be confirmed; and that the council of the said Corporation has passed the by-laws specified in Schedule "C" hereto, providing for the construction of certain works as local improvements; and that it is expedient to validate and confirm such by-laws and all debentures issued or to be issued under, or in pursuance of, any by-law passed or to be passed for the purpose of raising money to pay for the works provided for in each of the said by-laws, and all assessments made or to be made for the payment thereof, in order that the debentures issued thereunder may be more readily and profitably disposed of; and whereas the said Corporation has prayed that an Act of the Legislature be passed to ratify and confirm the said by-laws and agreements for the purposes

hereinbefore 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:—

By-laws  
No. 835 and  
884 con-  
firmed.

1. By-law No. 835 of the Corporation of the City of Guelph set out as Schedule "A" hereto, and the Agreement attached thereto, between the Guelph General Hospital and the Corporation of the City of Guelph, and also the Agreement attached thereto between the St. Joseph's Hospital and the said Corporation; and By-law No. 884 of the said Corporation set out as Schedule "B" hereto, are confirmed and declared to be legal, valid and binding.

By-laws  
specified  
in Sched.  
"C" con-  
firmed.

2. The by-laws of the Corporation of the City of Guelph, specified in Schedule "C" hereto, and all debentures issued or to be issued under or in pursuance of any by-laws passed or to be passed for the purpose of raising money to pay for the works provided for in each of the said by-laws, and all assessments made or to be made for the payment thereof are confirmed and declared to be legal, valid and binding, provided that the provisions of *The Local Improvement Sections of The Municipal Act*, applicable to the works respectively mentioned in the said several by-laws shall in all respects extend and apply to the issue of debentures to pay for the said work, and all proceedings for any such purpose connected therewith shall be the same as nearly as may be, as provided in the said Act for Local improvements of the like nature.

#### SCHEDULE "A."

#### THE CORPORATION OF THE CITY OF GUELPH.

#### BY-LAW No. 835.

A By-Law to provide for the erection in Guelph of an Isolation Hospital and also to provide for the maintenance thereof and also with respect to St. Joseph's Isolation Hospital.

Whereas the Corporation of the City of Guelph, under the provisions of *The Public Health Act*, deems it expedient to establish and erect a Hospital hereinafter called the "Isolation Hospital" for diseases dangerous to the Public Health, more especially the diseases of Scarlet Fever and Diphtheria, not, however, including Small-pox.

And whereas the Guelph General Hospital has by Deed, which Deed is ready to be delivered to the City upon the passing of this By-law, conveyed to the City a site for such Isolation Hospital, and a right of way thereto, being the site and right of way described in the Schedule hereunto annexed marked "A," subject only to one condition, namely, that the City shall erect the Isolation Hospital upon that site within the period of eighteen months.

And whereas the City deems it expedient to accept such site and to provide for the erection of the Isolation Hospital thereon.

And whereas the Directors of the Guelph General Hospital have submitted for the approval of the Council of the City Corporation a form of Agreement with respect to the said Isolation Hospital, which form of Agreement is hereunto annexed marked "B."

And whereas the Hospital, known as St. Joseph's Hospital, adjacent to the said City of Guelph, has heretofore rendered valuable services to the inhabitants of the City in the care of indigent infectious patients from said City, and if such St. Joseph's Hospital is prepared to continue to admit indigent patients, inhabitants of the said City, infected with infectious diseases, other than smallpox, the City is prepared to enter into arrangements with the said St. Joseph's Hospital on the terms set forth in the form of agreement hereunto annexed, marked "C."

And whereas in consideration of the amount spent by St. Joseph's Hospital in the building and equipping of its infectious hospital, the Corporation of the said City deems it expedient and proper to agree to pay to the said St. Joseph's Hospital for ten years the sum of \$400.00 per annum as set forth in the said form of agreement marked "C."

And whereas in order to remove all doubts as to the power and authority of the contracting parties to enter into the said agreements it is hereby declared that the clauses in the said Agreement "B" numbered from 2 to the end, and the provisions of the said Agreement "C" shall not take effect unless and until the same shall be ratified by Act of the Legislature of the Province of Ontario at the next session thereof.

Therefore the Municipal Council of the Corporation of the City of Guelph hereby enacts as follows:—

1. There shall be established and erected in the City of Guelph upon the site described in the said Schedule hereunto annexed, marked "A," a Hospital hereinbefore called the Isolation Hospital, for the purposes hereinbefore described, and the said conveyance of the said site and right of way by the Guelph General Hospital to the City Corporation is hereby approved of and accepted, and the Mayor or acting Mayor and the City Clerk are hereby authorized to execute such conveyance under the Corporate Seal of the said City, and under the hands of the said Mayor or acting Mayor and City Clerk, and cause the said Deed of Conveyance to be otherwise completed and registered.

2. The said provisional Agreement, a copy of which is contained in the Schedule hereunto annexed marked "B," is hereby approved of on behalf of the said City Corporation and the Mayor or acting Mayor and City Clerk are hereby authorized to execute such Agreement under the Corporate Seal of the said City and under the hands of the said Mayor or acting Mayor and City Clerk and cause the said Agreement to be otherwise completed.

3. If and when the authorities of St. Joseph's Hospital shall be prepared to accept terms substantially similar to the terms set forth in the copy form of Agreement contained in the said Schedule hereunto annexed marked "C," the Mayor or acting Mayor and City Clerk are hereby authorized to execute the necessary Agreement under the Corporate Seal of the said City and under the hands of the said Mayor or acting Mayor and City Clerk, and cause such Agreement to be otherwise completed, subject to clause 6 hereof.

4. Section 1 of this By-law shall take effect upon, from and after the passing thereof.

5. Clause 1 of the said Agreement hereunto annexed marked "B" shall take effect upon, from and after the passing of this By-law.

6. Clauses numbered from 2 to the end of the said Agreement marked "B," and the said Agreement marked "C," shall not take effect unless and until the same shall be ratified by Act of the Legislature of the Province of Ontario at the next session thereof.

Passed this 19th day of June, 1911.

(Sgd.) R. E. NELSON, *Acting Mayor.*  
 (Corporate Seal.)  
 (Sgd.) T. J. MOORE, *Clerk.*

SCHEDULE "A."

All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Guelph, in the County of Wellington and Province of Ontario, being composed of part of Lot 40 in the Stewart Survey, according to registered Plan 133, and which may be more particularly described as follows, that is to say:

Commencing at a point in the south-west limit of said Lot number forty and at a distance of ninety-nine feet from the westerly angle of the said Lot, thence north forty-five degrees and five minutes east parallel to the north-westerly limit of the Lot one hundred and nineteen feet; thence south forty-five degrees east, parallel with the south-westerly limit of the Lot a distance of one hundred and forty-four feet; thence south forty-five degrees and five minutes west one hundred and nineteen feet to the south-westerly limit of the said Lot forty; thence north forty-five degrees west along the south-westerly limit of the said Lot a distance of one hundred and forty-four feet to the place of commencement:

Together with a right of way at all times in common with the owners or occupants of Lot thirty-four and the northern portion of Lot forty, over, along and upon the easterly portion, ten feet in width, of Lot thirty-four of Stewart Survey, said right of way extending from Delhi Street to the north-easterly limit of the said Lot thirty-four.

SCHEDULE "B."

Agreement made the                      day of June, A.D. 1911.

Between:

The Guelph General Hospital, hereinafter called the "General Hospital," of the First Part,

—and—

The Corporation of the City of Guelph, hereinafter called the "City," of the Second Part.

Whereas the City, under the provisions of The Public Health Act, deems it expedient to establish and erect a Hospital, hereinafter called the Isolation Hospital, for the reception of patients having diseases which may be dangerous to the public health, more especially the diseases of scarlet fever and diphtheria, not, however, including the smallpox;

And whereas the General Hospital has offered to convey to the City by an absolute and valid deed a site for such Isolation Hospital, being the site described in the Schedule hereunto annexed, marked

"A," subject only to one condition, namely: that the City shall erect the Isolation Hospital upon that site;

And whereas it is expedient to make provision for the maintenance of such Isolation Hospital when erected, and in order to provide for such maintenance, the General Hospital and the City have entered into the Agreement hereinafter contained;

And whereas in order to remove all doubts as to the power and authority of the contracting parties to enter into this Agreement, it is hereby declared that the clauses in this Agreement numbered from 2 to the end shall not take effect unless and until the same shall be ratified by Act of the Legislature of the Province of Ontario at the next session thereof.

Now, therefore, the General Hospital and the City hereby agree, the one with the other, in manner following, that is to say:—

1. The General Hospital agrees to grant and the City agrees to accept a valid and absolute Deed of Conveyance in consideration of one dollar to the City of the lands described in the said Schedule "A" as a site for the said Isolation Hospital, such conveyance to be subject to only one condition, namely: that the City shall erect the Isolation Hospital upon such site.

2. In order to provide for the maintenance of the said Isolation Hospital it is agreed that when the same shall be erected and furnished and equipped the Hospital so furnished and said lands shall be leased by the City to the General Hospital for the term of ten years at a nominal rent of \$1.00 per year if demanded.

3. The City agree, during the lease, to pay to the General Hospital the cost of gas for cooking in the Isolation Hospital, electric light for lighting therein, and of coal for heating the Isolation Hospital, and water for the use thereof from the City Waterworks, such water to be supplied without expense to the Hospital.

4. The General Hospital agrees with the City to maintain and carry on the said Isolation Hospital in a thoroughly efficient and satisfactory manner and for the purpose of the reception and treatment of persons having diseases aforesaid, but not including small-pox.

5. The General Hospital shall be entitled, except for indigent patients, to make such charge as the Directors of the Hospital may determine.

6. The City agrees to pay, and the General Hospital to accept, the sum of \$1.00 per day from the City for each indigent patient or person sent to the Isolation Hospital by the City authorities as a person suffering from any infectious disease aforesaid, provided however that such indigent patient has been sent to the Isolation Hospital and kept there by the order of the Mayor of the City.

7. The City agrees to send to the Isolation Hospital for reception and treatment there not less than four-fifths of all indigent persons suffering from said infectious diseases who are inhabitants of the City, and to pay for such persons \$1.00 per day as aforesaid.

8. The General Hospital agrees with the City to keep the Isolation Hospital and premises in good repair, except damage by fire, and to pay to the City all premiums which the City shall pay to keep the building and furniture insured against loss or damage by fire.

9. The General Hospital also agrees to renew the furnishings and equipment of the Isolation Hospital as may be necessary from time to time, replacing all articles which may become worn out or unfit for further use.

10. The General Hospital agrees that the cost of furnishing and equipping the Isolation Hospital within the meaning of this Agreement shall not exceed the sum of \$3,000.00 to the City, and if such furnishing and equipping shall cost more than the sum of \$3,000.00 the General Hospital agrees to pay any excess in such cost over the sum of \$3,000.00.

11. The lease to be drawn in pursuance of this Agreement shall contain covenants and provisions to the effect aforesaid and shall contain a covenant between the parties for the renewal of the lease for terms of ten years or for longer periods, if agreed upon, subject to the same covenants, provisions and agreements as are therein contained, provided however that if either of the parties hereto desires any modification or change in the terms of the lease, and the other party does not agree to such modification or change, the terms of such renewal lease shall be determined and settled by the award of the Senior County Judge, for the time being, of the County of Wellington, and the expense of the arbitration shall be borne equally between the parties hereto and likewise the expense of the new lease.

12. The said lease shall contain a further provision that in case the said Isolation Hospital and the furniture and equipment thereof shall be destroyed or damaged by fire, the insurance moneys shall be applied in the re-erection and re-furnishing of the buildings or the repair and restoration thereof, and if the cost thereof shall exceed the amount of the insurance such surplus or excess of cost shall be paid jointly in equal shares by the Corporation of the City of Guelph and the General Hospital, provided that the City shall insure to the extent of eighty per cent. of the value of Hospital and furnishings.

13. The lease shall contain a further provision that it shall and may be lawful for the City, through the Mayor, or any Committee of the Council thereof, or through the Local Board of Health, or the Sanitary Inspector, to enter upon the Isolation Hospital from time to time, at all reasonable times, to examine the condition thereof, and enquire into the management thereof, for the purpose of ascertaining whether the provisions of the lease are being observed by the General Hospital.

14. The lease to be prepared hereunder may be made under The Short Forms of Leases Act, Schedule "A," and shall contain the said provisions of this Agreement, and also the provisions of clauses 12 and 13 of column two of Schedule "B" of the said Act.

15. It is agreed that the provisions of this Agreement, from clause 2, shall take effect only upon, from and after the ratification thereof by the Legislature of the Province of Ontario, at the next session thereof, but the non-ratification of clause 2 and subsequent clauses hereof shall not affect Clause 1 hereof nor the rights of the City under the Deed of Conveyance to be made in pursuance of such Clause 1.

In witness whereof the parties hereto have hereunto affixed their Corporate Seals, together with the signatures of the Chairman and

Secretary of the parties of the First Part and the Mayor and Clerk of the parties of the Second Part.

Signed, sealed and delivered in the presence of:  (Sgd.) ANNIE BELISKI, As to the signature of Wm. Ross and A. W. Alexander. (Sgd.) V. H. HATTIN, As to the signature of R. E. Nelson and T. J. Moore.	}	(Sgd.) W. ROSS, <i>Secy., Guelph General Hospital.</i> (Sgd.) A. W. ALEXANDER, <i>Chairman.</i> (Sgd.) R. E. NELSON, <i>Acting Mayor.</i> (Sgd.) T. J. MOORE, <i>City Clerk.</i>
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#### SCHEDULE "A."

This is the Schedule marked "A" referred to in the Agreement between the Guelph General Hospital and the Corporation of the City of Guelph, dated the                      day of June, 1911.

All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Guelph, in the County of Wellington and Province of Ontario, being composed of part of Lot 40 in the Stewart Survey, according to registered Plan 133, and which may be more particularly described as follows, that is to say:—

Commencing at a point in the south-west limit of said Lot number forty and at a distance of ninety-nine feet from the westerly angle of the said Lot, thence north forty-five degrees and five minutes east parallel to the north-westerly limit of the Lot, one hundred and nineteen feet; thence south forty-five degrees east, parallel with the south-westerly limit of the lot a distance of one hundred and forty-four feet; thence south forty-five degrees and five minutes west one hundred and nineteen feet to the south-westerly limit of the said Lot forty; thence north forty-five degrees west along the south-westerly limit of the said Lot a distance of one hundred and forty-four feet to the place of commencement.

Together with a right of way at all times in common with the owners or occupants of Lot thirty-four and the northern portion of Lot forty, over, along and upon the easterly portion, ten feet in width, of Lot thirty-four of Stewart Survey, said right of way extending from Delhi Street to the north-easterly limit of the said Lot thirty-four.

#### SCHEDULE "C."

This Agreement made this 16th day of June, A.D. 1911.

Between:

The Sisters of St. Joseph of the Diocese of Hamilton, hereinafter called the "St. Joseph's Hospital," of the First Part,

—and—

The Corporation of the City of Guelph, hereinafter called the "City," of the Second Part.

Whereas in connection with the proposals for the erection and furnishing by the City of a Hospital for persons suffering from infectious diseases, other than smallpox, on a site to be acquired from the Guelph General Hospital, the said City, in view of the valuable services heretofore rendered by St. Joseph's Hospital,

Guelph, in the care of indigent patients from the City suffering from infectious diseases, and in consideration of the fact that the management of St. Joseph's Hospital has spent considerable sums of money in the building and equipment of an infectious hospital in connection with that Hospital, and for other considerations herein contained, the City agrees with St. Joseph's Hospital and the latter with the City in manner hereinafter contained.

Now, therefore, the parties hereto agree the one with the other in manner following, that is to say:—

1. The City agrees to pay, and St. Joseph's Hospital agrees to accept, the sum of \$1.00 per day for each indigent patient suffering from infectious diseases (other than smallpox) sent to St. Joseph's Hospital by the City, and provided, however, that such indigent person has been sent to St. Joseph's Hospital and kept there by the order of the Mayor of the City or the Relief Officer or Medical Health Officer of the City, and the City agrees to send to St. Joseph's Hospital one-fifth of all indigent persons, inhabitants of the City, who may be suffering from said infectious diseases, and the other four-fifths of such persons shall be sent to the new Isolation Hospital so to be erected by the City.

2. St. Joseph's Hospital agrees with the City to keep its hospital for persons suffering from infectious diseases well and efficiently managed and to receive and properly care for indigent persons so to be sent from the City to the said St. Joseph's Hospital as aforesaid, at the rate of \$1.00 per day as aforesaid.

The City further agrees to pay to the said St. Joseph's Hospital the sum of \$400.00 per year for ten years in recognition of the amount spent by the management of the said St. Joseph's Hospital in the building and equipping of their said infectious hospital, such annual sum of \$400.00 to be paid on the 2nd day of July in each year for ten years, the first payment to be made on the 2nd day of July, 1912.

4. It is understood that the management of St. Joseph's Hospital shall regulate the charges to be made for patients suffering from infectious diseases known as "pay patients" and being persons who are not sent to the Hospital by the City authorities as indigent persons as aforesaid.

5. This Agreement shall take effect only upon, from and after the ratification thereof by the Legislature of the Province of Ontario at the next session thereof.

In witness whereof the parties hereto have hereunto affixed their Corporate Seals, together with the signatures of Sister Martina and Sister Bernardine, the parties of the First Part, and the Mayor and Clerk of the parties of the Second Part.

Signed, sealed and delivered in the presence of  P. KERWIN.  (City Seal)	{	(Sgd.)	SR. MARTINA, <i>Supr's.</i>
		(Sgd.)	SR. BERNARDINE. (Seal of St. Joseph's Hospital.)
		(Sgd.)	GEO. J. THORP, <i>Mayor.</i>
		(Sgd.)	T. J. MOORE, <i>City Clerk</i>



## SCHEDULE "B."

## THE CORPORATION OF THE CITY OF GUELPH.

## BY-LAW No. 884.

A By-law to provide for the number of Aldermen to be elected for the City of Guelph.

Whereas the Council of the Corporation of the City of Guelph for the years 1910 and 1911 consisted of a Mayor elected by general vote and eleven Aldermen elected by general vote.

And whereas the said system has been found satisfactory for the said City and it is expedient to provide that the said system shall be continued for and after the year 1913, notwithstanding that the population of the said City is now over fifteen thousand.

Therefore the Municipal Council of the Corporation of the City of Guelph enacts as follows:—

1. The Council of the said City shall, for the year 1913 and thereafter, be composed of a Mayor, to be elected by general vote, and eleven Aldermen, to be elected by general vote, notwithstanding that the population of the said City may warrant a different number of Aldermen.

2. This By-law shall not be repealed until at least five annual Municipal elections have been held thereunder nor unless the By-law repealing this By-law shall have been submitted to the electors of the said City and shall have received the assent of a majority of the electors voting thereon.

3. This By-law shall be submitted to the votes of the electors of the said City of Guelph on Monday, the 1st day of January, 1912, being the day on which the annual elections for the Municipal Council for the said City is to be held, and polls for the taking of votes of the electors on this By-law will be held at the same hour, on the same day and at the same places, and by the same Deputy Returning Officers as for the said Municipal election.

5. On Friday the 29th day of December, 1911, the Mayor of the said City shall attend at the City Hall at ten o'clock in the forenoon to appoint persons to attend at the various polling places as aforesaid, and at the final summing up of the votes by the Clerk, on behalf of the persons interested in the promoting or opposing of this By-law respectively.

6. The Clerk of the said City of Guelph shall attend at the said City Hall at eleven o'clock in the forenoon of Wednesday, the 3rd day of January, 1912, to sum up the number of votes given for and against this By-law.

7. This By-law shall take effect if and when the same shall be ratified by Act of the Legislature of the Province of Ontario.

Passed this 8th day of January, 1912.

(Sgd.) GEO. J. THORP,  
*Mayor.*

(Seal.)

(Sgd.) T. J. MOORE,  
*Clerk.*

SCHEDULE "C."

No. of By-Law.	Nature of Work under By-Law.	When passed by Council	Total Cost of work.	Amount to be borne by City.	Amount to be borne by ratepayers.	Period of payment.
823	Improving Woolwich Street between Wyndham and McDonnell Streets by grading, constructing storm drains therein and laying down concrete curbs, gutters and base thereon as a local improvement.	May 15th, 1911.	\$6,228.50	\$2,414.04	\$3,814.46	20
824	Construction of a tar macadam pavement on Woolwich Street, between Wyndham Street and McDonnell Street, as a local improvement.	May 15th, 1911.	\$4,288.20	\$1,614.26	\$2,673.94	5
829	Construction of a tarthitic pavement on Oxford Street, between Norfolk Street and Glasgow Street, as a local improvement.	June 5th, 1911.	\$2,991.48	\$568.48	\$2,423.00	5
830	Improving Oxford Street, between Norfolk and Glasgow Streets, by grading, constructing storm drains therein and laying down concrete curbs, gutters and base thereon, as a local improvement.	June 5th, 1911.	\$3,838.55	\$1,298.42	\$2,540.13	20
838	Improving Neeve Street, between the east side of Waterloo Street and the east side of Ontario Street, by grading, constructing storm drains therein, and laying down concrete curbs, gutters and base thereon, as a local improvement.	July 3rd, 1911.	\$5,624.10	\$3,443.87	\$2,180.23	20
839	Construction of a tar macadam pavement on Neeve Street, extending from the east side of Waterloo Street to the east side of Ontario Street, as a local improvement.	July 3rd, 1911.	\$3,437.70	\$2,006.38	\$1,431.32	5
853	Construction of sewers on Hearn Avenue, Inkerman Street and Alma Street, from Waterloo Avenue to Lucan Street, in the said City.	Aug. 21st, 1911.	\$4,499.95	.....	\$4,499.95	30

THE UNIVERSITY OF CHICAGO  
LIBRARY

1950

REPLY



# BILL

## An Act respecting the Town of Arnprior.

**W**HEREAS the Corporation of the Town of Arnprior <sup>Preamble.</sup> has a general debenture indebtedness of \$211,659.51, incurred principally for Water Works, Water Works Extensions, Sewerage, Railway, Iron Bridge, Shirt Factory Bonus, High School, Local Improvements and Electric Power, which debentures are in the amounts and finally fall due as follows:

Iron Bridge, in instalments, from 1912 to 1918..	\$ 3,754.04
Water Works, " from 1912 to 1930..	37,976.98
Sewerage, " from 1912 to 1930..	18,988.30
Daniel St. Sew., " from 1912 to 1922..	1,611.46
Water Works Extn. " from 1912 to 1922..	6,446.09
Local Improvements in 1923 .....	3,548.40
Shirt Factory Bonus in 1925 .....	35,000.00
O. A. & P. S. Railway in 1922 .....	30,000.00
Local Improvements in 1926 .....	31,507.24
Local Improvements in 1927 .....	10,727.11
Local Improvements in 1927 .....	844.79
Local Improvements in 1928 .....	1,017.57
Local Improvements in 1929 .....	7,117.89
High School in 1940.....	14,000.00
Local Improvements in 1930.....	1,779.01
Electric Power in 1931.....	6,000.00
Local Improvements in 1931.....	1,340.63

And whereas the whole existing debenture debt of the said Corporation, including the above amounts, is the sum of \$214,247.81, of which no part of the principal or interest is in arrears; and whereas the whole rateable property of the said Corporation for the year 1911 is the sum of \$1,215,561.00; and whereas the said Corporation has at present to the credit of certain of the above mentioned debenture debts, the several sinking funds, for the purpose and in the amounts following:—

By-law No. 269—O. A. & P. S. Railway . . . . .	\$11,574.60
By-law No. 219—Local Improvements . . . . .	1,200.08
By-law No. 266—Shirt Factory Bonus . . . . .	35,378.01
By-law No. 307—Local Improvements . . . . .	6,211.13
By-law No. 321—Local Improvements . . . . .	1,685.57
By-law No. 326—Local Improvements . . . . .	119.16
By-law No. 364—Local Improvements . . . . .	116.82
By-law No. 397—Local Improvements . . . . .	540.15
By-laws No. 404-411—High School . . . . .	294.27
By-law No. 423—Local Improvements . . . . .	66.21

And whereas it has been ascertained that the said Corporation will not be in a position to pay certain of the said debenture debts, in full, when they respectively mature; and whereas to provide for the payment of all of the said debenture debts at the maturity thereof respectively, it is expedient and will be less oppressive and burdensome upon the rate-payers of the said Corporation to consolidate the said debenture debts and deal with the same as hereinafter provided, to provide for the payment of the same at the maturity thereof respectively by the issue of new debentures, from time to time, as required, for sums not exceeding in the whole the sum of \$150,000.00; to consolidate the said present existing sinking funds and deal with the same as hereinafter provided; to create a new sinking fund which shall be added to and form part of the consolidated sinking funds; to provide for the payment of the interest on the said new debentures and to have authority conferred upon the said Corporation to pay out of the said whole consolidated sinking funds the said debentures and the said new debentures as the same mature, from time to time; and whereas the said Corporation has by its Petition prayed for the passing of an Act to consolidate the said debenture debts and authorizing it to deal with the same as hereinafter provided; authorizing it to issue new debentures from time to time as required in sums not exceeding in the whole the sum of \$150,000.00 for the purpose of paying the said debentures at the maturity thereof respectively; to consolidate the present existing sinking funds and authorizing it to deal with the same as hereinafter provided; authorizing it to create a new sinking fund which shall be added to and form part of the consolidated sinking funds; authorizing it to impose the necessary rates for the payment of the interest on the said new debentures and to provide the said new sinking fund; and authorizing it to pay out of the said whole consolidated sinking funds the said debenture debts and the said new debentures as they respectively mature; 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 debenture debts set out in the preamble to this Act shall be consolidated, and the said Corporation is authorized to deal with the same as hereinafter provided. Debenture debt consolidated.
2. The Corporation of the Town of Arnprior is authorized to issue debentures of the Corporation, from time to time, as required for a sum or sums of money not exceeding in the whole the sum of \$150,000 of lawful money of Canada, for the purpose of paying the debenture debts, in the preamble to this Act set out, as the same mature respectively. Issue of debentures for \$150,000 authorized.
3. The said debentures so to be issued as aforesaid shall, respectively, be payable within 30 years from the 31st day of December, 1911, and at such place as the Council of the said Corporation shall deem expedient. Period of payment.
4. The said debentures shall be in sums of not less than \$100, and shall be signed by the Mayor and under the seal of the said Corporation. Amount of each debenture.
5. Coupons shall be attached to the said debentures for the payment of the interest thereon, which interest shall be payable annually at the place mentioned therein and in the said coupons, and at a rate not exceeding five per cent., as the said Council shall determine. Coupons.
6. The proceeds of the said debentures shall be applied in payment of the said debenture debts set out in the preamble to this Act as the same, respectively, mature and for no other purpose whatever. Application of proceeds to debentures.
7. The said present existing sinking funds shall be consolidated, and the said Corporation is authorized to deal with the same as hereinafter provided. Consolidation of sinking fund.
8. For the payment of the interest on the said debentures so to be issued as aforesaid there shall be annually raised, levied and collected by the said Corporation upon the whole of the then rateable property of the said town, in addition to all other rates and assessments, a special rate of so much on the dollar as shall be sufficient to pay the interest on the said debentures. Special rate for interest.
9. The said Corporation is authorized to provide annually a sum of money by way of sinking fund, which shall be Provision for sinking fund.

added to and form part of the said consolidated sinking funds, which will be sufficient with the estimated interest on the investment of the whole said sinking funds, to pay the said debenture debts set out in the preamble to this Act, and the said debentures so to be issued as aforesaid at the maturity thereof respectively; and for the purpose of providing such sinking fund there shall be annually raised, levied and collected on the then whole rateable property of the said town, in addition to all other rates and assessments, a special rate of so much on the dollar sufficient therefor.

Application  
of sinking  
funds.

**10.** The said Corporation is authorized to pay out of the whole consolidated sinking funds the said debenture debts, set out in the preamble to this Act, as the same mature respectively, and the said debentures so to be issued under the authority of this Act as the same mature respectively.

Sinking fund  
not to be  
diverted.

**11.** Neither the whole of the said sinking fund nor any part thereof shall be used or applied by the said Corporation or the Treasurer thereof for any other purpose than by this Act provided.

Assent of  
electors not  
required.

**12.** It shall not be necessary to obtain the assent of the ratepayers of the said Corporation to the passing of any by-law or by-laws which shall be passed under the provisions of this Act, or to observe the formalities in relation thereto prescribed by *The Consolidated Municipal Act, 1903*, and any provisions in the Acts relating to municipal institutions in the Province of Ontario which are or may be inconsistent with the provisions of this Act shall not apply to any such by-law or by-laws.

Confirmation  
of by-laws  
and debentures.

**13.** Any by-law or by-laws providing for the issue, sale or exchange of the said debentures mentioned in Section 2 of this Act when passed, and any debentures to be issued thereunder when issued shall be legal, valid and binding.

Exchange of  
debentures.

**14.** The said Corporation may by by-laws authorize the exchange of the said debentures set out in the preamble to this Act for the debentures so to be issued as aforesaid upon such terms as may be agreed upon between the said Corporation and the holders of such debentures.

Irregularity  
in form not  
to invalidate.

**15.** No irregularity in form of the said debentures so to be issued as aforesaid or of the by-law or by-laws authorizing the issuing thereof shall render the same invalid or illegal or be allowed as a defence to any action brought against the said 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 said debentures when once issued and disposed of shall be a legal and binding debt of the municipality.

**16.** This Act may be cited as *The Town of Arnprior* short title.  
*Debenture Act, 1912.*

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No. 38.

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1st Session, 18th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting the Town of Arranprior.

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1st Reading, 1912.

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(*Private Bill.*)

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Mr. McGARRY.

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

# BILL

## An Act respecting The Lac Seul, Rat Portage and Keewatin Railway Company.

**W**HEREAS The Lac Seul, Rat Portage and Keewatin Railway Company was incorporated by an Act passed in the third year of the reign of His late Majesty King Edward the Seventh, chapter 102, and by the said Act and amending Acts passed in the fourth year of the reign of His late Majesty King Edward the Seventh, chapter 80, in the eighth year of the reign of His late Majesty King Edward the Seventh, chapter 128, and in the tenth year of the reign of His late Majesty King Edward the Seventh, chapter 143, authorized to construct certain lines of railway in said original and amending Acts described; and whereas the said Company has by its petition prayed for an extension of time for the commencement and completion of its works; 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 railway authorized by said Acts may be commenced within two years and completed within five years after the passing of this Act, and if the construction of the railway is not commenced and fifteen per cent. of the amount of the capital stock is not expended thereon within two years after the passing of this Act, or if the railway is not completed and put in operation within five years from the passing of this Act, then the powers granted to the company by the said Acts and by this Act shall cease and be null and void as respects so much of the railway as then remains uncompleted.

Time for commencement and completion extended.

2. Section 2 of chapter 143, passed in the tenth year of the reign of His late Majesty King Edward the Seventh, is hereby repealed.

10 Edw. VII. c. 143, s. 2, repealed.

No. 39.

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1st Session, 13th Legislature,  
2 George V, 1912.

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BILL.

An Act respecting The Lac Seul, Rat Portage and Keewatin Railway Co.

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1st Reading, 1912.

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(*Private Bill.*)

Mr. MACHIN.

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

# BILL

## An Act respecting The Lac Seul, Rat Portage and Keewatin Railway Company.

**W**HEREAS The Lac Seul, Rat Portage and Keewatin Preamble.  
 Railway Company was incorporated by an Act passed in the third year of the reign of His late Majesty King Edward the Seventh, chaptered 102, and by the said Act and amending Acts passed in the fourth year of the reign of His late Majesty King Edward the Seventh, chaptered 80, in the eighth year of the reign of His late Majesty King Edward the Seventh, chaptered 128, and in the tenth year of the reign of His late Majesty King Edward the Seventh, chaptered 143, authorized to construct certain lines of railway in said original and amending Acts described; and whereas the said Company has by its petition prayed for an extension of time for the commencement and completion of its *undertaking*; 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 railway authorized by *the* said Acts and by *this* Time for commencement and completion extended.  
*Act* may be commenced within two years and completed within *three* years after the passing of this Act, and if the construction of the railway is not commenced and fifteen per cent. of the amount of the capital stock is not expended thereon within two years after the passing of this Act, or if the railway is not completed and put in operation within *three* years from the passing of this Act, then the powers granted to the company by the said Acts and by this Act shall cease and be null and void as respects so much of the railway as then remains uncompleted.

2. Section 2 of chapter 143 of *the Acts* passed in the 10 Edw. VII. c. 143, s. 2, repealed.  
 tenth year of the reign of His late Majesty King Edward the Seventh, is repealed.

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1st Session, 13th Legislature,  
2 George V., 1912.

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**BILL.**

An Act respecting The Lac Seul, Rat Portage and Keewatin Railway Company.

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1st Reading, February 28th, 1912.

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*(Reprinted as amended by the Railway  
Committee.)*

*Private Bill.*

**Mr. MACHIN.**

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



# BILL

## An Act respecting The Iron Range Railway Company.

**W**HEREAS The Iron Range Railway Company was Preamble. incorporated by an Act passed in the 8th year of the reign of His late Majesty King Edward the Seventh, chapter 127, and was by said Act and an amending Act passed in the tenth year of the reign of His Majesty King Edward the Seventh, chapter 142, authorized to construct a railway as described in the said Acts; and whereas the said Company has by its Petition prayed for an extension of time for the commencement and completion of the said undertaking; 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 railway authorized by the said Acts and by this Time for commencement and completion extended. Act shall be commenced within two years and completed within three years after the passing of this Act, and if the construction of the railway is not commenced, and fifteen per cent. of the amount of the capital stock is not expended thereon, within two years after the passing of this Act, or if the railway is not completed and put in operation within three years from the passing of this Act, then the powers granted by the Company and by this Act shall cease and be null and void as respects so much of the railway as then remains uncompleted.

**2.** Section 2 of the Act passed in the tenth year of His 10 Edw. VII c. 142. s. 2, repealed. late Majesty's reign, chapter 142, is repealed.

No. 40.

1st Session, 13th Legislature,  
2 George V., 1912.

BILL.

An Act respecting The Iron Range Rail-  
way Company.

1st Reading, 1912.

(*Private Bill.*)

Mr. JARVIS.

TORONTO:

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

# BILL

## An Act respecting The Iron Range Railway Company.

**W**HEREAS The Iron Range Railway Company was <sup>Preamble.</sup> incorporated by an Act passed in the 8th year of the reign of His late Majesty King Edward the Seventh, chaptered 127, and was by said Act and an amending Act passed in the 10th year of the reign of His late Majesty King Edward the Seventh, chaptered 142, authorized to construct a railway as described in the said Acts; and whereas the said Company has by its petition prayed for an extension of time for the commencement and completion of the said undertaking; 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 railway authorized by the said Acts and by this Act shall be commenced within two years and completed <sup>Time for commencement and completion extended.</sup> within three years after the passing of this Act, and if the construction of the railway is not commenced, and fifteen per cent. of the amount of the capital stock is not expended thereon, within two years after the passing of this Act, or if the railway is not completed and put in operation within three years from the passing of this Act, then the powers granted to the Company by ~~the~~ the said Acts and by ~~this~~ this Act shall cease and be null and void as respects so much of the railway as then remains uncompleted.

**2.** Section 2 of the Act passed in the 10th year of His <sup>10 Edw. VII. c. 142.</sup> late Majesty's reign, chaptered 142. is repealed. <sup>s. 2, re-pealed.</sup>

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting The Iron Range Rail-  
way Company.

---

1st Reading, February 28th, 1912.

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*(Reprinted as amended by the Railway  
Committee.)*

*Private Bill.*

Mr. JARVIS.

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

# BILL

## An Act respecting the City of Ottawa.

**W**HEREAS the Corporation of the City of Ottawa has **Preamble.**  
by its petition prayed that it may be authorized to borrow upon an issue of debentures, without obtaining the assent thereto of the electors of the said City, a sum not exceeding \$45,000 to provide for the payment of the cost of the erection and equipment of an hospital, in the said City, for the reception and treatment of those affected with Small-pox and - of providing sewer and water connections therefor; and whereas the said Corporation has by its said petition further prayed that it may be authorized to borrow upon an issue of debentures, without obtaining the assent thereto of the electors of the said City, a sum not exceeding \$12,500.00 to provide for the payment of the cost of a site for an hospital, to be erected by private subscription, for the reception and treatment of those affected with Tuberculosis; and whereas the said Corporation has by its said petition further prayed that it may be authorized to borrow upon an issue of debentures without obtaining the assent thereto of the electors of the said City, a sum not exceeding \$5,000.00 to provide for the completion of the payment of the debts of the Central Canada Exhibition Association outstanding on the 20th day of July, 1908; and whereas the said Corporation has by its said petition further prayed that it may be authorized to borrow, upon an issue of debentures without obtaining the assent thereto of the electors of the said City, a sum not exceeding \$11,000.00 to provide for the completion of the payment of the cost of the erection of a Structure on Lansdowne Park to answer the purposes of a Grand Stand, Fire Station and Sub-Police Station; and whereas the said Corporation has by its said Petition further prayed that it may be authorized to borrow, upon an issue of debentures without obtaining the assent thereto of the electors of the said City, a sum not exceeding \$30,000.00 to provide for the cost of the erection of a new Fire Station in the said City, and for the purchase of Fire Engines and other fire appliances; and whereas the said Corporation has by its

said petition further prayed that it may be authorized to borrow, upon an issue of debentures without obtaining the assent thereto of the electors of the said City, a sum not exceeding \$2,400.00 to provide for the installation of mechanical refrigeration in the Lady Grey and Isolation Hospitals, in the said City; and whereas the said Corporation has by its said petition further prayed that it may be authorized to borrow, upon an issue of debentures without obtaining the assent thereto of the electors of the said City, a sum not exceeding \$12,000.00 to provide for the completion of the payment of the cost of acquiring certain properties for the extension of the Driveway of the Ottawa Improvement Commission around Nepean Point to Sussex Street and Rideau Hall, the acquisition of which property was authorized by 10 Edward VII. Section 1; and whereas the said Corporation has by its said petition further prayed that it may be authorized to borrow, upon an issue of debentures without obtaining the assent thereto of the electors of the said City, a sum not exceeding \$10,000.00 to provide for the completion of the payment of the cost of acquiring land, in the said City, for the collection and disposal of ashes, refuse and garbage in connection with the public scavenging systems of the said City, and of the erection thereon of the necessary buildings, plant and machinery; and whereas the said Corporation has by its said petition further prayed that it may be authorized to borrow, upon an issue of debentures without obtaining the assent thereto of the electors of the said City, a sum not exceeding \$3,500.00 to provide for the completion of the payment of the cost of certain improvements to the City Hall, in the said City, and for the payment of the cost of providing a new roof to the said City Hall; and whereas the said Corporation has by its said petition further prayed that it may be authorized to borrow, upon an issue of debentures without obtaining the assent thereto of the electors of the said City, a sum not exceeding \$15,000.00 to provide for the cost of moving back the Sidewalks on Preston Street, in the said City, and of re-grading and otherwise preparing the said street for the extension thereon of the Electric Street Railway; and whereas the said Corporation has by its said petition further prayed that it may be authorized to borrow, upon an issue of debentures without obtaining the assent thereto of the electors of the said City, a sum not exceeding \$20,000.00 to provide for the cost of the construction of Public Lavatories in the said City; and whereas the said Corporation has by its said petition further prayed that it may be authorized to enter into an Agreement with any Telegraph Company having overhead poles and wires on Sparks Street, in the said City, for the removal of the same and the placing of the same underground, and to pay any such Company the cost thereof, and to borrow, upon

an issue of debentures without obtaining the assent thereto of the electors of the said City, a sum not exceeding \$10,000.00 to provide for the payment of the said cost; and whereas the said Corporation has by its said petition further prayed that certain Local Improvement Debenture By-laws, passed by the Council of the said Corporation during the year 1911, may be validated and confirmed; and whereas the said Corporation has by its said petition further prayed that it may be authorized to expend \$15,000.00 annually for the maintenance of the Public Library in the said City instead of \$13,000.00 as at present; and whereas the said Corporation has by its said petition further prayed that Section 1 of Chapter 98 of the Acts passed in the First year of His Majesty's reign may be amended so as to permit the submission to the electors of the said City of the By-law mentioned in the said Section at the time of the holding of the Municipal Elections in the said City for the year 1913; and whereas the said Corporation has by its said Petition further prayed that section 3 of 42 Victoria, Chapter 78, may be repealed and provision made for the substitution of the Board of Control of the said City for the "Waterworks Committee," mentioned in the said section; and whereas the said Corporation has by its said Petition further prayed that section 3 of 2 Edward VII., Chapter 54, may be repealed, and provision made for the substitution of the Board of Control of the said City for the "Parks Committee," mentioned in the said section; and whereas the said Corporation has by its said Petition further prayed that provision be made for the filling, by the Council of the said City, of any vacancy on the Board of Control of the said City occasioned by the death, resignation or disability of a member; 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 Corporation may provide by by-law, to be passed without obtaining the assent thereto of the electors of the said City, for the borrowing, upon an issue of debentures, bearing interest at such rate as the Council of the said Corporation may determine and payable in thirty (30) years from the date thereof, of a sum not exceeding \$45,000, to provide for the cost of the erection and equipment of an hospital in the said City for the reception and treatment of those affected with Smallpox and of providing sewer and water connections therefor.

Power to borrow \$45,000 for smallpox hospital, etc.

2. The said Corporation may provide by by-law, to be passed without obtaining the assent thereto of the electors

Power to borrow \$12,500 for

site for tuberculosis hospital.

of the said City, for the borrowing, upon an issue of debentures, bearing interest at such rate as the Council of the said Corporation may determine and payable in thirty (30) years from the date thereof, of a sum not exceeding \$12,500, to provide for the cost of acquiring land, in the said City, as a site for an hospital, to be erected by private subscription, for the reception and treatment of those suffering from Tuberculosis.

Power to borrow \$5,000 for paying debts of Central Canada Exhibition Association.

3. The said Corporation may provide by by-law, to be passed without obtaining the assent thereto of the electors of the said City, for the borrowing, upon an issue of debentures, bearing interest at such rate as the Council of the said Corporation may determine, and payable in twenty (20) years from the date thereof, of a sum not exceeding \$5,000, to provide for the completion of the payment of the debts of the Central Canada Exhibition Association, outstanding on the 20th day of July, 1908.

Power to borrow \$11,000 for grand stand and fire station in Lansdowne Park.

4. The said Corporation may provide by by-law, to be passed without obtaining the assent thereto of the electors of the said City, for the borrowing, upon an issue of debentures, bearing interest at such rate as the Council of the said Corporation may determine and payable in thirty (30) years from the date thereof, of a sum not exceeding \$11,000, to provide for the completion of the payment of the cost of the construction, on Lansdowne Park, in the said City, of a structure to answer the purposes of a Grand Stand, Fire Station and Sub-police Station.

Power to borrow \$30,000 for site for fire station.

5. The said Corporation may provide by by-law, to be passed without obtaining the assent thereto of the electors of the said City, for the borrowing, upon an issue of debentures, bearing interest at such rate as the Council of the said Corporation may determine, and payable in twenty (20) years from the date thereof, of a sum not exceeding \$30,000, to provide for the cost of the acquisition of land as a site for a new Fire Station, in the said City, and of the erection of the said Station, and of the purchase of Fire Engines and other fire appliances.

Power to borrow \$2,400 for mechanical refrigeration for hospitals.

6. The said Corporation may provide by by-law, to be passed without obtaining the assent thereto of the electors of the said City, for the borrowing, upon an issue of debentures, bearing interest at such rate as the Council of the said Corporation may determine, and payable in twenty (20) years from the date thereof, of a sum not exceeding \$2,400, to provide for the cost of the installation of mechanical refrigeration in the Lady Grey and Isolation Hospitals.



7. The said Corporation may provide by by-law, to be passed without obtaining the assent thereto of the electors of the said City, for the borrowing, upon an issue of debentures, bearing interest at such rate as the Council of the said Corporation may determine, and payable in forty (40) years from the date thereof, of a sum not exceeding \$12,000, to provide for the completion of the payment of the cost of certain land acquired under the authority of section 1 of chapter 121 of the Acts passed in the tenth year of the reign of His late Majesty King Edward VII., for the extension of the Driveway of the Ottawa Improvement Commission around Nepean Point and Sussex Street to Rideau Hall, in the said City.

Power to borrow  
\$12,000 for  
extension of  
driveway.

8. The said Corporation may provide by by-law, to be passed without obtaining the assent thereto of the electors of the said City, for the borrowing, upon an issue of debentures, bearing interest at such rate as the Council of the said Corporation may determine, and payable in ten (10) years from the date thereof, of a sum not exceeding \$10,000, to provide for the completion of the payment of the cost of acquiring land for the collection and disposal of ashes, refuse and garbage in connection with the public scavenging system of the said City, and of the erection thereon of the necessary buildings, plant and machinery.

Power to borrow  
\$10,000 for  
land for  
scavenging  
system.

9. The said Corporation may provide by by-law, to be passed without obtaining the assent thereto of the electors of the said City, for the borrowing, upon an issue of debentures, bearing interest at such rate as the Council of the said Corporation may determine, and payable in thirty (30) years from the date thereof, of a sum not exceeding \$3,500, to provide for the completion of the payment of the cost of certain improvements to the City Hall, in the said City, and of providing a new roof therefor.

Power to borrow  
\$3,500 for  
improvements to  
city hall.

10. The said Corporation may provide by by-law, to be passed without obtaining the assent thereto of the electors of the said City, for the borrowing, upon an issue of debentures, bearing interest at such rate as the Council of the said Corporation may determine, and payable in twenty (20) years from the date thereof, of a sum not exceeding \$15,000, to provide for the cost of the moving back of the sidewalks on Preston Street, in the said City, and of re-grading and otherwise preparing the said Street for the extension thereon of the Electric Street Railway.

Power to borrow  
\$15,000 for  
moving side-  
walks on  
and re-grading  
Preston  
Street.

11. The said Corporation may provide by by-law, to be passed without obtaining the assent thereto of the electors

Power to borrow  
\$20,000 for  
public lava-  
tories.

of the said City, for the borrowing, upon an issue of debentures, bearing interest at such rate as the Council of the said Corporation may determine, and payable in twenty (20) years from the date thereof, of a sum not exceeding \$20,000, to provide for the cost of the construction of public lavatories in the said City.

Power to borrow \$10,000 for putting telegraph wires underground.

**12.** The said Corporation may enter into an agreement with any Telegraph Company, having overhead poles and wires on Sparks Street, in the said City, for the removal of the same, and for the placing of the same underground, and for the payment to any such Company of the cost of such removal and placing underground, and may provide by by-law, to be passed without obtaining the assent thereto of the electors of the said City, for the payment of such cost, by borrowing, upon an issue of debentures, bearing interest at such rate as the Council of the said Corporation may determine and payable in twenty (20) years from the date thereof, a sum not exceeding \$10,000.

Application of 3 Edw. VII. c. 19.

**13.** The provisions of *The Municipal Act*, in relation to money by-laws, and the debentures to be issued thereunder, shall, except in so far as the same are varied by this Act, apply to all by-laws to be passed under the preceding sections of this Act and to all debentures to be issued thereunder.

Confirmation of certain by-laws.

**14.** The by-laws passed by the Council of the said Corporation during the year 1911, set out in Schedule "A" to this Act, authorizing the construction of works as local improvements, and the borrowing of money for the payment of the cost of the construction of such works, and all debentures issued or to be issued thereunder, and all assessments made or to be made and all rates levied or to be levied thereunder are validated and confirmed.

Power to spend \$15,000 annually for maintenance of public library.

**15.** Notwithstanding anything contained in any Act of this Legislature or in any by-law of the said Corporation, the said Corporation may expend annually for the maintenance of the Public Library, in the said City, a sum not exceeding \$15,000.

Submission of certain by-law.

**16.** Notwithstanding anything contained in Section 1 of Chapter 98 of the Acts passed in the first year of His Majesty's reign, intituled *An Act respecting the City of Ottawa*, the by-law mentioned in the said section for the establishment of a Public Library Board in the said City may be submitted to the electors of the said City in the manner provided by *The Consolidated Municipal Act, 1903*, for the submission of money by-laws, at the time of the

holding of the Municipal Elections in the said City for the year 1913.

**17.** Section 3 of chapter 42 of the Acts passed in the forty-second year of the reign of Her late Majesty Queen Victoria, intituled *An Act respecting the Waterworks of the City of Ottawa*, is repealed and the following is substituted therefor:—

42 v. c. 42, s. 3, repealed.

“ 3. The Board of Control of the City of Ottawa shall attend to and discharge, subject to the approval and according to the directions of the said Council, all the duties hitherto required by the said Acts, or any of them, to be attended to or discharged by the Water Commissioners in the said Acts mentioned.”

Board of Control to perform duties of water commissioners.

**18.** Section 3 of chapter 54 of the Acts passed in the second year of the reign of His late Majesty King Edward VII., intituled *An Act respecting the City of Ottawa*, is repealed, and the following is substituted therefor:—

2 Edw. VII. c. 54, s. 2, repealed.

“ 3. The Board of Control of the City of Ottawa shall, subject to the approval, and according to the directions of the said Council, have the control and management of all parks, squares, avenues, boulevards, streets and other property heretofore under the control and management of the said Board of Parks Management, and of all other parks, squares and other open public places in the said City.”

Board of Control to perform duties of Board of Park Management.

**19.** The two immediately preceding sections of this Act shall not take effect until the first day of January, 1913.

When ss. 17 and 18 to take effect.

**20.** Notwithstanding anything contained in any Act of this Legislature or in any by-law of the said Corporation, the Board of Control of the said City shall be held to have been established under section 276 (c) of *The Consolidated Municipal Act, 1903*, and all the provisions of the said Act, applicable to Boards of Control constituted under the said section shall apply to the Board of Control of the said City, except that the Council of the said City shall, as heretofore, consist of the said Board of Control and two Aldermen for each ward of the said City.

Application of 3 Edw. VII. c. 19 to Board of Control.

**SCHEDULE "A"**  
**BY-LAWS TO AUTHORIZE THE ISSUE OF DEBENTURES TO DEFRAY THE RATEPAYERS' SHARE OF COST OF CERTAIN LOCAL IMPROVEMENT WORKS**

No. of By-law	Nature of Work Under By-law	When Passed by Council	Total Cost of Work	Amt. to be Borne by City	Amt. to be Borne by Ratepayers	Period of Payment	Rate of Interest
3278	Plank sidewalks.....	4th December, 1911.....	253 82	106 91	146 91	5 years	4 per cent.
3279	do .....	do .....	1,816 17	786 66	1,029 51	do	do
3282	Concrete sidewalks.....	do .....	25,691 32	12,528 42	13,062 90	10 years	do
3283	do .....	do .....	25,333 74	17,102 98	18,230 76	do	do
3286	Sewers .....	do .....	92,267 08	11,597 16	80,669 92	20 years	do
3287	Asphalt pavements.....	do .....	23,821 11	18,998 26	4,822 85	do	do
3288	do .....	do .....	58,957 42	33,975 94	24,981 48	do	do
3306	Street opening .....	8th January, 1912.....	1,984 38	992 19	992 19	do	do
					\$143,436 52		

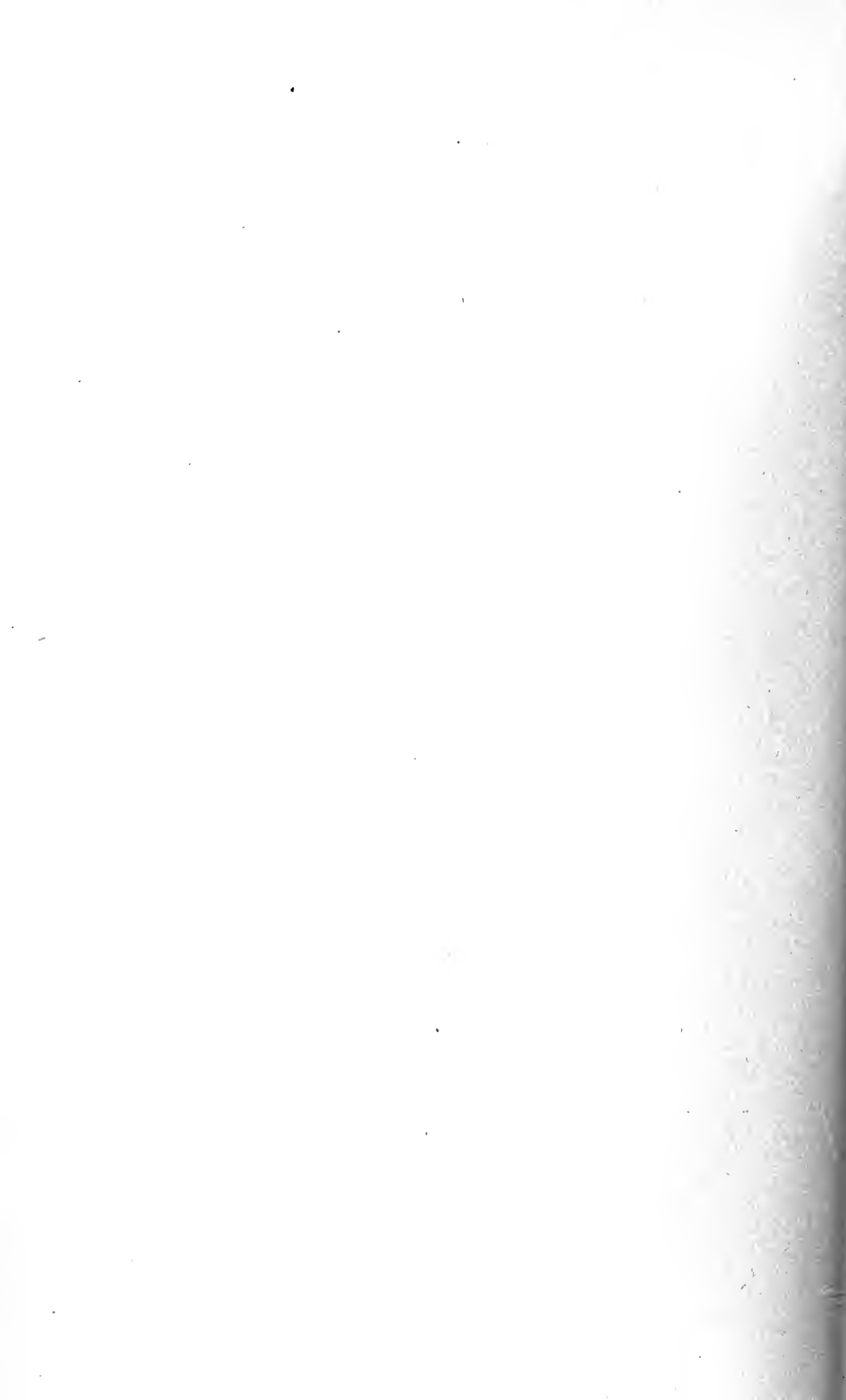
**BY-LAWS TO AUTHORIZE THE ISSUE OF DEBENTURES TO DEFRAY THE CITY'S SHARE OF COST OF CERTAIN LOCAL IMPROVEMENT WORKS**

No. of By-law	Nature of Work Under By-law	When Passed by Council	Amt. of Debt Created	Amt. to be Borne by City	Amt. to be Borne by Ratepayers	Period of Payment	Rate of Interest
3280	Plank sidewalks.....	4th December, 1911.....	893 57	893 57	5 years	4 per cent.	
3284	Concrete sidewalks.....	do .....	29,631 40	29,631 40	10 "	do	
3291	Asphalt pavements, sewers and street opening	do .....	65,563 55	65,563 55	20 "	do	
				96,088 52			

**CUMULATIVE BY-LAWS TO AUTHORIZE THE ISSUE OF DEBENTURES CONSOLIDATING THE BROKEN AMOUNTS, BEING THE RATEPAYERS' SHARE, NAMED IN CERTAIN LOCAL IMPROVEMENT BY-LAWS**

No. of By-law	Nature of Work Under By-law	When Passed by Council	Total Cost of Work	Amt. to be Borne by City	Amt. to be Borne by Ratepayers	Period of Payment	Rate of Interest
3281	Plank sidewalks.....	4th December, 1911.....	.....	.....	1,176 42	5 years	4 per cent.
3285	Concrete sidewalks.....	do .....	.....	.....	31,293 66	10 "	do
3307	Pavements, sewers and street openings .....	8th January, 1912 .....	.....	.....	110,966 44	20 "	do
					143,436 52		







No. 41.

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1st Session, 13th Legislature,  
2 George V., 1912.

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**BILL.**

An Act respecting the City of Ottawa.

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1st Reading,                      1912.

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(*Private Bill.*)

Mr. ELIAB.

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



# BILL

## An Act respecting the City of Ottawa.

**W**HEREAS the Corporation of the City of Ottawa has Preamble.  
by its petition prayed for special legislation in  
respect of the matters hereinafter set forth; and whereas it  
has been shown that under the special circumstances of the  
case it is expedient to grant the prayer of the said peti-  
tion:

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 Corporation may provide by by-law, to be Power to  
borrow  
\$45,000 for  
smallpox  
hospital, etc.  
passed without obtaining the assent thereto of the electors  
of the said City, for the borrowing, upon an issue of debentures,  
bearing interest at such rate as the Council of the  
said Corporation may determine and payable in thirty (30)  
years from the date thereof, of a sum not exceeding \$45,000,  
to provide for the cost of the erection and equipment of an  
hospital in the said City for the reception and treatment of  
those affected with Smallpox and of providing sewer and  
water connections therefor.

**2.** The said Corporation may provide by by-law, to be Power to  
borrow  
\$12,500 for  
site for  
tuberculosis  
hospital.  
passed without obtaining the assent thereto of the electors  
of the said City, for the borrowing, upon an issue of debentures,  
bearing interest at such rate as the Council of the  
said Corporation may determine and payable in thirty (30)  
years from the date thereof, of a sum not exceeding \$12,500,  
to provide for the cost of acquiring land, in the said City, as  
a site for an hospital, to be erected by private subscription,  
for the reception and treatment of those suffering from  
Tuberculosis.

**3.** The said Corporation may provide by by-law, to be Power to  
borrow  
\$5,000 for  
paying debts  
of Central  
Canada  
Exhibition  
Association.  
passed without obtaining the assent thereto of the electors

of the said City, for the borrowing, upon an issue of debentures, bearing interest at such rate as the Council of the said Corporation may determine, and payable in twenty (20) years from the date thereof, of a sum not exceeding \$5,000, to provide for the completion of the payment of the debts of the Central Canada Exhibition Association, outstanding on the 20th day of July, 1908.

Power to borrow \$11,000 for grand stand and fire station in Lansdowne Park.

4. The said Corporation may provide by by-law, to be passed without obtaining the assent thereto of the electors of the said City, for the borrowing, upon an issue of debentures, bearing interest at such rate as the Council of the said Corporation may determine and payable in thirty (30) years from the date thereof, of a sum not exceeding \$11,000, to provide for the completion of the payment of the cost of the construction, on Lansdowne Park, in the said City, of a structure to answer the purposes of a Grand Stand, Fire Station and Sub-police Station.

Power to borrow \$30,000 for site for fire station.

5. The said Corporation may provide by by-law, to be passed without obtaining the assent thereto of the electors of the said City, for the borrowing, upon an issue of debentures, bearing interest at such rate as the Council of the said Corporation may determine, and payable in twenty (20) years from the date thereof, of a sum not exceeding \$30,000, to provide for the cost of the acquisition of land as a site for a new Fire Station, in the said City, and of the erection of the said Station, and of the purchase of Fire Engines and other fire appliances.

Power to borrow \$2,400 for mechanical refrigeration for hospitals.

6. The said Corporation may provide by by-law, to be passed without obtaining the assent thereto of the electors of the said City, for the borrowing, upon an issue of debentures, bearing interest at such rate as the Council of the said Corporation may determine, and payable in twenty (20) years from the date thereof, of a sum not exceeding \$2,400, to provide for the cost of the installation of mechanical refrigeration in the Lady Grey and Isolation Hospitals.

Power to borrow \$12,000 for extension of driveway.

7. The said Corporation may provide by by-law, to be passed without obtaining the assent thereto of the electors of the said City, for the borrowing, upon an issue of debentures, bearing interest at such rate as the Council of the said Corporation may determine, and payable in forty (40) years from the date thereof, of a sum not exceeding \$12,000, to provide for the completion of the payment of the cost of certain land acquired under the authority of section 1 of chapter 121 of the Acts passed in the tenth year of the reign of His late Majesty King Edward VII., for the

extension of the Driveway of the Ottawa Improvement Commission around Nepean Point and Sussex Street to Rideau Hall, in the said City.

8. The said Corporation may provide by by-law, to be passed without obtaining the assent thereto of the electors of the said City, for the borrowing, upon an issue of debentures, bearing interest at such rate as the Council of the said Corporation may determine, and payable in ten (10) years from the date thereof, of a sum not exceeding \$10,000, to provide for the completion of the payment of the cost of acquiring land for the collection and disposal of ashes, refuse and garbage in connection with the public scavenging system of the said City, and of the erection thereon of the necessary buildings, plant and machinery.

Power to borrow \$10,000 for land for scavenging system.

9. The said Corporation may provide by by-law, to be passed without obtaining the assent thereto of the electors of the said City, for the borrowing, upon an issue of debentures, bearing interest at such rate as the Council of the said Corporation may determine, and payable in thirty (30) years from the date thereof, of a sum not exceeding \$3,500, to provide for the completion of the payment of the cost of certain improvements to the City Hall, in the said City, and of providing a new roof therefor.

Power to borrow \$3,500 for improvements to city hall.



10. The said corporation may provide by by-law, to be passed without obtaining the assent thereto of the electors of the said City, for the borrowing, upon an issue of debentures, bearing interest at such rate as the Council of the said Corporation may determine, and payable in twenty (20) years from the date thereof, of a sum not exceeding \$20,000, to provide for the cost of the construction of public lavatories in the said City.

Power to borrow \$20,000 for public lavatories.



11. The said Corporation may enter into an agreement with any Telegraph Company, having overhead poles and wires on Sparks Street, in the said City, for the removal of the same, and for the placing of the same underground, and for the payment to any such Company of the cost of such removal and placing underground, and may provide by by-law, to be passed without obtaining the assent thereto of the electors of the said City, for the payment of such cost, by borrowing, upon an issue of debentures, bearing interest at such rate as the Council of the said Corporation may determine and payable in twenty (20) years from the date thereof, a sum not exceeding \$10,000.

Power to borrow \$10,000 for putting telegraph wires underground.



10 Edw. VII.  
c. 121, s. 3,  
repealed.

**12.**  Section 3 of Chapter 121 of the Acts passed in the Tenth year of the reign of His late Majesty, King Edward VII., intituled "An Act respecting the City of Ottawa," is repealed and the following is substituted therefor:—



Authority  
to contribute  
\$6,000  
to Town of  
Aylmer  
toward  
cost of  
septic tank.

 "3. The said Corporation may enter into an Agreement with the Town of Aylmer, in the Province of Quebec, for the construction by the said Town of a Septic Tank in connection with the sewerage system of the said Town, and may contribute towards the cost of such construction a sum not exceeding \$6,000.00, and may provide by by-law to be passed without obtaining the assent thereto of the electors of the said City, for the borrowing, upon an issue of debentures bearing interest at such rate as the Council of the said Corporation may determine and payable in twenty (20) years from the date thereof, of the said sum of \$6,000.00."



Authority  
to borrow  
\$60,000  
toward  
cost of a  
Machinery  
Hall on  
Lansdowne  
Park.

**13.**  The said Corporation may provide by by-law to be passed without obtaining the assent thereto of the electors of the said City, for the borrowing, upon an issue of debentures bearing interest at such rate as the Council of the said Corporation may determine and payable in thirty (30) years from the date thereof, of a sum not exceeding \$60,000.00 to provide for the cost of the construction of a Machinery Hall on Lansdowne Park, in the said City, in preparation for the holding of the Dominion Exhibition during the present year.

Application  
of provisions  
of the  
Municipal  
Act.

**14.**  The provisions of the Municipal Act in relation to money by-laws, and the debentures to be issued thereunder, shall, except in so far as the same are varied by this Act, apply to all by-laws to be passed under the preceding sections of this Act and to all debentures to be issued thereunder.

Management  
of Hospital.

**15.**  The Hospital mentioned in Section 2 of this Act shall be managed, maintained and governed in accordance with the provisions of Chapter 117 of the Acts passed in the Ninth year of the reign of His late Majesty, King Edward VII.

Confirmation  
of certain  
by-laws.

**16.** The by-laws passed by the Council of the said Corporation during the year 1911, set out in Schedule "A" to this Act, authorizing the construction of works as local improvements, and the borrowing of money for the payment of the cost of the construction of such works, and all debentures

tures issued or to be issued thereunder, and all assessments made or to be made and all rates levied or to be levied thereunder are validated and confirmed.

**17.** Notwithstanding anything contained in any Act of this Legislature or in any by-law of the said Corporation, the said Corporation may expend annually for the maintenance of the Public Library, in the said City, a sum not exceeding \$15,000.

Power to spend \$15,000 annually for maintenance of public library.

**18.** Notwithstanding anything contained in Section 1 of Chapter 98 of the Acts passed in the first year of His Majesty's reign, intituled *An Act respecting the City of Ottawa*, the by-law mentioned in the said section for the establishment of a Public Library Board in the said City may be submitted to the electors of the said City in the manner provided by *The Consolidated Municipal Act, 1903*, for the submission of money by-laws, at the time of the holding of the Municipal Elections in the said City for the year 1913.

Submission of certain by-law as to Public Library Board.

**19.** The Municipal Council of the said Corporation may submit to the municipal electors of the said City at any municipal election in the said City the following question:—

Submission of by-law relating to Waterworks Committee.

“ Shall the Waterworks Committee be abolished and its duties be transferred to and performed by the Board of Control? ”

**20.**—(1) Section 3 of chapter 54 of the Acts passed in the second year of the reign of His late Majesty King Edward VII., intituled *An Act respecting the City of Ottawa*, is repealed, and the following is substituted therefor:—

2 Edw. VII. c. 54, s. 2, repealed.

“ 3. The Board of Control of the City of Ottawa shall, subject to the approval, and according to the directions of the said Council, have the control and management of all parks, squares, avenues, boulevards, streets and other property heretofore under the control and management of the said Board of Parks Management, and of all other parks, squares and other open public places in the said City.”

Board of Control to perform duties of Board of Park Management.

(2) Subsection 1 shall not take effect until the first day of January, 1913.

When sub-sec. 1 to take effect.

Board of  
Control, of  
whom to  
consist.

21. Notwithstanding anything contained in any Act of this Legislature or in any by-law of the said Corporation, the Board of Control of the said City shall be held to have been established under section 276c of *The Consolidated Municipal Act, 1903*, as enacted by section 7 of *The Municipal Amendment Act, 1909*, and all the provisions of the said Act and of any amendments thereto, now passed or hereafter to be passed applicable to Boards of Control constituted under the said section, shall apply to the Board of Control of the said City, except that the Council of the said City shall, as heretofore, consist of the said Board of Control and two Aldermen for each ward of the said City.

**SCHEDULE "A"**  
**BY-LAWS TO AUTHORIZE THE ISSUE OF DEBENTURES TO DEFRAY THE RATEPAYERS' SHARE OF COST OF CERTAIN LOCAL IMPROVEMENT WORKS**

No. of By-law	Nature of Work Under By-law	When Passed by Council	Total Cost of Work	Amt. to be Borne by City	Amt. to be Borne by Ratepayers	Period of Payment	Rate of Interest
3278	Plank sidewalks.....	4th December, 1911.....	253 82	106 91	146 91	5 years	4 per cent.
3279	do .....	do .....	1,816 17	786 66	1,029 51	do	do
3282	Concrete sidewalks.....	do .....	25,591 32	12,528 42	13,062 90	10 years	do
3283	do .....	do .....	25,333 74	17,102 98	18,230 76	do	do
3286	Sewers .....	do .....	92,267 08	11,597 16	80,669 92	20 years	do
3287	Asphalt pavements.....	do .....	23,321 11	18,988 26	4,322 85	do	do
3288	do .....	do .....	58,957 42	33,975 94	24,981 48	do	do
3306	Street opening .....	8th January, 1912.....	1,984 38	992 19	992 19	do	do
					\$143,436 52		

**BY-LAWS TO AUTHORIZE THE ISSUE OF DEBENTURES TO DEFRAY THE CITY'S SHARE OF COST OF CERTAIN LOCAL IMPROVEMENT WORKS**

No. of By-law	Nature of Work Under By-law	When Passed by Council	Amt. of Debt Created	Amt. to be Borne by City	Period of Payment	Rate of Interest
3280	Plank sidewalks.....	4th December, 1911.....	893 57	893 57	5 years	4 per cent.
3284	Concrete sidewalks.....	do .....	29,631 40	29,631 40	10 "	do
3291	Asphalt pavements, sewers and street opening	do .....	65,563 55	65,563 55	20 "	do
				96,088 52		

**CUMULATIVE BY-LAWS TO AUTHORIZE THE ISSUE OF DEBENTURES CONSOLIDATING THE BROKEN AMOUNTS, BEING THE RATEPAYERS' SHARE, NAMED IN CERTAIN LOCAL IMPROVEMENT BY-LAWS**

No. of By-law	Nature of Work Under By-law	When Passed by Council	Total Cost of Work	Amt. to be Borne by City	Amt. to be Borne by Ratepayers	Period of Payment	Rate of Interest
3281	Plank sidewalks.....	4th December, 1911.....	.....	.....	1,176 42	5 years	4 per cent.
3285	Concrete sidewalks.....	do .....	.....	.....	31,293 66	10 "	do
3307	Pavements, sewers and street openings .....	8th January, 1912 .....	.....	.....	110,966 44	20 "	do
					143,436 52		

No. 41.

1st Session, 13th Legislature,  
2 George V., 1912.

**BILL.**

An Act respecting the City of Ottawa.

1st Reading, 8th March, 1912.

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

**Mr. Ellis.**

TORONTO:

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



# BILL

## An Act respecting the City of Fort William, 1912

**W**HEREAS the Corporation of the City of Fort William Preamble. has by petition represented that By-laws numbers 1036, 1046 and 1044 of the said City, set out in Schedules One, Three and Four respectively hereto, were each duly published as required by law in a newspaper published at Fort William prior to the date of voting thereon, excepting certain Amendments to the Agreement set forth in By-law number 1046, which amendments were entirely to the City's advantage and made at the request of the ratepayers thereof, and which amendments were given six publications in the daily newspapers of the City prior to the day of voting thereon; that By-law number 1036 was submitted to the electors of the said City entitled to vote thereon on Tuesday, the 5th day of September, 1911, and By-laws numbers 1046 and 1044 were each so submitted on the First day of January, 1912, when the following was the result of the polling in respect of each of such By-laws, namely: —

By-law number 1036.....	1,238 votes in favour of, 100 votes against,
By-law number 1046.....	1,328 votes in favour of, 476 votes against,
By-law number 1044.....	1,139 votes in favour of, and 644 against;

that the said By-law number 1036 was finally passed by the Council of the said City on the 12th day of September, 1911, and each of the said By-laws 1046 and 1044 were so finally passed on the 9th day of January, 1912; and that no application has been made to quash any of the said By-laws, nor is any action pending wherein the validity of any of the said By-laws is or may be called in question; and whereas the said Corporation has by petition further represented that the Municipality of the Township of Paipoonge did on the First day of January, 1912, at the same time as the holding of the municipal elections for 1912, submit a Plebiscite to the

electors of such Municipality entitled to vote on money by-laws as to whether the said electors were in favour of such municipality borrowing \$12,500 on its credit and of the Council thereof issuing debentures therefor payable within twenty years from the date of issue thereof and bearing interest at five per centum per annum payable half-yearly, of which Plebiscite due notice in writing was mailed to each of such electors prior to the day of voting thereon, and in addition thereto considerable publicity thereof was given in the daily newspapers published at the City of Fort William aforesaid; and that 74 votes were polled in favour thereof and 35 against; and whereas the petition of the said Corporation has further represented that the Municipality of the Township of O'Connor did on the First day of January, 1912, at the same time as the holding of the municipal elections for 1912, submit a Plebiscite to the electors of such Municipality entitled to vote on money By-laws as to whether the said electors were in favour of such Municipality borrowing \$7,500 on its credit and of the Council thereof issuing debentures therefor payable within twenty years from the date of issue thereof and bearing interest at five per centum per annum payable half-yearly, of which Plebiscite due notice in writing was mailed to each of such electors prior to the day of voting thereon, and in addition thereto considerable publicity thereof was given in the daily newspapers published at the City of Fort William; and that 38 votes were cast in favour of such plebiscite and 1 against; and whereas the said Corporation has by petition further represented that the existing Debenture Debt of the said Corporation, exclusive of the Local Improvement Debenture Debt, amounts to \$3,205,603.89, made up as follows:—

Street Railway Debenture Debt.....	\$505,000.00
Waterworks Debenture Debt.....	887,930.70
Electric Light Debenture Debt.....	211,366.11
Telephone Debenture Debt.....	199,000.00
General Debenture Debt.....	1,130,374.50
School Debenture Debt.....	271,932.58

of which no part of the principal or interest is in arrear, for the payment of which a sinking fund of \$393,142.71 has been provided; that the amount of the rateable property of the said Corporation, according to the last revised assessment roll, liable for the general taxation of the said Corporation, is \$15,038,269.50, plus \$30,000 in cash paid by the Canadian Pacific Railway Company yearly; and whereas the said Corporation has by petition prayed for Special Legislation in respect of the above and other matters 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.**—(1) By-law number 1036 of the said City, intituled By-law 1036 confirmed. “A By-law to authorize a certain agreement with Frederick W. King and Joseph A. Kilpatrick,” set out in Schedule One hereto, is hereby confirmed and declared to be and always to have been since the 12th day of September, 1911, a legal, valid and binding By-law of the said Corporation.

(2) The Agreement set out in Schedule Two hereto, dated Agreement between city and Copp Stove Co. confirmed. the 4th day of December, 1911, and made between the Corporation of the City of Fort William of the First Part, and Copp Stove Company, Limited, of the Second Part, is hereby declared to be and to have always been, since the execution thereof, a legal, valid and binding agreement upon the Corporation of the City of Fort William and Copp Stove Company, Limited, respectively, in lieu of the Agreement set forth in Schedule “A” to By-law number 1036.

**2.**—(1) By-law number 1046 of the said City, intituled By-law 1046 confirmed. “A By-law to raise the sum of \$102,000 by way of debentures for the purpose of enabling the City to carry out its part of the Agreement with Frank V. Samwell and authorizing such Agreement,” as set out in Schedule Three hereto, is hereby declared to be and to have always been since the 9th day of January, 1912, a legal, valid and existing By-law of the said City, and the Debentures which may or shall hereafter be issued thereunder shall when so issued be valid and binding upon the City Corporation and the ratepayers thereof, and such Debentures may be purchased by the City in the same manner as Local Improvement Debentures.

(2) The Council of the said City may, without obtaining any further assent of the electors thereto, borrow on the credit of the City Corporation the cost of the site in such last mentioned Agreement referred to (not exceeding, however, \$50,000) and may issue Debentures of the said City Corporation therefor as the same may from time to time be required, payable within twenty years from the date of issue thereof, and bearing interest at such rate as the Council deems meet. Power to borrow \$50,000 for purchase of site.

(3) Notwithstanding anything hereinbefore contained, the provisions of subsections 1 and 2 of this section shall not come into force or effect until a further By-law has been passed by the Council of the said City approving of the shareholders, officers and management of the Company to be incorporated pursuant to such last mentioned By-law and agreement, and unless and until such By-law has been passed, such provisions shall have no force or effect. When sub-secs. 1 and 2 to take effect.

Power to borrow \$10,000 for publicity purposes.

3. The Council of the said City may raise and levy upon the whole rateable property in the said City during the current municipal year, and each year thereafter, a sum not exceeding \$10,000 for Publicity Purposes and for the Industrial Advancement of the City.

How council to be composed.

4. During and after the municipal year of 1913, the Council of the said City shall consist of a Mayor, who shall be the Head thereof, and of eight Aldermen who shall be elected by a general vote of the Municipal Electors of the City.

Township of Paipoonge authorized to borrow \$12,500 for improving roads.

5. The Council of the Municipality of the Township of Paipoonge may, without obtaining the assent of its electors thereto, borrow on the credit of the said Municipality a sum not exceeding \$12,500 for the purpose of improving the roads in the said Municipality pursuant to a good roads movement undertaken by the Corporation of the City of Fort William and the Municipalities of Oliver, Neebing, Paipoonge and O'Connor, and the said Council may issue Debentures of the said Corporation therefor, payable within twenty years from the date of issue thereof and bearing interest at such rate as the Council deems meet.

Township of O'Connor authorized to borrow \$7,500 for improving roads.

6. The Council of the Municipality of the Township of O'Connor may, without obtaining the assent of its electors thereto, borrow on the credit of the said Municipality a sum not exceeding \$7,500 for the purpose of improving the roads in the said Municipality pursuant to a good roads movement undertaken by the Corporation of the City of Fort William and the Municipalities of Oliver, Neebing, Paipoonge and O'Connor, and the said Council may issue Debentures of the said Corporation therefor, payable within twenty years from the date of issue thereof and bearing interest at such rate as the Council deems meet.

By-law No. 1044 confirmed.

7. By-law number 1044 of the said City, intituled "A By-law to raise the sum of \$25,500 by way of Debentures for the purpose of assisting in improving the roads in the District of Thunder Bay in and adjacent to the City of Fort William," as set out in Schedule Four hereto, is hereby declared to be and to have always been since the 9th day of January, 1912, a legal, valid and existing By-law of the said City Corporation, and any and all Debentures which may or shall hereafter be issued thereunder (when so issued) shall be legal and binding upon the said City Corporation and the ratepayers thereof.

Short title.

8. This Act may be cited as "The City of Fort William Act, 1912."

## SCHEDULE 1.

## CITY OF FORT WILLIAM.

## BY-LAW No. 1036.

A By-law to authorize a certain agreement with Frederick W. King and Joseph A. Kilpatrick.

Whereas the Council of the Corporation of the City of Fort William is desirous of securing the establishment and enlargement of the works hereinafter mentioned upon the terms and conditions therein set forth;

Therefore The Corporation of the City of Fort William enacts as follows:—

1. It shall and may be lawful for the said Corporation and it is hereby empowered to enter into an agreement (which agreement forms a part of this By-law) with Joseph A. Kilpatrick and Frederick W. King or the Company to be incorporated pursuant to such agreement to the effect set forth in Schedule "A" hereto, and the Mayor and the Clerk for the time being of the said Corporation are hereby authorized to sign, seal with the Corporate Seal, execute and deliver the above in part recited agreement on behalf of the said Corporation.

2. This By-law shall come into force on the day of the final passing thereof.

3. That the votes of the electors of the said Municipality entitled to vote on this By-law shall be taken on Tuesday, the 5th day of September, 1911, commencing at the hour of nine o'clock in the forenoon and closing at the hour of five o'clock in the afternoon of the same day, as follows:—

## WARD I.

Polling Sub-Division No. 1, at 530 McTavish Street, with W. T. Rankin as Deputy Returning Officer, and Joseph Miller as Poll Clerk.

Polling Sub-Division No. 2, at 638 McTavish Street, with John Cooper, Sr., as Deputy Returning Officer, and John Tiboni as Poll Clerk.

Polling Sub-Division No. 3, at Plumbing and Engineering Supply Co. Office, Simpson Street, with Gilbert Hartley as Deputy Returning Officer, and Fred Hartley as Poll Clerk.

Polling Sub-Division No. 4, at Drew Street School, with W. H. Morrell, Jr., Deputy Returning Officer, and P. W. Gibbons, Poll Clerk.

## WARD II.

Polling Sub-Division No. 1, at Lebland's Store, corner Bethune and Hardisty Streets, with John Murie as Deputy Returning Officer, and John Murie, Jr., Poll Clerk.

Polling Sub-Division No. 2, at Sample Rooms at the rear of the Avenue Hotel, with James Hall as Deputy Returning Officer, and Geo. McCall, Poll Clerk.

Polling Sub-Division No. 3, at the City Hall, with C. McKenzie as Deputy Returning Officer, and E. Thompson as Poll Clerk.

Polling Sub-Division No. 4, at House No. 1117 Victoria Avenue, with A. W. Frodsham as Deputy Returning Officer, and I. Fletcher as Poll Clerk.

### WARD III.

Polling Sub-Division No. 1, at Costello's Store, Syndicate Avenue, with W. Huston as Deputy Returning Officer, and Thomas Hogg, Poll Clerk.

Polling Sub-Division No. 2, at George Coates' Shop, Marks Street, with J. R. Wells, Deputy Returning Officer, and J. Thompson, Poll Clerk.

### WARD IV.

Polling Sub-Division No. 1, at Mount McKay Club, with Geo. Neale as Deputy Returning Officer, and D. Booth, Poll Clerk.

Polling Sub-Division No. 2, at Ward 4 Fire Hall, with G. W. Game as Deputy Returning Officer, and J. Kaempf, Poll Clerk.

4. That on Monday, the 4th day of September, 1911, at the hour of ten o'clock in the forenoon the Mayor of Fort William will attend at the office of the City Clerk for the purpose of appointing in writing, signed by himself, two persons to attend at the final summing up by the City Clerk of the votes polled by this By-law, and also of appointing one person 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.

5. That on Wednesday, the 6th day of September, 1911, at the hour of ten o'clock in the forenoon, at the Office of the Clerk of the City of Fort William, the Clerk of the said City will proceed to sum up the number of votes given for and against this By-law.

Given under the Corporate Seal of the City of Fort William as witnessed by the hands of its Mayor and Clerk, this 12th day of September, 1911.

THE CORPORATION OF THE CITY OF FORT WILLIAM.

[Seal.]

(Sgd.) Per S. C. YOUNG,  
*Mayor.*

Per A. McNAUGHTON,  
*Clerk.*

### SCHEDULE "A."

Memorandum of Agreement made in triplicate:

Between

The Corporation of the City of Fort William (hereinafter called The City), of the first part;

and

Frederick W. King, of the City of London, in the Province of Ontario, General Manager of the McClary Manufacturing Company, Limited, and Joseph A. Kilpatrick, of the City of Montreal, in the Province of Quebec, General Manager of the Canada Iron Corporation, Limited (hereinafter called The Grantees), of the second part;

Now therefore this Agreement witnesseth:—

That in consideration of the covenants and agreements on the part of the City, herein contained, The Grantees covenant and agree with The City as follows:

1. The Grantees shall proceed forthwith to incorporate a Company with a Dominion or Provincial Charter, for the purpose of manufacturing stoves, furnaces, etc., and also to take over the business, plant and property of W. J. Copp, Son and Company, in the City of Fort William, in the Province of Ontario, the said Company to have an authorized capital of not less than \$250,000.00, and an authorized bond issue of \$150,000.00.

2. That the said Grantees are each to be substantially interested in such Company so to be formed, and are to be amongst the first directors of the said Company, the said Frederick W. King or some other person with equal business reputation in the manufacture of similar goods, is, as soon as the business of the Company is in shape for operation, to take charge of same and reside in the City of Fort William.

3. That the said Company is to have its Head Office and manufacturing and producing works at the City of Fort William, and will fulfil the statutory requirements as to maintaining its Head Office at Fort William.

4. The Company is to purchase and acquire the good-will, business, plant and property of W. J. Copp, Son and Company of the City of Fort William.

5. The Company is to increase and improve the plant and property so acquired from the said W. J. Copp, Son and Company as rapidly as the state of trade will permit, and, in any event, so as to employ and keep employed in connection therewith in the said City, in each of the years hereinafter mentioned (but only so long as the first party carries out its obligations as herein provided), a sufficient number of men for a sufficient number of days to equal as follows:—

- (a) During the year 1912, 100 men for 200 days of 10 hours each;
- (b) During the year 1913, 150 men for 200 days of 10 hours each;
- (c) During the year 1914, 200 men for 200 days of 10 hours each;
- (d) During the year 1915, and each and every year thereafter, until and including the year 1923, 250 men for 200 days of 10 hours each.

6. That all fire insurance placed or held by the Company upon any of its property situated in the City of Fort William shall, during the currency hereof, be placed with or through the local fire insurance agents residing and carrying on business in the City of Fort William, provided such insurance can be placed at equally good rates with outside quotations.

7. That all men employed by the said Company, or employed in or about the said works, or employed by any contractor or subcontractor or otherwise in the erection or operation of such plant and works, shall be paid in cash in the said City of Fort William or by cheque on some bank in the City of Fort William.

8. That the pay roll and books of the Company shall be open

for inspection by the city, during the period of exemption granted by the City of Fort William, the said inspection to be made through a duly chartered accountant, acceptable to the second parties, which inspection may be made at such times and hours as may be found convenient to the second parties, and if so required, the Company shall from time to time during the said term, satisfy the city by declaration or affidavit that they have complied with the provisions hereof.

In witness whereof, the City covenants and agrees with the Grantees as follows:—

1. The City will and does hereby exempt all the Company's property which may be situated upon and including the property to be acquired from W. J. Copp, Son and Company, as well as any subsequent additions made from time to time on the Company's property and plant, and which is used in connection with and solely for the purpose of such manufacture, including the raw material to be used therein, and the products thereof, from all general municipal taxation of the City, excepting school taxation, local improvement rates and taxation imposed for public parks, for so long of the period of ten years commencing with the year Nineteen hundred and fourteen (1914) as the Company shall fully comply with the terms and conditions of this agreement as herein set forth;

Provided, however, that no dwelling houses used and occupied as dwellings which may be situated upon the lands exempt hereby, shall be exempt from any general and municipal taxation under this agreement.

2. Time shall be of the essence of this agreement.

3. That the City will as accommodation and as surety for the Company, guarantee the principal and interest of One hundred and fifty thousand dollars (\$150,000.00) of the authorized bond issue of the Company, secured as hereinafter mentioned, payable in twenty years and bearing interest at four and one-half per cent. per annum, payable half-yearly, and the City will execute and deliver such guarantee on demand, as follows:

- (a) On Seventy-five thousand dollars of such bonds, when the said Company has secured a good registered title in fee simple, free from all encumbrance, of all the lands, good-will, plant, stock-in-trade and property of W. J. Copp, Son and Company;
- (b) On Twenty-five thousand dollars when the said Company has expended the sum of Fifty thousand dollars in and toward the extension and improvement of the plant and property of the said W. J. Copp, Son and Company;
- (c) On Twenty-five thousand dollars when the said Company has expended the sum of One hundred thousand dollars in and towards the extension and improvement of the plant and property of the said W. J. Copp, Son and Company;
- (d) On the remaining Twenty-five thousand dollars when the said Company has expended One hundred and fifty thousand dollars in and towards the extension and improvement of the plant and property of the said W. J. Copp, Son and Company.

4. The proceeds of the total bond issue of the said Company to be guaranteed as aforesaid, are to be placed in the treasury of the



said Company, and are to be used solely for the purpose of acquiring and taking over the business, plant and property of W. J. Copp, Son and Company and of making extensions and additions to the Company's property.

5. A deed of first mortgage and trust of all the property of the Company shall be executed and delivered in favor of a trust company doing business in the Dominion of Canada, mutually satisfactory to the City and the Company, securing the bond issue of the Company and the interest thereon to be guaranteed by the City as aforesaid.

6. As soon as the said Company is incorporated the City will enter into a similar agreement with the Company in lieu of this agreement, and which new agreement when executed shall *ipso facto* release the parties of the second part from any personal claim herein.

7. This agreement shall inure to the benefit of the parties or their assigns.

In witness whereof the Corporate Seal of the said City and the hands and seals of the Grantees this 11th day of September, A.D. 1911.

In the presence of:	}	(Sgd.) F. H. KING. J. A. KILPATRICK, S. C. YOUNG, <i>Mayor.</i>
[Seal.]	}	A. McNAUGHTON, <i>Clerk.</i>

#### SCHEDULE 2.

Memorandum of Agreement made in triplicate:

Between

The Corporation of the City of Fort William (hereinafter called the City), of the first part,

and

Copp Stove Company, Limited, incorporated under the laws of the Province of Ontario, and having its Head Office at the City of Fort William, in the Province of Ontario (hereinafter called the Company), of the second part.

Whereas the City did, on the 11th day of September, 1911, enter into a written agreement with Frederick W. King and Joseph A. Kilpatrick;

And whereas the company to be incorporated under the above in part recited agreement has been incorporated in accordance with the said agreement, and is now known as the Copp Stove Company, Limited, with a capital stock of not less than \$250,000 and an authorized bond issue of \$150,000;

And whereas the said Frederick W. King and Joseph A. Kilpatrick are each substantially interested in such Company and are amongst the first Directors thereof;

And whereas the said Frederick W. King is the General Manager of the business of the Company and in charge thereof as such, and is also residing in the said City of Fort William;

And whereas in and by the above in part recited agreement it was provided that as soon as the Company was incorporated the City would enter into a similar agreement with the Company in lieu of the above in part recited agreement, and that this agreement when executed shall *ipso facto* release the said Messrs. King and Kilpatrick from any personal claim in respect thereof;

Now therefore this agreement witnesseth, in consideration of the covenants and agreements on the part of the City herein contained, the Company covenants and agrees with the City as follows:

1. That the said Company is to have its Head Office and manufacturing and producing works at the City of Fort William, and will fulfil the statutory requirements as to maintaining its Head Office at Fort William.

2. The Company is to purchase and acquire the goodwill, business, plant and property of W. J. Copp, Son and Company, of the City of Fort William.

3. The Company is to increase and improve the plant and property, so acquired from the said W. J. Copp, Son and Company as rapidly as the state of trade will permit, and, in any event, so as to employ and keep employed in connection therewith in the said City, in each of the years hereinafter mentioned (but only so long as the first party carries out its obligations as herein provided), a sufficient number of men for a sufficient number of days to equal as follows:

- (a) During the year 1912, 100 men for 200 days of 10 hours each;
- (b) During the year 1913, 150 men for 200 days of 10 hours each;
- (c) During the year 1914, 200 men for 200 days of 10 hours each;
- (d) During the year 1915, and each and every year thereafter, until and including the year 1923, 250 men for 200 days of 10 hours each.

4. That all fire insurance placed or held by the Company upon any of its property situated in the City of Fort William shall, during the currency hereof, be placed with or through the local fire insurance agents residing and carrying on business in the City of Fort William, provided such insurance can be placed at equally good rates with outside quotations.

5. That all men employed by the said Company, or employed in or about the said works, or employed by any contractor or subcontractor, or otherwise in the erection or operation of such plant and works, shall be paid in cash in the said City of Fort William, or by cheque on some bank in the City of Fort William.

6. That the pay roll and books of the Company shall be open for inspection by the City during the period of exemption granted by the City of Fort William, the said inspection to be made through a duly Chartered Accountant acceptable to the second party, which inspection may be made at such times and hours as may be found convenient to the second party, and if so required the Company shall, from time to time during the said term, satisfy the City, by declaration or affidavit, that they have complied with the provisions hereof;

In witness whereof the City covenants and agrees with the Company as follows:

1. The City will and does hereby exempt all the Company's property which may be situated upon and including the property

to be acquired from W. J. Copp, Son and Company, as well as any subsequent additions made from time to time on the Company's property and plant, and which is used in connection with and solely for the purpose of such manufacture, including the raw material to be used therein, and the products thereof, from all general municipal taxation of the City, excepting school taxation, local improvement rates and taxation imposed for public parks, for so long of the period of ten years commencing with the year nineteen hundred and fourteen (1914) as the Company shall fully comply with the terms and conditions of this agreement as herein set forth;

Provided, however, that no dwelling houses used and occupied as dwellings which may be situated upon the lands exempt hereby shall be exempt from any general and municipal taxation under this agreement.

2. Time shall be the essence of this agreement.

3. That the city will, as accommodation and as surety for the Company, guarantee the principal and interest of One hundred and fifty thousand dollars (\$150,000) of the authorized bond issue of the Company, secured as hereinafter mentioned, payable in twenty years and bearing interest at four and one-half per cent. per annum, payable half-yearly, and the City will execute and deliver such guarantee on demand as follows:

- (a) On Seventy-five thousand dollars of such bonds, when the said Company has secured a good registered title in fee simple free from all encumbrance, of all the lands, goodwill, plant, stock-in-trade and property of W. J. Copp, Son and Company;
- (b) On Twenty-five thousand dollars when the said Company has expended the sum of Fifty thousand dollars in and towards the extension and improvement of the plant and property of the said W. J. Copp, Son and Company;
- (c) On Twenty-five thousand dollars when the said Company has expended the sum of One hundred thousand dollars in and towards the extension and improvement of the plant and property of the said W. J. Copp, Son and Company;
- (d) On the remaining Twenty-five thousand dollars when the said Company has expended One hundred and fifty thousand dollars in and towards the extension and improvement of the plant and property of the said W. J. Copp, Son and Company.

4. The proceeds of the total bond issue of the said Company to be guaranteed as aforesaid are to be placed in the treasury of the said Company, and are to be used solely for the purpose of acquiring and taking over the business, plant and property of W. J. Copp, Son and Company, and of making extensions and additions to the Company's property.

5. A Deed of First Mortgage and Trust of all the property of the Company shall be executed and delivered in favor of a Trust Company doing business in the Dominion of Canada mutually satisfactory to the City and the Company, securing the bond issue of the Company, and the interest thereon to be guaranteed by the City as aforesaid.

6. This agreement shall inure to the benefit of the parties or their assigns.

In witness whereof the Corporate Seal of the City and Company respectively and the hands of their respective officers in that behalf this 4th day of December, 1911.

THE CORPORATION OF THE CITY OF FORT WILLIAM.

Per S. C. YOUNG,  
*Mayor.*

[Seal.]

Per A. McNAUGHTON,  
*Clerk.*

COPP STOVE COMPANY, LIMITED.

Per JAS. MURPHY,  
*Vice-President.*  
Per CHAS. E. PIPER,  
*Secretary.*

SCHEDULE 3.

CITY OF FORT WILLIAM.

BY-LAW No. 1046.

A By-law to raise the sum of \$102,000 by way of debentures for the purpose of enabling the City to carry out its part of the agreement with Frank V. Samwell and authorizing such agreement.

Whereas the Council of the said City deem it desirable, in the best interest of the City that the agreement hereinafter set forth as Schedule "A" hereto should be made and entered into with Frank V. Samwell, or the Company to be incorporated thereunder;

And whereas in order to enable the City to carry out its part of the said agreement the City will require to raise the sum of \$102,000 by way of debentures, including the cost of submitting this By-law and printing and selling the debentures hereunder;

And whereas the said sum of \$102,000 is the amount of the debt intended to be created hereby;

And whereas the amount of the whole rateable property of the said City of Fort William, according to the last revised assessment roll, is \$15,038,269.50, plus a sufficient further amount to produce \$30,000 in taxes in each year, such said sum of \$30,000 being the fixed sum which the Canadian Pacific Railway Company is bound to pay yearly in lieu of all municipal taxation;

And whereas the existing debenture debt of the said City, exclusive of the local improvement debentures, amounts to \$3,205,603.89, made up as follows:

Street Railway Debenture Debt .....	\$505,000 00
Waterworks Debenture Debt .....	887,930 70
Electric Light Debenture Debt .....	211,366 11
Telephone Debenture Debt .....	199,000 00
General Debenture Debt .....	1,130,374 50
School Debenture Debt .....	271,932 58

Of which no part of the principal or interest is in arrear, and for the payment of which a sinking fund of \$393,142.71 has been provided;

And whereas in order to provide for the said debt it is expedient to issue debentures of the said Corporation to the amount of \$102,000, bearing interest at four and one-half per centum per annum;

And whereas it will require the sum of \$4,590.00 to be raised annually for a period of ten years (the currency of the debentures to be issued under and by virtue of this By-law), to pay the interest on the said debt, and the sum of \$8,897.51 to be raised annually

during the said period for the payment of the said debt intended to be created by this By-law, such last-mentioned sum being sufficient, with the estimated interest on the investment thereof, to discharge the said debt when the same becomes due and payable, making in all the sum of \$13,487.51 to be raised annually as aforesaid for the payment of the said debt and interest;

And whereas it will require the sum of \$13,487.51 to be raised annually for a period of ten years by a special rate on the whole rateable property in the said City for the payment of the said debt and interest as aforesaid;

Therefore the Corporation of the City of Fort William enacts as follows:

1. That the said Corporation be, and it is hereby authorized to enter into an agreement with Frank V. Samwell or the Company referred to in the agreement hereinafter mentioned, to the effect set forth in Schedule "A" hereto, and the Mayor and Clerk respectively of the said Corporation for the time being are hereby authorized to sign, seal with the Corporate Seal, execute and deliver the same on behalf of this Corporation.

2. It shall and may be lawful for the said Corporation, and it is hereby empowered to borrow the said sum of \$102,000, on the credit of the said Corporation for the purposes aforesaid, and to issue debentures of the said Corporation to the extent of \$102,000, either in currency or sterling money, in sums of not less than \$100 Canadian currency, or £20 sterling each, payable within ten years from the date of issuing such debentures, and to bear interest at four and one-half per centum per annum, payable half-yearly.

3. The said debentures shall bear date as of the day of issue thereof, and shall be signed by the Mayor and Treasurer thereof, and sealed with the Corporate Seal.

4. During the said period of ten years (the currency of the debentures to be issued hereunder) there shall be raised and levied annually upon the whole rateable property in the said City, in addition to all other rates, levies and assessments, the said sum of \$4,590.00 to pay the interest on the said debentures, and also the further sum of \$8,897.51 as a sinking fund for the payment of the said debt at the maturity thereof, making in all the sum of \$13,487.51 to be raised annually as aforesaid.

5. The said debentures shall have attached thereto coupons for the payment of interest thereon, and the said debentures as to principal and interest shall be payable at the following places, namely: Office of the City Treasurer, Fort William, Canada; Bank of Montreal, Montreal, Canada; Bank of Montreal, Toronto, Canada; and the Bank of Montreal, London, England.

6. 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 this Municipal Corporation, be transferable, except by entry by the Treasurer or his Deputy in the Debenture Registry Book of the said Corporation, at the said City of Fort William," or to like effect.

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

8. That the votes of the electors of the said Municipality entitled to vote on this By-law shall be taken on Monday, the First day of January, 1912, and the polls shall be held at the same hour, on the same day, at the same places, and by the same deputy returning officers and poll clerks as the Municipal elections for 1912 will be held.

9. That on Saturday, the 30th day of December, 1911, at the hour of ten o'clock in the forenoon, the Mayor of Fort William will attend at the office of the City Clerk, for the purpose of appointing in writing, signed by himself, two persons to attend at the final summing up by the City Clerk of the votes polled on this By-law, and also of appointing one person 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.

10. That on Wednesday, the 3rd day of January, 1912, at the hour of ten o'clock in the forenoon, at the office of the Clerk of the City of Fort William, the Clerk of the said City will proceed to sum up the number of votes given for and against this By-law.

Given under the Corporate Seal of the City of Fort William, as witnessed by the hands of its Mayor and Clerk, this 9th day of January, 1912.

THE CORPORATION OF THE CITY OF FORT WILLIAM.

Per S. C. YOUNG,  
*Mayor.*

[Seal.]

Per A. McNAUGHTON,  
*Clerk.*

Memorandum of Agreement made in triplicate this First day of November, 1911.

Between

The Corporation of the City of Fort William (hereinafter called the City), of the first part;

and

Frank V. Samwell, of the City of Guelph, in the Province of Ontario (hereinafter called the Grantee), of the second part.

Whereby the City and the Grantee mutually covenant, promise and agree each with the other of them as follows:

1. The Grantee shall proceed forthwith to incorporate a Company with a Dominion Charter, for the purpose, among other things, of manufacturing wrought iron and steel pipe in the City of Fort William, in the Province of Ontario, with a capital of not less than \$500,000, of which not less than \$200,000 shall be fully paid up, and no stock whatever shall be issued as a bonus upon or in connection with the sale of the said stock.

2. The said Company is to have its head office, manufacturing and producing works at the City of Fort William, and is to carry on all its business from the City of Fort William.

3. The Company is to proceed to erect on the site hereinafter mentioned a plant, works and equipment for the purpose of manufacturing, among other things, wrought iron and steel pipe, and such plant, works and equipment shall be ready for operation within twelve months from the date hereof, provided, however, if the Company is delayed by fire, accidents, strikes, non-delivery of material or other matters beyond its control, the time so lost shall be added to the twelve months aforesaid.

4. Upon deposit with the City of the cost to the City of such site, the City is to furnish a site in the City of Fort William to be selected by the Grantees, at a price mutually satisfactory to the Council of the Company, from the available sites for manufactur-

ing purposes, of from ten to fifteen acres and having a river frontage of about 500 feet, and the amount of such deposit up to \$50,000 shall be returned to the Company by the City with interest at 6 per cent. per annum as follows: \$25,000 upon the completion of the said plant, works and equipment and the commencement of operation thereof in accordance herewith, and the balance in three equal annual instalments as follows:

(a) The first of such instalments upon the completion of the said plant, works and equipment and its operation in accordance herewith for a period of one year.

(b) The second of such instalments upon such completion and operation for a period of two years, and

(c) The third of such instalments upon such completion and operation for a period of three years.

The Understanding being that if the site cost more than \$50,000 the City is to retain for its own use and benefit to apply in and toward the cost of such site the amount in excess of \$50,000, and that the amount in excess of \$50,000 is not to be returned to the Company in any event.

5. The cost of the plant, works and equipment of the Company is to be not less than \$200,000.

6. The City is to make a loan to the Company of \$100,000 to be advanced as follows:—

(a) \$50,000 of the said loan when and so soon as the Company has expended \$100,000 in and toward the erection of such plant, works and equipment, and

(b) The remaining \$50,000 when and so soon as the said plant, works and equipment have been fully completed.

7. The City shall issue debentures to the amount of \$100,000 payable within ten years and bearing interest at four and one-half per centum per annum payable half-yearly in order to raise the said \$100,000.

8. Before any moneys on account of such loan are advanced by the City, the Company shall execute and deliver to the City, a first mortgage in fee simple for the said sum of \$100,000 on the said site, buildings, equipment and works, repayable with interest at four and one-half per centum per annum on the same days and times and in the same amounts as to both principal and interest as the City has to pay each year for interest and sinking fund to take care of the payment of the debentures for \$100,000 to be issued by the City as aforesaid.

9. The Company is to operate the said plant, works and equipment during the term of such debentures and exemption herein granted so as to have employed and engaged at the commencement of operation of such plant, works and equipment on or before the date fixed for such commencement of operations not less than 200 men, and thereafter said Company is to operate said plant, works and equipment so as to employ and keep employed in connection therewith in the said City during each of the first, second and third years thereafter a sufficient number of men for a sufficient number of days to equal 200 men for 250 days at least, unless prevented by causes beyond the control of the Company, and so as to employ and keep employed in connection therewith during each and every year thereafter until the expiry of the term of such debentures and the exemption herein granted a sufficient number of men for a sufficient number of days to equal 300 men for 250 days at least, unless prevented by causes beyond the control of the Company.

10. That all fire insurance placed or held by the Company upon any of its property situated in the City of Fort William shall, during the currency hereof, be placed with or through the local Fire Insurance Agents residing and carrying on business in the City of Fort William, provided such insurance can be placed at equally good rates with outside quotations.

11. That all men employed by the said Company or employed in or about the said works, or employed by any contractor or sub-contractor or otherwise in the erection or operation of such plant and works, shall be paid in cash in the said City of Fort William or by cheque on some bank in the City of Fort William.

12. That all men employed by the Company, or employed by any contractor or sub-contractor, or otherwise, in the erection or operation of such plant, works and equipment, shall be paid not less than the standard wages from time to time in force in Fort William for their respective trades, and that all such men shall be paid bi-monthly.

13. That the pay-rolls and books of the Company shall be open for inspection by the City during the period of exemption granted by the City of Fort William, the said inspection to be made through a duly Chartered Accountant acceptable to the Company, which inspection may be made at such times and hours as may be found convenient to the Company, and if so required, the Company shall from time to time during the said term, satisfy the City by declaration or affidavit that they have complied with the provisions hereof.

14. The City will and doth hereby exempt all the property of the Company in the City of Fort William which is used in connection with and solely for the purpose of such manufacture, including the raw material to be used therein and the products thereof, from all general municipal taxation of the City, excepting school rates, local improvement rates and taxation imposed for public parks, public libraries and hospitals, for so long of a period of ten years, commencing with the year 1912, as the Company shall fully comply with the terms and conditions of this Agreement as herein set forth; provided however, that no dwelling house which may be situate upon the lands exempt hereby shall be included in such exemption.

15. Time will be the essence of this Agreement.

16. As soon as the said Company is incorporated the City will enter into a similar Agreement with the Company in lieu of this Agreement, and which new Agreement when executed shall *ipso facto* release the party of the Second Part from any personal liability herein.

17. This Agreement shall not come into force or effect until approved by the ratepayers of the said City and ratified by the Legislative Assembly of the Province (if necessary) and until and unless so approved shall have no force or effect.

17 (a). Notwithstanding anything herein contained the City shall not be bound to legalize this Agreement unless and until the Council of this City for the year 1912 is satisfied with the shareholders, officers and management of the Company.

18. This Agreement shall be binding upon and enure to the benefit of the successors and assigns of the Company and the City respectively.

IN WITNESS WHEREOF the Corporate Seal of the said City and the hands of its proper officers in that behalf and the hand and Seal of the Grantee.



Signed, Sealed and Delivered in the Presence of

(Sgd.) N. COVENEY.

[Seal.]

(Sgd.) S. C. YOUNG, *Mayor*.

(Sgd.) A. McNAUGHTON, *City Clerk*.

(Sgd.) F. V. SAMWELL.

(Sgd.) W. E. BUCKINGHAM, as to  
signature of Frank V. Samwell.

#### SCHEDULE 4.

#### CITY OF FORT WILLIAM.

#### BY-LAW No. 1044.

A By-law to raise the sum of \$25,500 by way of Debentures for the purpose of assisting in improving the roads in the District of Thunder Bay in and adjacent to the City of Fort William.

And whereas the Council of The Corporation of the City of Fort William is of opinion that the City of Fort William should contribute the sum of \$25,500, including the cost of submitting this By-law and of printing and selling the debentures to be issued hereunder, towards the cost of improving the roads in the District of Thunder Bay in and adjacent to the City of Fort William;

And whereas the said sum of \$25,500 is the amount of the debt intended to be created hereby;

And whereas the amount of the whole rateable property of the said City of Fort William, according to the last revised assessment roll, is \$15,038,269.50, plus a sufficient further amount to produce \$30,000 in taxes in each year, such said sum of \$30,000 being the fixed sum which the Canadian Pacific Railway Company is bound to pay yearly in lieu of all municipal taxation;

And whereas the existing debenture debt of the said City, exclusive of the local improvement debentures, amounts to \$3,205,603.89, made up as follows:—

Street Railway Debenture Debt .....	\$505,000.00
Waterworks Debenture Debt .....	887,930.70
Electric Light Debenture Debt .....	211,366.11
Telephone Debenture Debt .....	199,000.00
General Debenture Debt .....	1,130,374.50
School Debenture Debt .....	271,932.58

of which no part of the principal or interest is in arrear for the payment of which a sinking fund of \$393,142.71 has been provided;

And whereas in order to provide for the said debt, it is expedient to issue debentures of the said Corporation to the amount of \$25,500, bearing interest at four and one-half (4½) per centum per annum;

And whereas it will require the sum of \$1,147.50 to be raised annually for a period of 20 years (the currency of the debentures to be issued under and by virtue of this By-law) to pay the interest on the said debt, and the sum of \$949.00, to be raised annually

during the said period for the payment of the said debt intended to be created by this By-law, such last mentioned sum being sufficient with the estimated interest on the investment thereof to discharge the said debt when the same becomes due and payable, making in all the sum of \$2,096.50 to be raised annually as aforesaid for the payment of the said debt and interest;

And whereas it will require the sum of \$2,096.50 to be raised annually for a period of 20 years, by a special rate on the whole rateable property in the said City for the payment of the said debt and interest as aforesaid;

Therefore the Corporation of the City of Fort William enacts as follows:—

1. It shall and may be lawful for the said Corporation, and it is hereby empowered to borrow the said sum of \$25,500, on the credit of the said Corporation for the purposes aforesaid, and to issue debentures of the said Corporation to the extent of \$25,500, either in currency or sterling money, in sums of not less than \$100, Canadian currency or £20 sterling, each payable within 20 years from the date of issuing such debentures, and to bear interest at four and one-half per centum per annum, payable half yearly.

2. The said debentures shall bear date as of the day of the issue thereof and shall be signed by the Mayor and Treasurer thereof and sealed with the Corporate Seal.

3. During the said period of 20 years (the currency of the debentures to be issued hereunder) there shall be raised and levied annually upon the whole rateable property in the said city, in addition to all other rates, levies and assessments, the said sum of \$1,147.50, to pay the interest on the said debentures, and also the further sum of \$949.00 as a sinking fund for the payment of the said debt at the maturity thereof, making in all the sum of \$2,096.50 to be raised annually as aforesaid.

4. The said debentures shall have attached thereto coupons for the payment of interest thereon, and the said debentures as to principal and interest shall be payable at the following places, namely: Office of the City Treasurer, Fort William, Canada; Bank of Montreal, Montreal, Canada; Bank of Montreal, Toronto, Canada; and the Bank of Montreal, London, England.

5. 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 this Municipal Corporation, be transferable except by entry by the Treasurer or his Deputy in the Debenture Registry Book of the said Corporation, at the said City of Fort William," or to like effect.

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

7. That the votes of the Electors of the said Municipality entitled to vote on this By-law shall be taken on Monday, the first day of January, 1912, and the polls shall be held at the same hour, on the same day, at the same places, and by the same Deputy Returning Officers and Poll Clerks as the municipal elections for 1912 will be held.

8. That on Saturday, the 30th day of December, 1911, at the hour of ten o'clock in the forenoon, the Mayor of Fort William will attend at the Office of the City Clerk for the purpose of appointing, in writing, signed by himself, two persons to attend at the final summing up by the City Clerk of the votes polled on this By-law, and also

of appointing one person 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 or desirous of opposing the passing of this By-law.

9. That on Wednesday, the 3rd day of January, 1912, at the hour of ten o'clock in the forenoon, at the office of the Clerk of the City of Fort William, the Clerk of the said City will proceed to sum up the number of votes given for and against this By-law.

Given under the Corporate Seal of the City of Fort William, as witnessed by the hands of its Mayor and Clerk this 9th day of January, 1911.

THE CORPORATION OF THE CITY OF FORT WILLIAM.

Per S. C. YOUNG  
*Mayor.*

[Seal.]

Per A. McNAUGHTON,  
*Clerk.*

No. 42.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting the City of Fort  
William, 1912.

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1st Reading, 1912.

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(*Private Bill.*)

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Mr. JARVIS.

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

# BILL

## An Act respecting the City of Fort William, 1912

**W**HEREAS the Corporation of the City of Fort William Preamble. has by petition represented that By-laws numbers 1036, 1046 and 1044 of the said City, set out in Schedules One, Three and Four respectively hereto, were each duly published as required by law in a newspaper published at Fort William prior to the date of voting thereon, excepting certain Amendments to the Agreement set forth in By-law number 1046, which amendments were entirely to the City's advantage and made at the request of the ratepayers thereof, and which amendments were given six publications in the daily newspapers of the City prior to the day of voting thereon; that By-law number 1036 was submitted to the electors of the said City entitled to vote thereon on Tuesday, the 5th day of September, 1911, and By-laws numbers 1046 and 1044 were each so submitted on the First day of January, 1912, when the following was the result of the polling in respect of each of such By-laws, namely: —

By-law number 1036.....	1,238 votes in favour of, 100 votes against, out of a total of 3,238,
By-law number 1046.....	1,328 votes in favour of, 476 votes against, out of a total of 3,335,
By-law number 1044.....	1,139 votes in favour of, and 644 against, out of a total of 3,335;

that the said By-law number 1036 was finally passed by the Council of the said City on the 12th day of September, 1911, and each of the said By-laws 1046 and 1044 were so finally passed on the 9th day of January, 1912; and that no application has been made to quash any of the said By-laws, nor is any action pending wherein the validity of any of the said By-laws is or may be called in question; and whereas the said Corporation has by petition further represented that the Municipality of the Township of Paipoonge did on the First day of January, 1912, at the same time as the holding of the municipal elections for 1912, submit a Plebiscite to the

electors of such Municipality entitled to vote on money by-laws as to whether the said electors were in favour of such municipality borrowing \$12,500 on its credit and of the Council thereof issuing debentures therefor payable within twenty years from the date of issue thereof and bearing interest at five per centum per annum payable half-yearly, of which Plebiscite due notice in writing was mailed to each of such electors prior to the day of voting thereon, and in addition thereto considerable publicity thereof was given in the daily newspapers published at the City of Fort William aforesaid; and that 74 votes were polled in favour thereof and 35 against; and whereas the petition of the said Corporation has further represented that the Municipality of the Township of O'Connor did on the First day of January, 1912, at the same time as the holding of the municipal elections for 1912, submit a Plebiscite to the electors of such Municipality entitled to vote on money By-laws as to whether the said electors were in favour of such Municipality borrowing \$7,500 on its credit and of the Council thereof issuing debentures therefor payable within twenty years from the date of issue thereof and bearing interest at five per centum per annum payable half-yearly, of which Plebiscite due notice in writing was mailed to each of such electors prior to the day of voting thereon, and in addition thereto considerable publicity thereof was given in the daily newspapers published at the City of Fort William; and that 38 votes were cast in favour of such plebiscite and 1 against; and whereas the said Corporation has by petition further represented that the existing Debenture Debt of the said Corporation, exclusive of the Local Improvement Debenture Debt, amounts to \$3,205,603.89, made up as follows:—

Street Railway Debenture Debt.....	\$505,000.00
Waterworks Debenture Debt.....	887,930.70
Electric Light Debenture Debt.....	211,366.11
Telephone Debenture Debt.....	199,000.00
General Debenture Debt.....	1,130,374.50
School Debenture Debt.....	271,932.58

of which no part of the principal or interest is in arrear, for the payment of which a sinking fund of \$393,142.71 has been provided; that the amount of the rateable property of the said Corporation, according to the last revised assessment roll, liable for the general taxation of the said Corporation, is \$15,038,269.50, plus \$30,000 in cash paid by the Canadian Pacific Railway Company yearly; and whereas the said Corporation has by petition prayed for Special Legislation in respect of the above and other matters 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.—(1) By-law number 1036 of the said City, intituled By-law 1036 confirmed. “A By-law to authorize a certain agreement with Frederick W. King and Joseph A. Kilpatrick,” set out in Schedule One hereto, is hereby confirmed and declared to be and always to have been since the 12th day of September, 1911, a legal, valid and binding By-law of the said Corporation.

(2) The Agreement set out in Schedule Two hereto, dated Agreement between city and Copp Stove Co. confirmed. the 4th day of December, 1911, and made between the Corporation of the City of Fort William of the First Part, and Copp Stove Company, Limited, of the Second Part, is hereby declared to be and to have always been, since the execution thereof, a legal, valid and binding agreement upon the Corporation of the City of Fort William and Copp Stove Company, Limited, respectively, in lieu of the Agreement set forth in Schedule “A” to By-law number 1036.

2.—(1) By-law number 1046 of the said City, intituled By-law 1046 confirmed. “A By-law to raise the sum of \$102,000 by way of debentures for the purpose of enabling the City to carry out its part of the Agreement with Frank V. Samwell and authorizing such Agreement,” as set out in Schedule Three hereto, is hereby declared to be and to have always been since the 9th day of January, 1912, a legal, valid and existing By-law of the said City, and the Debentures which may or shall hereafter be issued thereunder shall when so issued be valid and binding upon the City Corporation and the ratepayers thereof, and such Debentures may be purchased by the City in the same manner as Local Improvement Debentures.

(2) The Council of the said City may, without obtaining Power to borrow \$50,000 for purchase of site. any further assent of the electors thereto, borrow on the credit of the City Corporation the cost of the site in such last mentioned Agreement referred to (not exceeding, however, \$50,000) and may issue Debentures of the said City Corporation therefor as the same may from time to time be required, payable within twenty years from the date of issue thereof, and bearing interest at such rate as the Council deems meet.

(3) Notwithstanding anything hereinbefore contained, When sub-secs. 1 and 2 to take effect. the provisions of subsections 1 and 2 of this section shall not come into force or effect until a further By-law has been passed by the Council of the said City approving of the shareholders, officers and management of the Company to be incorporated pursuant to such last mentioned By-law and agreement, and unless and until such By-law has been passed, such provisions shall have no force or effect.

Power to borrow \$10,000 for publicity purposes.

3. The Council of the said City may raise and levy upon the whole rateable property in the said City during the current municipal year, and each year thereafter, a sum not exceeding \$10,000 for Publicity Purposes and for the Industrial Advancement of the City.

How council to be composed.

4. During and after the municipal year of 1913, the Council of the said City shall consist of a Mayor, who shall be the Head thereof, and of eight Aldermen who shall be elected by a general vote of the Municipal Electors of the City.

Township of Paipoonge authorized to borrow \$12,500 for improving roads.

5. The Council of the Municipality of the Township of Paipoonge may, without obtaining the assent of its electors thereto, borrow on the credit of the said Municipality a sum not exceeding \$12,500 for the purpose of improving the roads in the said Municipality pursuant to a good roads movement undertaken by the Corporation of the City of Fort William and the Municipalities of Oliver, Neebing, Paipoonge and O'Connor, and the said Council may issue Debentures of the said Corporation therefor, payable within twenty years from the date of issue thereof and bearing interest at such rate as the Council deems meet.

Township of O'Connor authorized to borrow \$7,500 for improving roads.

6. The Council of the Municipality of the Township of O'Connor may, without obtaining the assent of its electors thereto, borrow on the credit of the said Municipality a sum not exceeding \$7,500 for the purpose of improving the roads in the said Municipality pursuant to a good roads movement undertaken by the Corporation of the City of Fort William and the Municipalities of Oliver, Neebing, Paipoonge and O'Connor, and the said Council may issue Debentures of the said Corporation therefor, payable within twenty years from the date of issue thereof and bearing interest at such rate as the Council deems meet.


By-law No. 1044 confirmed.

7. By-law number 1044 of the said City, intituled "A By-law to raise the sum of \$25,500 by way of Debentures for the purpose of assisting in improving the roads in the District of Thunder Bay in and adjacent to the City of Fort William," as set out in Schedule Four hereto, is hereby declared to be and to have always been since the 9th day of January, 1912, a legal, valid and existing By-law of the said City Corporation, and any and all Debentures which may or shall hereafter be issued thereunder (when so issued) shall be legal and binding upon the said City Corporation and the ratepayers thereof.

Power to borrow \$75,000 for waterworks pipe line.

8. The Council of the said City may, without obtaining the assent of the electors thereto, borrow on the credit of the said City Corporation, amounts not exceeding in the aggregate \$75,000, for the purpose of constructing an additional pipe line in connection with the waterworks system



from the tunnel to the reservoir, and the said Council may also issue debentures of the said City Corporation therefor as required, payable within forty years from the date of issuing same, and bearing interest at 4½ per centum per annum, payable half yearly. 

9. This Act may be cited as "The City of Fort William Short title. Act, 1912."

#### SCHEDULE 1.

#### CITY OF FORT WILLIAM.

#### BY-LAW No. 1036.

A By-law to authorize a certain agreement with Frederick W. King and Joseph A. Kilpatrick.

Whereas the Council of the Corporation of the City of Fort William is desirous of securing the establishment and enlargement of the works hereinafter mentioned upon the terms and conditions therein set forth;

Therefore The Corporation of the City of Fort William enacts as follows:—

1. It shall and may be lawful for the said Corporation and it is hereby empowered to enter into an agreement (which agreement forms a part of this By-law) with Joseph A. Kilpatrick and Frederick W. King or the Company to be incorporated pursuant to such agreement to the effect set forth in Schedule "A" hereto, and the Mayor and the Clerk for the time being of the said Corporation are hereby authorized to sign, seal with the Corporate Seal, execute and deliver the above in part recited agreement on behalf of the said Corporation.

2. This By-law shall come into force on the day of the final passing thereof.

3. That the votes of the electors of the said Municipality entitled to vote on this By-law shall be taken on Tuesday, the 5th day of September, 1911, commencing at the hour of nine o'clock in the forenoon and closing at the hour of five o'clock in the afternoon of the same day, as follows:—

#### WARD I.

Polling Sub-Division No. 1, at 530 McTavish Street, with W. T. Rankin as Deputy Returning Officer, and Joseph Miller as Poll Clerk.

Polling Sub-Division No. 2, at 638 McTavish Street, with John Cooper, Sr., as Deputy Returning Officer, and John Tiboni as Poll Clerk.

Polling Sub-Division No. 3, at Plumbing and Engineering Supply Co. Office, Simpson Street, with Gilbert Hartley as Deputy Returning Officer, and Fred Hartley as Poll Clerk.

Polling Sub-Division No. 4, at Drew Street School, with W. H. Morrell, Jr., Deputy Returning Officer, and P. W. Gibbons, Poll Clerk.

## WARD II.

Polling Sub-Division No. 1, at Lebland's Store, corner Bethune and Hardisty Streets, with John Murie as Deputy Returning Officer, and John Murie, Jr., Poll Clerk.

Polling Sub-Division No. 2, at Sample Rooms at the rear of the Avenue Hotel, with James Hall as Deputy Returning Officer, and Geo. McCall, Poll Clerk.

Polling Sub-Division No. 3, at the City Hall, with C. McKenzie as Deputy Returning Officer, and E. Thompson as Poll Clerk.

Polling Sub-Division No. 4, at House No. 1117 Victoria Avenue, with A. W. Frodsham as Deputy Returning Officer, and I. Fletcher as Poll Clerk.

## WARD III.

Polling Sub-Division No. 1, at Costello's Store, Syndicate Avenue, with W. Huston as Deputy Returning Officer, and Thomas Hogg, Poll Clerk.

Polling Sub-Division No. 2, at George Coates' Shop, Marks Street, with J. R. Wells, Deputy Returning Officer, and J. Thompson, Poll Clerk.

## WARD IV.

Polling Sub-Division No. 1, at Mount McKay Club, with Geo. Neale as Deputy Returning Officer, and D. Booth, Poll Clerk.

Polling Sub-Division No. 2, at Ward 4 Fire Hall, with G. W. Game as Deputy Returning Officer, and J. Kaempf, Poll Clerk.

4. That on Monday, the 4th day of September, 1911, at the hour of ten o'clock in the forenoon the Mayor of Fort William will attend at the office of the City Clerk for the purpose of appointing in writing, signed by himself, two persons to attend at the final summing up by the City Clerk of the votes polled by this By-law, and also of appointing one person 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.

5. That on Wednesday, the 6th day of September, 1911, at the hour of ten o'clock in the forenoon, at the Office of the Clerk of the City of Fort William, the Clerk of the said City will proceed to sum up the number of votes given for and against this By-law.

Given under the Corporate Seal of the City of Fort William as witnessed by the hands of its Mayor and Clerk, this 12th day of September, 1911.

THE CORPORATION OF THE CITY OF FORT WILLIAM.

[Seal.]

(Sgd.) Per S. C. YOUNG,  
*Mayor.*

Per A. McNAUGHTON,  
*Clerk.*

## SCHEDULE "A."

Memorandum of Agreement made in triplicate:

Between

**The Corporation of the City of Fort William** (hereinafter called **The City**), of the first part;  
and

**Frederick W. King**, of the City of London, in the Province of Ontario, General Manager of the McClary Manufacturing Company, Limited, and **Joseph A. Kilpatrick**, of the City of Montreal, in the Province of Quebec, General Manager of the Canada Iron Corporation, Limited (hereinafter called **The Grantees**), of the second part;

Now therefore this Agreement witnesseth:—

That in consideration of the covenants and agreements on the part of the City, herein contained, The Grantees covenant and agree with The City as follows:

1. The Grantees shall proceed forthwith to incorporate a Company with a Dominion or Provincial Charter, for the purpose of manufacturing stoves, furnaces, etc., and also to take over the business, plant and property of **W. J. Copp, Son and Company**, in the City of Fort William, in the Province of Ontario, the said Company to have an authorized capital of not less than \$250,000.00, and an authorized bond issue of \$150,000.00.

2. That the said Grantees are each to be substantially interested in such Company so to be formed, and are to be amongst the first directors of the said Company, the said **Frederick W. King** or some other person with equal business reputation in the manufacture of similar goods, is, as soon as the business of the Company is in shape for operation, to take charge of same and reside in the City of Fort William.

3. That the said Company is to have its Head Office and manufacturing and producing works at the City of Fort William, and will fulfil the statutory requirements as to maintaining its Head Office at Fort William.

4. The Company is to purchase and acquire the good-will, business, plant and property of **W. J. Copp, Son and Company** of the City of Fort William.

5. The Company is to increase and improve the plant and property so acquired from the said **W. J. Copp, Son and Company** as rapidly as the state of trade will permit, and, in any event, so as to employ and keep employed in connection therewith in the said City, in each of the years hereinafter mentioned (but only so long as the first party carries out its obligations as herein provided), a sufficient number of men for a sufficient number of days to equal as follows:—

- (a) During the year 1912, 100 men for 200 days of 10 hours each;
- (b) During the year 1913, 150 men for 200 days of 10 hours each;
- (c) During the year 1914, 200 men for 200 days of 10 hours each;
- (d) During the year 1915, and each and every year thereafter, until and including the year 1923, 250 men for 200 days of 10 hours each.

6. That all fire insurance placed or held by the Company upon any of its property situated in the City of Fort William shall, during the currency hereof, be placed with or through the local fire insurance agents residing and carrying on business in the City of Fort William, provided such insurance can be placed at equally good rates with outside quotations.

7. That all men employed by the said Company, or employed in or about the said works, or employed by any contractor or sub-contractor or otherwise in the erection or operation of such plant and works, shall be paid in cash in the said City of Fort William or by cheque on some bank in the City of Fort William.

8. That the pay roll and books of the Company shall be open for inspection by the city, during the period of exemption granted by the City of Fort William, the said inspection to be made through a duly chartered accountant, acceptable to the second parties, which inspection may be made at such times and hours as may be found convenient to the second parties, and if so required, the Company shall from time to time during the said term, satisfy the city by declaration or affidavit that they have complied with the provisions hereof.

In witness whereof, the City covenants and agrees with the Grantees as follows:—

1. The City will and does hereby exempt all the Company's property which may be situated upon and including the property to be acquired from W. J. Copp, Son and Company, as well as any subsequent additions made from time to time on the Company's property and plant, and which is used in connection with and solely for the purpose of such manufacture, including the raw material to be used therein, and the products thereof, from all general municipal taxation of the City, excepting school taxation, local improvement rates and taxation imposed for public parks, for so long of the period of ten years commencing with the year Nineteen hundred and fourteen (1914) as the Company shall fully comply with the terms and conditions of this agreement as herein set forth;

Provided, however, that no dwelling houses used and occupied as dwellings which may be situated upon the lands exempt hereby, shall be exempt from any general and municipal taxation under this agreement.

2. Time shall be of the essence of this agreement.

3. That the City will as accommodation and as surety for the Company, guarantee the principal and interest of One hundred and fifty thousand dollars (\$150,000.00) of the authorized bond issue of the Company, secured as hereinafter mentioned, payable in twenty years and bearing interest at four and one-half per cent. per annum, payable half-yearly, and the City will execute and deliver such guarantee on demand, as follows:

- (a) On Seventy-five thousand dollars of such bonds, when the said Company has secured a good registered title in fee simple, free from all encumbrance, of all the lands, good-will, plant, stock-in-trade and property of W. J. Copp, Son and Company;
- (b) On Twenty-five thousand dollars when the said Company has expended the sum of Fifty thousand dollars in and toward the extension and improvement of the plant and property of the said W. J. Copp, Son and Company;
- (c) On Twenty-five thousand dollars when the said Company has expended the sum of One hundred thousand dollars in and towards the extension and improvement of the plant and property of the said W. J. Copp, Son and Company;
- (d) On the remaining Twenty-five thousand dollars when the said Company has expended One hundred and fifty thousand dollars in and towards the extension and improvement of the plant and property of the said W. J. Copp, Son and Company.

4. The proceeds of the total bond issue of the said Company to be guaranteed as aforesaid, are to be placed in the treasury of the

said Company, and are to be used solely for the purpose of acquiring and taking over the business, plant and property of W. J. Copp, Son and Company and of making extensions and additions to the Company's property.

5. A deed of first mortgage and trust of all the property of the Company shall be executed and delivered in favor of a trust company doing business in the Dominion of Canada, mutually satisfactory to the City and the Company, securing the bond issue of the Company and the interest thereon to be guaranteed by the City as aforesaid.

6. As soon as the said Company is incorporated the City will enter into a similar agreement with the Company in lieu of this agreement, and which new agreement when executed shall *ipso facto* release the parties of the second part from any personal claim herein.

7. This agreement shall inure to the benefit of the parties or their assigns.

In witness whereof the Corporate Seal of the said City and the hands and seals of the Grantees this 11th day of September, A.D. 1911.

In the presence of:	}	(Sgd.) F. H. KING. J. A. KILPATRICK, S. C. YOUNG, <i>Mayor.</i> A. McNAUGHTON, <i>Clerk.</i>
[Seal.]		

#### SCHEDULE 2.

Memorandum of Agreement made in triplicate:

Between

The Corporation of the City of Fort William (hereinafter called the City), of the first part,

and

Copp Stove Company, Limited, incorporated under the laws of the Province of Ontario, and having its Head Office at the City of Fort William, in the Province of Ontario (hereinafter called the Company), of the second part.

Whereas the City did, on the 11th day of September, 1911, enter into a written agreement with Frederick W. King and Joseph A. Kilpatrick;

And whereas the company to be incorporated under the above in part recited agreement has been incorporated in accordance with the said agreement, and is now known as the Copp Stove Company, Limited, with a capital stock of not less than \$250,000 and an authorized bond issue of \$150,000;

And whereas the said Frederick W. King and Joseph A. Kilpatrick are each substantially interested in such Company and are amongst the first Directors thereof;

And whereas the said Frederick W. King is the General Manager of the business of the Company and in charge thereof as such, and is also residing in the said City of Fort William;

And whereas in and by the above in part recited agreement it was provided that as soon as the Company was incorporated the City would enter into a similar agreement with the Company in lieu of the above in part recited agreement, and that this agreement when executed shall *ipso facto* release the said Messrs. King and Kilpatrick from any personal claim in respect thereof;

Now therefore this agreement witnesseth, in consideration of the covenants and agreements on the part of the City herein contained, the Company covenants and agrees with the City as follows:

1. That the said Company is to have its Head Office and manufacturing and producing works at the City of Fort William, and will fulfil the statutory requirements as to maintaining its Head Office at Fort William.

2. The Company is to purchase and acquire the goodwill, business, plant and property of W. J. Copp, Son and Company, of the City of Fort William.

3. The Company is to increase and improve the plant and property, so acquired from the said W. J. Copp, Son and Company as rapidly as the state of trade will permit, and, in any event, so as to employ and keep employed in connection therewith in the said City, in each of the years hereinafter mentioned (but only so long as the first party carries out its obligations as herein provided), a sufficient number of men for a sufficient number of days to equal as follows:

(a) During the year 1912, 100 men for 200 days of 10 hours each;

(b) During the year 1913, 150 men for 200 days of 10 hours each;

(c) During the year 1914, 200 men for 200 days of 10 hours each;

(d) During the year 1915, and each and every year thereafter, until and including the year 1923, 250 men for 200 days of 10 hours each.

4. That all fire insurance placed or held by the Company upon any of its property situated in the City of Fort William shall, during the currency hereof, be placed with or through the local fire insurance agents residing and carrying on business in the City of Fort William, provided such insurance can be placed at equally good rates with outside quotations.

5. That all men employed by the said Company, or employed in or about the said works, or employed by any contractor or subcontractor, or otherwise in the erection or operation of such plant and works, shall be paid in cash in the said City of Fort William, or by cheque on some bank in the City of Fort William.

6. That the pay roll and books of the Company shall be open for inspection by the City during the period of exemption granted by the City of Fort William, the said inspection to be made through a duly Chartered Accountant acceptable to the second party, which inspection may be made at such times and hours as may be found convenient to the second party, and if so required the Company shall, from time to time during the said term, satisfy the City, by declaration or affidavit, that they have complied with the provisions hereof;

In witness whereof the City covenants and agrees with the Company as follows:

1. The City will and does hereby exempt all the Company's property which may be situated upon and including the property

to be acquired from W. J. Copp, Son and Company, as well as any subsequent additions made from time to time on the Company's property and plant, and which is used in connection with and solely for the purpose of such manufacture, including the raw material to be used therein, and the products thereof, from all general municipal taxation of the City, excepting school taxation, local improvement rates and taxation imposed for public parks, for so long of the period of ten years commencing with the year nineteen hundred and fourteen (1914) as the Company shall fully comply with the terms and conditions of this agreement as herein set forth;

Provided, however, that no dwelling houses used and occupied as dwellings which may be situated upon the lands exempt hereby shall be exempt from any general and municipal taxation under this agreement.

2. Time shall be the essence of this agreement.

3. That the city will, as accommodation and as surety for the Company, guarantee the principal and interest of One hundred and fifty thousand dollars (\$150,000) of the authorized bond issue of the Company, secured as hereinafter mentioned, payable in twenty years and bearing interest at four and one-half per cent. per annum, payable half-yearly, and the City will execute and deliver such guarantee on demand as follows:

- (a) On Seventy-five thousand dollars of such bonds, when the said Company has secured a good registered title in fee simple free from all encumbrance, of all the lands, goodwill, plant, stock-in-trade and property of W. J. Copp, Son and Company;
- (b) On Twenty-five thousand dollars when the said Company has expended the sum of Fifty thousand dollars in and towards the extension and improvement of the plant and property of the said W. J. Copp, Son and Company;
- (c) On Twenty-five thousand dollars when the said Company has expended the sum of One hundred thousand dollars in and towards the extension and improvement of the plant and property of the said W. J. Copp, Son and Company;
- (d) On the remaining Twenty-five thousand dollars when the said Company has expended One hundred and fifty thousand dollars in and towards the extension and improvement of the plant and property of the said W. J. Copp, Son and Company.

4. The proceeds of the total bond issue of the said Company to be guaranteed as aforesaid are to be placed in the treasury of the said Company, and are to be used solely for the purpose of acquiring and taking over the business, plant and property of W. J. Copp, Son and Company, and of making extensions and additions to the Company's property.

5. A Deed of First Mortgage and Trust of all the property of the Company shall be executed and delivered in favor of a Trust Company doing business in the Dominion of Canada mutually satisfactory to the City and the Company, securing the bond issue of the Company, and the interest thereon to be guaranteed by the City as aforesaid.

6. This agreement shall inure to the benefit of the parties or their assigns.

In witness whereof the Corporate Seal of the City and Company respectively and the hands of their respective officers in that behalf this 4th day of December, 1911.

THE CORPORATION OF THE CITY OF FORT WILLIAM.

Per S. C. YOUNG,  
*Mayor.*

[Seal.]

Per A. McNAUGHTON,  
*Clerk.*

COPP STOVE COMPANY, LIMITED.

Per JAS. MURPHY,  
*Vice-President.*  
Per CHAS. E. PIPER,  
*Secretary.*

SCHEDULE 3.

CITY OF FORT WILLIAM.

BY-LAW No. 1046.

A By-law to raise the sum of \$102,000 by way of debentures for the purpose of enabling the City to carry out its part of the agreement with Frank V. Samwell and authorizing such agreement.

Whereas the Council of the said City deem it desirable, in the best interest of the City that the agreement hereinafter set forth as Schedule "A" hereto should be made and entered into with Frank V. Samwell, or the Company to be incorporated thereunder;

And whereas in order to enable the City to carry out its part of the said agreement the City will require to raise the sum of \$102,000 by way of debentures, including the cost of submitting this By-law and printing and selling the debentures hereunder;

And whereas the said sum of \$102,000 is the amount of the debt intended to be created hereby;

And whereas the amount of the whole rateable property of the said City of Fort William, according to the last revised assessment roll, is \$15,038,269.50, plus a sufficient further amount to produce \$30,000 in taxes in each year, such said sum of \$30,000 being the fixed sum which the Canadian Pacific Railway Company is bound to pay yearly in lieu of all municipal taxation;

And whereas the existing debenture debt of the said City, exclusive of the local improvement debentures, amounts to \$3,205,603.89, made up as follows:

Street Railway Debenture Debt .....	\$505,000 00
Waterworks Debenture Debt .....	887,930 70
Electric Light Debenture Debt .....	211,366 11
Telephone Debenture Debt .....	199,000 00
General Debenture Debt .....	1,130,374 50
School Debenture Debt .....	271,932 58

Of which no part of the principal or interest is in arrear, and for the payment of which a sinking fund of \$393,142.71 has been provided;

And whereas in order to provide for the said debt it is expedient to issue debentures of the said Corporation to the amount of \$102,000, bearing interest at four and one-half per centum per annum;

And whereas it will require the sum of \$4,590.00 to be raised annually for a period of ten years (the currency of the debentures to be issued under and by virtue of this By-law), to pay the interest on the said debt, and the sum of \$8,897.51 to be raised annually



during the said period for the payment of the said debt intended to be created by this By-law, such last-mentioned sum being sufficient, with the estimated interest on the investment thereof, to discharge the said debt when the same becomes due and payable, making in all the sum of \$13,487.51 to be raised annually as aforesaid for the payment of the said debt and interest;

And whereas it will require the sum of \$13,487.51 to be raised annually for a period of ten years by a special rate on the whole rateable property in the said City for the payment of the said debt and interest as aforesaid;

Therefore the Corporation of the City of Fort William enacts as follows:

1. That the said Corporation be, and it is hereby authorized to enter into an agreement with Frank V. Samwell or the Company referred to in the agreement hereinafter mentioned, to the effect set forth in Schedule "A" hereto, and the Mayor and Clerk respectively of the said Corporation for the time being are hereby authorized to sign, seal with the Corporate Seal, execute and deliver the same on behalf of this Corporation.

2. It shall and may be lawful for the said Corporation, and it is hereby empowered to borrow the said sum of \$102,000, on the credit of the said Corporation for the purposes aforesaid, and to issue debentures of the said Corporation to the extent of \$102,000, either in currency or sterling money, in sums of not less than \$100 Canadian currency, or £20 sterling each, payable within ten years from the date of issuing such debentures, and to bear interest at four and one-half per centum per annum, payable half-yearly.

3. The said debentures shall bear date as of the day of issue thereof, and shall be signed by the Mayor and Treasurer thereof, and sealed with the Corporate Seal.

4. During the said period of ten years (the currency of the debentures to be issued hereunder) there shall be raised and levied annually upon the whole rateable property in the said City, in addition to all other rates, levies and assessments, the said sum of \$4,590.00 to pay the interest on the said debentures, and also the further sum of \$8,897.51 as a sinking fund for the payment of the said debt at the maturity thereof, making in all the sum of \$13,487.51 to be raised annually as aforesaid.

5. The said debentures shall have attached thereto coupons for the payment of interest thereon, and the said debentures as to principal and interest shall be payable at the following places, namely: Office of the City Treasurer, Fort William, Canada; Bank of Montreal, Montreal, Canada; Bank of Montreal, Toronto, Canada; and the Bank of Montreal, London, England.

6. 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 this Municipal Corporation, be transferable, except by entry by the Treasurer or his Deputy in the Debenture Registry Book of the said Corporation, at the said City of Fort William," or to like effect.

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

8. That the votes of the electors of the said Municipality entitled to vote on this By-law shall be taken on Monday, the First day of January, 1912, and the polls shall be held at the same hour, on the same day, at the same places, and by the same deputy returning officers and poll clerks as the Municipal elections for 1912 will be held.

9. That on Saturday, the 30th day of December, 1911, at the hour of ten o'clock in the forenoon, the Mayor of Fort William will attend at the office of the City Clerk, for the purpose of appointing in writing, signed by himself, two persons to attend at the final summing up by the City Clerk of the votes polled on this By-law, and also of appointing one person 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.

10. That on Wednesday, the 3rd day of January, 1912, at the hour of ten o'clock in the forenoon, at the office of the Clerk of the City of Fort William, the Clerk of the said City will proceed to sum up the number of votes given for and against this By-law.

Given under the Corporate Seal of the City of Fort William, as witnessed by the hands of its Mayor and Clerk, this 9th day of January, 1912.

THE CORPORATION OF THE CITY OF FORT WILLIAM.

Per S. C. Young,  
*Mayor.*

[Seal.]

Per A. McNAUGHTON,  
*Clerk.*

Memorandum of Agreement made in triplicate this First day of November, 1911.

Between

The Corporation of the City of Fort William, (hereinafter called the City), of the first part;

and

Frank V. Samwell, of the City of Guelph, in the Province of Ontario (hereinafter called the Grantee), of the second part.

Whereby the City and the Grantee mutually covenant, promise and agree each with the other of them as follows:

1. The Grantee shall proceed forthwith to incorporate a Company with a Dominion Charter, for the purpose, among other things, of manufacturing wrought iron and steel pipe in the City of Fort William, in the Province of Ontario, with a capital of not less than \$500,000, of which not less than \$200,000 shall be fully paid up, and no stock whatever shall be issued as a bonus upon or in connection with the sale of the said stock.

2. The said Company is to have its head office, manufacturing and producing works at the City of Fort William, and is to carry on all its business from the City of Fort William.

3. The Company is to proceed to erect on the site hereinafter mentioned a plant, works and equipment for the purpose of manufacturing, among other things, wrought iron and steel pipe, and such plant, works and equipment shall be ready for operation within twelve months from the date hereof, provided, however, if the Company is delayed by fire, accidents, strikes, non-delivery of material or other matters beyond its control, the time so lost shall be added to the twelve months aforesaid.

4. Upon deposit with the City of the cost to the City of such site, the City is to furnish a site in the City of Fort William to be selected by the Grantees, at a price mutually satisfactory to the Council of the Company, from the available sites for manufactur-

ing purposes, of from ten to fifteen acres and having a river frontage of about 500 feet, and the amount of such deposit up to \$50,000 shall be returned to the Company by the City with interest at 6 per cent. per annum as follows: \$25,000 upon the completion of the said plant, works and equipment and the commencement of operation thereof in accordance herewith, and the balance in three equal annual instalments as follows:

(a) The first of such instalments upon the completion of the said plant, works and equipment and its operation in accordance herewith for a period of one year.

(b) The second of such instalments upon such completion and operation for a period of two years, and

(c) The third of such instalments upon such completion and operation for a period of three years.

The Understanding being that if the site cost more than \$50,000 the City is to retain for its own use and benefit to apply in and toward the cost of such site the amount in excess of \$50,000, and that the amount in excess of \$50,000 is not to be returned to the Company in any event.

5. The cost of the plant, works and equipment of the Company is to be not less than \$200,000.

6. The City is to make a loan to the Company of \$100,000 to be advanced as follows:—

(a) \$50,000 of the said loan when and so soon as the Company has expended \$100,000 in and toward the erection of such plant, works and equipment, and

(b) The remaining \$50,000 when and so soon as the said plant, works and equipment have been fully completed.

7. The City shall issue debentures to the amount of \$100,000 payable within ten years and bearing interest at four and one-half per centum per annum payable half-yearly in order to raise the said \$100,000.

8. Before any moneys on account of such loan are advanced by the City, the Company shall execute and deliver to the City, a first mortgage in fee simple for the said sum of \$100,000 on the said site, buildings, equipment and works, repayable with interest at four and one-half per centum per annum on the same days and times and in the same amounts as to both principal and interest as the City has to pay each year for interest and sinking fund to take care of the payment of the debentures for \$100,000 to be issued by the City as aforesaid.

9. The Company is to operate the said plant, works and equipment during the term of such debentures and exemption herein granted so as to have employed and engaged at the commencement of operation of such plant, works and equipment on or before the date fixed for such commencement of operations not less than 200 men, and thereafter said Company is to operate said plant, works and equipment so as to employ and keep employed in connection therewith in the said City during each of the first, second and third years thereafter a sufficient number of men for a sufficient number of days to equal 200 men for 250 days at least, unless prevented by causes beyond the control of the Company, and so as to employ and keep employed in connection therewith during each and every year thereafter until the expiry of the term of such debentures and the exemption herein granted a sufficient number of men for a sufficient number of days to equal 300 men for 250 days at least, unless prevented by causes beyond the control of the Company.

10. That all fire insurance placed or held by the Company upon any of its property situated in the City of Fort William shall, during the currency hereof, be placed with or through the local Fire Insurance Agents residing and carrying on business in the City of Fort William, provided such insurance can be placed at equally good rates with outside quotations.

11. That all men employed by the said Company or employed in or about the said works, or employed by any contractor or sub-contractor or otherwise in the erection or operation of such plant and works, shall be paid in cash in the said City of Fort William or by cheque on some bank in the City of Fort William.

12. That all men employed by the Company, or employed by any contractor or sub-contractor, or otherwise, in the erection or operation of such plant, works and equipment, shall be paid not less than the standard wages from time to time in force in Fort William for their respective trades, and that all such men shall be paid bi-monthly.

13. That the pay-rolls and books of the Company shall be open for inspection by the City during the period of exemption granted by the City of Fort William, the said inspection to be made through a duly Chartered Accountant acceptable to the Company, which inspection may be made at such times and hours as may be found convenient to the Company, and if so required, the Company shall from time to time during the said term, satisfy the City by declaration or affidavit that they have complied with the provisions hereof.

14. The City will and doth hereby exempt all the property of the Company in the City of Fort William which is used in connection with and solely for the purpose of such manufacture, including the raw material to be used therein and the products thereof, from all general municipal taxation of the City, excepting school rates, local improvement rates and taxation imposed for public parks, public libraries and hospitals, for so long of a period of ten years, commencing with the year 1912, as the Company shall fully comply with the terms and conditions of this Agreement as herein set forth; provided however, that no dwelling house which may be situate upon the lands exempt hereby shall be included in such exemption.

15. Time will be the essence of this Agreement.

16. As soon as the said Company is incorporated the City will enter into a similar Agreement with the Company in lieu of this Agreement, and which new Agreement when executed shall *ipso facto* release the party of the Second Part from any personal liability herein.

17. This Agreement shall not come into force or effect until approved by the ratepayers of the said City and ratified by the Legislative Assembly of the Province (if necessary) and until and unless so approved shall have no force or effect.

17 (a). Notwithstanding anything herein contained the City shall not be bound to legalize this Agreement unless and until the Council of this City for the year 1912 is satisfied with the shareholders, officers and management of the Company.

18. This Agreement shall be binding upon and enure to the benefit of the successors and assigns of the Company and the City respectively.

IN WITNESS WHEREOF the Corporate Seal of the said City and the hands of its proper officers in that behalf and the hand and Seal of the Grantee.

Signed, Sealed and Delivered in the Presence of

(Sgd.) N. COVENEY.

(Sgd.) S. C. YOUNG, *Mayor*.

[Seal.]

(Sgd.) A. McNAUGHTON, *City Clerk*.

(Sgd.) F. V. SAMWELL.

(Sgd.) W. E. BUCKINGHAM, as to signature of Frank V. Samwell.

SCHEDULE 4.

CITY OF FORT WILLIAM.

BY-LAW No. 1044.

A By-law to raise the sum of \$25,500 by way of Debentures for the purpose of assisting in improving the roads in the District of Thunder Bay in and adjacent to the City of Fort William.

And whereas the Council of The Corporation of the City of Fort William is of opinion that the City of Fort William should contribute the sum of \$25,500, including the cost of submitting this By-law and of printing and selling the debentures to be issued hereunder, towards the cost of improving the roads in the District of Thunder Bay in and adjacent to the City of Fort William;

And whereas the said sum of \$25,500 is the amount of the debt intended to be created hereby;

And whereas the amount of the whole rateable property of the said City of Fort William, according to the last revised assessment roll, is \$15,038,269.50, plus a sufficient further amount to produce \$30,000 in taxes in each year, such said sum of \$30,000 being the fixed sum which the Canadian Pacific Railway Company is bound to pay yearly in lieu of all municipal taxation;

And whereas the existing debenture debt of the said City, exclusive of the local improvement debentures, amounts to \$3,205,603.89, made up as follows:—

Street Railway Debenture Debt .....	\$505,000.00
Waterworks Debenture Debt .....	887,930.70
Electric Light Debenture Debt .....	211,366.11
Telephone Debenture Debt .....	199,000.00
General Debenture Debt .....	1,130,374.50
School Debenture Debt .....	271,932.58

of which no part of the principal or interest is in arrear for the payment of which a sinking fund of \$393,142.71 has been provided;

And whereas in order to provide for the said debt, it is expedient to issue debentures of the said Corporation to the amount of \$25,500, bearing interest at four and one-half (4½) per centum per annum;

And whereas it will require the sum of \$1,147.50 to be raised annually for a period of 20 years (the currency of the debentures to be issued under and by virtue of this By-law) to pay the interest on the said debt, and the sum of \$949.00, to be raised annually

during the said period for the payment of the said debt intended to be created by this By-law, such last mentioned sum being sufficient with the estimated interest on the investment thereof to discharge the said debt when the same becomes due and payable, making in all the sum of \$2,096.50 to be raised annually as aforesaid for the payment of the said debt and interest;

And whereas it will require the sum of \$2,096.50 to be raised annually for a period of 20 years, by a special rate on the whole rateable property in the said City for the payment of the said debt and interest as aforesaid;

Therefore the Corporation of the City of Fort William enacts as follows:—

1. It shall and may be lawful for the said Corporation, and it is hereby empowered to borrow the said sum of \$25,500, on the credit of the said Corporation for the purposes aforesaid, and to issue debentures of the said Corporation to the extent of \$25,500, either in currency or sterling money, in sums of not less than \$100, Canadian currency or £20 sterling, each payable within 20 years from the date of issuing such debentures, and to bear interest at four and one-half per centum per annum, payable half yearly.

2. The said debentures shall bear date as of the day of the issue thereof and shall be signed by the Mayor and Treasurer thereof and sealed with the Corporate Seal.

3. During the said period of 20 years (the currency of the debentures to be issued hereunder) there shall be raised and levied annually upon the whole rateable property in the said city, in addition to all other rates, levies and assessments, the said sum of \$1,147.50, to pay the interest on the said debentures, and also the further sum of \$949.00 as a sinking fund for the payment of the said debt at the maturity thereof, making in all the sum of \$2,096.50 to be raised annually as aforesaid.

4. The said debentures shall have attached thereto coupons for the payment of interest thereon, and the said debentures as to principal and interest shall be payable at the following places, namely: Office of the City Treasurer, Fort William, Canada; Bank of Montreal, Montreal, Canada; Bank of Montreal, Toronto, Canada; and the Bank of Montreal, London, England.

5. 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 this Municipal Corporation, be transferable except by entry by the Treasurer or his Deputy in the Debenture Registry Book of the said Corporation, at the said City of Fort William," or to like effect.

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

7. That the votes of the Electors of the said Municipality entitled to vote on this By-law shall be taken on Monday, the first day of January, 1912, and the polls shall be held at the same hour, on the same day, at the same places, and by the same Deputy Returning Officers and Poll Clerks as the municipal elections for 1912 will be held.

8. That on Saturday, the 30th day of December, 1911, at the hour of ten o'clock in the forenoon, the Mayor of Fort William will attend at the Office of the City Clerk for the purpose of appointing, in writing, signed by himself, two persons to attend at the final summing up by the City Clerk of the votes polled on this By-law, and also

of appointing one person 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 or desirous of opposing the passing of this By-law.

9. That on Wednesday, the 3rd day of January, 1912, at the hour of ten o'clock in the forenoon, at the office of the Clerk of the City of Fort William, the Clerk of the said City will proceed to sum up the number of votes given for and against this By-law.

Given under the Corporate Seal of the City of Fort William, as witnessed by the hands of its Mayor and Clerk this 9th day of January, 1911.

THE CORPORATION OF THE CITY OF FORT WILLIAM.

Per S. C. YOUNG

[Seal.]

*Mayor.*

Per A. McNAUGHTON,

*Clerk.*

No. 42.

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1st Session, 13th Legislature,  
2 George V., 1912.

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**BILL.**

An Act respecting the City of Fort  
William, 1912.

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1st Reading, February 20th, 1912.

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

Mr. JARVIS.

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**TORONTO:**

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



# BILL

## An Act to confirm By-law No. 317 of the Town of North Bay

**W**HEREAS the Municipal Corporation of the Town of <sup>Preamble.</sup> North Bay has by petition represented that By-law Number 317 of the said Corporation, set out as Schedule "A" hereto, providing for the construction of a further system of Storm Sewers within the limits of the said Town, and providing also for the construction of a Trunk Sewer to be constructed in the said Town, was finally passed on the 5th day of June, 1911, after the same had been submitted to and approved of by the qualified electors in accordance with the provisions of *The Consolidated Municipal Act, 1903*; that *The Public Health Act* as amended by section 3 of the Act passed in the 1st year of His Majesty's reign, chaptered 67, provides that "No By-law shall be passed for the raising of money for the purpose mentioned in subsections 1 and 2 until the proposed water supply or sewerage system, as the case may be, has been approved of by the Provincial Board of Health, and such approval has been certified in writing and signed by the Chairman and Secretary of the Board. The preamble of the By-law shall recite such approval"; that doubts have arisen as to whether the said By-law providing for extensions only of the present Sewerage system comes within the wording of the above amendment, and that the validity of the said By-law has been questioned on the ground of non-compliance with the above amendment; that by reason of such doubts the Corporation has been unable to sell the Debentures authorized to be issued by the said By-law; and whereas the said Corporation has by its said petition prayed that an Act may be passed legalizing and confirming the said By-law and the special rates thereby imposed and all debentures issued or to be issued thereunder; 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 317  
of Town of  
North Bay  
confirmed.

1. By-law 317 of the Corporation of the Town of North Bay, set out as Schedule "A" hereto, is confirmed and declared to be legal, valid and binding upon the said Corporation and the ratepayers thereof. The special rate imposed by the said By-law for the payment of the debt authorized by the said By-law and the interest thereon is also confirmed and declared to be valid and binding upon the lands referred to in the said By-law.

Debentures  
confirmed.

2. All debentures issued or to be issued or purporting to be issued under the said By-law Number 317 are confirmed and declared to be valid and binding upon the Corporation of the Town of North Bay, and it shall not be necessary for the purchasers of such debentures to enquire into the validity of the proceedings relating to the issue of the same.

#### SCHEDULE "A."

##### BY-LAW No. 317.

Being a By-law to provide for raising the sum of \$45,000.00 by way of loan upon security of debentures of the Town of North Bay, in the District of Nipissing, and for expending the said moneys in constructing storm sewers in the said Town, and also for building and constructing a trunk sewer in the limits of the said Town.

Whereas in the opinion of the Municipal Council of the Corporation of the Town of North Bay, in the District of Nipissing, it is necessary that a further system of storm sewers should be installed and constructed within the limits of the said Town in addition to the storm sewers which are at present in existence, and also that a trunk sewer be constructed in the said Town;

And whereas, for the purpose of constructing the said storm sewers and building and constructing the said trunk sewer, it is necessary to borrow the sum of Forty-five thousand dollars (\$45,000.00) on the credit of the said Corporation, and to issue debentures for the said sum of Forty-five thousand dollars (\$45,000.00), which is the amount of the debt intended to be created by this By-law, and the proceeds to be applied for the purposes aforesaid, and no other;

And whereas for the repayment of the said sum of Forty-five thousand dollars (\$45,000.00) it is proposed to issue debentures of the said Town of North Bay, payable with interest at the rate of five per cent. per annum in thirty annual instalments, such that the aggregate amount payable for principal and interest in any one of the said thirty years shall be equal, as nearly as may be, to what is payable for principal and interest in each one of the other years of such period, and none of the said debentures shall be for less than One hundred dollars;

And whereas the total amount required to be raised annually for principal and interest by special rate during the said period of thirty years for payment of the said debentures and interest is the sum of \$2,927.32;

And whereas the amount of the whole rateable property of the said Municipality, according to the last revised assessment roll, being for the year 1910, is \$3,065,862.00;

And whereas the amount of the existing debenture debt of the said Municipality is \$274,547.09, of which no portion of the said principal and interest is in arrears;

Be it enacted, and it is therefore hereby enacted by the Municipal Council of the said Town of North Bay, pursuant to the provisions of the statutes in that behalf, as follows:

1. That a system of storm sewers be constructed within the limits of the Municipality of the Town of North Bay, in the District of Nipissing, in addition to the system at present in existence in the said Municipality, and that a trunk sewer be constructed in the said Town, as herein set forth.

2. That the said system of storm sewers to be built under the conditions of this By-law be constructed along the following streets and through the private property hereinafter referred to (the consent to such construction having been obtained under seal), and the said trunk sewer in the said Town be constructed on the portions of the said streets within the limits of the said Town hereinafter described, and that the piping to be used in connection with the said system be of the following sizes, namely:

3. 10 in. Pipe Sewer.

On Cassells Street, from McIntyre Street to First Avenue.  
 On Cassells Street, from Second Avenue to Seventh Avenue.  
 On Main Street, from Harvey Street to Foren Street.  
 On Fraser Street, from Second Avenue to Sixth Avenue.  
 On McIntyre Street, from Ferguson Street to Wyld Street.  
 On McIntyre Street, from Bye Street to Foren Street.  
 On McIntyre Street, from Harvey Street to Durrill Street.

20 in. Pipe Sewer.

On O'Brien Street, from High Street to Cassells Street.

24 in. Pipe Sewers.

On Seventh Avenue, from Cassells Street to Fraser Street.  
 On Sixth Avenue, from Fraser Street to Ferguson Street.  
 On Klock Avenue, from Foren Street to Commercial Street.  
 On Fraser Street, from Seventh Avenue to Sixth Avenue.  
 On Foren Street, from C.P.R. culvert to Klock Avenue.

30 in. Pipe Sewers.

On Ferguson Street, From Sixth Avenue to Fifth Avenue.  
 On Wyld Street, from Fifth Avenue to Second Avenue.  
 On Fifth Avenue, from Ferguson Street to Wyld Street.

36 in. Pipe Sewers.

Through private property from corner of Second Avenue and Wyld Street to corner of Fisher Street and Second Avenue; thence along Second Avenue to Chippewa Creek.

24 in. Main Trunk Sewer.

On Tenth Street and Main Street, from Septic tank to Murray Street, and on Regina Street, from Septic tank to Main Street.

24 in. Main Trunk Sewer.

On Main Street, from Murray Street to Foren Street.

3. That the Mayor of the said Town of North Bay is hereby authorized to borrow, on the credit of the said Corporation, the sum of Forty-five thousand dollars (\$45,000.00), being the amount

necessary for constructing said storm sewers and building and constructing said trunk sewer in the said Town, and the proceeds thereof shall be used and expended in payment for the said storm sewers, and building and constructing said trunk sewer only; and to secure the repayment of the said sum, debentures of the said Corporation may be issued in the amounts, and payable on the days and times and in the manner hereinbefore specified, and the said debentures shall bear interest at the rate of five per cent. per annum, payable yearly with the said debentures.

4. That the debentures shall be signed by the Mayor and Treasurer of the said Municipality, and sealed with the corporate seal, and the said debentures shall be payable at the Traders Bank of Canada, in the Town of North Bay, on the First day of October in each year thereafter.

5. That the debenture payable in the first year shall become due and payable on the first day of October, 1912, and in subsequent years on the First day of October in each and every year after the First day of October, 1912, and the debentures due each year shall be for the amount of principal set out in Schedule "A" to this By-law, and all interest shall be payable yearly.

6. That for the purpose of paying the said debentures and interest on the same during the currency thereof, the sum of \$2,927.32 shall be annually raised and levied in the same manner and at the same time as the taxes of the said Municipality are levied, by a special rate over and above all other rates upon the whole rateable property of the said Town of North Bay in each year for the period of thirty years, the first of such assessments to be made during the year 1912.

7. That this By-law shall take effect immediately after the passing thereof.

8. That the vote of the electors of the said Town of North Bay shall be taken on this By-law on the 29th day of May, 1911, between the hours of nine o'clock in the forenoon and five o'clock in the afternoon of the said date, at the following polling places, and by the following Deputy Returning Officers:

- (1) Court House; E. C. Rheaume, Deputy Returning Officer.
- (2) J. E. Farrell's shop; N. Phelps, Deputy Returning Officer.
- (3) Town Hall; G. H. Newton, Deputy Returning Officer.
- (4) Orange Hall; A. G. Davie, Deputy Returning Officer.
- (5) Orange Hall; S. L. Brown, Deputy Returning Officer.
- (6) W. H. Partridge's House; John Murphy, Deputy Returning Officer.
- (7) Aime Cusson's House; C. E. Hammond, Deputy Returning Officer.

9. That the 27th day of May, 1911, at the hour of ten o'clock in the forenoon, at the Council Chamber, in the Town Hall, in the said Town of North Bay, shall be the time and the place when, and at which, persons will be appointed by the Mayor to attend at the said polling places, and at the final summing up of the votes by the Clerk of the Municipality, on behalf of the persons interested in promoting or opposing the passing of this By-law respectively, and the Mayor shall attend at the said time and place to make such appointments.

10. That the Clerk of the said Municipality shall, on the 30th day of May, 1911, at the hour of ten o'clock in the forenoon, at the said Council Chamber, in the said Town Hall, sum up the number of votes given for and against this By-law.

Read a first and second time this 24th day of April, 1911, and a third time short and passed on the 5th day of June, 1911.

G. A. M'GOGHEY,  
*Mayor.*

M. W. FLANNERY,  
*Clerk.*

This is Schedule "A" referred to in the annexed By-law Number 317, for the Town of North Bay, in the District of Nipissing.

No.	Due.	Principal.	Interest.	Total Annual Am't.
1.	1912.....	\$677 33	\$2,249 99	\$2,927 32
2.	1913.....	711 20	2,216 12	2,927 32
3.	1914.....	746 75	2,180 55	2,927 32
4.	1915.....	784 09	2,143 23	2,927 32
5.	1916.....	823 29	2,104 03	2,927 32
6.	1917.....	864 45	2,062 87	2,927 32
7.	1918.....	907 67	2,019 65	2,927 32
8.	1919.....	953 05	1,974 27	2,927 32
9.	1920.....	1,000 70	1,926 62	2,927 32
10.	1921.....	1,050 74	1,876 58	2,927 32
11.	1922.....	1,103 28	1,824 04	2,927 32
12.	1923.....	1,158 44	1,768 88	2,927 32
13.	1924.....	1,216 36	1,710 96	2,927 32
14.	1925.....	1,277 18	1,650 14	2,927 32
15.	1926.....	1,341 04	1,585 28	2,927 32
16.	1927.....	1,408 09	1,519 23	2,927 32
17.	1928.....	1,478 49	1,448 83	2,927 32
18.	1929.....	1,552 41	1,374 91	2,927 32
19.	1930.....	1,630 03	1,297 29	2,927 32
20.	1931.....	1,711 53	1,215 79	2,927 32
21.	1932.....	1,797 11	1,130 21	2,927 32
22.	1933.....	1,886 96	1,040 36	2,927 32
23.	1934.....	1,981 31	946 01	2,927 32
24.	1935.....	2,080 38	846 94	2,927 32
25.	1936.....	2,184 40	742 92	2,927 32
26.	1937.....	2,293 62	633 70	2,927 32
27.	1938.....	2,408 30	519 02	2,927 32
28.	1939.....	2,528 72	398 60	2,927 32
29.	1940.....	2,655 16	272 16	2,927 32
30.	1941.....	2,787 92	139 40	2,927 32





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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to confirm By-law Number 317 of  
the Town of North Bay.

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1st Reading,                    1912.

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(*Private Bill.*)

Mr. MORRI.

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



# BILL

## An Act to confirm certain By-laws of the Town of Alliston

**W**HEREAS the Municipal Corporation of the Town of Alliston has by petition represented that it has passed the Local Improvement By-laws specified in Schedule "A" hereto and has constructed the works provided for in such By-laws, that doubts have arisen as to the validity of some of the By-laws because the debentures issued under them were for sums less than \$100, that it is desirable that the said By-laws and the debentures issued or to be issued under them should be confirmed; and whereas the said Corporation has prayed that an Act may be passed for such purposes, and whereas it is expedient to grant the prayer of the said petition;

Preamble.

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

**1.** The By-laws of the Municipal Corporation of the Town of Alliston, specified in Schedule "A" hereto, and all debentures issued or to be issued thereunder, and all assessments made or to be made, and all rates levied or to be levied for the payment thereof are validated and confirmed, and the said Corporation is declared to have had power to pass, issue and levy the same.

Confirmation  
of certain  
local im-  
provement  
by-laws.

## SCHEDULE "A"

No. of By-Law	Nature of Work under By-Law	When Passed by Council	Total Cost of Work	Amount to be borne by town	Amount to be borne by Rate-payers	Period of Payment	Rate of Interest
161	Construction of Cement Walks	1906 Dec. 24th.			628.56	25	4%
162	"	"			618.31	"	"
163	"	"			238.07	"	"
164	"	"			84.48	"	"
165	"	"	4450.72	2881.30		"	"
		1908					
188	"	May 4th			205.28	20	"
189	"	"			262.40	"	"
190	"	"	1286.37	818.69		"	"
201	"	Nov. 14th			1057.85	5	"
202	"	"			152.52	"	"
203	"	"			25.80	"	"
204	"	"	3525.99	2289.82		"	"
		1911					
253	"	Dec. 18th		1683.34		20	"
254	"	"	2590.90		907.56	"	"



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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to confirm Certain By-laws of the  
Town of Alliston.

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1st Reading.                      1912.

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(*Private Bill.*)

MR. FERGUSON,  
Simpson.

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

# BILL

## An Act respecting the City of Toronto.

**W**HEREAS the Corporation of the City of Toronto has <sup>Preamble.</sup> by petition prayed for special legislation in respect of the several matters hereinafter set forth; and whereas under a certain agreement, dated the 16th day of November, 1892, set forth in Schedule "A" to the Act passed in the fifty-sixth year of the reign of Her late Majesty Queen Victoria, Chaptered 102, and made between the Corporation of the County of York and the Toronto and Scarborough Electric Railway, Light and Power Company, Limited, the said Electric Railway, Light and Power Company acquired the right to construct, maintain, complete and operate certain railway franchises over, along and upon the Kingston Road, as set forth in the said agreement, for the period of twenty years from the said 16th day of November, 1892; and whereas *The Street Railway Act* then in force enabled the said County or its successors or assigns at the expiration of the said franchises to assume the ownership of the railways and tramways of the Company, its successors or assigns and the real and personal property connected therewith; and whereas the Corporation of the City of Toronto has succeeded to the rights and property of the said County in the said Road, and the Toronto and York Radial Railway Company has acquired the privileges and franchises of the said Toronto and Scarborough Electric Railway, Light and Power Company, Limited; and whereas the said Corporation on the 31st day of October, 1911, passed By-law Number 5860, set out as Schedule "A" hereto, for the purpose of giving notice to the Toronto and York Radial Railway Company of the intention of the Corporation of the City of Toronto to assume the ownership of the railway as therein set forth; and whereas the said Corporation did give to the said railway company the notice set out as Schedule "B" hereto; and whereas it is desirable that the said By-law and Notice should be confirmed and that the said Corporation should be authorized to acquire and take over the said railway; and whereas to enable the said Cor-

poration more readily and profitably to dispose of debentures issued thereunder, it is desirable that the by-laws specified in Schedules "C" and "D" should be confirmed; and whereas the by-laws specified in Schedule "C" have been submitted to and approved of by the ratepayers; and whereas it is expedient to grant the prayer of the said petition:—

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

Power to purchase and operate motor cars, omnibuses, etc.

1. The Corporation of the City of Toronto may purchase, build, equip, maintain and operate in, along and over such streets of the City, as the Council may determine, motor cars, omnibuses or other vehicles for the transportation of passengers within the City, and may with the assent of the ratepayers qualified to vote upon by-laws for the creation of debts pass such by-laws as may be necessary to raise the money for such purposes.

Power to acquire land for and to erect model houses.

2. The Council of the said City may, with the assent of the electors qualified to vote on by-laws for the creation of debts, pass a by-law or by-laws for the issue of debentures to raise money for the purpose of erecting model houses and acquiring land within or without the municipality upon which to erect such houses, and may erect, own and dispose of such houses when completed and the necessary land used therewith; and may lend the money raised under such by-laws to persons, firms or corporations for the purpose of the erection of such houses within or without the municipality upon such security as to the Council may seem advisable, and the said Corporation may guarantee the bonds of any company incorporated for the purpose of erecting such houses.

10 Edw. VII., c. 135, s. 11, amended.

3. Section 11 of the Act passed in the tenth year of the reign of His late Majesty King Edward the Seventh, Chaptered 135, is amended by adding thereto the following proviso:

"Provided, however, that any debt which may be incurred by the Corporation for the construction and maintenance of underground railways in pursuance of this Act shall not be counted as part of the general debenture debt of the said City."

Power to pass by-laws defining width of highways.

4. The Council of the said City may by by-law declare that it is expedient and necessary that any land within the said municipality hereafter dedicated by any one for the purpose of a highway shall be of such width greater than 66 feet, as may be fixed by the by-law, and if any dedication of land for a highway is made, which is not in conformity

with such by-law, no plan showing such highway shall be registered and the Council of the said City shall not be bound to accept such highway.

5. The Council of the said City may, without submitting the same to the electors qualified to vote on by-laws for the creation of debts, pass a by-law or by-laws for the issue of "City of Toronto Consolidated Loan Debentures" to raise \$100,000 to pay for expenditures in connection with the completion of the repairs to and in the extension of the Water Works Intake Pipe.

Power to borrow \$100,000 for completion of Water Works intake pipe.

6.—(1) By-law Number 5860, passed by the Council of the said Corporation on the 31st day of October, 1911, and the Notice, dated the 4th day of November, 1911, given thereunder by the said Corporation to the Toronto and York Radial Railway Company, and set forth as Schedules "A" and "B" hereto, are hereby declared to be legal, valid and binding, and the said Corporation may acquire the railway or tramway and any extension of same now operated by the said company under the franchise granted by the Corporation of the County of York to the Toronto and Scarborough Electric Railway, Light and Power Company, Limited, by Agreement dated the 16th day of November, 1892, set forth in Schedule "A" to the Act passed in the fifty-sixth year of the reign of Her late Majesty Queen Victoria, Chaptered 102.

(2) The said Corporation may acquire the said railway and all the real and personal property necessary to the operation thereof under the provisions of the said Agreement, dated the 16th day of November, 1892, and under the provisions of *The Street Railway Act*, being Chapter 171 of the Revised Statutes of Ontario, 1887, notwithstanding the repeal of the said Act.

Power to acquire railway.

(3) The said Corporation may assume the ownership and possession of the said railway and property on or after the 16th day of November, 1912, being the date of the expiration of the said Agreement, whether the arbitration to be held to fix the value thereof has or has not been completed, on paying such sum of money into the High Court of Justice as a Judge of the High Court may order.

When ownership may be assumed.

(4) The said Corporation may, with the assent of the rate-payers qualified to vote upon by-laws for the creation of debts, pass a by-law or by-laws for the issue of debentures for the purpose of raising the money necessary to carry out the provisions of this section, and such debentures shall not be counted as part of the general debenture debt of the City.

Power to borrow.

Extension to connect with tracks of Toronto Railway Co.

(5) The said Corporation may extend the said railway line so as to connect the said railway with the tracks of the Toronto Railway Company's system, and the said Corporation may make an agreement with the Toronto Railway Company for an interchange of cars and traffic and for running rights over the tracks of the said Toronto Railway Company to such point or points as may be determined by agreement or by Order of "The Ontario Railway and Municipal Board."

By-laws specified in Schedule "C" confirmed.

7. The by-laws of the said Corporation specified in Schedule "C" hereto, and all debentures issued or to be issued thereunder, and all assessments made or to be made, and all rates levied or to be levied for the payment thereof, are validated and confirmed, and the said Corporation is declared to have had power to pass, issue and levy the same.

By-laws specified in Schedule "D" confirmed.

8. The by-laws of the said Corporation specified in Schedule "D" hereto, and all debentures issued or to be issued thereunder, and all assessments made or to be made, and all rates levied or to be levied for the payment thereof, are validated and confirmed, and the said Corporation is declared to have had power to pass, issue and levy the same.

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#### SCHEDULE "A."

No. 5860. A BY-LAW

To provide for the giving of notice to the Toronto and York Radial Railway Company of the intention of the Municipality of the City of Toronto to assume the ownership of certain railways or tramways.

[Passed October 31st, 1911.]

Whereas by Letters Patent, dated on or about the 18th day of August, A.D. 1892, and issued under the Ontario Joint Stock Companies' Letters Patent Act, the Toronto and Scarborough Electric Railway, Light and Power Company (Limited) was incorporated for the following, among other purposes, that is to say: Subject to the provisions of the Street Railway Act, to construct, maintain, complete and to operate by electricity a street railway;

And whereas under the provisions of the Street Railway Act certain By-laws were passed by the Municipal Councils of the County of York and the Village of East Toronto, authorizing the said Company to construct and operate their railway over, along and upon certain streets, roads and highways in the said municipalities, subject to certain agreements, to wit: a certain agreement dated the 16th day of November, 1892, between the said Company and the Corporation of the County of York, whereby the said Company was permitted to construct and operate its railway over, along and upon the Kingston Road, from its westerly termination at the north limit of Queen Street, in the City of Toronto, or so far westerly on the Kingston Road as the said County of York could grant such rights and privileges, easterly along the said Kingston Road to the easterly limit of the County of York; and a certain other agreement between



the said Company and the Corporation of the Village of East Toronto, dated the 16th day of November, A.D. 1892, whereby the said Company was permitted to construct and operate its railway over, along and upon Gerrard Street, within the limits of the Village of East Toronto, and certain other streets within said limits as set out in said agreement;

And whereas by By-law No. 161 of the Village of East Toronto, passed on the 26th day of May, 1894, the said Company was authorized to extend its lines over and upon certain parts of Walter Street, Lyall Avenue, Mary Street and Morton Road, in said Village;

And whereas, under the terms of said agreements and said By-law and the Street Railway Act, the said Company has constructed a single track railway, with the necessary switches, etc., over, along and upon the Kingston Road, from its intersection with the northerly limit of Queen Street to the easterly limit of the County of York, and over, along and upon Walter Street, from the Kingston Road to Lyall Avenue, and Lyall Avenue, from Walter Street to Mary Street (now Kimberly Avenue), and on Mary Street (now Kimberly Avenue), from Lyall Avenue to Gerrard Street, and on Gerrard Street, from Mary Street (now Kimberly Avenue) to Main Street, all said railway being now within the limits of the City of Toronto;

And whereas the franchises or rights granted to the said Company under the said agreements were for a period of twenty years from the date of the said agreements;

And whereas the said agreement with the County of York provided that the said railway and the real and personal property connected therewith might, at the expiration of such period, be assumed by the municipality, as provided by the Street Railway Act;

And whereas, by the said Street Railway Act, it is enacted that the municipality may assume the ownership of said railway and all real and personal property in connection with the working thereof, on the terms therein set out, after giving six months' notice prior to the expiration of the period limited;

And whereas by a certain order of the Ontario Railway and Municipal Board, dated the 29th day of September, 1908, the said Village of East Toronto (then the Town of East Toronto) was annexed to the City of Toronto and became a part thereof;

And whereas by two certain orders of the Ontario Railway and Municipal Board, dated respectively the 11th day of March, 1909, and the 12th day of November, 1909, all those parts of the Township of York, within which the Kingston Road was situate, were annexed to and became part of the City of Toronto;

And whereas the Toronto and York Radial Railway Company was incorporated by its private Act, enacted by the Legislative Assembly of the Province of Ontario in the 61st year of the reign of Her late Majesty Queen Victoria, and chaptered 66, and was thereunder empowered to acquire the railways and tramways constructed by the said The Toronto and Scarborough Electric Railway, Light and Power Company (Limited);

And whereas the said the Toronto and York Radial Railway Company have acquired the said railways and tramways, and are now the owners of and are operating the same;

And whereas the Corporation of the City of Toronto is desirous of assuming the ownership of the said railways and tramways constructed as aforesaid under the terms of the said agreements, and of all real and personal property of said Company in connection with the working thereof, and it is necessary to pass a By-law for giving the Toronto and York Radial Company, the present owners of the

franchises or rights granted by said agreements, the notice or notices required to be given under the terms thereof, and under the statute in that behalf;

Therefore the Council of the Corporation of the City of Toronto enact as follows:

## I.

The Mayor and City Treasurer are hereby instructed to give to the Toronto and York Radial Railway Company, on or before the 15th day of November, 1911, the necessary notice or notices under the seal of the Corporation of the City of Toronto, that it is the intention of the Corporation of the City of Toronto, at the expiration of the term of the franchises granted by the said agreements with the County of York and the Village of East Toronto (as extended by said By-law No. 161), and under the terms and provisions of the said agreement with the County of York, and the Statute in that behalf made and provided, to assume the ownership of the railways or tramways now operated by the Toronto and York Radial Railway Company under said agreements and said By-law, and all the real and personal property in connection with the working thereof, on payment of the value of the same, to be determined by arbitration

W. A. LITTLEJOHN,  
*City Clerk.*

[L.S.]

G. R. GEARY,  
*Mayor.*

Council Chamber,  
Toronto, October 31st, 1911.

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SCHEDULE "B."

To the Toronto and York Radial Railway Company.

Take notice that the Corporation of the City of Toronto, under the terms and provisions of the agreement hereinafter mentioned, and the statute in that behalf made and provided, intends, at the expiration of the term of the privilege and franchise granted by the Corporation of the County of York to the Toronto and Scarborough Electric Railway, Light and Power Company, Limited, by agreement dated the Sixteenth day of November, A.D. 1892 (which franchise your Company now claims the right to exercise), to assume the ownership of the railway or tramway now operated by you under said franchise, together with all the real and personal property in connection with the working thereof.

Dated the 4th day of November, A.D. 1911.

Witness the Corporate Seal of the said Corporation of the City of Toronto and the hand of George Reginald Geary, Esquire, Mayor, and Richard Theodore Coady, Esquire, Treasurer and Keeper of the City Seal of the said Corporation of the City of Toronto.

G. R. GEARY,  
*Mayor.*

[City Seal.]

R. T. COADY,  
*Treasurer and Keeper of the City Seal.*

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SCHEDULE "C."

No. of By-law.	Nature of work under By-law.	When passed by Council	Total Cost of Work	Period of Payment	Rate of Interest
5918	General Consolidated Loan Debentures, for completing and equipping the plant to distribute electric power in the City of Toronto .....	Jan. 22nd 1912	\$2,200,000 00	36½ years	4%
5933	General Consolidated Loan Debentures, for building and equipping a double line of street railway on Danforth Avenue, from Broadview Avenue to a point 200 feet east of Greenwood Avenue .....	Feb. 5th 1912	139,488 00	24½ years	4%

SCHEDULE "D."

No. of By-law.	Nature of work under By-law.	When passed by Council	Total Cost of Work	Amount to be Borne by City	Amount to be Borne by Ratepayers	Period of Payment	Rate of Interest
5461	Extension and grading of Albemarle Avenue .....	April 25th 1910	\$11,204 29	\$8,060 29	\$3,144 00	10	4
5462	Extension and grading of Austin Avenue easterly to Marjory Avenue .....	"	1,708 89	.....	1,708 89	10	4
5463	Extension of Garnock Avenue westerly to Hampton Avenue.	"	377 09	.....	377 09	5	4
5464	Extension of Shaw Street, in Bracondale, southerly to Victoria Street .....	"	2,109 77	.....	2,109 77	10	4
5465	Extension of Galley Avenue easterly to Macdonell Avenue..	"	1,861 89	465 47	1,396 42	10	4

SCHEDULE "D"—Continued.

No. of By-law.	Nature of work under By-law.	When passed by Council	Total Cost of Work	Amount to be Borne by City	Amount to be Borne by Ratepayers	Period of Payment	Rate of Int.
5473	Asphalt pavement, with concrete curbing, on Broadway Place, between a point distant 198 feet 7 inches west of Spadina Avenue and the west end of Broadway Place....	May 13th 1910	\$1,924 32	\$24 97	\$1,899 35	10	4
5474	Extension of Follis Avenue, from Manning Avenue, westerly to Christie Street .....	" "	1,868 58	476 30	1,392 28	5	4
5602	General Consolidated Loan Debentures, to provide additional accommodation at the House of Industry .....	Dec. 19th 1910	12,308 00	12,308 00	.....	10	4
5654	General Consolidated Loan Debentures, for purchasing parks and playgrounds .....	Feb. 6th 1911	153,300 00	153,300 00	.....	37	4
5687	General Consolidated Loan Debentures, for constructing, reconstructing and enlarging certain public schools, and purchasing and enlarging school sites .....	April 18th 1911	618,462 00	618,462 00	.....	37	4
5698	Local Improvement Debentures, to defray the ratepayers' share of the cost of certain asphalt pavements constructed in the year 1910 .....	" "	296,967 91	74,905 08	222,062 83	10	4
5699	Local Improvement Debentures, to defray the ratepayers' share of the cost of certain bitulithic pavements constructed in the year 1910 .....	" "	214,698 91	49,303 07	165,395 84	10	4
5700	Local Improvement Debentures, to defray the ratepayers' share of the cost of certain concrete pavements constructed in the year 1910 .....	" "	13,426 54	3,579 51	9,847 03	10	4

5701	Local Improvement Debentures, to defray the ratepayers' share of the cost of certain concrete curbs constructed in the year 1910 .....	..	15,050 32	3,103 97	11,946 35	10	4
5702	Local Improvement Debentures, to defray the ratepayers' share of the cost of certain sewers constructed in the year 1910 .....	..	67,675 53	1,585 32	66,090 21	10	4
5703	Extension of Thorold Street .....	..	3,484 65	.....	3,484 65	10	4
5704	Extension of Hunter Street, from its former easterly terminus easterly to Beresford Avenue .....	..	1,119 28	.....	1,119 28	10	4
5705	Treated wood block pavement on Yonge Street, between Front Street and King Street .....	..	11,201 97	3,000 42	8,201 55	10	4
5706	Tarvia macadam pavement on Beverley Street, between Queen Street and College Street .....	..	7,776 11	2,135 94	5,640 17	3	4
5707	Asphalt block pavement, with concrete gutters, on John Street, between King Street and Wellington Street .....	..	5,146 29	2,039 94	3,106 35	10	4
5708	Widening of Gore Vale Avenue, between Queen Street and a point distant 822 feet more or less north of Queen Street .....	..	3,085 27	.....	3,085 27	10	4
5709	Extension of Irene Place, from its former easterly terminus to Shaw Street. ....	..	2,279 86	.....	2,279 86	10	4
5710	Extension of Margueretta Street northerly to Wallace Avenue .....	..	1,815 02	.....	1,815 02	10	4
5711	Extension of Marshall Street, from its former easterly terminus to Sheridan Avenue .....	..	1,168 44	.....	1,168 44	10	4

SCHEDULE "D"—Continued.

No. of By-law.	Nature of work under By-law.	When passed by Council	Total Cost of Work	Amount to be Borne by City	Amount to be Borne by Ratepayers	Period of Payment	Rate of Int.
5714	Local Improvement Debentures, to defray the ratepayers' share of the cost of certain brick and vitrified block pavements constructed in the year 1910 .....	May 1st 1911	\$64,663 29	\$14,384 40	\$50,278 89	10	4
5715	Local Improvement Debentures, to defray the ratepayers' share of the cost of certain sewers constructed in the year 1910 .....	"	64,743 81	13,888 03	50,855 78	10	4
5716	Local Improvement Debentures, to defray the ratepayers' share of the cost of certain concrete sidewalks constructed in the year 1910 .....	"	284,605 76	45,872 50	238,733 26	10	4
5717	Local Improvement Debentures, to defray the ratepayers' share of the cost of certain plank sidewalks constructed in the year 1910 .....	"	4,484 46	476 07	4,008 39	3	4
5718	Local Improvement Debentures, to defray the ratepayers' share of the cost of grading certain streets in 1910 .....	"	6,737 69	478 90	6,258 79	Various.	4
5719	Extension of Prust Avenue, from its former terminus southerly to Gerrard Street .....	"	1,357 24	.....	1,357 24	5	4
5720	Extension of Marjory Avenue, from its former south terminus southerly to Dagmar Avenue .....	"	1,556 87	.....	1,556 87	10	4
5721	Widening of Duncan Street, from Adelaide Street northerly to Queen Street .....	"	87,506 51	52,503 91	35,002 60	20	4

5722	Extension of Harbord Street, from Clinton Street to Ossington Avenue .....	"	115,022 36	81,492 28	33,530 08	10	4
5731	Public Library Debentures, for acquiring site, erecting necessary buildings and equipment for Branch Library in vicinity of Bloor Street and Dovercourt Road, and for purchasing books, and to complete the equipment of other Branch Libraries .....	May 15th 1911	76,923 00	76,923 00	.....	20	4
5740	Extension of Glen Road, from its formerly northerly terminus at Roxboro Street northerly to Summerhill Avenue .....	May 29th 1911	14,961 99	.....	14,961 99	10	4
5741	Local Improvement Debentures consolidating broken amounts, being the ratepayers' share named in certain Local Improvement By-laws .....	"	941,786 74	.....	941,786 74	Various.	4
5742	Local Improvement Debentures consolidating the City's proportion of the amounts named in certain Local Improvement By-laws .....	"	348,749 34	348,749 34	.....	Various.	4
5776	General Consolidated Loan Debentures, for repairs to the waterworks intake pipe, and for a new intake and six-foot steel conduit and additional water mains for the water system of the City .....	July 6th 1911	745,173 00	745,173 00	.....	37	4
5823	General Consolidated Loan Debentures, for laying out, paving and improvement of roads in the Exhibition Grounds .....	Aug. 25th 1911	76,923 00	76,923 00	.....	10	4
5854	General Consolidated Loan Debentures, for purchase of site for new Isolation Hospital .....	Oct. 16th 1911	31,134 00	31,134 00	.....	10	4
5901	General Consolidated Loan Debentures, for part of City's share of cost of work known as Part I. of Toronto grade separation .....	Dec. 26th 1911	348,719 00	348,719 00	.....	36 <sup>3</sup>	4

No. 45.

1st Session, 13th Legislature,  
2 George V., 1912.

BILL.

An Act respecting the City of Toronto.

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1st Reading, 1912.

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(*Private Bill.*)

Mr. McNAUGHT.





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



# BILL

## An Act respecting the City of Toronto.

**W**HEREAS the Corporation of the City of Toronto has <sup>Preamble.</sup> by petition prayed for special legislation in respect of the several matters hereinafter set forth; and whereas under a certain agreement, dated the 16th day of November, 1892, set forth in Schedule "A" to the Act passed in the fifty-sixth year of the reign of Her late Majesty Queen Victoria, Chaptered 102, and made between the Corporation of the County of York and the Toronto and Scarborough Electric Railway, Light and Power Company, Limited, the said Electric Railway, Light and Power Company acquired the right to construct, maintain, complete and operate certain railway franchises over, along and upon the Kingston Road, as set forth in the said agreement, for the period of twenty years from the said 16th day of November, 1892; and whereas *The Street Railway Act* then in force enabled the said County at the expiration of the said franchises to assume the ownership of the railways and tramways of the Company, its successors or assigns and the real and personal property connected therewith; and whereas the Corporation of the City of Toronto has succeeded to the rights and property of the said County in the said Road,  within the present limits of the City of Toronto,  and the Toronto and York Radial Railway Company has acquired the privileges and franchises of the said Toronto and Scarborough Electric Railway, Light and Power Company, Limited; and whereas the said Corporation on the 31st day of October, 1911, passed By-law Number 5860, set out as Schedule "A" hereto, for the purpose of giving notice to the Toronto and York Radial Railway Company of the intention of the Corporation of the City of Toronto to assume the ownership of the railway as therein set forth; and whereas the said Corporation did give to the said railway company the notice set out as Schedule "B" hereto; and whereas it is desirable that the said By-law and Notice should be confirmed  to the extent hereinafter mentioned  and that the said Corpora-



tion should be authorized to acquire and take over the said railway  within the present limits of the said City of Toronto;  and whereas to enable the said Corporation more readily and profitably to dispose of debentures issued thereunder, it is desirable that the by-laws specified in Schedules "C" and "D" should be confirmed; and whereas the by-laws specified in Schedule "C" have been submitted to and approved of by the ratepayers; and whereas it is expedient to grant the prayer of the said petition:—

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

Power to purchase and operate motor cars, omnibuses, etc.

1. The Corporation of the City of Toronto may purchase, build, equip, maintain and operate in, along and over such streets of the City, as the Council may determine, motor cars, omnibuses or other vehicles for the transportation of passengers within the City, and may with the assent of the ratepayers qualified to vote upon by-laws for the creation of debts pass such by-laws as may be necessary to raise the money for such purposes.

Power to acquire land for and to erect model houses.

2. The Council of the said City may, with the assent of the electors qualified to vote on by-laws for the creation of debts, guarantee the bonds of any *person, firm or company* incorporated for the purpose of erecting *model houses*  within or without the municipality and without the assent of such electors may pass a by-law or by-laws for the issue of debentures to raise money to pay any indebtedness arising from any such guarantee. 

10 Edw. VII., c. 135, s. 11, amended.

3. Section 11 of the Act passed in the tenth year of the reign of His late Majesty King Edward the Seventh, Chaptered 135, is amended by adding thereto the following proviso:

"Provided, however, that any debt which may be incurred by the Corporation for the construction and maintenance of underground railways in pursuance of this Act shall not be counted as part of the general debenture debt of the said City."

Power to borrow \$100,000 for completion of Water Works Intake pipe.

4. The Council of the said City may, without submitting the same to the electors qualified to vote on by-laws for the creation of debts, pass a by-law or by-laws for the issue of "City of Toronto Consolidated Loan Debentures" to raise \$200,000 to pay for expenditures in connection with the completion of the repairs to and in the extension of the Water Works Intake Pipe.

5.—(1) By-law Number 5860, passed by the Council of the said Corporation on the 31st day of October, 1911, and the Notice, dated the 4th day of November, 1911, given thereunder by the said Corporation to the Toronto and York Radial Railway Company, and set forth as Schedules "A" and "B" hereto, are hereby declared to be legal, valid and binding, and the said Corporation may acquire the railway or tramway and any extension of same now operated by the said company under the franchise granted by the Corporation of the County of York to the Toronto and Scarborough Electric Railway, Light and Power Company, Limited, by Agreement dated the 16th day of November, 1892, set forth in Schedule "A" to the Act passed in the fifty-sixth year of the reign of Her late Majesty Queen Victoria, Chaptered 102, within the present limits of the said City of Toronto.

By-law 5860  
and notice  
thereunder  
confirmed.

(2) The said Corporation may acquire the said railway and all the real property used in connection with the operation thereof within the present limits of the said city under the provisions of the said Agreement, dated the 16th day of November, 1892, and under the provisions of the *Street Railway Act*, being chapter 171 of the Revised Statutes of Ontario, 1887 (as provided by the said agreement), notwithstanding the repeal of the said Act.


Power to  
acquire  
railway.

(3) The said Corporation may assume the ownership and possession of the said railway and real property within the present limits of the said city, on or after the 16th day of November, 1912, being the date of the expiration of the said Agreement, whether the arbitration to be held to fix the value thereof has or has not been completed, on paying such sum of money into the High Court of Justice as a Judge of the High Court may order.

When  
ownership  
may be  
assumed.

(4) The said Corporation shall also acquire and assume such personal property of the said railway used in connection with the operation thereof as the Ontario Railway and Municipal Board may determine that the said Corporation should acquire.

(5) In case either the Toronto and York Radial Railway Company or the Corporation of the City of Toronto shall construct a line of railway on the township line between the Townships of York and Scarborough, running rights thereon shall be given by the one to the other on terms to be determined by agreement or, failing agreement, on terms to be settled by the Ontario Railway and Municipal Board.

(6) All or any arbitrations under this Act had between the said Corporation and the said railway shall be held before and determined by the Ontario Railway and Municipal Board. 

Power to borrow.

(7) The said Corporation may, with the assent of the rate-payers qualified to vote upon by-laws for the creation of debts, pass a by-law or by-laws for the issue of debentures for the purpose of raising the money necessary to carry out the provisions of this section, and such debentures shall not be counted as part of the general debenture debt of the City.

By-laws specified in Schedule "C" confirmed.

6. The by-laws of the said Corporation specified in Schedule "C" hereto, and all debentures issued or to be issued thereunder, and all assessments made or to be made, and all rates levied or to be levied for the payment thereof, are validated and confirmed, and the said Corporation is declared to have had power to pass, issue and levy the same.

By-laws specified in Schedule "D" confirmed.

7. The by-laws of the said Corporation specified in Schedule "D" hereto, and all debentures issued or to be issued thereunder, and all assessments made or to be made, and all rates levied or to be levied for the payment thereof, are validated and confirmed, and the said Corporation is declared to have had power to pass, issue and levy the same.

#### SCHEDULE "A."

##### No. 5860. A BY-LAW

To provide for the giving of notice to the Toronto and York Radial Railway Company of the intention of the Municipality of the City of Toronto to assume the ownership of certain railways or tramways.

[Passed October 31st, 1911.]

Whereas by Letters Patent, dated on or about the 18th day of August, A.D. 1892, and issued under the Ontario Joint Stock Companies' Letters Patent Act, the Toronto and Scarborough Electric Railway, Light and Power Company (Limited) was incorporated for the following, among other purposes, that is to say: Subject to the provisions of the Street Railway Act, to construct, maintain, complete and to operate by electricity a street railway;

And whereas under the provisions of the Street Railway Act certain By-laws were passed by the Municipal Councils of the County of York and the Village of East Toronto, authorizing the said Company to construct and operate their railway over, along and upon certain streets, roads and highways in the said municipalities, subject to certain agreements, to wit: a certain agreement dated the 16th day of November, 1892, between the said Company and the Corporation of the County of York, whereby the said Company was permitted to construct and operate its railway over, along and upon the Kingston Road, from its westerly termination at the north limit of Queen Street, in the City of Toronto, or so far westerly on the Kingston Road as the said County of York could grant such rights and privileges, easterly along the said Kingston Road to the easterly limit of the County of York; and a certain other agreement between

the said Company and the Corporation of the Village of East Toronto, dated the 16th day of November, A.D. 1892, whereby the said Company was permitted to construct and operate its railway over, along and upon Gerrard Street, within the limits of the Village of East Toronto, and certain other streets within said limits as set out in said agreement;

And whereas by By-law No. 161 of the Village of East Toronto, passed on the 26th day of May, 1894, the said Company was authorized to extend its lines over and upon certain parts of Walter Street, Lyall Avenue, Mary Street and Morton Road, in said Village;

And whereas, under the terms of said agreements and said By-law and the Street Railway Act, the said Company has constructed a single track railway, with the necessary switches, etc., over, along and upon the Kingston Road, from its intersection with the northerly limit of Queen Street to the easterly limit of the County of York, and over, along and upon Walter Street, from the Kingston Road to Lyall Avenue, and Lyall Avenue, from Walter Street to Mary Street (now Kimberly Avenue), and on Mary Street (now Kimberly Avenue), from Lyall Avenue to Gerrard Street, and on Gerrard Street, from Mary Street (now Kimberly Avenue) to Main Street, all said railway being now within the limits of the City of Toronto;

And whereas the franchises or rights granted to the said Company under the said agreements were for a period of twenty years from the date of the said agreements;

And whereas the said agreement with the County of York provided that the said railway and the real and personal property connected therewith might, at the expiration of such period, be assumed by the municipality, as provided by the Street Railway Act;

And whereas, by the said Street Railway Act, it is enacted that the municipality may assume the ownership of said railway and all real and personal property in connection with the working thereof, on the terms therein set out, after giving six months' notice prior to the expiration of the period limited;

And whereas by a certain order of the Ontario Railway and Municipal Board, dated the 29th day of September, 1908, the said Village of East Toronto (then the Town of East Toronto) was annexed to the City of Toronto and became a part thereof;

And whereas by two certain orders of the Ontario Railway and Municipal Board, dated respectively the 11th day of March, 1909, and the 12th day of November, 1909, all those parts of the Township of York, within which the Kingston Road was situate, were annexed to and became part of the City of Toronto;

And whereas the Toronto and York Radial Railway Company was incorporated by its private Act, enacted by the Legislative Assembly of the Province of Ontario in the 61st year of the reign of Her late Majesty Queen Victoria, and chaptered 66, and was thereunder empowered to acquire the railways and tramways constructed by the said The Toronto and Scarborough Electric Railway, Light and Power Company (Limited);

And whereas the said the Toronto and York Radial Railway Company have acquired the said railways and tramways, and are now the owners of and are operating the same;

And whereas the Corporation of the City of Toronto is desirous of assuming the ownership of the said railways and tramways constructed as aforesaid under the terms of the said agreements, and of all real and personal property of said Company in connection with the working thereof, and it is necessary to pass a By-law for giving the Toronto and York Radial Company, the present owners of the

franchises or rights granted by said agreements, the notice or notices required to be given under the terms thereof, and under the statute in that behalf;

Therefore the Council of the Corporation of the City of Toronto enact as follows:

## I.

The Mayor and City Treasurer are hereby instructed to give to the Toronto and York Radial Railway Company, on or before the 15th day of November, 1911, the necessary notice or notices under the seal of the Corporation of the City of Toronto, that it is the intention of the Corporation of the City of Toronto, at the expiration of the term of the franchises granted by the said agreements with the County of York and the Village of East Toronto (as extended by said By-law No. 161), and under the terms and provisions of the said agreement with the County of York, and the Statute in that behalf made and provided, to assume the ownership of the railways or tramways now operated by the Toronto and York Radial Railway Company under said agreements and said By-law, and all the real and personal property in connection with the working thereof, on payment of the value of the same, to be determined by arbitration

W. A. LITTLEJOHN,  
*City Clerk.*

[L.S.]

G. R. GEARY,  
*Mayor.*

Council Chamber,  
Toronto, October 31st, 1911.

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SCHEDULE "B."

To the Toronto and York Radial Railway Company.

Take notice that the Corporation of the City of Toronto, under the terms and provisions of the agreement hereinafter mentioned, and the statute in that behalf made and provided, intends, at the expiration of the term of the privilege and franchise granted by the Corporation of the County of York to the Toronto and Scarborough Electric Railway, Light and Power Company, Limited, by agreement dated the Sixteenth day of November, A.D. 1892 (which franchise your Company now claims the right to exercise), to assume the ownership of the railway or tramway now operated by you under said franchise, together with all the real and personal property in connection with the working thereof.

Dated the 4th day of November, A.D. 1911.

Witness the Corporate Seal of the said Corporation of the City of Toronto and the hand of George Reginald Geary, Esquire, Mayor, and Richard Theodore Coady, Esquire, Treasurer and Keeper of the City Seal of the said Corporation of the City of Toronto.

G. R. GEARY,  
*Mayor.*

[City Seal.]

R. T. COADY,  
*Treasurer and Keeper of the City Seal.*

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SCHEDULE "C."

No. of By-law.	Nature of work under By-law.	When passed by Council	Total Cost of Work	Period of Payment	Rate of Interest
5918	General Consolidated Loan Debentures, for completing and equipping the plant to distribute electric power in the City of Toronto .....	Jan. 22nd 1912	\$2,200,000 00	36½ years	4%
5933	General Consolidated Loan Debentures, for building and equipping a double line of street railway on Danforth Avenue, from Broadview Avenue to a point 200 feet east of Greenwood Avenue .....	Feb. 5th 1912	139,488 00	24½ years	4%

SCHEDULE "D."

No. of By-law.	Nature of work under By-law.	When passed by Council	Total Cost of Work	Amount to be Borne by City	Amount to be Borne by Ratepayers	Period of Payment	Rate of Interest
5461	Extension and grading of Albemarle Avenue .....	April 25th 1910	\$11,204 29	\$8,060 29	\$3,144 00	10	4
5462	Extension and grading of Austin Avenue easterly to Marjory Avenue .....	"	1,708 89	.....	1,708 89	10	4
5463	Extension of Garnock Avenue westerly to Hampton Avenue.	"	377 09	.....	377 09	5	4
5464	Extension of Shaw Street, in Bracondale, southerly to Victoria Street .....	"	2,109 77	.....	2,109 77	10	4
5465	Extension of Galley Avenue easterly to Macdonell Avenue..	"	1,861 89	465 47	1,396 42	10	4

SCHEDULE "D"—Continued.

No. of By-law.	Nature of work under By-law.	When passed by Council	Total Cost of Work	Amount to be Borne by City	Amount to be Borne by Ratepayers	Period of Payment	Rate of Int.
5473	Asphalt pavement, with concrete curbing, on Broadway Place, between a point distant 198 feet 7 inches west of Spadina Avenue and the west end of Broadway Place....	May 13th 1910	\$1,924 32	\$24 97	\$1,899 35	10	4
5474	Extension of Follis Avenue, from Manning Avenue, westerly to Christie Street .....	" "	1,868 58	476 30	1,392 28	5	4
5602	General Consolidated Loan Debentures, to provide additional accommodation at the House of Industry .....	Dec. 19th 1910	12,308 00	12,308 00	.....	10	4
5654	General Consolidated Loan Debentures, for purchasing parks and playgrounds .....	Feb. 6th 1911	153,300 00	153,300 00	.....	37	4
5687	General Consolidated Loan Debentures, for constructing, reconstructing and enlarging certain public schools, and purchasing and enlarging school sites .....	April 18th 1911	618,462 00	618,462 00	.....	37	4
5698	Local Improvement Debentures, to defray the ratepayers' share of the cost of certain asphalt pavements constructed in the year 1910 .....	" "	296,967 91	74,905 08	222,062 83	10	4
5699	Local Improvement Debentures, to defray the ratepayers' share of the cost of certain bitulithic pavements constructed in the year 1910 .....	" "	214,698 91	49,303 07	165,395 84	10	4
5700	Local Improvement Debentures, to defray the ratepayers' share of the cost of certain concrete pavements constructed in the year 1910 .....	" "	13,426 54	3,579 51	9,847 03	10	4



5701	Local Improvement Debentures, to defray the ratepayers' share of the cost of certain concrete curbing constructed in the year 1910 .....	"	15,050 32	3,103 97	11,946 35	10	4
5702	Local Improvement Debentures, to defray the ratepayers' share of the cost of certain sewers constructed in the year 1910 .....	"	67,675 53	1,585 32	66,090 21	10	4
5703	Extension of Thorold Street .....	"	3,484 65	.....	3,484 65	10	4
5704	Extension of Hunter Street, from its former easterly terminus easterly to Beresford Avenue .....	"	1,119 28	.....	1,119 28	10	4
5705	Treated wood block pavement on Yonge Street, between Front Street and King Street .....	"	11,201 97	3,000 42	8,201 55	10	4
5706	Tarvia macadam pavement on Beverley Street, between Queen Street and College Street .....	"	7,776 11	2,135 94	5,640 17	3	4
5707	Asphalt block pavement, with concrete gutters, on John Street, between King Street and Wellington Street .....	"	5,146 29	2,039 94	3,106 35	10	4
5708	Widening of Gore Vale Avenue, between Queen Street and a point distant 822 feet more or less north of Queen Street .....	"	3,085 27	.....	3,085 27	10	4
5709	Extension of Irene Place, from its former easterly terminus to Shaw Street. ....	"	2,279 86	.....	2,279 86	10	4
5710	Extension of Margueretta Street northerly to Wallace Avenue .....	"	1,815 02	.....	1,815 02	10	4
5711	Extension of Marshall Street, from its former easterly terminus to Sheridan Avenue .....	"	1,168 44	.....	1,168 44	10	4

SCHEDULE "D"—Continued.

No. of By-law.	Nature of work under By-law.	When passed by Council	Total Cost of Work	Amount to be Borne by City	Amount to be Borne by Ratepayers	Period of Payment	Rate of Int.
5714	Local Improvement Debentures, to defray the ratepayers' share of the cost of certain brick and vitrified block pavements constructed in the year 1910 .....	May 1st 1911	\$64,663 29	\$14,384 40	\$50,278 89	10	4
5715	Local Improvement Debentures, to defray the ratepayers' share of the cost of certain sewers constructed in the year 1910 .....	"	64,743 81	13,888 03	50,855 78	10	4
5716	Local Improvement Debentures, to defray the ratepayers' share of the cost of certain concrete sidewalks constructed in the year 1910 .....	"	284,605 76	45,872 50	238,733 26	10	4
5717	Local Improvement Debentures, to defray the ratepayers' share of the cost of certain plank sidewalks constructed in the year 1910 .....	"	4,484 46	476 07	4,008 39	3	4
5718	Local Improvement Debentures, to defray the ratepayers' share of the cost of grading certain streets in 1910 .....	"	6,737 69	478 90	6,258 79	Various.	4
5719	Extension of Prust Avenue, from its former terminus southerly to Gerrard Street .....	"	1,357 24	.....	1,357 24	5	4
5720	Extension of Marjory Avenue, from its former south terminus southerly to Dagmar Avenue .....	"	1,556 87	.....	1,556 87	10	4
5721	Widening of Duncan Street, from Adelaide Street northerly to Queen Street .....	"	87,506 51	52,503 91	35,002 60	20	4

5722	Extension of Harbord Street, from Clinton Street to Ossington Avenue .....	"	"	115,022 36	81,492 28	33,530 08	10	4
5731	Public Library Debentures, for acquiring site, erecting necessary buildings and equipment for Branch Library in vicinity of Bloor Street and Dovercourt Road, and for purchasing books, and to complete the equipment of other Branch Libraries .....	May 15th 1911		76,923 00	76,923 00	.....	20	4
5740	Extension of Glen Road, from its formerly northerly terminus at Roxboro Street northerly to Summerhill Avenue .....	May 29th 1911		14,961 99	.....	14,961 99	10	4
5741	Local Improvement Debentures consolidating broken amounts, being the ratepayers' share named in certain Local Improvement By-laws .....	"	"	941,786 74	.....	941,786 74	Various.	4
5742	Local Improvement Debentures consolidating the City's proportion of the amounts named in certain Local Improvement By-laws .....	"	"	348,749 34	348,749 34	.....	Various.	4
5776	General Consolidated Loan Debentures, for repairs to the waterworks intake pipe, and for a new intake and six-foot steel conduit and additional water mains for the water system of the City .....	July 6th 1911		745,173 00	745,173 00	.....	37	4
5823	General Consolidated Loan Debentures, for laying out, paving and improvement of roads in the Exhibition Grounds .....	Aug. 25th 1911		76,923 00	76,923 00	.....	10	4
5854	General Consolidated Loan Debentures, for purchase of site for new Isolation Hospital .....	Oct. 16th 1911		31,134 00	31,134 00	.....	10	4
5901	General Consolidated Loan Debentures, for part of City's share of cost of work known as Part I. of Toronto grade separation .....	Dec. 26th 1911		348,719 00	348,719 00	.....	36½	4

No. 45.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting the City of Toronto.

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1st Reading, 1st March, 1912.

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

Mr. McNAUGHT.

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

# BILL

## An Act respecting the Town of Steelton.

**W**HEREAS the Corporation of the Town of Steelton by Preamble petition has represented that By-law No. 144 of the said Town adopting the report of the Town Engineer made pursuant to By-law No. 141 of the said Town as to the real property benefited by the construction of a proposed system of sewers in said Town was duly passed by the Council thereof on 29th day of June, 1910; that By-law No. 145 of said Town, providing for the publication of a notice of intention to proceed with the construction of said sewerage system was duly passed on 29th day of June, 1910; that By-law No. 146 of said Town, providing for the construction of said system of sewers as a local improvement was duly passed by the Council of said Town after the Board of Health of said Town had duly recommended the construction in the public interests of the said sewers for sanitary purposes, and after notice of construction of same had been duly given by said Council by public advertisement and otherwise to the owners of property benefited thereby, and no petition was received by said Council against the said work; that the said Council had intended to assess a portion of the final cost of said sewerage system upon the real property, which although not fronting or abutting thereon was deemed by said Council benefited by the construction thereof, but said Council does not now find it necessary, expedient, or equitable, and is not desirous of assessing a portion of said final cost on said last mentioned real property; that the said Council has passed By-law No. 128 authorizing the execution of a certain Agreement dated 16th February, 1910, and has entered into said Agreement with the Corporation of the Town of Sault Ste. Marie for the construction of a common sewer on Cathcart Street between North and Hudson Streets in the Town of Sault Ste. Marie, and a common sewer outlet extending from Cathcart Street in Sault Ste. Marie southerly to deep water in the St. Mary's

River, which sewers are necessary to serve property situate within the Town of Steelton; and has duly passed By-law No. 170 authorizing the execution of a certain Agreement dated 25th April, 1911, and has entered into said Agreement with the Lake Superior Power Company and the Corporation of the Town of Sault Ste. Marie providing for a joint sewer outlet, which is necessary to serve property situate within the Town of Steelton: that the said Council has duly passed Construction By-laws Nos. 10 and 13 for the construction of certain sewers as local improvements under "the local improvement sections of the Municipal Act"; that the said Town of Steelton has constructed the said sewers authorized by the several By-laws aforesaid at a total cost of \$82,000; that By-law No. 201 for the purpose of regulating and providing a uniform frontage tax upon the property specially benefited by said system of sewers, to cover the cost of the construction thereof has been duly passed by the Council of said Town; that By-law No. 205 for the purpose of levying on the property specially benefited thereby the proportion of the cost of such sewers authorized by the several By-laws aforesaid chargeable against the said property has been duly passed by the Council of said Town; that on the 29th day of December, 1911, a Court of Revision was held for the said Town to fix the frontage of lots fronting or abutting upon said sewer system for the purpose of levying special rates against said lots for the said sewers as a local improvement, when a special assessment roll of said last mentioned lots was revised and settled by said Court of Revision which said assessment roll was confirmed on appeal by the Judge of the District Court of the District of Algoma, and the said Corporation has by the said petition prayed that an Act may be passed to legalize and confirm the action of the said Council in not assessing or levying any portion of said final cost of said sewers upon the real property which does not front or abut thereon, and subject to the foregoing to legalize and confirm the said several By-laws aforesaid, and no opposition has been offered to the said petition; and whereas by the said petition the Corporation has represented that the said Town is desirous of extending its boundaries for the purpose of including therein part of the Township of Tarentorus, in the District of Algoma, adjoining the said Town, known as the Moffly Sub-division, the residents of which Sub-division have petitioned for union with the said Town of Steelton;

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

1. The cost of the said sewers provided for by the said By-laws shall and may be assessed and levied in manner following, that is to say, \$47,000 thereof by annual special rate

How cost  
of certain  
sewers to  
be levied.

upon and against the real property which appears in the special assessment roll, revised and settled by said Court of Revision for the Town of Steelton held on 29th December, 1911, and \$35,000 thereof shall and may be assessed and levied by special rate sufficient therefor over and above all other rates on all the rateable property in the said Town of Steelton at the same time and in the same manner as other rates and taxes in said Town.

**2.** The said Construction By-laws numbered 10 and 13 and the said By-laws numbered 201 and 205 and all reports, By-laws, proceedings, actions and Agreements of the Council or of any officer of the said Town of Steelton leading up to or in connection with the said By-laws or any of them and all special assessment rolls respecting or affecting said sewers revised and settled by the said Court of Revision on the 29th day of December, 1911, as confirmed on appeal by the Judge of the District Court of the District of Algoma, and all rates and assessments imposed by said By-laws and special assessment rolls as finally revised are hereby confirmed and declared to be legal, valid and binding upon the said Corporation of the Town of Steelton and the ratepayers thereof, and the said Corporation is authorized and empowered to do all acts and things necessary, requisite or proper for the full and effectual carrying out of the objects of the said By-laws and said Agreements. Certain by-laws confirmed.

**3.** The said Corporation may issue debentures as provided by said By-law No. 205, and the debentures when issued and the interest coupons attached thereto and all rates, taxes and assessments levied or to be levied for the payment of said debt and interest shall be legal, valid and binding upon the said Corporation of the Town of Steelton and the ratepayers thereof, and it shall not be necessary for the purchaser of said debentures to inquire into the validity of the issue of the same. Confirmation of certain debentures.

**4.** On the 1st day of April, 1912, that portion of the Township of Tarentorus, in the District of Algoma, known as the Moffly Sub-division, and more particularly described as the most Southerly One hundred and two (102) acres more or less of Section thirty-one (31) of the Township of Tarentorus, in the District of Algoma and the Province of Ontario, shall be annexed to and form part of the Town of Steelton, and shall (subject to future distribution or abolition of wards) become part of Ward One (1) of said Town of Steelton, and until 31st December, 1912, shall be represented by two councillors at present elected to the Council of said Town of Steelton from said Ward 1, and all By-laws of the Town of Steelton shall upon said union extend to the said Moffly Sub-division and the residents therein. Annexation of certain land to town.

Assessment  
of land  
annexed.

**5.**—(1) If an assessment has, before such annexation takes effect, been made for the purpose of levying taxes by the Corporation of the Township of Tarentorus in said Moffly Sub-division, the same shall (subject to appeal therefrom by ratepayers to the Court of Revision and to the District Judge) be and continue the assessment for the said Moffly Sub-division and the ratepayers therein for the year 1912 after the union aforesaid.

(2) If no assessment aforesaid has been made by the Corporation of the Township of Tarentorus before such annexation takes effect, the Town of Steelton may cause an Assessment to be made in said Moffly Sub-division upon which the taxes for the year 1912 may be levied.

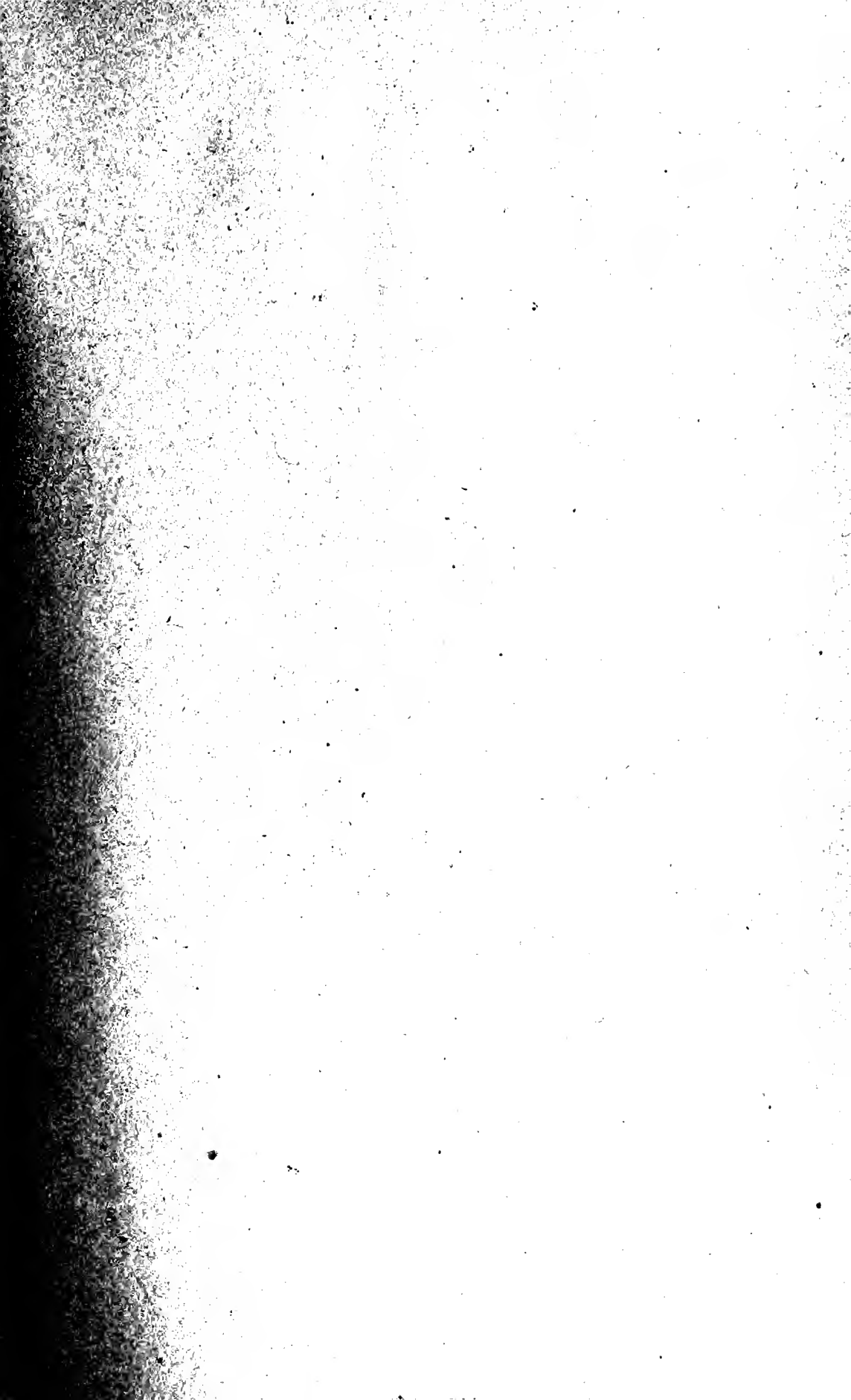
Application  
of by-law  
of town for  
levying  
taxes.

(3) Any By-law passed before or after such annexation takes effect by the Corporation of the Town of Steelton for the levying of taxes in the said Town shall apply to the said Moffly Sub-division and the ratepayers thereof, and the said taxes shall be levied on the respective assessments in the said Moffly Sub-division as finally revised as aforesaid.

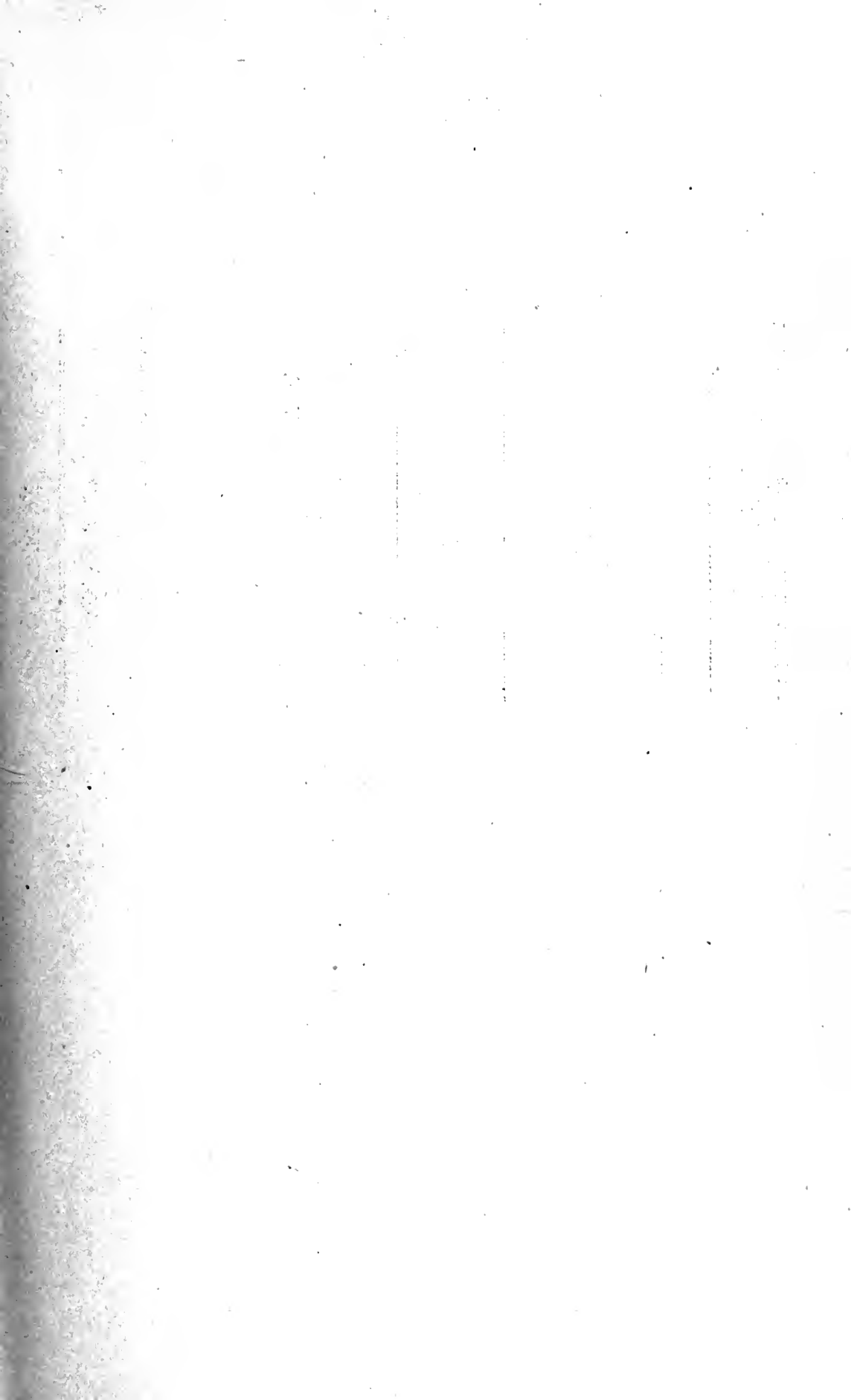
Collection  
of taxes  
and arrears.

**6.** The said Town of Steelton shall, after such annexation takes effect, collect and manage all taxes and arrears of taxes upon or against the lands in the said Moffly Sub-division or any ratepayer therein in the same manner as other taxes are collected in the said Town of Steelton, and the Mayor and Treasurer of the said Town shall have the power and perform the like duties in the collection and management of taxes and arrears of taxes in respect of lands in said Moffly Sub-division as they now have to do in respect of lands within the limits of the Corporation of the said Town of Steelton.









No. 46.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting the Town of  
Steelton.

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1st Reading,                      1912.

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(*Private Bill.*)

Mr. GAMBY.

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

# BILL

## An Act respecting the Town of Steelton.

**W**HEREAS the Corporation of the Town of Steelton by **Preamble.** petition has represented that By-law No. 144 of the said Town adopting the report of the Town Engineer made pursuant to By-law No. 141 of the said Town as to the real property benefited by the construction of a proposed system of sewers in said Town was duly passed by the Council thereof on 29th day of June, 1910; that By-law No. 145 of said Town, providing for the publication of a notice of intention to proceed with the construction of said sewerage system was duly passed on 29th day of June, 1910; that By-law No. 146 of said Town, providing for the construction of said system of sewers as a local improvement was duly passed by the Council of said Town after the Board of Health of said Town had duly recommended the construction in the public interests of the said sewers for sanitary purposes, and after notice of construction of same had been duly given by said Council by public advertisement and otherwise to the owners of property benefited thereby, and no petition was received by said Council against the said work; that the said Council had intended to assess a portion of the final cost of said sewerage system upon the real property, which although not fronting or abutting thereon was deemed by said Council benefited by the construction thereof, but said Council does not now find it necessary, expedient, or equitable, and is not desirous of assessing a portion of said final cost on said last mentioned real property; that the said Council has passed By-law No. 128 authorizing the execution of a certain Agreement dated 16th February, 1910, and has entered into said Agreement with the Corporation of the Town of Sault Ste. Marie for the construction of a common sewer on Cathcart Street between North and Hudson Streets in the Town of Sault Ste. Marie, and a common sewer outlet extending from Cathcart Street in Sault Ste. Marie southerly to deep water in the St. Mary's

River, which sewers are necessary to serve property situate within the Town of Steelton; and has duly passed By-law No. 170 authorizing the execution of a certain Agreement dated 25th April, 1911, and has entered into said Agreement with the Lake Superior Power Company and the Corporation of the Town of Sault Ste. Marie providing for a joint sewer outlet, which is necessary to serve property situate within the Town of Steelton: that the said Council has duly passed Construction By-laws Nos. 10 and 13 for the construction of certain sewers as local improvements under "the local improvement sections of the Municipal Act"; that the said Town of Steelton has constructed the said sewers authorized by the several By-laws aforesaid at a total cost of \$82,000; that By-law No. 201 for the purpose of regulating and providing a uniform frontage tax upon the property specially benefited by said system of sewers, to cover the cost of the construction thereof has been duly passed by the Council of said Town; that on the 29th day of December, 1911, a Court of Revision was held for the said Town to fix the frontage of lots fronting or abutting upon said sewer system for the purpose of levying special rates against said lots for the said sewers as a local improvement, when a special assessment roll of said last mentioned lots was revised and settled by said Court of Revision which said assessment roll was confirmed on appeal by the Judge of the District Court of the District of Algoma; and that the Council passed By-law No. 205 authorizing the borrowing of \$82,000.00 by the issue of debentures to pay for the construction of the said works and the levying of rates to pay the debt and interest; and the said Corporation has by the said petition prayed that an Act may be passed to legalize and confirm the action of the said Council in not assessing or levying any portion of said final cost of said sewers upon the real property which does not front or abut thereon, and subject to the foregoing to legalize and confirm the said several By-laws aforesaid, and no opposition has been offered to the said petition; and whereas it is expedient to grant the prayer of the said petition;

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

How cost  
of certain  
sewers to  
be levied.

1. The cost of the said sewers provided for by the said By-laws shall and may be assessed and levied in manner following, that is to say, \$47,000 thereof by annual special rate upon and against the real property which appears in the special assessment roll, revised and settled by said Court of Revision for the Town of Steelton held on 29th December, 1911, and \$35,000 thereof shall and may be assessed and

levied by special rate sufficient therefor over and above all other rates on all the rateable property in the said Town of Steelton at the same time and in the same manner as other rates and taxes in said Town.

2. The said Construction By-laws numbered 10 and 13 and the said By-law numbered 201 and all reports, By-laws, proceedings, actions and Agreements of the Council or of any officer of the said Town of Steelton leading up to or in connection with the said By-laws or any of them and all special assessment rolls respecting or affecting said sewers revised and settled by the said Court of Revision on the 29th day of December, 1911, as confirmed on appeal by the Judge of the District Court of the District of Algoma, and all rates and assessments imposed by said By-laws and special assessment rolls as finally revised are hereby confirmed and declared to be legal, valid and binding upon the said Corporation of the Town of Steelton and the ratepayers thereof, and the said Corporation is authorized and empowered to do all acts and things necessary, requisite or proper for the full and effectual carrying out of the objects of the said By-laws and said Agreements. Certain by-laws confirmed.

3.—(1) By-law No. 205 of the Council of the Corporation of the Town of Steelton, authorizing the issue of debentures for the sum of \$82,000.00, set forth as Schedule "A" to this Act, is hereby confirmed and declared to be valid and binding upon the Corporation and the ratepayers thereof and the validity of the said by-law shall not be questioned in any Court on any ground whatever. Confirmation of debentures.

(2) Debentures issued pursuant to and substantially complying with the provisions of the said by-law shall be valid and binding upon the Corporation of the Town of Steelton and it shall not be necessary for the purchasers thereof to inquire into the validity of the issue of the same.

4. If the southerly 102 acres of Section Number 31 of the Township of Tarentorus known as the Moffly Sub-division are annexed to the Town of Steelton under the provisions of section 13 of the *Act to Incorporate the City of Sault Ste. Marie* passed at the present Session the provisions of sections 14 and 15 of that Act shall *mutatis mutandis* apply to the Town of Steelton and to the land annexed. Annexation of certain land to town.

## STEELTON.

## BY-LAW NO. 205.

A By-law to provide for borrowing \$82,000.00 upon debentures to pay for the construction of a system of sewers in the Town of Steelton.

Whereas, pursuant to By-law No. 146, passed on the 16th day of August, 1910, sanitary sewers have been constructed at a cost of \$80,730.00 as a local improvement, on the following streets in said town:

Names of Streets.	Points on said Streets between which the Sewer is Laid.
John .....	Cathcart to Wellington.
Wellington and People's Road ...	John to Wallace.
People's .....	Wallace Terrace to Swartz.
Cathcart .....	John to Gore.
Beverly .....	Cathcart to C. P. Railway.
Huron .....	Cathcart to C. P. Railway.
St. James .....	Cathcart to C. P. Railway.
Brown .....	Cathcart to Wellington.
Gloucester .....	Cathcart to Wellington.
Wellington .....	Edinbourg to North.
Edinbourg .....	Wellington to North.
St. Andrews .....	John to North.
St. George .....	John to North.
Bush .....	St. George to Cornwall.
John .....	Wellington to St. George.
John .....	St. George to Conmee.
Northland .....	John to Charles.
Northland .....	Charles to Parliament.
Northland .....	Parliament to Kehoe.
Hudson .....	Wellington to Kehoe.
Hudson .....	Cathcart to C. P. Railway.
North .....	C. P. Railway to St. George.
Parliament .....	Northland to Kehoe.
Charles .....	Northland to Kehoe.
St. George .....	Wellington to Hudson.
Huron .....	St. George to C. P. Railway.
Wallace Terrace .....	People's Road to St. Patrick.
Swartz .....	People's Road to Lennox.
Shafer .....	Swartz to Conmee.
Lennox .....	Swartz to Conmee.
Cathcart .....	John to Hudson.

And whereas, pursuant to Construction By-law No. 10, passed on the 10th day of August, 1911, a sanitary sewer has been constructed at a cost of \$550 as a local improvement on Hudson Street between Cathcart Street and the Southerly limit of the right of way of the Canadian Pacific Railway in said Town.

And whereas pursuant to Construction By-law No. 13, passed on the 3rd of October, 1911, a sanitary sewer has been constructed at a cost of \$720.00 as a local improvement on North Street between St. George Avenue and the Northerly limit of the right of way of The Canadian Pacific Railway Company in said Town.

And whereas the total cost of the work is \$82,000.00, of which \$35,000.00 is Corporation's portion of the cost, and \$47,000.00 is the owners' portion of the cost, for which a special assessment roll has been duly made and certified.

And whereas the estimated lifetime of the work is 30 years.



And whereas it is necessary to borrow the said sum of \$82,000.00 on the credit of the Corporation and to issue debentures therefor payable within 30 years from the time of the issue thereof and bearing interest at the rate of 5 per cent. per annum, which is the amount of the debt intended to be created by this By-law.

And whereas it is necessary to raise annually \$1,588.34 for the payment of the debt, and \$4,100.00 for the payment of the interest thereon, making in all \$5,688.34 to be raised annually for the payment of the debt and interest, of which \$2,427.95 is required to pay the Corporation's portion of the cost and the interest thereon, and \$3,260.39 is required to pay the owners' portion of the cost and the interest thereon.

And whereas the amount of the whole rateable property of the Municipality according to the last revised assessment roll is \$1,429,366.00.

And whereas the amount of the existing debenture debt of the Corporation (exclusive of local improvement debts secured by special rates or assessments) is \$139,365.95, and no part of the principal or interest is in arrear.

Therefore the Municipal Council of the Corporation of the Town of Steelton enacts as follows:—

1. That for the purpose aforesaid there shall be borrowed on the credit of the Corporation at large the sum of \$82,000.00, and debentures shall be issued therefor in sums of not less than \$100 each which shall have coupons attached thereto for the payment of the interest.

2. The debentures shall all bear the same date and shall be issued within 2 years after the day on which this By-law is passed, and may bear any date within such 2 years, and shall be payable within thirty years after the time when the same were issued.

3. The debentures shall bear interest at the rate of five per cent. per annum, payable half-yearly, and as to both principal and interest may be expressed in Canadian currency or sterling money of Great Britain at the rate of £1 sterling for each \$4.86 $\frac{2}{3}$ , and may be payable at any place or places in Canada or Great Britain.

4. The Mayor of the Corporation shall sign and issue the debentures and interest coupons, and the same shall also be signed by the Treasurer of the Corporation, and the debentures shall be sealed with the Seal of the Corporation.

5. During the 30 years' currency of the debentures, \$1,588.34 shall be raised annually to form a sinking fund for the payment of the debt, and \$4,100.00 shall be raised annually for the payment of the interest thereon, making in all \$5,688.34 to be raised annually for the payment of the debt and interest as follows:— The sum of \$2,427.95 shall be raised annually for the payment of the Corporation's portion of the cost and the interest thereon, and shall be levied and raised annually by a special rate sufficient therefor over and above all other rates on all the rateable property of the Municipality at the same time and in the same manner as other rates.

For the payment of the owners' portion of the cost and the interest thereon the special assessment set forth in the said special assessment roll is hereby imposed upon the lands liable therefor as therein set forth, which said special assessment, with a sum sufficient to cover interest thereon at the rate aforesaid shall be payable in 30 equal annual instalments of \$3,260.39 each, and for that purpose an equal annual rate of 7 cents per foot frontage is hereby imposed upon each lot entered in the said special assessment roll, according to the assessed frontage thereof over and above all other rates and taxes, which said special rate shall be collected annually by the Collector of taxes for the Corporation at the same time and in the same manner as other rates.

6. All monies arising from the said special rates or from the commutation thereof not immediately required for the payment of interest shall be invested as required by law.

7. The debentures may contain any clause providing for the registration thereof authorized by any Statute relating to Municipal debentures in force at the time of the issue thereof. The amount of the loan authorized by this By-law may be consolidated with the amount of any loan authorized by other local improvement By-laws, by including the same with such other loans in a Consolidating By-law authorizing the borrowing of the aggregate thereof as one loan and the issue of debentures for such loan in one consecutive issue pursuant to the provisions of the Statutes in that behalf.

8. This By-law shall take effect on the day of the final passing thereof.

Passed this 8th day of January, 1912.

(Sgd.) JAS. LYONS,  
*Mayor.*

(Sgd.) J. ROBINSON,  
*Clerk.*

(Corporate  
Seal.)



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No. 46.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting the Town of  
Steelton.

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1st Reading, 28th February, 1912.

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

Mr. GAMEY.

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

# BILL

## An Act respecting the Town of Gravenhurst

**W**HEREAS the Municipal Corporation of the Town of <sup>Preamble.</sup> Gravenhurst has, by petition, shown that the existing debenture debt of the said town amounts for revenue-producing purposes to the sum of \$108,328.74, made up as follows:—Electric light purchase, \$25,071.33; water works debentures, \$20,000; water works extension, \$7,000; Hydro-Electric power station, \$56,257.41; and for general purposes the further debenture debt, totalling \$45,939.49, made up as follows:—For cement sidewalks, \$7,128.07; for municipal purposes, \$2,578.31; for fire hall equipment, \$1,812.11; for town hall, \$5,471.05; for high school building site, \$3,142.90; for consolidated municipal debentures, \$8,898.97; for Clark Mfg. Co. bonus, \$8,098.97; for town park purchase, \$1,779.81; and for grant in aid of Hospital for Consumptives, \$6,229.30, from which last-named total of \$45,939.49 stands to be deducted a sinking fund at interest amounting to \$1,536.67; that in addition to the said debenture debt the said Corporation has contracted a floating indebtedness amounting in all to about \$8,000, which includes \$4,500 paid to the plaintiffs in settlement of an action in the High Court of Justice, entitled “Young vs. Gravenhurst,” arising out of an accident which happened in connection with the electric light system of the said town; that a further sum of \$3,500 is required to defray an indebtedness to the Dominion Bank, incurred partly in respect of certain repairs undertaken in connection with the said electric light plant in consequence of the said accident, which repairs are of a permanent character, and partly in respect of the necessary costs of defending the said action; that the value of the whole rateable property of the said town, according to the last revised assessment roll is \$530,934, and the tax rate imposed for the year 1911 was for general purposes 20 mills on the dollar besides school rates; that to pay the said floating indebtedness out of the annual rates and to raise the sum required annually to meet the principal and interest falling due on account of the existing debenture

indebtedness would be unduly oppressive to the ratepayers of the said town and would require the imposition of a tax rate considerably above 20 mills on the dollar, exclusive of school rates; and whereas the said Municipal Corporation has by its petition prayed that an Act may be passed authorizing the said Corporation of the said town to issue debentures for \$8,000 for the above purposes, and whereas no objection has been made to the said petition, and whereas it is expedient to grant the prayer of the said petition;

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

Power to borrow \$8,000 to pay floating debt.

1. 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 the corporate seal signed by the Mayor and countersigned by the Treasurer for the time being in such sums not less than \$100 each, and not exceeding in the aggregate \$8,000, and payable at such places as the Corporation may deem expedient.

Hypothecation of debentures.

2. The said Corporation may for the purposes herein mentioned raise money by way of loan on the said debentures or sell and dispose of the said debentures from time to time as may be deemed expedient.

Term of debentures.

3. The said debentures shall be payable in not more than twenty years from the first day of February, 1912, as the said Corporation may direct, such debentures may bear interest at any rate not exceeding  $5\frac{1}{2}$  per cent. per annum, and the interest on such debentures or on any part thereof may be made payable by coupons to be attached thereto, if the by-law so directs.

Equal annual instalments.

4. Any debt incurred under the authority of this Act shall be payable in twenty years at furthest from the 1st day of February, 1912, and shall be payable in equal annual instalments, including principal and interest, in such manner that the amount payable and to be raised and levied in any one year on account of principal and interest shall be equal as nearly as may be to what is payable and to be raised and levied during each of the other years during the period within which the debt is to be discharged.

Special rate.

5. The said Corporation shall levy, in addition to all other rates to be levied in each year, a sum sufficient to pay the amount falling due annually for principal and interest in respect of debentures authorized to be issued under this

Act notwithstanding that such rate increases the annual levy in any one or more years to a rate exceeding 20 mills on the dollar of the rateable property, and it shall not be necessary to levy for or provide any sinking fund to retire the said debentures or any of them.

6. The said debentures and all moneys arising therefrom shall be applied by the said Corporation in the payment of any floating indebtedness incurred for any or all of the purposes aforesaid, and for payment of the costs of and incidental to this Act and of any unpaid costs in respect of the defence of the said action of "Young vs. Gravenhurst." Application of proceeds of debentures.

7. The by-law or by-laws authorizing the said debentures from time to time may be in the form of Schedule "A" to this Act, with such variations as may be required. Form of by-law.

8. It shall not be necessary to obtain the assent of the electors of the said Town of Gravenhurst to the passing of any by-law which shall be passed under the provisions of this Act or to observe the formalities in relation to money by-laws prescribed by *The Consolidated Municipal Act, 1903*. Assent of electors not required.

9. 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 thereof shall not be bound to enquire as to the necessity for the passing of such by-law or for the issue of such debentures or as to the application of the proceeds thereof. Inconsistent enactments not to apply.

#### SCHEDULE "A."

##### BY-LAW.

By-law number \_\_\_\_\_ to authorize the issue of debentures under the authority of the Act respecting the Town of Gravenhurst, being chapter \_\_\_\_\_ of the Statutes of Ontario, 1912.

Whereas the said Act authorizes the issue of debentures for the purposes therein mentioned not to exceed \$8,000 in the whole as the Corporation of the Town of Gravenhurst may in pursuance of and in conformity with the provisions of the said Act from time to time direct.

And whereas for certain of the purposes of the said Act it is necessary and expedient to issue debentures to the extent of \$                    payable in annual instalments extending over                    years with interest thereon at the rate of                    per centum per annum payable yearly according to the coupons to be attached to the said debentures.

And whereas the amount of the whole rateable property of the said Town of Gravenhurst according to the last revised assessment roll for the said town being for the year                    was \$                    ;

Therefore the Municipal Corporation of the Town of Gravenhurst enacts as follows—

1. Debentures under the said Act and for the purposes therein mentioned to the extent of \$                    repayable in annual instalments of sufficient amount each year to make with the interest charged as nearly as possible an equal annual repayment of principal and interest combined, are hereby authorized and directed to be issued.

2. The said debentures shall bear interest at the rate of                    per centum per annum payable yearly on the                    day of                    in each year, upon presentation of the proper coupons for the same to be annexed to said debentures as the same shall severally become due.







STANDARD INDUSTRIAL

1911

Standard Industrial

1911

1911

1911

No. 47.

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2 George V., 1912.  
1st Session, 13th Legislature,

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BILL.

An Act respecting the Town of  
Gravenhurst.

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1st Reading,	1912.
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(*Private Bill.*)

Mr. MAHAFFY.

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

# BILL

## An Act respecting the Mount McKay and Kakabeka Falls Railway Company

**W**HEREAS the Mount McKay and Kakabeka Falls Preamble.  
Railway Company was incorporated by an Act passed by the Legislature of the Province of Ontario, in the fourth year of the reign of His late Majesty, King Edward the Seventh, Chaptered 82, as amended by an Act passed in the eighth year of His late Majesty's reign, Chaptered 131, for the purpose of constructing and maintaining a Railway to be operated by electricity, compressed air or other motive power as set forth in the said Acts; and whereas it was provided by the first mentioned Act that the amount of capital stock of the said Company should be \$250,000; and whereas by the Act passed in the eighth year of His late Majesty's reign, Chaptered 131, it was among other things provided that the time for completion of the said Railway be extended for a period of four years from the passing of the said last mentioned Act; and whereas the said Company has by its petition prayed for an Act to increase its capital stock from \$250,000 to \$500,000, and also that the time for completing the said Railway be extended for a further term of four years, and for such other rights, powers and authorities as may be incidental to the above; 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 4 of the said Act, passed in the fourth year of <sup>4 Edw. VII.,</sup> the reign of His late Majesty King Edward the Seventh, <sup>c. 82, s. 4,</sup> Chaptered 82, is repealed and the following substituted therefor:

4. The capital stock of the Company shall be \$500,000 to <sup>Capital</sup> be divided into five thousand shares of \$100 each. <sup>stock.</sup>

2. Section 5 of the Act passed in the eighth year of the reign of His late Majesty King Edward the Seventh, Chaptered 131, is repealed. <sup>8 Edw. VII., c. 131, s. 5, repealed.</sup>

3. Notwithstanding anything contained in *The Ontario Railway Act, 1906*, the Railway authorized by the said Act passed in the fourth year of the reign of His late Majesty King Edward the Seventh, Chaptered 82, as amended by the Act passed in the eighth year of His late Majesty's reign, Chaptered 131, and by this Act shall be completed within four years from the passing of this Act, and if the Railway is not completed and put in operation within four years from the passing of this Act, then the powers granted to the Company by the said Acts shall cease and be null and void as respects so much of the Railway as then remains uncompleted. <sup>Time for completion extended.</sup>

4. All rights, powers, authorities and privileges conferred upon the said Company by the said Act or by any general Act, are hereby declared to be in force, and nothing in this Act contained shall in any way be deemed to affect any agreement heretofore entered into between the Company and any municipal corporation or any other person or persons. <sup>Powers conferred by other Acts not affected, etc.</sup>



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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting the Mount McKay and  
Kakabeka Falls Railway.

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1st Reading. 1912.

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*(Private Bill.)*

Mr. JARVIS.

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



# BILL

## An Act respecting The Mount McKay and Kakabeka Falls Railway Company

**W**HEREAS The Mount McKay and Kakabeka Falls Preamble.  
 Railway Company was incorporated by an Act passed by the Legislature of the Province of Ontario, in the fourth year of the reign of His late Majesty King Edward the Seventh, Chaptered 82, as amended by an Act passed in the eighth year of His late Majesty's reign, Chaptered 131, for the purpose of constructing and maintaining a railway to be operated by electricity, compressed air or other motive power as set forth in the said Acts; and whereas it was provided by the first mentioned Act that the amount of capital stock of the said Company should be \$250,000; and whereas by the Act passed in the eighth year of His late Majesty's reign, Chaptered 131, it was among other things provided that the time for completion of the said railway be extended for a period of four years from the passing of the said last mentioned Act; and whereas the said Company has by its petition prayed for an Act to increase its capital stock from \$250,000 to \$500,000, and also that the time for completing the said railway be extended for a further term of four years, and for such other rights, powers and authorities as may be incidental to the above; 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 4 of the said Act, passed in the fourth year of <sup>4</sup>Edw. VII., the reign of His late Majesty King Edward the Seventh, <sup>C. 82, s. 4,</sup> repealed, Chaptered 82, is repealed and the following substituted therefor:

4. The capital stock of the Company shall be \$500,000. **Capital stock.**

3 Edw. VII,  
c. 131, s. 5,  
repealed.

2. Section 5 of the Act passed in the eighth year of the reign of His late Majesty King Edward the Seventh, Chaptered 131, is repealed.

Time for  
completion  
extended.

3. Notwithstanding anything contained in *The Ontario Railway Act, 1906*, the railway authorized by the said Act passed in the fourth year of the reign of His late Majesty King Edward the Seventh, Chaptered 82, as amended by the Act passed in the eighth year of His late Majesty's reign, Chaptered 131, and by this Act shall be completed within four years from the passing of this Act, and if the railway is not completed and put in operation within four years from the passing of this Act, then the powers granted to the Company by the said Acts shall cease and be null and void as respects so much of the railway as then remains uncompleted.

Powers  
conferred  
by other  
Acts not  
affected,  
etc.

4. All rights, powers, authorities and privileges conferred upon the said Company by the said Acts or by any general Act, are hereby declared to be in force, and nothing in this Act contained shall in any way be deemed to affect any agreement heretofore entered into between the Company and any municipal corporation or any other person or persons.



No. 48.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting The Mount McKay and  
Kababeka Falls Railway Company.

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1st Reading, February 28th, 1912.

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*Reprinted as amended by the Railway  
Committee.)*

*Private Bill.*

Mr. JARVIS.

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

# BILL

## An Act to incorporate the Young Men's Christian Association of Fort William.

**W**HEREAS William James Hamilton, John Josiah Wells, Edward Saunders Rutledge, Leonard Raymond Clarke, Robert Strachan, Gaylen Rupert Duncan, Percy John Lake, Everley Ramond Gavin, Alexander Snelgrove, Sherman John McQueen, Guy Leonard Allen, John Eliot Swinburne, William Stevenson, Peter McKellar, and George Hacon Williamson, all of the City of Fort William, in the District of Thunder Bay, have in their petition prayed for an Act of Incorporation under the name of "The Young Men's Christian Association of Fort William," with power to acquire and hold free-hold or lease-hold or other interests in real estate and other property for the purposes of the Association and with other powers; and whereas it is expedient to grant the prayer of the said petition: — Preamble.

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

1. William James Hamilton, John Josiah Wells, Edward Saunders Rutledge, Leonard Raymond Clarke, Robert Strachan, Gaylen Rupert Duncan, Percy John Lake, Everley Ramond Gavin, Alexander Snelgrove, Sherman John McQueen, Guy Leonard Allen, John Eliot Swinburne, William Stevenson, Peter McKellar and George Hacon Williamson, and such other persons as are now or shall hereafter become members of the Young Men's Christian Association of Fort William, shall be and they are hereby constituted a body politic and corporate under the name of "The Young Men's Christian Association of Fort William," and shall have power to acquire and hold real estate in the City of Fort William, in the District of Thunder Bay, or any leasehold or other interest therein to the value of \$250,000, and the same or any part thereof to alienate, mortgage, lease or otherwise Incorporation.

charge or dispose of, as occasion requires; and may also acquire and hold either in its own name or jointly with any other Association, or any person on its behalf, lands in the District of Thunder Bay, not exceeding in value \$10,000 for Summer Camping Grounds and Athletic and Playing Fields; and may also acquire any other real estate or interest therein (so that the annual value of the same shall not at any 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 period alienate or dispose of the same and the proceeds of such estate or interest therein as shall have been so alienated or disposed of shall be invested in public security, county or municipal debentures or other approved securities for the use of the said Corporation, and such estate or interest as may not within the said period have been alienated or disposed of may be forfeited to the Crown.

Trading in  
real estate  
prohibited.

**2.** Nothing herein contained shall authorize the said Corporation to engage in the business of trading in the business of real estate.

Constitu-  
tion and  
by-laws.

**3.** The Constitution and by-laws of the Association prior to its incorporation and under which the said Association has been conducted are and shall continue to be the constitution and by-laws of the said Association, but they or any of them may be added to or repealed and others substituted therefor.

Directors.

**4.** The Corporation may by by-law provide for the number of directors and as to their qualifications, mode of election and the time for which they shall hold office and may by by-laws from time to time increase or decrease such number.

Officers.

**5.** The officers of the said Association at the time of the passing of this Act shall be the officers of the said Corporation and shall retain their respective offices until others shall be elected in their place.

Objects of  
corporation.

**6.** The object of the said Corporation shall be the spiritual, mental, social, and physical improvement of young men by the maintenance and support of meetings, lectures, reading rooms, libraries, gymnasium and such other means as may from time to time be determined upon.

Exemption  
from  
taxation.

**7.** The buildings, lands and equipment of the said Corporation so long as and to the extent to which they are occupied by and used for the purpose of the said Corporation, are declared to be exempted from all school and municipal taxation except for local improvement.

8.—(1) Every contract, agreement, engagement or bargain made and every bill of exchange drawn or accepted and every promissory note and cheque made or drawn on behalf of the said Corporation by the president, vice-president, secretary, and treasurer of the Corporation, or any two of them, in general accordance with their powers as such under the by-laws of the Corporation shall be binding upon the Corporation (but promissory notes or cheques payable to the order of the Corporation may be endorsed by either the secretary or treasurer of the said 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 special by-law or special vote or order, nor shall the party so acting within his authority as agent, officer or servant of the Corporation be thereby subjected, individually, to any liability whatsoever in respect thereof.

(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. 49.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to incorporate the Young Men's  
Christian Association of Fort William.

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1st Reading. 1912.

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(*Private Bill.*)

Mr. JARVIS.

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



# BILL

## An Act respecting the Simcoe Railway & Power Company.

**W**HEREAS Simcoe Railway & Power Company has Preamble. by petition represented that the Company was incorporated by an Act of Parliament passed in the ninth year of His late Majesty's reign, Chaptered 145, which was amended by Statute 10 Edward VII., Chapter 151, with authority, among other things, to construct and operate a railway from a point in or near the Town of Penetanguishene in the County of Simcoe easterly through the Town of Midland, and passing through the Township of Tay, and the unincorporated Villages therein of Victoria Harbor, Sturgeon Bay, Tanner-ville, Waubauskene, Fesserton, and part of the Township of Medonte to some point in or near the Village of Coldwater in the said County of Simcoe; and whereas the said Company has by its petition represented that it has developed a water power authorized by the said Act of Parliament, and is transmitting power therefrom to the Town of Midland, and is selling power to the Hydro-Electric Power Commission of Ontario for use in the said Town of Midland and the Town of Penetanguishene, and the said petitioner has further represented that it has incurred a considerable amount of unexpected delay and expense in connection with the said development and transmission of the said power, and has only recently completed the same; and whereas the said Company has by its petition prayed that the time for commencement and completion of the said railway be extended; and whereas it is expedient to grant the prayer of the said petitioner:—

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

1. Notwithstanding anything contained in *The Ontario Railway Act, 1906*, and amendments thereto, the railway authorized by said Act passed in the ninth year of His late Time for commencement and completion extended.

Majesty's reign, Chapter 140, as amended, and by this Act, shall be commenced within a period of five years, and completed within a period of eight years from and after the passing of this Act, and if the construction of the said railway is not commenced, and 15 per cent. of the estimated cost of the said railway is not expended thereon within five years, and if the railway is not finished and in operation within eight years from the passing of this Act, then the powers granted to the Company by the said Acts, and by this Act, shall cease, and be null and void, as respects so much of the railway as then remains incomplete, but nothing in this section contained shall affect the rights, powers and privileges of the said Company, apart from the said Railway.



No. 50.

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1st Session, 13th Legislature,  
2 George V., 1912.

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**BILL.**

An Act respecting the Simcoe Railway  
& Power Company.

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1st Reading. 1912.

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(*Private Bill.*)

Mr. HARTT.

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

# BILL

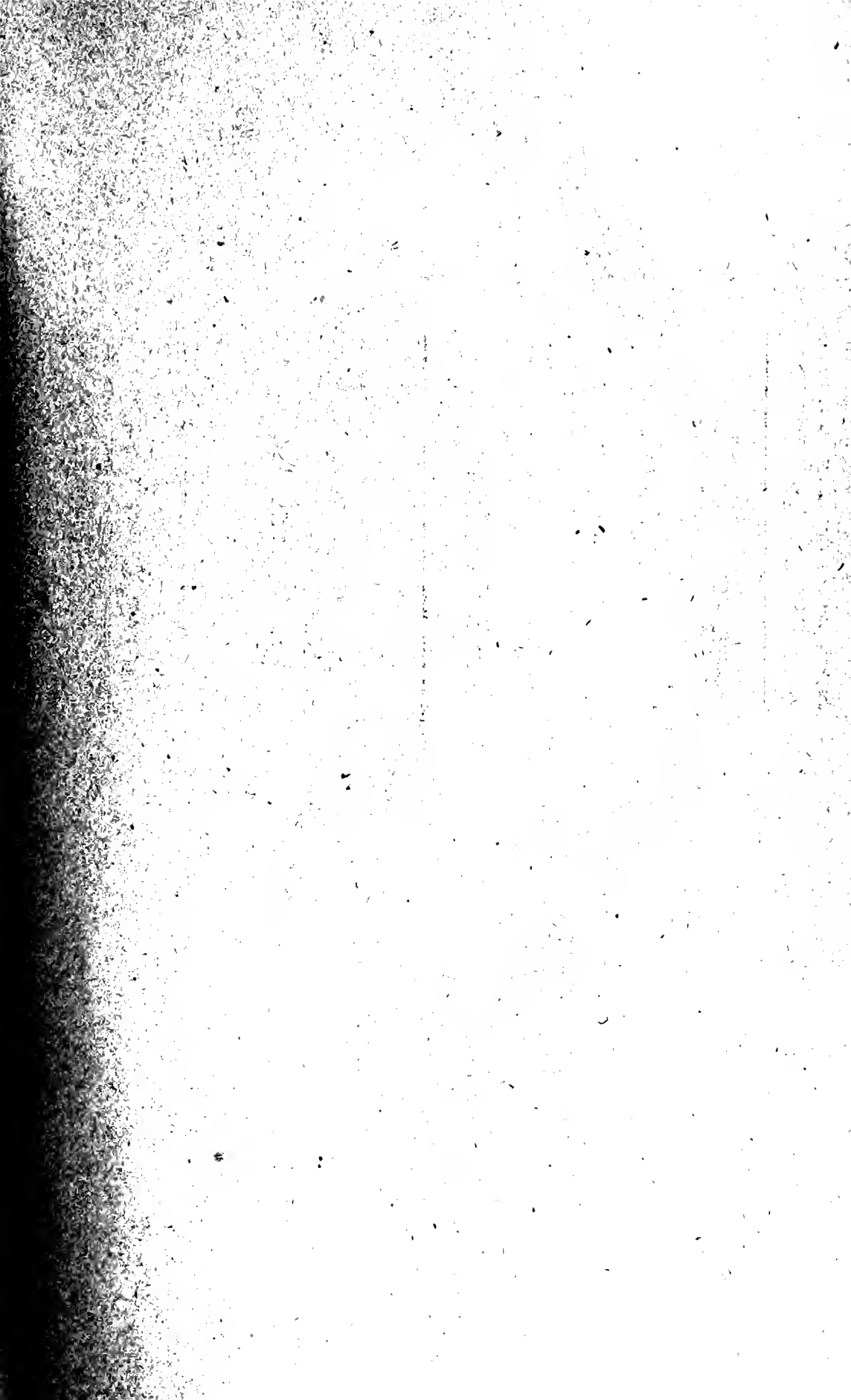
## An Act respecting Simcoe Railway and Power Company.

**W**HEREAS Simcoe Railway and Power Company has **Preamble.** by petition represented that the Company was incorporated by an Act passed in the ninth year of His late Majesty's reign, Chaptered 145, which was amended by an Act passed in the tenth year of His late Majesty's reign, Chaptered 151, with authority, among other things, to construct and operate a railway from a point in or near the Town of Penetanguishene in the County of Simcoe easterly through the Town of Midland, and passing through the Township of Tay, and the unincorporated Villages therein of Victoria Harbor, Sturgeon Bay, Tannerville, Waubauskene, Fesserton, and part of the Township of Medonte to some point in or near the Village of Coldwater in the said County of Simcoe; and whereas the said Company has by its petition represented that it has developed a water power authorized by the said Act, and is transmitting power therefrom to the Town of Midland, and is selling power to The Hydro-Electric Power Commission of Ontario for use in the said Town of Midland and the Town of Penetanguishene, and the said petitioner has further represented that it has incurred a considerable amount of unexpected delay and expense in connection with the said development and transmission of the said power, and has only recently completed the same; and whereas the said Company has by its petition prayed that the time for commencement and completion of the said railway be 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. Notwithstanding anything contained in *The Ontario Railway Act, 1906*, and amendments thereto, the railway authorized by said Act passed in the ninth year of His late Time for commencement and completion extended.

Majesty's reign, Chaptered 145, as amended by the Act passed in the tenth year of His late Majesty's reign, Chaptered 151, and by this Act, shall be commenced within five years, and completed within eight years from and after the passing of this Act, and if the construction of the said railway is not commenced, and 15 per cent. of the estimated cost of the said railway is not expended thereon within five years, and if the railway is not finished and *put* in operation within eight years from the passing of this Act, then the powers granted to the Company by the said Acts, and by this Act, shall cease, and be null and void, as respects so much of the railway as then remains incomplete, but nothing in this section contained shall affect the rights, powers and privileges of the said Company, apart from the said railway.



No. 50.

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---

1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting Simcoe Railway and  
Power Company.

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1st Reading, March 1, 1912.

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*(Reprinted as amended by the Railway  
Committee.)*

*(Private Bill.)*

Mr. HARTT.

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



# BILL

## An Act respecting the Industrial Exhibition Association of Toronto.

**W**HEREAS the Industrial Exhibition Association of Toronto has, by its Petition, represented that it is desirable that an Act may be passed to change its name and to make certain changes in the associations and bodies from which its membership should be drawn and to define more clearly the rights and powers of the said Association with reference to the conduct of its exhibition; 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 said Association is hereby changed to “Canadian National Exhibition Association.” Change of name.

**2.** The Association, under its new name, shall continue to exercise all the rights, powers and privileges that prior to the passing of this Act have been held, exercised and enjoyed by it under the provisions of its Act of Incorporation and amending Acts in as full and ample a manner as if the Association had continued under its original name, subject only after the passing of this Act to the amendments in this Act contained; and all real and personal property, obligations, debts, claims, rights, powers and privileges of the Association shall, after the passing of this Act, be held and vested in the Association under the name of “Canadian National Exhibition Association,” but all legal and other proceedings prior to the passing of this Act begun by or against the Association may be continued under the name or under the style of cause in which they have been begun.

**3.** Section 4 of the Act passed in the forty-second year of the reign of Her late Majesty Queen Victoria and Chapter 81 as enacted by section 1 of the Act passed in the fifth year

42 Vic. c. 81; 61 Vic. c. 54; 2 Edw. VII. c. 65; 5 Edw. VII. c. 114.

42 Vic. 81, s. 4, as enacted by 5 Edw. VII. c. 114, s. 1, amended.

of the reign of His late Majesty King Edward the Seventh and Chapter 114 is repealed and the following substituted therefor—

“4.—(1) The membership of the Canadian National Exhibition Association shall be divided into three sections, as follows:

(a) **The City Council.**

(b) **Manufacturers, Liberal Arts and Miscellaneous; and**

(c) **Agricultural.**

(2) The City Council section shall consist of the Mayor and members of the Council of the City of Toronto, the City Treasurer, the Park Commissioner, the City Clerk, and the City Engineer.

(3) The Manufacturers, Liberal Arts and Miscellaneous Section shall consist of the Minister of Education, the Deputy Minister of Education, the Minister of Lands, Forests and Mines, and the Deputy Minister of Mines of the Province of Ontario; 15 representatives from the Canadian Manufacturers Association, three of whom must be non-residents of the said City, whose principal businesses are located outside of the said City, five representatives from the Board of Trade of the City of Toronto, two representatives from each of the following bodies: The Retail Merchants Association of Canada, the Commercial Travellers Association, the Ontario Society of Artists, the Canadian Press Association, the Toronto District Labour Council, the Board of Education of the City of Toronto, the County Council of the County of York, and one representative from each of the following bodies: The York Pioneer and Historical Society, the Graphic Art Club, the Applied Art Club, the Royal Canadian Academy, the Canadian Art Club, the Ontario Association of Architects, the Toronto Camera Club, such representatives to be named and appointed by the said several bodies at their annual meeting for the election of officers, and in the case of the said Board of Education and said County Council, to be appointed annually.

(4) The Agricultural Section shall consist of the Minister and Deputy Minister of Agriculture of the Province of Ontario, the President of the Ontario Agricultural College, two representatives from each

of the following bodies: Canadian Kennel Club, Dominion Shorthorn Breeders, Dominion Sheep Breeders Association, Dominion Swine Breeders Association, and Ontario Fruit Growers; one representative from each of the following bodies: The Toronto Electoral District Agricultural Society, the Association of Fairs and Exhibitions, Thoroughbred Horse Society, Hackney Horse Society, Clydesdale Horse Association, Canadian Pony Society, Ontario Horse Breeders Association, Shire Horse Association, Toronto Hunt Club, Toronto Driving Club, Ontario Jockey Club, Ontario Veterinary Association, Standard Bred Horse, Aberdeen Angus Association, Ayrshire Breeders Association, Hereford Breeders Association, Holstein-Friesian Association, Jersey Cattle Club, Dominion Cattle Breeders Association, the Western Ontario Poultry Association, the Eastern Ontario Poultry Association, Toronto Poultry Association, Canadian Pigeon Fanciers Association, Toronto Canary and Cage Birds Society, Canadian Horticultural Association, Ontario Horticultural Association, Toronto Horticultural Association, Gardeners and Florists Association, Ontario Vegetable Growers, Ontario Bee Keepers Association, Eastern Dairymens Association, Western Dairymens Association, and the Dominion Grange, such representatives to be named and appointed by the said several bodies at their annual meeting for the election of officers, and notice to be received by the Secretary of the Association not later than the last Wednesday of January, at the hour of 12 o'clock noon, in each and every year.

- (5) Notice of the appointment of representatives under the two preceding subsections and of the names and addresses of such representatives signed by the President and Secretary of each of the said bodies (other than the City and County Council and Board of Education), together with a certified list of the names and addresses of all the members of such bodies and of the members voting at such annual meeting shall forthwith after such meeting be given to the said Association.
- (6) A representative of any one of the bodies named in sections (b) and (c) must be a member of such body, and must be actively engaged in the industry which such body purports to represent.

- (7) In the event of any such body failing to appoint a representative in any year in accordance with the provisions of the preceding subsections, such body shall no longer be entitled to representation in the said Association. The decision of the Board of Directors of the said Association shall be final upon any question as to the proper appointment of any such representative, and whether the provisions of the preceding subsections have been properly complied with.
- (8) The representatives of the said three sections, and such representatives from other bodies and life members as the Lieutenant-Governor in Council, upon the recommendation of the Board of Directors, approved by the said Association, may admit to membership as hereinafter provided, shall constitute the said Canadian National Exhibition Association, and the said several persons and representatives named or hereafter to be admitted under the provisions hereof shall be the members of the said Canadian National Exhibition Association.
- (9) The Lieutenant-Governor in Council, upon the recommendation of the Board of Directors approved by the said Association at any annual or other general meeting thereof, may admit to membership in the said Association such number of representatives of other bodies and such persons to be life members as he may, upon such recommendation see fit, and may upon a like recommendation assign the same to one or other of the sections lettered (b) and (c) in subsection 1 of this section; and the Lieutenant-Governor in Council may in like manner cancel the membership of any body or organization or of any person.

42 Vic. c.  
81, as  
enacted by  
5 Ed. VII.  
c. 114.  
amended.

42 Vic. c.  
81, s. 9 (2),  
amended.

4. Subsection (2) of the said section 9 is amended by adding after the word "Association," in the seventh line thereof, the words "and may also at such meeting elect as Honorary President to hold office during the year any member who has held the office of President, and if there be none such then any member may be elected as such Honorary President."

42 Vic. c.  
81, amended.

5. The said Act is further amended by adding thereto the following section: The Board of Directors and officers of the Association may by their rules and regulations prohibit and prevent all kinds of gambling, theatrical, circus or mountebank performances, exhibitions or shows, and the huckstering

or trafficking in fruits, goods or merchandise, tickets or other things on the Exhibition Grounds or on the streets or lots within four hundred yards of the said grounds, during the time of the annual exhibition, and any one violating such rules or regulations or refusing on demand to desist from such violation, may be removed by the officers, policemen or constables of the said Association, or by any officer of the law, and shall also be liable to the penalty provided by section 115 of the said Act, 40 Vic. chap. 17; provided, however, that this section shall not prevent the sale upon any lands within the said distance of four hundred yards of articles usually sold thereon at times other than during the said Exhibition.

6. The life members who at present exist shall not be interfered with by anything which is contained in this Act. Their appointments are hereby confirmed.





No. 51.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting the Industrial  
Exhibition Association of Toronto.

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1st Reading

1912.

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(*Private Bill.*)

MR. GOODERHAM.

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TORONTO:

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



# BILL

## An Act respecting the Industrial Exhibition Association of Toronto.

**W**HEREAS the Industrial Exhibition Association of Toronto has, by its Petition, represented that it is desirable that an Act may be passed to change its name and to make certain changes in the associations and bodies from which its membership should be drawn and to define more clearly the rights and powers of the said Association with reference to the conduct of its exhibition; 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 name of the said Association is hereby changed to "Canadian National Exhibition Association."

Change of name.

2. The Association, under its new name, shall continue to exercise all the rights, powers and privileges that prior to the passing of this Act have been held, exercised and enjoyed by it under the provisions of its Act of Incorporation and amending Acts in as full and ample a manner as if the Association had continued under its original name, subject only after the passing of this Act to the amendments in this Act contained; and all legal and other proceedings prior to the passing of this Act begun by or against the Association may be continued under the name or under the style of cause in which they have begun.

42 Vic. c. 81; 61 Vic. c. 54; 2 Edw. VII. c. 65; 5 Edw. VII. c. 114.

3. Section 4 of the Act passed in the forty-second year of the reign of Her late Majesty Queen Victoria and Chapter 81 as enacted by section 1 of the Act passed in the fifth year of the reign of His late Majesty King Edward the Seventh and Chapter 114 is repealed and the following substituted therefor—

42 Vic. c. 81, s. 4, as enacted by 5 Edw. VII. c. 114, s. 1, amended.

"4.—(1) The membership of the Canadian National Exhibition Association shall be divided into three sections, as follows:

- (a) The City Council.
  - (b) Manufacturers, Liberal Arts and Miscellaneous not to exceed fifty members, exclusive of life members; and
  - (c) Agricultural, not to exceed fifty members, exclusive of life members.
- (2) The City Council section shall consist of the Mayor and members of the Council of the City of Toronto, the City Treasurer, the Park Commissioner, the City Clerk, the City Engineer, the Corporation Counsel, the City Architect, the Medical Health Officer, the Assessment Commissioner, the Commissioner of Property and Street Cleaning, and the Chief of the Fire Department.
- (3) The Manufacturers, Liberal Arts and Miscellaneous Section shall consist of the Minister of Education, the Deputy Minister of Education, the Minister of Lands, Forests and Mines, and the Deputy Minister of Mines of the Province of Ontario; 15 representatives from the Canadian Manufacturers Association, three of whom must be non-residents of the said City, whose principal businesses are located outside of the said City, five representatives from the Board of Trade of the City of Toronto, two representatives from each of the following bodies: The Retail Merchants Association of Canada, the Commercial Travellers Association, the Ontario Society of Artists, the Canadian Press Association, the Toronto District Labour Council, the Board of Education of the City of Toronto, the County Council of the County of York, and one representative from each of the following bodies: The York Pioneer and Historical Society, the Graphic Art Club, the Applied Art Club, the Royal Canadian Academy, the Canadian Art Club, the Ontario Association of Architects, the Toronto Camera Club, such representatives to be named and appointed by the said several bodies at their annual meeting for the election of officers, and in the case of the said Board of Education and said County Council, to be appointed annually.

- (4) The Agricultural Section shall consist of the Minister and Deputy Minister of Agriculture of the Province of Ontario, the President of the Ontario Agricultural College, the Superintendent of Agricultural and Horticultural Societies of the Province of Ontario, the Director of the Live Stock Branch of the Ontario Department of Agriculture, the Director of the Fruit Branch of the Ontario Department of Agriculture, the Director of the Dairy Branch of the Ontario Department of Agriculture, two representatives from each of the following bodies: Canadian Kennel Club, Dominion Shorthorn Breeders Association, Dominion Swine Breeders Association, and one representative from each of the following bodies: The Toronto Electoral District Agricultural Society, Canadian Thoroughbred Horse Society, Canadian Hackney Horse Society, Clydesdale Horse Association of Canada, Canadian Pony Society, Ontario Horse Breeders Association, Canadian Percheron Horse Breeders Association, Canadian Shire Horse Association, Toronto Hunt Club, Toronto Driving Club, Ontario Jockey Club, Ontario Veterinary Association, Canadian Standard Bred Horse Society, Canadian Aberdeen Angus Association, Canadian Ayrshire Breeders Association, Canadian Hereford Breeders Association, Holstein-Friesian Association of Canada, Canadian Jersey Cattle Club, Dominion Cattle Breeders Association, Dominion Sheep Breeders Association, Ontario Sheep Breeders Association, the Western Ontario Poultry Association, the Eastern Ontario Poultry Association, Toronto Poultry Association, Canadian Pigeon Fanciers Association, Toronto Canary and Cage Bird Society, Ontario Horticultural Association, Toronto Horticultural Association, Fruit Growers Association of Ontario, Toronto Gardeners and Florists Association, Ontario Vegetable Growers, Ontario Bee Keepers Association, Eastern Ontario Dairymens Association, Western Ontario Dairymens Association, and the Dominion Grange, such representatives to be named and appointed by the said several bodies at their annual meeting for the election of officers.
- (5) Notice of the appointment of representatives under the two preceding subsections and of the names and addresses of such representatives signed by the President and Secretary of each of the said bodies

(other than the City and County Council and Board of Education), together with a certified list of the names and addresses of all the members of such bodies and of the members voting at such annual meeting shall forthwith after such meeting be given to the said Association, so that the same shall be received by the Secretary of the said Association not later than the last Wednesday of January at the hour of 12 o'clock noon in each year.

- (6) A representative of any one of the bodies named in sections (b) and (c) must be a member of such body, and must be actively engaged in the industry which such body purports to represent.
- (7) In the event of any such body failing to appoint a representative in any year in accordance with the provisions of the preceding subsections, the representation of such body may be cancelled by the said Association. The decision of the said Association at the annual meeting, shall be final upon any question as to the proper appointment of any such representative, and whether the provisions of the preceding subsections have been properly complied with.
- (8) The representatives of the said three sections, and such representatives from other bodies and life members as the Lieutenant-Governor in Council, upon the recommendation of the Board of Directors, approved by the said Association, may admit to membership as hereinafter provided, shall constitute the said Canadian National Exhibition Association, and the said several persons and representatives named or hereafter to be admitted under the provisions hereof shall be the members of the said Canadian National Exhibition Association.
- (9) Subject to the limitation of members above provided, the Lieutenant-Governor in Council, upon the recommendation of the Board of Directors approved by the said Association at any annual or other general meeting thereof, may admit to membership in the said Association such number of representatives of other bodies and such persons to be life members as he may, upon such recommendation see fit, and may upon a like recommendation assign the same to one or other of the sections lettered (b) and (c) in subsection 1 of this section; and the Lieutenant-Governor in Council may in like manner cancel the membership of any body or organization or of any person.

4. Subsection (2) of section 9 ~~of~~ of the said first mentioned Act as enacted by section 2 of the said Act passed in the fifth year of His late Majesty King Edward the Seventh ~~is~~ is amended by adding after the word "Association," in the seventh line thereof, the words "and may also at such meeting elect as Honorary President to hold office during the year any *Director* who has held the office of President, and if there be none such, ~~or~~ or should such person refuse to act, ~~then~~ then any *Director* may be elected as such Honorary President." <sup>42 Vic. c. 81, s. 9 (2), amended.</sup>

5. The said *first mentioned* Act is further amended by <sup>42 Vic. c. 81, amended.</sup> adding thereto the following section 19:

The Board of Directors and officers of the Association may by their rules and regulations prohibit and prevent all kinds of gambling, theatrical, circus or mountebank performances, exhibitions or shows, and the huckstering or trafficking in fruits, goods or merchandise, tickets or other things on the Exhibition Grounds or on the streets or lots within four hundred yards of the said grounds, during the time of the annual exhibition, and any one violating such rules or regulations or refusing on demand to desist from such violation, may be removed by the officers, policemen or constables of the said Association, or by any officer of the law and shall also be liable to ~~be~~ a fine of not less than one, nor more than twenty dollars, said fine to be enforced and collected, as fines are usually collected, and to be paid over to the Association for its use and benefit, and in default of payment the said offender shall be imprisoned in the common gaol for a period of not more than thirty days; ~~and~~ provided, however, that this section shall not prevent the sale upon any lands within the said distance of four hundred yards of articles usually sold thereon at times other than during the said Exhibition.

6. The life members who at present exist shall not be interfered with by anything which is contained in this Act. Their appointments are hereby confirmed.





No. 51.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting the Industrial  
Exhibition Association of Toronto.

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1st Reading, February 20th, 1912.

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

MR. GOODERHAM.

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



# BILL

## An Act respecting the Midland Terminal Railway Company.

**W**HEREAS The Midland Terminal Railway Company Preamble. was incorporated by an Act passed in the third year of the reign of His late Majesty King Edward VII., and chaptered 105, and was by said Act authorized to construct a railway as therein described; and whereas the said Company has by its petition prayed for an extension of time for the completion of the said railway, and also for leave to extend its line of railway as hereinafter set out; 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 54 of the Act passed in the third year of the 3 Edw. VII. c. 105, s. 54, repealed. reign of His late Majesty King Edward VII., and chaptered 105, is repealed.

**2.** The railway authorized by the said Act shall be completed within three years after the passing of this Act, and if the construction of the said railway is not completed and the said railway put in operation within three years after the passing of this Act, then the powers granted to the said Company by the said Act shall cease and be null and void as respects so much of the said railway as then remains uncompleted. Time for completion extended.

**3.** The Midland Terminal Railway Company is authorized and empowered to lay out, construct, equip and maintain a railway to be operated by steam, electricity or other motive power, from a point at or near the Harbour of the Town of Midland in the County of Simcoe, thence south and south-easterly, through the said Town of Midland and Power to construct certain extension.

the Townships of Tay and Medonte in the said County of Simcoe, to a point on the line of the Grand Trunk Railway at or near the Village of Coldwater in the said Township of Medonte.

Time for  
commence-  
ment and  
completion  
of extension.

4. The railway authorized by Section 3 of this Act shall be commenced within two years and completed and put in operation within five years after the passing of this Act, and if the construction of such railway is not commenced within two years after the passing of this Act, or if the said Railway is not completed and put in operation within five years after the passing of this Act, then the powers granted to the Company with respect to the railway authorized by Section 3 of this Act shall cease and be null and void as respects so much of such railway as then remains uncompleted.

3 Edw. VII.  
c. 105, de-  
clared to be  
in force.

5. Subject to the provisions of this Act the said Act passed in the third year of the reign of His late Majesty King Edward VII., and chaptered 105, is declared to be and to have been in force from the date of the passing thereof, notwithstanding any neglect or default on the part of the Company in complying with any of the provisions of the said Act and anything required to be done by the said Act may be done after the passing of this Act.



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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting the Midland Terminal  
Railway Company.

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1st Reading, 1912.

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(*Private Bill.*)

Mr. HARTT.

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

# BILL

## An Act respecting The Midland Terminal Railway Company.

**W**HEREAS The Midland Terminal Railway Company Preamble. was incorporated by an Act passed in the third year of the reign of His late Majesty King Edward VII., chaptered 105, and was by said Act authorized to construct a railway as therein described; and whereas the said Company has by its petition prayed for an extension of time for the completion of the said railway; and that the name of the Company should be changed to "The Midland Simcoe Railway Company"; and also for leave to extend its railway as hereinafter set out; 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 said Company is changed to Change of name. "The Midland Simcoe Railway Company."

**2.** Section 54 of the Act passed in the third year of the reign of His late Majesty King Edward VII., and chaptered 105, is repealed. 3 Edw. VII. c. 105, s. 54, repealed.

**3.** The railway authorized by the said Act shall be completed within three years after the passing of this Act, and if the construction of the railway authorized by the said Act is not put in operation within three years after the passing of this Act, then the powers granted to the said Company by the said Act and by this Act shall cease and be null and void as respects so much of the railway authorized by the said Act as then remains uncompleted. Time for completion extended.

Power to construct certain extension.

4. The said Company is authorized and empowered to *survey*, lay out, construct, *complete*, equip and maintain a railway to be operated by steam, electricity or other motive power, from a point at or near the Harbour of the Town of Midland, in the County of Simcoe; thence south and south-easterly, through the said Town of Midland and the Townships of Tay and Medonte in the said County of Simcoe, to a point on the line of the Grand Trunk Railway at or near the Village of Coldwater in the said Township of Medonte.

Time for commencement and completion of extension.

5. The railway authorized by Section 4 of this Act shall be commenced within two years and completed and put in operation within five years after the passing of this Act, and if the construction of *the* railway authorized by Section 4 of this Act is not commenced within two years after the passing of this Act, or if the railway authorized by Section 4 of this Act is not completed and put in operation within five years after the passing of this Act, then the powers granted to the Company with respect to the railway authorized by Section 4 of this Act shall cease and be null and void as respects so much of *the* railway authorized by Section 4 of this Act as then remains uncompleted.

3 Edw. VII. c. 105, declared to be in force.

6. Subject to the provisions of this Act the said Act passed in the third year of the reign of His late Majesty King Edward VII., chaptered 105, is declared to be and to have been in force from the date of the passing thereof, notwithstanding any neglect or default on the part of the Company in complying with any of the provisions of the said Act and anything required to be done by the said Act may be done after the passing of this Act.

Application of 6 Edw. VII. c. 30.

7. *The Ontario Railway Act, 1906*, except where inconsistent with the provisions of this Act and of the said Act passed in the third year of the reign of His late Majesty King Edward VII., shall apply to the said Company and the railway constructed or to be constructed by it.



No. 52.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting The Midland Terminal  
Railway Company.

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1st Reading, 18th March, 1912.  
2nd Reading, 20th March, 1912.

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*(Reprinted as amended by the Railway  
Committee.)*

*Private Bill.*

**MR. HARRT.**

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TORONTO:

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



# BILL

## An Act respecting the Bruce Mines and Algoma Railway Company.

**W**HEREAS the Bruce Mines and Algoma Railway Preamble. Company, hereinafter called "The Company," has by petition represented that it was incorporated by an Act passed at the second session held in the sixty-second year of the reign of Her late Majesty Queen Victoria, chaptered 93, with power to construct a railway from a point in or near the Village of Bruce Mines in the District of Algoma, thence across the Algoma branch of the Canadian Pacific Railway to the Rock Lake Copper Mines in the Townships of Plummer and Coffin in the District of Algoma, thence northerly a distance of thirty miles, passing through the Townships of McMahan and Gillmor; that it was authorized by an Act passed in the third year of the reign of His late Majesty King Edward the Seventh, chaptered 91, to construct and operate a line of railway from Rock Lake Station on its line of railway, thence northerly and easterly by the most feasible route to a point on the main line of the Canadian Pacific Railway between Chapleau and Biscotasing Stations; that it was further authorized by an Act passed in the fifth year of the reign of His late Majesty King Edward the Seventh, chaptered 89, to construct a line of railway from a point on the main line of the Canadian Pacific Railway between Chapleau and Biscotasing, thence northerly and easterly by the most feasible route to Hannah Bay or some other point on James Bay in the Province of Ontario; that its bonding powers should be increased to Thirty-five Thousand Dollars (\$35,000) for each mile of railway, and that the time for the construction and operation of the railway and any extensions thereof should be extended; and whereas the Company has by its petition prayed that an Act may be passed for such purposes; 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:

Bonding powers.

**1.**—(1) The Company may issue bonds, debentures or other securities to the extent of Thirty-five Thousand Dollars (\$35,000) per mile of railway, including main and branch lines, constructed or under contract to be constructed.

(2) Section 2 of Chapter 89 of the Acts passed in the fifth year of the reign of His late Majesty King Edward the Seventh is repealed.

Certain Acts declared to be in force.

**2.**—(1) Subject to the provisions of this Act, the Act passed in the sixty-second year of the reign of Her late Majesty Queen Victoria, chaptered 93, the Act passed in the third year of the reign of His late Majesty King Edward the Seventh, chaptered 91, and the Act passed in the fifth year of the last mentioned reign, chaptered 89, are declared to be and to have been in force from the dates of the passing thereof, notwithstanding any neglect or default on the part of the Company in complying with any of the provisions of the said Acts and anything required to be done by the said Acts may be done after the passing of this Act.

Time for completion extended.

(2) The railway authorized by the said Acts and by this Act shall be completed within five years after the passing of this Act; and if the railway is not completed and put in operation within five years after the passing of this Act, then the powers granted to the Company by the said Acts and by this Act shall cease and be null and void as respects so much of the railway as then remains uncompleted.

10 Edw. VII. c. 139, repealed.

**3.** Chapter 139 of the Acts passed in the tenth year of the reign of His late Majesty King Edward the Seventh is repealed.

Application of 6 Edw. VII. c. 30.

**4.** The provisions of *The Ontario Railway Act, 1906*, except where inconsistent with the provisions of this Act, shall apply to the Company, and to the railway constructed or to be constructed by it.



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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting the Bruce Mines and  
Algoma Railway Company.

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1st Reading,                      1912.

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(*Private Bill.*)

Mr. GREGG.

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

# BILL

## An Act respecting The Bruce Mines and Algoma Railway Company.

**W**HEREAS The Bruce Mines and Algoma Railway Preamble. Company," hereinafter called "the Company," has by petition represented that by its Act of incorporation passed at the 2nd session held in the 62nd year of the reign of Her late Majesty Queen Victoria, chaptered 93, as amended by Acts passed in the 3rd year of His late Majesty's reign, chaptered 91, in the 5th year of His late Majesty's reign, chaptered 89, and in the 10th year of His late Majesty's reign, chaptered 139, it was authorized to construct *and operate* a railway from a point in or near the Village of Bruce Mines in the District of Algoma, thence across the Algoma branch of the Canadian Pacific Railway to the Rock Lake Copper Mines in the Townships of Plummer and Coffin in the District of Algoma, thence northerly a distance of thirty miles, passing through the Townships of McMahan and Gilmor; *also* from Rock Lake Station on its line of railway, thence northerly and easterly by the most feasible route to a point on the main line of the Canadian Pacific Railway between Chapleau and Biscotasing Stations; *and also* from a point on the main line of the Canadian Pacific Railway between Chapleau and Biscotasing, thence northerly and easterly by the most feasible route to Hannah Bay or some other point on James Bay in the Province of Ontario; that its bonding powers should be increased to \$35,000 for each mile of railway, and that the time for the construction and operation of the railway and any extensions thereof should be extended; and whereas the Company has by its petition prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition;

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

5 Edw. VII.  
c. 89, s. 2,  
repealed.

**1.**—(1) Section 2 of Chapter 89 of the Acts passed in the fifth year of the reign of His late Majesty King Edward the Seventh is repealed.

Bonding  
powers.

(2) The Company may issue bonds, debentures or other securities to the extent of \$35,000 per mile of railway, including main and branch lines, constructed or under contract to be constructed.

Certain Acts  
declared to  
be in force.

**2.**—(1) Subject to the provisions of this Act, the Act passed in the sixty-second year of the reign of Her late Majesty Queen Victoria, chaptered 93, the Act passed in the third year of the reign of His late Majesty King Edward the Seventh, chaptered 91, and the Act passed in the fifth year of the last mentioned reign, chaptered 89, are declared to be and to have been in force from the dates of the passing thereof, notwithstanding any neglect or default on the part of the Company in complying with any of the provisions of the said Acts and anything required to be done by the said Acts may be done after the passing of this Act.

Time for  
completion  
extended.

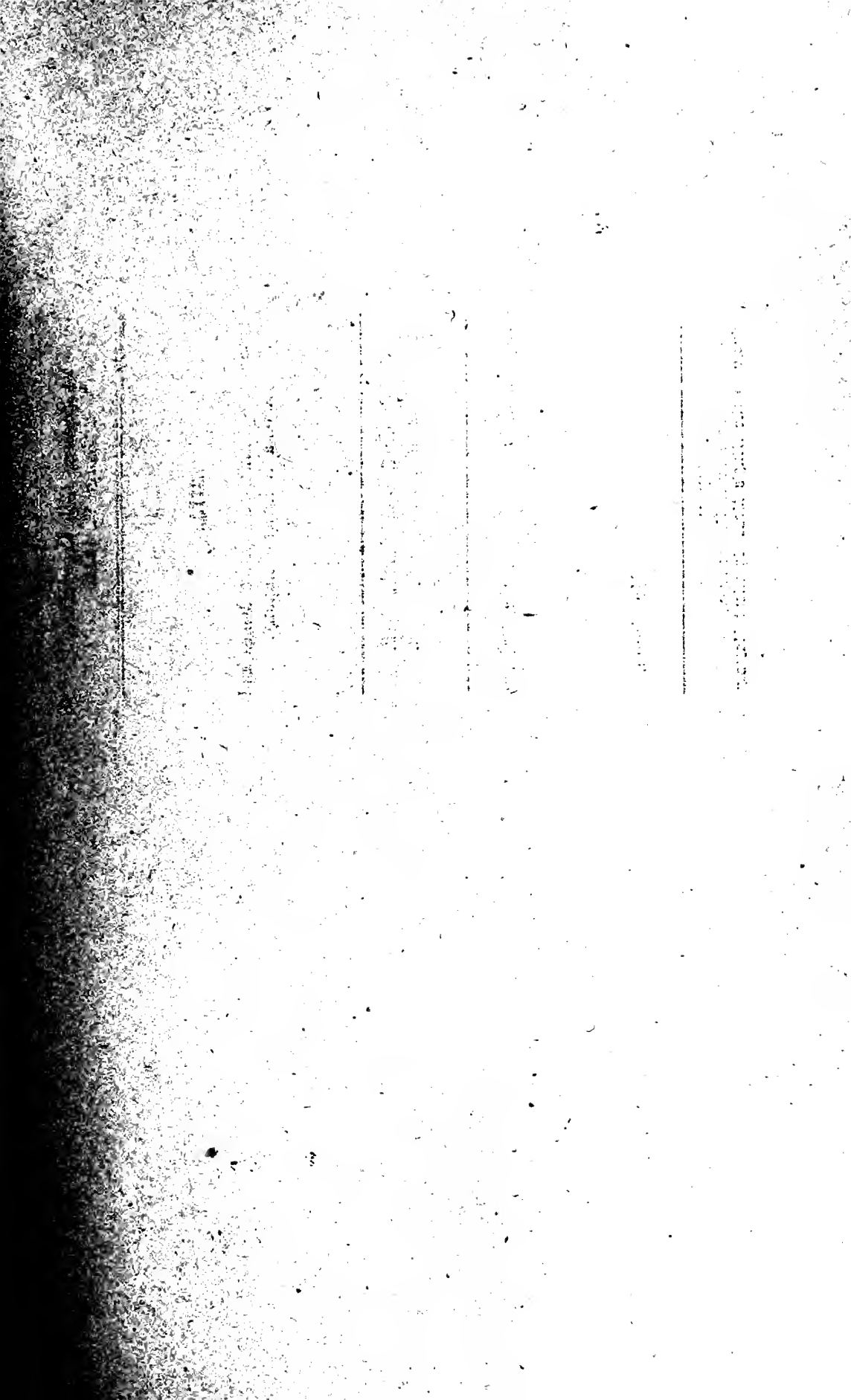
(2) The railway authorized by the said Acts and by this Act shall be completed within five years after the passing of this Act; and if the railway is not completed and put in operation within five years after the passing of this Act, then the powers granted to the Company by the said Acts and by this Act shall cease and be null and void as respects so much of the railway as then remains uncompleted.

10 Edw. VII.  
c. 139, s. 2,  
repealed.

**3.** Section 2 of Chapter 139 of the Acts passed in the tenth year of the reign of His late Majesty King Edward the Seventh is repealed.

Application  
of 6 Edw.  
VII. c. 30.

**4.** The provisions of *The Ontario Railway Act, 1906*, except where inconsistent with the provisions of this Act, shall apply to the Company, and to the railway constructed or to be constructed by it.



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1st Session, 13th Legislature,  
2 George V., 1912.

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**BILL.**

An Act respecting The Bruce Mines and  
Algoma Railway Company.

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1st Reading, 13th March, 1912.  
2nd Reading, 20th March, 1912.

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*(Reprinted as amended by the Railway  
Committee.)*

**Mr. Gerge.**

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



# BILL

## An Act respecting the Monarch Railway Company.

**W**HEREAS the Monarch Railway Company has by Preamble. petition represented that it was incorporated by an Act passed in the 10th year of the reign of His late Majesty King Edward VII., Chaptered 144; that by the said Act the Company was authorized to issue bonds and debentures to the extent of \$25,000 per mile of single track of the railway constructed or under contract to be constructed; that it is desirable that the Company should be authorized to issue bonds or debentures to the extent of \$30,000 per mile; and that the name of the Company should be changed to "The Toronto, Barrie and Orillia Railway Company." and the time for the commencement and completion should be extended; and whereas the said Company has by petition prayed that an Act may be passed for such purposes; 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 said Company is hereby changed to Change of name.  
"The Toronto, Barrie and Orillia Railway."

**2.** The Company may issue bonds, debentures or other Issue of bonds. securities to the extent of Thirty Thousand Dollars per mile of single track of the Railway constructed or under contract to be constructed.

**3.** The time for the commencement and completion of the Time for commencement and completion extended. said Railway is extended for a period of five years from the passing of this Act.

**4.** Section 5 of Chapter 144 of the Acts passed in the 10 Edw. VII., c. 144, s. 5, repealed. Tenth year of the reign of His late Majesty King Edward the Seventh, is repealed.



# BILL

## An Act respecting The Monarch Railway Company.

**W**HEREAS The Monarch Railway Company has by Preamble.  
 petition represented that it was incorporated by an  
 Act passed in the 10th year of the reign of His late Majesty  
 King Edward VII., Chaptered 144; that by the said Act  
 the Company was authorized to issue bonds and debentures  
 to the extent of \$25,000 per mile of single track of the rail-  
 way constructed or under contract to be constructed; that it  
 is desirable that the Company should be authorized to issue  
 bonds or debentures to the extent of \$30,000 per mile; and  
 that the name of the Company should be changed to "The  
 Toronto, Barrie and Orillia Railway Company," and the  
 time for the commencement and completion of *the railway*  
 should be extended; and whereas the said Company has by  
 petition prayed that an Act may be passed for such purposes;  
 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:

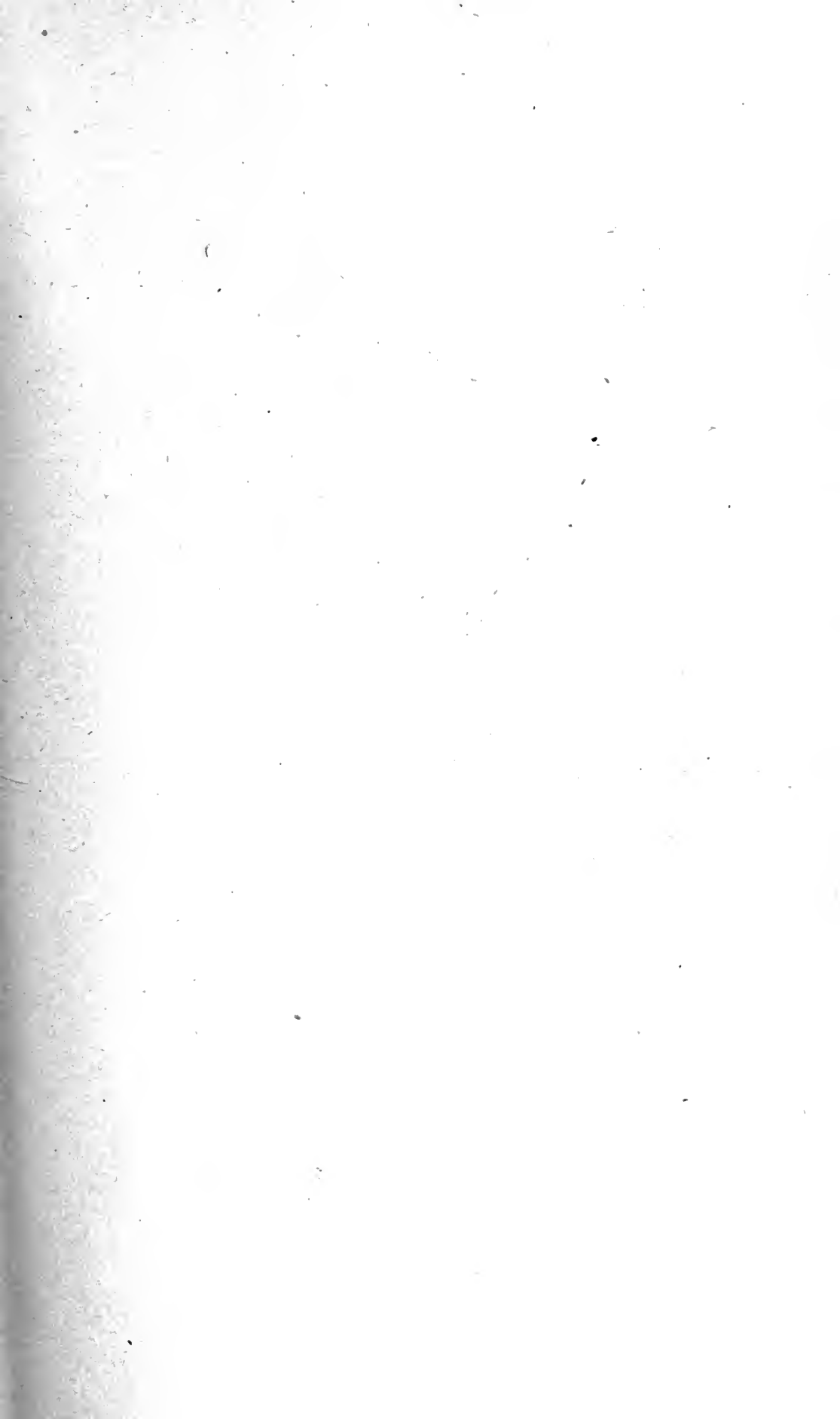
1. The name of the said Company is changed to "The Change of  
name.  
 Toronto, Barrie and Orillia Railway Company."

2. The Company may issue bonds, debentures or other Issue of  
bonds.  
 securities to the extent of \$30,000 per mile of single track of  
 the railway constructed or under contract to be constructed.

3. Section 5 of Chapter 144 of the Acts passed in the 10 Edw.  
VII., c. 144,  
s. 5,  
repealed.  
 10th year of the reign of His late Majesty King Edward  
 the Seventh, is repealed.

4. Notwithstanding anything contained in *The On-Time for  
commence-  
ment and  
completion  
extended.  
 tario Railway Act, 1906*, the railway authorized by the said  
 Act passed in the 10th year of His late Majesty's reign,  
 Chaptered 144, and by this Act shall be commenced within  
 two years and completed within five years after the passing

of this Act, and if the construction of the railway is not commenced and fifteen per cent. of the amount of the capital stock is not expended thereon within two years after the passing of this Act, or if the railway is not completed and put in operation within five years from the passing of this Act, then the powers granted to the company by the said Act and by this Act shall cease and be null and void as respects so much of the railway as then remains uncompleted. 



No. 54.

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1st Session, 13th Legislature,  
2 George V., 1912

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BILL.

An Act respecting The Monarch Railway  
Company.

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1st Reading, Feb. 28, 1912.

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*(Reprinted as amended by the Railway  
Committee.)*

*(Private Bill.)*

Mr. McCOWAN.

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

# BILL

An Act respecting By-law No. 17 of 1910 of the  
Township of Tilbury East, concerning the  
Forbes Drainage Works.

**W**HEREAS the Corporation of the Township of Tilbury East has by petition represented that the Forbes Drainage work is a work of drainage by embanking and pumping, originally constructed in the northern part of the said Township in or about the year 1887, under the laws then in force in Ontario respecting drainage and local assessment therefor; that thereupon it became and was the Statutory duty of the Township to maintain and keep in repair the said drainage work (including the pumping plants and machinery) at the expense of the lands and roads in the Township in any way assessed for the original construction, and according to the assessment for the original construction until the proportions of such assessment should be varied by the report and assessment of an Engineer for the maintenance of the drainage work; that it has been the practice in the said Township for the Council to undertake and construct works of maintenance and repair of drainage works without any further authority than the authority of the By-law for original construction and the said Statutory duty without being restricted by the cost of the same, employing an Engineer in cases of maintenance, only in cases where the nature of the work being done made it advisable or prudent or there was some necessity for expert opinion; that in the year 1905 the Council employed an Engineer of large experience—one Alexander Baird, C.E.—to examine and report upon works of repair and improvement of the said Forbes Drainage works; that in the year 1906 the said Engineer reported to the Council recommending certain repairs to Pumping Station No. 2, the moving of the Station, the dividing of the whole scheme and other extensive changes and alterations; that the Council thereupon submitted the matter to the rate-payers in general meeting who pronounced in favour of the repairs to the pumping works but against the proposed altera-

tions and improvements; that the Council thereupon referred the report back to the Engineer, who brought in a second report in 1907 making the same recommendations as to repairs of the pumping station but providing for other works that did not meet with the approval of the Council; that thereupon the Council without adopting the said report decided to and did go on with the repairs of the pumping station, the same being then in a badly dilapidated and dangerous condition, and let the work to an experienced contractor, and the same was done substantially in accordance with the Engineer's recommendations and was subsequently examined and approved by the Engineer; that the Township advanced out of the general funds the sum of \$5,440.00 for the doing of the said work and charged the same up to the Forbes Drainage works account, against which there was already standing a balance of some \$1,400.00 or \$1,500.00 in respect of moneys previously advanced; that thereupon owing to the complaints of the owners of the lower lying lands that the proportions of assessment were unjust and inequitable and unfair to the low lands, the Council referred the matter of the assessment of the said expenditures and the proportions of the assessment to the said Engineer so as to enable him to consider the complaints and make an assessment that would be subject to revision and appeal, upon which the Council could base its By-law in order to charge the expenditure to the Drainage area and recoup the general funds; that the Engineer made his report and assessment and the same was adopted by By-law provisionally passed the 18th day of October, 1909; that the Court of Revision was duly held upon the said assessment and many complaints heard and disposed of, and that the appeals were taken to the County Judge from the Court of Revision and those appeals heard and disposed of and the By-law finally passed on the 26th day of September, 1910, being By-law No. 17 of 1910; that thereafter eighteen of the dissatisfied owners of the low lands moved to quash the said By-law by proceedings in the High Court of Justice before the Referee under the Drainage Laws; that the learned Referee tried the cases on *viva voce* evidence at the City of Chatham on the 7th and 8th days of February, 1911, in presence of Counsel for all parties and delivered judgment dismissing the applications with costs; that the learned Referee found that the applications were entirely without merit, that the expenditures were warranted, that the money had been judiciously spent and that all the equities were in favour of the Township; that thereafter one only out of the eighteen applicants prosecuted an appeal to the Court of Appeal from Ontario; that said appeal was heard on the 3rd and 4th days of October, 1911, and on the 22nd day of December, 1911, the Court delivered judgment allowing the appeal with costs, Mr. Justice Meredith dissenting; that the appeal was disposed of by the Court of



Appeal on purely technical grounds, in its judgment the Court declaring "The Appellant does not now complain that the work was not useful work, or even that it was insufficient to meet the then requirements in the way of the repair of the system, nor that it was not well done or not completed. His whole complaint upon these heads is that under the circumstances it had not been preceded by a report from the Engineer and a By-law authorizing the work as the Statute requires," nevertheless the Court declared that according to law as the repairs had exceeded in cost the sum of \$800.00 the Council had no right to undertake them without previously obtaining an Engineer's report; that this interpretation of the law is at variance with the general view and with the general practice as above set forth; and the result of the Judgment of the Court of Appeal is to leave the Township in such a position that it is unable to reimburse or recoup the general funds for the moneys that it has honestly and in good faith and as it believed lawfully, advanced out of the general funds and expended in performance of its Statutory duty for the benefit and advantage of the Forbes Drainage Works alone; and whereas it is manifest that the lands and roads within the drainage area and described in the schedules of the said By-law are the lands and roads that got the benefit of and By-law are the lands and roads that got the benefit of and should bear the said expenditure; and whereas it is deemed expedient and just to grant the prayer of the said petition and to pass such an enactment as will enable the Township to recoup its general funds at the expense of the lands and roads benefited as aforesaid:—

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

1. The said By-law of the Township of Tilbury East, being By-law No. 17 of 1910 of the said Township, set forth in part in Schedule "A" hereto, and the report and assessment of the said Engineer therein set forth are hereby validated and confirmed. By-law No. 17 of 1910 of Township of Tilbury East confirmed.

2. The debentures issued or to be issued by the said Township under the said By-law to provide the money necessary to recoup the general funds of the said Township for the moneys advanced out of the general funds in anticipation of the levies and collections under the said By-law, shall be valid in the hands of the purchasers and shall be binding upon the Township to the then full face value both for principal and interest. Debentures confirmed.

3. All levies and collections already made upon the authority of the said by-law shall be deemed to be valid and lawful. Levies and collections confirmed.

Application  
of.

4. The provisions of *The Municipal Drainage Act* shall apply with regard to the work done and to pay for which said By-law was passed, to the same extent as if the said work had been lawfully done under the provisions of the said Act respecting maintenance and repair.

Costs and  
expenses.

5. The costs and expenses paid or payable by the Township in the litigation over the said By-law including its Solicitor and client costs and the expenses in connection with the application for and the passing of this enactment are declared to be costs and expenses incidental to the maintenance of the Drainage work under the provision of Section 91 of *The Municipal Drainage Act*.

BY-LAW NO. 17 of 1910.

A By-law to provide for the repair and maintenance of the Forbes Drainage Works in the Township of Tilbury East and for borrowing on the credit of the Municipality the sum of \$7,599.00 for completing the same.

Provisionally adopted the 18th day of October, 1909.

Whereas on the 28th day of June, 1887, the Municipal Corporation of the Township of Tilbury East, under the provisions of the laws then in force in Ontario respecting drainage by local assessment, finally passed a By-law numbered 8 of 1887, known as "The Forbes Drainage By-law," and thereafter in pursuance of the provisions of the said By-law and of the powers conferred by law, constructed the drainage works described in the said By-law known as "The Forbes Drainage Works," being a drainage work, by embanking, pumping and other mechanical operations.

And whereas on the 23rd day of April, 1894, the said Corporation of Tilbury East, under the provisions of the laws as aforesaid, finally passed a By-law numbered 7 of 1894, and entitled, "A By-law to provide for repairing the Forbes Drainage Works, for enlarging and deepening and constructing a new outlet for the Internal Drain thereof and for borrowing on the credit of the Municipality the sum of \$9,300.00 for completing the same," and thereafter, pursuant to the provisions of the said By-law, constructed the improvements of the said Works therein provided for, including the erection of an additional pumping station situated on Lot 7 in the Second Concession, for discharging waters from said Internal Drain into Jeannette's Creek, known as "Pumping Station No. 2" of the Forbes Drainage Works.

And whereas under the provisions of By-law No. 40 of 1903 the Pumping Station first constructed (and now known as Pumping Station No. 1) was removed from its original position on Lot 13, Concession 1, to a location upon Lot 13, Concession 2, where it was improved and rebuilt, and where it now stands.

And whereas in 1907 the said Pumping Station No. 2 was found to be out of repair and incapable of doing the work it was intended to do, and thereupon the said Corporation procured an examination of the said Forbes Drainage Works to be made by Alexander Baird, Esquire, C.E., and a report to be made by him providing for the better maintenance of said works, and on the 2nd day of October, 1907, the said report was provisionally adopted by said Corporation under Provisional By-law No. 37 of 1907, which said By-law was duly published but has never been finally passed.

And whereas it became necessary in the year 1907, and while the said report was under consideration by the Council, in order to prevent damages to the lands and roads within said drainage area, that Pumping Station No. 2, a part of the said works, should be repaired immediately, and that the moneys therefor be advanced out of the General Funds in anticipation of the levies and collections to be made therefor, and the Corporation, accordingly, caused such work to be done and the money for payment thereof to be advanced out of the General Funds of the Township, in anticipation of levies as aforesaid;

And whereas there were other emergencies from time to time, and other circumstances under which it became necessary to expend moneys out of the General Funds in anticipation of levies as aforesaid, for the purpose of the said drainage work, the items and particulars of which are shown in the Engineer's Report hereinafter set forth;

And whereas the said By-law No. 8 of 1887 provides for an annual assessment known as "Pumping Rate No. 1," to cover the cost of running and keeping in repair the said pumping machinery of Pumping Station No. 1, and determines the proportions of such assessment against each lot, and part of lot and road assessable therefor; and the said By-law No. 7 of 1894 provides that the pumping machinery of said Pumping Station No. 2 is to be used in connection with that of said Pumping Station No. 1 for the same purpose of discharging waters out of the same reservoir, but provides for a separate annual assessment known as "Pumping Rate No. 2" to cover the cost of running and keeping in repair the said pumping machinery of Pumping Station No. 2, and determines the proportions of such assessment against each lot and part of lot and road; assessable therefor, on a basis slightly different from the basis of said Pumping Rate No. 1, thus making it necessary to keep two separate accounts for one work.

And whereas the proportions of the assessments contained in certain of the said By-laws heretofore passed to cover the cost of the particular works of construction or maintenance provided for differs slightly from the proportions of the original assessments for the original construction of the said Forbes Drainage Works and there appears to be uncertainty as to what is now the right proportions of assessments for maintenance of said works under Section 68 of *The Municipal Drainage Act*.

And whereas the said Corporation deemed it advisable and necessary to rescind all acts of the Council adopting or approving of said report in order that the provisions thereof might be reconsidered and the proportions of the assessments for maintenance of the said Forbes Drainage Works and for covering the cost of running and keeping in repair the pumping machinery thereof might be more carefully revised, and that the Engineer at the same time should provide for recouping the General Funds for the money expended in anticipation of levies as aforesaid; and for that purpose the said Corporation, under the provisions of *The Municipal Drainage Act*, passed a By-law numbered 10 of 1908, reappointing said Engineer and repealing said provisional By-law No. 37 of 1907.

And whereas, pursuant to the provisions of said By-law No. 10 of 1908 the said Corporation of Tilbury East has procured further examination to be made by the said Alexander Baird, Esq., Civil Engineer, being a person competent for such purpose, of the said Forbes Drainage Works and of the area drained thereby, and has procured a report upon the condition of the said Drainage Works and on the works necessary, in his opinion, for the better maintenance thereof, to be made by the said Alexander Baird, and an assessment to be made by him upon the lands and roads in any way liable to assessment therefor, under the provisions of the said Act; and an assessment to be made by him for the cost of the repairs already constructed and paid for by moneys advanced out of the General Fund of the Township, in anticipation of the levies

and collections therefor, so as to enable the Corporation to repay the said moneys into the General Fund; and also an assessment to be made by him upon all the lands and roads liable to be assessed for the purpose of defraying the annual cost of maintaining and operating the said works, stating as nearly as he can the proportion in which each road and lot, or portion of lot is so liable in respect of benefit, outlet liability and injuring liability; the said assessment so made being the assessment hereinafter by this By-law enacted to be assessed and levied upon the roads and lots, or parts of lots, hereinafter in that behalf specially set forth and described; and the report of the said Alexander Baird in respect thereof and of the said Drainage Works being as follows:—

Leamington, 21st August, 1909.

To the Reeve and Municipal Council of the Township of Tilbury East.

Gentlemen,—In compliance with your By-law No 10 of 1908, passed the 26th day of June, A.D. 1908, whereby I was appointed to examine and report upon the condition of "The Forbes Drainage Works" in your Township and on the work necessary for the better maintenance thereof, and to make an assessment and charge upon the lands and roads in any way liable to assessment thereof under the provisions of "The Municipal Drainage Act," and an assessment for the cost of the repairs already constructed and paid for by moneys advanced out of the General Funds of the Township in anticipation of levies and collections therefor, so as to enable the Corporation to repay the said moneys into the General Funds, and also to make an assessment upon all lands and roads liable for assessment for the purpose of defraying the annual cost of maintaining and operating the said works, I have made the required examination, and beg to submit the following report in connection therewith.

Having been advised by the Clerk of your Township that the maintenance of the highway bridges of "The Drainage Works" had been undertaken by the Council out of the General Funds and that it was intended they were to form no part of my work under said By-law, I made no examination of them for the purpose of this report, and the repairs and improvements of No. 2 Pumping Station and Plant recommended by my report of the 5th of September, 1907, to you, having been undertaken and carried to completion I find the works otherwise as they now exist in a fair state of maintenance, and that further repairs in connection with them may, for a time at least, be postponed.

Therefore, the examination which I have made of the works and lands and roads within the drainage area has been made with the view of assessing the lands and roads liable to contribute toward the cost of the repairs, improvements and necessary expenditures that have been made out of the moneys of the general funds of the Township, in anticipation of levies and collections therefor, from the lands and roads that should contribute thereto, so as to recoup the general funds for the money so expended.

A partial detail of the moneys so expended as furnished me, together with the costs incidental to assessing and collecting the same are as follows:—

FOR RECONSTRUCTION OF PUMPING STATION No. 2.	
Engineer's Report, etc., of 1907 .....	\$63 50
Engineer's Report re completion, 1907 .....	20 50
Printing By-law of 1907 (abandoned) .....	46 50
Fees paid Clerk, By-law of 1907 (abandoned) .....	19 25
Fees paid Commissioner Graham, 1907 .....	26 00
Interest on overdrafts .....	193 15
Fees paid Commissioner Clark on work done .....	10 00
Amount paid Mr. Flook on contract .....	5,440 00
<b>Total for Pumping Station No. 2 in 1907 .....</b>	<b>\$5,818 90</b>

Cost of Engineer's Report for better maintenance of these Drainage Works in 1906 and legal advice thereon . . . .	422 36
Cost of Automatic Outlets through banks of the Internal Drain, put in by the Council in 1904 not otherwise provided for . . . . .	437 98
Cost of repairs to flood gate in 1901 and repairs to banks in 1903, 1904 and 1905 . . . . .	299 84
One-half the sums paid as compensation for damages to lands flooded from defective sewer pipe in 1905 and half solicitor's fees therein as ordered by the Referee. . . .	276 06
Interest on \$1,436.34 for one year at 6 per cent. per annum.	86 17
Tiles put in in 1907 and 1908 . . . . .	14 60

Total required for repayment of advances for said Works in anticipation of levies . . . . . \$7,355 91

To this add for examination, report and assessment. . . . .	118 00
Assistance in examination, horse hire and travelling expenses . . . . .	22 00
Publishing By-law . . . . .	45 00
Registering . . . . .	3 09
Court of Revision . . . . .	20 00
Clerk's Fees . . . . .	35 00

Amounting in all to . . . . . \$7,599 00

This sum I assess against the lands and roads that are liable and should contribute towards the repayment of this expenditure, as shown and set forth in the Schedule of Assessment attached hereto.

For the purpose of defraying the annual cost and operating the pumping plants and works, I estimate that the cost annually, will amount to, on an average \$1,276.50, and this amount I assess against the lots and parts of lots and roads within the drainage area that should contribute thereto as shown and set forth in the Schedule of Assessment annexed hereto under the heading "Annual Assessment for operating Pumps and Works."

Having been conversant with the lands included within the drainage area of these works for upwards of the past 35 years, during which time I have frequently been over different portions of the drainage area in making surveys and examinations in connection with drainage, and knowing the general conditions of the lands within the area prior to and since the inauguration and carrying out of the drainage works, the increased value of the greater portion of these lands consequent upon the carrying out of these drainage works, the present relative position and condition of these lands, and having taken into consideration the changed condition, as well as the speed and volume of the waters caused to flow from certain lands within the area, I have endeavored to make what in my opinion is a fair, just and equitable assessment of these moneys upon each lot or part of lot and road within the drainage area, which, should you deem it expedient, and having regard to the various provisions of the Statute regarding assessment for maintenance, may be used as a basis for future assessments for the necessary repairs and the better maintenance of these drainage works, and for the annual cost of operating the pumps and works.

I, therefore, beg further to submit and recommend to your honorable body, that this drainage work be kept up, and maintained in repair at the joint expense of the lands and roads assessed in the annexed Schedule of Assessment, each lot, or part of lot and road, paying towards such maintenance in the same relative proportion as assessed in the annexed Schedule of Assessment until otherwise determined and reported upon by an Engineer as required by the *Municipal Drainage Act*, in that behalf.

I submit herewith a plan showing the location of the drainage works and drainage area.

I have the honor to be, Gentlemen,

Your Obedient Servant,

(Sgd.) ALEXR. BAIRD, C.E.

And whereas the said Council are of opinion that the said works of repair and maintenance of the said Forbes Drainage Works are works that are desirable and necessary for the proper maintenance thereof and it is desirable and necessary that the proportions of assessment for maintenance of said works and for the annual cost of operating and maintaining the same be revised and varied in the manner provided by said report and assessment

Therefore the said Corporation of the said Township of Tilbury East pursuant to the provisions of *The Municipal Drainage Act* enacts as follows:—

1st. The said report, plans, estimates and assessments are hereby adopted.

2nd. The Reeve of the said Township may borrow on the credit of the Corporation of the said Township of Tilbury East the sum of \$7,599.00 being the funds necessary for the work and may issue debentures of the Corporation to that amount in sums of not less than \$50.00 each, payable within seven years from the date thereof with interest at the rate of five per centum per annum, that is to say, such debentures shall be of such amounts and shall be made so payable, respectively, that the aggregate amount of both principal and interest combined, payable towards their redemption in any year shall be equal, as nearly as may be, to what is so payable towards the redemption thereof in each of the other years during which the said debentures have to run, such debentures to be payable at the Merchants' Bank of Canada, in the Village of Tilbury, Ontario, each of said debentures to include one of said equal annual payments of principal and interest.

3rd. For paying the sum of \$4,249.95, the amount charged against the said lands and roads for benefit, and the sum of \$1,406.74, the amount charged against the said lands and roads for outlet liability, and the sum of \$1,668.21, the amount charged against the said lands and roads for injuring liability, apart from lands and roads belonging to or controlled by the Municipality, and for covering interest thereon for seven years at the rate of five per centum per annum, the following total special rates, over and above all other rates, shall be assessed, levied and collected (in the same manner and at the same time as other taxes are levied and collected) upon and from the undermentioned lots and parts of lots and roads; and the amount of the said total special rates and interest against each lot, or part of lot, respectively, shall be divided into seven equal parts and one such part shall be assessed, levied and collected as aforesaid, in each year for seven years after the final passing of this By-law during which the said debentures have to run.

Schedule of lands and roads in the Township of Tilbury East assessed for the repair and maintenance of the Forbes Drainage Works in said Township, together with the amount which each lot, part of lot and road should bear and pay toward said repair and maintenance and toward recouping the general funds of the Township for moneys already paid and advanced out of its general funds for the purpose of the drainage works in anticipation of levies and collections therefor; also the amount which each lot or part of lot and road should bear and pay for the purpose of defraying the annual cost of maintaining and operating the said works:

*Note.—Schedule omitted as it is impossible to print it.*

4th. For paying the sum of \$274.10 the amount assessed against the said roads of the Municipality and for covering interest thereon for seven years at the rate of five per cent. per annum a special rate on the dollar sufficient to produce the required yearly amount therefor, shall, over and above all other rates, be levied and collected (in

the same manner and at the same time as other taxes are levied and collected) upon and from the whole rateable property in the said Township of Tilbury East, in each year for seven years after the final passing of this By-law, during which the said debentures have to run.

5th. For the purpose of raising, yearly, the sum of \$1,228.75 being the proportion of the said estimated sum of \$1,276.50 required yearly for maintaining and operating the said Forbes Drainage Works charged as aforesaid, against the said lands and roads, other than lands and roads belonging to or controlled by the Municipality, the respective sums of money, mentioned in figures in the column headed, "Annual Assessment for operating Pumps and Works," in the Assessment Schedule contained in the 3rd enacting clause of this by-law, shall be assessed and levied (in the same manner and at the same time as other taxes are levied and collected) upon and from the respective lots and parts of lots and roads specially set forth opposite thereto in said Schedule, in each year during the continuance in operation of the said works.

6th. That for the purpose of paying in each year the said sum of \$47.75, being the proportion of said sum of \$1,276.50 required yearly for maintaining and operating the said Forbes Drainage Works, assessed as aforesaid against the said roads of the Municipality, a special rate on the dollar, sufficient to raise in each year the sum of \$47.75 shall over and above all other rates, be levied and collected (in the same manner and at the same time as other taxes are levied and collected) upon and from the whole rateable property in the said Township of Tilbury East in each year after the date of the final passing of this By-law during the continuance in operation of the said works.

7th. Should the said sum of \$1,276.50 be found in any year to be less or more than is necessary for the requirement of said works, the said Corporation may by resolution or By-law direct that the total levy for that year under the fifth and sixth enacting clauses, hereof, shall be more or less than the said sum of \$1,276.50 as the case may require, but said assessments shall in every case be pro rata assessments according to the proportions of the assessment as determined by said clauses of this By-law.

8th. This By-law shall be published once in every week for four consecutive weeks in the *Tilbury Times* newspaper, published in the Village of Tilbury, and shall come into force and take effect upon and after the final passing thereof, and may be cited as "The Forbes Repairs By-law, 1909."

9th. The assessments provided for by the fifth and sixth enacting clauses of this By-law shall be levied and collected in place of and in substitution for: (1) The annual assessment heretofore levied and collected under By-law No. 8 of 1887 to cover the annual cost of operating and maintaining the said Pumping Station No. 1 of said Forbes Drainage Works; and (2) the annual assessment heretofore levied and collected under By-law No. 7 of 1894 to cover the annual cost of operating and maintaining said Pumping Station No. 2 of the said Works; and all the moneys that shall be collected under the said fifth and sixth enacting clauses of this By-law shall be kept by the Treasurer of the said Municipal Council of Tilbury East as a separate fund, under his charge, and shall be applied by him under the direction of said Council, solely for the purpose of paying the annual cost of operating and maintaining the said Forbes Drainage Works and the said Pumping Stations thereof.

Finally passed the 26th day of September, A. D. 1910.

(L.S.)

(Sgd.) JOHN J. IRWIN, *Reeve*.

(Sgd.) ALEX. FARQUHARSON, *Clerk*.







No. 55.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting By-law No. 17 of 1910  
of the Township of Tilbury East,  
concerning the Forbes  
Drainage Works.

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1st Reading. 1912.

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(*Private Bill.*)

Mr. SUTMAN.

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

# BILL

An Act respecting By-law No. 17 of 1910 of the Township of Tilbury East, concerning the Forbes Drainage Works.

**W**HEREAS the Corporation of the Township of Tilbury East has by petition represented that the Forbes Drainage work is a work of drainage by embanking and pumping, originally constructed in the northern part of the said Township in or about the year 1887, under the laws then in force in Ontario respecting drainage and local assessment therefor; that thereupon it became and was the Statutory duty of the Township to maintain and keep in repair the said drainage work (including the pumping plants and machinery) at the expense of the lands and roads in the Township in any way assessed for the original construction, and according to the assessment for the original construction until the proportions of such assessment should be varied by the report and assessment of an Engineer for the maintenance of the drainage work; that it has been the practice in the said Township for the Council to undertake and construct works of maintenance and repair of drainage works without any further authority than the authority of the By-law for original construction and the said Statutory duty without being restricted by the cost of the same, employing an Engineer in cases of maintenance, only in cases where the nature of the work being done made it advisable or prudent or there was some necessity for expert opinion; that in the year 1905 the Council employed an Engineer of large experience—one Alexander Baird, C.E.—to examine and report upon works of repair and improvement of the said Forbes Drainage works; that in the year 1906 the said Engineer reported to the Council recommending certain repairs to Pumping Station No. 2, the moving of the Station, the dividing of the whole scheme and other extensive changes and alterations; that the Council thereupon submitted the matter to the rate-payers in general meeting who pronounced in favour of the repairs to the pumping works but against the proposed altera-

Preamble

tions and improvements; that the Council thereupon referred the report back to the Engineer, who brought in a second report in 1907 making the same recommendations as to repairs of the pumping station but providing for other works that did not meet with the approval of the Council; that thereupon the Council without adopting the said report decided to and did go on with the repairs of the pumping station, the same being then in a badly dilapidated and dangerous condition, and let the work to an experienced contractor, and the same was done substantially in accordance with the Engineer's recommendations and was subsequently examined and approved by the Engineer; that the Township advanced out of the general funds the sum of \$5,440.00 for the doing of the said work and charged the same up to the Forbes Drainage works account, against which there was already standing a balance of some \$1,400.00 or \$1,500.00 in respect of moneys previously advanced; that thereupon owing to the complaints of the owners of the lower lying lands that the proportions of assessment were unjust and inequitable and unfair to the low lands, the Council referred the matter of the assessment of the said expenditures and the proportions of the assessment to the said Engineer so as to enable him to consider the complaints and make an assessment that would be subject to revision and appeal, upon which the Council could base its By-law in order to charge the expenditure to the Drainage area and recoup the general funds; that the Engineer made his report and assessment and the same was adopted by By-law provisionally passed the 18th day of October, 1909; that the Court of Revision was duly held upon the said assessment and many complaints heard and disposed of, and that the appeals were taken to the County Judge from the Court of Revision and those appeals heard and disposed of and the By-law finally passed on the 26th day of September, 1910, being By-law No. 17 of 1910; that thereafter eighteen of the dissatisfied owners of the low lands moved to quash the said By-law by proceedings in the High Court of Justice before the Referee under the Drainage Laws; that the learned Referee tried the cases on *viva voce* evidence at the City of Chatham on the 7th and 8th days of February, 1911, in presence of Counsel for all parties and delivered judgment dismissing the applications with costs; that the learned Referee found that the applications were entirely without merit, that the expenditures were warranted, that the money had been judiciously spent and that all the equities were in favour of the Township; that thereafter one only out of the eighteen applicants prosecuted an appeal to the Court of Appeal from Ontario; that said appeal was heard on the 3rd and 4th days of October, 1911, and on the 22nd day of December, 1911, the Court delivered judgment allowing the appeal with costs, Mr. Justice Meredith dissenting; that the appeal was disposed of by the Court of

Appeal on purely technical grounds, in its judgment the Court declaring "The Appellant does not now complain that the work was not useful work, or even that it was insufficient to meet the then requirements in the way of the repair of the system, nor that it was not well done or not completed. His whole complaint upon these heads is that under the circumstances it had not been preceded by a report from the Engineer and a By-law authorizing the work as the Statute requires," nevertheless the Court declared that according to law as the repairs had exceeded in cost the sum of \$800.00 the Council had no right to undertake them without previously obtaining an Engineer's report; that this interpretation of the law is at variance with the general view and with the general practice as above set forth; and the result of the Judgment of the Court of Appeal is to leave the Township in such a position that it is unable to reimburse or recoup the general funds for the moneys that it has honestly and in good faith and as it believed lawfully, advanced out of the general funds and expended in performance of its Statutory duty for the benefit and advantage of the Forbes Drainage Works alone; and whereas it is manifest that the lands and roads within the drainage area and described in the schedules of the said By-law are the lands and roads that got the benefit of and should bear the said expenditure; and whereas it is deemed expedient and just to grant the prayer of the said petition and to pass such an enactment as will enable the Township to recoup its general funds at the expense of the lands and roads benefited as aforesaid:—

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

1. The said By-law of the Township of Tilbury East, being By-law No. 17 of 1910 of the said Township, set forth in part in Schedule "A" hereto, and the report and assessment of the said Engineer therein set forth are hereby validated and confirmed.

By-law No.  
17 of 1910  
of Township  
of Tilbury  
East con-  
firmed.

2. The debentures issued or to be issued by the said Township under the said By-law to provide the money necessary to recoup the general funds of the said Township for the moneys advanced out of the general funds in anticipation of the levies and collections under the said By-law, shall be valid in the hands of the purchasers and shall be binding upon the Township to the then full face value both for principal and interest.

Debentures  
confirmed.

3. All levies and collections already made upon the authority of the said by-law shall be deemed to be valid and lawful.

Levies and  
collections  
confirmed.

**Application**

4. The provisions of *The Municipal Drainage Act* shall apply with regard to the work done and to pay for which said By-law was passed, to the same extent as if the said work had been lawfully done under the provisions of the said Act respecting maintenance and repair.

Costs of certain motions.

5. The costs of the Township and of the several applicants (other than the applicant James Johnston) incidental to the motions before the Drainage Referee to quash the said by-law shall be borne and paid by the respective parties as if the judgment of the Referee had contained no order as to costs; and the township shall not be entitled to any costs under the said judgment.

Costs of James Johnston to be paid by township.

6. The township shall pay to the plaintiff James Johnston, his costs, as between solicitor and client, in the litigation over the said by-law, both in the High Court and in the Court of Appeal, and such costs are hereby fixed at eighteen hundred dollars.

Costs to be paid out of general funds of township.

7. The costs and expenses paid or payable by the township in the said litigation, or under the provisions of this Act, including its Solicitor and Client costs and its expenses in connection with the Application for and the passing of this enactment, shall be chargeable to and paid out of the general funds of the Township.

#### BY-LAW NO. 17 of 1910.

A By-law to provide for the repair and maintenance of the Forbes Drainage Works in the Township of Tilbury East and for borrowing on the credit of the Municipality the sum of \$7,599.00 for completing the same.

Provisionally adopted the 18th day of October, 1909.

Whereas on the 28th day of June, 1887, the Municipal Corporation of the Township of Tilbury East, under the provisions of the laws then in force in Ontario respecting drainage by local assessment, finally passed a By-law numbered 8 of 1887, known as "The Forbes Drainage By-law," and thereafter in pursuance of the provisions of the said By-law and of the powers conferred by law, constructed the drainage works described in the said By-law known as "The Forbes Drainage Works," being a drainage work, by embanking, pumping and other mechanical operations.

And whereas on the 23rd day of April, 1894, the said Corporation of Tilbury East, under the provisions of the laws as aforesaid, finally passed a By-law numbered 7 of 1894, and entitled, "A By-law to provide for repairing the Forbes Drainage Works, for enlarging and deepening and constructing a new outlet for the Internal Drain thereof and for borrowing on the credit of the Municipality the sum of \$9,300.00 for completing the same," and thereafter, pursuant to the provisions of the said By-law, constructed the improvements of the said Works therein provided for, including the erection of an additional pumping station situated on Lot 7 in the Second Concession, for discharging waters from said Internal Drain into Jeannette's Creek, known as "Pumping Station No. 2" of the Forbes Drainage Works.

And whereas under the provisions of By-law No. 40 of 1903 the Pumping Station first constructed (and now known as Pumping Station No. 1) was removed from its original position on Lot 13, Concession 1, to a location upon Lot 13, Concession 2, where it was improved and rebuilt, and where it now stands.

And whereas in 1907 the said Pumping Station No. 2 was found to be out of repair and incapable of doing the work it was intended to do, and thereupon the said Corporation procured an examination of the said Forbes Drainage Works to be made by Alexander Baird, Esquire, C.E., and a report to be made by him providing for the better maintenance of said works, and on the 2nd day of October, 1907, the said report was provisionally adopted by said Corporation under Provisional By-law No. 37 of 1907, which said By-law was duly published but has never been finally passed.

And whereas it became necessary in the year 1907, and while the said report was under consideration by the Council, in order to prevent damages to the lands and roads within said drainage area, that Pumping Station No. 2, a part of the said works, should be repaired immediately, and that the moneys therefor be advanced out of the General Funds in anticipation of the levies and collections to be made therefor, and the Corporation, accordingly, caused such work to be done and the money for payment thereof to be advanced out of the General Funds of the Township, in anticipation of levies as aforesaid;

And whereas there were other emergencies from time to time, and other circumstances under which it became necessary to expend moneys out of the General Funds in anticipation of levies as aforesaid, for the purpose of the said drainage work, the items and particulars of which are shown in the Engineer's Report hereinafter set forth;

And whereas the said By-law No. 8 of 1887 provides for an annual assessment known as "Pumping Rate No. 1," to cover the cost of running and keeping in repair the said pumping machinery of Pumping Station No. 1, and determines the proportions of such assessment against each lot, and part of lot and road assessable therefor; and the said By-law No. 7 of 1894 provides that the pumping machinery of said Pumping Station No. 2 is to be used in connection with that of said Pumping Station No. 1 for the same purpose of discharging waters out of the same reservoir, but provides for a separate annual assessment known as "Pumping Rate No. 2" to cover the cost of running and keeping in repair the said pumping machinery of Pumping Station No. 2, and determines the proportions of such assessment against each lot and part of lot and road, assessable therefor, on a basis slightly different from the basis of said Pumping Rate No. 1, thus making it necessary to keep two separate accounts for one work.

And whereas the proportions of the assessments contained in certain of the said By-laws heretofore passed to cover the cost of the particular works of construction or maintenance provided for differs slightly from the proportions of the original assessments for the original construction of the said Forbes Drainage Works and there appears to be uncertainty as to what is now the right proportions of assessments for maintenance of said works under Section 68 of *The Municipal Drainage Act*.

And whereas the said Corporation deemed it advisable and necessary to rescind all acts of the Council adopting or approving of said report in order that the provisions thereof might be reconsidered and the proportions of the assessments for maintenance of the said Forbes Drainage Works and for covering the cost of running and keeping in repair the pumping machinery thereof might be more carefully revised, and that the Engineer at the same time should provide for recouping the General Funds for the money expended in anticipation of levies as aforesaid; and for that purpose the said Corporation, under the provisions of *The Municipal*

*Drainage Act*, passed a By-law numbered 10 of 1908, reappointing said Engineer and repealing said provisional By-law No. 37 of 1907.

And whereas, pursuant to the provisions of said By-law No. 10 of 1908 the said Corporation of Tilbury East has procured further examination to be made by the said Alexander Baird, Esq., Civil Engineer, being a person competent for such purpose, of the said Forbes Drainage Works and of the area drained thereby, and has procured a report upon the condition of the said Drainage Works and on the works necessary, in his opinion, for the better maintenance thereof, to be made by the said Alexander Baird, and an assessment to be made by him upon the lands and roads in any way liable to assessment therefor, under the provisions of the said Act; and an assessment to be made by him for the cost of the repairs already constructed and paid for by moneys advanced out of the General Fund of the Township, in anticipation of the levies and collections therefor, so as to enable the Corporation to repay the said moneys into the General Fund; and also an assessment to be made by him upon all the lands and roads liable to be assessed for the purpose of defraying the annual cost of maintaining and operating the said works, stating as nearly as he can the proportion in which each road and lot, or portion of lot is so liable in respect of benefit, outlet liability and injuring liability; the said assessment so made being the assessment hereinafter by this By-law enacted to be assessed and levied upon the roads and lots, or parts of lots, hereinafter in that behalf specially set forth and described; and the report of the said Alexander Baird in respect thereof and of the said Drainage Works being as follows:—

Leamington, 21st August, 1909.

To the Reeve and Municipal Council of the Township of Tilbury East.

Gentlemen,—In compliance with your By-law No 10 of 1908, passed the 26th day of June, A.D. 1908, whereby I was appointed to examine and report upon the condition of "The Forbes Drainage Works" in your Township and on the work necessary for the better maintenance thereof, and to make an assessment and charge upon the lands and roads in any way liable to assessment thereof under the provisions of "The Municipal Drainage Act," and an assessment for the cost of the repairs already constructed and paid for by moneys advanced out of the General Funds of the Township in anticipation of levies and collections therefor, so as to enable the Corporation to repay the said moneys into the General Funds, and also to make an assessment upon all lands and roads liable for assessment for the purpose of defraying the annual cost of maintaining and operating the said works, I have made the required examination, and beg to submit the following report in connection therewith.

Having been advised by the Clerk of your Township that the maintenance of the highway bridges of "The Drainage Works" had been undertaken by the Council out of the General Funds and that it was intended they were to form no part of my work under said By-law, I made no examination of them for the purpose of this report, and the repairs and improvements of No. 2 Pumping Station and Plant recommended by my report of the 5th of September, 1907, to you, having been undertaken and carried to completion I find the works otherwise as they now exist in a fair state of maintenance, and that further repairs in connection with them may, for a time at least, be postponed.

Therefore, the examination which I have made of the works and lands and roads within the drainage area has been made with the view of assessing the lands and roads liable to contribute toward the cost of the repairs, improvements and necessary expenditures that have been made out of the moneys of the general funds of the Township, in anticipation of levies and collections therefor, from the lands and roads that should contribute thereto, so as to recoup the general funds for the money so expended.



A partial detail of the moneys so expended as furnished me, together with the costs incidental to assessing and collecting the same are as follows:—

FOR RECONSTRUCTION OF PUMPING STATION No. 2.

Engineer's Report, etc., of 1907 .....	\$63 50
Engineer's Report re completion, 1907 .....	20 50
Printing By-law of 1907 (abandoned) .....	46 50
Fees paid Clerk, By-law of 1907 (abandoned) .....	19 25
Fees paid Commissioner Graham, 1907 .....	26 00
Interest on overdrafts .....	193 15
Fees paid Commissioner Clark on work done .....	10 00
Amount paid Mr. Flook on contract .....	5,440 00

Total for Pumping Station No. 2 in 1907 ..... \$5,818 90

Cost of Engineer's Report for better maintenance of these Drainage Works in 1906 and legal advice thereon .....	422 36
Cost of Automatic Outlets through banks of the Internal Drain, put in by the Council in 1904 not otherwise provided for .....	437 98
Cost of repairs to flood gate in 1901 and repairs to banks in 1903, 1904 and 1905 .....	299 84
One-half the sums paid as compensation for damages to lands flooded from defective sewer pipe in 1905 and half solicitor's fees therein as ordered by the Referee....	276 06
Interest on \$1,436.34 for one year at 6 per cent. per annum.	86 17
Tiles put in in 1907 and 1908 .....	14 60

Total required for repayment of advances for said Works in anticipation of levies ..... \$7,355 91

To this add for examination, report and assessment.....	118 00
Assistance in examination, horse hire and travelling expenses .....	22 00
Publishing By-law .....	45 00
Registering .....	3 09
Court of Revision .....	20 00
Clerk's Fees .....	35 00

Amounting in all to ..... \$7,599 00

This sum I assess against the lands and roads that are liable and should contribute towards the repayment of this expenditure, as shown and set forth in the Schedule of Assessment attached hereto.

For the purpose of defraying the annual cost and operating the pumping plants and works, I estimate that the cost annually, will amount to, on an average \$1,276.50, and this amount I assess against the lots and parts of lots and roads within the drainage area that should contribute thereto as shown and set forth in the Schedule of Assessment annexed hereto under the heading "Annual Assessment for operating Pumps and Works."

Having been conversant with the lands included within the drainage area of these works for upwards of the past 35 years, during which time I have frequently been over different portions of the drainage area in making surveys and examinations in connection with drainage, and knowing the general conditions of the lands within the area prior to and since the inauguration and carrying out of the drainage works, the increased value of the greater portion of these lands consequent upon the carrying out of these drainage works, the present relative position and condition of these lands, and having taken into consideration the changed condition, as well as the speed and volume of the waters caused to flow from certain lands within the area, I have endeavored to make what in my opinion is a fair, just and equitable assessment of these moneys upon each lot or part of lot and road within the drainage area, which, should you deem it expedient, and having regard to the

various provisions of the Statute regarding assessment for maintenance, may be used as a basis for future assessments for the necessary repairs and the better maintenance of these drainage works, and for the annual cost of operating the pumps and works.

I, therefore, beg further to submit and recommend to your honorable body, that this drainage work be kept up, and maintained in repair at the joint expense of the lands and roads assessed in the annexed Schedule of Assessment, each lot, or part of lot and road, paying towards such maintenance in the same relative proportion as assessed in the annexed Schedule of Assessment until otherwise determined and reported upon by an Engineer as required by the *Municipal Drainage Act*, in that behalf.

I submit herewith a plan showing the location of the drainage works and drainage area.

I have the honor to be, Gentlemen,

Your Obedient Servant,

(Sgd.) ALEXR. BAIRD, C.E.

And whereas the said Council are of opinion that the said works of repair and maintenance of the said Forbes Drainage Works are works that are desirable and necessary for the proper maintenance thereof and it is desirable and necessary that the proportions of assessment for maintenance of said works and for the annual cost of operating and maintaining the same be revised and varied in the manner provided by said report and assessment

Therefore the said Corporation of the said Township of Tilbury East pursuant to the provisions of *The Municipal Drainage Act* enacts as follows:—

1st. The said report, plans, estimates and assessments are hereby adopted.

2nd. The Reeve of the said Township may borrow on the credit of the Corporation of the said Township of Tilbury East the sum of \$7,599.00 being the funds necessary for the work and may issue debentures of the Corporation to that amount in sums of not less than \$50.00 each, payable within seven years from the date thereof with interest at the rate of five per centum per annum, that is to say, such debentures shall be of such amounts and shall be made so payable, respectively, that the aggregate amount of both principal and interest combined, payable towards their redemption in any year shall be equal, as nearly as may be, to what is so payable towards the redemption thereof in each of the other years during which the said debentures have to run, such debentures to be payable at the Merchants' Bank of Canada, in the Village of Tilbury, Ontario, each of said debentures to include one of said equal annual payments of principal and interest.

3rd. For paying the sum of \$4,249.95, the amount charged against the said lands and roads for benefit, and the sum of \$1,406.74, the amount charged against the said lands and roads for outlet liability, and the sum of \$1,668.21, the amount charged against the said lands and roads for injuring liability, apart from lands and roads belonging to or controlled by the Municipality, and for covering interest thereon for seven years at the rate of five per centum per annum, the following total special rates, over and above all other rates, shall be assessed, levied and collected (in the same manner and at the same time as other taxes are levied and collected) upon and from the undermentioned lots and parts of lots and roads; and the amount of the said total special rates and interest against each lot, or part of lot, respectively, shall be divided into seven equal parts and one such part shall be assessed, levied and collected as aforesaid, in each year for seven years after the final passing of this By-law during which the said debentures have to run.

Schedule of lands and roads in the Township of Tilbury East assessed for the repair and maintenance of the Forbes Drainage

Works in said Township, together with the amount which each lot, part of lot and road should bear and pay toward said repair and maintenance and toward recouping the general funds of the Township for moneys already paid and advanced out of its general funds for the purpose of the drainage works in anticipation of levies and collections therefor; also the amount which each lot or part of lot and road should bear and pay for the purpose of defraying the annual cost of maintaining and operating the said works:

*Note.—Schedule omitted as it is impossible to print it.*

4th. For paying the sum of \$274.10 the amount assessed against the said roads of the Municipality and for covering interest thereon for seven years at the rate of five per cent. per annum a special rate on the dollar sufficient to produce the required yearly amount therefor, shall, over and above all other rates, be levied and collected (in the same manner and at the same time as other taxes are levied and collected) upon and from the whole rateable property in the said Township of Tilbury East, in each year for seven years after the final passing of this By-law, during which the said debentures have to run.

5th. For the purpose of raising, yearly, the sum of \$1,228.75 being the proportion of the said estimated sum of \$1,276.50 required yearly for maintaining and operating the said Forbes Drainage Works charged as aforesaid, against the said lands and roads, other than lands and roads belonging to or controlled by the Municipality, the respective sums of money, mentioned in figures in the column headed, "Annual Assessment for operating Pumps and Works," in the Assessment Schedule contained in the 3rd enacting clause of this by-law, shall be assessed and levied (in the same manner and at the same time as other taxes are levied and collected) upon and from the respective lots and parts of lots and roads specially set forth opposite thereto in said Schedule, in each year during the continuance in operation of the said works.

6th. That for the purpose of paying in each year the said sum of \$47.75, being the proportion of said sum of \$1,276.50 required yearly for maintaining and operating the said Forbes Drainage Works, assessed as aforesaid against the said roads of the Municipality, a special rate on the dollar, sufficient to raise in each year the sum of \$47.75 shall over and above all other rates, be levied and collected (in the same manner and at the same time as other taxes are levied and collected) upon and from the whole rateable property in the said Township of Tilbury East in each year after the date of the final passing of this By-law during the continuance in operation of the said works.

7th. Should the said sum of \$1,276.50 be found in any year to be less or more than is necessary for the requirement of said works, the said Corporation may by resolution or By-law direct that the total levy for that year under the fifth and sixth enacting clauses, hereof, shall be more or less than the said sum of \$1,276.50 as the case may require, but said assessments shall in every case be pro rata assessments according to the proportions of the assessment as determined by said clauses of this By-law.

8th. This By-law shall be published once in every week for four consecutive weeks in the *Tilbury Times* newspaper, published in the Village of Tilbury, and shall come into force and take effect upon and after the final passing thereof, and may be cited as "The Forbes Repairs By-law, 1909."

9th. The assessments provided for by the fifth and sixth enacting clauses of this By-law shall be levied and collected in place of and in substitution for: (1) The annual assessment heretofore levied and collected under By-law No. 8 of 1887 to cover the annual cost of operating and maintaining the said Pumping Station No. 1 of said Forbes Drainage Works; and (2) the annual assessment here-

tofore levied and collected under By-law No. 7 of 1894 to cover the annual cost of operating and maintaining said Pumping Station No. 2 of the said Works; and all the moneys that shall be collected under the said fifth and sixth enacting clauses of this By-law shall be kept by the Treasurer of the said Municipal Council of Tilbury East as a separate fund, under his charge, and shall be applied by him under the direction of said Council, solely for the purpose of paying the annual cost of operating and maintaining the said Forbes Drainage Works and the said Pumping Stations thereof.

Finally passed the 26th day of September, A. D. 1910.

(L.S.)

(Sgd.) JOHN J. IRWIN, *Reeve.*

(Sgd.) ALEX. FARQUHARSON, *Clerk.*



No. 55.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting By-law No. 17 of 1910  
of the Township of Tilbury East,  
concerning the Forbes  
Drainage Works.

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1st Reading March 15th, 1912.

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*Reprinted as amended by the Private Bills  
Committee.*

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Mr. SUIMAN.

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

# BILL

## An Act respecting the City of London.

**W**HEREAS the Corporation of the City of London has Preamble.  
by Petition represented that the Council of the Corporation on the Twenty-ninth day of December, A.D. 1911, passed certain By-laws Numbered 3769, 3770 and 3771 to levy the cost of the construction of certain local improvements therein mentioned, and for the issue of debentures to pay for the cost of the same; that the said Council did on the Twenty-ninth day of December, A.D. 1911, pass a By-law Numbered 3772 to consolidate the several issues of debentures mentioned in the said By-laws Numbered 3769, 3770 and 3771; that the said Council did on the Eighth day of January, A.D. 1912, pass a by-law Numbered 3781 to provide for the issue of \$50,000 debentures for the purpose of purchasing the necessary land, and erecting and installing thereon an incinerator and plant with the necessary apparatus for the collection and disposal of garbage, after it had received the assent of the electors; that the said Council did on the Eighth day of January, A.D. 1912, pass a By-law Numbered 3782 to provide for the issue of \$20,000 debentures for the purpose of constructing and erecting a bridge across the River Thames at the Wharncliffe Highway, after it had received the assent of the electors; that the said Council did on the Twenty-sixth day of January, A.D., 1912, pass a By-law Numbered 3791 to raise the sum of \$67,000 to extend the London Waterworks, after it had received the approval of the Ontario Railway and Municipal Board; that the said Council did on the Twenty-sixth day of January, A.D. 1912, pass a By-law Numbered 3792 to raise the sum of \$90,000 for electric light and power works, after it had received the approval of the Ontario Railway and Municipal Board; and whereas the said Corporation has further represented that the said By-laws should be con-

firmed in order that the debentures to be issued thereunder may be more readily and profitably disposed of; and whereas the said Corporation has further represented that By-law Numbered \_\_\_\_\_, to provide for the issue of \$25,000 debentures to raise the sum of \$25,000 to be paid to the North Midland Railway Company upon the terms and conditions in the said By-law contained, was submitted to the electors and that out of 7,583 electors entitled to vote, there were 2,344 who voted for the By-law, and 1,328 who voted against the By-law, leaving a majority of those voting in favour of the By-law of 1,016, and that it is expedient that the said Council should be permitted to pass the said By-law, notwithstanding that it did not receive the requisite vote, and that the By-law when so passed shall be valid and binding; and whereas the said Corporation has further represented that it is expedient that the said Council should be permitted to expend for the purpose of paying the salary of a Commissioner of Industries, and for diffusing information respecting the advantages of the City of London as a manufacturing, business, educational or residential centre, annually the sum not exceeding \$5,000; and whereas the said Corporation has further represented that it is expedient that the said Council should be authorized to issue debentures not exceeding \$6,000 for the purpose of erecting a public comfort station and weigh scales office on the Market Square in the said City, without submitting the By-law for that purpose to or receiving the assent of the electors of the said City; and whereas the said Corporation has further represented that the said Council should be authorized to pass a By-law by a two-thirds vote of all the members of the Council, to renew the exemption of the London Rolling Mills Company until the end of the year 1912; and whereas the said Corporation has further represented that it is expedient that authority should be granted to provide, authorize and direct that the Water Commissioners for the City of London shall have the whole management and control of all the City Parks, and the care of the boulevards, and may, out of any moneys received by them, expend in such management, control and care a sum not exceeding \$20,000 per year; and whereas the said Corporation has further represented that the said Council should be authorized to issue debentures not exceeding \$18,000 for the purpose of purchasing an aerial truck, an automobile for the Chief of the Fire Department, an automobile chemical and hose wagon, and for alterations to the City Fire Halls, without submitting the By-law for that purpose to or receiving the assent of the electors; and whereas the said Corporation has further represented that the said Council should be authorized to issue debentures, for the Water Commissioners for the City of London, for the sum of \$61,000 to provide for additional pumping plant and appar-



atus, main extensions and workshops, and the lighting of Springbank Park, without submitting the By-law for that purpose to or receiving the assent of the electors; and whereas the said Corporation has further represented that the said Council should be authorized to issue debentures for the Water Commissioners for the City of London, for the sum of \$66,900, to provide for extensions and additions to the electric light plant of the City of London, for the purchase of meters and other apparatus, and for the erection of buildings for stores and workshop, without submitting the By-law for that purpose to or receiving the assent of the electors; and whereas it is expedient to grant the prayer of the said Petition;

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

1. The By-laws of the Corporation of the City of London specified in Schedule "A" hereto, and all debentures issued or to be issued thereunder, and all assessments made or to be made for the payment thereof, are confirmed, and declared to be legal, valid and binding.

Certain  
by-laws  
confirmed.

2. The Council of the Corporation of the City of London may pass the By-law set out in Schedule "B" hereto, notwithstanding that it did not receive the requisite vote of the electors, and the By-law when so passed shall be valid and binding.

Authority  
to pass a  
certain  
by-law.

3. Notwithstanding the provisions of any Act or law, the Corporation of the City of London may pass a By-law to borrow, and may borrow, the sum of \$6,000, and may issue debentures therefor for any period not exceeding thirty years from the date of the issue thereof, and at such rate of interest not exceeding five per cent. per annum, as the Council of the said Corporation may determine, for the erection of a public comfort station and weigh scales office on the Market Square, in the said City of London.

Authority  
to borrow  
\$6,000 for  
erection  
of public  
comfort  
station.

4. Notwithstanding the provisions of any Act or law, the Corporation of the City of London may pass a By-law to borrow, and may borrow, the sum of \$18,000, and may issue debentures therefor for any period not exceeding thirty years from the date of the issue thereof, and at such rate of interest not exceeding five per cent. per annum as the Council of the said Corporation may determine, for the purchase of an aerial truck, an automobile for the Chief of the Fire Department, an automobile chemical and hose wagon, and for alterations to the City Fire Halls.

Power to  
borrow  
\$18,000 for  
purchase of  
aerial truck,  
automobiles,  
etc.

Power to borrow \$61,000 in connection with water works system.

5. Notwithstanding the provisions of any Act or law, the Corporation of the City of London may pass a By-law to borrow, and may borrow, the sum of \$61,000, for the Water Commissioners for the City of London, and may issue debentures therefor for any period not exceeding thirty years from the date of the issue thereof, and at such rate of interest not exceeding five per cent. per annum as the Council of the said Corporation may determine, to provide for additional pumping plant and apparatus, main extensions and workshops, and the lighting of Springbank Park.

Power to borrow \$66,900 in connection with electric light system.

6. Notwithstanding the provisions of any Act or law, the Corporation of the City of London may pass a By-law to borrow, and may borrow, the sum of \$66,900, for the Water Commissioners for the City of London, and may issue debentures therefor for any period not exceeding thirty years from the date of the issue thereof, and at such rate of interest not exceeding five per cent. per annum as the Council of the said Corporation may determine, to provide for extensions and additions to the electric light plant of the City of London, for the purchase of meters and other apparatus, and for the erection of buildings for stores and workshop.

Assent of electors not required to by-laws.

7. It shall not be necessary that any of the By-laws for the purposes mentioned in the next four preceding sections shall be submitted to or receive the assent of the electors of the said City, but all the other provisions of *The Consolidated Municipal Act, 1903*, which are applicable and which are not inconsistent with the provisions of this Act, shall apply to the said By-laws.

Irregularity in form not to invalidate.

8. No irregularity in the form of the debentures issued under the authority of the Act, or of 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.

Salary of Commissioner of Industries.

9. That the Corporation of the City of London may each year include in the annual estimates a sum not exceeding \$5,000 to pay the salary of a Commissioner of Industries, and for diffusing information respecting the advantages of the City of London as a manufacturing, business, educational or residential centre, and may expend the same accordingly.

Water Commissioners to have management of public parks, etc.

10. The Water Commissioners for the City of London shall, from and after the passing of this Act, have the whole management and control of all the public parks in the said City of London, and the care of the public boulevards in

the said City, and may, out of any moneys received by them from time to time, expend in and for such management, control and care, a sum not exceeding \$20,000 per annum.

**11.** Notwithstanding the provisions of any Act or law, the Corporation of the City of London may pass a By-law, by a two-thirds vote of all the members of the Council thereof, to renew the exemption of the London Rolling Mills Company until the end of the year 1912. Exemption of property of London Rolling Mills Co. on two-thirds vote of council.

**12.** This Act may be known and cited as *The City of London Act, 1912.* Short title.

**SCHEDULE "A."**

**LIST OF BY-LAWS PROVIDING FOR THE ISSUE OF DEBENTURES BY THE COUNCIL OF THE CITY OF LONDON.**

No. of By-law.	Date of passing of By-law.	Nature of work under By-law.	Amount of Debt created.	Amount to be borne by City.	Amount by ratepayers.	Time.	Rate.
3769	December 29th, 1911	Local improvement debentures to defray the cost of certain cement sidewalks, kerbs and gutters constructed in 1911.	\$12,649 65	\$2,229 70	\$10,419 95	10 years	4¼%
3770	December 19th, 1911	Local improvement debentures to defray the cost of certain tile sewers constructed in 1911.	16,080 14	4,399 82	11,680 32	10 years	4¼%
3771	December 29th, 1911	Local improvement debentures to defray the cost of certain pavements constructed in 1911.	26,178 95	7,637 64	18,541 31	10 years	4¼%
3772	December 29th, 1911	To consolidate the several issues of debentures referred to in By-laws Numbered 3769, 3770 and 3771, 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.	54,908 74	14,267 16	40,641 58	10 years	4¼%
3781	January 8th, 1912	To raise \$50,000.00 debentures for the purpose of purchasing the necessary land, and erecting and installing thereon an incinerator and plant with the necessary apparatus for the collection and disposal of garbage.	50,000 00	50,000 00	.....	30 years	4¼%
3782	January 8th, 1912	To raise \$20,000.00 debentures for the purpose of constructing and erecting a bridge across the River Thames at the Wharncliffe Highway.	20,000 00	20,000 00	.....	20 years	4¼%
3791	January 26th, 1912	To raise \$67,000.00 debentures to extend the London Waterworks.	67,000 00	67,000 00	.....	30 years	4¼%
3792	January 26th, 1912	To raise \$90,000.00 debentures for electric light and power works.	90,000 00	90,000 00	.....	30 years	4¼%

## SCHEDULE " B. "

BY-LAW No. , TO PROVIDE FOR THE ISSUE OF \$25,000.00 DEBENTURES.

Whereas, it is expedient to aid The North Midland Railway Company by raising the sum of \$25,000, to be paid to the said Company upon the terms and conditions in this by-law contained;

And whereas by an Act passed by the Legislature of the Province of Ontario, in the sixth year of His late Majesty's reign, and chaptered 76, and known as "The City of London Act, 1906," it is by section 22 thereof provided that the limit of the borrowing power of the said corporation shall, notwithstanding the provisions of any Act or law to the contrary, be fourteen per centum of the assessed value of the whole rateable property of the said City of London, as shown by the last revised assessment roll for the time being of the said city;

And whereas it is by section 23 of the said last mentioned Act provided that in calculating the amount of the indebtedness of the said corporation for the purpose of ascertaining if the limit of its borrowing power, as fixed by the next preceding section, has been reached, the net amount of its indebtedness for waterworks purposes being the sum of \$549,909.36, and any liability in respect of local improvement debentures, issued by the said corporation, except such portion thereof as is payable by the said corporation at large, shall not be reckoned as part of such indebtedness, but shall be excluded in computing the same;

And whereas the amount of the whole rateable property in the City of London, according to the last revised assessment roll thereof, is the sum of \$28,812,169.00;

And whereas the amount of the general debenture debt of the city, exclusive of its local improvement debenture debt, except such portion thereof as is payable by the said corporation at large, amounts to \$2,642,847.66, of which no portion of the principal or interest is in arrears;

And whereas the said sum of \$25,000.00 is the debt intended to be created by this by-law;

And whereas it will require the sum of \$1,125.00 to be raised annually for a period of 30 years, the currency of the debentures to be issued under and by virtue of this by-law, to pay the interest of the said debt, and the sum of \$484.28 to be raised annually during the same period for the forming of a sinking fund for the payment of the debt created by this by-law, making in all the sum of \$1,609.28 to be raised annually as aforesaid;

And whereas it is necessary that such annual sum of \$1,609.28 shall be raised and levied in each year during the said period of thirty years by a special rate sufficient therefor on all the rateable property in the City of London;

Be it therefore enacted by the municipal council of the Corporation of the City of London as follows:

1. It shall be lawful for the mayor of the City of London and the City treasurer to cause any number of debentures to be made for such sums of money as may be required for the purposes aforesaid, either in sterling money of Great Britain or in lawful money of Canada, payable in gold coin, for not less than one hundred dollars currency or twenty pounds sterling each, and not exceeding in the whole the said sum of \$25,000.00, and the said debentures shall be sealed with the seal of the said corporation, and be signed by the mayor and treasurer.

2. The said debentures shall bear the date of the thirtieth day of June, A.D. 1912, and shall be made payable on the thirtieth day of June, A.D. 1942, in Canada, Great Britain or elsewhere, and shall have attached to them coupons for the payment of interest.

3. The said debentures shall bear interest at the rate of four and one-quarter per centum per annum from the date thereof, which interest shall be payable half-yearly on the thirtieth days of December and June in each year at the place where the said debentures are made payable.

4. During the currency of the debentures to be issued under the authority of this by-law, the sum of \$1,125.00 shall be raised annually for the payment of the interest on the said debentures, and the sum of \$484.28 shall be raised annually for the purpose of forming a sinking fund for the payment of the principal of the said loan of \$25,000.00 in thirty years, making in all the sum of \$1,609.28 to be raised annually as aforesaid, and a special rate in the dollar upon all the assessed value of all the rateable property in the City of London over and above all other rates and taxes, and which said rate shall be sufficient to produce in each year the said sum of \$1,609.28, shall be annually levied and collected in each and every year during the currency of the said debentures.

5. The said mayor and treasurer may cause the said debentures, or a sufficient amount thereof, to be sold or hypothecated, or may authorize the said debentures, or any portion thereof, to be purchased or taken as and for a temporary or permanent investment of the sinking fund of the City of London, and the proceeds thereof, after providing for the discount, if any, and the expenses of the negotiation and sale thereof shall be applied for the purposes herein specified and for no other purpose.

6. That the said company shall not be entitled to receive the said sum of \$25,000, or any part thereof, nor shall the said sum of \$25,000, or any part thereof, be paid to the said company unless and until the said company shall, within \_\_\_\_\_ years from the passing of this by-law, purchase or otherwise acquire, pay for and obtain a conveyance or conveyances in fee simple free from all encumbrances, to be made to the said company, of a suitable site in a central portion of the said City of London, to be approved of by the Council of the Corporation, for a terminal for the said company, and any radial or other electric railway company or companies which may desire to enter the said city, and complete the erection of the necessary buildings for the said terminal upon the said site, and pay for the same, and have the railway of the said North Midland Railway Company running regularly into the said terminal in the said city, from a point outside the said city at least twenty miles distant from the said city; nor unless and until the said company shall have entered into an agreement with the Corporation of the City of London satisfactory in all respects to the Council of the said Corporation, to permit the said terminal to be used jointly with the said North Midland Railway Company by any radial or other electric company or companies who may desire to enter the said city, on such terms as may be agreed upon between the said Corporation and the said North Midland Railway Company.

7. This by-law shall take effect on, from and after the passing thereof.

8. That the votes of the electors of the said City of London will be taken on this by-law on Monday, the first day of January, A.D. 1912, commencing at the hour of nine o'clock in the morning and continuing until five o'clock in the afternoon at the several polling places and by the several deputy returning officers appointed to hold the Municipal election on the said day.

9. That on Wednesday, the 27th day of December, A.D. 1911, at his office in the City Hall, in the said City of London, at the hour of 7.30 o'clock in the evening, the Mayor shall appoint in writing, signed by him, two persons to attend at the final summing up of the votes by the Clerk, and one person to attend at each polling place on behalf of the persons interested in and desirous of promoting the passing of this by-law, and a like number on behalf of the persons interested in and desirous of opposing the passing of this by-law.

10. That the Clerk of the said municipal Corporation shall attend at the City Hall at the hour of 12 o'clock noon on Wednesday, the third day of January, A.D. 1912, to sum up the number of votes given for and against this by-law.

Passed in open council this

day of January, A.D. 1912.

Clerk.

Mayor.







No. 56.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting the City of London.

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1st Reading,                      1912.

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*(Private Bill.)*

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Mr. ELBER.

TORONTO:

PRINTED BY L. K. CAMERON,



Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the City of London.



**W**HEREAS the Corporation of the City of London has Preamble.  
by Petition represented that the Council of the Corporation on the Twenty-ninth day of December, A.D. 1911, passed certain By-laws Numbered 3769, 3770 and 3771 to levy the cost of the construction of certain local improvements therein mentioned, and for the issue of debentures to pay for the cost of the same; that the said Council did on the Twenty-ninth day of December, A.D. 1911, pass a By-law Numbered 3772 to consolidate the several issues of debentures mentioned in the said By-laws Numbered 3769, 3770 and 3771; that the said Council did on the Eighth day of January, A.D. 1912, pass a by-law Numbered 3781 to provide for the issue of \$50,000 debentures for the purpose of purchasing the necessary land, and erecting and installing thereon an incinerator and plant with the necessary apparatus for the collection and disposal of garbage, after it had received the assent of the electors; that the said Council did on the Eighth day of January, A.D. 1912, pass a By-law Numbered 3782 to provide for the issue of \$20,000 debentures for the purpose of constructing and erecting a bridge across the River Thames at the Wharnccliffe Highway, after it had received the assent of the electors; that the said Council did on the Twenty-sixth day of January, A.D., 1912, pass a By-law Numbered 3791 to raise the sum of \$57,000 to extend the London Waterworks, after it had received the approval of the Ontario Railway and Municipal Board; that the said Council did on the Twenty-sixth day of January, A.D. 1912, pass a By-law Numbered 3792 to raise the sum of \$90,000 for electric light and power works, after it had received the approval of the Ontario Railway and Municipal Board; and whereas the said Corporation has further represented that the said By-laws should be con-

firmed in order that the debentures to be issued thereunder may be more readily and profitably disposed of; and whereas the said Corporation has further represented that By-law Numbered \_\_\_\_\_, to provide for the issue of \$25,000 debentures to raise the sum of \$25,000 to be paid to the North Midland Railway Company upon the terms and conditions in the said By-law contained, was submitted to the electors and that out of 7,583 electors entitled to vote, there were 2,344 who voted for the By-law, and 1,328 who voted against the By-law, leaving a majority of those voting in favour of the By-law of 1,016, and that it is expedient that the said Council should be permitted to pass the said By-law, notwithstanding that it did not receive the requisite vote, and that the By-law when so passed shall be valid and binding; and whereas the said Corporation has further represented that it is expedient that the said Council should be permitted to expend for the purpose of paying the salary of a Commissioner of Industries, and for diffusing information respecting the advantages of the City of London as a manufacturing, business, educational or residential centre, annually the sum not exceeding \$5,000; and whereas the said Corporation has further represented that it is expedient that the said Council should be authorized to issue debentures not exceeding \$6,000 for the purpose of erecting a public comfort station and weigh scales office on the Market Square in the said City, without submitting the By-law for that purpose to or receiving the assent of the electors of the said City; and whereas the said Corporation has further represented that the said Council should be authorized to pass a By-law by a two-thirds vote of all the members of the Council, to renew the exemption of the London Rolling Mills Company until the end of the year 1912; and whereas the said Corporation has further represented that it is expedient that authority should be granted to provide, authorize and direct that the Water Commissioners for the City of London shall have the whole management and control of all the City Parks, and the care of the boulevards, and may, out of any moneys received by them, expend in such management, control and care a sum not exceeding \$20,000 per year; and whereas the said Corporation has further represented that the said Council should be authorized to issue debentures not exceeding \$18,000 for the purpose of purchasing an aerial truck, an automobile for the Chief of the Fire Department, an automobile chemical and hose wagon, and for alterations to the City Fire Halls, without submitting the By-law for that purpose to or receiving the assent of the electors; and whereas the said Corporation has further represented that the said Council should be authorized to issue debentures, for the Water Commissioners for the City of London, for the sum of \$61,000 to provide for additional pumping plant and appar-

atus, main extensions and workshops, and the lighting of Springbank Park, without submitting the By-law for that purpose to or receiving the assent of the electors; and whereas the said Corporation has further represented that the said Council should be authorized to issue debentures for the Water Commissioners for the City of London, for the sum of \$66,900, to provide for extensions and additions to the electric light plant of the City of London, for the purchase of meters and other apparatus, and for the erection of buildings for stores and workshop, without submitting the By-law for that purpose to or receiving the assent of the electors;  and whereas the said Corporation has further represented that the said Council should be authorized to issue debentures for the sum of \$17,500 to provide for improvements and additions to Victoria Hospital in the said City of London, without submitting the By-law for that purpose to, or receiving the assent of, the electors;  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 By-laws of the Corporation of the City of London specified in Schedule “A” hereto, and all debentures issued or to be issued thereunder, and all assessments made or to be made for the payment thereof, are confirmed, and declared to be legal, valid and binding. Certain by-laws confirmed.

(2)  The moneys to be borrowed under the authority of By-laws Numbered 3769, 3770, 3771 and 3772 mentioned in the said Schedule, or any of them, shall be borrowed upon the credit of the Corporation at large and debentures of the Corporation may be issued therefor and such debentures shall be valid and binding upon the Corporation.  Authority to pass a certain by-law.

**2.** Notwithstanding the provisions of any Act or law, the Corporation of the City of London may pass a By-law to borrow, and may borrow, the sum of \$6,000, and may issue debentures therefor for any period not exceeding thirty years from the date of the issue thereof, and at such rate of interest not exceeding five per cent. per annum, as the Council of the said Corporation may determine, for the erection of a public comfort station and weigh scales office on the Market Square, in the said City of London. Authority to borrow \$6,000 for erection of public comfort station.

**3.** Notwithstanding the provisions of any Act or law, the Corporation of the City of London may pass a By-law to borrow, and may borrow, the sum of \$15,000, and may issue debentures therefor for any period not exceeding ten years from the date of the issue thereof, and at such rate Power to borrow \$15,000 for purchase of aerial truck, automobiles, etc.

of interest not exceeding five per cent. per annum as the Council of the said Corporation may determine, for the purchase of an aerial truck, and an automobile chemical and hose wagon, and for alterations to the City Fire Halls.

Power to borrow \$61,000 in connection with water works system.

4. Notwithstanding the provisions of any Act or law, the Corporation of the City of London may pass a By-law to borrow, and may borrow, the sum of \$61,000, for the Water Commissioners for the City of London, and may issue debentures therefor for any period not exceeding thirty years from the date of the issue thereof, and at such rate of interest not exceeding five per cent. per annum as the Council of the said Corporation may determine, to provide for additional pumping plant and apparatus, main extensions and workshops, and the lighting of Springbank Park.

Power to borrow \$66,900 in connection with electric light system.

5. Notwithstanding the provisions of any Act or law, the Corporation of the City of London may pass a By-law to borrow, and may borrow, the sum of \$66,900, for the Water Commissioners for the City of London, and may issue debentures therefor for any period not exceeding thirty years from the date of the issue thereof, and at such rate of interest not exceeding five per cent. per annum as the Council of the said Corporation may determine, to provide for extensions and additions to the electric light plant of the City of London, for the purchase of meters and other apparatus, and for the erection of buildings for stores and workshop.

Power to borrow \$17,500 and issue debentures.

6. Notwithstanding the provisions of any Act or law, the Corporation of the City of London may pass a By-law to borrow, and may borrow, the sum of \$17,500, and may issue debentures therefor for any period not exceeding thirty years from the date of the issue thereof, at such rate of interest not exceeding five per cent. per annum as the Council of the said Corporation may determine, to provide for improvements and additions to Victoria Hospital in the said City of London.

Assent of electors not required to by-laws.

7. It shall not be necessary that any of the By-laws for the purposes mentioned in the next five preceding sections shall be submitted to or receive the assent of the electors of the said City, but all the other provisions of *The Consolidated Municipal Act, 1903*, which are applicable and which are not inconsistent with the provisions of this Act, shall apply to the said By-laws.

Irregularity in form not to invalidate.

8. No irregularity in the form of the debentures issued under the authority of the Act, or of 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.

9. That the Corporation of the City of London may each year include in the annual estimates a sum not exceeding \$5,000 to pay the salary of a Commissioner of Industries, and for diffusing information respecting the advantages of the City of London as a manufacturing, business, educational or residential centre, and may expend the same accordingly.

Salary of  
Commissioner of  
Industries.

10. The Water Commissioners for the City of London shall, from and after the passing of this Act, have the whole management and control of all the public parks in the said City of London, and Springbank Park owned by the Corporation of the City of London, and situate in the Township of Westminster, and the care of the public boulevards in the said City, and shall have, with respect thereto all the powers which the Board of Park Management have under the provisions of *The Public Parks Act*, including the right to make up an estimate of the sums required during the ensuing financial year as provided by section 17 of the said Act, and the Council of the Corporation of the City of London shall be bound to levy and assess in each year, a special annual rate sufficient to furnish the amount estimated by the said The Water Commissioners for the City of London to be required for the year, but not exceeding one-half mill in the dollar upon the assessed value of all rateable real and personal property, such rate to be called the Park Fund Rate, in the same manner as if the said estimate had been made up and reported to the Council by The Board of Park Management under the provisions of said section 17 of the said Act.

Water Commissioners  
to have  
management  
of public  
parks, etc.

11. Notwithstanding the provisions of any Act or law, the Corporation of the City of London may pass a By-law, by a two-thirds vote of all the members of the Council thereof, to renew the exemption of the London Rolling Mills Company until the end of the year 1912.

Exemption  
of property  
of London  
Rolling Mills  
Co. on two-  
thirds vote  
of council.

12. This Act may be known and cited as *The City of London Act, 1912*.

Short title.

SCHEDULE "A."

LIST OF BY-LAWS PROVIDING FOR THE ISSUE OF DEBENTURES BY THE COUNCIL OF THE CITY OF LONDON.

No. of By-law.	Date of passing of By-law.	Nature of work under By-law.	Amount of Debt created.	Amount to be borne by City.	Amount by ratepayers.	Time.	Rate.
3769	December 29th, 1911	Local improvement debentures to defray the cost of certain cement sidewalks, kerbs and gutters constructed in 1911..	\$12,649 65	\$2,229 70	\$10,419 95	10 years	4½%
3770	December 19th, 1911	Local improvement debentures to defray the cost of certain tile sewers constructed in 1911 .....	16,080 14	4,399 82	11,680 32	10 years	4½%
3771	December 29th, 1911	Local improvement debentures to defray the cost of certain pavements constructed in 1911 .....	26,178 95	7,637 64	18,541 31	10 years	4½%
3772	December 29th, 1911	To consolidate the several issues of debentures referred to in By-laws Numbered 3769, 3770 and 3771, 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.....	54,908 74	14,267 16	40,641 58	10 years	4½%
3781	January 8th, 1912	To raise \$50,000.00 debentures for the purpose of purchasing the necessary land, and erecting and installing thereon an incinerator and plant with the necessary apparatus for the collection and disposal of garbage.....	50,000 00	50,000 00	.....	30 years	4¼%
3782	January 8th, 1912	To raise \$20,000.00 debentures for the purpose of constructing and erecting a bridge across the River Thames at the Wharnccliffe Highway .....	20,000 00	20,000 00	.....	20 years	4¼%
3791	January 26th, 1912	To raise \$57,000.00 debentures to extend the London Waterworks .....	57,000 00	57,000 00	.....	30 years	4¼%
3792	January 26th, 1912	To raise \$90,000.00 debentures for electric light and power works.....	90,000 00	90,000 00	.....	30 years	4¼%



## SCHEDULE "B."

BY-LAW No. , TO PROVIDE FOR THE ISSUE OF \$25,000.00 DEBENTURES.

Whereas, it is expedient to aid The North Midland Railway Company by raising the sum of \$25,000, to be paid to the said Company upon the terms and conditions in this by-law contained;

And whereas by an Act passed by the Legislature of the Province of Ontario, in the sixth year of His late Majesty's reign, and chaptered 76, and known as "The City of London Act, 1906," it is by section 22 thereof provided that the limit of the borrowing power of the said corporation shall, notwithstanding the provisions of any Act or law to the contrary, be fourteen per centum of the assessed value of the whole rateable property of the said City of London, as shown by the last revised assessment roll for the time being of the said city;

And whereas it is by section 23 of the said last mentioned Act provided that in calculating the amount of the indebtedness of the said corporation for the purpose of ascertaining if the limit of its borrowing power, as fixed by the next preceding section, has been reached, the net amount of its indebtedness for waterworks purposes being the sum of \$549,909.36, and any liability in respect of local improvement debentures, issued by the said corporation, except such portion thereof as is payable by the said corporation at large, shall not be reckoned as part of such indebtedness, but shall be excluded in computing the same;

And whereas the amount of the whole rateable property in the City of London, according to the last revised assessment roll thereof, is the sum of \$28,812,169.00;

And whereas the amount of the general debenture debt of the city, exclusive of its local improvement debenture debt, except such portion thereof as is payable by the said corporation at large, amounts to \$2,642,847.66, of which no portion of the principal or interest is in arrears;

And whereas the said sum of \$25,000.00 is the debt intended to be created by this by-law;

And whereas it will require the sum of \$1,125.00 to be raised annually for a period of 30 years, the currency of the debentures to be issued under and by virtue of this by-law, to pay the interest of the said debt, and the sum of \$484.28 to be raised annually during the same period for the forming of a sinking fund for the payment of the debt created by this by-law, making in all the sum of \$1,609.28 to be raised annually as aforesaid;

And whereas it is necessary that such annual sum of \$1,609.28 shall be raised and levied in each year during the said period of thirty years by a special rate sufficient therefor on all the rateable property in the City of London;

Be it therefore enacted by the municipal council of the Corporation of the City of London as follows:

1. It shall be lawful for the mayor of the City of London and the City treasurer to cause any number of debentures to be made for such sums of money as may be required for the purposes aforesaid, either in sterling money of Great Britain or in lawful money of Canada, payable in gold coin, for not less than one hundred dollars currency or twenty pounds sterling each, and not exceeding in the whole the said sum of \$25,000.00, and the said debentures shall be sealed with the seal of the said corporation, and be signed by the mayor and treasurer.

2. The said debentures shall bear the date of the thirtieth day of June, A.D. 1912, and shall be made payable on the thirtieth day of June, A.D. 1942, in Canada, Great Britain or elsewhere, and shall have attached to them coupons for the payment of interest.

3. The said debentures shall bear interest at the rate of four and one-quarter per centum per annum from the date thereof, which interest shall be payable half-yearly on the thirtieth days of December and June in each year at the place where the said debentures are made payable.

4. During the currency of the debentures to be issued under the authority of this by-law, the sum of \$1,125.00 shall be raised annually for the payment of the interest on the said debentures, and the sum of \$484.28 shall be raised annually for the purpose of forming a sinking fund for the payment of the principal of the said loan of \$25,000.00 in thirty years, making in all the sum of \$1,609.28 to be raised annually as aforesaid, and a special rate in the dollar upon all the assessed value of all the rateable property in the City of London over and above all other rates and taxes, and which said rate shall be sufficient to produce in each year the said sum of \$1,609.28, shall be annually levied and collected in each and every year during the currency of the said debentures.

5. The said mayor and treasurer may cause the said debentures, or a sufficient amount thereof, to be sold or hypothecated, or may authorize the said debentures, or any portion thereof, to be purchased or taken as and for a temporary or permanent investment of the sinking fund of the City of London, and the proceeds thereof, after providing for the discount, if any, and the expenses of the negotiation and sale thereof shall be applied for the purposes herein specified and for no other purpose.

6. That the said company shall not be entitled to receive the said sum of \$25,000, or any part thereof, nor shall the said sum of \$25,000, or any part thereof, be paid to the said company unless and until the said company shall, within \_\_\_\_\_ years from the passing of this by-law, purchase or otherwise acquire, pay for and obtain a conveyance or conveyances in fee simple free from all encumbrances, to be made to the said company, of a suitable site in a central portion of the said City of London, to be approved of by the Council of the Corporation, for a terminal for the said company, and any radial or other electric railway company or companies which may desire to enter the said city, and complete the erection of the necessary buildings for the said terminal upon the said site, and pay for the same, and have the railway of the said North Midland Railway Company running regularly into the said terminal in the said city, from a point outside the said city at least twenty miles distant from the said city; nor unless and until the said company shall have entered into an agreement with the Corporation of the City of London satisfactory in all respects to the Council of the said Corporation, to permit the said terminal to be used jointly with the said North Midland Railway Company by any radial or other electric company or companies who may desire to enter the said city, on such terms as may be agreed upon between the said Corporation and the said North Midland Railway Company.

7. This by-law shall take effect on, from and after the passing thereof.

8. That the votes of the electors of the said City of London will be taken on this by-law on Monday, the first day of January, A.D. 1912, commencing at the hour of nine o'clock in the morning and continuing until five o'clock in the afternoon at the several polling places and by the several deputy returning officers appointed to hold the Municipal election on the said day.

9. That on Wednesday, the 27th day of December, A.D. 1911, at his office in the City Hall, in the said City of London, at the hour of 7.30 o'clock in the evening, the Mayor shall appoint in writing, signed by him, two persons to attend at the final summing up of the votes by the Clerk, and one person to attend at each polling place on behalf of the persons interested in and desirous of promoting the passing of this by-law, and a like number on behalf of the persons interested in and desirous of opposing the passing of this by-law.

10. That the Clerk of the said municipal Corporation shall attend at the City Hall at the hour of 12 o'clock noon on Wednesday, the third day of January, A.D. 1912, to sum up the number of votes given for and against this by-law.

Passed in open council this

day of January, A.D. 1912.

Clerk.

Mayor

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes the need for transparency and accountability in financial reporting.

2. The second part of the document outlines the various methods and techniques used to collect and analyze data. It includes a detailed description of the experimental procedures and the statistical analysis performed.

3. The third part of the document presents the results of the study, including a comparison of the different methods and a discussion of the implications of the findings. It also includes a conclusion and a list of references.



No. 56.

1st Session, 13th Legislature,  
of George V., 1912.

BILL.

An Act respecting the City of London.

1st Reading, March 8th, 1912.

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

Mr. EILBER.

TORONTO:

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

# BILL

## An Act respecting the Town of Owen Sound.

**W**HEREAS the Corporation of the Town of Owen Sound has by petition represented that at the Municipal Elections for the said Town for 1912 By-law No. 1516 "A By-law authorizing levying a frontage rate upon lands in the Town of Owen Sound, fronting or abutting on streets upon which gas mains are or may hereafter be laid" was duly submitted to and approved by the electors of the said municipality and passed by the said Council; that doubts have arisen as to the power of the said Council to pass the said By-law, and that it is desirable that the said By-law should be ratified and confirmed; that it is deemed advisable by the said Council that it should be authorized to expend annually a sum not exceeding \$1,500 in diffusing information respecting the advantages of the said Town as a manufacturing, business, educational and residential centre and as a desirable place in which to spend the summer months; That By-law No. 1422 of the said Town, confirmed by the Act passed in the 1st year of His Majesty's reign, chaptered 99, empowered the said Town to take stock to the amount of \$50,000 in a Company to be formed for the construction and operation of a Dry Dock, Ship Repair and Ship Building plant and the carrying on of structural steel works in the said Town; that it is deemed advisable to vary the terms of the agreement contained in said By-law No. 1422 in manner set out in proposed By-law No. 1534 of the said Town, and for that purpose to repeal said By-law No. 1422, and to enact as in said proposed By-law No. 1534 set out: that the said proposed By-law No. 1534 has passed its first and second readings by the said Council and will be submitted to the electors of the said Municipality for approval on the 9th day of March, 1912; that it is desirable that the said Corporation should be empowered by the Legislature to take and hold stock in a company to be organized for the purpose of building a Dry Dock and other purposes, as set out in said proposed By-law No. 1534, upon its approval by the electors as aforesaid; that it is by the said proposed By-law No.

Preamble.

1534 provided that a grant of \$10,000 annually for twenty years, commencing with the completion of the construction work shall be made to the said Company, and that during each of the said twenty years there shall be raised, assessed and levied yearly by special rate sufficient therefor on the whole rateable property in the said Town of Owen Sound the sum of \$10,000 for the purpose of paying the grant for such year provided for in said proposed By-law; that it is deemed advisable that the Council of the said Corporation should be empowered to establish contingency funds in connection with each or any of its public utilities, namely, Electric Light Works, Gas Works and Waterworks, out of the frontage rates or consumers' rates, or both, collected in respect of such utilities, for the purpose of making such extensions, renewals or improvements as may from time to time be deemed necessary; and whereas the said Corporation has prayed that an Act may be passed for the above-mentioned purposes; 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. 1516  
confirmed.

1. By-law No. 1516 of the Town of Owen Sound, "A By-law authorizing levying a frontage rate upon lands in the Town of Owen Sound, fronting or abutting on streets upon which gas mains are or may hereafter be laid," and set out as Schedule "A" hereto, is hereby ratified and confirmed and declared to be binding upon the Town of Owen Sound and on the ratepayers thereof.

Authority  
to spend  
\$1,500 for  
publicity  
purposes.

2. The Council of the said Town may include in the estimates a sum not exceeding \$1,500 to be expended in diffusing information respecting the advantages of such Town as a manufacturing, business, educational or residential centre or as a desirable place in which to spend the summer months.

Authority  
to take  
stock in dry  
dock and  
ship repair  
company.

3. The said Corporation may take and hold stock in a company to be organized for the purpose of constructing and operating a Dry Dock and Ship Repair and Ship Building plant and, at the option of the said Company, to carry on structural steel works in the said Town of Owen Sound; provided that proposed By-law No. 1534 of the said Town, set out as Schedule "B" hereto, is duly approved by the electors thereof and passed by the Council, and that all debentures to be issued under the said By-law No. 1534 and all levies, rates and assessment to be made for the payment of such debentures, shall be legal and binding on the said Corporation and on the ratepayers thereof, and, subject to such ap-



proval, the said proposed By-law is hereby ratified and confirmed.

4. No irregularity in form, if any, of the said debentures to be issued, or any of them, 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 said debentures or interest or any part, and the purchaser or holder shall not be bound to enquire as to the necessity of passing the said By-law or issuing such debentures or as to the application of the proceeds thereof.

Irregularity  
in form of  
debentures  
not to  
invalidate.

5. The said Corporation may during each of the twenty years, commencing with the completion of the construction work of the Dry Dock as in said proposed By-law set out, raise, assess and levy yearly by special rate sufficient therefor on the whole rateable property in the said Town of Owen Sound the sum of \$10,000 for the purpose of raising moneys to pay the grant of \$10,000 in the preamble hereto mentioned, and so much of the Act passed in the 1st year of His Majesty's reign, chaptered 99, as ratifies and confirms said By-law No. 1422 is repealed, provided that the said By-law No. 1534 is duly approved and passed as aforesaid.

Special  
rate.

6. The said Corporation may establish contingency funds for each or any of its utilities, namely, Electric Light Works, Gas Works and Waterworks, out of the frontage rates or consumers' rates, or both, collected for such utilities respectively, the fund or funds of each utility not to exceed ten per cent. of the amount invested in such utility and to be applied for the purpose of making such extensions or renewals of or improvements in such utility as may from time to time be deemed necessary by the said Council.

Authority  
to establish  
contingency  
funds.

#### SCHEDULE "A."

##### BY-LAW No. 1516 OF THE TOWN OF OWEN SOUND.

*A By-Law to authorize levying a special rate upon lands in the Town of Owen Sound fronting or abutting on streets upon which gas mains are or may hereafter be laid.*

Whereas it is deemed advisable to levy and charge a special rate of two cents per foot of frontage upon the several lands, lots or parts of lots, fronting or abutting upon all streets, lanes and alleys in the municipality upon which gas mains from which the said Town supplies or is willing to supply gas, are now or may hereafter be laid, the proceeds of said rates to be applied in payment of interest, sinking funds, maintenance and contingent fund for the extension of the Gas System.

The Municipal Council of the Corporation of the Town of Owen Sound enacts as follows:—

1. An annual special rate of two cents per foot for each foot of frontage of all lands, lots or parts of lots, whether occupied or vacant, fronting or abutting upon all streets, lanes and alleys in the Town of Owen Sound, upon which gas mains from which the Town supplies, or is prepared and willing to supply, gas, are laid, is hereby levied and charged. The taxable frontage to be determined in the same manner as in the case of sewer frontages under the Local Improvement Act and By-Laws of the Town of Owen Sound.

2. That the same rate shall be levied and charged upon all such lands, lots or parts of lots fronting or abutting upon the streets, lanes and alleys upon which such mains shall hereafter be laid, such rate to be levied and charged upon each of said parcels of land from the time that the said Town is prepared to supply gas to said parcel from said extended mains.

3. The said annual special rate shall be due and payable in equal portions during the first month of each quarter, and it not paid shall be collected from the owners of the land in the same way as local improvement taxes, or shall be payable in such other manner as the said Council may hereafter determine.

4. The proceeds of the said frontage tax shall be applied in payment of interest, sinking funds, maintenance and contingent fund for the extension of the Gas system of the said town.

5. The said Council may at any time or times reduce the rate to be so levied as they may deem expedient.

6. The votes of the electors of the said municipality of the Town of Owen Sound shall be taken on this By-law by the same deputy returning officers and polling clerks and at the same polling places as may be duly appointed by By-law of the said Council for the next annual election of the members of the said Council, and shall be so taken on the same day and during the same hours as the said annual election, that is to say, on Monday the first day of January, one thousand nine hundred and twelve, commencing at nine o'clock in the forenoon and continuing until five o'clock in the afternoon.

7. That on Thursday, the 28th day of December, A.D. 1911, at the Town Clerk's office in the Town of Owen Sound, at the hour of ten o'clock in the forenoon, the Mayor shall appoint in writing signed by himself, two persons to attend at the final summing up of the votes by the Clerk and one person to attend at each polling place on behalf of the persons interested in and desirous of promoting the passing of this By-law, and a like number on behalf of the persons interested in and desirous of opposing the passing of this By-law.

8. That the Clerk of the said Municipal Council of the Town of Owen Sound shall attend at his office, at the hour of ten o'clock in the forenoon, on Tuesday, the second day of January, A.D. 1912, to sum up the number of votes given for and against this By-law.

9. This By-law shall come into force and effect forthwith after the final passing thereof by the Council.

Council Chamber, January 22, 1912.

(Sgd.)

"

E LEMON, Mayor.

CHAS. GORDON, Clerk.

## SCHEDULE "B"

## BY-LAW NO. 1534 OF THE TOWN OF OWEN SOUND.

*A By-law to authorize a grant of \$10,000.00 a year for twenty years to a company to be formed for the construction and operation of a dry dock and ship repair and ship building plant in the Town of Owen Sound, and to authorize the taking of stock in the said Company to the amount of \$50,000.00.*

Whereas it is to the interest of the Town of Owen Sound that a Dry Dock and Ship Repair and Ship Building plant should be constructed in the said Town.

And whereas an agreement for that purpose was made, dated the 18th day of May, 1910, and incorporated with By-law No. 1422 of the said Town.

And whereas it is deemed expedient to vary the terms of said agreement by providing for a grant of \$10,000.00 per year instead of the grant of \$50,000.00 therein provided for, and otherwise as in the agreement hereinafter mentioned set out, and for such purpose to repeal the said By-law No. 1422 and to enact as hereinafter mentioned.

And whereas by the said last mentioned agreement it is provided that Bernard Geen of Westminster, England, C.E., shall organize a company to construct and operate a Dry Dock, Ship Repair and Ship Building Plant in the said Town of Owen Sound, at a minimum expenditure of \$1,200,000.00 and an estimated expenditure of \$1,500,000.00, and that the said Corporation shall submit a By-law to the electors of the said Town authorizing a bonus of \$10,000.00 annually for twenty years and the taking of stock in the said Company to the amount of \$50,000.00, upon the conditions, and as provided, in the said last mentioned agreement.

And whereas it is desirable and expedient to grant the said bonus and to take stock in said company as aforesaid, and generally to confirm and ratify the said last mentioned agreement.

And whereas, in order to raise the amount of \$50,000.00 to be paid for the said stock, it will be necessary to issue debentures of the said Town as hereinafter provided for the sum of \$50,000.00, and it is deemed advisable to raise the amount required for the payment of the said \$10,000.00 annually as the same may be required by special rate in manner hereinafter mentioned.

And whereas the whole amount of the debt intended to be created by this By-law is \$250,000.00, to provide for payment of \$50,000.00 for stock and \$10,000.00 annually for twenty years, as more fully set out in said agreement.

And whereas \$3,929.09 is the total amount required to be raised annually by special rate for a period of twenty years for paying the said debenture debt and interest thereon at the rate of four and a half per cent. per annum according to the terms of this By-law, whereof the sum of \$2,250.00 is to be raised annually for the payment of interest, during the currency of the said debentures, and the sum of \$1,679.09 is to be raised annually for the purpose of creating a sinking fund for the payment of the said debentures.

And whereas the amount of the whole ratable property of the said Town of Owen Sound, according to the last revised Assessment Roll, is \$5,262,399.00 being for the year 1911.

And whereas the existing debenture debt of the Town of Owen Sound amounts to the sum of \$1,084,418.43 and the amount exclusive of local improvement debt secured by special rate of assessment is

\$912,610.37, and there is no part of the principal or interest of the said existing debt in arrear.

The Municipal Council of the Corporation of the Town of Owen Sound therefore enacts as follows:—

1. The execution of the said last mentioned agreement, being Schedule "A" to this By-law, on behalf of the Corporation of the Town of Owen Sound by the Mayor and Clerk of the Council thereof, is hereby authorized, ratified and confirmed, and the said agreement is hereby incorporated in this By-law and shall be read and confirmed as part thereof. The first payment of the annual bonus to be made on the completion of the construction work in said Schedule "A" mentioned.

2. It shall be lawful for the Corporation of the Town of Owen Sound for the purpose of raising the said amount of fifty thousand dollars (\$50,000.00), for the purchase of stock in said Company, to issue debentures of the said municipality in sums of not less than \$100.00 each to the amount of \$50,000.00, and to levy rates, as hereinafter mentioned, to provide for payment of same and the payment of the said annual sum of \$10,000.00.

3. The debentures shall be signed by the Mayor and Treasurer of the Town of Owen Sound, and sealed with the Corporate Seal, and shall be made payable at the expiration of twenty years from the date of the issue of same, and shall bear interest at the rate of four and a half per cent. per annum, payable half yearly on the second day of January and the second day of July in each year during the said term.

4. The said debentures and interest thereon shall be payable at the Union Bank of Canada in the said Town of Owen Sound, and the said debentures shall bear date and be issued on the second day of July, 1913, and shall have attached to them coupons, signed by the Mayor and Treasurer of the said Municipality, for payment of interest as aforesaid.

5. During the currency of the said debentures there shall be raised, assessed and levied yearly by a special rate sufficient therefor on the whole ratable property of the said Town of Owen Sound the sum of \$2,250.00 for the payment of interest on the said debentures and the sum of \$..... for the purpose of creating a sinking fund for the payment of the debenture debt hereby secured and debentures issued therefor, making in all the sum of \$3,929.09, to be raised annually by special rate as aforesaid, during each year of the said period of twenty years.

6. Debentures shall contain the provisions of Section 343 (1), of the Consolidated Municipal Act, 1903, as to transference of debentures.

7. During each of the said twenty years, commencing with the completion of the construction work, mentioned in said last mentioned agreement, there shall be raised, assessed and levied yearly by special rate, sufficient therefor on the whole ratable property in the said Town of Owen Sound, the sum of \$10,000.00 for the purpose of paying the bonus for such year provided for in said agreement.

8. That By-law No. 1422 of the said Town is hereby repealed.

9. The votes of the electors of the Town of Owen Sound entitled to vote thereon shall be taken on this By-law on Saturday, the 9th day of March, 1912, commencing at nine o'clock in the forenoon and continuing until five o'clock in the afternoon of the same day, at the places and by the deputy returning officers following:—

Polling Subdivision, Nos. 1 and 2—At Strathcona School, east room, by William Wilson, Deputy Returning Officer; and Ray Wilson, Poll Clerk.

Polling Subdivisions Nos. 3 and 4—At Strathcona School, west room by N. E. Todd, Deputy Returning Officer; and Robert M. McMurchy, Poll Clerk.

Polling Subdivision No. 5—At W. C. T. U. Hall, by W. A. Grier, Deputy Returning Officer; and Chas. Whitesides, Poll Clerk.

Polling Subdivisions Nos. 6 and 7—At Dufferin School, by Johnston Little, Deputy Returning Officer; and Wm. Little, Poll Clerk.

Polling Subdivision No. 7a—At Victoria School, by Alfred Atkins, Deputy Returning Officer; and Thos. Porter, Poll Clerk.

Polling Subdivisions Nos. 8 and 9—At Town Hall, Ladies' Waiting Room, by John C. Read, Deputy Returning Officer; and Horace Gordon, Poll Clerk.

Polling Subdivisions Nos. 10 and 13—At Ryerson School, by John Lindsay, Deputy Returning Officer; and Wm. C. Moffatt, Poll Clerk.

Polling Subdivision No. 11—At Lawson's Marble Shop, by John McTavish, Deputy Returning Officer; and Robert Douglas, Poll Clerk.

Polling Subdivision No. 12—At Campbell & Scarrow's Implement Shop, by Alexander Gilliland, Deputy Returning Officer; and Samuel Gilliland, Poll Clerk.

9. That on Thursday, the 7th day of March, 1912, at the Town Clerk's Office in the Town of Owen Sound, at the hour of ten o'clock in the forenoon, the Mayor shall appoint in writing signed by himself, two persons to attend at the final summing up of the votes by the Clerk, and one person to attend at each Polling Place on behalf of the persons interested in and desirous of promoting the passing of this By-law, and a like number on behalf of the persons interested in and desirous of opposing the passing of this By-law.

10. That the Clerk of the said Municipal Council of the Town of Owen Sound shall attend at his office at the hour of ten o'clock in the forenoon, on the 11th day of March, 1912, to sum up the number of votes given for and against this By-law.

11. This By-law shall come into force and effect on the final passing thereof by the Council.

.....Mayor.  
.....Clerk.

Council Chamber, Owen Sound,  
.....1912.

#### NOTICE.

Take notice that the foregoing is a true copy of a proposed By-law which has been taken into consideration by the Municipal Council of the Town of Owen Sound, and which will be finally passed by the said Council, in the event of the assent of the electors being obtained thereto, after one month from the date of the first publication thereof in the Owen Sound Herald, the date of which publication shall be the 9th day of February, 1912, and at the hour, day and places therein named for taking the votes of the electors the polls will be held.

And further take notice that in order for a leaseholder to qualify for voting on the said By-law, he must, at least ten days before the day of voting, file with me a Statutory Declaration that his lease contains a covenant whereby he agrees to pay all municipal taxes in respect of the property leased, and that the lease extends for the period of time within which the debt to be contracted or the money to be raised is made payable, and the names of leaseholders neglecting to file such declaration shall not be placed on the Voters' List for such voting.

(Sgd.) CHAS. GORDON, *Clerk.*

#### SCHEDULE "A"

This agreement made in duplicate this twenty-third day of January, A.D. 1912.

BETWEEN—

Bernard Geen of Westminster, England, C.E., of the First Part

and

The Corporation of the Town of Owen Sound, hereinafter called the Corporation of the Second Part.

Whereas the said party of the first part proposes to organize a company to construct and operate a Dry Dock, Ship Repair and Ship Building plant, and, at the option of the said Company, to carry on structural steel works in the said Town of Owen Sound, at a minimum expenditure of \$1,200,000.00 and an estimated expenditure of \$1,500,000.00.

And whereas the parties hereto agree as follows:—

1. The party of the first part is to organize a company as aforesaid, and to prepare plans and submit same to the Department of Public Works for approval and with the view to obtaining the subsidy granted by the Dominion Government for Dry Docks.

2. The Corporation agrees not to enter into negotiations with any person or company other than the party of the first part or a company organized by him for the purposes aforesaid for the term of six months from this date, and in the event of his submitting the plans within six months as aforesaid then they will not enter into such negotiations with any person or company for such work, other than the said party of the first part, or the company to be organized by him, for the further space of twelve months. Should, however, the plans not be submitted as above provided, or should they not be approved by the said Department, or should the said party of the first part have failed in organizing a company for the purposes aforesaid, or should the said company to be organized not be prepared to commence the said work within eighteen months from this date and proceed with same with due diligence, the Corporation may, at its option, cancel the agreement herein contained.

3. And the said party of the first part agrees that until the said dock is completed, unless the Corporation exercises its option under paragraph 2, he will not, directly or indirectly, promote any company for the construction or operation of any such work at any place in Canada other than at Owen Sound.

4. The Corporation further agrees to submit a By-law to the electors of said Town authorizing a bonus of \$10,000.00 annually for twenty years to be paid to the said Company, the first of such pay-

ments of \$10,000.00 to be made on the completion of said work, and a payment of \$10,000.00 to be made at the expiration of each year thereafter until the said twenty annual payments have been made (Provided, however, that if the said Company shall cease to operate the said dock according to the true intent and purpose of this agreement, no further payment of the said bonus shall thereafter be made), and to empower the Corporation to take stock in the said Company to the amount of \$50,000.00, also to endeavor to procure any legislation that may be deemed necessary for the purpose of ratifying the said By-law. And the Corporation also agrees that the said By-law shall provide that from and after the completion of the construction of the said work until the expiration of ten years thereafter, so long as the said Dry Dock is operated by the said Company, the said Dry Dock and Plant together with the lands and premises on which same are constructed or erected and the buildings, machinery and plant thereon belonging to the said Company, shall be exempt from all municipal taxes except school taxes and local improvement rates, and that the said Corporation will supply the said premises with water free for drinking and sanitary purposes, not exceeding 1,000 gallons daily during the said period and operation.

5. Any agreement made with the Company to be formed by the party of the first part shall contain a clause to this effect—that if the proposed company or their assigns at any time decided to move their dry docking and ship building plant, structural steel works or floating dock from the town, or cease to operate through amalgamation or agreement with any other company or companies, then the company binds itself, and its assigns, to pay back to the Corporation of Owen Sound the amount of the before mentioned bonus together with the amount of stock subscribed by the Town before such removal or agreement can be made.

6. It is further agreed between the parties hereto that the provisional Board of Directors of said Company be approved by the Council of the said Corporation, and that if the said Board is not so approved, the said Council may at its option and on behalf of the said Corporation cancel the agreement herein contained; also that the said Corporation may be represented on the Board of Directors, during the whole term that the said stock is held by the Corporation, by a director chosen by the said Council.

7. And it is further agreed, and any agreement with the said Company shall contain a clause to the effect, that the average number of hands employed by the said Company in such operation during each consecutive five years of the said exempt period of ten years shall be at least two hundred, and that if the said Company does not comply with this condition the property of the said Company shall not be exempt from taxation as aforesaid during the said five years, or the said Corporation, at its option, shall require the said Company to pay to the Corporation any lesser sum than the amount of taxes thereby made chargeable as compensation for the breach of said condition.

8. Provided also that if the undertaking of the Government to give the aforesaid subsidy shall not be obtained within twelve months of this date this agreement may be cancelled and determined, at the option of either of the said parties, or the said Council or Company.

9. And it is hereby declared and agreed that the words "party of the first part" and "Corporation," whenever used in this agreement and where the context allows, shall include and be binding on and enure to the benefit of not only the parties hereto, but also their respective heirs, executors, administrators, successors and assigns.

In witness whereof the party of the first part has hereunto set his hand and seal, and the Corporation has hereunto set its Corporate Seal, attested by the hands of the Mayor and Clerk.

(Sgd.) BERNARD GEEN (Seal.)  
Party of the First Part.  
" E. LEMON, *Mayor*.  
" CHAS. GORDON, *Clerk*.

Signed, Sealed and Delivered  
in the presence of  
(Sgd.) R. W. EVANS.

CERTIFICATE.

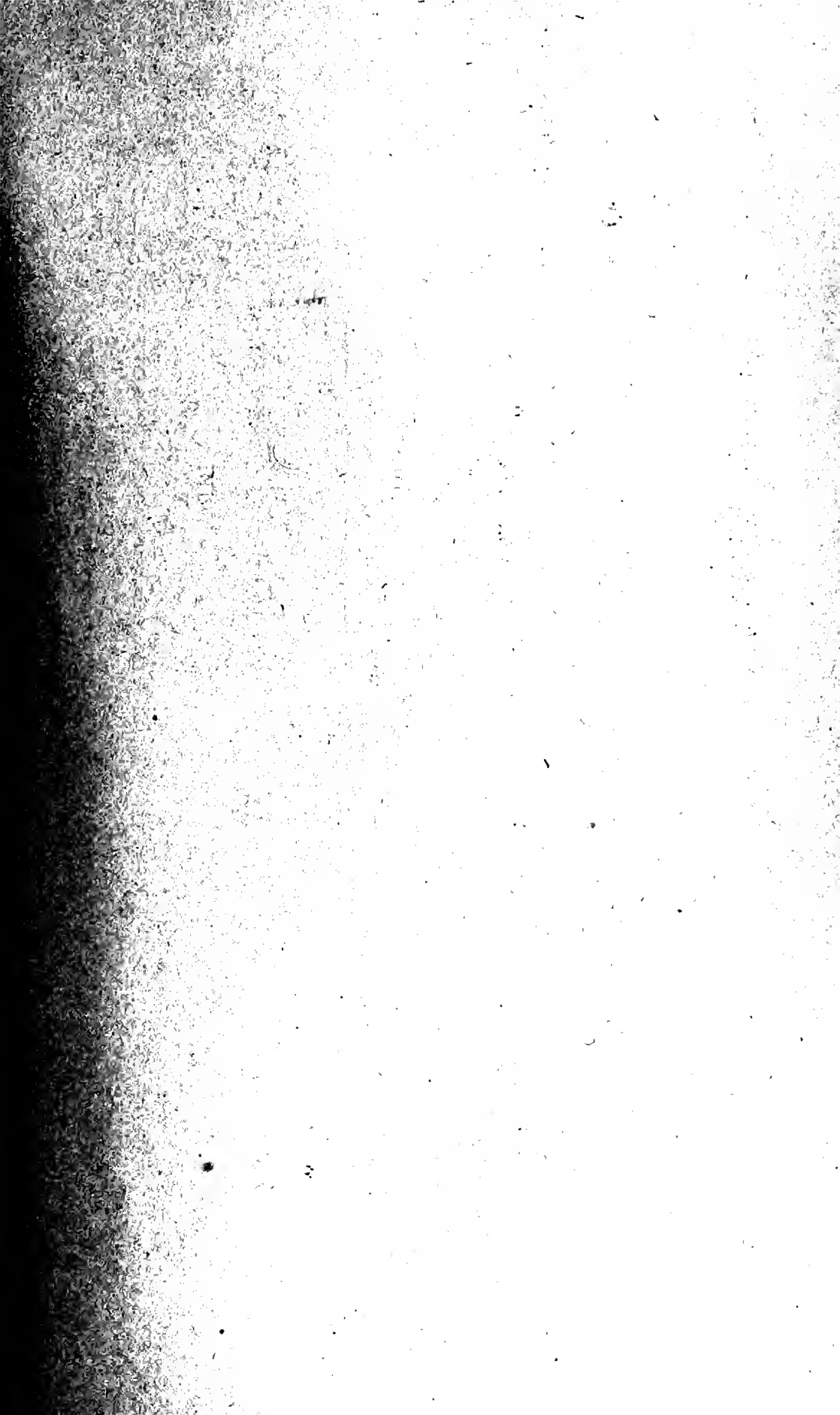
This is to certify that the foregoing is a true and correct copy of By-law No. 1543, a By-law to authorize a grant of \$10,000.00 a year for twenty years to a Company to be formed for the construction and operation of a Dry Dock and Ship Repair and Ship Building plant in the Town of Owen Sound, and to authorize the taking of stock in the said Company to the amount of \$50,000.00.

Witness our hands and the Corporate Seal of the Town of Owen Sound, this 14th day of February, 1912.

E. LEMON, *Mayor*  
CHAS. GORDON, *Clerk*

(Seal.)





No. 57.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting the Town of Owen  
Sound.

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1st Reading,                      1912.

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(*Private Bill.*)





Mr. MAcKAY.

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

# BILL

## An Act respecting the Town of Owen Sound.

**W**HEREAS the Corporation of the Town of Owen <sup>Preamble.</sup> Sound has by petition represented that at the Municipal Elections for the said Town for 1912 By-law No. 1516 "A By-law authorizing levying a frontage rate upon lands in the Town of Owen Sound, fronting or abutting on streets upon which gas mains are or may hereafter be laid" was duly submitted to and approved by the electors of the said municipality and passed by the said Council; that doubts have arisen as to the power of the said Council to pass the said By-law, and that it is desirable that the said By-law should be ratified and confirmed; that it is deemed advisable by the said Council that it should be authorized to expend annually a sum not exceeding \$1,500 in diffusing information respecting the advantages of the said Town as a manufacturing, business, educational and residential centre and as a desirable place in which to spend the summer months; that By-law No. 1422 of the said Town, confirmed by the Act passed in the 1st year of His Majesty's reign, Chaptered 99, empowered the said Town to take stock to the amount of \$50,000 in a Company to be formed for the construction and operation of a Dry Dock, Ship Repair and Ship Building plant and the carrying on of structural steel works in the said Town: that it is deemed advisable to vary the terms of the agreement contained in said By-law No. 1422 in manner set out in By-law No. 1534 of the said Town, and for that purpose to repeal said By-law No. 1422, and to enact as in said By-law No. 1534 set out: that the said By-law No. 1534 was submitted to the electors of the said Municipality on the 9th day of March, 1912.  when out of persons entitled to vote, 1,794 voted for the by-law and 85 against the same:  that it is desirable that the said  by-law should be confirmed and that the said  Corporation should be empowered to take and hold stock in a company to be organized for the purpose of building a Dry Dock and other purposes, as set out in the said By-law; that it is deemed advisable that the Council of the said

Corporation should be empowered to establish contingency funds in connection with each or any of its public utilities, namely, Electric Light Works, Gas Works and Waterworks, out of the frontage rates or consumers' rates, or both, collected in respect of such utilities, for the purpose of making such extensions, renewals or improvements as may from time to time be deemed necessary; and whereas the said Corporation has prayed that an Act may be passed for the above-mentioned purposes; 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. 1516  
confirmed.

1. By-law No. 1516 of the Town of Owen Sound, "A. By-law authorizing levying a frontage rate upon lands in the Town of Owen Sound, fronting or abutting on streets upon which gas mains are or may hereafter be laid," and set out as Schedule "A" hereto, is hereby ratified and confirmed and declared to be binding upon the Town of Owen Sound and on the ratepayers thereof.

Authority  
to spend  
\$1,500 for  
publicity  
purposes.

2. The Council of the said Town may include in the annual estimates a sum not exceeding \$1,500 to be expended in diffusing information respecting the advantages of such Town as a manufacturing, business, educational or residential centre or as a desirable place in which to spend the summer months.

3.—(1)  By-law No. 1534 of the Town of Owen Sound, set out as Schedule "B" hereto, and all debentures to be issued thereunder and all rates, levies and assessments to be made for the payment of such debentures are confirmed and declared to be legal, valid and binding. 

(2)  By-law No. 1422, of the said Town, set out as Schedule "A," and the agreement set out as Schedule "B" to the Act passed in the 1st year of His Majesty's reign, chaptered 99, and so much of that Act as ratifies and confirms the said by-law and agreement, are repealed. 

Authority  
to establish  
contingency  
funds.

4. The said Corporation may establish contingency funds for each or any of its utilities, namely, Electric Light Works, Gas Works and Waterworks, out of the frontage rates or consumers' rates, or both, collected for such utilities respectively, the fund or funds of each utility not to exceed ten per cent. of the amount invested in such utility and to be applied for the purpose of making such extensions or renewals of or improvements in such utility as may from time to time be deemed necessary by the said Council.

## SCHEDULE "A."

## BY-LAW No. 1516 OF THE TOWN OF OWEN SOUND.

*A By-Law to authorize levying a special rate upon lands in the Town of Owen Sound fronting or abutting on streets upon which gas mains are or may hereafter be laid.*

Whereas it is deemed advisable to levy and charge a special rate of two cents per foot of frontage upon the several lands, lots or parts of lots, fronting or abutting upon all streets, lanes and alleys in the municipality upon which gas mains from which the said Town supplies or is willing to supply gas, are now or may hereafter be laid, the proceeds of said rates to be applied in payment of interest, sinking funds, maintenance and contingent fund for the extension of the Gas System.

The Municipal Council of the Corporation of the Town of Owen Sound enacts as follows:—

1. An annual special rate of two cents per foot for each foot of frontage of all lands, lots or parts of lots, whether occupied or vacant, fronting or abutting upon all streets, lanes and alleys in the Town of Owen Sound, upon which gas mains from which the Town supplies, or is prepared and willing to supply, gas, are laid, is hereby levied and charged. The taxable frontage to be determined in the same manner as in the case of sewer frontages under the Local Improvement Act and By-Laws of the Town of Owen Sound.

2. That the same rate shall be levied and charged upon all such lands, lots or parts of lots fronting or abutting upon the streets, lanes and alleys upon which such mains shall hereafter be laid, such rate to be levied and charged upon each of said parcels of land from the time that the said Town is prepared to supply gas to said parcel from said extended mains.

3. The said annual special rate shall be due and payable in equal portions during the first month of each quarter, and if not paid shall be collected from the owners of the land in the same way as local improvement taxes, or shall be payable in such other manner as the said Council may hereafter determine.

4. The proceeds of the said frontage tax shall be applied in payment of interest, sinking funds, maintenance and contingent fund for the extension of the Gas system of the said town.

5. The said Council may at any time or times reduce the rate to be so levied as they may deem expedient.

6. The votes of the electors of the said municipality of the Town of Owen Sound shall be taken on this By-law by the same deputy returning officers and polling clerks and at the same polling places as may be duly appointed by By-law of the said Council for the next annual election of the members of the said Council, and shall be so taken on the same day and during the same hours as the said annual election, that is to say, on Monday the first day of January, one thousand nine hundred and twelve, commencing at nine o'clock in the forenoon and continuing until five o'clock in the afternoon.

7. That on Thursday, the 28th day of December, A.D. 1911, at the Town Clerk's office in the Town of Owen Sound, at the hour of ten o'clock in the forenoon, the Mayor shall appoint in writing signed by himself, two persons to attend at the final summing up of the votes by the Clerk and one person to attend at each polling place on behalf of the persons interested in and desirous of promoting the passing of this By-law, and a like number on behalf of the persons interested in and desirous of opposing the passing of this By-law.

8. That the Clerk of the said Municipal Council of the Town of Owen Sound shall attend at his office, at the hour of ten o'clock in the forenoon, on Tuesday, the second day of January, A.D. 1912, to sum up the number of votes given for and against this By-law.

9. This By-law shall come into force and effect forthwith after the final passing thereof by the Council.

Council Chamber, January 22, 1912.

(Sgd.) E LEMON, Mayor.  
" CHAS. GORDON, Clerk.

### SCHEDULE "B"

#### BY-LAW No. 1534 OF THE TOWN OF OWEN SOUND.

*A By-law to authorize a grant of \$10,000.00 a year for twenty years to a company to be formed for the construction and operation of a dry dock and ship repair and ship building plant in the Town of Owen Sound, and to authorize the taking of stock in the said Company to the amount of \$50,000.00.*

Whereas it is to the interest of the Town of Owen Sound that a Dry Dock and Ship Repair and Ship Building plant should be constructed in the said Town.

And whereas an agreement for that purpose was made, dated the 18th day of May, 1910, and incorporated with By-law No. 1422 of the said Town.

And whereas it is deemed expedient to vary the terms of said agreement by providing for a grant of \$10,000.00 per year instead of the grant of \$50,000.00 therein provided for, and otherwise as in the agreement hereinafter mentioned set out, and for such purpose to repeal the said By-law No. 1422 and to enact as hereinafter mentioned.

And whereas by the said last mentioned agreement it is provided that Bernard Geen of Westminster, England, C.E., shall organize a company to construct and operate a Dry Dock, Ship Repair and Ship Building Plant in the said Town of Owen Sound, at a minimum expenditure of \$1,200,000.00 and an estimated expenditure of \$1,500,000.00, and that the said Corporation shall submit a By-law to the electors of the said Town authorizing a bonus of \$10,000.00 annually for twenty years and the taking of stock in the said Company to the amount of \$50,000.00, upon the conditions, and as provided, in the said last mentioned agreement.

And whereas it is desirable and expedient to grant the said bonus and to take stock in said company as aforesaid, and generally to confirm and ratify the said last mentioned agreement.

And whereas, in order to raise the amount of \$50,000.00 to be paid for the said stock, it will be necessary to issue debentures of the said Town as hereinafter provided for the sum of \$50,000.00, and it is deemed advisable to raise the amount required for the payment of the said \$10,000.00 annually as the same may be required by special rate in manner hereinafter mentioned.

And whereas the whole amount of the debt intended to be created by this By-law is \$250,000.00, to provide for payment of \$50,000.00 for stock and \$10,000.00 annually for twenty years, as more fully set out in said agreement.

And whereas \$3,929.09 is the total amount required to be raised annually by special rate for a period of twenty years for paying the said debenture debt and interest thereon at the rate of four and a half per cent. per annum according to the terms of this By-law, whereof the sum of \$2,250.00 is to be raised annually for the payment of interest, during the currency of the said debentures, and the sum of \$1,679.09 is to be raised annually for the purpose of creating a sinking fund for the payment of the said debentures.

And whereas the amount of the whole ratable property of the said Town of Owen Sound, according to the last revised Assessment Roll, is \$5,262,399.00 being for the year 1911.

And whereas the existing debenture debt of the Town of Owen Sound amounts to the sum of \$1,084,418.43 and the amount exclusive of local improvement debt secured by special rate of assessment is \$912,610.37, and there is no part of the principal or interest of the said existing debt in arrear.

The Municipal Council of the Corporation of the Town of Owen Sound therefore enacts as follows:—

1. The execution of the said last mentioned agreement, being Schedule "A" to this By-law, on behalf of the Corporation of the Town of Owen Sound by the Mayor and Clerk of the Council thereof, is hereby authorized, ratified and confirmed, and the said agreement is hereby incorporated in this By-law and shall be read and confirmed as part thereof. The first payment of the annual bonus to be made on the completion of the construction work in said Schedule "A" mentioned.

2. It shall be lawful for the Corporation of the Town of Owen Sound for the purpose of raising the said amount of fifty thousand dollars (\$50,000.00), for the purchase of stock in said Company, to issue debentures of the said municipality in sums of not less than \$100.00 each to the amount of \$50,000.00, and to levy rates, as herein-after mentioned, to provide for payment of same and the payment of the said annual sum of \$10,000.00.

3. The debentures shall be signed by the Mayor and Treasurer of the Town of Owen Sound, and sealed with the Corporate Seal, and shall be made payable at the expiration of twenty years from the date of the issue of same, and shall bear interest at the rate of four and a half per cent. per annum, payable half yearly on the second day of January and the second day of July in each year during the said term.

4. The said debentures and interest thereon shall be payable at the Union Bank of Canada in the said Town of Owen Sound, and the said debentures shall bear date and be issued on the second day of July, 1913, and shall have attached to them coupons, signed by the Mayor and Treasurer of the said Municipality, for payment of interest as aforesaid.

5. During the currency of the said debentures there shall be raised, assessed and levied yearly by a special rate sufficient therefor on the whole ratable property of the said Town of Owen Sound the sum of \$2,250.00 for the payment of interest on the said debentures and the sum of \$..... for the purpose of creating a sinking fund for the payment of the debenture debt hereby secured and debentures issued therefor, making in all the sum of \$3,929.09, to be raised annually by special rate as aforesaid, during each year of the said period of twenty years.

6. Debentures shall contain the provisions of Section 343 (1), of the Consolidated Municipal Act, 1903, as to transference of debentures.

7. During each of the said twenty years, commencing with the completion of the construction work, mentioned in said last mentioned agreement, there shall be raised, assessed and levied yearly by special rate, sufficient therefor on the whole ratable property in the said Town of Owen Sound, the sum of \$10,000.00 for the purpose of paying the bonus for such year provided for in said agreement.

8. That By-law No. 1422 of the said Town is hereby repealed.

9. The votes of the electors of the Town of Owen Sound entitled to vote thereon shall be taken on this By-law on Saturday, the 9th day of March, 1912, commencing at nine o'clock in the forenoon and continuing until five o'clock in the afternoon of the same day, at the places and by the deputy returning officers following:—

Polling Subdivision, Nos. 1 and 2—At Strathcona School, east room, by William Wilson, Deputy Returning Officer; and Ray Wilson, Poll Clerk.

Polling Subdivisions Nos. 3 and 4—At Strathcona School, west room by N. E. Todd, Deputy Returning Officer; and Robert M. McMurchy, Poll Clerk.

Polling Subdivision No. 5—At W. C. T. U. Hall, by W. A. Grier, Deputy Returning Officer; and Chas. Whitesides, Poll Clerk.

Polling Subdivisions Nos. 6 and 7—At Dufferin School, by Johnston Little, Deputy Returning Officer; and Wm. Little, Poll Clerk.

Polling Subdivision No. 7a—At Victoria School, by Alfred Atkins, Deputy Returning Officer; and Thos. Porter, Poll Clerk.

Polling Subdivisions Nos. 8 and 9—At Town Hall, Ladies' Waiting Room, by John C. Read, Deputy Returning Officer; and Horace Gordon, Poll Clerk.

Polling Subdivisions Nos. 10 and 13—At Ryerson School, by John Lindsay, Deputy Returning Officer; and Wm. C. Moffatt, Poll Clerk.

Polling Subdivision No. 11—At Lawson's Marble Shop, by John McTavish, Deputy Returning Officer; and Robert Douglas, Poll Clerk.

Polling Subdivision No. 12—At Campbell & Searrow's Implement Shop, by Alexander Gilliland, Deputy Returning Officer; and Samuel Gilliland, Poll Clerk.

9. That on Thursday, the 7th day of March, 1912, at the Town Clerk's Office in the Town of Owen Sound, at the hour of ten o'clock in the forenoon, the Mayor shall appoint in writing signed by himself, two persons to attend at the final summing up of the votes by the Clerk, and one person to attend at each Polling Place on behalf of the persons interested in and desirous of promoting the passing of this By-law, and a like number on behalf of the persons interested in and desirous of opposing the passing of this By-law.

10. That the Clerk of the said Municipal Council of the Town of Owen Sound shall attend at his office at the hour of ten o'clock in the forenoon, on the 11th day of March, 1912, to sum up the number of votes given for and against this By-law.

11. This By-law shall come into force and effect on the final passing thereof by the Council.

..... Mayor.  
..... Clerk.

Council Chamber, Owen Sound,  
.....1912.



## SCHEDULE "A"

This agreement made in duplicate this twenty-third day of January, A.D. 1912.

BETWEEN—

Bernard Geen of Westminster, England, C.E., of the First Part

and

The Corporation of the Town of Owen Sound, hereinafter called the Corporation of the Second Part..

Whereas the said party of the first part proposes to organize a company to construct and operate a Dry Dock, Ship Repair and Ship Building plant, and, at the option of the said Company, to carry on structural steel works in the said Town of Owen Sound, at a minimum expenditure of \$1,200,000.00 and an estimated expenditure of \$1,500,000.00.

And whereas the parties hereto agree as follows:—

1. The party of the first part is to organize a company as aforesaid, and to prepare plans and submit same to the Department of Public Works for approval and with the view to obtaining the subsidy granted by the Dominion Government for Dry Docks.

2. The Corporation agrees not to enter into negotiations with any person or company other than the party of the first part or a company organized by him for the purposes aforesaid for the term of six months from this date, and in the event of his submitting the plans within six months as aforesaid then they will not enter into such negotiations with any person or company for such work, other than the said party of the first part, or the company to be organized by him, for the further space of twelve months. Should, however, the plans not be submitted as above provided, or should they not be approved by the said Department, or should the said party of the first part have failed in organizing a company for the purposes aforesaid, or should the said company to be organized not be prepared to commence the said work within eighteen months from this date and proceed with same with due diligence, the Corporation may, at its option, cancel the agreement herein contained.

3. And the said party of the first part agrees that until the said dock is completed, unless the Corporation exercises its option under paragraph 2, he will not, directly or indirectly, promote any company for the construction or operation of any such work at any place in Canada other than at Owen Sound.

4. The Corporation further agrees to submit a By-law to the electors of said Town authorizing a bonus of \$10,000.00 annually for twenty years to be paid to the said Company, the first of such payments of \$10,000.00 to be made on the completion of said work, and a payment of \$10,000.00 to be made at the expiration of each year thereafter until the said twenty annual payments have been made (Provided, however, that if the said Company shall cease to operate the said dock according to the true intent and purpose of this agreement, no further payment of the said bonus shall thereafter be made), and to empower the Corporation to take stock in the said Company to the amount of \$50,000.00, also to endeavor to procure any legislation that may be deemed necessary for the purpose of ratifying the said By-law. And the Corporation also agrees that the said By-law shall provide that from and after the completion of the construction of the said work until the expiration of ten years thereafter, so long as the said Dry Dock is operated by the said

Company, the said Dry Dock and Plant together with the lands and premises on which same are constructed or erected and the buildings, machinery and plant thereon belonging to the said Company, shall be exempt from all municipal taxes except school taxes and local improvement rates, and that the said Corporation will supply the said premises with water free for drinking and sanitary purposes, not exceeding 1,000 gallons daily during the said period and operation.

5. Any agreement made with the Company to be formed by the party of the first part shall contain a clause to this effect—that if the proposed company or their assigns at any time decided to move their dry docking and ship building plant, structural steel works or floating dock from the town, or cease to operate through amalgamation or agreement with any other company or companies, then the company binds itself, and its assigns, to pay back to the Corporation of Owen Sound the amount of the before mentioned bonus together with the amount of stock subscribed by the Town before such removal or agreement can be made.

6. It is further agreed between the parties hereto that the provisional Board of Directors of said Company be approved by the Council of the said Corporation, and that if the said Board is not so approved, the said Council may at its option and on behalf of the said Corporation cancel the agreement herein contained; also that the said Corporation may be represented on the Board of Directors, during the whole term that the said stock is held by the Corporation, by a director chosen by the said Council.

7. And it is further agreed, and any agreement with the said Company shall contain a clause to the effect, that the average number of hands employed by the said Company in such operation during each consecutive five years of the said exempt period of ten years shall be at least two hundred, and that if the said Company does not comply with this condition the property of the said Company shall not be exempt from taxation as aforesaid during the said five years, or the said Corporation, at its option, shall require the said Company to pay to the Corporation any lesser sum than the amount of taxes thereby made chargeable as compensation for the breach of said condition.

8. Provided also that if the undertaking of the Government to give the aforesaid subsidy shall not be obtained within twelve months of this date this agreement may be cancelled and determined, at the option of either of the said parties, or the said Council or Company.

9. And it is hereby declared and agreed that the words "party of the first part" and "Corporation," whenever used in this agreement and where the context allows, shall include and be binding on and enure to the benefit of not only the parties hereto, but also their respective heirs, executors, administrators, successors and assigns.

In witness whereof the party of the first part has hereunto set his hand and seal, and the Corporation has hereunto set its Corporate Seal, attested by the hands of the Mayor and Clerk.

(Sgd.) BERNARD GEEN

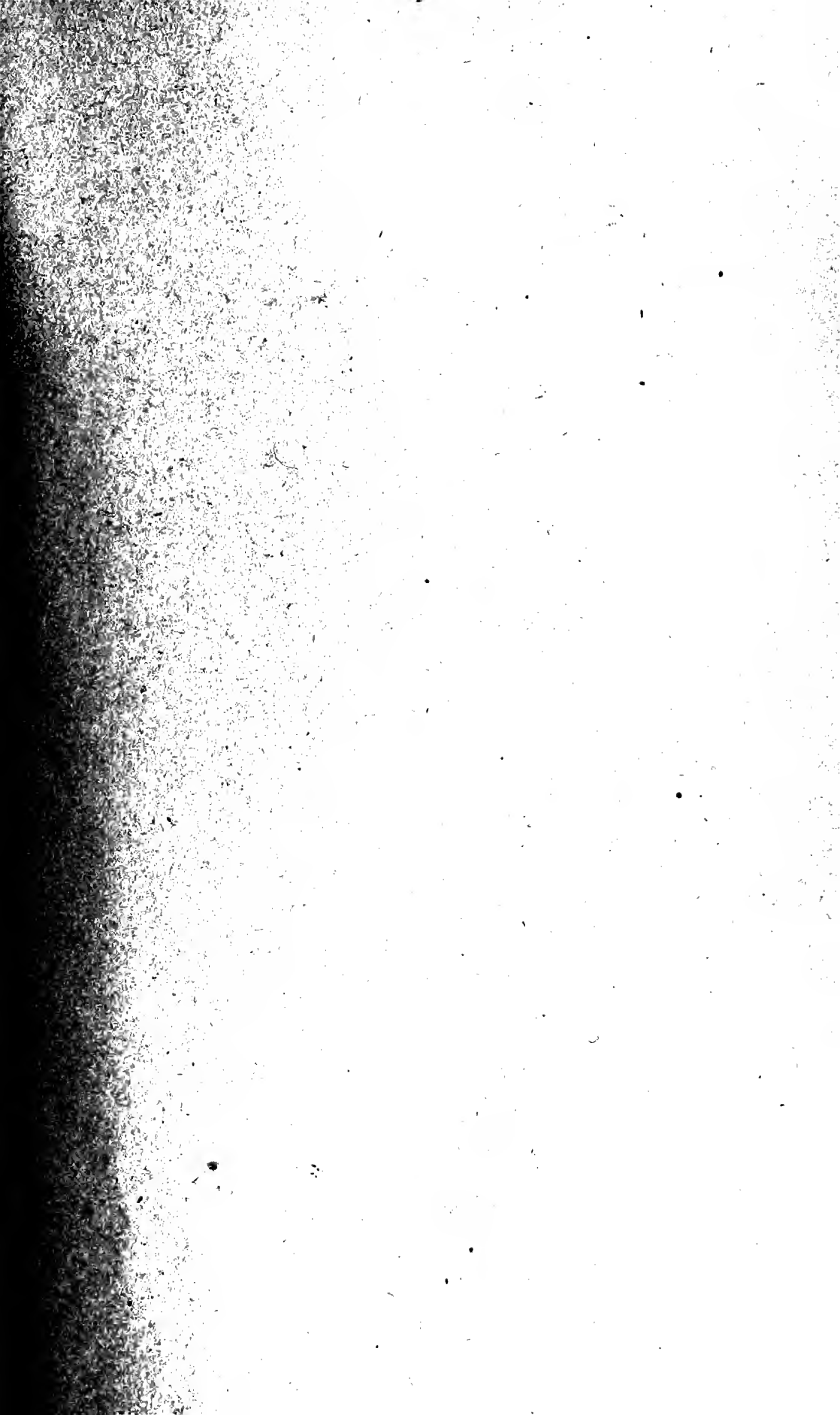
(Seal.)

Party of the First Part.

E. LEMON, *Mayor*.

CHAS. GORDON, *Clerk*.

Signed, Sealed and Delivered  
in the presence of  
(Sgd.) R. W. EVANS.







No. 57.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting the Town of Owen  
Sound.

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1st Reading, March 8th, 1912.

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

Mr. MacKAY.

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

# BILL

## An Act to confirm a By-law of the Town of Sault Ste. Marie.

**W**HEREAS the Lake Superior Paper Company, Preamble.  
Limited, has commenced the construction of a paper mill within the limits of the Town of Sault Ste. Marie, having a capacity of one hundred (100) tons of paper per day, and has agreed, in consideration of certain exemption from taxation (save for school taxes and a fixed assessment for taxation for school purposes), to increase the capacity of the said paper mill to two hundred (200) tons of paper per day; and whereas the construction and operation of such mill having such increased capacity will be beneficial to the ratepayers and citizens in general of the said town; and whereas the agreement marked as Schedule "B" hereto has been entered into by the Council of the said town and the said Lake Superior Paper Company, Limited, and a by-law authorizing the execution thereof by the said Corporation was submitted by the Council of the said Corporation to the qualified ratepayers for their assent thereto; and whereas the said by-law and agreement were duly assented to by the qualified ratepayers of the said town, in accordance with the provisions of the Municipal Act; and whereas the said Corporation has petitioned praying that an Act may be passed to ratify and confirm the said by-law and agreement; and whereas it is deemed 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.            of the Town of Sault Ste. Marie, Confirmation  
set out as Schedule "A" hereto, and the agreement referred of by-law  
to in the said by-law as agreement marked "A," and set out and agree-  
in Schedule "B" hereto, are hereby ratified and confirmed ment.  
and declared to be legal and binding upon the parties  
thereto; and the said Town of Sault Ste. Marie is hereby

authorized and empowered to do all necessary and proper acts for the full and proper carrying out of the said by-law and agreement.

Exemption  
from tax-  
ation and  
fixed assess-  
ment.

2. Subject to the provisions contained in the said agreement, the lands and properties of the said Lake Superior Paper Company, Limited, within the limits of the said Town of Sault Ste. Marie, set forth in the said agreement, are hereby declared exempt from general taxes until December 31st, 1931, and the assessment of the said lands and properties for school purposes shall be and is hereby fixed at the sum of \$100,000.

#### SCHEDULE "A."

##### BY-LAW No.

##### OF THE TOWN OF SAULT STE. MARIE.

A By-law to authorize the execution of a certain proposed agreement between the Corporation of the Town of Sault Ste. Marie and The Lake Superior Paper Company, Limited.

Whereas The Lake Superior Paper Company, Limited, have commenced the erection of a Paper Mill within the limits of the Town of Sault Ste. Marie, and have agreed in consideration of certain exemption from general taxation and a fixed assessment for taxation for school purposes, to make further expenditures and enlarge the capacity of the said mill and increase the number to be employed by it, both in the said works and in works tributary thereto;

And whereas the lands occupied by the said Company in the said Town of Sault Ste. Marie were formerly owned by The Lake Superior Power Company;

And whereas doubt has arisen whether the said lands are included in the lands covered by the Agreement between the said Town of Sault Ste. Marie and The Lake Superior Power Company and other Companies, dated July 6th, 1900, being Schedule "B" to Ontario Statute, 1 Edward VII., Chapter 71, whereby the lands and properties owned by the said Companies were to pay a specific tax of \$5,000.00 per year for a period of nine (9) years from the first day of January, 1900, and the sum of \$7,500.00 per year for a period of sixteen (16) years from the first day of January, 1909;

And whereas it has been agreed by the Council of the said Town that the period of exemption from said taxation shall be twenty (20) years from the first day of January, 1912, on the terms and conditions set out in the agreement marked Schedule "A" hereto;

And whereas the said Council deem it expedient to submit the said agreement embodied in the proposed By-law to authorize the execution thereof, to a vote of the electors of the said Town;

And whereas, according to the last revised Assessment Roll of the said Town, being that for the year 1911, the amount of the whole rateable property of the Town of Sault Ste. Marie is \$5,967,764.00;

And whereas the existing debenture debt of the said Town, including the debt for local improvements, is \$727,389.00, and no principal or interest on same is in arrear;



Therefore the Municipal Council of the Town of Sault Ste. Marie enacts as follows:

1. That it shall and may be lawful for the Mayor and the Clerk of the Town of Sault Ste. Marie, and they are hereby authorized and empowered for and on behalf of the Corporation of the Town of Sault Ste. Marie and under the Corporate Seal of the said Town, to execute a certain proposed Agreement hereto annexed marked "A" which Agreement is incorporated with and forms a part of this By-law.

2. This By-law shall come into force and take effect on, from and after the final passing thereof.

And whereas this By-law requires the assent of the qualified rate-payers, as required by law;

And whereas it is necessary to appoint a time and place for taking the poll of the electors on the said By-law;

Be it further enacted that the votes of the electors, being rate-payers qualified to vote on money by-laws, shall be taken on Saturday, the 24th day of February, 1912, by the Deputy Returning Officers hereinafter named, who are hereby appointed Deputy Returning Officers, commencing at nine o'clock in the forenoon, and continuing until five o'clock in the afternoon of the same day, at the under-mentioned places, namely:

Polling Subdivision No. 1.—New Ontario Boarding House, Pim Street, D. Cameron, Deputy Returning Officer.

Polling Subdivision No. 2.—J. Ward's House, 67 Laird Street, J. B. Cunningham, Deputy Returning Officer.

Polling Subdivision No. 3.—James Gascoigne's Store, Bruce Street, Jas. Gascoigne, Deputy Returning Officer.

Polling Subdivision No. 4.—Council Chambers, Municipal Building, Albert Carney, Deputy Returning Officer.

Polling Subdivision No. 5.—Calder & McKinnon's Office, Queen Street, Wm. Calder, Deputy Returning Officer.

Polling Subdivision No. 6.—"Sault Star," Queen Street, D. W. Gemmill, Deputy Returning Officer.

Polling Subdivision No. 7.—Edwards' Bicycle Shop, Queen Street, Wm. Hallam, Deputy Returning Officer.

Polling Subdivision No. 8.—F. E. Crawford's Office, Queen Street, F. E. Crawford, Deputy Returning Officer.

Polling Subdivision No. 9.—George Valente's Store, Superior Street, Wm. Rossiter, Deputy Returning Officer.

That on Thursday, the 22nd day of February, 1912, at his Office in the Municipal Buildings, in the Town of Sault Ste. Marie, at the hour of ten o'clock in the forenoon, the Mayor shall appoint, in writing, signed by himself, two persons to attend at the final summing-up of the votes by the Clerk, and one person to attend at each polling place on behalf of the persons interested in and desirous of promoting the passing of this By-law, and a like number on behalf of the persons interested in and desirous of opposing the passing of this By-law.

The Clerk of the said Town shall attend at the Council Chambers of the said Town at eleven o'clock in the forenoon on Monday, the 26th day of February, 1912, to sum up the number of votes given for and against this By-law.

Provided the assent of a sufficient number of the duly qualified ratepayers is obtained to this By-law, the said Council shall finally consider the same within six weeks thereafter.

Read a first and second time this first day of February, 1912.

C. J. PIM,  
Clerk.

Read a third time and finally passed in open Council this  
day of , 1912.

.....  
Mayor.

.....  
Clerk.

Take notice that the above is a true copy of a proposed By-law which has been taken into consideration and which will be finally passed by the Council in the event of the assent of a sufficient number of the electors being obtained thereto, after one month after the first publication in the "Sault Star" and "Sault Express" newspapers, which said dates are the 1st day of February, and the 2nd day of February, 1912, respectively; and that at the hour, day and places therein fixed for taking the votes of the electors the polls will be held.

Dated this 2nd day of February, 1912.

C. J. PIM,  
Town Clerk.

#### SCHEDULE "B."

This agreement made in duplicate this                    day of January.  
A.D. 1912.

Between:

The Corporation of the Town of Sault Ste. Marie, hereinafter  
called "The Corporation" of the First Part,  
and

Lake Superior Paper Company, Limited, hereinafter  
called "The Company" of the Second Part.

Whereas the Company now has in course of construction at the said Town of Sault Ste. Marie a mill for manufacturing paper of a daily capacity of one hundred tons (100) of paper and has agreed to increase the daily capacity of said mill to approximately two hundred tons (200) of paper, and to employ twelve hundred (1,200) additional operatives in connection with the operations of said Company on the terms and conditions and subject to the agreements and stipulations hereinafter set out.

Now therefore this agreement witnesseth that in consideration of the premises and of the covenants hereinafter reserved and contained on the part of the respective parties hereto, the said parties hereby covenant, promise and agree each to and with the other in manner following, that is to say:

1. When and so soon as a by-law of the Corporation has been duly passed authorizing the execution of this agreement by the Corporation and the same has become legal, valid and binding upon the Corporation, the Company will proceed to construct and complete, or where in course of construction, will complete or will cause to be constructed and completed on or before 31st December, 1913, within the limits of the said Town of Sault Ste. Marie a mill for the manufacture of paper, which mill shall have a daily capacity of approximately two hundred (200) tons of paper during each twenty-four (24) hours' operation, and is known as a Four Paper Machine Mill.

2. The works of the Company will employ in their construction and after construction in their operation an average force of

at least twelve hundred (1,200) operatives in addition to the average number of operatives formerly employed in the operations of the Sault Ste. Marie Pulp & Paper Company, of whom at least five hundred (500) operatives will be employed in the works of the Company within or in the vicinity of the limits of the Town of Sault Ste. Marie exclusive of those employed in the operations in the woods, and the remaining operatives will be employed in the woods tributary to the said Town by the Company. It is estimated that the increase over and above the number of operatives employed in connection with the operation of a one hundred (100) ton paper mill will be approximately five hundred (500) operatives, of whom approximately three hundred (300) would be employed in the said woods and the remainder in or in the vicinity of the Town of Sault Ste. Marie.

3. The Company will employ such average force of twelve hundred (1,200) additional operatives for at least three hundred (300) working days of ten (10) hours each throughout each year during the term of twenty (20) years from 31st day of December, 1911; providing that accidents in and to the works of the Company, labor strikes, or other circumstances beyond the control of the Company resulting in the temporary closing down of the works of the Company, or the temporary closing down not exceeding two months in duration in any year of the works of the Company for the purpose of making repairs or alterations therein or thereto, shall not be deemed or taken to be a breach or default on the part of the Company of or under the terms of this agreement.

4. The Corporation hereby agrees it was and is the intention that the works of the Company and the Company come within the provisions of the agreement entered into between the Corporation and the Sault Ste. Marie Pulp & Paper Company and other parties dated 6th July, 1900 (which agreement is set forth in Schedule "B" to the Act passed by the Legislature of Ontario, being 1 Edward VII., Chapter 71), and that thereby the works of the Company and the Company are not assessable and shall not be assessed by or be liable to pay taxes, including local improvement, frontage, business, income and school taxes to or in the said Town of Sault Ste. Marie until 31st December, 1924; and notwithstanding any default hereunder on the part of the Company, the Company or the works of the Company shall not be liable to assessment by or to pay taxes as aforesaid to or in said Town of Sault Ste. Marie prior to 31st December, 1924.

5. The Corporation agrees that from and after 31st December, 1924, and until and including 31st December, 1931, the Corporation shall and will exempt and does hereby exempt all property of every kind real and personal of the Company that may be required or owned or leased by the Company and the works of the Company situate west of Andrew Street and south of Superior Street within the Town of Sault Ste. Marie, including, but not so as in any way to limit or restrict the foregoing, the lands, buildings, plant, machinery, railway tracks, sidings, switches, rights-of-way, stock on hand, supplies and other chattels and effects employed or used in connection with or incidental to the works of the Company and whether now or hereafter acquired, purchased or used in connection therewith, and also the business and income of the Company and of the works of the Company from all Municipal rates, taxes and assessments whatsoever, including local improvement rates and frontage, business and income taxes, saving and excepting only school taxes.

Provided that the property so exempt shall be bona fide required, used or employed in connection with the Company or the works of the Company.

Provided further that nothing herein contained shall exempt from taxation any lands or premises used for any business or operation

carried on by the Company which may come into opposition to or competition with any other retail, local or custom business carried on within the limits of the Town of Sault Ste. Marie.

Provided further that if the Company shall erect dwelling houses on lands owned, leased, employed or used by it, such houses shall be liable to taxation in the same manner as any other property in the said Town of Sault Ste. Marie.

6. The Corporation shall and will establish and fix, and does hereby establish and fix the assessment of the property of the Company and of the works of the Company mentioned in the preceding paragraph hereof, including the business and income of the Company and of the works of the Company for the purposes of school taxes (which shall be the only Municipal taxes of any kind payable by the Company or on the works of the Company) from and after 31st December, 1924, and up to and including 31st December, 1931, at the sum of one hundred thousand dollars (\$100,000.00).

7. The Company shall at the end of each year when required by the Corporation so to do, produce its and their pay rolls to the person or persons authorized by the Corporation to inspect the same, to exhibit to such person the evidence of the employment of the number of operatives hereinbefore provided to be employed by the Company.

Provided that except the Corporation gives written notice to the Company within twelve (12) months next after the 31st December in any year up to and including the year 1930 that default has been made in and during the next preceding year in the employment of the number of operatives hereinbefore provided to be employed the Corporation shall not be entitled thereafter to claim or set up and shall be estopped from claiming and setting up default in such preceding year or in any year prior thereto by the Company in the said number of operatives so employed or to be employed as aforesaid.

In event that default is made under this agreement in the increased number of operatives employed by the Company or in the works of the Company during any year from 1925 to 1931, both inclusive, the exemption or partial exemption from taxation hereby granted shall be forfeited for the year next succeeding that in which the said default occurred, but the Company shall be entitled to all the benefits and advantages of this agreement and of the exemption and partial exemption from taxation and fixed assessment hereby granted for the year next following that year in which said exemption from taxation or partial exemption from taxation is hereby forfeited (herein referred to as the second year) except default occurs in the increased number of operatives so employed during such second year and so on until and including the year 1931.

Provided that if default as aforesaid be made by the Company in any year the increased number of operatives employed by the Company for each working day of ten hours each during such year shall be taken into consideration and counted with the increased number of operatives employed by the Company in the next succeeding year thereafter and should the increased number of operatives in such two-year period equal the employment by the Company of such twelve hundred (1,200) additional operatives as aforesaid for ten (10) hours each day for six hundred (600) days then the Company shall not be deemed to have made any default under the terms of this agreement during such first year of said two-year period and if same occurs in the years 1925 to 1931, both inclusive, shall not forfeit or lose the benefit of said exemption or partial exemption from taxation or fixed assessment for such first year of such two-year period anything herein contained to the contrary notwithstanding.

Provided that, subject to all the provisions of this Agreement, if default hereunder at any time after the date hereof be made by the

Company, the Corporation may give written notice thereof to the Company and may cancel this Agreement and subject to the provisions of paragraph Four (4) hereof the rights of the Company under this Agreement shall thereupon cease.

8. The school taxes to be collected from the Company under the fixed assessment hereinbefore provided, shall be divided among the High, Public and Separate School Boards in the following manner, that is to say: The High School Board shall be paid annually such proportionate amount of the total taxes so collected as shall be equal to the proportion that the annual requirements of the High School Board shall bear to the total annual requirements of the High, Public and Separate School Boards of the Town of Sault Ste. Marie, and the balance shall be divided between the Public School Trustees and the Separate School Trustees of said Town of Sault Ste. Marie, in the proportion that the assessed value of property of the supporters of Public Schools (apart from the assessment of the Lake Superior Corporation) shall bear to the assessed value of the property of supporters of separate schools in the said Town.

9. In event that the Corporation passes a By-law authorizing the execution of this agreement by the Corporation and the said By-law become legal, valid and binding upon the Corporation and the Company makes default in constructing and completing the said paper mill having a daily capacity of approximately two hundred (200) tons of paper within the time hereinbefore limited therefor or after completion thereof fails to employ such increased number of operatives continuously save as aforesaid for ten (10) years next after the date hereof the Company forthwith on such default occurring at any time during such ten years on demand will pay to the Corporation all expenses incurred by it in the preparation and passing of said By-law and of this agreement, and of any application to the Legislature of Ontario for the ratification thereof with interest at five per centum per annum from the date of payment thereof by the Corporation to the date of repayment to it.

10. The Corporation shall at its own expense apply for and secure legislation at the next ensuing session of the Legislature of Ontario ratifying and declaring valid this Agreement and any By-law of the Corporation authorizing the execution hereof.

11. Nothing herein contained shall prejudice or affect the right of the Corporation after 31st December, 1924, to assess the water power canal, the property of the Lake Superior Power Company, and the head and tail race, penstocks, and all other the property of the Lake Superior Power Company forming part of the said water power canal as fully and effectually as if this Agreement had not been entered into.

12. "The Works of the Company" where said words are used in this agreement are hereby declared to mean and include and to consist of plants for and operations of cutting, taking out, handling, preparing, treating and or manufacturing of timber and trees, ground wood pulp, sulphide pulp, paper and by-products, collateral and other products which are necessary or may advantageously be dealt with, handled, prepared, treated and or manufactured with or of wood or pulp or paper, and pyrites plants, and other plants and operations collateral or subsidiary to or which may be advantageously operated with or are of assistance in the economical operation of any of the foregoing plants and operations.

13. Wherever in this Agreement the word "Company" is used it shall extend to and bind and enure to the benefit of and include and mean the successors and assigns of the Company and persons, firms and corporations subsidiary to and or allied with the Company in the works of the Company or works similar thereto.

14. Wherever in this Agreement the word "operatives" is used it

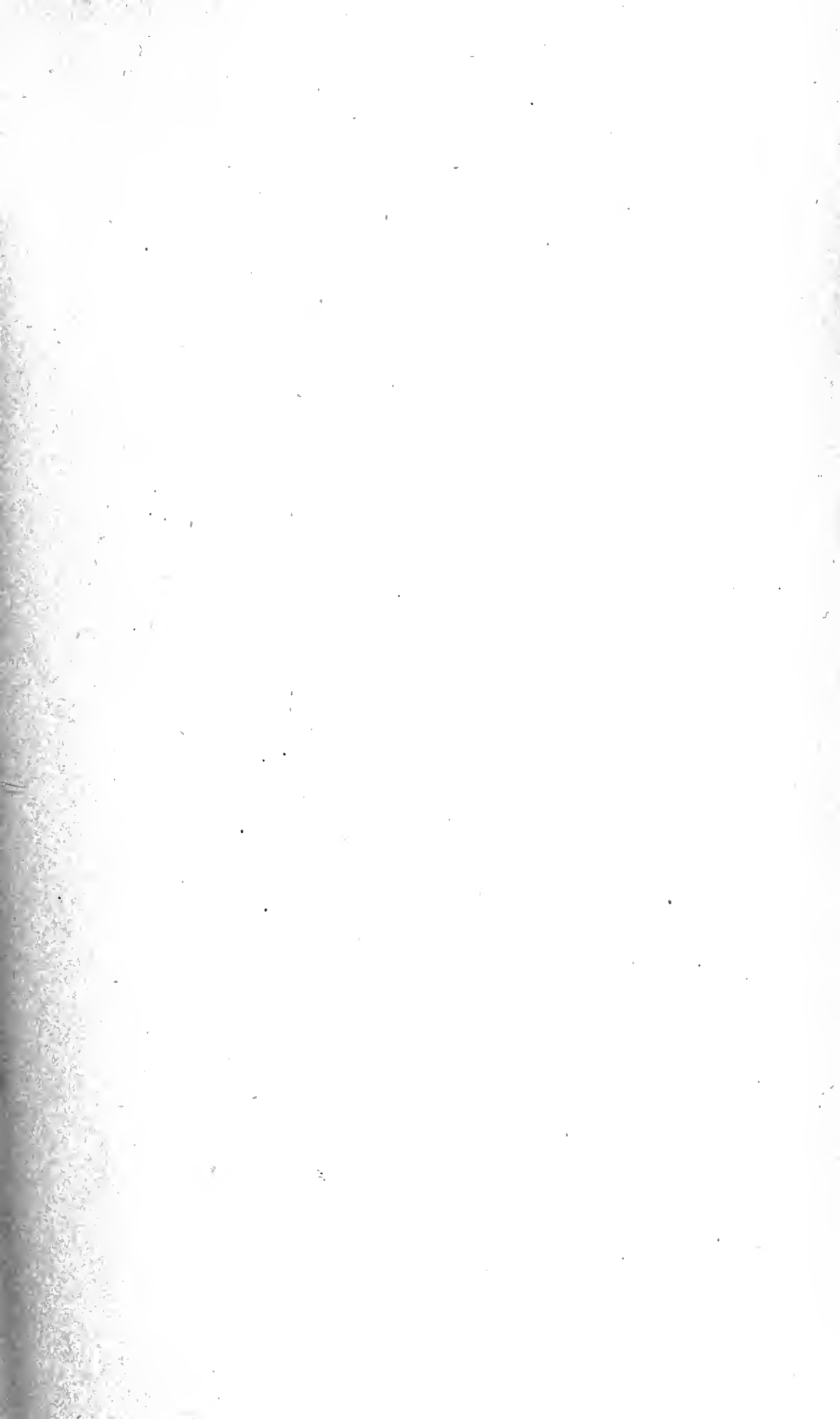
shall mean and include all those persons in receipt of wages from or remuneration for services' to the Company.

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

Signed, sealed and delivered in the presence of

As to execution by the Corporation.

As to execution by the Company.









No. 58.

2 George V., 1912.  
1st Session, 13th Legislature.

BILL.

An Act to confirm a By-law of the Town  
of Sault Ste. Marie.

1st Reading, 1912.

(*Private Bill.*)

Mr. GRIGG.

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

# BILL

## An Act to confirm a By-law of the Town of Sault Ste. Marie.

**W**HEREAS the Lake Superior Paper Company, <sup>Preamble.</sup> Limited, has commenced the construction of a paper mill within the limits of the Town of Sault Ste. Marie, having a capacity of one hundred (100) tons of paper per day, and has agreed, in consideration of certain exemption from taxation (save for school taxes and a fixed assessment for taxation for school purposes), to increase the capacity of the said paper mill to two hundred (200) tons of paper per day; and whereas the construction and operation of such mill having such increased capacity will be beneficial to the ratepayers and citizens in general of the said town; and whereas the agreement marked as Schedule "B" hereto has been entered into by the Council of the said town and the said Lake Superior Paper Company, Limited, and a by-law authorizing the execution thereof by the said Corporation was submitted by the Council of the said Corporation to the qualified ratepayers for their assent thereto, ~~and~~ when out of 1,492 ratepayers entitled to vote, 892 voted for, and 91 against the by-law; ~~and~~ and whereas the said Corporation has petitioned praying that an Act may be passed to ratify and confirm the said by-law and agreement; and whereas it is deemed 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) ~~and~~ Subject to the provisions of subsection <sup>Confirmation</sup>  
 2. ~~and~~ By-law No. 672, of the Town of Sault Ste. Marie, <sup>of by-law</sup>  
 set out as Schedule "A" hereto, and the agreement referred <sup>and agree-</sup>  
 to in the said by-law as agreement marked "A," and set out <sup>ment.</sup>  
 in Schedule "B" hereto, are hereby ratified and confirmed  
 and declared to be legal and binding upon the parties  
 thereto; and the said Town of Sault Ste. Marie is hereby

authorized and empowered to do all necessary and proper acts for the full and proper carrying out of the said by-law and agreement.

(2) Notwithstanding anything contained in the said by-law or agreement, the land and property of the said Company shall for school purposes after the 31st day of December, 1924, be assessed and liable to taxation in all respects, as if the by-law had not been passed or the agreement made.

Exemption  
from tax-  
ation and  
fixed assess-  
ment.

2. Subject to the provisions contained in the said agreement, the lands and properties of the said Lake Superior Paper Company, Limited, within the limits of the said Town of Sault Ste. Marie, set forth in the said agreement, are hereby declared exempt from general taxes, *except for school purposes* until December 31st, 1931.

#### SCHEDULE "A."

BY-LAW No. 672.

OF THE TOWN OF SAULT STE. MARIE.

A By-law to authorize the execution of a certain proposed agreement between the Corporation of the Town of Sault Ste. Marie and The Lake Superior Paper Company, Limited.

Whereas The Lake Superior Paper Company, Limited, have commenced the erection of a Paper Mill within the limits of the Town of Sault Ste. Marie, and have agreed in consideration of certain exemption from general taxation and a fixed assessment for taxation for school purposes, to make further expenditures and enlarge the capacity of the said mill and increase the number to be employed by it, both in the said works and in works tributary thereto;

And whereas the lands occupied by the said Company in the said Town of Sault Ste. Marie were formerly owned by The Lake Superior Power Company;

And whereas doubt has arisen whether the said lands are included in the lands covered by the Agreement between the said Town of Sault Ste. Marie and The Lake Superior Power Company and other Companies, dated July 6th, 1900, being Schedule "B" to Ontario Statute, 1 Edward VII., Chapter 71, whereby the lands and properties owned by the said Companies were to pay a specific tax of \$5,000.00 per year for a period of nine (9) years from the first day of January, 1900, and the sum of \$7,500.00 per year for a period of sixteen (16) years from the first day of January, 1909;

And whereas it has been agreed by the Council of the said Town that the period of exemption from said taxation shall be twenty (20) years from the first day of January, 1912, on the terms and conditions set out in the agreement marked Schedule "A" hereto;

And whereas the said Council deem it expedient to submit the said agreement embodied in the proposed By-law to authorize the execution thereof, to a vote of the electors of the said Town;

And whereas, according to the last revised Assessment Roll of the said Town, being that for the year 1911, the amount of the whole rateable property of the Town of Sault Ste. Marie is \$5,967,764.00;

And whereas the existing debenture debt of the said Town, including the debt for local improvements, is \$727,389.00, and no principal or interest on same is in arrear;

Therefore the Municipal Council of the Town of Sault Ste. Marie enacts as follows:

1. That it shall and may be lawful for the Mayor and the Clerk of the Town of Sault Ste. Marie, and they are hereby authorized and empowered for and on behalf of the Corporation of the Town of Sault Ste. Marie and under the Corporate Seal of the said Town, to execute a certain proposed Agreement hereto annexed marked "A" which Agreement is incorporated with and forms a part of this By-law.

2. This By-law shall come into force and take effect on, from and after the final passing thereof.

And whereas this By-law requires the assent of the qualified rate-payers, as required by law;

And whereas it is necessary to appoint a time and place for taking the poll of the electors on the said By-law;

Be it further enacted that the votes of the electors, being rate-payers qualified to vote on money by-laws, shall be taken on Saturday, the 24th day of February, 1912, by the Deputy Returning Officers hereinafter named, who are hereby appointed Deputy Returning Officers, commencing at nine o'clock in the forenoon, and continuing until five o'clock in the afternoon of the same day, at the under-mentioned places, namely:

Polling Subdivision No. 1.—New Ontario Boarding House, Pim Street, D. Cameron, Deputy Returning Officer.

Polling Subdivision No. 2.—J. Ward's House, 67 Laird Street, J. B. Cunningham, Deputy Returning Officer.

Polling Subdivision No. 3.—James Gascoigne's Store, Bruce Street, Jas. Gascoigne, Deputy Returning Officer.

Polling Subdivision No. 4.—Council Chambers, Municipal Building Albert Carney, Deputy Returning Officer.

Polling Subdivision No. 5.—Calder & McKinnon's Office, Queen Street, Wm. Calder, Deputy Returning Officer.

Polling Subdivision No. 6.—"Sault Star," Queen Street, D. W. Gemmill, Deputy Returning Officer.

Polling Subdivision No. 7.—Edwards' Bicycle Shop, Queen Street, Wm. Hallam, Deputy Returning Officer.

Polling Subdivision No. 8.—F. E. Crawford's Office, Queen Street, F. E. Crawford, Deputy Returning Officer.

Polling Subdivision No. 9.—George Valente's Store, Superior Street, Wm. Rossiter, Deputy Returning Officer.

That on Thursday, the 22nd day of February, 1912, at his Office in the Municipal Buildings, in the Town of Sault Ste. Marie, at the hour of ten o'clock in the forenoon, the Mayor shall appoint, in writing, signed by himself, two persons to attend at the final summing-up of the votes by the Clerk, and one person to attend at each polling place on behalf of the persons interested in and de-

sirous 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.

The Clerk of the said Town shall attend at the Council Chambers of the said Town at eleven o'clock in the forenoon on Monday, the 26th day of February, 1912, to sum up the number of votes given for and against this By-law.

Provided the assent of a sufficient number of the duly qualified ratepayers is obtained to this By-law, the said Council shall finally consider the same within six weeks thereafter.

Read a first and second time this first day of February, 1912.

C. J. PIM,  
*Clerk.*

Read a third time and finally passed in open Council this 4th day of March, 1912.

W. H. MUNRO,  
*Mayor.*

C. J. PIM,  
*Clerk.*

#### SCHEDULE "B."

This agreement made in duplicate this 31st day of January, A.D. 1912.

Between:

The Corporation of the Town of Sault Ste. Marie, hereinafter called "The Corporation" of the First Part,

and

Lake Superior Paper Company, Limited, hereinafter called "The Company" of the Second Part.

Whereas the Company now has in course of construction at the said Town of Sault Ste. Marie a mill for manufacturing paper of a daily capacity of one hundred tons (100) of paper and has agreed to increase the daily capacity of said mill to approximately two hundred tons (200) of paper, and to employ twelve hundred (1,200) additional operatives in connection with the operations of said Company on the terms and conditions and subject to the agreements and stipulations hereinafter set out.

Now therefore this agreement witnesseth that in consideration of the premises and of the covenants hereinafter reserved and contained on the part of the respective parties hereto, the said parties hereby covenant, promise and agree each to and with the other in manner following, that is to say:

1. When and so soon as a by-law of the Corporation has been duly passed authorizing the execution of this agreement by the Corporation and the same has become legal, valid and binding upon the Corporation, the Company will proceed to construct and complete, or where in course of construction, will complete or will cause to be constructed and completed on or before 31st December, 1913, within the limits of the said Town of Sault Ste. Marie a mill for the manufacture of paper, which mill shall have a daily capacity of approximately two hundred (200) tons of paper during each twenty-four (24) hours' operation, and is known as a Four Paper Machine Mill.

2. The works of the Company will employ in their construction and after construction in their operation an average force of

at least twelve hundred (1,200) operatives in addition to the average number of operatives formerly employed in the operations of the Sault Ste. Marie Pulp & Paper Company, of whom at least five hundred (500) operatives will be employed in the works of the Company within or in the vicinity of the limits of the Town of Sault Ste. Marie exclusive of those employed in the operations in the woods, and the remaining operatives will be employed in the woods tributary to the said Town by the Company. It is estimated that the increase over and above the number of operatives employed in connection with the operation of a one hundred (100) ton paper mill will be approximately five hundred (500) operatives, of whom approximately three hundred (300) would be employed in the said woods and the remainder in or in the vicinity of the Town of Sault Ste. Marie.

3. The Company will employ such average force of twelve hundred (1,200) additional operatives for at least three hundred (300) working days of ten (10) hours each throughout each year during the term of twenty (20) years from 31st day of December, 1911; providing that accidents in and to the works of the Company, labor strikes, or other circumstances beyond the control of the Company resulting in the temporary closing down of the works of the Company, or the temporary closing down not exceeding two months in duration in any year of the works of the Company for the purpose of making repairs or alterations therein or thereto, shall not be deemed or taken to be a breach or default on the part of the Company of or under the terms of this agreement.

4. The Corporation hereby agrees it was and is the intention that the works of the Company and the Company come within the provisions of the agreement entered into between the Corporation and the Sault Ste. Marie Pulp & Paper Company and other parties dated 6th July, 1900 (which agreement is set forth in Schedule "B" to the Act passed by the Legislature of Ontario, being 1 Edward VII., Chapter 71), and that thereby the works of the Company and the Company are not assessable and shall not be assessed by or be liable to pay taxes, including local improvement, frontage, business income and school taxes to or in the said Town of Sault Ste. Marie until 31st December, 1924; and notwithstanding any default hereunder on the part of the Company, the Company or the works of the Company shall not be liable to assessment by or to pay taxes as aforesaid to or in said Town of Sault Ste. Marie prior to 31st December, 1924.

5. The Corporation agrees that from and after 31st December, 1924, and until and including 31st December, 1931, the Corporation shall and will exempt and does hereby exempt all property of every kind real and personal of the Company that may be required or owned or leased by the Company and the works of the Company situate west of Andrew Street and south of Superior Street within the Town of Sault Ste. Marie, including, but not so as in any way to limit or restrict the foregoing, the lands, buildings, plant, machinery, railway tracks, sidings, switches, rights-of-way, stock on hand, supplies and other chattels and effects employed or used in connection with or incidental to the works of the Company and whether now or hereafter acquired, purchased or used in connection therewith, and also the business and income of the Company and of the works of the Company from all Municipal rates, taxes and assessments whatsoever, including local improvement rates and frontage, business and income taxes, saving and excepting only school taxes.

Provided that the property so exempt shall be bona fide required used or employed in connection with the Company or the works of the Company.

Provided further that nothing herein contained shall exempt from taxation any lands or premises used for any business or operation

carried on by the Company which may come into opposition to or competition with any other retail, local or custom business carried on within the limits of the Town of Sault Ste. Marie.

Provided further that if the Company shall erect dwelling houses on lands owned, leased, employed or used by it, such houses shall be liable to taxation in the same manner as any other property in the said Town of Sault Ste. Marie.

6. The Corporation shall and will establish and fix, and does hereby establish and fix the assessment of the property of the Company and of the works of the Company mentioned in the preceding paragraph hereof, including the business and income of the Company and of the works of the Company for the purposes of school taxes (which shall be the only Municipal taxes of any kind payable by the Company or on the works of the Company) from and after 31st December, 1924, and up to and including 31st December, 1931, at the sum of one hundred thousand dollars (\$100,000.00).

7. The Company shall at the end of each year when required by the Corporation so to do, produce its and their pay rolls to the person or persons authorized by the Corporation to inspect the same, to exhibit to such person the evidence of the employment of the number of operatives hereinbefore provided to be employed by the Company.

Provided that except the Corporation gives written notice to the Company within twelve (12) months next after the 31st December in any year up to and including the year 1930 that default has been made in and during the next preceding year in the employment of the number of operatives hereinbefore provided to be employed the Corporation shall not be entitled thereafter to claim or set up and shall be estopped from claiming and setting up default in such preceding year or in any year prior thereto by the Company in the said number of operatives so employed or to be employed as aforesaid.

In event that default is made under this agreement in the increased number of operatives employed by the Company or in the works of the Company during any year from 1925 to 1931, both inclusive, the exemption or partial exemption from taxation hereby granted shall be forfeited for the year next succeeding that in which the said default occurred, but the Company shall be entitled to all the benefits and advantages of this agreement and of the exemption and partial exemption from taxation and fixed assessment hereby granted for the year next following that year in which said exemption from taxation or partial exemption from taxation is hereby forfeited (herein referred to as the second year) except default occurs in the increased number of operatives so employed during such second year and so on until and including the year 1931.

Provided that if default as aforesaid be made by the Company in any year the increased number of operatives employed by the Company for each working day of ten hours each during such year shall be taken into consideration and counted with the increased number of operatives employed by the Company in the next succeeding year thereafter and should the increased number of operatives in such two-year period equal the employment by the Company of such twelve hundred (1,200) additional operatives as aforesaid for ten (10) hours each day for six hundred (600) days then the Company shall not be deemed to have made any default under the terms of this agreement during such first year of said two-year period and if same occurs in the years 1925 to 1931, both inclusive, shall not forfeit or lose the benefit of said exemption or partial exemption from taxation or fixed assessment for such first year of such two-year period anything herein contained to the contrary notwithstanding.

Provided that, subject to all the provisions of this Agreement, if default hereunder at any time after the date hereof be made by the



Company, the Corporation may give written notice thereof to the Company and may cancel this Agreement and subject to the provisions of paragraph Four (4) hereof the rights of the Company under this Agreement shall thereupon cease.

8. The school taxes to be collected from the Company under the fixed assessment hereinbefore provided, shall be divided among the High, Public and Separate School Boards in the following manner, that is to say: The High School Board shall be paid annually such proportionate amount of the total taxes so collected as shall be equal to the proportion that the annual requirements of the High School Board shall bear to the total annual requirements of the High, Public and Separate School Boards of the Town of Sault Ste. Marie, and the balance shall be divided between the Public School Trustees and the Separate School Trustees of said Town of Sault Ste. Marie, in the proportion that the assessed value of property of the supporters of Public Schools (apart from the assessment of the Lake Superior Corporation) shall bear to the assessed value of the property of supporters of separate schools in the said Town.

9. In event that the Corporation passes a By-law authorizing the execution of this agreement by the Corporation and the said By-law become legal, valid and binding upon the Corporation and the Company makes default in constructing and completing the said paper mill having a daily capacity of approximately two hundred (200) tons of paper within the time hereinbefore limited therefor or after completion thereof fails to employ such increased number of operatives continuously save as aforesaid for ten (10) years next after the date hereof the Company forthwith on such default occurring at any time during such ten years on demand will pay to the Corporation all expenses incurred by it in the preparation and passing of said By-law and of this agreement, and of any application to the Legislature of Ontario for the ratification thereof with interest at five per centum per annum from the date of payment thereof by the Corporation to the date of repayment to it.

10. The Corporation shall at its own expense apply for and secure legislation at the next ensuing session of the Legislature of Ontario ratifying and declaring valid this Agreement and any By-law of the Corporation authorizing the execution hereof.

11. Nothing herein contained shall prejudice or affect the right of the Corporation after 31st December, 1924, to assess the water power canal, the property of the Lake Superior Power Company, and the head and tail race, penstocks, and all other the property of the Lake Superior Power Company forming part of the said water power canal as fully and effectually as if this Agreement had not been entered into.

12. "The Works of the Company" where said words are used in this agreement are hereby declared to mean and include and to consist of plants for and operations of cutting, taking out, handling, preparing, treating and or manufacturing of timber and trees, ground wood pulp, sulphide pulp, paper and by-products, collateral and other products which are necessary or may advantageously be dealt with, handled, prepared, treated and or manufactured with or of wood or pulp or paper, and pyrites plants, and other plants and operations collateral or subsidiary to or which may be advantageously operated with or are of assistance in the economical operation of any of the foregoing plants and operations.

13. Wherever in this Agreement the word "Company" is used it shall extend to and bind and enure to the benefit of and include and mean the successors and assigns of the Company and persons, firms and corporations subsidiary to and or allied with the Company in the works of the Company or works similar thereto.

14. Wherever in this Agreement the word "operatives" is used it

shall mean and include all those persons in receipt of wages from or remuneration for services to the Company.

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

Signed, sealed and delivered  
in the presence of

(Seal of the Corporation of  
Sault Ste. Marie.)

W. H. MUNRO, *Mayor.*

C. J. PIM, *Clerk.*

As to execution by the Corporation,  
GEO. W. GOODWIN.

As to execution by the Company,  
P. T. ROWLAND.

(Seal of the Lake Superior  
Paper Company, Limited.)

G. H. MEAD, *Vice-President.*

SPEED WARREN, *Asst. Manager.*







No. 58.

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1st Session, 13th Legislature.  
2 George V., 1912.

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BILL.

An Act to confirm a By-law of the Town  
of Sault Ste. Marie.

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1st Reading, 13th March, 1912.

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

Mr. GERRG.

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

# BILL

## An Act respecting the Town of Orillia.

**W**HEREAS the Municipal Corporation of the Town Preamble.  
of Orillia has by petition represented that By-law  
No. 522 of the said Corporation set out as Schedule "A"  
hereto was duly submitted to the qualified ratepayers of the  
said Town on the 17th day of July, A.D. 1911, as required  
by *The Consolidated Municipal Act 1903*, and a majority  
of qualified ratepayers voted in favor of the by-law, and  
that on the 27th day of July, 1911, the said by-law was  
given its third reading and finally passed by the Council of  
the said Town; and whereas the amount of the rateable  
property of the Corporation according to the last revised  
assessment roll is \$2,964,980, and the existing debenture  
debt of the said Corporation, including local improvement,  
is \$537,372.87, and no part of the principal or interest  
thereof is in arrears; and whereas it is desirable that the  
said by-law should be confirmed; and whereas the said Cor-  
poration has by petition further represented that a certain  
by-law intituled "A by-law for the purpose of granting a  
fixed assessment to the firm of Ayers & Hewitt doing busi-  
ness in the Town of Orillia," and a certain by-law intituled  
"A by-law for the purpose of granting a fixed assessment  
and other privileges to the National Hardware Company  
doing business in the Town of Orillia," were submitted to  
the electors on the first day of January, A.D. 1912, when  
out of 1,672 persons entitled to vote, 735 voted for and 70  
against the first mentioned by-law, and 741 voted for and 71  
against the last mentioned by-law; and whereas a large  
number of electors qualified to vote on the by-laws are non-  
resident and a large number of resident electors qualified to  
vote on the by-laws were temporarily absent from the town  
on the date of the poll; and whereas it is in the interest of  
the said Corporation that the said by-laws should be con-  
firmed; and whereas the said Corporation owns an electric  
power plant at Ragged Rapids on the Severn River and in  
the Town of Orillia, and has by its petition represented that  
it is necessary for the successful carrying on of the said

power plant that it should be authorized to make further expenditure for repairs, renewals or extensions to the said electrical power plant as may be required from time to time with the assent of the qualified electors, and to purchase electrical energy from other producers and to construct power transmission line or lines to transmit the same, and to construct and operate further or other hydro-electric plant or plants to increase the electrical power at its disposal; and whereas the said Corporation by its petition has represented that it would be in the interests of the said Corporation that the Municipal Council be authorized to create a contingent fund by setting aside from year to year any sum out of the net annual profits of the Orillia power plant not to exceed fifty per centum of the said annual profits and not to exceed \$5,000 in any one year, to provide for repairs, renewals or extensions for the said Orillia power plant, and to provide that the Council may from time to time for the said purposes draw upon the said contingent fund with the consent of "The Ontario Railway and Municipal Board"; and whereas the said Corporation desires to enter into an agreement with the Crown represented by the Department of Militia for Canada and the East Simcoe Agricultural Society, whereby the said Corporation purchases certain lands of the said East Simcoe Agricultural Society in the Town of Orillia and conveys a certain portion of the said lands to the Crown represented by the said Department, for the purposes of the erection of an armoury building and sets apart the balance of the said lands for park and athletic purposes; and whereas the said Corporation has petitioned that it be authorized to enter into the said agreement and to accept and make the necessary conveyances and to charge or authorize the charging of an admission fee to the balance of the said lands upon such occasions as to the Council may seem proper; and whereas the Municipal Council of the Township of Orillia, Northern and Southern Divisions, by by-law Number 876 set out as Schedule "D" hereto granted permission to the said Town to construct and maintain an auxiliary pole line in connection with the said power plant of the said Town along and over the highways of the said Township and it is desirable that this by-law be ratified and confirmed; and whereas it is desirable to annex to the said Town of Orillia certain portions of Lots Numbers Ten, Eleven and Twelve in the Fourth concession of the Township of Orillia, Northern Division; and whereas no opposition has been offered to the said petition; and whereas the said Corporation has prayed that an act be passed for the above purposes; and whereas it is deemed 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 522 of the Corporation of the Town of Orillia set out as Schedule "A" hereto is confirmed and declared to be legal and valid and binding on the said Corporation and on the ratepayers thereof, and the said Corporation is authorized and empowered to impose the rates provided for in the said by-law; and the said Corporation is declared to be and to have been since the final passing of the said by-law, authorized and empowered to do all necessary and proper acts for the full and effectual carrying out of the objects of the said by-law, and the debentures issued or to be issued thereunder are declared to be legal, valid and binding on the said Corporation and on the ratepayers thereof.

By-law  
No. 522 of  
Town of  
Orillia  
confirmed.

2. The Municipal Council of the Corporation of the Town of Orillia is hereby authorized and empowered to finally pass a certain by-law intituled "A by-law for the purpose of granting a fixed assessment to the firm of Ayers & Hewitt doing business in the Town of Orillia," and set out as Schedule "B" hereto, and also a certain other by-law intituled "A By-law for the purpose of granting a fixed assessment and other privileges to the National Hardware Company doing business in the Town of Orillia," set out as Schedule "C" hereto, and such by-laws when finally passed shall be legal, valid and binding on the said Corporation and on the ratepayers thereof and on any other persons affected thereby.

Authority  
to pass  
Ayers &  
Hewitt and  
National  
Hardware  
Co. By-law.

3. The said Corporation is authorized and empowered to make further expenditure for repairs, renewals or extensions to the electrical power plant of the Town of Orillia as may be required from time to time, subject only to the approval of the ratepayers of the said Town of Orillia.

Further  
expenditure  
on electric  
power  
plant  
authorized.

4. The said Corporation is authorized and empowered to purchase electrical energy from other producers and to construct power transmission line or lines to transmit the same, and to construct and operate further or other hydro-electrical plant or plants to increase the electrical energy at the disposal of the said Corporation.

Authority  
to purchase  
electrical  
energy, etc.

5.—(1) The Council of the said Corporation is authorized and empowered to create a contingent fund by setting aside from year to year as the said Council may decide, any sum out of the net profits of the Orillia Power Plant not to exceed fifty per centum of the said annual profits and not

Authority  
to create  
a contingent  
fund for  
certain  
purposes.

to exceed five thousand dollars in any one year, to provide for renewals, repairs or extensions to the Orillia Power Plant.

Withdrawal from contingent fund.

(2) The said Council may from time to time with the approval of the Ontario Railway and Municipal Board withdraw such amount from the said contingent fund as may be required for the said purposes.

Power to purchase certain lands from East Simcoe Agricultural Society.

**6.**—(1) The said Corporation is hereby authorized and empowered to purchase from The East Simcoe Agricultural Society the following lands in the said Town of Orillia, namely, Lots three, four, five, six, seven, eight, nine, ten, eleven, twelve and thirteen in Block "G," that part of James street lying to the south of Brant street and east of Patrick street, and lot sixteen on the west side of West street, all in the Town of Orillia, according to registered plan No. 137, and to pay the purchase price thirty-five hundred dollars therefor.

Power to convey certain lands to Militia Department.

(2) The said Corporation is authorized and empowered to convey or cause to be conveyed certain portions of the said lands to the Crown represented by the Militia Department for Canada.

Power to charge admission fee.

(3) The said Corporation is authorized and empowered to retain the balance of the said lands for park, athletic, agricultural or show purposes or purposes of a similar nature and to charge or authorize the charging of a fee for admission to the same or to rent the same.

Agreement with Crown.

(4) And the said Corporation is authorized and empowered to grant such use of its balance of the said lands to the Crown for militia purposes and to pay such share of the maintenance or running expenses of the Crown's portion of the said lands as may be fixed by agreement or agreements between the Corporation and the Crown.

By-law No. 876 of Township of Orillia confirmed.

**7.** By-law Number 876 of the Municipal Corporation of the Township of Orillia, Northern and Southern Divisions, set out as Schedule "D" hereto, is confirmed and declared to be legal, valid and binding.

Annexing certain lands.

**8.**—(1) The East halves of Lots Ten, Eleven and Twelve in the Fourth Concession of the said Township of Orillia, Southern Division, is hereby annexed to and shall be and form part of the Town of Orillia.

Assessment.

(2) Subject to the provisions of Subsection 3 of the lands annexed by Subsection 1 shall for a period of five years

from the first day of January A.D. 1912 be assessed for the same amounts for which they were assessed on the assessment roll of the said Township for 1911.

(3) All buildings erected on or improvements made to the said lands after the final revisions of the assessment roll of the said Township for 1911 or during the said period of five years shall be assessed as other buildings and improvements in the said Town are assessed under the provisions of the *Assessment Act*. Improvements.

(4) The tax rate shall be the same from year to year as the tax rate in the remainder of the Town of Orillia during the said period of five years. Tax rate.

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#### SCHEDULE "A."

##### BY-LAW No. 522.

*For the purpose of raising by way of debentures the sum of eighty thousand dollars for the construction of a connecting pole line with the Simcoe Power Company's plant at the Big Chute on the Severn River, and extending, improving and increasing the power capacity of the Orillia Town plant at the Ragged Rapids and Orillia Town.*

Whereas it is necessary to increase the amount of power capacity of the Orillia and Ragged Rapids Electrical Plant, and it will require the sum of \$80,000 to carry out the work as shown on the Engineer's estimates.

And whereas it will be requisite to raise the several sums in each year respectively set forth in the Schedule in this By-law, amounting to the sum of \$4,911.32 annually, over and above all other rates and assessments.

And whereas the amount of the whole rateable property of the said Corporation, according to the last revised assessment roll (being that for the year 1910) amounts to the sum of \$2,119,624.

And whereas the amount of the existing debenture debt of the said Corporation is \$550,691.62, and no principal or interest is in arrears.

Therefore the Municipal Council of the Town of Orillia, by its Council, enacts as follows:—

1. That it shall be lawful for the Corporation of the said Town of Orillia, for the purposes aforesaid, to borrow the said sum of eighty thousand dollars and to issue debentures of the said Municipality to the amount of eighty thousand dollars in sums of not less than one hundred dollars each, payable in the manner for the amounts and at the times respectively set forth in the Schedule to this By-law.

2. That the said debentures shall have attached to them coupons for the payment of interest at the rate of four and one-half per cent. per annum, which coupons shall be signed by the Mayor and Treasurer and shall be payable half-yearly during the continuance of said debentures.

3. That the said debentures, as to principal and interest, shall be payable at the Traders Bank, in the Town of Orillia, Ontario.

4. That 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 and to cause the same and the interest coupons thereto attached to be signed by the Treasurer of the said Municipality, and the Clerk of the said Municipality is hereby authorized and instructed to attach the seal of the said Municipality to the said debentures.

5. There shall be raised and levied in each year, for thirty years, by special rate on all rateable property in the said Municipality, the sum of \$4,911.32, being a sum sufficient to discharge the several instalments of principal and interest accruing due on the said debt as the same became respectively payable, according to the following schedule:—

No.	Year when Payable.	Amount of Principal.	Interest when Payable.	Interest Amount.	Total Levy!
1	1912	\$1,311.32	Jan. 24, 1912	\$1,800.00	
			July 24, 1912	1,800.00	\$4,911.32
2	1913	1,370.33	Jan. 24, 1913	1,770.49	
			July 24, 1913	1,770.50	4,911.32
3	1914	1,432.00	Jan. 24, 1914	1,739.66	
			July 24, 1914	1,739.67	4,911.33
4	1915	1,496.44	Jan. 24, 1915	1,707.44	
			July, 24, 1915	1,707.45	4,911.33
5	1916	1,563.78	Jan. 24, 1916	1,673.77	
			July 24, 1916	1,673.78	4,911.33
6	1917	1,634.15	Jan. 24, 1917	1,638.59	
			July 24, 1917	1,638.59	4,911.33
7	1918	1,707.68	Jan. 24, 1918	1,601.82	
			July 24, 1918	1,601.82	4,911.32
8	1919	1,784.53	Jan. 24, 1919	1,563.39	
			July 24, 1919	1,563.40	4,911.32
9	1920	1,864.83	Jan. 24, 1920	1,523.24	
			July 24, 1920	1,523.25	4,911.32
10	1921	1,948.75	Jan. 24, 1921	1,481.28	
			July 24, 1921	1,481.29	4,911.32
11	1922	2,036.45	Jan. 24, 1922	1,437.44	
			July 24, 1922	1,437.44	4,911.33
12	1923	2,128.08	Jan. 24, 1923	1,391.62	
			July 24, 1923	1,391.62	4,911.32
13	1924	2,223.85	Jan. 24, 1924	1,343.74	
			July 24, 1924	1,343.74	4,911.33
14	1925	2,323.92	Jan. 24, 1925	1,293.70	
			July 24, 1925	1,293.70	4,911.32
15	1926	2,428.50	Jan. 24, 1926	1,241.41	
			July 24, 1926	1,241.42	4,911.33
16	1927	2,537.78	Jan. 24, 1927	1,186.77	
			July 24, 1927	1,186.77	4,911.32
17	1928	2,651.98	Jan. 24, 1928	1,129.67	
			July 24, 1928	1,129.67	4,911.32
18	1929	2,771.32	Jan. 24, 1929	1,070.00	
			July 24, 1929	1,070.00	4,911.32
19	1930	2,896.03	Jan. 24, 1930	1,007.64	
			July 24, 1930	1,007.65	4,911.32
20	1931	3,026.35	Jan. 24, 1931	942.48	
			July 24, 1931	942.49	4,911.32
21	1932	3,162.54	Jan. 24, 1932	874.39	
			July 24, 1932	874.40	4,911.33
22	1933	3,304.85	Jan. 24, 1933	803.23	
			July 24, 1933	803.24	4,911.32
23	1934	3,453.57	Jan. 24, 1934	728.87	
			July 24, 1934	728.88	4,911.32

Year when No. Payable.	Amount of Principal.	Interest when Payable.	Interest Amount.	Total Levy.	
24	1935	3,608.98	Jan. 24, 1935	651.17	
			July 24, 1935	651.17	4,911.32
25	1936	3,771.38	Jan. 24, 1936	569.97	
			July 24, 1936	569.97	4,911.32
26	1937	3,941.10	Jan. 24, 1937	485.11	
			July 24, 1937	485.12	4,911.33
27	1938	4,118.45	Jan. 24, 1938	396.44	
			July 24, 1938	396.44	4,911.33
28	1939	4,303.78	Jan. 24, 1939	303.77	
			July 24, 1939	303.78	4,911.33
29	1940	4,497.45	Jan. 24, 1940	206.93	
			July 24, 1940	206.94	4,911.32
			Jan. 24, 1941	105.74	
			July 24, 1941	105.75	4,911.32

6. This By-law shall take effect on the 17th day of July, A.D. 1911.

7. The votes of the ratepayers of the said Municipality shall be taken on this By-law at the following time and places, that is to say on Monday, the seventeenth day of July, A.D. 1911, commencing at the hour of nine o'clock in the forenoon and continuing until five o'clock in the afternoon of the same day, at the undermentioned places:

1. For the First Polling Subdivision, at A. H. Bowen's, on Mississaga Street.
2. For the Second Polling Subdivision, at John Ralston's, on Mississaga Street.
3. For the Third Polling Subdivision, at the Fire Hall, on Peter Street.
4. For the Fourth Polling Subdivision, at John Kerr's, on Mississaga Street.
5. For the Fifth Polling Subdivision, at the Council Chambers, on West Street.
6. For the Sixth Polling Subdivision, at John Hern's Store, on Mississaga Street.
7. For the Seventh Polling Subdivision, at Andrew Clark's House, Mary Street.

8. That the following persons shall be Deputy Returning Officers and Poll Clerks for taking such votes:—

At Polling Subdivision No. 1.—Charles Hatley, Deputy Returning Officer; and Colin Henderson, Poll Clerk.

At Polling Subdivision No. 2.—Angus McKay, Deputy Returning Officer; and Dan Coffey, Poll Clerk.

At Polling Subdivision No. 3.—Fred A. Webber, Deputy Returning Officer; and B. A. S. Webber, Poll Clerk.

At Polling Subdivision No. 4.—John Reardon, Deputy Returning Officer; and Robert S. T. Smith, Poll Clerk.

At Polling Subdivision No. 5.—Charles Morrison, Deputy Returning Officer; and William Teskey, Poll Clerk.

At Polling Subdivision No. 6.—W. T. Y. Lee, Deputy Returning Officer; and J. A. Fairhurst, Poll Clerk.

At Polling Subdivision No. 7.—Charles Powley, Deputy Returning Officer; and William Richardson, Poll Clerk.

9. That on the 15th day of July, A.D. 1911, at the Council Chambers, in the Town of Orillia, at the hour of ten o'clock in the forenoon, the Mayor shall appoint in writing, signed by himself, two persons to attend at the final summing up of the votes by the Clerk, and one person to attend at each polling place on behalf of the persons interested in and desirous of opposing the passing of this By-law.

10. That the Clerk of the said Municipal Council of the Town of Orillia shall attend at the Council Chambers at the hour of eleven o'clock in the forenoon of the eighteenth day of July, A.D. 1911, to sum up the number of votes given for and against this By-law.

Dated at the Council Chambers, in the Town of Orillia, this 27th day of July, A.D. 1911.

Take notice that the above is a true copy of a proposed By-law which has been taken into consideration and will be finally passed by the Council of the Town of Orillia, in the event of the assent of the electors being obtained thereto, after one month of the first publication in the *News Letter*, the date of which publication was Wednesday, June 21st, 1911, and that the votes of the electors of the said Municipality will be taken thereon on the day and the hours and places therein fixed.

C. E. GRANT,  
Clerk, Town of Orillia.

*Estimate of Costs for Addition to Power Plant.*

Transmission line, Big Chute to Ragged Rapids .....	\$15,000
Transmission line, Ragged Rapids to Orillia .....	23,000
Transformer equipment and recording meter, etc., at Big Chute .....	5,000
Transformer equipment (step down) in Orillia Substation	4,000
Alterations, fireproofing, etc., to Substation Building .....	2,500
Switching and controlling apparatus, switchboard, meters, etc. ....	5,000
Lightning protection apparatus .....	900
Equipment necessary for service at Ragged Rapids .....	350
Reconstruction of distributing system and improvement in voltage, distribution in Orillia, appropriation, including smelter line .....	5,000
Motor and equipment for operating sluice valves in dam..	750
Air compressor, etc., for cleaning generators .....	500
Payment of cost of 8 transformers purchased in 1910.....	8,000
Clearing, rock excavation and foundation work for new power house at Ragged Rapids .....	10,000
<b>Total .....</b>	<b>\$80,000</b>

## SCHEDULE "B."

## BY-LAW No.

For the purpose of granting a fixed assessment to the firm of Ayers & Hewitt, doing business in the Town of Orillia.

Whereas the firm of Ayers & Hewitt are established and doing business as manufacturers in the Town of Orillia.

And whereas the said Ayers and Hewitt have agreed to employ an average of at least thirty-five hands in their factory and to build on the corner of West and Colborne Streets a factory to carry on said business of Clothing Manufacturing.

Now, therefore the Corporation of the Town of Orillia by the Council enacts:

1. That all the lands and premises, including all buildings, improvements, machinery, fixtures or other assessable, real or personal property connected therewith, or used by the said firm in connection with their business, shall, for a period of ten years, from and including the year 1912, be exempt from all general rates except school taxes, upon so much of their annual assessment as may be in excess of \$1,600.00, and that the amount shall include their business assessment.

2. The votes of the electors of the said Town of Orillia will be taken on this By-law by the Deputy Returning Officers hereinafter named, on Monday, the first day of January, one thousand nine hundred and twelve, commencing at nine o'clock in the morning and continuing until five o'clock in the afternoon, at the undermentioned places:

1. For the First Polling Subdivision, at A. H. Bowen's Store, Mississaga Street.
2. For the Second Polling Subdivision, at Mr. P. D. McDonell's Store, corner of Mississaga and Front Streets.
3. For the Third Polling Subdivision, at the Fire Hall, Peter Street.
4. For the Fourth Polling Subdivision, at John Kerr's Butcher Shop, on Mississaga Street.
5. For the Fifth Polling Subdivision, at the Council Chambers, West Street.
6. For the Sixth Polling Subdivision, at John Hern's Store, on Mississaga Street.
7. For the Seventh Polling Subdivision, at Harry Jones' House, on Mississaga Street, Mt. Slaven.

3. That the following persons shall be Deputy Returning Officers and Poll Clerks for taking such votes.

At Polling Subdivision No. 1.—Charles D. Hatley, Deputy Returning Officer; and Joseph Tait, Poll Clerk.

At Polling Subdivision No. 2.—Isaac P. McNabb, Deputy Returning Officer; and H. W. Flint, Poll Clerk.

At Polling Subdivision No. 3.—Fred Webber, Deputy Returning Officer; and Bertram A. S. Webber, Poll Clerk.

At Polling Subdivision No. 4.—John J. Reardon, Deputy Returning Officer; and Alfred Hawkins, Poll Clerk.

At Polling Subdivision No. 5.—Charles Morrison, Deputy Returning Officer; and Wm. Teskey, Poll Clerk.

At Polling Subdivision No. 6.—W. T. Y. Lee, Deputy Returning Officer; and Joseph Gibbons, Poll Clerk.

At Polling Subdivision No. 7.—Charles Powley, Deputy Returning Officer; and John W. Mitchell, Poll Clerk.

4. That on the 29th day of December, 1911, at the office of the Town Clerk, in the Town of Orillia, at the hour of ten o'clock in the forenoon, the Mayor shall appoint, in writing, signed by himself, two persons to attend at the final summing up of the votes by the Clerk, 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.

5. That the Clerk of the Municipal Council of the Town of Orillia shall attend in his office, in the Council Chamber, in the Town of Orillia, at the hour of eleven o'clock in the forenoon, on the 2nd day of January, 1912, to sum up the number of votes given for and against this By-law.

This by-law shall come into operation and be of full force and effect immediately after the passing thereof.

Dated at the Council Chamber, in the Town of Orillia, this . . . . day of January, A.D. 1912.

Take notice that the above is a true copy of a proposed By-law which has been taken into consideration and will be finally passed by the Council of the Town of Orillia, in the event of the assent of the electors being obtained thereto, after one month of the first publication in the *News Letter*, the date of which publication was Wednesday, December 6th, 1911, and that the votes of the electors of the said Municipality will be taken thereon on the day and the hours and places therein fixed.

C. E. GRANT,  
*Clerk, Town of Orillia.*

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#### SCHEDULE "C."

##### By-Law No. . . . .

For the purpose of granting a fixed assessment and other privileges to the National Hardware Co., doing business in the Town of Orillia.

Whereas the National Hardware Company are established and doing business in the Town of Orillia.

And whereas the said Company have agreed to spend in new buildings and plant a sum not less than \$16,000.00 and to pay out annually not less than \$20,000.00 per annum in wages.



Now, therefore, the Corporation of the Town of Orillia, by its Council, enacts:

1. That all the lands and premises, including all buildings, improvements, machinery, fixtures or other assessable, real or personal property connected therewith, and used by the said Company in connection with their business, shall, for a period of ten years, from and including the year 1912, be exempt from all general rates except school taxes, upon so much of their annual assessment as may be in excess of \$4,000.00, and that this amount shall include their business assessment.

2. That an 8-inch main shall be laid to Dunlop Street for fire protection purposes.

3. That the said National Hardware Co. shall be charged \$15.00 for town water for drinking, lavatory and foundry purposes and boiler for heating only.

4. That the said Company shall be furnished power at the lowest existing standard factory rates, but power to be not less than \$16.00 per h.p. per annum for 24 hours service in any event.

5. The votes of the electors of the said Town of Orillia will be taken on this By-law by the Deputy Returning Officers hereinafter named, on Monday, the first day of January, one thousand nine hundred and twelve, commencing at nine o'clock in the forenoon and continuing until five o'clock in the afternoon, at the under-mentioned places:

1. For the First Polling Subdivision, at A. H. Bowen's Store, Mississaga Street.
2. For the Second Polling Subdivision, at Mr. P. D. McDonell's Store, corner Mississaga and Front Streets.
3. For the Third Polling Subdivision, at the Fire Hall, Peter Street.
4. For the Fourth Polling Subdivision, at John Kerr's Butcher Shop, on Mississaga Street.
5. For the Fifth Polling Subdivision, at the Council Chambers, West Street.
6. For the Sixth Polling Subdivision, at John Hern's Store, on Mississaga Street.
7. For the Seventh Polling Subdivision, at Harry Jones' House, on Mississaga Street, Mt. Slaven.

6. That the following persons shall be Deputy Returning Officers and Poll Clerks for taking such votes:

At Polling Subdivision No. 1.—Charles D. Hatley, Deputy Returning Officer; and Joseph Tate, Poll Clerk.

At Polling Subdivision No. 2.—Isaac P. McNabb, Deputy Returning Officer; and H. W. Flint, Poll Clerk.

At Polling Subdivision No. 3.—Fred Webber, Deputy Returning Officer; and Bertram A. S. Webber, Poll Clerk.

At Polling Subdivision No. 4.—John J. Reardon, Deputy Returning Officer; and Alfred Hawkins, Poll Clerk.

At Polling Subdivision No. 5.—Charles Morrison, Deputy Returning Officer; and Wm. Teskey, Poll Clerk.

At Polling Subdivision No. 6.—W. T. Y. Lee, Deputy Returning Officer; and Joseph Gibbons, Poll Clerk.

At Polling Subdivision No. 7.—Charles Powley, Deputy Returning Officer; and John W. Mitchell, Poll Clerk.

7. That on the 29th day of December, 1911, at the office of the Town Clerk, in the Town of Orillia, at the hour of ten o'clock in the forenoon, the Mayor shall appoint, in writing, signed by himself, two persons to attend at the final summing up of the votes by the Clerk, one person to attend at each polling place on behalf of the persons interested in and desirous of promoting the passing of this By-law, and a like number on behalf of the persons interested in and desirous of opposing the passing of this By-law.

8. That the Clerk of the Municipal Council of the Town of Orillia shall attend in his office, in the Council Chamber, in the Town of Orillia, at the hour of eleven o'clock in the forenoon, on the 2nd day of January, 1912, to sum up the number of votes given for and against this By-law.

This by-law shall come into operation and be of full force and effect immediately after the passing thereof.

Dated at the Council Chamber, in the Town of Orillia, this . . . . . day of January, A.D. 1912.

Take notice that the above is a true copy of a proposed By-law which has been taken into consideration and will be finally passed by the Council of the Town of Orillia, in the event of the assent of the electors being obtained thereto, after one month of the first publication in the *News Letter*, the date of which publication was Wednesday, December 6th, 1911, and that the votes of the electors of the said Municipality will be taken thereon on the day and the hours and places therein fixed.

C. E. GRANT,  
*Clerk, Town of Orillia.*

In the matter of the Petition of the Municipal Corporation of the Town of Orillia, for an Act respecting the Town of Orillia.

I, Charles Edward Grant, Clerk of the Town of Orillia, do hereby certify that the paper writing hereto annexed, being Exhibit "C," is a true copy of By-law No. . . . . of the Town of Orillia, for the purpose of granting a fixed assessment and other privileges to the National Hardware Company, doing business in the Town of Orillia.

Given under my hand and the Corporate Seal of the said Town of Orillia, this 10th day of February, A.D. 1912.

C. E. GRANT,  
*Clerk, Town of Orillia.*

#### SCHEDULE "D."

By-law No. 876 of the Township of Orillia (Northern and Southern Divisions), being a by-law to grant permission to the Town of Orillia to erect an auxiliary pole line in connection with the power plant of said Town.

Whereas the Municipal Corporation of the Town of Orillia has at present in operation an electrical power transmission line between the Town of Orillia and the Township of Matchedash, which transmission line runs along certain highways within the limits of the Township of Orillia, and has been erected under and pursuant to the powers and provisions contained in By-laws Numbers 664 and 704 of said Township, and

Whereas the said Town Corporation has at present under construction a second or auxillary electrical power transmission line from the said Town of Orillia to the said Township of Matchedash, running through the Township of Orillia, and

Whereas under the provisions of By-Law No. 704 as sanctioned by the Act of the Legislature of the Province of Ontario, the said Town Corporation was authorized to erect poles, string wires, and do all other necessary work upon any highway or side road in the Township of Orillia for the purpose of transmitting power, electric light, or electric energy from their transmission plant in the Town of Orillia, provided that the consent of the Township of Orillia be obtained by By-law; and

Whereas the said Town Corporation has applied to the Township of Orillia for such consent, which the said Township has agreed to give, subject to the conditions contained in this By-law, and upon condition that the said Town Corporation enter into an agreement with the said Township of Orillia upon the terms hereinafter set forth.

Therefore, the Council of the Corporation of the Township of Orillia enacts as follows:—

1. The Corporation of the Township of Orillia doth hereby consent to the Corporation of the Town of Orillia erecting, constructing and maintaining an electrical power transmission line from the boundaries of the Town of Orillia, along the westerly side of the road allowance, between the fourth and fifth concessions of the Township of Orillia, using the same pole line as that now used for the electrical transmission line heretofore constructed, to a point opposite Lot Number sixteen as shown on registered plan Number 171, being a subdivision of part of Lot Number four in the fifth concession of the Township of Orillia (Southern Division); thence across said road allowance to said lot number sixteen, and to continue the said transmission line from lots numbers five and six according to said plan number 171, along the westerly side of the road allowance between the fifth and six concessions to the road allowance, between lots numbers ten and eleven in the fifth concession, and across said last mentioned road allowance to the easterly side of said road allowance between the fifth and sixth concessions, and continuing along the westerly side of last mentioned road allowance to the Town Line, between the Townships of Orillia and Matchedash.

2. The poles to be used in erection of the said electrical transmission line shall not be more than one hundred and twenty feet apart.

3. The said Town Corporation shall protect any telephone line or lines, either now erected, or which may hereafter be erected upon the highways of the said Township and crossing under the said electrical transmission line, by a suitable guard wire whenever and wherever required so to do by resolution of the Township Council upon receipt by the Town Clerk of the said Town Corporation of notice in writing of such resolution.

4. The said Town Corporation shall enter into an agreement with the said Township Corporation to furnish electric light to residents of the said Township at the same flat rates and on the same terms and conditions as from time to time may be in force as to residents of said Town Corporation, provided, however, that the said Town shall not be obliged to furnish light at metre rates, except at its own option, and shall not be obliged to extend such electric light service to residents in the said Township where the revenue to be obtained from the additional takers is not sufficient to justify the expense necessary to make such extension in accordance with the rules as to extensions laid down from time to time by the Town Corporation as to residents of the Town.

5. Except as herein otherwise provided, the conditions and provisions contained in said By-laws Numbers 664 and 704 of the Township of Orillia shall apply to the electrical power transmission line to be erected, pursuant to the consent given by this By-Law.

6. The Reeve and Clerk are hereby authorized to execute an agreement such as is provided for in this By-law on behalf of the Township of Orillia, and to attach the Corporate Seal of such Township thereto, which agreement may be in the form of which a draft is hereto annexed, or to the same effect.

7. This By-law shall be null and void, unless an agreement such as that above provided for is entered into by the said Town Corporation with the said Township Corporation on or before the 30th day of December, A.D. 1911, but shall come into force and effect as soon as such agreement is executed by the said Town Corporation.

Passed in Council this 15th day of December, 1911.

A. A. CUNNINGHAM,  
*Reeve.*

JNO. C. ROSE,  
*Clerk.*

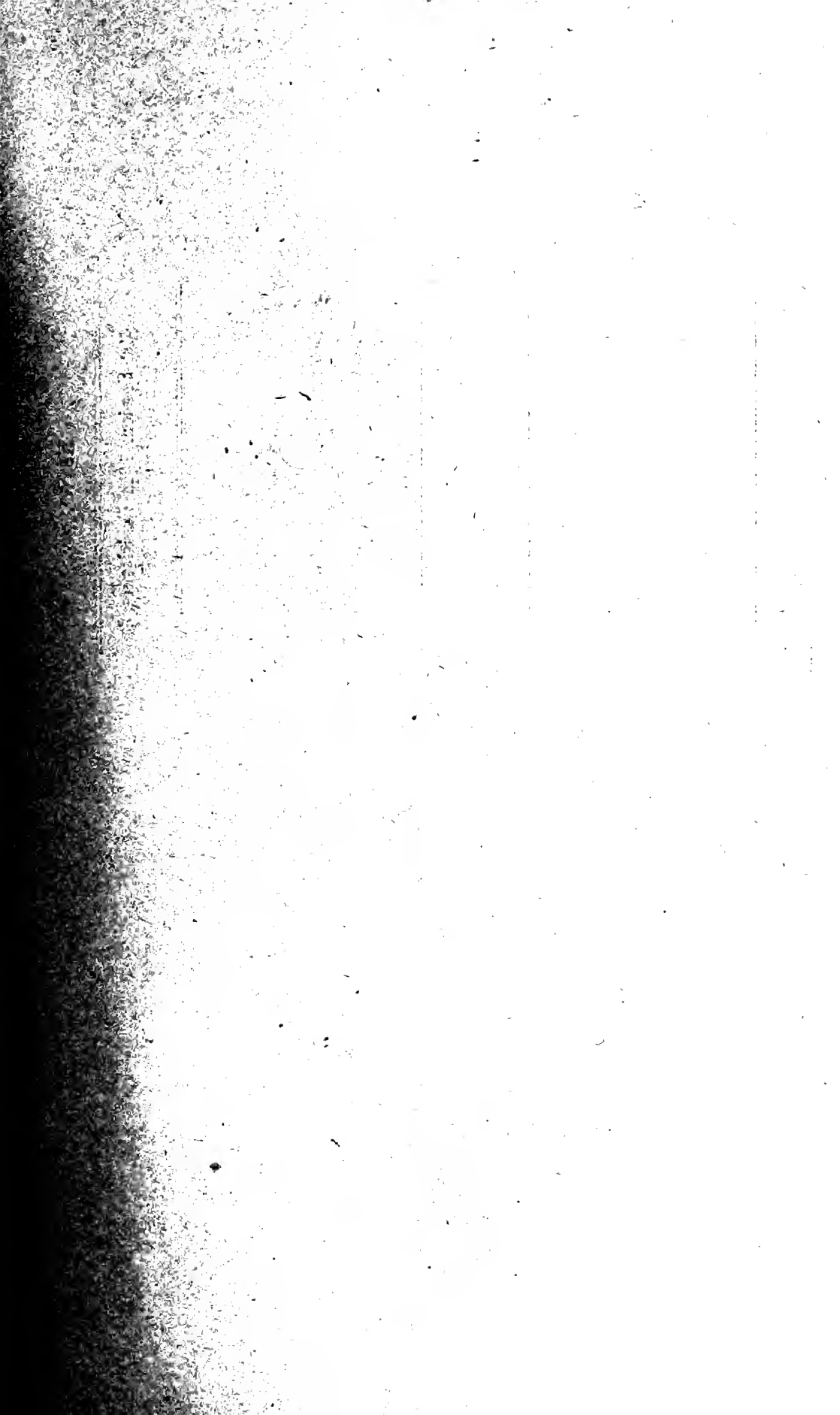
In the matter of the petition of the Municipal Corporation of the Town of Orillia, for an Act respecting the Town of Orillia.

I, John Climie Rose, of the Town of Orillia, Municipal Clerk of the Township of Orillia, Northern and Southern Divisions, do hereby certify that the paper writing hereto annexed is a true copy of By-Law No. 876, of the said Township of Orillia as therein set out.

Given under my hand and the Corporate Seal of the said Township, this 10th day of February, A.D. 1912.

JNO. C. ROSE,  
*Clerk, Township of Orillia.*

(Seal.)



No. 59.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting the Town of Orillia.

---

1st Reading,                      1912.

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(*Private Bill.*)

Mr. HARRT.

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

# BILL

## An Act respecting the Town of Orillia.

**W**HEREAS the Municipal Corporation of the Town <sup>Preamble.</sup> of Orillia has by petition represented that By-law No. 522 of the said Corporation set out as Schedule "A" hereto was duly submitted to the qualified ratepayers of the said Town on the 17th day of July, A.D. 1911, as required by *The Consolidated Municipal Act 1903*, and a majority of qualified ratepayers voted in favor of the by-law, and that on the 27th day of July, 1911, the said by-law was given its third reading and finally passed by the Council of the said Town; and whereas the amount of the rateable property of the Corporation according to the last revised assessment roll is \$2,964,980, and the existing debenture debt of the said Corporation, including local improvement, is \$537,372.87, and no part of the principal or interest thereof is in arrears; and whereas it is desirable that the said by-law should be confirmed; and whereas the said Corporation has by petition further represented that a certain by-law intituled "A by-law for the purpose of granting a fixed assessment to the firm of Ayers & Hewitt doing business in the Town of Orillia," and a certain by-law intituled "A by-law for the purpose of granting a fixed assessment and other privileges to the National Hardware Company doing business in the Town of Orillia," were submitted to the electors on the first day of January, A.D. 1912, when out of 1,672 persons entitled to vote, 735 voted for and 70 against the first mentioned by-law, and 741 voted for and 71 against the last mentioned by-law; and whereas a large number of electors qualified to vote on the by-laws are non-resident and a large number of resident electors qualified to vote on the by-laws were temporarily absent from the town on the date of the poll; and whereas it is in the interest of the said Corporation that the said by-laws should be confirmed; and whereas the said Corporation owns an electric power plant at Ragged Rapids on the Severn River and in the Town of Orillia, and has by its petition represented that it is necessary for the successful carrying on of the said

power plant that it should be authorized to make further expenditure for repairs, renewals or extensions to the said electrical power plant as may be required from time to time with the assent of the qualified electors, and to purchase electrical energy from other producers and to construct power transmission line or lines to transmit the same, and to construct and operate further or other hydro-electric plant or plants to increase the electrical power at its disposal; and whereas the said Corporation by its petition has represented that it would be in the interests of the said Corporation that the Municipal Council be authorized to create a contingent fund by setting aside from year to year any sum out of the net annual profits of the Orillia power plant not to exceed fifty per centum of the said annual profits and not to exceed \$5,000 in any one year, to provide for repairs, renewals or extensions for the said Orillia power plant, and to provide that the Council may from time to time for the said purposes draw upon the said contingent fund with the consent of "The Ontario Railway and Municipal Board"; and whereas the said Corporation desires to enter into an agreement with the Crown represented by the Department of Militia for Canada and the East Simcoe Agricultural Society, whereby the said Corporation purchases certain lands of the said East Simcoe Agricultural Society in the Town of Orillia and conveys a certain portion of the said lands to the Crown represented by the said Department, for the purposes of the erection of an armoury building and sets apart the balance of the said lands for park and athletic purposes; and whereas the said Corporation has petitioned that it be authorized to enter into the said agreement and to accept and make the necessary conveyances and to charge or authorize the charging of an admission fee to the balance of the said lands upon such occasions as to the Council may seem proper; and whereas the Municipal Council of the Township of Orillia, Northern and Southern Divisions, by by-law Number 876 set out as Schedule "D" hereto granted permission to the said Town to construct and maintain an auxiliary pole line in connection with the said power plant of the said Town along and over the highways of the said Township and it is desirable that this by-law be ratified and confirmed; and whereas it is desirable to annex to the said Town of Orillia certain portions of Lots Numbers Ten, Eleven and Twelve in the Fourth concession of the Township of Orillia, Northern Division; and whereas no opposition has been offered to the said petition; and whereas the said Corporation has prayed that an act be passed for the above purposes; and whereas it is deemed 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 522 of the Corporation of the Town of Orillia set out as Schedule "A" hereto is confirmed and declared to be legal and valid and binding on the said Corporation and on the ratepayers thereof, and the said Corporation *may* impose the rates provided for in the said by-law; and the said Corporation is declared to be and to have been since the final passing of the said by-law, authorized and empowered to do all necessary and proper acts for the full and effectual carrying out of the objects of the said by-law, and the debentures issued or to be issued thereunder are declared to be legal, valid and binding on the said Corporation and on the ratepayers thereof.

By-law  
No. 522 of  
Town of  
Orillia  
confirmed.

2. The Council of the *said* Corporation *may* finally pass a certain by-law intituled "A by-law for the purpose of granting a fixed assessment to the firm of Ayers & Hewitt doing business in the Town of Orillia," and set out as Schedule "B" hereto, and also a certain other by-law intituled "A By-law for the purpose of granting a fixed assessment and other privileges to the National Hardware Company doing business in the Town of Orillia," set out as Schedule "C" hereto, and such by-laws when finally passed shall be legal, valid and binding on the said Corporation and on the ratepayers thereof and on any other persons affected thereby.



Authority  
to pass  
Ayers &  
Hewitt and  
National  
Hardware  
Co. By-law.

3. The said Corporation *may* make extensions to the electrical power plant of the Town of Orillia as may be required from time to time.

Further  
expenditure  
on electric  
power  
plant  
authorized.

4. The said Corporation *may* purchase electrical energy from other producers and construct a power transmission line or lines to transmit the same, and *may* construct and operate further or other hydro-electrical plant or plants to increase the electrical energy at the disposal of the said Corporation.

Authority  
to purchase  
electrical  
energy, etc.

5.  The said Corporation may, with the assent of the ratepayers qualified to vote on money by-laws, pass by-laws from time to time to borrow money by the issue of debentures payable within 30 years from the date of issue for the purpose of paying the cost of any works authorized by sections 3 and 4. 

6.—(1) The Council of the said Corporation *may* create a contingent fund by setting aside from year to year as the said Council may decide, any sum out of the net profits of

Authority  
to create  
a contingent  
fund for  
certain  
purposes.

the Orillia Power Plant not to exceed fifty per centum of the said annual profits and not to exceed five thousand dollars in any one year, to provide for renewals, repairs or extensions to the Orillia Power Plant.

Withdrawal  
from con-  
tingent  
fund.

(2) The said Council may from time to time with the approval of the Ontario Railway and Municipal Board withdraw such amount from the said contingent fund as may be required for the said purposes.

Power to  
purchase  
certain  
lands from  
East Simcoe  
Agricul-  
tural  
Society.

7.—(1) The said Corporation *may* purchase from The East Simcoe Agricultural Society the following lands in the said Town of Orillia, namely, Lots three, four, five, six, seven, eight, nine, ten, eleven, twelve and thirteen in Block "G," that part of James street lying to the south of Brant street and east of Patrick street, and lot sixteen on the west side of West street, all in the Town of Orillia, according to registered plan No. 137, and pay the purchase price thirty-five hundred dollars therefor.

Power to  
convey cer-  
tain lands  
to Militia  
Department.  
Power to  
charge  
admission  
fee.

(2) The said Corporation *may* convey or cause to be conveyed certain portions of the said lands to the Crown as represented by the Militia Department for Canada.

(3) The said Corporation *may* retain the balance of the said lands for park, athletic, agricultural or show purposes or purposes of a similar nature and charge or authorize the charging of a fee for admission to the same or *may* rent the same.

Agreement  
with Crown.

(4) The said Corporation *may* grant such use of its balance of the said lands to the Crown for militia purposes and pay such share of the maintenance or running expenses of the Crown's portion of the said lands as may be fixed by agreement or agreements between the Corporation and the Crown.

By-law  
No. 876 of  
Township  
of Orillia  
confirmed.

8. By-law Number 876 of the Municipal Corporation of the Township of Orillia, Northern and Southern Divisions, set out as Schedule "D" hereto, is confirmed and declared to be legal, valid and binding.

Annexing  
certain  
lands.

9.—(1) The East halves of Lots Ten, Eleven and Twelve in the Fourth Concession of the said Township of Orillia, Southern Division, *are* hereby annexed to and shall be and form part of the Town of Orillia.

Assessment.

(2) Subject to the provisions of subsection 3, the lands annexed by subsection 1 shall for a period of five years

from the first day of January A.D. 1912 be assessed for the same amounts for which they were assessed on the assessment roll of the said Township for 1911.

(3) All buildings erected on or improvements made to the said lands after the final revisions of the assessment roll of the said Township for 1911 or during the said period of five years shall be assessed as other buildings and improvements in the said Town are assessed under the provisions of the *Assessment Act*.

(4) The tax rate shall be the same from year to year as the tax rate in the remainder of the Town of Orillia during the said period of five years.

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#### SCHEDULE "A."

##### BY-LAW No. 522.

*For the purpose of raising by way of debentures the sum of eighty thousand dollars for the construction of a connecting pole line with the Simcoe Power Company's plant at the Big Chute on the Severn River, and extending, improving and increasing the power capacity of the Orillia Town plant at the Ragged Rapids and Orillia Town.*

Whereas it is necessary to increase the amount of power capacity of the Orillia and Ragged Rapids Electrical Plant, and it will require the sum of \$80,000 to carry out the work as shown on the Engineer's estimates.

And whereas it will be requisite to raise the several sums in each year respectively set forth in the Schedule in this By-law, amounting to the sum of \$4,911.32 annually, over and above all other rates and assessments.

And whereas the amount of the whole rateable property of the said Corporation, according to the last revised assessment roll (being that for the year 1910) amounts to the sum of \$2,119,624.

And whereas the amount of the existing debenture debt of the said Corporation is \$550,691.62, and no principal or interest is in arrears.

Therefore the Municipal Council of the Town of Orillia, by its Council, enacts as follows:—

1. That it shall be lawful for the Corporation of the said Town of Orillia, for the purposes aforesaid, to borrow the said sum of eighty thousand dollars and to issue debentures of the said Municipality to the amount of eighty thousand dollars in sums of not less than one hundred dollars each, payable in the manner for the amounts and at the times respectively set forth in the Schedule to this By-law.

2. That the said debentures shall have attached to them coupons for the payment of interest at the rate of four and one-half per cent. per annum, which coupons shall be signed by the Mayor and Treasurer and shall be payable half-yearly during the continuance of said debentures.

3. That the said debentures, as to principal and interest, shall be payable at the Traders Bank, in the Town of Orillia, Ontario.

4. That 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 and to cause the same and the interest coupons thereto attached to be signed by the Treasurer of the said Municipality, and the Clerk of the said Municipality is hereby authorized and instructed to attach the seal of the said Municipality to the said debentures.

5. There shall be raised and levied in each year, for thirty years, by special rate on all rateable property in the said Municipality, the sum of \$4,911.32, being a sum sufficient to discharge the several instalments of principal and interest accruing due on the said debt as the same became respectively payable, according to the following schedule:—

No.	Year when Payable.	Amount of Principal.	Interest when Payable.	Interest Amount.	Total Levy
1	1912	\$1,311.32	Jan. 24, 1912	\$1,800.00	\$4,911.32
			July 24, 1912	1,800.00	
2	1913	1,370.33	Jan. 24, 1913	1,770.49	4,911.32
			July 24, 1913	1,770.50	
3	1914	1,432.00	Jan. 24, 1914	1,739.66	4,911.33
			July 24, 1914	1,739.67	
4	1915	1,496.44	Jan. 24, 1915	1,707.44	4,911.33
			July, 24, 1915	1,707.45	
5	1916	1,563.78	Jan. 24, 1916	1,673.77	4,911.33
			July 24, 1916	1,673.78	
6	1917	1,634.15	Jan. 24, 1917	1,638.59	4,911.33
			July 24, 1917	1,638.59	
7	1918	1,707.68	Jan. 24, 1918	1,601.82	4,911.32
			July 24, 1918	1,601.82	
8	1919	1,784.53	Jan. 24, 1919	1,563.39	4,911.32
			July 24, 1919	1,563.40	
9	1920	1,864.83	Jan. 24, 1920	1,523.24	4,911.32
			July 24, 1920	1,523.25	
10	1921	1,948.75	Jan. 24, 1921	1,481.28	4,911.32
			July 24, 1921	1,481.29	
11	1922	2,036.45	Jan. 24, 1922	1,437.44	4,911.33
			July 24, 1922	1,437.44	
12	1923	2,128.08	Jan. 24, 1923	1,391.62	4,911.32
			July 24, 1923	1,391.62	
13	1924	2,223.85	Jan. 24, 1924	1,343.74	4,911.33
			July 24, 1924	1,343.74	
14	1925	2,323.92	Jan. 24, 1925	1,293.70	4,911.32
			July 24, 1925	1,293.70	
15	1926	2,428.50	Jan. 24, 1926	1,241.41	4,911.33
			July 24, 1926	1,241.42	
16	1927	2,537.78	Jan. 24, 1927	1,186.77	4,911.32
			July 24, 1927	1,186.77	
17	1928	2,651.98	Jan. 24, 1928	1,129.67	4,911.32
			July 24, 1928	1,129.67	
18	1929	2,771.32	Jan. 24, 1929	1,070.00	4,911.32
			July 24, 1929	1,070.00	
19	1930	2,896.03	Jan. 24, 1930	1,007.64	4,911.32
			July 24, 1930	1,007.65	
20	1931	3,026.35	Jan. 24, 1931	942.48	4,911.32
			July 24, 1931	942.49	
21	1932	3,162.54	Jan. 24, 1932	874.39	4,911.33
			July 24, 1932	874.40	
22	1933	3,304.85	Jan. 24, 1933	803.23	4,911.32
			July 24, 1933	803.24	
23	1934	3,453.57	Jan. 24, 1934	728.87	4,911.32
			July 24, 1934	728.88	

Year when No. Payable.	Amount of Principal.	Interest when Payable.	Interest Amount.	Total Levy.	
24	1935	3,608.98	Jan. 24, 1935	651.17	
			July 24, 1935	651.17	4,911.32
25	1936	3,771.38	Jan. 24, 1936	569.97	
			July 24, 1936	569.97	4,911.32
26	1937	3,941.10	Jan. 24, 1937	485.11	
			July 24, 1937	485.12	4,911.33
27	1938	4,118.45	Jan. 24, 1938	396.44	
			July 24, 1938	396.44	4,911.33
28	1939	4,303.78	Jan. 24, 1939	303.77	
			July 24, 1939	303.78	4,911.33
29	1940	4,497.45	Jan. 24, 1940	206.93	
			July 24, 1940	206.94	4,911.32
			Jan. 24, 1941	105.74	
			July 24, 1941	105.75	4,911.32

6. This By-law shall take effect on the 17th day of July, A.D. 1911.

7. The votes of the ratepayers of the said Municipality shall be taken on this By-law at the following time and places, that is to say on Monday, the seventeenth day of July, A.D. 1911, commencing at the hour of nine o'clock in the forenoon and continuing until five o'clock in the afternoon of the same day, at the undermentioned places:

1. For the First Polling Subdivision, at A. H. Bowen's, on Mississaga Street.
2. For the Second Polling Subdivision, at John Ralston's, on Mississaga Street.
3. For the Third Polling Subdivision, at the Fire Hall, on Peter Street.
4. For the Fourth Polling Subdivision, at John Kerr's, on Mississaga Street.
5. For the Fifth Polling Subdivision, at the Council Chambers, on West Street.
6. For the Sixth Polling Subdivision, at John Hern's Store, on Mississaga Street.
7. For the Seventh Polling Subdivision, at Andrew Clark's House, Mary Street.

8. That the following persons shall be Deputy Returning Officers and Poll Clerks for taking such votes:—

- At Polling Subdivision No. 1.—Charles Hatley, Deputy Returning Officer; and Colin Henderson, Poll Clerk.
- At Polling Subdivision No. 2.—Angus McKay, Deputy Returning Officer; and Dan Coffey, Poll Clerk.
- At Polling Subdivision No. 3.—Fred A. Webber, Deputy Returning Officer; and B. A. S. Webber, Poll Clerk.
- At Polling Subdivision No. 4.—John Reardon, Deputy Returning Officer; and Robert S. T. Smith, Poll Clerk.
- At Polling Subdivision No. 5.—Charles Morrison, Deputy Returning Officer; and William Teskey, Poll Clerk.

At Polling Subdivision No. 6.—W. T. Y. Lee, Deputy Returning Officer; and J. A. Fairhurst, Poll Clerk.

At Polling Subdivision No. 7.—Charles Powley, Deputy Returning Officer; and William Richardson, Poll Clerk.

9. That on the 15th day of July, A.D. 1911, at the Council Chambers, in the Town of Orillia, at the hour of ten o'clock in the forenoon, the Mayor shall appoint in writing, signed by himself, two persons to attend at the final summing up of the votes by the Clerk, and one person to attend at each polling place on behalf of the persons interested in and desirous of opposing the passing of this By-law.

10. That the Clerk of the said Municipal Council of the Town of Orillia shall attend at the Council Chambers at the hour of eleven o'clock in the forenoon of the eighteenth day of July, A.D. 1911, to sum up the number of votes given for and against this By-law.

Dated at the Council Chambers, in the Town of Orillia, this 27th day of July, A.D. 1911.

Take notice that the above is a true copy of a proposed By-law which has been taken into consideration and will be finally passed by the Council of the Town of Orillia, in the event of the assent of the electors being obtained thereto, after one month of the first publication in the *News Letter*, the date of which publication was Wednesday, June 21st, 1911, and that the votes of the electors of the said Municipality will be taken thereon on the day and the hours and places therein fixed.

C. E. GRANT,  
*Clerk, Town of Orillia.*

*Estimate of Costs for Addition to Power Plant.*

Transmission line, Big Chute to Ragged Rapids .....	\$15,000
Transmission line, Ragged Rapids to Orillia .....	23,000
Transformer equipment and recording meter, etc., at Big Chute .....	5,000
Transformer equipment (step down) in Orillia Substation .....	4,000
Alterations, fireproofing, etc., to Substation Building .....	2,500
Switching and controlling apparatus, switchboard, meters, etc. ....	5,000
Lightning protection apparatus .....	900
Equipment necessary for service at Ragged Rapids .....	350
Reconstruction of distributing system and improvement in voltage, distribution in Orillia, appropriation, including smelter line .....	5,000
Motor and equipment for operating sluice valves in dam..	750
Air compressor, etc., for cleaning generators .....	500
Payment of cost of 8 transformers purchased in 1910.....	8,000
Clearing, rock excavation and foundation work for new power house at Ragged Rapids .....	10,000
Total .....	\$80,000

## SCHEDULE " B. "

## BY-LAW No.

For the purpose of granting a fixed assessment to the firm of Ayers & Hewitt, doing business in the Town of Orillia.

Whereas the firm of Ayers & Hewitt are established and doing business as manufacturers in the Town of Orillia.

And whereas the said Ayers and Hewitt have agreed to employ an average of at least thirty-five hands in their factory and to build on the corner of West and Colborne Streets a factory to carry on said business of Clothing Manufacturing.

Now, therefore the Corporation of the Town of Orillia by the Council enacts:

1. That all the lands and premises, including all buildings, improvements, machinery, fixtures or other assessable, real or personal property connected therewith, or used by the said firm in connection with their business, shall, for a period of ten years, from and including the year 1912, be exempt from all general rates except school taxes, upon so much of their annual assessment as may be in excess of \$1,600.00, and that the amount shall include their business assessment.

2. The votes of the electors of the said Town of Orillia will be taken on this By-law by the Deputy Returning Officers hereinafter named, on Monday, the first day of January, one thousand nine hundred and twelve, commencing at nine o'clock in the morning and continuing until five o'clock in the afternoon, at the undermentioned places:

1. For the First Polling Subdivision, at A. H. Bowen's Store, Mississaga Street.
2. For the Second Polling Subdivision, at Mr. P. D. McDonell's Store, corner of Mississaga and Front Streets.
3. For the Third Polling Subdivision, at the Fire Hall, Peter Street.
4. For the Fourth Polling Subdivision, at John Kerr's Butcher Shop, on Mississaga Street.
5. For the Fifth Polling Subdivision, at the Council Chambers, West Street.
6. For the Sixth Polling Subdivision, at John Hern's Store, on Mississaga Street.
7. For the Seventh Polling Subdivision, at Harry Jones' House, on Mississaga Street, Mt. Slaven.

3. That the following persons shall be Deputy Returning Officers and Poll Clerks for taking such votes.

At Polling Subdivision No. 1.—Charles D. Hatley, Deputy Returning Officer; and Joseph Tait, Poll Clerk.

At Polling Subdivision No. 2.—Isaac P. McNabb, Deputy Returning Officer; and H. W. Flint, Poll Clerk.

At Polling Subdivision No. 3.—Fred Webber, Deputy Returning Officer; and Bertram A. S. Webber, Poll Clerk.

At Polling Subdivision No. 4.—John J. Reardon, Deputy Returning Officer; and Alfred Hawkins, Poll Clerk.

At Polling Subdivision No. 5.—Charles Morrison, Deputy Returning Officer; and Wm. Teskey, Poll Clerk.

At Polling Subdivision No. 6.—W. T. Y. Lee, Deputy Returning Officer; and Joseph Gibbons, Poll Clerk.

At Polling Subdivision No. 7.—Charles Powley, Deputy Returning Officer; and John W. Mitchell, Poll Clerk.

4. That on the 29th day of December, 1911, at the office of the Town Clerk, in the Town of Orillia, at the hour of ten o'clock in the forenoon, the Mayor shall appoint, in writing, signed by himself, two persons to attend at the final summing up of the votes by the Clerk, 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.

5. That the Clerk of the Municipal Council of the Town of Orillia shall attend in his office, in the Council Chamber, in the Town of Orillia, at the hour of eleven o'clock in the forenoon, on the 2nd day of January, 1912, to sum up the number of votes given for and against this By-law.

This by-law shall come into operation and be of full force and effect immediately after the passing thereof.

Dated at the Council Chamber, in the Town of Orillia, this . . . . day of January, A.D. 1912.

Take notice that the above is a true copy of a proposed By-law which has been taken into consideration and will be finally passed by the Council of the Town of Orillia, in the event of the assent of the electors being obtained thereto, after one month of the first publication in the *News Letter*, the date of which publication was Wednesday, December 6th, 1911, and that the votes of the electors of the said Municipality will be taken thereon on the day and the hours and places therein fixed.

C. E. GRANT,  
Clerk, Town of Orillia.

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#### SCHEDULE "C."

##### BY-LAW No. . . . .

For the purpose of granting a fixed assessment and other privileges to the National Hardware Co., doing business in the Town of Orillia.

Whereas the National Hardware Company are established and doing business in the Town of Orillia.

And whereas the said Company have agreed to spend in new buildings and plant a sum not less than \$16,000.00 and to pay out annually not less than \$20,000.00 per annum in wages.



Now, therefore, the Corporation of the Town of Orillia, by its Council, enacts:

1. That all the lands and premises, including all buildings, improvements, machinery, fixtures or other assessable, real or personal property connected therewith, and used by the said Company in connection with their business, shall, for a period of ten years, from and including the year 1912, be exempt from all general rates except school taxes, upon so much of their annual assessment as may be in excess of \$4,000.00, and that this amount shall include their business assessment.

2. That an 8-inch main shall be laid to Dunlop Street for fire protection purposes.

3. That the said National Hardware Co. shall be charged \$15.00 for town water for drinking, lavatory and foundry purposes and boiler for heating only.

4. That the said Company shall be furnished power at the lowest existing standard factory rates, but power to be not less than \$16.00 per h.p. per annum for 24 hours service in any event.

5. The votes of the electors of the said Town of Orillia will be taken on this By-law by the Deputy Returning Officers hereinafter named, on Monday, the first day of January, one thousand nine hundred and twelve, commencing at nine o'clock in the forenoon and continuing until five o'clock in the afternoon, at the under-mentioned places:

1. For the First Polling Subdivision, at A. H. Bowen's Store, Mississaga Street.
2. For the Second Polling Subdivision, at Mr. P. D. McDonell's Store, corner Mississaga and Front Streets.
3. For the Third Polling Subdivision, at the Fire Hall, Peter Street.
4. For the Fourth Polling Subdivision, at John Kerr's Butcher Shop, on Mississaga Street.
5. For the Fifth Polling Subdivision, at the Council Chambers, West Street.
6. For the Sixth Polling Subdivision, at John Hern's Store, on Mississaga Street.
7. For the Seventh Polling Subdivision, at Harry Jones' House, on Mississaga Street, Mt. Slaven.

6. That the following persons shall be Deputy Returning Officers and Poll Clerks for taking such votes:

At Polling Subdivision No. 1.—Charles D. Hatley, Deputy Returning Officer; and Joseph Tate, Poll Clerk.

At Polling Subdivision No. 2.—Isaac P. McNabb, Deputy Returning Officer; and H. W. Flint, Poll Clerk.

At Polling Subdivision No. 3.—Fred Webber, Deputy Returning Officer; and Bertram A. S. Webber, Poll Clerk.

At Polling Subdivision No. 4.—John J. Reardon, Deputy Returning Officer; and Alfred Hawkins, Poll Clerk.

At Polling Subdivision No. 5.—Charles Morrison, Deputy Returning Officer; and Wm. Teskey, Poll Clerk.

At Polling Subdivision No. 6.—W. T. Y. Lee, Deputy-Returning Officer; and Joseph Gibbons, Poll Clerk.

At Polling Subdivision No. 7.—Charles Powley, Deputy Returning Officer; and John W. Mitchell, Poll Clerk.

7. That on the 29th day of December, 1911, at the office of the Town Clerk, in the Town of Orillia, at the hour of ten o'clock in the forenoon, the Mayor shall appoint, in writing, signed by himself, two persons to attend at the final summing up of the votes by the Clerk, one person to attend at each polling place on behalf of the persons interested in and desirous of promoting the passing of this By-law, and a like number on behalf of the persons interested in and desirous of opposing the passing of this By-law.

8. That the Clerk of the Municipal Council of the Town of Orillia shall attend in his office, in the Council Chamber, in the Town of Orillia, at the hour of eleven o'clock in the forenoon, on the 2nd day of January, 1912, to sum up the number of votes given for and against this By-law.

This by-law shall come into operation and be of full force and effect immediately after the passing thereof.

Dated at the Council Chamber, in the Town of Orillia, this . . . . day of January, A.D. 1912.

Take notice that the above is a true copy of a proposed By-law which has been taken into consideration and will be finally passed by the Council of the Town of Orillia, in the event of the assent of the electors being obtained thereto, after one month of the first publication in the *News Letter*, the date of which publication was Wednesday, December 6th, 1911, and that the votes of the electors of the said Municipality will be taken thereon on the day and the hours and places therein fixed.

C. E. GRANT,  
*Clerk, Town of Orillia.*

In the matter of the Petition of the Municipal Corporation of the Town of Orillia, for an Act respecting the Town of Orillia.

I, Charles Edward Grant, Clerk of the Town of Orillia, do hereby certify that the paper writing hereto annexed, being Exhibit "C," is a true copy of By-law No. . . . . of the Town of Orillia, for the purpose of granting a fixed assessment and other privileges to the National Hardware Company, doing business in the Town of Orillia.

Given under my hand and the Corporate Seal of the said Town of Orillia, this 10th day of February, A.D. 1912.

C. E. GRANT,  
*Clerk, Town of Orillia.*

#### SCHEDULE "D."

By-law No. 876 of the Township of Orillia (Northern and Southern Divisions), being a by-law to grant permission to the Town of Orillia to erect an auxiliary pole line in connection with the power plant of said Town.

Whereas the Municipal Corporation of the Town of Orillia has at present in operation an electrical power transmission line between the Town of Orillia and the Township of Matchedash, which transmission line runs along certain highways within the limits of the Township of Orillia, and has been erected under and pursuant to the powers and provisions contained in By-laws Numbers 664 and 704 of said Township, and

Whereas the said Town Corporation has at present under construction a second or auxiliary electrical power transmission line from the said Town of Orillia to the said Township of Matchedash, running through the Township of Orillia, and

Whereas under the provisions of By-Law No. 704 as sanctioned by the Act of the Legislature of the Province of Ontario, the said Town Corporation was authorized to erect poles, string wires, and do all other necessary work upon any highway or side road in the Township of Orillia for the purpose of transmitting power, electric light, or electric energy from their transmission plant in the Town of Orillia, provided that the consent of the Township of Orillia be obtained by By-law; and

Whereas the said Town Corporation has applied to the Township of Orillia for such consent, which the said Township has agreed to give, subject to the conditions contained in this By-law, and upon condition that the said Town Corporation enter into an agreement with the said Township of Orillia upon the terms hereinafter set forth.

Therefore, the Council of the Corporation of the Township of Orillia enacts as follows:—

1. The Corporation of the Township of Orillia doth hereby consent to the Corporation of the Town of Orillia erecting, constructing and maintaining an electrical power transmission line from the boundaries of the Town of Orillia, along the westerly side of the road allowance, between the fourth and fifth concessions of the Township of Orillia, using the same pole line as that now used for the electrical transmission line heretofore constructed, to a point opposite Lot Number sixteen as shown on registered plan Number 171, being a subdivision of part of Lot Number four in the fifth concession of the Township of Orillia (Southern Division); thence across said road allowance to said lot number sixteen, and to continue the said transmission line from lots numbers five and six according to said plan number 171, along the westerly side of the road allowance between the fifth and six concessions to the road allowance, between lots numbers ten and eleven in the fifth concession, and across said last mentioned road allowance to the easterly side of said road allowance between the fifth and sixth concessions, and continuing along the westerly side of last mentioned road allowance to the Town Line, between the Townships of Orillia and Matchedash.

2. The poles to be used in erection of the said electrical transmission line shall not be more than one hundred and twenty feet apart.

3. The said Town Corporation shall protect any telephone line or lines, either now erected, or which may hereafter be erected upon the highways of the said Township and crossing under the said electrical transmission line, by a suitable guard wire whenever and wherever required so to do by resolution of the Township Council upon receipt by the Town Clerk of the said Town Corporation of notice in writing of such resolution.

4. The said Town Corporation shall enter into an agreement with the said Township Corporation to furnish electric light to residents of the said Township at the same flat rates and on the same terms and conditions as from time to time may be in force as to residents of said Town Corporation, provided, however, that the said Town shall not be obliged to furnish light at metre rates, except at its own option, and shall not be obliged to extend such electric light service to residents in the said Township where the revenue to be obtained from the additional takers is not sufficient to justify the expense necessary to make such extension in accordance with the rules as to extensions laid down from time to time by the Town Corporation as to residents of the Town.

5. Except as herein otherwise provided, the conditions and provisions contained in said By-laws Numbers 664 and 704 of the Township of Orillia shall apply to the electrical power transmission line to be erected, pursuant to the consent given by this By-Law.

6. The Reeve and Clerk are hereby authorized to execute an agreement such as is provided for in this By-law on behalf of the Township of Orillia, and to attach the Corporate Seal of such Township thereto, which agreement may be in the form of which a draft is hereto annexed, or to the same effect.

7. This By-law shall be null and void, unless an agreement such as that above provided for is entered into by the said Town Corporation with the said Township Corporation on or before the 30th day of December, A.D. 1911, but shall come into force and effect as soon as such agreement is executed by the said Town Corporation.

Passed in Council this 15th day of December, 1911.

A. A. CUNNINGHAM,  
*Reeve.*

JNO. C. ROSE,  
*Clerk.*

In the matter of the petition of the Municipal Corporation of the Town of Orillia, for an Act respecting the Town of Orillia.

I, John Climie Rose, of the Town of Orillia, Municipal Clerk of the Township of Orillia, Northern and Southern Divisions, do hereby certify that the paper writing hereto annexed is a true copy of By-Law No. 876, of the said Township of Orillia as therein set out.

Given under my hand and the Corporate Seal of the said Township, this 10th day of February, A.D. 1912.

JNO. C. ROSE,  
*Clerk, Township of Orillia.*

(Seal.)



No. 59.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting the Town of Orillia.

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1st Reading, March 5th, 1912.

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

Mr. HARTT.

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

# BILL

## An Act respecting the Town of St. Marys.

**W**HEREAS, The Corporation of the Town of St. Preamble. Marys has by its petition represented: That by By-law Number 165 duly passed by the Municipal Council of the Town of St. Marys on the 30th day of May, 1910, after the same had received the assent of the electors of the said municipality, pursuant to the provisions of *The Municipal Act* in that behalf, the majority in favour of the said by-law being 441, the said Corporation was authorized to guarantee the bonds of a certain company to be incorporated by John G. Lind and Thomas J. McNally to the extent of \$40,000.00, the bonds so guaranteed to be part of a bond issue limited to \$90,000.00, payable in ten years with interest at six per cent., secured by a first mortgage upon all the land, factory, buildings, plant and machinery, as mentioned in the said By-law upon the said John G. Lind and Thomas J. McNally or the said incorporated company acquiring a suitable site within the Town of St. Marys, and erecting and equipping a factory thereon for the manufacture of Portland Cement at a cost of \$200,000.00 prior to the 15th day of September, 1911, and being ready on or before the said date to begin operations with at least one hundred men; delays from strikes and other necessary and unavoidable causes excepted; that on the first day of June, 1910, the said By-law was duly registered in the proper Registry Office in that behalf, and no proceedings have been taken or instituted to set aside or repeal the same. That subsequently by By-law Number 202 of the said Municipal Corporation duly passed on the 12th day of June, 1911, after reciting the provisions of the said By-law Number 165, and further reciting that by reason of delays occasioned by necessary and unavoidable causes it would be impossible for the said Lind and McNally or the said company to erect and equip the said factory on or before the 15th day of September, 1911, it was enacted that the time for erecting and equipping the said factory be extended until the 1st day of April, 1912; that a company has been incorporated under *The*

*Ontario Companies Act* pursuant to the provisions of the said By-law and of the agreement therein recited under the name of St. Marys Portland Cement Company, Limited, with a capital of \$500,000.00, and a suitable site within the said town of St. Marys has been acquired by the said Company and its buildings are now in the course of erection and nearing completion; that doubts exist as to the power of the said Corporation to pass By-law Number 165 authorizing the said Municipality to guarantee the bonds of the said Company to the amount of \$40,000.00 by reason of such amount exceeding ten per cent. of the total annual municipal taxation of the said Town of St. Marys, and therefore contrary to the provisions of *The Consolidated Municipal Act* in that behalf, and also as to the power of the said Corporation to extend the time for the erection and equipment of the said factory; 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  
Nos. 165  
and 202  
of Town of  
St. Marys  
confirmed.

1. By-laws Numbers 165 and 202 of the Municipal Corporation of the Town of St. Marys as set forth in Schedules "A" and "B" to this Act are declared legal, valid and binding upon the said Municipal Corporation in the same manner and to the same extent as if set out at length and included in this Act, and notwithstanding any want of jurisdiction in the said municipality to pass the said by-laws and notwithstanding any defect in substance or in form in the said By-laws or in the manner of passing the same.

Power to  
guarantee  
bond  
issue of  
Cement  
Company.

2. It shall be lawful for the said Municipal Corporation of the Town of St. Marys upon the erection and equipment of the said factory by the said St. Marys Portland Cement Company, Limited, by or before the 1st day of April, 1912, or within such further time but not later than the 1st day of September, 1912, as the said Municipal Council may by by-law provide to guarantee to the extent of \$40,000 the bond issue of the said Company as mentioned in the said By-laws.

#### SCHEDULE "A."

##### BY-LAW No. 165.

To Authorize the Town of St. Marys to Guarantee the Bonds of an Incorporated Company to be formed by John G. Lind and Thomas J. McNally to the extent of \$40,000 for the purpose of erecting a Factory, Buildings, Plant and Machinery in the Town of St. Marys, to carry on therein the business of manufacturing Portland Cement.



Whereas John G. Lind, of the Town of Owen Sound, in the County of Grey, Manufacturer, and Thomas J. McNally, of the City of Toronto, in the County of York, Physician, have agreed with the said Town of St. Marys:

(1) To form a Company incorporated under the laws of the Province of Ontario, with a capital of not less than \$250,000.

(2) To procure a site within the Corporation of the Town of St. Marys and thereon to erect the necessary factory buildings for the manufacture of Portland Cement.

(3) To expend before the 15th day of September, 1911, the sum of \$200,000 pursuant to the valuation to be made by the said Corporation in the

(a) Procuring the necessary site within the Town of St. Marys.

(b) Constructing and erecting the building, and

(c) The erection of the plant and machinery in connection therewith for the purpose of the said factory.

(4) To erect said factory and equip the same with plant and machinery ready for the manufacture of Portland Cement before the 15th day of September, 1911, delays from strikes or other necessary and unavoidable causes excepted.

(5) To employ at least 100 hands for at least 10 months in each year after the 15th day of September, 1911, except in the case of strikes, fire or other casualties over which the said John G. Lind and Thomas J. McNally or the said incorporated Company have no control.

(6) After the expiration of three years from the time of the guarantee of the bonds hereinafter mentioned to provide sufficient money each year to form a sinking fund for the due payment of said bonds and interest to accrue thereon and invest such fund from time to time upon such first-class securities as may be acceptable to said Corporation.

(7) That the said incorporated Company shall give notice to the Clerk of the Town of St. Marys that so much of the whole of the assessment for real property and other assessments within the Town of St. Marys shall be entered, rated and assessed for Separate School purposes, namely:—such part of the whole assessment of the Company as bears the same ratio to the whole assessment of the Company as the assessment of Separate School supporters bears to the assessment of Public School supporters.

And whereas the Town of St. Marys has agreed with the said John G. Lind and Thomas J. McNally:

(1) That the said Town of St. Marys, upon the said John G. Lind and Thomas J. McNally or the said incorporated Company expending upon the acquirement and equipment of said land and factory for the manufacture of Portland Cement within the said Town of St. Marys the said sum of \$200,000 before the 15th day of September, 1911, delays from strikes or other necessary and unavoidable causes excepted, pursuant to the valuation to be made by the Corporation of the Town of St. Marys, and being ready by the 15th September, 1911, or sooner, delays from strikes, etc., excepted, to begin operations at said factory with 100 men, will guarantee as in the proviso hereto the payment of \$40,000 ten years six per cent., first mortgage bonds of the Company, the said bonds for \$40,000 to be a part of a bond issue limited to \$90,000 and to be secured by a first mortgage upon all the land, factory buildings, plant and machinery of the said John G. Lind and Thomas J. McNally or the said incorporated Company used in connection with said business of manufacturing Portland Cement within the said Town of St. Marys, said bonds to be

repayable in ten years from the date of issue thereof and to have attached to them coupons for the payment of the interest thereon yearly at the above rate of six per cent., provided, however, that \$20,000 of said bonds shall be guaranteed when the buildings are completed and \$20,000 when Company is ready to begin operations.

(2) That the said Corporation of the Town of St. Marys will upon the performance of said John G. Lind and Thomas J. McNally, or the said incorporated Company of all their agreements with the said Town of St. Marys grant unto the said John G. Lind and Thomas J. McNally or the said incorporated Company the following lands:

All and singular that certain parcel or tract of land and premises situate, lying and being in the Town of St. Marys, in the County of Perth, and Province of Ontario, being part of Lot number Twenty-five in the Thames Concession of the Township of Blanshard and comprising all that part of said Lot number Twenty-five lying between Thomas Street in the said Town of St. Marys and River Thames and known as Lots Nineteen and Twenty in Birtch's survey of Lot Twenty-five, subject, however, to the free use by said Town of St. Marys of said lands for a period of ten years from the date when said factory is completed and operations begin for the manufacture of Portland Cement. While the said Town uses the said land it shall not be subject to taxes.

(3) To exempt the said John G. Lind and Thomas J. McNally or the said incorporated Company from taxes for ten years on the lands, factory buildings used in connection with the said manufacturing business as aforesaid and from business taxes, which exemption shall not apply to school taxes and taxes for local improvements. So much of the whole assessment as the amount of the assessment rated to Separate School supporters bears to the amount rated to supporters of Public Schools shall be entered, rated and assessed for Separate School purposes. The rate of taxation shall, however, be the same on the whole assessment as shall be that for Public School supporters. In the event of the Company ceasing to carry on business for one year the whole of the property of said Company shall become liable to all the usual taxes.

And whereas the said John G. Lind and Thomas J. McNally have deposited with the Treasurer of the Town of St. Marys a marked cheque for \$125, to cover the expenses of submitting this by-law.

And whereas it is desirable to ratify and confirm the foregoing agreement.

And whereas the amount of the whole rateable property of the Town of St. Marys, according to the last revised assessment roll thereof, is One million five hundred and twelve thousand eight hundred and fifty-two dollars and fifty cents, of which sum by the provisions of 58 Victoria, Chapter 80, the sum of ninety-two thousand and three hundred and sixty dollars being the assessed value of certain lands set out and referred to in said 58 Victoria, Chapter 80, is exempt.

And whereas the amount of existing debenture debt of the said Municipality of the Town of St. Marys is one hundred and fifty-four thousand four hundred and nineteen dollars and sixty cents, and none of the principal or interest of said debenture debt is in arrears.

Now therefore the Municipal Council of the Corporation of the Town of St. Marys enacts as follows:—

(1) That it shall and may be lawful for the Mayor and Clerk of the said Town of St. Marys, on behalf of said Town of St. Marys, upon said John G. Lind and Thomas J. McNally or the said incorporated Company acquiring said lands, erecting said building and equipping said factory for the manufacture of Portland Cement at

a cost of \$200,000, pursuant to the valuation to be made by the said Corporation of the Town of St. Marys upon resolution of the Council of said Town that all conditions necessary therefor have been fulfilled to guarantee bonds of the said John G. Lind and Thomas J. McNally or the said incorporated Company to the extent of \$40,000 in two instalments of \$20,000 each, as in said preamble set forth, said bonds to be part of an issue of bonds limited in amount to \$90,000 and to be ten-year first mortgage bonds six per cent. with interest coupons attached for the payment of the interest thereon yearly during the bond term of ten years. Said bonds shall state upon the face thereof that they are first mortgage bonds of an issue of first mortgage bonds limited to \$90,000 and shall be secured by a mortgage upon all the lands, factory buildings, plant and machinery of the said John G. Lind and Thomas J. McNally or the said incorporated Company within the said Town of St. Marys. Provided that the said Mayor and Clerk shall not be required to inquire further into the said issue after the resolutions of said Council directing them to execute the said Bond guarantee on behalf of said Town.

(2) That the said lands, factory buildings, plant and machinery of said John G. Lind and Thomas J. McNally or said incorporated Company used in connection with the manufacture of Portland Cement within the Town of St. Marys shall be exempt for a period of ten years from all taxes of the said Town of St. Marys except school taxes and taxes for local improvements. And it is hereby declared and enacted that so much of the whole assessment of said lands, factory, plant and machinery as the amount of the assessment rated to Separate School supporters bears to the amount rated to supporters of Public Schools shall be entered, rated and assessed for Separate School purposes. Provided, however, that the rate upon the whole of such assessment for lands, factory, etc., shall be at the Public School rate. Provided also that in the event of the said John G. Lind and Thomas J. McNally or the said incorporated Company ceasing to carry on business for one year the whole of the property of said John G. Lind and Thomas J. McNally, or the said incorporated Company used in connection with the manufacture of Portland cement shall become liable to all the usual taxes.

(3) This By-law shall take effect on the passing thereof.

(4) On the 19th day of May, 1910, at the hour of ten o'clock in the forenoon, at the Clerk's Office, in the Town Hall of St. Marys, the appointment of persons to attend at the polling places and at the final summing of the votes by the Clerk respectively on behalf of the persons interested in and promoting or opposing the passing of this By-law will be made.

(5) The Clerk of the Municipality shall sum up the number of votes for and against the By-law at the hour of 10 a.m., on Saturday, the 21st day of May, 1910, at the Clerk's Office, in the Town Hall, St. Marys.

(6) The votes of the ratepayers entitled to vote on this By-law shall be taken thereon at the places hereinafter mentioned, and the said votes shall be taken on Friday, the 20th day of May, 1910, the poll to be opened at the hour of nine o'clock in the forenoon and closed at the hour of five o'clock in the afternoon, and the persons also hereinafter named shall be Deputy Returning Officers to take the votes at the said polls.

(a) Polling Subdivisions Nos. 1 and 6, being the West Ward—Place, West Ward School House; Wm. Box, Deputy Returning Officer.

(b) For Polling Subdivisions Nos. 2 and 3, being the North Ward—Place, Council Chamber, Town Hall; Frank McCracken, Deputy Returning Officer.



1911, except in cases of strikes, fire, or other casualties, over which the said Lind and McNally, or the incorporated company, had no control.

And whereas it was provided in the said By-law No. 165 of the said Town of St. Marys, upon the said John G. Lind and Thomas J. McNally, or the said incorporated company, expending upon the acquirement and equipment of the said land and factory for the manufacturing of Portland cement within the Town of St. Marys the said sum of two hundred thousand dollars before the 15th day of September, 1911, delays from strikes or any other unavoidable causes excepted, pursuant to the valuation to be made by the Corporation of the Town of St. Marys, and being ready by the 15th day of September, 1911, or sooner, delays from strikes, etc., excepted, to begin operations in said factory with one hundred men, would guarantee, as provided in said By-law No. 165, the payment of forty thousand dollars in ten years at six per cent. first mortgage bonds of the Company. The said bonds for forty thousand dollars to be part of the bond issue limited to ninety thousand dollars, and to be secured by the first mortgage upon all the land, factory, buildings, plant and machinery of the said John G. Lind and Thomas J. McNally, or the said incorporated company, as further provided in said By-law No. 165.

And whereas it has been made to appear to the Municipal Council of the Corporation of the Town of St. Marys that it will be impossible for the said John G. Lind and Thomas J. McNally, or any incorporated company formed by them, to fully carry out and perform the agreements made by them, the said Lind and McNally, which were to be carried out and performed by them on or before the 15th day of September, 1911, by reason of delays occasioned by necessary and unavoidable causes.

And whereas the said John G. Lind and Thomas J. McNally have formed a company which will be incorporated agreeable to the conditions of the said By-law No. 165, and have procured the necessary site within the Town of St. Marys to erect the necessary factory buildings for the manufacturing of Portland cement.

Now, therefore, the Municipal Council of the Corporation of the Town of St. Marys enacts as follows:—

That the time for expending the sum of two hundred thousand dollars, as set out in paragraph 3 of the first recital in By-law No. 165 of the Town of St. Marys, and the time for erecting and equipping factory, in paragraph 4 of the said recital, and the time mentioned in paragraph 5 of the said recital, be extended from the "15th day of September, 1911," until "the 1st day of April, A.D. 1912."

That the words and figures "the 15th day of September, 1911," in the 5th and 6th lines of paragraph 1 in the second recital in said By-law No. 165, and the words and figures "the 15th September, 1911," in the 8th and 9th lines of said paragraph 1, be stricken out, and "the 1st day of April, A.D. 1912," be substituted therefor.

That the words and figures "the 15th day of September, 1911," wherever the same do occur in the said By-law, be stricken out and the words "the 1st day of April, 1912," be substituted therefor.

That in all other respects the said By-law No. 165 is hereby confirmed.

This By-law shall take effect on the passing thereof.

Read a first time, the 12th day of June, 1911.

Read a second time, the 12th day of June, 1911.

Read a third time and passed, the 12th day of June, 1911.

F. G. SANDERSON, *Mayor*.  
T. M. CLARK, *Clerk*.

No. 60.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting the Town of St. Marys.

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1st Reading, 1912.

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(*Private Bill.*)

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Mr. GOODERHAM.

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

# BILL

## An Act respecting the Town of St. Marys.

**W**HEREAS, The Corporation of the Town of St. Preamble. Marys has by its petition represented: That by By-law Number 165 duly passed by the Municipal Council of the Town of St. Marys on the 30th day of May, 1910, after the same had received the assent of the electors of the said municipality, pursuant to the provisions of *The Municipal Act* in that behalf, the majority in favour of the said by-law being 441, the said Corporation was authorized to guarantee the bonds of a certain company to be incorporated by John G. Lind and Thomas J. McNally to the extent of \$40,000.00, the bonds so guaranteed to be part of a bond issue limited to \$90,000.00, payable in ten years with interest at six per cent., secured by a first mortgage upon all the land, factory, buildings, plant and machinery, as mentioned in the said By-law upon the said John G. Lind and Thomas J. McNally or the said incorporated company acquiring a suitable site within the Town of St. Marys, and erecting and equipping a factory thereon for the manufacture of Portland Cement at a cost of \$200,000.00 prior to the 15th day of September, 1911, and being ready on or before the said date to begin operations with at least one hundred men; delays from strikes and other necessary and unavoidable causes excepted; that on the first day of June, 1910, the said By-law was duly registered in the proper Registry Office in that behalf, and no proceedings have been taken or instituted to set aside or repeal the same. That subsequently by By-law Number 202 of the said Municipal Corporation duly passed on the 12th day of June, 1911, after reciting the provisions of the said By-law Number 165, and further reciting that by reason of delays occasioned by necessary and unavoidable causes it would be impossible for the said Lind and McNally or the said company to erect and equip the said factory on or before the 15th day of September, 1911, it was enacted that the time for erecting and equipping the said factory be extended until the 1st day of April, 1912; that a company has been incorporated under *The*

*Ontario Companies Act* pursuant to the provisions of the said By-law and of the agreement therein recited under the name of St. Marys Portland Cement Company, Limited, with a capital of \$500,000.00, and a suitable site within the said town of St. Marys has been acquired by the said Company and its buildings are now in the course of erection and nearing completion; that doubts exist as to the power of the said Corporation to pass By-law Number 165 authorizing the said Municipality to guarantee the bonds of the said Company to the amount of \$40,000.00 by reason of such amount exceeding ten per cent. of the total annual municipal taxation of the said Town of St. Marys, and therefore contrary to the provisions of *The Consolidated Municipal Act* in that behalf, and also as to the power of the said Corporation to extend the time for the erection and equipment of the said factory; 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  
Nos. 165  
and 202  
of Town of  
St. Marys  
confirmed.

1. Subject to the provisions of section 3, By-laws Numbers 165 and 202 of the Municipal Corporation of the Town of St. Marys as set forth in Schedules "A" and "B" to this Act are declared legal, valid and binding upon the said Municipal Corporation in the same manner and to the same extent as if set out at length and included in this Act, and notwithstanding any want of jurisdiction in the said municipality to pass the said by-laws and notwithstanding any defect in substance or in form in the said By-laws or in the manner of passing the same.

Power to  
guarantee  
bond  
issue of  
Cement  
Company.

2. It shall be lawful for the said Municipal Corporation of the Town of St. Marys upon the erection and equipment of the said factory by the said St. Marys Portland Cement Company, Limited, by or before the 1st day of April, 1912, or within such further time but not later than the 1st day of September, 1912, as the said Municipal Council may by by-law provide to guarantee to the extent of \$40,000 the bond issue of the said Company as mentioned in the said By-laws.

3. Notwithstanding anything contained in said by-laws, the property of the Company shall for school purposes be assessed and liable to taxation in all respects as if the said by-laws had not been passed.



## SCHEDULE "A."

BY-LAW No. 165.

To Authorize the Town of St. Marys to Guarantee the Bonds of an Incorporated Company to be formed by John G. Lind and Thomas J. McNally to the extent of \$40,000 for the purpose of erecting a Factory, Buildings, Plant and Machinery in the Town of St. Marys, to carry on therein the business of manufacturing Portland Cement.

Whereas John G. Lind, of the Town of Owen Sound, in the County of Grey, Manufacturer, and Thomas J. McNally, of the City of Toronto, in the County of York, Physician, have agreed with the said Town of St. Marys:

(1) To form a Company incorporated under the laws of the Province of Ontario, with a capital of not less than \$250,000.

(2) To procure a site within the Corporation of the Town of St. Marys and thereon to erect the necessary factory buildings for the manufacture of Portland Cement.

(3) To expend before the 15th day of September, 1911, the sum of \$200,000 pursuant to the valuation to be made by the said Corporation in the

(a) Procuring the necessary site within the Town of St. Marys.

(b) Constructing and erecting the building, and

(c) The erection of the plant and machinery in connection therewith for the purpose of the said factory.

(4) To erect said factory and equip the same with plant and machinery ready for the manufacture of Portland Cement before the 15th day of September, 1911, delays from strikes or other necessary and unavoidable causes excepted.

(5) To employ at least 100 hands for at least 10 months in each year after the 15th day of September, 1911, except in the case of strikes, fire or other casualties over which the said John G. Lind and Thomas J. McNally or the said incorporated Company have no control.

(6) After the expiration of three years from the time of the guarantee of the bonds hereinafter mentioned to provide sufficient money each year to form a sinking fund for the due payment of said bonds and interest to accrue thereon and invest such fund from time to time upon such first-class securities as may be acceptable to said Corporation.

(7) That the said incorporated Company shall give notice to the Clerk of the Town of St. Marys that so much of the whole of the assessment for real property and other assessments within the Town of St. Marys shall be entered, rated and assessed for Separate School purposes, namely:—such part of the whole assessment of the Company as bears the same ratio to the whole assessment of the Company as the assessment of Separate School supporters bears to the assessment of Public School supporters.

And whereas the Town of St. Marys has agreed with the said John G. Lind and Thomas J. McNally:

(1) That the said Town of St. Marys, upon the said John G. Lind and Thomas J. McNally or the said incorporated Company expending upon the acquirement and equipment of said land and factory for the manufacture of Portland Cement within the said Town of St. Marys the said sum of \$200,000 before the 15th day of September, 1911, delays from strikes or other necessary and unavoidable causes

excepted, pursuant to the valuation to be made by the Corporation of the Town of St. Marys, and being ready by the 15th September, 1911, or sooner, delays from strikes, etc., excepted, to begin operations at said factory with 100 men, will guarantee as in the proviso hereto the payment of \$40,000 ten years six per cent., first mortgage bonds of the Company, the said bonds for \$40,000 to be a part of a bond issue limited to \$90,000 and to be secured by a first mortgage upon all the land, factory buildings, plant and machinery of the said John G. Lind and Thomas J. McNally or the said incorporated Company used in connection with said business of manufacturing Portland Cement within the said Town of St. Marys, said bonds to be repayable in ten years from the date of issue thereof and to have attached to them coupons for the payment of the interest thereon yearly at the above rate of six per cent., provided, however, that \$20,000 of said bonds shall be guaranteed when the buildings are completed and \$20,000 when Company is ready to begin operations.

(2) That the said Corporation of the Town of St. Marys will upon the performance of said John G. Lind and Thomas J. McNally, or the said incorporated Company of all their agreements with the said Town of St. Marys grant unto the said John G. Lind and Thomas J. McNally or the said incorporated Company the following lands:

All and singular that certain parcel or tract of land and premises situate, lying and being in the Town of St. Marys, in the County of Perth, and Province of Ontario, being part of Lot number Twenty-five in the Thames Concession of the Township of Blanshard and comprising all that part of said Lot number Twenty-five lying between Thomas Street in the said Town of St. Marys and River Thames and known as Lots Nineteen and Twenty in Birtch's survey of Lot Twenty-five, subject, however, to the free use by said Town of St. Marys of said lands for a period of ten years from the date when said factory is completed and operations begin for the manufacture of Portland Cement. While the said Town uses the said land it shall not be subject to taxes.

(3) To exempt the said John G. Lind and Thomas J. McNally or the said incorporated Company from taxes for ten years on the lands, factory buildings used in connection with the said manufacturing business as aforesaid and from business taxes, which exemption shall not apply to school taxes and taxes for local improvements. So much of the whole assessment as the amount of the assessment rated to Separate School supporters bears to the amount rated to supporters of Public Schools shall be entered, rated and assessed for Separate School purposes. The rate of taxation shall, however, be the same on the whole assessment as shall be that for Public School supporters. In the event of the Company ceasing to carry on business for one year the whole of the property of said Company shall become liable to all the usual taxes.

And whereas the said John G. Lind and Thomas J. McNally have deposited with the Treasurer of the Town of St. Marys a marked cheque for \$125, to cover the expenses of submitting this by-law.

And whereas it is desirable to ratify and confirm the foregoing agreement.

And whereas the amount of the whole rateable property of the Town of St. Marys, according to the last revised assessment roll thereof, is One million five hundred and twelve thousand eight hundred and fifty-two dollars and fifty cents, of which sum by the provisions of 58 Victoria, Chapter 80, the sum of ninety-two thousand and three hundred and sixty dollars being the assessed value of certain lands set out and referred to in said 58 Victoria, Chapter 80, is exempt.

And whereas the amount of existing debenture debt of the said Municipality of the Town of St. Marys is one hundred and fifty-four thousand four hundred and nineteen dollars and sixty cents, and none of the principal or interest of said debenture debt is in arrears.

Now therefore the Municipal Council of the Corporation of the Town of St. Marys enacts as follows:—

(1) That it shall and may be lawful for the Mayor and Clerk of the said Town of St. Marys, on behalf of said Town of St. Marys, upon said John G. Lind and Thomas J. McNally or the said incorporated Company acquiring said lands, erecting said building and equipping said factory for the manufacture of Portland Cement at a cost of \$200,000, pursuant to the valuation to be made by the said Corporation of the Town of St. Marys upon resolution of the Council of said Town that all conditions necessary therefor have been fulfilled to guarantee bonds of the said John G. Lind and Thomas J. McNally or the said incorporated Company to the extent of \$40,000 in two instalments of \$20,000 each, as in said preamble set forth, said bonds to be part of an issue of bonds limited in amount to \$90,000 and to be ten-year first mortgage bonds six per cent. with interest coupons attached for the payment of the interest thereon yearly during the bond term of ten years. Said bonds shall state upon the face thereof that they are first mortgage bonds of an issue of first mortgage bonds limited to \$90,000 and shall be secured by a mortgage upon all the lands, factory buildings, plant and machinery of the said John G. Lind and Thomas J. McNally or the said incorporated Company within the said Town of St. Marys. Provided that the said Mayor and Clerk shall not be required to inquire further into the said issue after the resolutions of said Council directing them to execute the said Bond guarantee on behalf of said Town.

(2) That the said lands, factory buildings, plant and machinery of said John G. Lind and Thomas J. McNally or said incorporated Company used in connection with the manufacture of Portland Cement within the Town of St. Marys shall be exempt for a period of ten years from all taxes of the said Town of St. Marys except school taxes and taxes for local improvements. And it is hereby declared and enacted that so much of the whole assessment of said lands, factory, plant and machinery as the amount of the assessment rated to Separate School supporters bears to the amount rated to supporters of Public Schools shall be entered, rated and assessed for Separate School purposes. Provided, however, that the rate upon the whole of such assessment for lands, factory, etc., shall be at the Public School rate. Provided also that in the event of the said John G. Lind and Thomas J. McNally or the said incorporated Company ceasing to carry on business for one year the whole of the property of said John G. Lind and Thomas J. McNally, or the said incorporated Company used in connection with the manufacture of Portland cement shall become liable to all the usual taxes.

(3) This By-law shall take effect on the passing thereof.

(4) On the 19th day of May, 1910, at the hour of ten o'clock in the forenoon, at the Clerk's Office, in the Town Hall of St. Marys, the appointment of persons to attend at the polling places and at the final summing of the votes by the Clerk respectively on behalf of the persons interested in and promoting or opposing the passing of this By-law will be made.

(5) The Clerk of the Municipality shall sum up the number of votes for and against the By-law at the hour of 10 a.m., on Saturday, the 21st day of May, 1910, at the Clerk's Office, in the Town Hall, St. Marys.

(6) The votes of the ratepayers entitled to vote on this By-law shall be taken thereon at the places hereinafter mentioned, and the said votes shall be taken on Friday, the 20th day of May, 1910, the poll to be opened at the hour of nine o'clock in the forenoon and closed at the hour of five o'clock in the afternoon, and the persons also hereinafter named shall be Deputy Returning Officers to take the votes at the said polls.

- (a) Polling Subdivisions Nos. 1 and 6, being the West Ward—Place, West Ward School House; Wm. Box, Deputy Returning Officer.
- (b) For Polling Subdivisions Nos. 2 and 3, being the North Ward—Place, Council Chamber, Town Hall; Frank McCracken, Deputy Returning Officer.
- (c) For Polling Subdivision No. 4, being the East Ward—Place, the James St. School; Geo. D. Lawrie, Deputy Returning Officer.
- (d) For Polling Subdivision No. 5, being the South Ward—Place, C. W. Coupland's Store, Water St.; James Kennedy, Deputy Returning Officer.

Read a first time, the 20th day of April, 1910.

Read a second time, the 20th day of April, 1910.

Read a third time and passed, the 30th day of May, 1910.

T. M. CLARK, *Clerk.*

F. G. SANDERSON, *Mayor.*

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#### SCHEDULE "B."

##### BY-LAW No. 202.

##### TO AMEND BY-LAW No. 165 OF THE TOWN OF ST. MARYS.

Whereas By-law No. 165 of the Town of St. Marys was duly passed authorizing the Town of St. Marys to guarantee the bonds of an incorporated company to be formed by John G. Lind and Thomas J. McNally to the extent of forty thousand dollars, for the purpose of erecting a factory, buildings, plant and machinery in the Town of St. Marys, to carry on therein the business of manufacturing Portland cement.

And whereas it was provided in said By-law that the said John G. Lind and Thomas J. McNally were to expend before the 15th day of September, 1911, the sum of two hundred thousand dollars, pursuant to the valuation to be made by the said Corporation in procuring the necessary site within the Town of St. Marys, and thereon to erect the necessary factory buildings for the manufacturing of Portland cement, and to equip the same with plant and machinery ready for the manufacturing of Portland cement before the 15th day of September aforesaid, delays from strikes or other necessary and unavoidable causes excepted.

And whereas it was provided in the said By-law No. 165 that the said Lind and McNally would employ at least one hundred hands for at least ten months in each year after the 15th day of September, 1911, except in cases of strikes, fire, or other casualties, over which the said Lind and McNally, or the incorporated company, had no control.

And whereas it was provided in the said By-law No. 165 of the said Town of St. Marys, upon the said John G. Lind and Thomas J. McNally, or the said incorporated company, expending upon the acquirement and equipment of the said land and factory for the manufacturing of Portland cement within the Town of St. Marys the said sum of two hundred thousand dollars before the 15th day of September, 1911, delays from strikes or any other unavoidable causes excepted, pursuant to the valuation to be made by the Corporation of the Town of St. Marys, and being ready by the 15th day of September, 1911, or sooner, delays from strikes, etc., excepted, to begin operations in said factory with one hundred men, would guarantee, as provided in said By-law No. 165, the payment of forty thousand dollars in ten years at six per cent. first mortgage bonds of the Company. The said bonds for forty thousand dollars to be part of the bond issue limited to ninety thousand dollars, and to be secured by the first mortgage upon all the land, factory, buildings, plant and machinery of the said John G. Lind and Thomas J. McNally, or the said incorporated company, as further provided in said By-law No. 165.

And whereas it has been made to appear to the Municipal Council of the Corporation of the Town of St. Marys that it will be impossible for the said John G. Lind and Thomas J. McNally, or any incorporated company formed by them, to fully carry out and perform the agreements made by them, the said Lind and McNally, which were to be carried out and performed by them on or before the 15th day of September, 1911, by reason of delays occasioned by necessary and unavoidable causes.

And whereas the said John G. Lind and Thomas J. McNally have formed a company which will be incorporated agreeable to the conditions of the said By-law No. 165, and have procured the necessary site within the Town of St. Marys to erect the necessary factory buildings for the manufacturing of Portland cement.

Now, therefore, the Municipal Council of the Corporation of the Town of St. Marys enacts as follows:—

That the time for expending the sum of two hundred thousand dollars, as set out in paragraph 3 of the first recital in By-law No. 165 of the Town of St. Marys, and the time for erecting and equipping factory, in paragraph 4 of the said recital, and the time mentioned in paragraph 5 of the said recital, be extended from the "15th day of September, 1911," until "the 1st day of April, A.D. 1912."

That the words and figures "the 15th day of September, 1911," in the 5th and 6th lines of paragraph 1 in the second recital in said By-law No. 165, and the words and figures "the 15th September, 1911," in the 8th and 9th lines of said paragraph 1, be stricken out, and "the 1st day of April, A.D. 1912," be substituted therefor.

That the words and figures "the 15th day of September, 1911," wherever the same do occur in the said By-law, be stricken out and the words "the 1st day of April, 1912," be substituted therefor.

That in all other respects the said By-law No. 165 is hereby confirmed.

This By-law shall take effect on the passing thereof.

Read a first time, the 12th day of June, 1911.

Read a second time, the 12th day of June, 1911.

Read a third time and passed, the 12th day of June, 1911.

F. G. SANDESON, *Mayor*.

T. M. CLARK, *Clerk*.

No. 60.

1st Session, 13th Legislature,  
2 George V., 1912.

BILL.

An Act respecting the Town of St. Marys.

1st Reading, March 1st, 1912.

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

Mr. GOODERHAM.

TORONTO:

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

# BILL

## An Act respecting the City of Port Arthur.

**W**HEREAS the Municipal Corporation of the City of Preamble. Port Arthur, herein called "the Corporation," has by petition represented that the by-laws specified in Schedule "A" hereto have been submitted to and approved of by the qualified ratepayers, and it is desirable that the said by-laws and the debentures to be issued thereunder should be validated and confirmed; and whereas the said Corporation has had differences with The Canadian Pacific Railway Company and a settlement has been arrived at by agreement dated the 29th day of May, 1911, set out as Schedule "B" hereto, and it is desirable that the said agreement be ratified; and whereas, subject to the assent of the qualified ratepayers, the Corporation has entered into an agreement with John L. McRae, set out as Schedule "C" hereto, and it is desirable that such agreement should be confirmed; and whereas it is desirable to extend the Electric Street Railway of the Corporation beyond the limits of the City of Port Arthur; and whereas it has been found that it is inconvenient to hold the Municipal Elections on the first Monday in January, and it is desirable to hold the same on the first Monday in December; and whereas it is sometimes found difficult to borrow money pending the sale of debentures, and it is desirable that power should be granted to raise money by the issue of Treasury Bills pending the sale of debentures; and whereas on account of the large number of non-resident ratepayers in the City of Port Arthur, it is found difficult to poll the necessary vote to pass bonus By-laws under the provisions of *The Municipal Act*, and it is desirable that authority should be granted to pass such by-laws if a majority of those voting vote in favor of such by-laws; and whereas the Corporation has further represented that it has a debenture indebtedness made up and maturing as shown in Schedule "D" hereto, and that owing to the rapid growth and development of the City and the heavy debt incurred in meeting the growing needs of the City the payment of the Sinking Fund required to be levied to meet

the payment of the said several debentures at the maturity thereof is unduly burdensome on the ratepayers of the said City and it is desirable that such Debentures may be consolidated into one issue of \$1,885,000.00 payable within forty years; and whereas the Corporation has prayed that an Act may be passed for the above purposes; 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 specified in Sched. "A" confirmed.

1. The By-laws specified in Schedule "A" hereto and all debentures issued or to be issued thereunder and all assessments made or to be made and rates levied or to be levied for the payment of the said debentures are confirmed and declared to be legal, valid and binding upon the Corporation and the Ratepayers thereof.

Agreement with C.P.R. Ry. Co., confirmed.

2. The Agreement dated the Twenty-ninth day of May, 1911, between the said Corporation and the Canadian Pacific Railway Company, set out as Schedule "B" hereto, is confirmed and declared legal, valid and binding upon the Canadian Pacific Railway Company and the Corporation and the Ratepayers thereof with full power and authority to do all acts, matters and things necessary to carry out all the terms of the said agreement.

Agreement with John L. McRae, confirmed, subject to vote of electors.

3. After the same has been submitted to and approved of by a majority of the qualified Ratepayers voting thereon, the Agreement between the Corporation and John L. McRae, dated the Thirty-first day of May, 1911, and set out as Schedule "C" hereto, shall be legal, valid and binding on the said John L. McRae and on the Corporation and the Ratepayers thereof, and the Corporation shall have full power and authority to do all acts, matters and things necessary to carry out the terms of the said agreement.

Power to construct extensions to electric street railway.

4. The Corporation, with the assent of the Ratepayers qualified to vote on money by-laws, may pass a By-law or By-laws to construct, equip, maintain and operate any branch or branches of its Electric Street Railway either within or without the limits of the City, and may enter into any agreement or agreements with any other municipality or municipalities for the joint construction or joint maintenance and operation of any such branch or branches and may issue debentures repayable in not more than Thirty years to cover the cost of such construction, and the Corporation may also without obtaining the assent of the ratepayers construct, maintain and operate sidings or switches



to connect with manufactories or industrial plants and may make agreements with the owners thereof or other persons or Corporations in connection with such construction, maintenance and operation and may issue debentures repayable in not more than Thirty years, to cover the cost of such construction.

5. Notwithstanding anything to the contrary in *The Consolidated Municipal Act, 1903*, or in any other Act contained, the Corporation may hold its Elections for Mayor, Aldermen, Street Railway Commissioners, School Trustees and Mining School Trustees on the first Monday in the month of December in each year, and the nominations for such offices one week prior thereto, and all the provisions of *The Consolidated Municipal Act, 1903*, or other Acts governing Elections shall apply with the exceptions of the date for holding such nominations and Elections.

Date of holding nomination and polling.

6. Notwithstanding anything to the contrary in *The Consolidated Municipal Act, 1903*, or in any other Act contained, the Corporation may pass by-laws for granting a bonus as defined by section 591a of *The Consolidated Municipal Act, 1903*, if at least one-half of the resident ratepayers qualified to vote on the by-law vote and a majority of those voting vote for the by-law.

Vote required on bonus by-law.

7. The Council of the said Corporation is hereby authorized without the assent of the electors qualified to vote on money by-laws to pass a by-law of the said Corporation consolidating into one issue of One Million Eight Hundred and Eighty-five Thousand (\$1,885,000.00) Dollars, the amount of the debentures authorized by the by-laws specified in Schedule "D" hereto, and to authorize the issue of debentures of the said corporation to the amount of One Million Eight Hundred and Eighty-five Thousand (\$1,885,000.00) Dollars, payable in forty (40) years from the date of issue thereof, and bearing interest at a rate not exceeding the rate of four and one-half per centum per annum payable half-yearly.

Authority to consolidate debenture debt at \$1,885,000.

8. Such debentures may be expressed in sterling or currency, or in both, and may be payable at such place or places in Canada or elsewhere as may be designated therein, and shall have coupons for interest annexed, which shall be sufficient, if the signature of the treasurer be engraved or lithographed thereon.

Place of payment coupons.

9. Such By-law need not recite the whole rateable property or the amount of the existing debenture debt of the municipality, nor any special rate to be raised annually

Sinking fund, etc.

for paying the debt and interest, but shall expressly provide for raising in each year during the currency of the debentures authorized the sum of Nineteen Thousand Eight Hundred and Thirty-seven (\$19,837.00) Dollars for the payment of such debentures, that sum being sufficient with the interest on the investment thereof, estimated at four per centum to be capitalized yearly to discharge the debt created by the said debentures when payable.

How annual  
sum to be  
raised.

**10.** One Thousand (\$1,000.00) Dollars, portion of such sum shall annually during the currency of the said debentures be levied on the assessed property of all ratepayers in the said city who are supporters of Public Schools, and Eighteen Thousand Eight Hundred and Thirty-seven (\$18,837.00) Dollars, the remainder of such sum shall annually during the currency of the said debentures be levied on all the assessed property in the said city not exempt from taxation.

Corporation  
not required  
to raise  
sinking  
fund under  
by-laws  
consolidated.

**11.** From and after the passage of such By-law and the execution and issue of the debentures as thereby authorized and their deposit as herein provided for the Corporation shall levy yearly the respective sums thereby required to be raised to form a Sinking Fund for the payment of the principal of the said debentures, and shall cease to levy the several and respective sums required to be raised yearly by and under the by-laws specified in Schedule "D" hereto for the purpose of forming Sinking Funds for the payment of the principal of the debentures issued under such by-laws respectively.

Levy for  
interest  
under by-  
laws con-  
solidated.

**12.** The said Corporation shall continue to levy yearly the respective amounts required to pay the interest on the debentures issued under the by-laws specified in Schedule "D" hereto, or on such of the said debentures as may be from time to time outstanding, and as and when any of the debentures issued under such specified by-laws and then only the said Corporation shall yearly levy for interest under the Consolidated By-law a sum equal to the interest at the rate mentioned in the Consolidated By-law on the amount of the debentures issued under such specified by-laws, which shall from time to time have been paid or exchanged.

Debentures  
to be de-  
posited  
with  
National  
Trust Co.

**13.** The debentures issued under the said Consolidated By-law shall be deposited with National Trust Company, Limited, to hold the same on trust to deliver the same, or any of them on the written order of the Mayor and Treasurer of the said City for the purpose of being used in payment of or in exchange for a like amount of debentures

issued under any of the by-laws specified in Schedule "D" hereto, which shall thereupon be delivered to National Trust Company, Limited, and cancelled.

14. When any of the debentures heretofore issued for <sup>Public school de-</sup>Public School purposes under By-laws Numbers 438, 577 <sup>debentures.</sup> and 907 are so paid or exchanged the annual sum to be levied thereafter for interest in respect of the amount thereof shall be so levied on the assessed property of all ratepayers in the said City who are supporters of Public Schools.

15. By-law 395 of the said Corporation, set out as <sup>By-law 395</sup>Schedule "E" hereto, is confirmed and declared to be legal, <sup>confirmed.</sup> valid and binding on the said Corporation and on the ratepayers thereof, and on the Port Arthur Steel and Wagon Company.

16. The Municipal Council of the Corporation of the <sup>Power to</sup>City of Port Arthur is hereby authorized and empowered to <sup>exempt</sup>pass a by-law to exempt The Pigeon River Lumber Company <sup>property of</sup>and all its property and assets of every kind in the City of <sup>Pigeon</sup>Port Arthur from all municipal taxation of every kind, save <sup>River Lum-</sup>and except school taxes and local improvement taxes for a <sup>ber Co.</sup>period of ten years from the passing of the said by-law.

#### SCHEDULE "A"

By-law No. 559.—To authorize the issue of debentures for \$6,000 to cover the cost of improvements to the Municipal Buildings on Arthur Street and for the furniture and equipment thereof.

By-Law No. 560.—To authorize the erection of a warehouse on the City property on the east side of Front Street for the use of The Utilities Department and for the issue of debentures to the amount of \$6,000 to cover the cost thereof.

By-Law No. 563.—To authorize the issue of debentures for the sum of \$10,000 towards the cost of the construction of a bridge over Current River on the Black Bay Road.

By-Law No. 564.—To extend the Water Works intake pipe and to erect Pump House and connections therewith and to authorize the issue of debentures for \$75,000 to cover the cost thereof.

By-Law No. 565.—To authorize the construction of a new Force Main from the Power House to Van Horne Street and to issue debentures for \$50,000.

By-Law No. 566.—To authorize the erection of a Stand Pipe and for the issue of debentures for \$40,000 to cover the cost thereof.

By-Law No. 567.—To authorize the continuation of Cumberland Street from the southerly boundary of the Current River Park northerly to a point 500 feet southerly from Hodder Avenue and to issue debentures to cover the cost thereof amounting to \$15,800.

By-Law No. 568.—For the completion of the Storage Dam at Current River and to authorize the issue of debentures for \$30,000, to cover the cost thereof.

By-Law No. 571.—To extend the street railway easterly and to issue debentures to cover the cost thereof, to the amount of \$17,250

By-Law No. 594.—To authorize the purchase of Lot 6 in the Marks-Wiley Addition from Edwin J. Hopkins for school site and to issue debentures for \$6,700.

By-Law No. 599.—To authorize the purchase of certain lands for the purchase of a school site and to issue debentures for \$3,800.

By-Law No. 705.—To consolidate the sums authorized to be borrowed by certain local improvement by-laws into one sum of \$280,350 and to borrow the same by the issue of debentures therefor.

#### SCHEDULE "B."

This indenture made in duplicate this twenty-ninth day of May, one thousand nine hundred and eleven.

BETWEEN—

The Canadian Pacific Railway Company, (hereinafter called "the Company") of the One Part  
and

The Corporation of the City of Port Arthur (hereinafter called "the City") of the Other Part.

Witnesseth that the Company and the City hereby agree the one with the other as follows:—

1. The City will and does hereby for and during the period of three years from and after the first day of January, 1911, exempt the Company, and all its real and personal property in the City of Port Arthur, excepting any portion of said real property now leased, or which may hereafter be leased by the Company to any other person, firm or corporation during the period of lease, from all municipal taxation and all assessments, taxes and rates whatsoever, and will and does hereby for and during the period of seven years from and after the first day of January, 1914, exempt the Company and all its real and personal property in the City of Port Arthur, except as aforesaid, from all municipal taxation and all assessments, rates and taxes whatsoever in excess of the sum of seven thousand dollars (\$7,000.00) per annum, which said sum of seven thousand dollars (\$7,000.00) shall be fixed as the total amount of Municipal taxes and rates which the Company or its property shall be liable to pay in the City of Port Arthur, except as hereinafter mentioned, that is to say, nothing herein contained shall exempt the Company from payment of school taxes and local improvement rates. The contract between David Horn and the Company shall not be deemed a lease as the word "leased" is used in this paragraph.

2. The Company will and doth hereby release and discharge the City from all claims for damages arising out of the washout on Current River on May 27th, 1908.

3. The Company will by good and sufficient lease demise and lease to the City a water lot in the City of Port Arthur, described as follows:—

All of the water lot in front of the northerly part of the Government Reserve "A," in the said City of Port Arthur, and so much of the southerly part of the water lot in front of Lot No. One, (1), on north Water Street as lies to the South of a line drawn north of, parallel to and three hundred feet distant, northerly at right angles from the southerly boundary of the first mentioned water lot, for a term of ninety-nine years, to be computed from the first day of January, 1911, at a yearly rental for the first ten years of the said term of one hundred dollars (\$100.00), and thereafter at a yearly rental of four per centum, upon the value of the said water lot as ascertained at the commencement of each successive decennial period thereafter during the said term; such value to be determined in case of dispute by a single arbitrator, if the parties agree upon one, otherwise by three arbitrators of whom the Company shall appoint one, the City one, and the two arbitrators thus appointed the third, the award of such single arbitrator or a majority of such three arbitrators to be final, and also from and after the time when the docks, freight sheds, and tracks mentioned in the fifth paragraph of this agreement shall have been erected and completed at an additional yearly rental at the rate of four and one-

half per centum per annum, upon the cost of constructing the said docks, freight sheds and tracks. The said lease shall contain covenants by the City to pay the said rent at the times and in the manner aforesaid, and to pay all taxes, rates, charges, and assessments, whether Municipal or of any other description, which during the said term shall be charged, assessed, or imposed on the said premises, or upon the Company in respect thereof, and to keep the said docks, and the buildings and improvements thereon, in good and substantial repair, and to rebuild the same when necessary by reason of wear and tear, or by reason of fire, lightning, or tempest, and to deliver the same up to the Company at the end of the said term in good condition and substantial repair, without any exception of wear and tear, fire, lightning, or tempest, and not to assign or sublet without the leave of the Company, save and except to the Northern Navigation Company, or to any other steamship company operating a line of steamship to and from the City of Port Arthur, or to the Grand Trunk Pacific Railway Company, and shall also contain a provision for re-entry by the Company, after three months' notice in writing given to the City, on non-payment of rent for three months, or on breach of any of the City's covenants. The said lease shall contain a covenant on the part of the Company that it will not without leave of the City erect or suffer to be erected, any dock or other structure within a distance of one hundred and sixty feet (160 ft.), measured at right angles, southerly from the south boundary of the land thereby demised or within a distance of two hundred feet (200 ft.), measured at right angles, northerly from the northerly boundary of the land thereby demised.

4. The City will accept a lease of the said premises for the term at the rent and subject to the conditions hereinbefore expressed and will execute the said lease upon request from the Company.

5. Subject to the approval of the Governor-General-in-Council and to the authority of the Board of Railway Commissioners for Canada, the Company will upon plans and specifications to be hereafter agreed upon between the parties, but which shall anticipate an expenditure of approximately Two Hundred and Thirty Thousand Dollars (\$230,000.00), build docks upon the water lot hereinbefore mentioned with freight sheds thereon, and with such railway tracks connecting with the railway of the Company as are necessary for the handling of traffic to and from the said docks. The Company will commence the work of constructing the said docks, freight sheds and tracks, within thirty days after the ratification of this agreement by the Legislature of Ontario as hereinafter provided and pending completion of the same, and pending the submission of this agreement to the Legislature of Ontario for ratification will allow the City, or any of the Companies mentioned in the third paragraph hereof to which the City may assign such permission, to use the Company's dock at the foot of Arthur Street. Provided that if for the accommodation of the traffic of the City or its said assign, the Company shall enlarge its said dock, or provide any additional buildings or facilities thereon, the City will pay to the Company interest at the rate of four and one-half per centum per annum upon the cost of such enlargement and additional facilities and buildings, or of any of them during the time of such user by the City, or its said assign. The City will perform or cause to be performed all dredging about the docks to be erected upon the land to be demised, and also all dredging about the Company's dock at the foot of Arthur Street which may become necessary for or by reason of any enlargement thereof.

6. The Company will for a consideration and upon terms and conditions to be agreed upon between the Company and the Grand Trunk Pacific Railway Company, or failing such agreement to be determined by the Board of Railway Commissioners for Canada, permit the Grand Trunk Pacific Railway Company to use jointly

with the Company the Company's Passenger terminals in the City of Port Arthur, and for the purposes of passenger train service to use the tracks of the Company between the said passenger terminals and the easterly terminus of the joint section as described in an agreement between the Company and the Grand Trunk Pacific Railway Company, dated December 1st, 1908, and will for a consideration and upon terms and conditions to be determined in like manner, move and handle the freight, express and baggage traffic of the Grand Trunk Pacific Railway Company destined to or from the said docks, or to or from the land now owned by the Grand Trunk Pacific Railway Company, lying between Graham St. and McVicar's Creek, and west of the Company's right of way over the tracks of the Company between the said docks or the said land now owned by the Grand Trunk Pacific Railway Company, and an interchange track to be agreed upon between the two Companies.

7. If the Company shall, within three years from the date hereof, or within a further period to be determined as herein provided, agree with the Grand Trunk Pacific Railway Company and the Canadian Northern Railway Company for the joint use of and erect a Union Passenger Station in the City of Port Arthur, the City will, upon request of the Company, after such erection convey or cause to be conveyed to the Company in fee simple the block of land owned by the City, bounded by North Water Street, Van Norman Street, Cumberland Avenue, and a line drawn approximately parallel to and ninety-one feet and seven-tenths of a foot distant southerly from the south boundary of Cameron Street, and will duly stop up and convey to the Company all that portion of North Water Street, between the northerly boundary of Van Norman Street and the southerly boundary of Cameron Street for the purpose of such passenger station. If, at the expiration of the said period of three years the Company shall not have agreed with the Grand Trunk Pacific Railway Company and the Canadian Northern Railway Company upon such joint use of a passenger station, but is able to prove a reasonable probability that such an agreement will be made, the City will enlarge the period herebefore limited, for the performance of such condition to such later date as will enable the said agreement between the three Companies to be made, and the said Union Station to be erected. The said Union Station shall be suitable and adequate for the accommodation at all times of the joint traffic of the three said Railway Companies.

8. In the event of such agreement being made between the Company, the Grand Trunk Pacific Railway Company and the Canadian Northern Railway Company for the joint use of a passenger station, and the land being transferred by the City to the Company as in the next preceding paragraph hereof is provided, the Company will make no charge against the other said Railway Companies, or either of them, for the use of the said land or any part thereof, but the Company shall have the right to make such charge as may be agreed upon between the three said Companies in respect of any part of any land of the Company, now owned or hereafter otherwise acquired, used for the purpose of such joint passenger station and tracks, buildings and facilities in connection therewith. Any part of the said land not actually required and used for the said joint passenger station, tracks and buildings in connection therewith, and for access thereto, shall be maintained by the Company as a park.

9. From and after the conveyance of the said land by the City to the Company, any portion thereof used as a park, shall, so long as the same shall be so used and maintained as a park, as in this agreement provided, be free and exempt from all municipal taxation and all assessments, rates and taxes, including school and local improvement taxation.

10. The City will pass all such By-laws and take all such steps and proceedings as may be necessary or requisite to give effect to this agreement, and each and all of the covenants on its part herein contained, and will forthwith apply for and procure from the Legislature of Ontario at its next session, ratification and confirmation of the covenants and agreements on the part of the City in this agreement contained, and until such ratification and confirmation, and if not so ratified and confirmed at the next session, this agreement shall not be binding upon the parties hereto.

11. It is understood and agreed that the words "the Company" and the words "the City," shall, wherever used herein extend to, include and be binding upon, and be construed to extend to, include and be binding upon the successors and assigns of the Canadian Pacific Railway Company, and of the Corporation of the City of Port Arthur, respectively.

In witness whereof the parties hereto, have hereunto caused to be affixed, their respective Corporate seals, and the hands of their proper officers to be set.

SIGNED—

THE CANADIAN PACIFIC RAILWAY COMPANY,

T. G. SHAUGHNESSY,  
*President.*

W. R. BAKER,  
*Secretary.*

THE CORPORATION OF THE CITY OF PORT ARTHUR,

H. B. DAWSON,  
*Presiding Officer.*

JAMES McTEIGUE,  
*Clerk.*

#### SCHEDULE "C."

Agreement made this 19th day of July, one thousand nine hundred and eleven,  
Between

The Corporation of the City of Port Arthur, hereinafter called  
"the City" of the first part

and

John L. McRae, of the City of Port Arthur, of the second part.

Whereas it would be greatly in the interests of the City that the party of the second part should construct a plant for the manufacture of interior finishing for buildings, including columns, flooring, doors, windows, and other articles of the same nature, within the limits of the City of Port Arthur:

And whereas the said party of the second part has agreed to construct such a plant upon the terms and conditions hereinafter mentioned.

Therefore the parties hereto agree the one with the other as follows:

1. The said party of the second part shall forthwith form a company under the laws of the Province of Ontario with a capital of \$100,000 to facilitate the carrying out of this agreement, of which company the party of the second part shall be the Manager, and the word "Company" hereafter appearing in this agreement shall refer to the Company so to be incorporated.

2. Immediately after the ratification of this agreement by the ratepayers of the City of Port Arthur the said Company shall commence and thereafter with all reasonable dispatch continue the construction upon lots sixteen (16) and seventeen (17) in the O'Brien Addition to the City of Port Arthur, according to the plan of first subdivision of the said addition, of a plant to manufacture interior finishing for buildings and other articles as above mentioned and shall have same ready for operation by the first day of September, 1912, save and except only if delayed by strike and other causes wholly beyond its control.

3. The said Company shall, after commencing operations on the first day of September, 1912, until the 1st day of March, 1913, employ as many men as practicable, and from and after the first day of March, 1913, shall employ at least thirty men during an average of three hundred working days per year for the ten years from the first of September, 1912, such men to be employed in and about the actual operation of the said plant or to be employed as teamsters, and upon the docks in the said city, handling the material only to be used in the said plant. The performance of 9,000 days' work in any one year shall be equivalent to the employment of the said thirty men for three hundred days in the said year.

4. Provided, however, that if in any year the business of said Company does not in its opinion warrant the performance of 9,000 days' work as aforesaid the same may be reduced to not less than 4,500 days in such year, but notwithstanding this proviso, the Company shall employ sufficient men to perform 27,000 days' work in any three consecutive years.

5. The said Company shall employ local labor and mechanics, providing there are competent men to be obtained, before going to points outside of the City of Port Arthur for same, and shall pay not less than the governing wage of the District to each class of workmen employed.

6. The said Company shall locate and maintain its head office in the City of Port Arthur, and all wages of the employees in Port Arthur shall be paid in Port Arthur.

7. In consideration of the above, and of the further covenants and agreements hereinafter contained, the City agrees to guarantee the principal and interest of the bonds of the said Company to the amount of one-half of the actual cost of the said plant, improvements, buildings, and the lands used in connection therewith as hereinafter provided, such guarantee not exceeding in the whole the sum of \$30,000, which guarantee shall be secured by a first mortgage to the City upon all the lands, buildings, plant, machinery and equipment of the Company, and any other lands which may be acquired hereafter by the said Company to be used in connection with the said business and any other plant, machinery or equipment which may be hereafter brought upon the said lands, such bonds to be dated on the first day of March, 1912, and to be payable in ten years from such date with interest at 5 per cent. per annum payable half-yearly. The said bonds shall be guaranteed by the City on the first day of March, 1912, to the amount of one-half of the moneys actually expended by the said Company up to that date upon the said plant and the purchase of the said lands, the amount so guaranteed, however, not exceeding \$30,000. Provided, however, that if the said plant is not complete on the



said date by reason of strikes and other causes beyond the control of the Company the valuation thereof shall be deferred for such period of time thereafter as will be equivalent to the time so lost.

8. The said plant, machinery, buildings and equipment shall be insured to their full insurable value, and the said insurance shall be transferred to the City, with loss payable to the City as its interest may appear. Such insurance shall be placed through local Insurance Agents providing the rates charged by them are not in excess of the rates which can be obtained through any outside agents.

9. The property of the said Company, including lands, machinery, equipment and stock-in-trade, shall be taxed for all purposes (except local improvement and school taxes) upon a fixed assessment of six thousand dollars per annum for the ten years from the first day of January, 1912.

10. If the Company fails to carry out and perform any of the terms or conditions herein contained and on its part to be carried out and performed, for any reason other than fire, storm, strikes or other unavoidable causes or accidents, the said exemption from taxation shall cease, and thereupon the property of the Company shall be liable to be assessed and taxed to the same extent as it would have been liable had this agreement not been entered into.

11. The said City shall have the right at all times through its auditors to examine the books and vouchers of the Company so as to ascertain the amount of money expended for plant, machinery, buildings and equipment and to require the officials of the said Company to furnish sworn statements as to the number of men employed and the time during which they have been employed in any year.

12. In the event of the said buildings, plant, machinery and equipment being either wholly or partially destroyed by fire during the currency of this agreement the fire insurance shall be paid to the City, but the said Company shall have the option of rebuilding the said plant, and upon the same having been rebuilt and put into the same condition as before the fire, the city shall pay the said Company all insurance moneys received by the City from the insurance companies. The men employed in the said rebuilding or repairing shall be deemed to be employees within the meaning of this agreement, and the days worked by them shall be counted as part of the number of days' labor to be provided by said Company. In every case of fire as aforesaid, if the said Company decides to rebuild or repair, the said work shall be completed and the said plant shall be ready for operation within one year from the date of said fire; otherwise the said Company shall be deemed to be in default under clause 10 hereof. All such rebuilding and repairing shall be subject to the approval of the officials of the said City.

13. As soon as the Company referred to in paragraph one hereof has been incorporated, the party of the second part shall transfer and assign this agreement to the said Company, and shall also transfer the lands, machinery, plant and equipment hereinbefore mentioned, or so much thereof as is then on hand, free from all encumbrances, and the Company shall assume and adopt this agreement under its corporate seal.

13a. None of the plant and machinery referred to in paragraph 7 hereof shall be removed from said lands at any time hereafter whilst the City's liability in said bonds remains in force without the consent of the City, and in case said plant and buildings and machinery are rebuilt after a fire, as provided by paragraph 12 hereof, the same shall be rebuilt upon the said lots 16 and 17, unless the City consents to their being rebuilt elsewhere.

14. The Company shall purchase all power required to operate the said plant from the City at the current price charged by the City to other consumers from time to time, not exceeding, however, \$25 per H.P. for 24 hr. power, and \$15 for day-light power.

15. This agreement is subject to approval by the ratepayers of the City entitled to vote thereon.

16. This agreement shall extend to and bind the heirs, executors, administrators and assigns, of the parties hereto and the said Company.

In witness whereof the said City has caused these presents to be signed by its Mayor and Clerk and its Corporate seal to be hereto affixed and the party of the second part has hereunto set his hand and seal.

Signed, sealed and delivered in the presence of

S. W. RAY,  
*Mayor.*

(Seal.)

JAMES McTEIGUE,  
*City Clerk.*

Witness:

F. DEMUTH.

JOHN L. MCRAE.

## SCHEDULE "D."

Purpose	By-law No.	Amending By-law.	Amount.	Year Due.
Lands .....	14	...	\$5,000 00	1917
Miscellaneous .....	448	...	800 00	1920
Electric Railway .....	281	323	75,000 00	1921
Power Development .....	572	....	30,000 00	1921
Lands .....	590	...	6,000 00	1921
Power Development .....	591	...	30,000 00	1922
Electric Railway .....	362	...	40,000 00	1923
" .....	367	...	12,000 00	1924
Bonuses to Railways....	418	...	25,000 00	1924
Schools .....	438	441	10,000 00	1925
Buildings .....	795	...	10,000 00	1925
Miscellaneous .....	778	...	225,000 00	1925
" .....	446	...	2,000 00	1925
Electric Railway .....	522	...	12,500 00	1926
Lands .....	851	...	15,000 00	1926
" .....	830	...	45,000 00	1926
Buildings .....	847	...	25,000 00	1926
Bridges .....	6	...	15,000 00	1927
Buildings .....	11	...	12,000 00	1927
" .....	16	...	4,000 00	1927
" .....	17	...	5,500 00	1927
Waterworks .....	36	...	1,500 00	1928
Lands .....	37	...	3,000 00	1928
" .....	229	...	3,400 00	1928
Bridges .....	35	...	7,500 00	1928
Miscellaneous .....	39	...	15,500 00	1928
Electric Light .....	527	...	15,000 00	1929
Telephone .....	338	...	3,500 00	1929
Lands .....	342	...	18,925 00	1929
" .....	345	...	8,615 00	1929
Buildings .....	356	...	2,500 00	1929
" .....	360	...	3,500 00	1929
Miscellaneous .....	357	...	14,000 00	1929
Power Development....	459	481	3,000 00	1930
Telephone .....	445	481	30,000 00	1930
Lands .....	449	481	8,000 00	1930
" .....	445	481	6,000 00	1930
Bonuses to Railways....	551	...	50,000 00	1930
Miscellaneous .....	480	...	11,800 00	1930
Lands .....	569	...	600 00	1931
Schools .....	577	...	15,000 00	1931
Bridges .....	563	...	10,000 00	1931
Buildings .....	513	...	12,000 00	1931
" .....	559	...	6,000 00	1931
" .....	560	...	6,000 00	1931
Miscellaneous .....	509	...	12,000 00	1931
" .....	510	...	5,000 00	1931
" .....	567	...	15,800 00	1931
" .....	649	...	13,000 00	1931
Telephone .....	615	...	12,000 00	1932
Parks .....	203	337	500 00	1932
Electric Railway .....	657	...	7,000 00	1933
Waterworks .....	671	...	85,000 00	1933
Sewers (General) .....	659	783	32,000 00	1933
Lands .....	655	...	1,000 00	1933
" .....	658	...	3,000 00	1933
Parks .....	683	...	2,000 00	1934
Miscellaneous .....	728	...	50,000 00	1934
Telephone .....	797	...	18,000 00	1935
Waterworks .....	794	...	112,000 00	1935
Sewers (General) .....	796	829	52,000 00	1935
Power Development .....	849	...	18,000 00	1936
" .....	848	...	50,000 00	1936

Purpose.	By-law No.	Amending By-law.	Amount.	Year Due.
Waterworks . . . . .	845	870	\$50,000 00	1936
Sewers (General) . . . . .	846	...	24,000 00	1936
Parks . . . . .	853	...	5,000 00	1936
Electric Railway . . . . .	12	...	55,000 00	1937
“ “ . . . . .	15	...	12,000 00	1937
Power Development . . . . .	8	...	60,000 00	1937
Waterworks . . . . .	10	...	253,000 00	1937
Schools . . . . .	907	...	70,000 00	1937
Parks . . . . .	13	...	3,500 00	1937

SCHEDULE "E."

*By-law respecting certain aid or bonus to The Port Arthur Steel and Wagon Company and to authorize in connection therewith certain agreements with that Company.*

Whereas the Corporation of the City of Port Arthur has been asked to enter into the agreement hereto annexed with the Port Arthur Steel and Wagon Company, and it is necessary to obtain the assent of the electors before so doing, and to make provision for carrying out the terms of the said offer, and to have authority to guarantee the issue of bonds mentioned in the said offer, copy of which is hereto attached.

Now therefore the Corporation of the City of Port Arthur enacts as follows:

1. The Corporation of the City of Port Arthur may enter into the said agreement and carry out all the terms and details thereof, do all things necessary so to carry same out, and may, pursuant to the terms of the said agreement, copy of which is hereto attached, guarantee from time to time the bonds as mentioned in the said agreement up to the sum of \$100,000, provided there is a cash expenditure of \$200,000 in the construction and equipment of the plant and buildings mentioned in the said agreement.

2. So long as the terms of the said agreement are carried out by the said Port Arthur Steel and Wagon Company, or such other name as the said Company may adopt, the said Company shall be exempt from taxation for a period of twenty years from the date of the passing of this by-law, of municipal taxes, save and except local improvement taxes and school taxes.

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

4. The votes of the electors of the said City of Port Arthur shall be taken on this by-law at the following time and places, that is to say, Monday, the 3rd day of January, 1910, commencing at the hour of nine o'clock in the forenoon and continuing till five o'clock in the afternoon of the same day, by the deputy returning officers and poll clerks hereinafter named, that is to say:

Polling Subdivision No. 1, Ward 1.—At Council Chamber in Municipal Building on Arthur Street, by W. A. McCallum as deputy returning officer, and A. G. Hanson as poll clerk.

Polling subdivision No. 2, Ward 1.—At Warehouse rear of A. McGillis's Store, on Lincoln Street, by J. R. Wishart as deputy returning officer, and Arthur McCallum as poll clerk.

Polling Subdivision No. 1, Ward 2.—At Lot 6, West Side of Cumberland Street, by Albert Bonin as deputy returning officer, and Edmund Servais as poll clerk.

Polling Subdivision No. 2, Ward 2.—At Lots 1 and 2 of Lot 5 North John Street, at south-west corner of Algoma and Cornwall

Avenue, by F. Thynne as deputy returning officer, and Wille Anderson as poll clerk.

Polling Subdivision No. 1, Ward 3.—At Mr. A. L. Russell's Office, on the north side of Cameron Street, by Fred. Jones as deputy returning officer, and I. D. Denison as poll clerk.

Polling Subdivision No. 2, Ward 3.—At Lot 22, Block "C," McVicar Addition, by Geo. H. Rapsey as deputy returning officer, and J. C. Wink as poll clerk.

5. On the 28th day of December, 1909, at his office in the Council Chamber, on Arthur Street, at ten 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 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.

6. The 4th day of January, 1910, at the Council Chamber aforesaid, at 12 o'clock 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,  
13th day of January, 1910.

(Sgd.) J. L. MATTHEWS,  
*Mayor.*  
J. McTEIGUE,  
*Clerk.*

COPY.

Toronto, Ont.,  
Nov. 25th, 1909.

*His Worship the Mayor and Council of the City of Port Arthur,  
Port Arthur, Ont.*

Mr. Mayor and Gentlemen:

I will undertake to organize a Company to be known as "The Port Arthur Steel and Wagon Company," (or such other name as may hereafter be decided upon), and will enter into a contract with your City as follows:

I will agree to have the Company establish a modern and up-to-date plant and buildings to carry on the manufacture of steel work and wagons in your City at a cash cost of \$200,000.00, and will agree to employ during the first two years and thereafter continuously not less than 125 men daily for 280 days in each year, strikes, fires and tempests excepted, and when the Company prospers more will employ from three to four hundred men. Your City to furnish as its share in the transaction a 20-acre site, together with a dock site, said dock site to be about 200 feet wide, 65 feet of the same to be left free for navigation to within 400 feet of the shore, and to give the Company freedom from taxation for 20 years, save and except local improvement rates and school rates, and to guarantee first mortgage bonds of the Company for \$100,000, said bonds to be secured by a first mortgage on all the Company's property in the City of Port Arthur, including lands, buildings and machinery. When the Company has expended \$50,000 the City will hand over, or authorize to be handed over, \$25,000 worth (par value) of said bonds to the Company. When the Company has expended \$100,000, the City will hand over, or authorize to be handed over, another \$25,000 worth of said bonds (par value) to the Company, and so on in like proportion until the Company has spent \$200,000 in plants and buildings, the bonds to be first mortgage bonds at 5 per cent. for twenty years. The 20-acre factory site shall have a length one way of not less than 1,100 feet, and shall be 20 acres in extent, and shall be situated as per sketch attached.

The City will also agree to lay water mains to the property of the Company on usual conditions, and attach the usual street hydrants, and the Company shall on the dock site build a dock about 70 feet in width, upon which they will lay, or procure to be laid, a railway track having a connection with a railway switch, and the Company shall at all times furnish reasonable dock and switch facilities to other manufacturers of the City of Port Arthur at reasonable rates.

The said Company shall commence building operations within a reasonable time from the passing of the by-law and the signing of the contract, and so soon as weather will permit, and will agree to have its buildings erected and plant installed on or before November 1st, 1910, with intent to start manufacturing wagons on or before said date, November 1st, 1910, and if the dock is not built during the same period, the work on it will be started and the dock will be built during the winter of 1910 and 1911, and completed by the 1st of July, 1911.

Yours truly,

(Sgd.) W. J. LINDSAY,

(Sgd.) D. F. BURK,

*Chairman Industrial Committee.*

We hereby certify the preceding to be a true and correct copy of By-law No. 395, passed by the Municipality of the City of Port Arthur, on the 13th day of January, 1910.

S. W. RAY,

*Mayor, and a Member of Council.*

J. McTEIGUE,

*Clerk.*









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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting the City of Port  
Arthur.

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1st Reading,                      1912.

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*(Private Bill.)*

Mr. HOGARTH.

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

# BILL

## An Act respecting the City of Port Arthur.

**W**HEREAS the Municipal Corporation of the City of <sup>Preamble</sup> Port Arthur, hereinafter called "the Corporation," by petition represented that the by-laws specified in Schedule "A" hereto have been submitted to and approved of by the qualified ratepayers, and it is desirable that the said by-laws and the debentures to be issued thereunder should be confirmed; ~~and~~ and whereas the by-law and agreement set out as Schedule "B" hereto to authorize the Corporation to guarantee \$30,000 of the bond issue of a company to be formed by one John L. McRae and to fix the assessment of the property of such company, except for school purposes and local improvements, were on the 20th day of February, 1912, submitted to the qualified electors for their approval, when out of 2,354 electors entitled to vote 654 voted for and 368 against the said by-law and agreement; and whereas it has been proven that under the special circumstances of the case the by-law and agreement should be confirmed, ~~and~~ and it is desirable that *the by-law and agreement* should be confirmed; ~~and~~ and whereas the by-law of the Corporation set out as Schedule "C" hereto, intituled "By-law to authorize the exemption from taxation of the property of the Pigeon River Lumber Company," was on the 20th day of February, 1912, submitted to the qualified electors for their approval, when out of 2,354 electors entitled to vote 647 voted for and 400 against the by-law and whereas it has been proven that under the special circumstances of the case the said by-law should be confirmed; and whereas By-law 395 to aid by way of bonus the Port Arthur Steel and Wagon Company was on the 3rd day of January, 1910, submitted to the qualified electors, when out of 1,714 electors entitled to vote 756 voted for and 145 against the by-law; and whereas it has been proven that under the special circumstances of the case the said by-law should be confirmed; ~~and~~ and whereas the Corporation has further represented that it has a debenture indebtedness made up and

maturing as shown in Schedule "E" hereto, and that owing to the rapid growth and development of the City and the heavy debt incurred in meeting the growing needs of the City *it would be* unduly burdensome on the ratepayers of the Corporation to meet the debentures at their maturity and it is desirable that such debentures *should* be consolidated into one issue of \$1,885,000.00 payable within forty years; and whereas the Corporation has prayed that an Act may be passed for the above purposes; 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:—

By-laws specified in Sched. "A" confirmed.

1. The By-laws specified in Schedule "A" hereto and all debentures issued or to be issued thereunder and all assessments made or to be made and rates levied or to be levied for the payment of the said debentures are confirmed and declared to be legal, valid and binding upon the Corporation and the Ratepayers thereof.

By-law and Agreement with John L. McRae, confirmed.

2. The By-law of the Corporation and the agreement between the Corporation and John L. McRae, set out as "Schedule "B" hereto, are confirmed and declared to be legal, valid and binding on the said John L. McRae and on the Corporation and the ratepayers thereof, and the Corporation *is authorized* to do all acts, matters and things necessary to carry out the terms of the said *by-law and agreement*.

By-law re Pigeon River Lumber Co., confirmed.

3. The By-law of the Corporation set out as Schedule "C" hereto, intituled "By-law to authorize the exemption from taxation of the property of the Pigeon River Lumber Company," is confirmed and declared to be legal, valid and binding on the Corporation and the ratepayers thereof and on the said Company.

By-law 395 confirmed.

4. By-law No. 395 of the Corporation, intituled "By-law respecting certain aid or bonus to the Port Arthur Steel and Wagon Company and to authorize in connection therewith certain agreements with that Company," and the agreement set out as Schedule "D" hereto are confirmed and declared to be legal, valid and binding on the Corporation and the ratepayers thereof and on the said Company and it shall not be necessary for the purchaser of the bonds of the Company to enquire into the validity of the guarantee by the Corporation of the bonds of the Company.

5.—(1) The Council of the Corporation is hereby authorized without the assent of the electors qualified to vote on money by-laws to pass a by-law of the Corporation consolidating into one issue of One Million Eight Hundred and Eighty-five Thousand (\$1,885,000.00) Dollars, the amount of the debentures authorized by the by-laws specified in Schedule "E" hereto, and to authorize the issue of debentures of the Corporation to the amount of One Million Eight Hundred and Eighty-five Thousand (\$1,885,000.00) Dollars, payable in forty (40) years from the ~~1st~~ first day of January, 1912, ~~and~~ and bearing interest *computed from that date*, at a rate not exceeding the rate of four and one-half per centum per annum payable half-yearly.

Authority to consolidate debenture debt at \$1,885,000.

(2) Such debentures may be expressed in sterling or currency, or in both, and may be payable at such place or places in Canada or elsewhere as may be designated therein, and shall have coupons for interest annexed, which shall be sufficient, if the signature of the treasurer be engraved or lithographed thereon.

Place of payment coupons.

(3) Such By-law need not recite the whole rateable property or the amount of the existing debenture debt of the municipality, nor any special rate to be raised annually for paying the debt and interest, but shall expressly provide for raising in each year during the currency of the debentures authorized the sum of Nineteen Thousand Eight Hundred and Thirty-seven (\$19,837.00) Dollars for the payment of such debentures, that sum being sufficient with the interest on the investment thereof, estimated at four per centum to be capitalized yearly to discharge the debt created by the said debentures when payable.

Sinking fund, etc.

(4) One Thousand (\$1,000.00) Dollars, portion of such sum shall annually during the currency of the said debentures be levied on the assessed property of all ratepayers in the said city who are supporters of Public Schools, and Eighteen Thousand Eight Hundred and Thirty-seven (\$18,837.00) Dollars, the remainder of such sum shall annually during the currency of the said debentures be levied on all the assessed property in the said city not exempt from taxation.

How annual sum to be raised.

(5) From and after the passage of such By-law and the execution and issue of the debentures as thereby authorized and their deposit as herein provided for the Corporation shall levy yearly the respective sums thereby required to be raised to form a Sinking Fund for the payment of the principal of the said debentures, and shall cease to levy the sev-

Corporation not required to raise sinking fund under by-laws consolidated.

eral and respective sums required to be raised yearly by and under the by-laws specified in Schedule "E" hereto for the purpose of forming Sinking Funds for the payment of the principal of the debentures issued under such by-laws respectively.

Levy for interest under by-laws consolidated.

(6) The Corporation shall continue to levy yearly the respective amounts required to pay the interest on the debentures issued under the by-laws specified in Schedule "E" hereto, or on such of the said debentures as may be from time to time outstanding, and as and when any of the debentures issued under such specified by-laws and then only the Corporation shall yearly levy for interest under the Consolidated By-law a sum equal to the interest at the rate mentioned in the Consolidated By-law on the amount of the debentures issued under such specified by-laws, which shall from time to time have been paid or exchanged.

Debentures to be deposited with National Trust Co.

(7) The debentures issued under the said Consolidated By-law shall be deposited with National Trust Company, Limited, to hold the same on trust to deliver the same, or any of them on the written order of the Mayor and Treasurer of the said City for the purpose of being used in payment of or in exchange for a like amount of debentures issued under any of the by-laws specified in Schedule "E" hereto, which shall thereupon be delivered to National Trust Company, Limited, and cancelled.

Application of Sinking Fund on hand.

(8) The Corporation shall continue to invest the funds now on hand for Sinking Fund in accordance with the provisions of *The Municipal Act* and on the maturity of the respective debentures mentioned in Schedule "E" shall apply so much of such sinking fund as appertains to such debentures respectively in or towards payment thereof.

Statement to Trust Co. of application of sinking fund.

(9) The Corporation shall furnish to National Trust Company, Limited, or the Trustee for the time being holding the consolidated debentures authorized by this Act a statement of the amount of Sinking Fund so applied, duly verified by the declaration of the City Treasurer and the Certificate of the Mayor, and the Trustee shall cancel an amount of the consolidated debentures equal to the amount of such Sinking Fund so applied in payment of debentures maturing or matured and the levy of any sum for Sinking Fund in respect of the debentures so cancelled shall thereupon cease.

Public school debentures.

(10) When any of the debentures heretofore issued for Public School purposes under By-laws Numbers 438, 577

and 907 are so paid or exchanged the annual sum to be levied thereafter for interest in respect of the amount thereof shall be so levied on the assessed property of all ratepayers in the said City who are supporters of Public Schools.

☞ **6.** This Act may be cited as *The City of Port Arthur Short title Act, 1912.* ☞

#### SCHEDULE "A"

By-law No. 559.—To authorize the issue of debentures for \$6,000 to cover the cost of improvements to the Municipal Buildings on Arthur Street and for the furniture and equipment thereof.

By-Law No. 560.—To authorize the erection of a warehouse on the City property on the east side of Front Street for the use of The Utilities Department and for the issue of debentures to the amount of \$6,000 to cover the cost thereof.

By-Law No. 563.—To authorize the issue of debentures for the sum of \$10,000 towards the cost of the construction of a bridge over Current River on the Black Bay Road.

By-Law No. 564.—To extend the Water Works intake pipe and to erect Pump House and connections therewith and to authorize the issue of debentures for \$75,000 to cover the cost thereof.

By-Law No. 565.—To authorize the construction of a new Force Main from the Power House to Van Horne Street and to issue debentures for \$50,000.

By-Law No. 566.—To authorize the erection of a Stand Pipe and for the issue of debentures for \$40,000 to cover the cost thereof.

By-Law No. 567.—To authorize the continuation of Cumberland Street from the southerly boundary of the Current River Park northerly to a point 500 feet southerly from Hodder Avenue and to issue debentures to cover the cost thereof amounting to \$15,800.

By-Law No. 568.—For the completion of the Storage Dam at Current River and to authorize the issue of debentures for \$30,000, to cover the cost thereof.

By-Law No. 571.—To extend the street railway easterly and to issue debentures to cover the cost thereof, to the amount of \$17,250.

By-Law No. 594.—To authorize the purchase of Lot 6 in the Marks-Wiley Addition from Edwin J. Hopkins for school site and to issue debentures for \$6,700.

By-Law No. 599.—To authorize the purchase of certain lands for the purchase of a school site and to issue debentures for \$3,800.

By-Law No. 705.—To consolidate the sums authorized to be borrowed by certain local improvement by-laws into one sum of \$280,350 and to borrow the same by the issue of debentures therefor.

#### SCHEDULE "B."

##### BY-LAW No.

A By-law to authorize the City of Port Arthur to guarantee a first preferential bond issue not exceeding \$30,000 of a Company to be incorporated by John L. McRae, and to authorize in connection therewith an agreement between the City of Port Arthur and the said John L. McRae, dated the 19th day of July, 1911.

Whereas the Corporation of the City of Port Arthur has entered into an agreement with John L. McRae (subject to the assent of

the ratepayers of the said City), a copy of which agreement is hereto attached, and it is expedient to make provision for the carrying out of the terms thereof, and to authorize the said Corporation to guarantee the bonds of a Company to be incorporated by the said John L. McRae to an amount not exceeding \$30,000, and to obtain the assent of the ratepayers to all the other terms and conditions in the said agreement.

Therefore the Corporation of the City of Port Arthur enacts as follows:

1. The Corporation of the City of Port Arthur may enter into the said agreement with the said John L. McRae or the Company to be hereafter incorporated as aforesaid, a copy of which agreement is hereto attached, and may execute the same under the seal of the said Corporation, and may carry out the terms thereof and do all things necessary therefor, and the execution of the said agreement by the Mayor and Clerk of this Corporation is hereby ratified, confirmed and adopted.

2. The Mayor and Treasurer of the said Corporation are hereby empowered to sign, on behalf of the said corporation, a guarantee or guarantees, guaranteeing the principal and interest of the bonds of the said Company to an amount not exceeding \$30,000, as provided by said agreement, and to take for such guarantee or guarantees a first mortgage from the said Company upon all its lands, being lots sixteen and seventeen in the O'Brien addition to the City of Port Arthur, according to a plan of first subdivision of the said addition, and any other lands which may hereafter be acquired by the said Company, to be used in connection with its business and all its machinery, plant, buildings and equipment, such mortgage to include all other plant, machinery, buildings or equipment which may hereafter be erected or installed by the said Company upon the said lands, the said bonds to be dated on the first day of January, 1912, and to be payable ten years from the said date, with interest at five per centum per annum, payable half yearly.

3. The real and personal property of the said Company shall be assessed at the fixed sum of \$6,000.00 for ten years from the first day of January, 1912, so long as the said Company carries out and performs all the terms and conditions of the said agreement to be by it carried out and performed, such amount to include all assessment for lands, machinery, stock-in-trade and business tax, and for the purpose of all taxation, save and except for local improvements and schools.

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

5. The votes of the ratepayers of the said City of Port Arthur entitled to vote thereon shall be taken on this By-law at the following times and places, that is to say, on the 20th day of February, 1912, commencing at the hour of nine o'clock in the forenoon, city time, and continuing until five o'clock in the afternoon of the same day, city time, by the following Deputy Returning Officers and Poll Clerks:

Ward No. 1, Polling Subdivision No. 1.—At the Council Chamber in the Municipal Building, on Arthur Street, by Alex. Elliott as Deputy Returning Officer and by F. Graham as Poll Clerk.

Ward No. 1, Polling Subdivision No. 2.—At northwest 44 feet of Lot 5, south side of Park Street, by J. G. Ashforth as Deputy Returning Officer and by Vernon Ashforth as Poll Clerk.

Ward No. 2, Polling Subdivision No. 1.—At Lot 9, east side of Cumberland Street, by W. A. McCallum as Deputy Returning Officer and by W. T. Denison as Poll Clerk.



Ward No. 2, Polling Subdivision No. 2.—Lot 57 of Park Lots 8 and 9, south Pearl Street, by I. D. Denison as Deputy Returning Officer and by A. Chipman as Poll Clerk.

Ward No. 2, Polling Subdivision No. 3.—At Lots 1 and 2 of Lot 5 north John Street, south-west corner Algoma Street and Cornwall Avenue, by F. Thynne as Deputy Returning Officer and by Robt. Gurney as Poll Clerk.

Ward No. 2, Polling Subdivision No. 4.—At Lot 24, Block 27, Evans-Robinson & Heyden addition, by J. E. Jenkinson as Deputy Returning Officer and by B. Guerard as Poll Clerk.

Ward No. 3, Polling Subdivision No. 1.—At A. L. Russell's Office, north side of Cameron Street, by Geo. H. Rapsey as Deputy Returning Officer and by Alf. Friday as Poll Clerk.

Ward No. 3, Polling Subdivision No. 2.—At Lot 14 east side of Hill Street, Russell addition, by Fred Jones as Deputy Returning Officer and by Edmund Servais as Poll Clerk.

Ward No. 3, Polling Subdivision No. 3.—At City Storehouse, between Front Street and C. P. R., by J. A. Kennedy as Deputy Returning Officer and by O. Brooks as Poll Clerk.

Ward No. 3, Polling Subdivision No. 4.—At Lot 7, Block 9, McVicar addition, corner Wolseley and Ruttan Streets, by J. C. H. Wink as Deputy Returning Officer and by F. Dunn as Poll Clerk.

6. On the 15th day of February, 1912, at his office in the Municipal Building on Arthur Street, in the City of Port Arthur, at ten o'clock in the forenoon, city time, 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 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.

7. The 21st day of February, 1912, at the Council Chamber aforesaid, at 12 o'clock noon, city time, is hereby appointed for the summing up by the said Clerk of the number of votes given for and against this by-law respectively.

Council Chamber, Port Arthur,

day of 1912.

Mayor.

Clerk.

Agreement made this 19th day of July, one thousand nine hundred and eleven,

Between

The Corporation of the City of Port Arthur, hereinafter called "the City" of the first part

and

John L. McRae, of the City of Port Arthur, of the second part.

Whereas it would be greatly in the interests of the City that the party of the second part should construct a plant for the manufacture of interior finishing for buildings, including columns, flooring, doors, windows, and other articles of the same nature, within the limits of the City of Port Arthur:

And whereas the said party of the second part has agreed to construct such a plant upon the terms and conditions hereinafter mentioned.

Therefore the parties hereto agree the one with the other as follows:

1. The said party of the second part shall forthwith form a company under the laws of the Province of Ontario with a capital of \$100,000 to facilitate the carrying out of this agreement, of which company the party of the second part shall be the Manager, and the word "Company" hereafter appearing in this agreement shall refer to the Company so to be incorporated.

2. Immediately after the ratification of this agreement by the ratepayers of the City of Port Arthur the said Company shall commence and thereafter with all reasonable dispatch continue the construction upon lots sixteen (16) and seventeen (17) in the O'Brien Addition to the City of Port Arthur, according to the plan of first subdivision of the said addition, of a plant to manufacture interior finishing for buildings and other articles as above mentioned and shall have same ready for operation by the first day of September, 1912, save and except only if delayed by strike and other causes wholly beyond its control.

3. The said Company shall, after commencing operations on the first day of September, 1912, until the 1st day of March, 1913, employ as many men as practicable, and from and after the first day of March, 1913, shall employ at least thirty men during an average of three hundred working days per year for the ten years from the first of September, 1912, such men to be employed in and about the actual operation of the said plant or to be employed as teamsters, and upon the docks in the said city, handling the material only to be used in the said plant. The performance of 9,000 days' work in any one year shall be equivalent to the employment of the said thirty men for three hundred days in the said year.

4. Provided, however, that if in any year the business of said Company does not in its opinion warrant the performance of 9,000 days' work as aforesaid the same may be reduced to not less than 4,500 days in such year, but notwithstanding this proviso, the Company shall employ sufficient men to perform 27,000 days' work in any three consecutive years.

5. The said Company shall employ local labor and mechanics, providing there are competent men to be obtained, before going to points outside of the City of Port Arthur for same, and shall pay not less than the governing wage of the District to each class of workmen employed.

6. The said Company shall locate and maintain its head office in the City of Port Arthur, and all wages of the employees in Port Arthur shall be paid in Port Arthur.

7. In consideration of the above, and of the further covenants and agreements hereinafter contained, the City agrees to guarantee the principal and interest of the bonds of the said Company to the amount of one-half of the actual cost of the said plant, improvements, buildings, and the lands used in connection therewith as hereinafter provided, such guarantee not exceeding in the whole the sum of \$30,000, which guarantee shall be secured by a first mortgage to the City upon all the lands, buildings, plant, machinery and equipment of the Company, and any other lands which may be acquired hereafter by the said Company to be used in connection with the said business and any other plant, machinery or equipment which may be hereafter brought upon the said lands, such bonds to be dated on the first day of March, 1912, and to be payable in ten years from such date with interest at 5 per cent.

per annum payable half-yearly. The said bonds shall be guaranteed by the City on the first day of March, 1912, to the amount of one-half of the moneys actually expended by the said Company up to that date upon the said plant and the purchase of the said lands, the amount so guaranteed, however, not exceeding \$30,000. Provided, however, that if the said plant is not complete on the said date by reason of strikes and other causes beyond the control of the Company the valuation thereof shall be deferred for such period of time thereafter as will be equivalent to the time so lost.

8. The said plant, machinery, buildings and equipment shall be insured to their full insurable value, and the said insurance shall be transferred to the City, with loss payable to the City as its interest may appear. Such insurance shall be placed through local Insurance Agents providing the rates charged by them are not in excess of the rates which can be obtained through any outside agents.

9. The property of the said Company, including lands, machinery, equipment and stock-in-trade, shall be taxed for all purposes (except local improvement and school taxes) upon a fixed assessment of six thousand dollars per annum for the ten years from the first day of January, 1912.

10. If the Company fails to carry out and perform any of the terms or conditions herein contained and on its part to be carried out and performed, for any reason other than fire, storm, strikes or other unavoidable causes or accidents, the said exemption from taxation shall cease, and thereupon the property of the Company shall be liable to be assessed and taxed to the same extent as it would have been liable had this agreement not been entered into.

11. The said City shall have the right at all times through its auditors to examine the books and vouchers of the Company so as to ascertain the amount of money expended for plant, machinery, buildings and equipment and to require the officials of the said Company to furnish sworn statements as to the number of men employed and the time during which they have been employed in any year.

12. In the event of the said buildings, plant, machinery and equipment being either wholly or partially destroyed by fire during the currency of this agreement the fire insurance shall be paid to the City, but the said Company shall have the option of rebuilding the said plant, and upon the same having been rebuilt and put into the same condition as before the fire, the city shall pay the said Company all insurance moneys received by the City from the insurance companies. The men employed in the said rebuilding or repairing shall be deemed to be employees within the meaning of this agreement, and the days worked by them shall be counted as part of the number of days' labor to be provided by said Company. In every case of fire as aforesaid, if the said Company decides to rebuild or repair, the said work shall be completed and the said plant shall be ready for operation within one year from the date of said fire; otherwise the said Company shall be deemed to be in default under clause 10 hereof. All such rebuilding and repairing shall be subject to the approval of the officials of the said City.

13. As soon as the Company referred to in paragraph one hereof has been incorporated, the party of the second part shall transfer and assign this agreement to the said Company, and shall also transfer the lands, machinery, plant and equipment hereinbefore mentioned, or so much thereof as is then on hand, free from all encumbrances, and the Company shall assume and adopt this agreement under its corporate seal.

13a. None of the plant and machinery referred to in paragraph 7 hereof shall be removed from said lands at any time hereafter whilst the City's liability in said bonds remains in force without the consent of the City, and in case said plant and buildings and machinery are rebuilt after a fire, as provided by paragraph 12 hereof, the same shall be rebuilt upon the said lots 16 and 17, unless the City consents to their being rebuilt elsewhere.

14. The Company shall purchase all power required to operate the said plant from the City at the current price charged by the City to other consumers from time to time, not exceeding, however, \$25 per H.P. for 24 hr. power, and \$15 for day-light power.

15. This agreement is subject to approval by the ratepayers of the City entitled to vote thereon.

16. This agreement shall extend to and bind the heirs, executors, administrators and assigns, of the parties hereto and the said Company.

In witness whereof the said City has caused these presents to be signed by its Mayor and Clerk and its Corporate seal to be hereto affixed and the party of the second part has hereunto set his hand and seal.

Signed, sealed and delivered in the presence of

S. W. RAY,  
*Mayor.*

(Seal.)

JAMES McTEIGUE,  
*City Clerk.*

Witness:  
F. DEMUTH.

JOHN L. McRAE.

#### SCHEDULE "C."

No.

By-law to authorize the exemption from taxation of the property of the Pigeon River Lumber Company.

Whereas by agreement dated the 15th day of August, 1901, the Pigeon River Lumber Company entered into an agreement with the Corporation of the Town of Port Arthur, whereby the said Company agreed, amongst other things, to construct a saw mill and general lumbering manufacturing plant in the Town of Port Arthur, and to operate the same, and the said Corporation on its part agreed to exempt the said Company's real and personal property actually used in connection with the said enterprise from all municipal taxation except school taxes and local improvement taxes for a period of ten years from the date of the said agreement.

And whereas at the time of the said agreement the said Company was assured by the representatives of the Corporation negotiating the said agreement that at the expiration of the said ten years the said tax exemption would be renewed for a further period of ten years.

And whereas under the said agreement, and relying on the said assurances the said Company has erected the said saw mill and general lumber manufacturing plant, and has fully carried out its part of said agreement;

And whereas the Company has applied to this Corporation for a renewal of the said exemption from taxation for a further period

of ten years in accordance with the said understanding, and this Council feels it is morally bound to grant the said extension, and has agreed to submit this By-law for the approval of the ratepayers;

Therefore the Council of the Corporation of the City of Port Arthur enacts as follows:

1. This By-law shall take effect on the final passing thereof, but shall not be finally passed or have any force or effect until it has received the assent of the requisite number of ratepayers, in accordance with the provisions in that behalf of the Consolidated Municipal Act.

2. All the lands in the City of Port Arthur leased by the said Company from the Corporation under lease dated the 15th day of August, 1901, and the lands leased by the Company from the Canadian Pacific Railway Company, under lease dated the first day of March, 1901, and all the works, buildings, machinery, plant and personal property of the said Company now on or hereafter brought or put on the said lands and actually used in connection with the enterprise of the said Company shall be exempt from all municipal taxation, excepting school taxes and local improvement taxes, for a period of ten years from the fifteenth day of August, 1911, subject to the provisions and conditions contained in the said agreement of the 15th day of August, 1901. Provided, however, that in the event of the Canadian Pacific Railway Company exercising its right under its lease to the said Company to remove the said works, building and plant to other lands than those above described, such exemption shall thereupon cease as to the lands leased from the Canadian Pacific Railway Company as above described, and shall apply to the lands to which such works, buildings and plant are removed.

3. Nothing contained in this By-law shall affect, alter or prejudice any of the terms or conditions of the said agreement of the 15th day of August, 1901, but the same shall remain in full force and effect save and except as to the extension of the time for exemption from taxation as hereinbefore mentioned.

4. The votes of the electors of the said City of Port Arthur entitled to vote thereon shall be taken on this By-law at the following times and places, that is to say, on the 20th day of February, 1912, commencing at the hour of nine o'clock in the morning, city time, and continuing until five o'clock in the afternoon, city time, of the same day, by the following Deputy Returning Officers and Poll Clerks:

Ward No. 1., Polling Subdivision No. 1.—At the Council Chamber in the Municipal Building, on Arthur Street, by Alex. Elliott as Deputy Returning Officer and by F. Graham as Poll Clerk.

Ward No. 1, Polling Subdivision No. 2.—At south-west 44 of Lot 5, south side Park Street, by J. G. Ashforth as Returning Officer and by W. T. Denon Ashforth as Poll Clerk.

Ward No. 2, Polling Subdivision No. 1.—At Lot 9, east side of Cumberland Street, by W. A. McCallum as Deputy Returning Officer and by W. T. Denison as Poll Clerk.

Ward No. 2, Polling Subdivision No. 2.—At Lot 57 of Park Lots 8 and 9, south Pearl Street, by I. D. Denison as Deputy Returning Officer and by A. Chipman as Poll Clerk.

Ward No. 2, Polling Subdivision No. 3.—At Lots 1 and 2 of Lot 5, North John Street, south-west corner Algoma Street and Cornwall Avenue, by F. Thynne as Deputy Returning Officer and by Robt. Gurney as Poll Clerk.

Ward No. 2, Polling Subdivision No. 4.—At Lot 24, Block 27, Evans-Robinson-Heyden addition, by J. E. Jenkinson as Deputy Returning Officer and by B. Guerard as Poll Clerk.

Ward No. 3, Polling Subdivision No. 1.—At A. L. Russell's Office, north side of Cameron Street, by Geo. H. Rapsey as Deputy Returning Officer and by Alf. Friday as Poll Clerk.

Ward No. 3, Polling Subdivision No. 2.—At Lot 14, east side Hill Street, Russell addition, by Fred Jones as Deputy Returning Officer and by Edmund Servais as Poll Clerk.

Ward No. 3, Polling Subdivision No. 4.—At Lot 7, Block 9, McVicar addition and C. P. R., by J. A. Kennedy as Deputy Returning Officer and by C. Brooks as Poll Clerk.

Ward No. 3, Polling Subdivision No. A.—At Lot 7, Block 9, McVicar addition, corner Wolseley and Ruttan Streets, by J. C. H. Wink as Deputy Returning Officer and by F. Dunn as Poll Clerk.

6. On the 15th day of February, 1912, at this Office in the Municipal Building on Arthur Street, in the City of Port Arthur, at ten o'clock in the forenoon, city time, 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 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.

7. The 21st day of February, 1912, at the Council Chambers aforesaid, in the Municipal Building on Arthur Street, in the City of Port Arthur, at twelve o'clock at noon, city time, is hereby appointed for the summing up by the said Clerk of the number of votes given for and against this By-law respectively.

Council Chamber, Port Arthur,

day of 1912.

Mayor.

Clerk.

#### SCHEDULE "D."

##### BY-LAW No. 395.

*By-law respecting certain aid or bonus to The Port Arthur Steel and Wagon Company and to authorize in connection therewith certain agreements with that Company.*

Whereas the Corporation of the City of Port Arthur has been asked to enter into the agreement hereto annexed with the Port Arthur Steel and Wagon Company, and it is necessary to obtain the assent of the electors before so doing, and to make provision for carrying out the terms of the said offer, and to have authority to guarantee the issue of bonds mentioned in the said offer, copy of which is hereto attached.

Now therefore the Corporation of the City of Port Arthur enacts as follows:

1. The Corporation of the City of Port Arthur may enter into the said agreement and carry out all the terms and details thereof, do all things necessary so to carry same out, and may, pursuant to the terms of the said agreement, copy of which is hereto attached, guarantee from time to time the bonds as mentioned in the said agreement up to the sum of \$100,000, provided there is a cash expenditure of \$200,000 in the construction and equipment of the plant and buildings mentioned in the said agreement.

2. So long as the terms of the said agreement are carried out by the said Port Arthur Steel and Wagon Company, or such other name as the said Company may adopt, the said Company shall be exempt from taxation for a period of twenty years from the date of the passing of this by-law, of municipal taxes, save and except local improvement taxes and school taxes.

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

4. The votes of the electors of the said City of Port Arthur shall be taken on this by-law at the following time and places, that is to say, Monday, the 3rd day of January, 1910, commencing at the hour of nine o'clock in the forenoon and continuing till five o'clock in the afternoon of the same day, by the deputy returning officers and poll clerks hereinafter named, that is to say:

Polling Subdivision No. 1, Ward 1.—At Council Chamber in Municipal Building on Arthur Street, by W. A. McCallum as deputy returning officer, and A. G. Hanson as poll clerk.

Polling subdivision No. 2, Ward 1.—At Warehouse rear of A. McGillis's Store, on Lincoln Street, by J. R. Wishart as deputy returning officer, and Arthur McCallum as poll clerk.

Polling Subdivision No. 1, Ward 2.—At Lot 6, West Side of Cumberland Street, by Albert Bonin as deputy returning officer, and Edmund Servais as poll clerk.

Polling Subdivision No. 2, Ward 2.—At Lots 1 and 2 of Lot 5 North John Street, at south-west corner of Algoma and Cornwall Avenue, by F. Thynne as deputy returning officer, and Winnie Anderson as poll clerk.

Polling Subdivision No. 1, Ward 3.—At Mr. A. L. Russell's Office, on the north side of Cameron Street, by Fred. Jones as deputy returning officer, and I. D. Denison as poll clerk.

Polling Subdivision No. 2, Ward 3.—At Lot 22, Block "C," McVicar Addition, by Geo. H. Rapsey as deputy returning officer, and J. C. Wink as poll clerk.

5. On the 28th day of December, 1909, at his office in the Council Chamber, on Arthur Street, at ten 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 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.

6. The 4th day of January, 1910, at the Council Chamber aforesaid, at 12 o'clock 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,  
13th day of January, 1910.

(Sgd.) J. L. MATTHEWS,

*Mayor.*

J. McTEIGUE,

*Clerk.*

(Seal of Corporation.)

COPY.

Toronto, Ont.,  
Nov. 25th, 1909.

*His Worship the Mayor and Council of the City of Port Arthur,  
Port Arthur, Ont.*

Mr. Mayor and Gentlemen:

I will undertake to organize a Company to be known as "The Port Arthur Steel and Wagon Company," (or such other name as may hereafter be decided upon), and will enter into a contract with your City as follows:

I will agree to have the Company establish a modern and up-to-date plant and buildings to carry on the manufacture of steel work and wagons in your City at a cash cost of \$200,000.00, and will agree to employ during the first two years and thereafter continuously not less than 125 men daily for 280 days in each year, strikes, fires and tempests excepted, and when the Company prospers more will employ from three to four hundred men. Your City to furnish as its share in the transaction a 20-acre site, together with a dock site, said dock site to be about 200 feet wide, 65 feet of the same to be left free for navigation to within 400 feet of the shore, and to give the Company freedom from taxation for 20 years, save and except local improvement rates and school rates, and to guarantee first mortgage bonds of the Company for \$100,000, said bonds to be secured by a first mortgage on all the Company's property in the City of Port Arthur, including lands, buildings and machinery. When the Company has expended \$50,000 the City will hand over, or authorize to be handed over, \$25,000 worth (par value) of said bonds to the Company. When the Company has expended \$100,000, the City will hand over, or authorize to be handed over, another \$25,000 worth of said bonds (par value) to the Company, and so on in like proportion until the Company has spent \$200,000 in plants and buildings, the bonds to be first mortgage bonds at 5 per cent. for twenty years. The 20-acre factory site shall have a length one way of not less than 1,100 feet, and shall be 20 acres in extent, and shall be situated as per sketch attached.

The City will also agree to lay water mains to the property of the Company on usual conditions, and attach the usual street hydrants, and the Company shall on the dock site build a dock about 70 feet in width, upon which they will lay, or procure to be laid, a railway track having a connection with a railway switch, and the Company shall at all times furnish reasonable dock and switch facilities to other manufacturers of the City of Port Arthur at reasonable rates.

The said Company shall commence building operations within a reasonable time from the passing of the by-law and the signing of the contract, and so soon as weather will permit, and will agree to have its buildings erected and plant installed on or before November 1st, 1910, with intent to start manufacturing wagons on or before said date, November 1st, 1910, and if the dock is not built during the same period, the work on it will be started and the dock will be built during the winter of 1910 and 1911, and completed by the 1st of July, 1911.

Yours truly,

(Sgd.) W. J. LINDSAY,

(Sgd.) D. F. BURK,

*Chairman Industrial Committee.*

We hereby certify the preceding to be a true and correct copy of By-law No. 395, passed by the Municipality of the City of Port Arthur, on the 13th day of January, 1910.

S. W. RAY,  
*Mayor, and a Member of Council.*

J. McTEIGUE,  
*Clerk.*



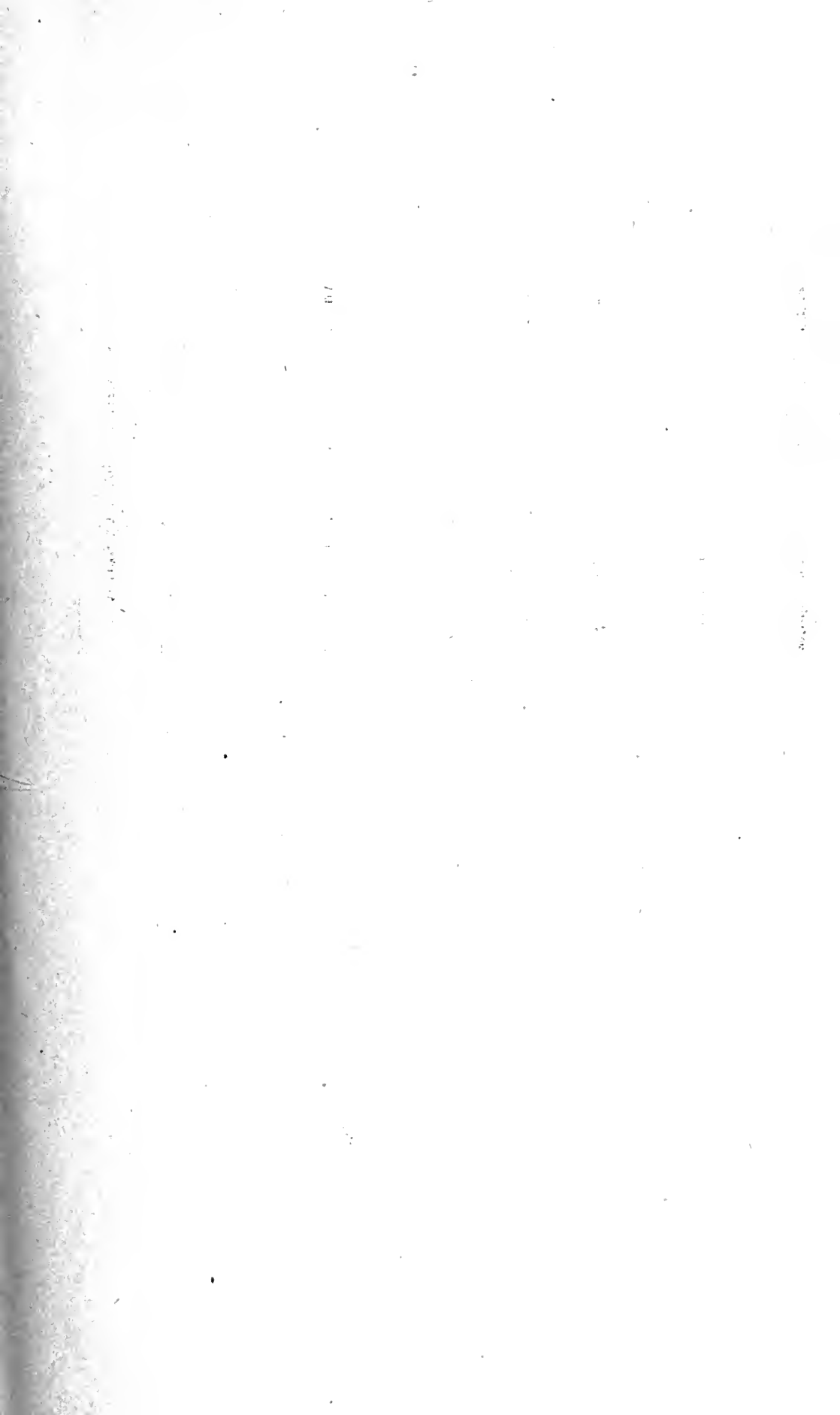
## SCHEDULE "E."

Purpose	By-law No.	Amending By-law.	Amount.	Year Due.
Lands	14	...	\$5,000 00	1917
Miscellaneous	448	...	800 00	1920
Electric Railway	281	323	75,000 00	1921
Power Development	572	...	30,000 00	1921
Lands	590	...	6,000 00	1921
Power Development	591	...	30,000 00	1922
Electric Railway	362	...	40,000 00	1923
"	367	...	12,000 00	1924
Bonuses to Railways	418	...	25,000 00	1924
Schools	438	441	10,000 00	1925
Buildings	795	...	10,000 00	1925
Miscellaneous	778	...	225,000 00	1925
"	446	...	2,000 00	1925
Electric Railway	522	...	12,500 00	1926
Lands	851	...	15,000 00	1926
"	830	...	45,000 00	1926
Buildings	847	...	25,000 00	1926
Bridges	6	...	15,000 00	1927
Buildings	11	...	12,000 00	1927
"	16	...	4,000 00	1927
"	17	...	5,500 00	1927
Waterworks	36	...	1,500 00	1928
Lands	37	...	3,000 00	1928
"	229	...	3,400 00	1928
Bridges	35	...	7,500 00	1928
Miscellaneous	39	...	15,500 00	1928
Electric Light	527	...	15,000 00	1929
Telephone	338	...	3,500 00	1929
Lands	342	...	18,925 00	1929
"	345	...	8,615 00	1929
Buildings	356	...	2,500 00	1929
"	360	...	3,500 00	1929
Miscellaneous	357	...	14,000 00	1929
Power Development	459	481	3,000 00	1930
Telephone	445	481	30,000 00	1930
Lands	449	481	8,000 00	1930
"	445	481	6,000 00	1930
Bonuses to Railways	551	...	50,000 00	1930
Miscellaneous	480	...	11,800 00	1930
Lands	569	...	600 00	1931
Schools	577	...	15,000 00	1931
Bridges	563	...	10,000 00	1931
Buildings	513	...	12,000 00	1931
"	559	...	6,000 00	1931
"	560	...	6,000 00	1931
Miscellaneous	509	...	12,000 00	1931
"	510	...	5,000 00	1931
"	567	...	15,800 00	1931
"	649	...	13,000 00	1931
Telephone	615	...	12,000 00	1932
Parks	203	337	500 00	1932
Electric Railway	657	...	7,000 00	1933
Waterworks	671	...	85,000 00	1933
Sewers (General)	659	783	32,000 00	1933
Lands	655	...	1,000 00	1933
"	658	...	3,000 00	1933
Parks	683	...	2,000 00	1934
Miscellaneous	728	...	50,000 00	1934
Telephone	797	...	18,000 00	1935
Waterworks	794	...	112,000 00	1935
Sewers (General)	796	829	52,000 00	1935
Power Development	849	...	18,000 00	1936
"	848	...	50,000 00	1936

Purpose.	By-law No.	Amending By-law.	Amount.	Year Due.
Waterworks .....	845	870	\$50,000 00	1936
Sewers (General) .....	846	...	24,000 00	1936
Parks .....	853	...	5,000 00	1936
Electric Railway .....	12	...	55,000 00	1937
"                    " .....	15	...	13,000 00	1937
Power Development .....	8	...	60,000 00	1937
Waterworks .....	10	...	253,000 00	1937
Schools .....	907	...	70,000 00	1937
Parks .....	13	...	3,500 00	1937







No. 61.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting the City of Port  
Arthur.

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1st Reading, 8th March, 1912.

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

Mr. HOGARTH.

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

# BILL

## An Act respecting St. John's Church, Cornwall.

**W**HEREAS by an Act passed in the 34th year of the Preamble. reign of Her late Majesty Queen Victoria, Chapter 87, certain lands belonging to St. John's Church, being the Cornwall Congregation of the Presbyterian Church of Canada, then in connection with the Church of Scotland, were vested in fee simple in certain trustees in trust for the benefit of the said Congregation for the purposes therein specified; and whereas provision was therein made for the filling of vacancies in the office of trustee as therein specified; and whereas the present trustees of the said St. John's Church, Cornwall, according to the seniority of their appointment, are Duncan Monroe, Gordon Ross Phillips, Guy Carleton Colquhoun, John Graham Harkness and Duncan Grant; and whereas the said Congregation of St. John's Church, Cornwall, by the said trustees have petitioned that the said Act may be amended so as to fix the term of office of the present trustees and to provide that when a vacancy occurs new trustees shall be elected by the Congregation instead of being appointed by the remaining trustees; and whereas by an Act passed in the 48th year of Her late Majesty Queen Victoria, Chapter 94, the then trustees and their successors were given power and authority to contract for and sell the lands therein specified and out of the proceeds to purchase a new site on which to erect a Church and to apply such sum as may be fixed upon by a majority of the said Congregation entitled to vote present at a meeting of said Congregation duly called for such purpose in the erection of a new Church edifice; and whereas the said Congregation by its said trustees have petitioned that the said last mentioned Act be so amended as to enable the said trustees with the sanction of the Congregation to use the proceeds of land already sold or to be sold by the trustees, pursuant to Section 1 of the said last mentioned Act for the purpose of paying for repairs already made or to

be made to the Church or manse of said Congregation or to erect, repair or improve another Church or manse in lieu of the ones now owned by the Congregation and if necessary to purchase a site therefor; 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:

34 V. c. 87,  
s. 2, repealed.

1. Section 2 of Chapter 87 of the Acts passed in the 34th year of the reign of Her late Majesty Queen Victoria is repealed and the following Section substituted therefor:

Term of  
office of  
trustees.

2.—(1) The term of office of the present trustees shall be determined as follows: One of the said trustees shall retire from office at each Annual Meeting of the said Congregation in the month of January for the next succeeding five years in the order of the seniority of their appointment, but the said trustee so retiring shall be eligible for re-election.

(2) The term of office of the trustees to be hereafter appointed, other than those appointed to fill a vacancy created by death, removal or resignation, shall be five years, and the said trustees shall be elected at the annual meeting of the Congregation, that is one in each year.

Trustees to  
be members  
of congrega-  
tion.

(3) The said trustees shall be and continue to be members of the said Congregation.

Filling  
vacancies.

(4) That should from death, removal or resignation or otherwise a vacancy occur among the said trustees the surviving or remaining trustee or trustees for the time being or a majority of them may fill such vacancy or vacancies by naming or appointing any person or persons to fill such vacancy or vacancies by any writing under his or their hand or hands, provided always that all trustees so appointed shall only hold such office until the next annual meeting of the said Congregation when trustees shall be chosen by the said meeting or at some other subsequent meeting called for that purpose, and the trustee or trustees so chosen shall hold office for the unexpired portion of the term or terms of the trustee or trustees in whose stead they shall be chosen.

48 V. c. 94,  
s. 4, repealed.

3. Section 4 of Chapter 94 passed in the 48th year of the reign of Her late Majesty Queen Victoria is repealed and the following substituted therefor:

Application  
of proceeds  
from sale  
of lands.

4.—(1) The trustees for the time being shall have power out of the proceeds of the sale of the said lands to apply such sum as may be fixed upon by a majority of the said Congre-



gation entitled to vote, present at a meeting of the said Congregation duly called for such purpose, for the purpose of paying for repairs or extensions already made or to be made to the Church or manse of said Congregation or to build, repair, extend or improve another Church or manse in lieu of the ones now owned by the said Congregation and if necessary to purchase a site or sites therefor.

(2) The trustees for the time being shall invest the remainder of the moneys arising from the said sales or transfers aforesaid in such a manner as may be determined on by a majority of the Congregation entitled to vote, present at a meeting duly called for that purpose. <sup>Investment</sup>  
<sub>of money.</sub>

No. 62.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting St. John's Church,  
Cornwall.

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1st Reading.

1912.

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(*Private Bill.*)

Mr. MILLIGAN.

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TORONTO:

PRINTED BY L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting St. John's Church, Cornwall.

**W**HEREAS by an Act passed in the 34th year of the Preamble. reign of Her late Majesty Queen Victoria, Chapter 87, certain lands belonging to St. John's Church, being the Cornwall Congregation of the Presbyterian Church of Canada, then in connection with the Church of Scotland, were vested in fee simple in certain trustees in trust for the benefit of the said Congregation for the purposes therein specified; and whereas provision was therein made for the filling of vacancies in the office of trustee as therein specified; and whereas the present trustees of the said St. John's Church, Cornwall, according to the seniority of their appointment, are Duncan Monroe, Gordon Ross Phillips, Guy Carleton Colquhoun, John Graham Harkness and Duncan Grant; and whereas the said Congregation of St. John's Church, Cornwall, by the said trustees have petitioned that the said Act may be amended so as to fix the term of office of the present trustees and to provide that when a vacancy occurs new trustees shall be elected by the Congregation instead of being appointed by the remaining trustees; and whereas by an Act passed in the 48th year of Her late Majesty Queen Victoria, Chapter 94, the then trustees and their successors were given power and authority to contract for and sell the lands therein specified and out of the proceeds to purchase a new site on which to erect a Church and to apply such sum as may be fixed upon by a majority of the said Congregation entitled to vote present at a meeting of said Congregation duly called for such purpose in the erection of a new Church edifice; and whereas the said Congregation by its said trustees have petitioned that the said last mentioned Act be so amended as to enable the said trustees with the sanction of the Congregation to use the proceeds of land already sold or to be sold by the trustees, pursuant to Section 1 of the said last mentioned Act for the purpose of paying for repairs already made or to

be made to the Church or manse of said Congregation or to erect, repair or improve another Church or manse in lieu of the ones now owned by the Congregation and if necessary to purchase a site therefor; 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:

34 V. c. 87,  
s. 2, repealed.

**1.** Section 2 of Chapter 87 of the Acts passed in the 34th year of the reign of Her late Majesty Queen Victoria is repealed and the following Section substituted therefor:

Term of  
office of  
trustees.

**2.—(1)** The term of office of the present trustees shall be determined as follows: One of the said trustees shall retire from office at each Annual Meeting of the said Congregation in the month of January for the next succeeding five years in the order of the seniority of their appointment, but the said trustee so retiring shall be eligible for re-election.

(2) The term of office of the trustees to be hereafter appointed, other than those appointed to fill a vacancy created by death, removal or resignation, shall be five years, and trustees shall be elected at the annual meeting of the congregation each year to replace the present trustees as they shall respectively retire as aforesaid, and thereafter annually at the said meeting.

Trustees to  
be members  
of congrega-  
tion.

(3) The said trustees shall be and continue to be members of the said Congregation.

Filling  
vacancies.

(4) That should from death, removal or resignation or otherwise a vacancy occur among the said trustees the surviving or remaining trustee or trustees for the time being or a majority of them may fill such vacancy or vacancies by naming or appointing any person or persons to fill such vacancy or vacancies by any writing under his or their hand or hands, provided always that all trustees so appointed shall only hold such office until the next annual meeting of the said Congregation when trustees shall be chosen by the said meeting or at some other subsequent meeting called for that purpose, and the trustee or trustees so chosen shall hold office for the unexpired portion of the term or terms of the trustee or trustees in whose stead they shall be chosen.

48 V. c. 94,  
s. 4, repealed.

**3.** Section 4 of Chapter 94 passed in the 48th year of the reign of Her late Majesty Queen Victoria is repealed and the following substituted therefor:

4.—(1) The trustees for the time being shall have power out of the proceeds of the sale of the said lands to apply such sum as may be fixed upon by a majority of the said Congregation entitled to vote, present at a meeting of the said Congregation duly called for such purpose, for the purpose of paying for repairs or extensions already made or to be made to the Church or manse of said Congregation or to build, repair, extend or improve another Church or manse in lieu of the ones now owned by the said Congregation and if necessary to purchase a site or sites therefor.

Application  
of proceeds  
from sale  
of lands.

(2) The trustees for the time being shall invest the remainder of the moneys arising from the said sales or transfers aforesaid in such a manner as may be determined on by a majority of the Congregation entitled to vote, present at a meeting duly called for that purpose.

Investment  
of money.

No. 62.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting St. John's Church,  
Cornwall.

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1st Reading, 13th March, 1912.

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

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Mr. MILLIGAN.

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

# BILL

## An Act to confirm By-law No. 577 of the County of Wentworth.

**W**HEREAS the Corporation of the County of Wentworth Preamble. has by petition represented that on the thirtieth day of October, 1902, it passed By-laws numbers 476 and 477 for the purpose of assuming and designating the roads to be assumed or improved by the County under the provisions of the Act passed in the first year of the reign of His late Majesty King Edward the Seventh, chaptered 32, and intituled *An Act for the Improvement of Public Highways* and the plan of road improvement so adopted by By-law so approved by the Lieutenant-Governor in Council on the 22nd day of November, 1904; and whereas the amount of the expenditure authorized by the said By-law was \$98,000; and whereas there has been an additional expenditure up to the 31st day of December, 1910, amounting to \$271,658.88 for the purpose of building and improving the roads assumed and designated as aforesaid making a total expenditure for the Good Roads System in the County of Wentworth of \$369,658.88; and whereas the Government of Ontario has paid out of the Consolidated Revenue Fund to the said Corporation of the County of Wentworth up to the 31st day of December, 1909, its proportion pursuant to the said Act amounting to \$115,439.03; and whereas the said Corporation has not followed the proper procedure in providing for an expenditure in excess of the said sum of \$98,000; and whereas the said Corporation on the 9th day of June, 1911, passed By-law number 577 approving of the expenditure of the said sum of \$271,658.88 and authorizing and approving of the expenditure of a further estimated sum of \$60,000 necessary to complete the assumption and improvement of the said County Road System making in all a total expenditure of \$429,658.88 when the said Road System is completed; and whereas the said Corporation has by petition

prayed that the said By-law number 577 may be confirmed and declared to be legal, valid and binding; and whereas it is expedient to grant the prayer of the said petition:—

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

By-law 577  
of County of  
Wentworth  
confirmed,  
etc.

1.—(1) By-law number 577 of the Corporation of the County of Wentworth, set out as Schedule "A" hereto, is ratified, confirmed and declared legal, valid and binding on the said Corporation and the ratepayers thereof and shall be deemed to authorize the said Corporation to make a further expenditure of \$60,000.

How further  
expenditure  
to be made.

(2) Such further expenditure of \$60,000 may be made on the roads and parts of roads designated in the said By-laws Nos. 476 and 477 or on such other parts of them or on such other roads or parts of roads as may be designated by By-law of the said Corporation approved of by the Lieutenant-Governor in Council.

Past  
expenditure  
confirmed.

2. The expenditure of the said sum of \$271,658.88 heretofore made by the Corporation of the County of Wentworth is hereby validated, ratified and confirmed.

#### SCHEDULE "A."

##### BY-LAW No. 577.

Whereas the County Council of the County of Wentworth took proceedings under the provisions of *The Toll Roads Expropriation Act, 1901*.

And whereas By-law No. 476 was duly passed on or about the Twenty-fifth day of December, 1902, pursuant to the said Act, and authorized the expenditure by the County of ninety-eight thousand dollars.

And whereas there has been an additional expenditure by the County up to the First day of December, 1910, of two hundred and seventy-one thousand six hundred and fifty-eight dollars and eighty-eight cents (\$271,658.88).

And whereas the expenditure of this sum has not been approved of according to the requirements of the Statute by the passing of a By-law.

And whereas the Corporation of the County of Wentworth are desirous of passing the By-law pursuant to the Statute and having the same approved of by the Lieutenant-Governor in Council.

And whereas the estimated expenditure to complete the construction of the proposed work is \$60,000.

And whereas the following is the entire list of roads which were controlled by the County prior to the year 1902:

Binkley Road, 1 1-8 miles.  
Governor's Road, 4 miles.



And whereas the following is the list of the roads assumed by the County in 1902 under *The Toll Roads Expropriation Act of 1901*:

Dundas and Waterloo.  
 Ninth Concession.  
 Lynden Road.  
 Brock Road.  
 Sydenham Road.  
 Hamilton and Port Nelson Road.  
 Waterdown Road.  
 Port Flamboro' Road.  
 Town Line Road.  
 Caledonia Road.  
 Mount Albion Road.  
 Stoney Creek Road.  
 Binbrook Road.  
 Ancaster Road.  
 Green Road.

And whereas the following is a list of the roads acquired by the County since that time:

Beach Road.

It is hereby enacted by the Municipal Council of the County of Wentworth:

1. The said Municipal Council doth hereby approve of the aforesaid expenditure, amounting to \$271,658.88.
2. The said Municipal Council doth hereby approve of the estimated expenditure aforesaid amounting to \$60,000.
3. That a copy hereof, certified by the County Clerk be sent to the Provincial Auditor.

Passed this 9th day of June, 1911.

J. W. JARDINE,  
*Clerk.*

WM. LAWSON,  
*Warden.*

No. 63.

1st Session, 13th Legislature,  
2 George V., 1912.

BILL.

An Act to confirm By-law No. 577 of the  
County of Wentworth.

1st Reading. 1912.

(*Private Bill.*)

Mr. REGAN.

TORONTO:

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

# BILL

## An Act to confirm certain By-laws of the Township of Cornwall.

**W**HEREAS The Municipal Corporation of the Town-<sup>Preamble.</sup>ship of Cornwall and The Toronto Paper Company by their petitions have prayed that an Act may be passed confirming a certain By-law, being By-law number 847 of the said Township, and a certain agreement made between the Corporation of the Township of Cornwall and The Toronto Paper Company, which are fully set forth in Schedules "A" and "B" respectively to this Act; and whereas the said Municipal Corporation and the St. Lawrence Power Company, Limited, by their petitions have prayed that an Act may be passed confirming a certain By-law, being By-law No. 848 of the said Township, and a certain Agreement made between the said Municipal Corporation and The St. Lawrence Power Company, Limited, which are fully set forth in Schedules "C" and "D" respectively to this Act; and whereas the said Municipal Corporation and The St. Lawrence Paper Mills Company, Limited, by their petitions have prayed that an Act may be passed confirming a certain by-law, being By-law number 849 of the said Township, and an Agreement made between the said Municipal Corporation and The St. Lawrence Paper Mills Company, Limited, which are fully set forth in Schedules "E" and "F" respectively to this Act; and whereas the said by-laws were unanimously passed by the Municipal Corporation of the Township of Cornwall, and the said Agreements were entered into upon certain conditions, which the said Township of Cornwall considers favourable; and whereas it is expedient to grant the prayers of the said petitions;

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

**1.** By-law number 847 of the Municipal Corporation of the Township of Cornwall, together with the Agreement therein referred to, the said By-law and Agreement being re-<sup>By-law 847 and agreement confirmed.</sup>

spectively set forth in full in Schedules "A" and "B" to this Act, are hereby confirmed and declared legal, valid and binding in the same manner and to the same extent as if set out at length, and the provisions thereof enacted in this Act, anything contained in *The Assessment Act* or any other Act to the contrary notwithstanding.

By-law 848  
and agree-  
ment  
confirmed.

2. By-law Number 848 of the Municipal Corporation of the Township of Cornwall, together with the agreement therein referred to, the said By-law and Agreement being respectively set forth in full in Schedules "C" and "D" to this Act, are hereby confirmed and declared legal, valid and binding in the same manner and to the same extent as if set out at length, and the provisions thereof enacted in this Act, anything contained in *The Assessment Act* or any other Act to the contrary notwithstanding.

By-law 849  
and agree-  
ment  
confirmed.

3. By-law Number 849 of the Municipal Corporation of the Township of Cornwall, together with the Agreement therein referred to, the said By-law and Agreement being respectively set forth in full in Schedules "E" and "F" to this Act, are hereby confirmed and declared legal, valid and binding, in the same manner and to the same extent as if set out at length and the provisions thereof enacted in this Act, anything contained in *The Assessment Act* or any other Act to the contrary notwithstanding.

#### SCHEDULE "A."

##### BY-LAW No. 847.

Of the Corporation of the Township of Cornwall in the County of Stormont, of the year One thousand nine hundred and eleven, for commutation of taxes on the Toronto Paper Company's Mills in the Township of Cornwall:

Whereas, the Corporation of the Township of Cornwall have entered into an agreement bearing even date herewith with the Toronto Paper Company, Limited, to commute the taxes to be paid by the said Toronto Paper Company, Limited, upon their property situate in the Township of Cornwall in the County of Stormont, for a period of ten years from the First day of January, A.D. 1912, and upon the terms, provisoes and conditions in said agreement contained;

And whereas, it is necessary to authorize the Reeve and Clerk to execute the said agreement and attach the corporate seal thereto:

Be it therefore enacted a by-law of the Corporation of the Township of Cornwall,

And it is hereby enacted that the Reeve and Clerk be and they are hereby authorized and empowered to sign and seal with the corporate seal of the Township of Cornwall the said agreement with the Toronto Paper Company, Limited, bearing date the sixth day of November, A.D. 1911;

And it is therefore enacted that the said agreement of the Toronto

Paper Company, Limited, shall not come into operation or take effect until an Act is passed by the Legislature of the Province of Ontario, ratifying, confirming and declaring legal and valid the said agreement together with this by-law.

Passed in open council, signed and sealed this            day of  
November, A.D. 1911.

(Seal)

(Sgd.) J. W. McLEOD,

*Reeve.*

(Sgd.) JOHN MULLIN,

*Clerk.*

#### SCHEDULE "B."

This agreement made the sixth day of November, in the year of our Lord One thousand nine hundred and eleven, between the Corporation of the Township of Cornwall, in the County of Stormont and Province of Ontario, hereinafter called the Corporation of the First Part, and the Toronto Paper Company, Limited, a body corporate and politic, hereinafter called the Company of the Second Part;

Whereas the Toronto Paper Company, Limited, has for a number of years operated a paper mill and pulp mill in the Township of Cornwall near the Town of Cornwall;

And whereas the Toronto Paper Company, Limited, have made during the last ten years considerable additions to their buildings and machinery connected with their manufacturing property in the Township of Cornwall and have given employment to a large number of people;

And whereas, with the increased growth of the country, it is probable that the Toronto Paper Company, Limited, will increase their plant and give employment to a larger number of hands;

And whereas, the corporation of the Township of Cornwall deem it advisable to deal fairly and equitably with the Toronto Paper Company, Limited;

And whereas, the present agreement in regard to taxes expires on the First day of January, A.D. 1912, and the Toronto Paper Company, Limited, have asked for a commutation of taxes for a further period of ten years;

Now this agreement witnesseth that the Corporation of the Township of Cornwall do hereby agree to fix the assessment on all the real estate, buildings, machinery, and property of the Toronto Paper Company now erected or to be erected within a period of three years, for a period of ten years from the First day of January, A.D. 1912, for Municipal purposes at Fifty per cent. of a value fixed at One hundred and fifty-five thousand dollars;

And the Corporation of the Township of Cornwall further agree that the said property shall be exempt from statute labor for a period of ten years, but not from school taxes;

The Toronto Paper Company, on their part, agree to furnish to the Corporation of the Township of Cornwall all the coal cinders not required for their own use, said cinders to be used by the Township of Cornwall for their roads;

The Toronto Paper Company further agrees with the Corporation of the Township of Cornwall to run and operate all and each of their factories in the Township of Cornwall to their full capacity, and to employ not less than one hundred hands, and all and every

department thereof, during the said term of ten years, for a period of not less than nine months in the aggregate and in any consecutive period of twelve months, such months to be composed of twenty-six days of ten hours each, and such nine months is to be exclusive of stoppages from any cause whatsoever;

And the said Toronto Paper Company, Limited, further agree with the Corporation of the Township of Cornwall that in the event of the Company making any default in the running of their mills in accordance with the terms aforesaid at any time during the said term of ten years, when and so often as such default shall happen then all the real estate, buildings, machinery and other property of the Company of the Township of Cornwall shall be assessed according to law and be liable for the taxes for the year in which such default happens, as if this agreement had not been entered into, and no Act of the Provincial Legislature had been passed ratifying and validating the same;

And it is further agreed between the parties hereto that this agreement shall not come into operation or take effect until an Act is passed by the Legislature of the Province of Ontario, ratifying, confirming and declaring legal and valid the same together with a by-law of the corporation of the Township of Cornwall authorizing the Reeve and Clerk of the said Municipal Corporation of the Township of Cornwall to execute this agreement;

And it is further agreed that wherever the word "Company" is used in this agreement the same shall be taken and construed to mean the Toronto Paper Company, their successors, assigns and transferees;

In witness whereof the Reeve and Clerk of the Corporation of the Township of Cornwall have hereunto subscribed their hands and affixed the corporate seal and the President of the Toronto Paper Company, Limited, has hereunto subscribed his hand and affixed the Company's seal this Sixth day of November, A.D. 1911.

Signed, sealed and delivered,  
in the presence of

JAMES W. CRAWFORD.  
R. A. PRINGLE.

J. W. McLEOD,  
*Reeve.*  
JOHN MULLIN,  
*Tp. Clerk.*  
JOHN R. BARBER,  
*President.*  
ALF. W. BRIGGS,  
*Secretary.*

#### SCHEDULE "C."

##### BY-LAW No. 848

Of the Township of Cornwall in the County of Stormont, of the year One thousand nine hundred and twelve, for fixing the assessment upon the property of the St. Lawrence Power Company situate at or near Sheeks Island in the Township of Cornwall, and upon which the said St. Lawrence Power Company are required to pay municipal taxes for a period of ten years from the first day of January, A.D. 1912.

Whereas, the Corporation of the Township of Cornwall have entered into an agreement bearing even date with the St. Lawrence Power Company to fix the assessment of all the real estate, buildings, machinery, polls, wires, appliances and property immediately

used or connected with the St. Lawrence Power Company's plant situate at Sheeks Island in the Township of Cornwall at thirty-three and one-third per cent. for a period of ten years from the first day of January, A.D. 1912, upon the terms, provisos and conditions in said agreement contained;

And whereas it is necessary to authorize the Reeve and Clerk of the Corporation of the Township of Cornwall to execute the said agreement and attach the corporate seal thereto;

Be it therefore enacted a By-law of the Corporation of the Township of Cornwall,

And it is hereby enacted that the Reeve and Clerk be and they are hereby authorized and empowered to sign and seal with the Corporate seal of the Township of Cornwall the said agreement with the St. Lawrence Power Company bearing date the sixth day of November, A.D. 1911.

And it is therefore enacted that the said agreement with the St. Lawrence Power Company shall not come into operation or take effect until an Act is passed by the Legislature of the Province of Ontario ratifying, confirming and declaring legal and valid the said agreement together with this by-law.

Passed in open Council and sealed this sixth day of November, A.D. 1911.

J. W. McLEOD,

*Reeve.*

JOHN MULLIN,

*Clerk.*

#### SCHEDULE "D."

This agreement made the sixth day of November, in the year of our Lord One thousand nine hundred and eleven, between the Corporation of the Township of Cornwall, in the County of Stormont, and Province of Ontario, hereinafter called the Corporation of the First Part; the St. Lawrence Power Company, Limited, carrying on business in the Township of Cornwall, in the County of Stormont, hereinafter called the Parties of the Second Part.

Whereas, the St. Lawrence Power Company are the Lessees from the Dominion Government of a certain water power at or near the foot of Sheeks Island in the Township of Cornwall, in the County of Stormont;

And whereas, the St. Lawrence Power Company are endeavouring to have manufacturing industries locate at or near Sheeks Island, in the said Township of Cornwall, and the location of such industries would be of great advantage to the Township of Cornwall;

And whereas, a large portion of the money that has been expended by the St. Lawrence Power Company has been expended in the development of the water power, which said power under the terms of their lease with the Dominion Government remains the property of the Dominion Government;

And whereas, the only portion of the St. Lawrence Power Company's plant which is assessable is the building and machinery connected therewith, and the poles, wires and other appliances used in connection with furnishing light and operating the Cornwall Canal;

And whereas, the St. Lawrence Power Company was at one time controlled by M. P. Davis, of the City of Ottawa, in the County of Carleton, and the Township of Cornwall granted to the said M. P. Davis a commutation of taxes for a period of ten years from the first day of January, A.D. 1902;

And whereas, the St. Lawrence Power Company have applied to

the Corporation of the Township of Cornwall for a renewal of said commutation of taxes;

And whereas, the Municipal Corporation of the Township of Cornwall do not feel justified in granting a complete renewal of said agreement; but they consider that it would be in the interests of the municipality to commute the taxes to be levied upon the property of the St. Lawrence Power Company;

Now this agreement witnesseth that the Municipal Corporation of the Township of Cornwall hereby agree to fix the assessment on all the real estate, buildings, machinery and property immediately used or connected with the St. Lawrence Power Company's plant at Sheeks Island together with the poles, wires and other appliances used in connection therewith or any other plant which may be constructed within the next two years and connected with the development of further power and which belong to the said St. Lawrence Power Company and which are situate in the Township of Cornwall at thirty-three and one-third per cent. of ninety thousand dollars for a period of ten years from the first day of January, A.D. 1912; all other property such as farm property owned by the St. Lawrence Power Company, Limited, to be assessed in usual way even if submerged for the purposes of the Company.

It is hereby further agreed that the Municipal Corporation hereby further exempt the St. Lawrence Power Company from the performance or payment of statute labour for a period of ten years from the first day of January, A.D. 1912;

And it is further understood between the parties hereto that taxes for municipal and other purposes with the exception of school purposes shall only be levied on the thirty-three and one-third per cent. of ninety thousand dollars, or in other words upon thirty thousand dollars, for a period of ten years from the first day of January, A.D. 1912;

The St. Lawrence Power Company covenant and agree that just as soon as they obtain the power to do so that they will increase the power to be used for industrial and other purposes;

And it is further agreed between the parties hereto that this agreement shall not come into operation or take effect until an Act is passed by the Legislature of the Province of Ontario ratifying, confirming and declaring valid the same; together with a by-law of the Municipal Corporation authorizing the Reeve and Clerk of the Township of Cornwall to execute this agreement.

In witness whereof the Reeve and Clerk of the Corporation of the Township of Cornwall have hereunto subscribed their hands and affixed the corporate seal, and the St. Lawrence Power Company have hereunto subscribed their hands and affixed their corporate seal this sixth day of November, A.D. 1911.

Signed, sealed and delivered

in the presence of  
C. H. BARBER.  
R. A. PRINGLE.

J. W. McLEOD,  
*Reeve.*

JOHN MULLIN,  
*Tp. Clerk.*

ST. LAWRENCE POWER CO., LTD.  
LAWRENCE J. MEAD.  
EDW. GRAY,  
*Vice-Pres.*

(Seal)

SCHEDULE "E."

BY-LAW No. 849

Of the Corporation of the Township of Cornwall, in the County of Stormont, of the year One thousand nine hundred and eleven, for



fixing the assessment upon any new industry erected by the St. Lawrence Paper Mills Company, Limited, within a period of three years:

Whereas, the Corporation of the Township of Cornwall have entered into an agreement bearing even date herewith with the St. Lawrence Paper Mills Company, Limited, to fix the assessment on all the real estate, buildings and machinery connected with any industry or industries which the St. Lawrence Paper Mills Company, Limited, may establish within a period of three years from this date;

And whereas, it is necessary to authorize the Reeve and Clerk of the Corporation of the Township of Cornwall to execute said agreement and attach the corporate seal thereto;

Be it therefore enacted a By-law of the Corporation of the Township of Cornwall,

And it is hereby enacted, that the Reeve and Clerk be and they are hereby authorized and empowered to sign and seal with the Corporate seal of the Township of Cornwall said agreement with the St. Lawrence Paper Mills Company, Limited, bearing date the sixth day of November, in the year of our Lord, One thousand nine hundred and eleven;

And it is further enacted, that the said agreement with the St. Lawrence Paper Mills Company, Limited, shall not come into operation or take effect until an Act is passed by the Legislature of the Province of Ontario ratifying, confirming and declaring legal and valid the said agreement together with this by-law.

Passed in open Council, signed and sealed this sixth day of November, in the year of our Lord One thousand nine hundred and eleven.

J. W. McLEOD,  
*Reeve.*  
JOHN MULLIN,  
*Clerk.*

#### SCHEDULE "F."

This Agreement, made this Sixth day of November, in the year of our Lord One thousand, nine hundred and eleven, between The Corporation of the township of Cornwall, in the County of Stormont, and Province of Ontario, hereinafter called the Corporation of the First Part, and The St. Lawrence Paper Mills Company, Limited, of the Township of Cornwall, in the County of Stormont, hereinafter called the Company of the Second Part—

Whereas the Corporation of the Township of Cornwall entered into an agreement on the eleventh day of January, A.D. 1904, with Michael P. Davis, of the City of Ottawa, in the County of Carleton, Contractor, wherein it was agreed among other things that the property immediately used or connected with the Cornwall Paper Manufacturing Company, Limited should be exempt from all Municipal Taxes and statute labour for a period of twenty years from the date of said agreement;

And it was further agreed that the Real Estate, buildings, machinery and property immediately used or connected with any other manufacturing industry which might be erected upon the property described in Schedule "A" to the agreement within a period of five years from the date of said agreement should be exempt from municipal taxes and should only pay school rates on an assessment of five thousand dollars for the first ten years and on an assessment of ten thousand dollars for the next ten years.

And whereas the Cornwall Paper Manufacturing Company, Limited, went into liquidation, and the St. Lawrence Paper Mills Company, Limited, are now the owners of the property which for-

merly belonged to the Cornwall Paper Manufacturing Company, Limited;

And whereas a period of five years covered by said agreement has expired and no additional manufacturing industry has been established;

And whereas the St. Lawrence Paper Mills Company, Limited, have acquired additional Real Estate adjoining the Real Estate which they now own, and are contemplating the erection of another industry;

And whereas the Corporation of the Township of Cornwall consider it advisable in the interests of said Corporation that another industry should be erected which would give employment to a large number of people and which would in every way be in the interests of the said Township;

Now this Agreement witnesseth that the Corporation of the Township of Cornwall hereby covenant and agree to exempt the real estate, machinery and property immediately used or connected with any industry or industries which the said The St. Lawrence Paper Mills Company, Limited, may erect either by themselves or through their instrumentality within a period of three years from this date from all municipal taxes and statute labour for a period of twenty years from the completion of said industry or industries; but this exemption shall not apply to school taxes;

And in the event of any other manufacturing industries being erected as contemplated they are to furnish to the Corporation of the Township of Cornwall all cinders which they may not require for their own use, said cinders to be used by the Corporation upon the roads in said Township;

It is further agreed between the parties hereto that in the event of any of the land which has been acquired by the St. Lawrence Paper Company, Limited, being used for the purpose of residences or for any other purposes other than manufacturing purposes, then the said property is not to be exempt from taxation but shall pay the usual rates to the Township;

And it is further agreed between the parties hereto that this agreement shall not come into operation or take effect until an Act is passed by the Legislature of the Province of Ontario, ratifying, confirming, and declaring legal and valid the same, together with a By-law of the Municipal Corporation of the Township of Cornwall authorizing the Reeve and Clerk of the Township of Cornwall to execute this agreement;

In witness whereof the Reeve and Clerk of the Corporation of the Township of Cornwall have hereunto subscribed their hands and affixed the corporate seal, and the said The St. Lawrence Paper Mills Company, Limited, have also, by their President, executed this agreement and affixed their corporate seal, this Sixth day of November, in the year of Our Lord One thousand nine hundred and eleven.

Signed, Sealed and Delivered in  
the presence of  
R. A. PRINGLE.  
H. E. COLLAN.  
A. M. WISMER.

(Seal)

J. W. McLEOD,  
Reeve.  
JOHN MULLIN,  
Tp. Clerk.  
ST. LAWRENCE PAPER MILLS CO., LTD.,  
I. H. WELDON,  
President.  
S. F. DUNCAN,  
Secretary.







No. 64.

1st Session, 13th Legislature,  
2 George V., 1912.

BILL.

An Act confirming certain By-laws of  
the Township of Cornwall.

1st Reading. 1912.

(*Private Bill.*)

Mr. MILLIGAN.

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

# BILL

## An Act to confirm certain By-laws of the Township of Cornwall.

**W**HEREAS The Municipal Corporation of the Township of Cornwall and The Toronto Paper Company by their petitions have prayed that an Act may be passed confirming a certain By-law, being By-law number 847 of the said Township, and a certain agreement made between the Corporation of the Township of Cornwall and The Toronto Paper Company, which are fully set forth in Schedules "A" and "B" respectively to this Act; and whereas the said Municipal Corporation and the St. Lawrence Power Company, Limited, by their petitions have prayed that an Act may be passed confirming a certain By-law, being By-law No. 848 of the said Township, and a certain Agreement made between the said Municipal Corporation and The St. Lawrence Power Company, Limited, which are fully set forth in Schedules "C" and "D" respectively to this Act; and whereas the said Municipal Corporation and The St. Lawrence Paper Mills Company, Limited, by their petitions have prayed that an Act may be passed confirming a certain by-law, being By-law number 849 of the said Township, and an Agreement made between the said Municipal Corporation and The St. Lawrence Paper Mills Company, Limited, which are fully set forth in Schedules "E" and "F" respectively to this Act; and whereas the said by-laws were unanimously passed by the Municipal Corporation of the Township of Cornwall, and the said Agreements were entered into upon certain conditions, which the said Township of Cornwall considers favourable; and whereas it is expedient to grant the prayers of the said petitions;

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

1. Subject to section 4, By-law number 847 of the Municipal Corporation of the Township of Cornwall, together with the Agreement therein referred to, the said By-law and Agreement being respectively set forth in full in Schedules "A" and "B" to this Act, are hereby confirmed and declared legal, valid and binding in the same manner and to the same extent as if set out at length, and the provisions

By-law 847  
and agree-  
ment  
confirmed.

thereof enacted in this Act, anything contained in *The Assessment Act* or any other Act to the contrary notwithstanding.

By-law 848  
and agree-  
ment  
confirmed.

2. Subject to section 4 By-law Number 848 of the Municipal Corporation of the Township of Cornwall, together with the agreement therein referred to, the said By-law and Agreement being respectively set forth in full in Schedules "C" and "D" to this Act, are hereby confirmed and declared legal, valid and binding in the same manner and to the same extent as if set out at length, and the provisions thereof enacted in this Act, anything contained in *The Assessment Act* or any other Act to the contrary notwithstanding.

By-law 849  
and agree-  
ment  
confirmed.

3. Subject to section 4 By-law Number 849 of the Municipal Corporation of the Township of Cornwall, together with the Agreement therein referred to, the said By-law and Agreement being respectively set forth in full in Schedules "E" and "F" to this Act, are hereby confirmed and declared legal, valid and binding, in the same manner and to the same extent as if set out at length and the provisions thereof enacted in this Act, anything contained in *The Assessment Act* or any other Act to the contrary notwithstanding.

Approval of  
Ratepayers.

4.—(1) Subject to subsection 2, the said By-laws and Agreements shall be submitted to and approved of by two-thirds of those voting of the qualified ratepayers in the manner provided by *The Consolidated Municipal Act, 1903*, except that publication of the By-laws and Agreements once a week for two successive weeks in a newspaper published in the Town of Cornwall shall be a sufficient compliance with the provisions of the said Act and the voting on the said By-laws and Agreements may be taken at any time after the expiration of two weeks from the date of the first publication thereof.

(2) It shall not be necessary to submit the said By-laws and Agreements to the ratepayers if the Ontario Railway and Municipal Board certifies that three-fifths of all the ratepayers qualified to vote on the said By-laws and Agreements have petitioned the Board stating that they are in favour of the By-laws and Agreements being confirmed and if the Board so certifies the By-laws and Agreements shall be legal, valid and binding.

Assessment.

(3) Notwithstanding anything contained in the said By-laws and Agreements, the real estate, buildings, machinery and property of each of the said Companies shall for school purposes and local improvements be assessed and liable to taxation as though the said By-laws had not been passed or the Agreements entered into.



## SCHEDULE "A."

BY-LAW No. 847.

Of the Corporation of the Township of Cornwall in the County of Stormont, of the year One thousand nine hundred and eleven, for commutation of taxes on the Toronto Paper Company's Mills in the Township of Cornwall:

Whereas, the Corporation of the Township of Cornwall have entered into an agreement bearing even date herewith with the Toronto Paper Company, Limited, to commute the taxes to be paid by the said Toronto Paper Company, Limited, upon their property situate in the Township of Cornwall in the County of Stormont, for a period of ten years from the First day of January, A.D. 1912, and upon the terms, provisoes and conditions in said agreement contained;

And whereas, it is necessary to authorize the Reeve and Clerk to execute the said agreement and attach the corporate seal thereto:

Be it therefore enacted a by-law of the Corporation of the Township of Cornwall,

And it is hereby enacted that the Reeve and Clerk be and they are hereby authorized and empowered to sign and seal with the corporate seal of the Township of Cornwall the said agreement with the Toronto Paper Company, Limited, bearing date the sixth day of November, A.D. 1911;

And it is therefore enacted that the said agreement of the Toronto Paper Company, Limited, shall not come into operation or take effect until an Act is passed by the Legislature of the Province of Ontario, ratifying, confirming and declaring legal and valid the said agreement together with this by-law.

Passed in open council, signed and sealed this                      day of  
November, A.D. 1911.

(Seal)

(Sgd.) J. W. McLEOD,

*Reeve.*

(Sgd.) JOHN MULLIN,

*Clerk.*

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 SCHEDULE "B."

This agreement made the sixth day of November, in the year of our Lord One thousand nine hundred and eleven, between the Corporation of the Township of Cornwall, in the County of Stormont and Province of Ontario, hereinafter called the Corporation of the First Part, and the Toronto Paper Company, Limited, a body corporate and politic, hereinafter called the Company of the Second Part;

Whereas the Toronto Paper Company, Limited, has for a number of years operated a paper mill and pulp mill in the Township of Cornwall near the Town of Cornwall;

And whereas the Toronto Paper Company, Limited, have made during the last ten years considerable additions to their buildings and machinery connected with their manufacturing property in the Township of Cornwall and have given employment to a large number of people;

And whereas, with the increased growth of the country, it is probable that the Toronto Paper Company, Limited, will increase their plant and give employment to a larger number of hands;

And whereas, the corporation of the Township of Cornwall deem it advisable to deal fairly and equitably with the Toronto Paper Company, Limited;

And whereas, the present agreement in regard to taxes expires on the First day of January, A.D. 1912, and the Toronto Paper Company, Limited, have asked for a commutation of taxes for a further period of ten years;

Now this agreement witnesseth that the Corporation of the Township of Cornwall do hereby agree to fix the assessment on all the real estate, buildings, machinery, and property of the Toronto Paper Company now erected or to be erected within a period of three years, for a period of ten years from the First day of January, A.D. 1912, for Municipal purposes at Fifty per cent. of a value fixed at One hundred and fifty-five thousand dollars;

And the Corporation of the Township of Cornwall further agree that the said property shall be exempt from statute labor for a period of ten years, but not from school taxes;

The Toronto Paper Company, on their part, agree to furnish to the Corporation of the Township of Cornwall all the coal cinders not required for their own use, said cinders to be used by the Township of Cornwall for their roads;

The Toronto Paper Company further agrees with the Corporation of the Township of Cornwall to run and operate all and each of their factories in the Township of Cornwall to their full capacity, and to employ not less than one hundred hands, and all and every department thereof, during the said term of ten years, for a period of not less than nine months in the aggregate and in any consecutive period of twelve months, such months to be composed of twenty-six days of ten hours each, and such nine months is to be exclusive of stoppages from any cause whatsoever;

And the said Toronto Paper Company, Limited, further agree with the Corporation of the Township of Cornwall that in the event of the Company making any default in the running of their mills in accordance with the terms aforesaid at any time during the said term of ten years, when and so often as such default shall happen then all the real estate, buildings, machinery and other property of the Company of the Township of Cornwall shall be assessed according to law and be liable for the taxes for the year in which such default happens, as if this agreement had not been entered into, and no Act of the Provincial Legislature had been passed ratifying and validating the same;

And it is further agreed between the parties hereto that this agreement shall not come into operation or take effect until an Act is passed by the Legislature of the Province of Ontario, ratifying, confirming and declaring legal and valid the same together with a by-law of the corporation of the Township of Cornwall authorizing the Reeve and Clerk of the said Municipal Corporation of the Township of Cornwall to execute this agreement;

And it is further agreed that wherever the word "Company" is used in this agreement the same shall be taken and construed to mean the Toronto Paper Company, their successors, assigns and transferees;

In witness whereof the Reeve and Clerk of the Corporation of the Township of Cornwall have hereunto subscribed their hands and affixed the corporate seal and the President of the Toronto Paper

Company, Limited, has hereunto subscribed his hand and affixed the Company's seal this Sixth day of November, A.D. 1911.

Signed, sealed and delivered,  
in the presence of

JAMES W. CRAWFORD.  
R. A. PRINGLE.

J. W. McLEOD,  
*Reeve.*  
JOHN MULLIN,  
*Tp. Clerk.*  
JOHN R. BARBER,  
*President.*  
ALF. W. BRIGGS,  
*Secretary.*

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SCHEDULE "C."

BY-LAW No. 848

Of the Township of Cornwall in the County of Stormont, of the year One thousand nine hundred and twelve, for fixing the assessment upon the property of the St. Lawrence Power Company situate at or near Sheeks Island in the Township of Cornwall, and upon which the said St. Lawrence Power Company are required to pay municipal taxes for a period of ten years from the first day of January, A.D. 1912.

Whereas, the Corporation of the Township of Cornwall have entered into an agreement bearing even date with the St. Lawrence Power Company to fix the assessment of all the real estate, buildings, machinery, polls, wires, appliances and property immediately used or connected with the St. Lawrence Power Company's plant situate at Sheeks Island in the Township of Cornwall at thirty-three and one-third per cent. for a period of ten years from the first day of January, A.D. 1912, upon the terms, provisoes and conditions in said agreement contained;

And whereas it is necessary to authorize the Reeve and Clerk of the Corporation of the Township of Cornwall to execute the said agreement and attach the corporate seal thereto;

Be it therefore enacted a By-law of the Corporation of the Township of Cornwall,

And it is hereby enacted that the Reeve and Clerk be and they are hereby authorized and empowered to sign and seal with the Corporate seal of the Township of Cornwall the said agreement with the St. Lawrence Power Company bearing date the sixth day of November, A.D. 1911.

And it is therefore enacted that the said agreement with the St. Lawrence Power Company shall not come into operation or take effect until an Act is passed by the Legislature of the Province of Ontario ratifying, confirming and declaring legal and valid the said agreement together with this by-law.

Passed in open Council and sealed this sixth day of November, A.D. 1911.

J. W. McLEOD,  
*Reeve.*  
JOHN MULLIN,  
*Clerk.*

## SCHEDULE "D."

This agreement made the sixth day of November, in the year of our Lord One thousand nine hundred and eleven, between the Corporation of the Township of Cornwall, in the County of Stormont, and Province of Ontario, hereinafter called the Corporation of the First Part; the St. Lawrence Power Company, Limited, carrying on business in the Township of Cornwall, in the County of Stormont, hereinafter called the Parties of the Second Part.

Whereas, the St. Lawrence Power Company are the Lessees from the Dominion Government of a certain water power at or near the foot of Sheeks Island in the Township of Cornwall, in the County of Stormont;

And whereas, the St. Lawrence Power Company are endeavouring to have manufacturing industries locate at or near Sheeks Island, in the said Township of Cornwall, and the location of such industries would be of great advantage to the Township of Cornwall;

And whereas, a large portion of the money that has been expended by the St. Lawrence Power Company has been expended in the development of the water power, which said power under the terms of their lease with the Dominion Government remains the property of the Dominion Government;

And whereas, the only portion of the St. Lawrence Power Company's plant which is assessable is the building and machinery connected therewith, and the poles, wires and other appliances used in connection with furnishing light and operating the Cornwall Canal;

And whereas, the St. Lawrence Power Company was at one time controlled by M. P. Davis, of the City of Ottawa, in the County of Carleton, and the Township of Cornwall granted to the said M. P. Davis a commutation of taxes for a period of ten years from the first day of January, A.D. 1902;

And whereas, the St. Lawrence Power Company have applied to the Corporation of the Township of Cornwall for a renewal of said commutation of taxes;

And whereas, the Municipal Corporation of the Township of Cornwall do not feel justified in granting a complete renewal of said agreement; but they consider that it would be in the interests of the municipality to commute the taxes to be levied upon the property of the St. Lawrence Power Company;

Now this agreement witnesseth that the Municipal Corporation of the Township of Cornwall hereby agree to fix the assessment on all the real estate, buildings, machinery and property immediately used or connected with the St. Lawrence Power Company's plant at Sheeks Island together with the poles, wires and other appliances used in connection therewith or any other plant which may be constructed within the next two years and connected with the development of further power and which belong to the said St. Lawrence Power Company and which are situate in the Township of Cornwall at thirty-three and one-third per cent. of ninety thousand dollars for a period of ten years from the first day of January, A.D. 1912; all other property such as farm property owned by the St. Lawrence Power Company, Limited, to be assessed in usual way even if submerged for the purposes of the Company.

It is hereby further agreed that the Municipal Corporation hereby further exempt the St. Lawrence Power Company from the performance or payment of statute labour for a period of ten years from the first day of January, A.D. 1912;

And it is further understood between the parties hereto that taxes for municipal and other purposes with the exception of school purposes shall only be levied on the thirty-three and one-third per cent.

of ninety thousand dollars, or in other words upon thirty thousand dollars, for a period of ten years from the first day of January, A.D. 1912;

The St. Lawrence Power Company covenant and agree that just as soon as they obtain the power to do so that they will increase the power to be used for industrial and other purposes;

And it is further agreed between the parties hereto that this agreement shall not come into operation or take effect until an Act is passed by the Legislature of the Province of Ontario ratifying, confirming and declaring valid the same; together with a by-law of the Municipal Corporation authorizing the Reeve and Clerk of the Township of Cornwall to execute this agreement.

In witness whereof the Reeve and Clerk of the Corporation of the Township of Cornwall have hereunto subscribed their hands and affixed the corporate seal, and the St. Lawrence Power Company have hereunto subscribed their hands and affixed their corporate seal this sixth day of November, A.D. 1911.

Signed, sealed and delivered  
in the presence of  
C. H. BARBER.  
R. A. PRINGLE.

J. W. MCLEOD,  
*Reeve.*  
JOHN MULLIN,  
*Tp. Clerk.*

ST. LAWRENCE POWER CO., LTD.  
LAWRENCE J. MEAD.  
EDW. GRAY,  
*Vice-Pres.*  
(Seal)

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SCHEDULE "E."

BY-LAW No. 849

Of the Corporation of the Township of Cornwall, in the County of Stormont, of the year One thousand nine hundred and eleven, for fixing the assessment upon any new industry erected by the St. Lawrence Paper Mills Company, Limited, within a period of three years:

Whereas, the Corporation of the Township of Cornwall have entered into an agreement bearing even date herewith with the St. Lawrence Paper Mills Company, Limited, to fix the assessment on all the real estate, buildings and machinery connected with any industry or industries which the St. Lawrence Paper Mills Company, Limited, may establish within a period of three years from this date;

And whereas, it is necessary to authorize the Reeve and Clerk of the Corporation of the Township of Cornwall to execute said agreement and attach the corporate seal thereto;

Be it therefore enacted a By-law of the Corporation of the Township of Cornwall,

And it is hereby enacted, that the Reeve and Clerk be and they are hereby authorized and empowered to sign and seal with the Corporate seal of the Township of Cornwall said agreement with the St. Lawrence Paper Mills Company, Limited, bearing date the sixth day of November, in the year of our Lord, One thousand nine hundred and eleven;

And it is further enacted, that the said agreement with the St. Lawrence Paper Mills Company, Limited, shall not come into operation or take effect until an Act is passed by the Legislature of the Province of Ontario ratifying, confirming and declaring legal and valid the said agreement together with this by-law.

Passed in open Council, signed and sealed this sixth day of November, in the year of our Lord One thousand nine hundred and eleven.

J. W. McLEOD,  
*Reeve.*  
JOHN MULLIN,  
*Clerk.*

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#### SCHEDULE "F."

This Agreement, made this Sixth day of November, in the year of our Lord One thousand, nine hundred and eleven, between The Corporation of the township of Cornwall, in the County of Stormont, and Province of Ontario, hereinafter called the Corporation of the First Part, and The St. Lawrence Paper Mills Company, Limited, of the Township of Cornwall, in the County of Stormont, hereinafter called the Company of the Second Part—

Whereas the Corporation of the Township of Cornwall entered into an agreement on the eleventh day of January, A.D. 1904, with Michael P. Davis, of the City of Ottawa, in the County of Carleton, Contractor, wherein it was agreed among other things that the property immediately used or connected with the Cornwall Paper Manufacturing Company, Limited should be exempt from all Municipal Taxes and statute labour for a period of twenty years from the date of said agreement;

And it was further agreed that the Real Estate, buildings, machinery and property immediately used or connected with any other manufacturing industry which might be erected upon the property described in Schedule "A" to the agreement within a period of five years from the date of said agreement should be exempt from municipal taxes and should only pay school rates on an assessment of five thousand dollars for the first ten years and on an assessment of ten thousand dollars for the next ten years.

And whereas the Cornwall Paper Manufacturing Company, Limited, went into liquidation, and the St. Lawrence Paper Mills Company, Limited, are now the owners of the property which formerly belonged to the Cornwall Paper Manufacturing Company, Limited;

And whereas a period of five years covered by said agreement has expired and no additional manufacturing industry has been established;

And whereas the St. Lawrence Paper Mills Company, Limited, have acquired additional Real Estate adjoining the Real Estate which they now own, and are contemplating the erection of another industry;

And whereas the Corporation of the Township of Cornwall consider it advisable in the interests of said Corporation that another industry should be erected which would give employment to a large number of people and which would in every way be in the interests of the said Township;

Now this Agreement witnesseth that the Corporation, of the Township of Cornwall hereby covenant and agree to exempt the real estate, machinery and property immediately used or connected with any industry or industries which the said The

St. Lawrence Paper Mills Company, Limited, may erect either by themselves or through their instrumentality within a period of three years from this date from all municipal taxes and statute labour for a period of twenty years from the completion of said industry or industries; but this exemption shall not apply to school taxes;

And in the event of any other manufacturing industries being erected as contemplated they are to furnish to the Corporation of the Township of Cornwall all cinders which they may not require for their own use, said cinders to be used by the Corporation upon the roads in said Township;

It is further agreed between the parties hereto that in the event of any of the land which has been acquired by the St. Lawrence Paper Company, Limited, being used for the purpose of residences or for any other purposes other than manufacturing purposes, then the said property is not to be exempt from taxation but shall pay the usual rates to the Township;

And it is further agreed between the parties hereto that this agreement shall not come into operation or take effect until an Act is passed by the Legislature of the Province of Ontario, ratifying, confirming, and declaring legal and valid the same, together with a By-law of the Municipal Corporation of the Township of Cornwall authorizing the Reeve and Clerk of the Township of Cornwall to execute this agreement;

In witness whereof the Reeve and Clerk of the Corporation of the Township of Cornwall have hereunto subscribed their hands and affixed the corporate seal, and the said The St. Lawrence Paper Mills Company, Limited, have also, by their President, executed this agreement and affixed their corporate seal, this Sixth day of November, in the year of Our Lord One thousand nine hundred and eleven.

Signed, Sealed and Delivered in  
the presence of

R. A. PRINGLE.  
H. E. COLLAN.  
A. M. WISMER.

J. W. McLEOD,

*Reeve.*

JOHN MULLIN,

*Tp. Clerk.*

(Seal)

ST. LAWRENCE PAPER MILLS CO., LTD.,

I. H. WELDON,

*President.*

S. F. DUNCAN,

*Secretary.*

163211





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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act confirming certain By-laws of  
the Township of Cornwall.

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1st Reading, 28th February 1912.

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

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— Mr. MILLIGAN.

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

# BILL

## An Act respecting the Niagara Falls, Welland and Dunnville Electric Railway Company.

**W**HEREAS The Niagara Falls, Welland and Dunnville Preamble.  
Electric Railway Company was incorporated by an  
Act passed in the tenth year of the reign of His late Majesty  
King Edward the Seventh, chaptered 146, and was by said  
Act authorized to construct and operate an electric railway  
as therein mentioned; and whereas the said Company has,  
by its petition prayed for an increase of its capital stock,  
its bonding powers, power to generate, buy, sell, dispose of,  
and distribute electricity, for light, heat and power, to  
municipalities, corporations, and persons, along said rail-  
way, and for an extension of the time for commencement  
and completion of the works of said Company; 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.** Section 4 of the said Act, incorporating said Company 10 Edw.  
VII., c. 146,  
s. 4,  
amended.  
is amended by inserting the figures \$500,000 in lieu of the  
figures \$200,000. Increase of  
capital  
stock.

**2.** Section 8 of the said Act, incorporating said Company 10 Edw.  
VII., c. 146,  
s. 8,  
Increase of  
bonding  
powers.  
is amended by inserting the figures \$30,000 in lieu of the  
figures \$20,000.

**3.** The said Act of incorporation of the said Company 10 Edw.  
VII., c. 146,  
s. 8,  
amended.  
is amended by adding thereto the following as section 10:

**10.** The said Company may generate, buy, sell, dis- Power to  
generate  
and dispose  
of electrical  
power.  
pose of, and distribute, electricity for light,  
heat and power, to municipalities, corporations  
and persons, along said railway.

10 Edw.  
VII., c. 146,  
amended.

4. The said Act of incorporation of said Company is amended by adding thereto the following as section 11:

Time for  
commence-  
ment and  
completion  
extended.

11. The railway authorized by the said Act of incorporation of said Company shall be commenced within two years and completed within five years from the 1st day of March, A.D. 1912.

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

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# BILL



## An Act respecting The Niagara Falls, Welland and Dunnville Electric Railway Company.

**W**HEREAS The Niagara Falls, Welland and Dunnville <sup>Preamble.</sup>



Electric Railway Company was incorporated by an Act passed in the tenth year of the reign of His late Majesty King Edward the Seventh, chaptered 146, and was by said Act authorized to construct and operate an electric railway as therein mentioned; and whereas the Company has, by its petition prayed  that an Act may be passed increasing its capital stock and bonding powers; authorizing the disposing of surplus electricity for lighting and power purposes to municipalities, corporations and persons along said railway, subject to the provisions of *The Power Commission Act*; and extending the time for the commencement and completion of its undertaking;  and whereas it is expedient to grant the prayer of the said petition:

<sup>7 Edw. VII.,  
c. 19.</sup>


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

1. Section 4 of the Act,  passed in the 10th year of <sup>10 Edw. VII., c. 146,</sup> His late Majesty's reign, Chaptered 146,  is amended <sup>s. 4,</sup> by inserting the figures \$500,000 in lieu of the figures <sup>amended.</sup> \$200,000. <sup>Increase of capital stock.</sup>


2. Section 8 of the said Act is amended by inserting the <sup>10 Edw. VII., c. 146,</sup> figures \$30,000 in lieu of the figures \$20,000. <sup>s. 8.</sup>

 3.—(1) The Company may enter into contracts for the purpose of disposing of surplus electricity for lighting and power purposes to municipalities, corporations and persons along said railway subject to the provisions of *The Power Commission Act*.  <sup>Disposal of surplus electricity.</sup>



<sup>7 Edw. VII.  
c. 19.</sup>

 (2) The Company shall not supply electricity in any municipality except under a by-law passed by the council of



<sup>Consent of municipality and approval of Hydro-Electric Power Commission.</sup>

the municipality, or under an agreement entered into with the municipal corporation, and no such by-law or agreement shall take effect or be binding upon the municipality until the same has been approved by the Hydro-Electric Power Commission of Ontario. 



Supervision  
of rates by  
Commission.

 (3) The rates chargeable by the Company for supplying electricity shall at all times be subject to the supervision of the Hydro-Electric Power Commission of Ontario, and upon the complaint in writing of any municipal corporation, company or person that the company is charging rates which are excessive or unfair, or is unjustly discriminating against or in favour of any municipal corporation, company or person the Chairman of the Commission may appoint a time and place at which the said Commission, or some member thereof, will hear and determine the matter in dispute. 



Notice of  
hearing by  
Commission.

 (4) Such notice of such appointment as the Chairman may direct shall be given by the Secretary of the said Commission to all parties concerned. At the time and place appointed the said Commission, or, with the consent of all parties, any member of the said Commission shall hear and determine the matter in dispute, and shall make an order dismissing or allowing the complaint and directing what rates shall be charged by the company, and directing the amendment of any by-law or agreement accordingly. 



Powers of  
Commission.  
8 Edw. VII.  
c. 8.

 (5) The said Commission or the member thereof conducting the hearing, shall have the powers authorized to be conferred upon a commissioner appointed under *The Public Inquiries Act*. 

Penalty.

 (6) If the Company neglects or refuses to obey or carry out the order or direction of the said Commission, or the member thereof conducting such case, it shall forfeit to His Majesty for the uses of the Province the sum of \$100 for every day during which such refusal or neglect shall continue. 

Separate  
accounts  
to be kept.

 (7) The Company shall keep entirely separate and distinct all accounts, contracts, statements and records thereof relating to the construction, development and transmission of the said power, and such accounts shall not in any way become involved or mixed with the accounts for the construction, maintenance or operation of the said railway. 



4. The railway authorized by the said Act, passed in the 10th year of His late Majesty's reign, Chaptered 146 and by this Act, shall be commenced within two years and completed within five years after the 1st day of March, 1912, and if the construction of the railway is not commenced and fifteen per cent. of the amount of the capital stock is not expended thereon within two years after the 1st day of March, 1912, or if the railway is not completed and put in operation within five years from the 1st day of March, 1912, then the powers granted to the Company by the said Act and by this Act shall cease and be null and void as respects so much of the railway as then remains uncompleted.

Time for  
commence-  
ment and  
completion  
extended.

No. 65.

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1st Session, 13th Legislature,  
2 George V. 1912

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BILL.

An Act respecting The Niagara Falls,  
Welland and Dunnville Electric  
Railway Company.

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1st Reading, 13th March, 1912.  
2nd Reading, 25th March, 1912.

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*(Reprinted as amended by the Railway  
Committee.)*

Mr. FRASER.

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

# BILL

## An Act respecting The North Midland Railway Company.

**W**HEREAS the North Midland Railway Company was <sup>Preamble.</sup> incorporated by an Act passed in the fourth year of the reign of His late Majesty King Edward the Seventh, chaptered 84, as amended by an Act passed in the sixth year of His late Majesty's reign, chaptered 112, and as further amended by an Act passed in the eighth year of His late Majesty's reign, chaptered 133, and as further amended by an Act passed in the tenth year of His late Majesty's reign, chaptered 148, for the purposes of constructing and operating an electric railway as therein described; and whereas the said Company has by its petition prayed that the time for the commencement and completion of the said railway may be 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.** Section 2 of the Act passed in the tenth year of His late Majesty's reign, chaptered 148, is repealed. <sup>10 Edw. VII., c. 148, s. 2, repealed.</sup>

**2.** The railway authorized by the said Acts and by this Act shall be commenced within two years and completed within four years after the passing of this Act. <sup>Time for commencement and completion extended.</sup>



# BILL

## An Act respecting The North Midland Railway Company.

**W**HEREAS The North Midland Railway Company was Preamble. incorporated by an Act passed in the fourth year of the reign of His late Majesty King Edward the Seventh, chaptered 84, as amended by an Act passed in the sixth year of His late Majesty's reign, chaptered 112, and as further amended by an Act passed in the eighth year of His late Majesty's reign, chaptered 133, and as further amended by an Act passed in the tenth year of His late Majesty's reign, chaptered 148, for the purpose of constructing and operating an electric railway as therein described; and whereas the said Company has by its petition prayed that the time for the commencement and completion of the said railway may be 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. Section 2 of the Act passed in the tenth year of His late Majesty's reign, chaptered 148, is repealed. 10 Edw. VII., c. 148, s. 2, repealed.

2. The railway authorized by the said Acts and by this Act shall be commenced within two years and completed within four years after the passing of this Act. ~~and~~ and if the construction of the railway is not commenced and fifteen per cent. of the amount of the capital stock is not expended thereon within two years after the passing of this Act, or if the railway is not completed and put in operation within *four* years from the passing of this Act, then the powers granted to the company by the said Acts and by this Act shall cease and be null and void as respects so much of the railway as then remains uncompleted. ~~and~~

Time for commencement and completion extended.

1st Session, 13th Legislature,  
2 George V., 1912.

BILL.

An Act respecting The North Midland  
Railway Company.

1st Reading, March 1, 1912.

*(Reprinted as amended by the Railway  
Committee.)*

*(Private Bill.)*

Mr. MACARTHUR.

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

# BILL

## An Act respecting the Town of Kenora.

**W**HEREAS the Corporation of the Town of Kenora by <sup>Preamble.</sup> petition has represented that under the authority of the Act passed in the first year of His Majesty's reign, chaptered 92, it guaranteed payment of first mortgage debentures of "The Tourist Hotel Company, Limited," to the amount of \$150,000.00, such debentures with interest being repayable annually on the first day of July in each year over a period of 20 years; and that the Tourist Hotel of the said Company has been completed and is in successful operation and of great benefit to the Town, but it is anticipated the Company will be unable to meet the debentures maturing within the first few years, and it is desirable that the Town as such Guarantor should have authority, in the event of such guaranteed debentures or any of them not being paid at maturity, to redeem and take over the same and to issue 5 per cent. 20 year debentures of the Corporation without obtaining the assent of the electors for the purpose of raising the necessary moneys therefor and enabling the Municipal Council of the Town with respect to such debentures so redeemed and taken over to exercise all the rights and remedies provided for recovering payment thereof by holders of such past due debentures and for preserving and protecting the interests of the Town as such Guarantor with respect to such debentures and the securities therefor; and whereas the said petition further represents that under and in pursuance of By-laws 388, 396, 420 and 481 of the said Town, confirmed by the Act passed in the third year, chaptered 77, and by the Act passed in the ninth year of His late Majesty's reign, chaptered 108, thirty year debentures to the amount of \$500,092.60 were issued by the Town to meet the cost of acquiring a water power and water privileges and the lands connected therewith all within the Municipality and the development of the said water power as a permanent improvement by the excavation of the river bed and the construction of the solid cement dam with steel frame, and solid brick power house erected thereon; that the said \$500,092.60 of

debentures mature in 30 years from date of issue thereof, and it is deemed unduly burdensome on the ratepayers that the whole amount required to pay off and retire said debentures should be levied and provided in Sinking Funds within the said period of 30 years as required by said By-laws; and whereas the said Corporation by its petition further represents that sections 4 and 5 of the Act passed in the fifty-fifth year of the reign of Her late Majesty Queen Victoria, chaptered 83, were inserted in the said Act, at the instance of the owners of the property, without the consent of the Municipal Corporation of the Town of Rat Portage (now the Town of Kenora) having been obtained thereto, that the said sections provide for exemption from taxation of certain property connected with a water power within the said Municipality; that the water power connected with the said lands and property has not been developed by the owners thereof, who have merely been holding the same for sale at a large price during a long period of years; that the amount of money agreed to be expended by the owners of property affected was not so expended, and the Town has been deriving no benefit whatever from the said water power, and that it is desirable that the said section should be repealed; and whereas the said Corporation has prayed that it be enacted, as is hereafter 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 Geo. V.  
c. 92,  
amended.

1. The Act passed in the first year of His Majesty's reign, chaptered 92, intituled, "An Act respecting the Town of Kenora," is amended by adding the following section:

Power to  
issue  
debentures  
to meet  
guarantee  
of corpora-  
tion.

4. In the event of any such mortgage debentures so guaranteed by the said Town falling due and remaining unpaid by the Company, the Municipal Council of the said Town may from time to time as such default happens and without obtaining the assent of the electors redeem and take over such past due debentures and issue 5 per cent. 20 year debentures of the Corporation for the purpose of raising the necessary moneys therefor, and the Municipal Council may, with respect to such mortgage debentures so redeemed and taken over from time to time and without the vote of the ratepayers, exercise all the rights and remedies provided for recovering payment thereof by holders of such past due debentures and for preserving and protecting the interests of the Town as such guarantor with respect to said mortgage debentures and the securities therefor.



2. The Municipal Corporation of the Town of Kenora shall not hereafter be required to levy and raise annually more than one-half part or portion of the amounts now required to be raised for the purpose of creating Sinking Funds for payment of the debts represented by debentures issued under and secured by By-laws 388, 396, 420, 441 and 481 of the said Corporation, and at maturity of said debentures the Municipal Council may without obtaining the assent of the electors raise the deficiency so created by issuing 5 per cent. 30 year debentures of the Corporation, and may secure the same in the same manner and to the same extent as the debentures issued under the above mentioned By-laws.

Authority  
to cease  
levying one-  
half of sink-  
ing funds  
required to  
meet certain  
debentures.

3. Sections 4 and 5 of *An Act to Incorporate the Town of Rat Portage*, passed in the fifty-fifth year of the reign of Her late Majesty Queen Victoria, chaptered 83, are repealed.

55 V. c. 83,  
ss. 4-5,  
repealed.

1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting the Town of Kenora.

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1st Reading,  
1912.

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(*Private Bill.*)

Mr. MACHIN.

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# BILL

## An Act respecting the Town of Kenora.

**W**HEREAS the Corporation of the Town of Kenora by <sup>Preamble.</sup> petition has represented that under the authority of the Act passed in the first year of His Majesty's reign, chaptered 92, it guaranteed payment of first mortgage debentures of "The Tourist Hotel Company, Limited," to the amount of \$150,000.00, such debentures with interest being repayable annually on the first day of July in each year over a period of 20 years; and that the Tourist Hotel of the said Company has been completed and is in successful operation and of great benefit to the Town, but it is anticipated the Company will be unable to meet the debentures maturing within the first few years, and it is desirable that the Town as such Guarantor should have authority, in the event of such guaranteed debentures or any of them not being paid at maturity, to redeem and take over the same and to issue 5 per cent. 20 year debentures of the Corporation without obtaining the assent of the electors for the purpose of raising the necessary moneys therefor and enabling the Municipal Council of the Town with respect to such debentures so redeemed and taken over to exercise all the rights and remedies provided for recovering payment thereof by holders of such past due debentures and for preserving and protecting the interests of the Town as such Guarantor with respect to such debentures and the securities therefor; and whereas the said Corporation by its petition further represents that sections 4 and 5 of the Act passed in the fifty-fifth year of the reign of Her late Majesty Queen Victoria, chaptered 83, were inserted in the said Act, at the instance of the owners of the property, without the consent of the Municipal Corporation of the Town of Rat Portage (now the Town of Kenora) having been obtained thereto, that the said sections provide for exemption from taxation of certain property connected with a water power within the said Municipality; that the water power connected with the said lands and property has not been developed by the owners thereof, who have merely been holding the same for sale at a large

price during a long period of years; that the amount of money agreed to be expended by the owners of property affected was not so expended, and the Town has been deriving no benefit whatever from the said water power, and that it is desirable that the said section should be repealed; and whereas the said Corporation has prayed that it be enacted, as is hereafter set forth; and whereas the representatives of the petitioners and of the Keewatin Power Company, Limited, appeared before the Private Bills Committee and stated their contentions in favor of and as opposed to the petition; and whereas after hearing the said contentions and objections and without expressing any opinion thereon, the matter was referred to a sub-committee and at the meeting of such sub-committee, the representatives of the petitioners and of the Keewatin Power Company, Limited, agreed that Sections four and five of the Act passed in the fifty-fifth year of the reign of Her late Majesty, Queen Victoria, Chapter 83, should be repealed, and in consideration thereof and in substitution therefor, the Municipality of the Town of Kenora, has agreed that the land and property of the Keewatin Power Company, Limited, within the limits of the said Municipality, together with all improvements thereon at the date of the passing of this Act, or which may be made thereon during any of the years hereinafter mentioned, should be assessed by the Municipal Corporation of the Town of Kenora, during each of the years 1912, 1913, and 1914 at a fixed sum of Seventy Thousand Dollars, and during each of the years 1915, 1916, 1917, 1918, and 1919 at a fixed sum of One Hundred and Forty-five Thousand Dollars; and whereas the sub-committee and the Private Bills Committee have recommended that the said agreement 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. The Act passed in the first year of His Majesty's reign, chaptered 92, intituled, "An Act respecting the Town of Kenora," is amended by adding the following section:



4. In the event of any such mortgage debentures so guaranteed by the said Town falling due and remaining unpaid by the Company, the Municipal Council of the said Town may from time to time as such default happens and without obtaining the assent of the electors redeem and take over such past due debentures and issue 5 per cent. 20 year debentures of the Corporation for the purpose of raising the necessary moneys therefor, and the Municipal Council may, with respect to such mortgage debentures so redeemed and taken over from time to time and without the vote of the rate-

1 Geo. V.  
c. 92,  
amended.

Power to  
issue  
debentures  
to meet  
guarantee  
of corpora-  
tion.

payers, exercise all the rights and remedies provided for recovering payment thereof by holders of such past due debentures and for preserving and protecting the interests of the Town as such guarantor with respect to said mortgage debentures and the securities therefor;  but so nevertheless that nothing herein contained shall be deemed to alter or affect the terms or provisions of the deed of trust and mortgage securing the said debentures with respect to any proceeds from the mortgaged premises. 

2. Sections 4 and 5 of *An Act to Incorporate the Town of* <sup>55 v. c. 83,</sup> *Rat Portage*, passed in the fifty-fifth year of the reign of Her <sup>88, 4-5,</sup> *late Majesty Queen Victoria*, chaptered 83, are repealed. <sup>repealed.</sup>

3.  All land and property of the Keewatin Power Company, Limited, together with all improvements thereon at the date of the passing of this Act, or which may be made thereon during any of the years hereinafter mentioned, shall be assessed by the Municipal Corporation of the Town of Kenora, during each of the years 1912, 1913, and 1914 at a fixed sum of Seventy Thousand Dollars and during each of the years 1915, 1916, 1917, 1918 and 1919 shall be assessed at a fixed sum of One Hundred and Forty-five Thousand Dollars. 

No. 67.

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1st Session, 13th Legislature,  
2 George V, 1912.

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BILL.

An Act respecting the Town of Kenora.

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1st Reading March 1st, 1912.

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*Reprinted as amended by the Private Bills  
Committee.*

MR. MACLAIN.

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

# BILL

## An Act respecting the Town of Gananoque.

**W**HEREAS the Municipal Corporation of the Town of Preamble. Gananoque has by its petition represented that it has incurred a floating indebtedness of \$12,400 for the following purposes, namely, \$6,000 for the purchase of a second Pump in connection with the Water service and Fire requirements of the Town, the same becoming necessary for ensuring a satisfactory service at all times, in the event of any accident to existing Pump; \$2,400 balance due on the purchase of a Steam Roller and other Road Machinery and Equipment in order that the roads and streets of the Town may be put and maintained in good condition, and \$4,000, a general floating debt incurred by said Town; that the said Corporation further requires the sum of \$3,600 for much needed present requirements, namely, \$2,000 for repairs and improvements to the Town Hall property and the Public Park, the same consisting of a valuable property recently deeded to be used as a Town Hall and for other Public purposes, such as Free Library, Police Department, and other public purposes, together with a large quantity of land to be used as a Public Park, and the further sum of \$1,600 for the construction of a Cement pavement on or near the river front of said Town; that the debenture debt of said Town, exclusive of local improvement debts, is \$205,545, of which no part of the principal or interest is in arrear; and whereas the value of the rateable property of said Corporation according to the last Revised Assessment Roll is \$1,371,680, and the rate for Municipal purposes for 1911 was nineteen and one-half mills on the dollar; and whereas the payment forthwith of the said floating debt of \$12,400 as well as the expenditure of \$3,600 for much needed improvements would, in addition to meeting the necessary annual expenditures of the Corporation, be unduly burdensome and oppressive on the ratepayers, and the said Corporation has prayed that authority be given to borrow \$12,400 to pay off said floating debt and \$3,600 for pressing emergent expenditures; 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:—

Floating debts consolidated at \$12,400.

**1.** The floating debt of the Corporation of the Town of Gananoque is consolidated at the sum of \$12,400, and the said Corporation may borrow by a special issue of debentures a sum not exceeding \$12,400 for the purpose of paying the said floating debt.

Power to borrow \$3,600.

**2.** The said Corporation may also borrow by a special issue of debentures a sum not exceeding \$3,600 for repairs and improvements to Town Hall and Public Park, and for Cement sidewalks on river front of said Town.

Form of debentures.

**3.** The said debentures shall be made payable in not more than 30 years from the date of issue thereof, and shall bear interest at a rate not exceeding 5 per cent. per annum, and may be issued with or without coupons attached thereto for interest, and shall be payable at such place or places as the Corporation may deem expedient.

Equal annual instalments of principal and interest.

**4.** The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the 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 the period within which the said debts are to be discharged.

Special rates.

**5.** The said Corporation shall levy in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures, and may if necessary for such purposes impose a rate in excess of 20 mills upon the dollar of the Municipal assessment of said Town.

Application of proceeds of debentures.

**6.** The debentures and all moneys arising from the sale thereof under section 1 shall be applied in payment of said floating debt and for no other purpose, and the debentures and all moneys arising therefrom under section 2 shall be applied to the purposes mentioned in that section and for no other purpose.

Assent of electors not required.

**7.** It shall not be necessary to obtain the assent of the electors or ratepayers of the Town of Gananoque to the passing of any By-law which shall be passed under the authority of this Act or for the purpose of carrying out the same or to observe the formalities in relation thereto required by *The*



*Consolidated Municipal Act, 1903*, or any amendments thereto.

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

Irregularity  
in form  
not to  
invalidate.

9. 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 always show the number of debentures which from time to time shall be issued under the powers conferred by the preceding sections, 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 disposals 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.

No. 68.

1st Session, 13th Legislature,  
2 George V., 1912.

BILL.

An Act respecting the Town of Gananoque.

1st Reading.

1912.

(*Private Bill.*)

Mr. DARGAVELL.

TORONTO:

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

# BILL

## An Act to confirm By-law No. 775 of the Town of Sarnia.

**W**HEREAS The H. Mueller Manufacturing Company Preamble. 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 No. 775, of the said Town of Sarnia, finally passed on the 5th day of February, 1912, intituled "A By-law to raise the sum of \$20,000 to be granted to the H. Mueller Manufacturing Company by way of bonus, and the further sum of \$10,000 to be hereafter granted to the said Company by way of bonus as herein provided, and to fix the assessment of such Company," and set out as Schedule "A" hereto; and whereas the said by-law was, on the first day of January, 1912, submitted to the vote of the electors of the Town of Sarnia for their approval, pursuant to the provisions of *The Consolidated Municipal Act, 1903*, and amendments thereto, when out of 2,081 electors entitled to vote, 1,404 voted for the By-law and 96 against the By-law; 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. Subject to sections 2 and 3, By-law No. 775, of the By-law 775 of Town of Sarnia confirmed. Municipal Corporation of the Town of Sarnia, set out as Schedule "A" hereto, is confirmed and declared to be legal, valid and binding upon the said Municipal Corporation and the ratepayers thereof, and upon the said Company, 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.

2. If the said H. Mueller Manufacturing Company should Payment of bonuses if works located on land adjacent to town. locate its works on land adjacent to, but not within the limits of the said Town of Sarnia, such works shall for all the purposes of the said By-law No. 775, except as to the fixed assessment and the exemption from taxation of the

land and property of the said Company be deemed to be within the limits of the said Town, and the bonuses provided for by the said By-law shall be payable in all respects as if such works were located on land within the limits of the said Town of Sarnia.

3. If the said H. Mueller Manufacturing Company locates its works as mentioned in section 2, and such land be annexed to the said Town of Sarnia at any time after the passing of this Act, the provisions of the said By-law No. 775, relating to the fixed assessment and the exemption from taxation of the land and property of the said Company shall forthwith, after such land is annexed become operative in all respects as if such land were within the limits of the said Town of Sarnia at the date of the passing of this Act.

#### SCHEDULE "A."

##### BY-LAW No. 775.

A By-law to raise the sum of twenty thousand dollars to be granted to the H. Mueller Manufacturing Company by way of bonus, and the further sum of ten thousand dollars to be hereafter granted to the said Company by way of bonus as herein provided, and to fix the assessment of such Company.

Whereas the H. Mueller Manufacturing Company, of Decatur, Illinois, one of the United States of America, have proposed to the Corporation of the Town of Sarnia to establish and operate a manufactory for the making of waterworks and plumbers' brass goods and other metal products at the Town of Sarnia, and to expend upon the erection and equipment of such manufactory not less than one hundred thousand dollars, and to employ in such manufactory at least seventy-five employees from the commencement of its operation, and thereafter keep the same continuously employed during labouring days, and except as hereinafter specified, for at least ten years from the time of such commencement, upon payment by the Corporation of the Town of Sarnia to the said Company by way of bonus of the sum of twenty thousand dollars, such payment to be made upon the completion of the manufactory and equipment hereinbefore referred to, and the same being ready to operate by the Company and the further sum of ten thousand dollars as hereinafter provided; and upon the said Corporation fixing the assessment of the Company for a period of twenty years from the date of this By-law as hereinafter provided;

And whereas it is deemed desirable to grant the said aid to the Company upon the terms and conditions in this By-law set forth;

And whereas for the raising of the said sum of thirty thousand dollars for the said purposes, the Council of the Corporation of the Town of Sarnia do intend by this By-law to create a debt upon the said Corporation of thirty thousand dollars with interest thereon at the rate of five per cent. per annum, payable in twenty equal annual instalments by issue of debentures to the extent of forty-eight thousand one hundred and forty-five dollars and forty cents, being the said sum of thirty thousand dollars and interest on the unpaid principal;

And whereas it is desirable, and the Municipal Council of the Corporation of the Town of Sarnia have determined to issue the debentures at one time and make the principal of the said debt

repayable by yearly sums during the period of twenty years, being the currency of such debentures, such yearly sums being of such respective amounts that the aggregate amount payable in each year for principal and interest computed on the unpaid principal at the rate of five per cent. per annum shall be, as nearly as possible, equal to the amount so payable in each of the other nineteen years of said period as shown in the Schedule hereinafter contained;

And whereas the whole ratable property of the Town of Sarnia, according to the last revised assessment roll for said Town amounts to \$4,926,741.00;

And whereas the present existing debt of the said Town secured by debentures is the sum of \$709,261.18, and no part of the said sum or interest thereon is in arrear:

And whereas for paying off the said principal sum of thirty thousand dollars and interest, it will be necessary to raise in the several years hereinafter mentioned, the following sums, namely:

Year.	Principal.	Interest.	Total.
1912 .....	\$ 907 27	\$1,500 00	\$2,407 27
1913 .....	952 65	1,454 62	2,407 27
1914 .....	1,000 27	1,407 00	2,407 27
1915 .....	1,050 28	1,356 99	2,407 27
1916 .....	1,102 80	1,304 47	2,407 27
1917 .....	1,157 95	1,249 32	2,407 27
1918 .....	1,215 85	1,191 42	2,407 27
1919 .....	1,276 63	1,130 64	2,407 27
1920 .....	1,340 45	1,066 82	2,407 27
1921 .....	1,407 47	999 80	2,407 27
1922 .....	1,477 85	929 42	2,407 27
1923 .....	1,551 75	855 52	2,407 27
1924 .....	1,629 35	777 92	2,407 27
1925 .....	1,710 80	696 47	2,407 27
1926 .....	1,796 35	610 92	2,407 27
1927 .....	1,886 18	521 09	2,407 27
1928 .....	1,980 47	426 80	2,407 27
1929 .....	2,079 50	327 77	2,407 27
1930 .....	2,183 48	223 79	2,407 27
1931 .....	2,292 65	114 62	2,407 27
	<u>\$30,000 00</u>	<u>\$18,145 40</u>	<u>\$48,145 40</u>

being the aggregate amount for principal and interest to be paid in each and every year according to the Statute in such cases made and provided.

Now, therefore, the Municipal Council of the Corporation of the Town of Sarnia enacts as follows:—

1. That the sum of twenty thousand dollars of the amount to be raised under this By-law be paid to the said Company by way of bonus upon the Company having completed and ready to operate a manufactory in the Town of Sarnia, and upon satisfactory vouchers being furnished by the Company, showing the expenditures by the Company for lands, buildings, machinery, tools, etc., to have amounted to at least \$100,000.00, and that the assessment of the said Company for all purposes, including business assessment, be fixed at a value not exceeding the fair cash purchase value of the lands only, which may be acquired by the Company for the purpose of its manufactory, and that such assessment shall continue unchanged for a period of twenty years, from the date of the final passing of this By-law, upon so much only of the said lands and premises as shall be used in the business of the Company or held by the Company for the purposes of its business and not for any other purposes, and that any lands hereafter acquired by the Company for the purposes of its business shall so long as the same are

so used or held, be assessed for all purposes and including all buildings, improvements or personal property thereon, and including business assessment, be assessed, a sum not greater than the fair cash purchase value of the same at the time of the acquirement of the said lands by the Company, and such fixed assessment shall continue from the date of said acquirement until twenty years from the date of the final passing of this By-law, but not beyond the said period of twenty years.

2. That the said sum of ten thousand dollars, being the balance of the amount to be raised under this By-law be paid to the said Company by way of bonus upon demand, and when, and as soon as the Company shall regularly employ within the Town of Sarnia, one hundred and fifty men regularly employed in the business of the Company, working in and for the said factory.

3. That the said Company shall not be entitled to any of the benefits in this By-law provided, unless and until the following stipulations and conditions have been fully complied with by the said Company, namely:—

(1) That the Company shall begin building operations within a reasonable time, not exceeding five months after the final passing of this By-law and its approval by the Legislature of Ontario, if necessary, and that the Company shall continue such building operations, unless unavoidably delayed by general business depression, strikes, fire, industrial disputes, the Act of God or the King's enemies.

(2) That the Company shall execute and deliver to the Town of Sarnia a binding agreement, providing that the Company shall, after the completion of its factory employ and continue to employ in the operation of its said manufactory, at least seventy-five employees from the date of the completion of the factory, ready to operate, and thereafter continuously during all labouring days, unless prevented by any of the causes hereinbefore referred to, for a period of ten years from the date of this By-law, all the employees to be, so far as possible, residents of the Town of Sarnia.

(3) That should the Company at any time during the period of ten years from the date of this By-law, cease to operate its factory at the Town of Sarnia aforesaid, for a period of more than six consecutive months, or continue for a like period to employ less than seventy-five men in the operation of its manufactory as aforesaid, in either case, without valid reason as hereinbefore specified, all exemptions and fixed assessments granted by the By-law shall cease during such cessation of operation or employment as aforesaid, and the property of the Company shall be liable to assessment and taxation as other property not exempted or not having a fixed assessment, and the Company shall repay to the Town such portion of the sum of twenty thousand dollars paid to it by the Town, as the unexpired portion of the term of ten years from the date of the By-law bears to the full period of ten years, together with interest at five per cent. from the beginning of such period, and if the second payment of the sum of ten thousand dollars herein provided for shall have been made during such period of ten years, then if the Company shall cease to employ one hundred and fifty men regularly in its business, without valid reason as aforesaid, and during such period of ten years, it shall repay to the Town such portion of the said sum of ten thousand dollars with interest at five per cent. from the date of payment of the said sum to the Company as the unexpired portion of the full period of ten years from the date of the By-law bears to the period between the payment of the said sum of ten thousand dollars to the Company and the expiration of the full period of ten years as aforesaid.

(4) That for the purpose of securing the repayment to the Town by the Company, of the moneys paid by way of bonus as herein-

before provided, the Company shall before receiving any payment hereunder deliver to the Town a satisfactory bond, executed by the Company and such of the individual stockholders as the Town may require, and at the option of the Town by the Company, receiving the payment, and such of its stockholders as the Town may require.

(5) The said agreement shall provide that its provisions shall enure to the benefit of, and be binding on the successors and assigns of the respective parties thereto, and the monies to be paid by way of bonus under this By-law may be paid to the Company or its successors and assigns upon full performance of the obligations of the Company.

4. It shall, and may be lawful for the Mayor of the said Municipality for the purposes aforesaid, to borrow the sum of thirty thousand dollars and issue the debentures of the said municipality to the amount of forty-eight thousand one hundred and forty-five dollars and forty cents (\$48,145.40), being the total amount of the sum authorized to be borrowed as aforesaid, and interest on the unpaid principal at the rate of five per cent per annum, in sums not less than one hundred dollars each, payable in the manner, for the amount and at the times respectively set forth in the above recitals to this By-law.

5. The said debentures shall be payable at the office of the Treasurer of the Town of Sarnia.

6. It shall be lawful for the Mayor of the said Municipality, and he is hereby authorized and directed to sign and issue 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 directed to attach the seal of the said Municipality to the said debentures.

7. The said debentures shall be payable on the 31st day of December in each of the twenty years hereinbefore mentioned.

8. There shall be raised and levied in each year, by special rate on all the rateable property in the said Municipality, a sum sufficient to discharge the said several instalments of principal and interest accruing, due on the said debentures as the same become respectively payable, according to the provisions of this By-law.

9. The said sum of thirty thousand dollars when raised, shall be expended for the purposes set forth in the recitals hereto, and only upon all the foregoing provisions and conditions, in respect to the same having been complied with.

10. This By-law shall come into force and take effect immediately after the final passing thereof and after the ratification thereof by special Act of the Legislature of Ontario.

11. The votes of the ratepayers of the said Municipality, qualified to vote on money by-laws, shall be taken on this By-law in the several subdivisions, appointed in said Town for election purposes, and polls will be held at the same hour, on the same day, and at the same place or places, and by the same Deputy Returning Officers as for the municipal elections of Mayor and Council of the Town of Sarnia for the year, A.D. 1912; all such votes shall be taken on the first day of January, A.D. 1912, at the several places named for the votes to be taken at such election, and the Clerk of the said Town shall on the second day of January, A.D. 1912, at the hour of noon, in the Council Chamber, in the Town Hall, in the said Town, sum up the number of votes for and against the said By-law, and on the thirtieth day of December, A.D. 1911, at the hour of noon, at the place last named, the Mayor of the said Town shall appoint in writing, signed by him, two persons to attend at the

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

Provisionally passed and dated this fourth day of December, A.D. 1911.

Finally passed the fifth day of February, A.D. 1912.

(Seal.) (Sgd.) JOHN MCGIBBON,  
Mayor.

J. D. STEWART,  
Clerk.





No. 69.

1st Session, 13th Legislature,  
2 George V., 1912.

BILL.

An Act to confirm By-Law No. 775 of the  
Town of Sarنيا.

1st Reading,	1912.
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*(Private Bill.)*

Mr. SULLIVAN.

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

# BILL

## An Act to confirm By-law No. 775 of the Town of Sarnia.

**W**HEREAS The H. Mueller Manufacturing Company<sup>Preamble.</sup> 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 No. 775, of the said Town of Sarnia, finally passed on the 5th day of February, 1912, intituled "A By-law to raise the sum of \$20,000 to be granted to the H. Mueller Manufacturing Company by way of bonus, and the further sum of \$10,000 to be hereafter granted to the said Company by way of bonus as herein provided, and to fix the assessment of such Company," and set out as Schedule "A" hereto; and whereas the said by-law was, on the first day of January, 1912, submitted to the vote of the electors of the Town of Sarnia for their approval, pursuant to the provisions of *The Consolidated Municipal Act, 1903*, and amendments thereto, when out of 2,081 electors entitled to vote, 1,404 voted for the By-law and 96 against the By-law; 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. Subject to sections 2, 3 and 4, By-law No. 775, of the<sup>By-law 775</sup> Municipal Corporation of the Town of Sarnia, set out as<sup>of Town of</sup> Schedule "A" hereto, is confirmed and declared to be legal,<sup>Sarnia con-</sup> valid and binding upon the said Municipal Corporation and the ratepayers thereof, and upon the said Company, 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.<sup>firm.</sup>

2. If the said H. Mueller Manufacturing Company should<sup>Payment of</sup> locate its works on land adjacent to, but not within the<sup>bonuses if</sup> limits of the said Town of Sarnia, such works shall for all<sup>works</sup> the purposes of the said By-law No. 775, except as to the<sup>located on</sup> fixed assessment and the exemption from taxation of the<sup>land</sup> adjacent to<sup>town.</sup> the

land and property of the said Company be deemed to be within the limits of the said Town, and the bonuses provided for by the said By-law shall be payable in all respects as if such works were located on land within the limits of the said Town of Sarnia.

Provision as to fixed assessment and exemption from taxation if land on which works located is annexed to town.

3. If the said H. Mueller Manufacturing Company locates its works as mentioned in section 2, and such land is annexed to the said Town of Sarnia at any time after the passing of this Act, the provisions of the said By-law No. 775, relating to the fixed assessment and the exemption from taxation of the land and property of the said Company shall forthwith, after such land is annexed become operative in all respects as if such land were within the limits of the said Town of Sarnia at the date of the passing of this Act.

School taxes not affected.

4. Nothing contained in the said By-law shall affect taxes for school purposes, but the whole amount of such taxes reckoned on the full assessable value of the property of the Company under *The Assessment Act* shall be paid out of the aggregate rates of the Corporation levied on the assessment provided for by the said By-law, and if in any year such aggregate rates so levied do not produce an amount sufficient to pay in full taxes for school purposes so reckoned, the Company shall pay the deficiency.

#### SCHEDULE "A."

##### BY-LAW No. 775.

A By-law to raise the sum of twenty thousand dollars to be granted to the H. Mueller Manufacturing Company by way of bonus, and the further sum of ten thousand dollars to be hereafter granted to the said Company by way of bonus as herein provided, and to fix the assessment of such Company.

Whereas the H. Mueller Manufacturing Company, of Decatur, Illinois, one of the United States of America, have proposed to the Corporation of the Town of Sarnia to establish and operate a manufactory for the making of waterworks and plumbers' brass goods and other metal products at the Town of Sarnia, and to expend upon the erection and equipment of such manufactory not less than one hundred thousand dollars, and to employ in such manufactory at least seventy-five employees from the commencement of its operation, and thereafter keep the same continuously employed during labouring days, and except as hereinafter specified, for at least ten years from the time of such commencement, upon payment by the Corporation of the Town of Sarnia to the said Company by way of bonus of the sum of twenty thousand dollars, such payment to be made upon the completion of the manufactory and equipment hereinbefore referred to, and the same being ready to operate by the Company and the further sum of ten thousand dollars as hereinafter provided; and upon the said Corporation fixing the assessment of the Company for a period of twenty years from the date of this By-law as hereinafter provided;

And whereas it is deemed desirable to grant the said aid to the Company upon the terms and conditions in this By-law set forth;

And whereas for the raising of the said sum of thirty thousand dollars for the said purposes, the Council of the Corporation of the Town of Sarnia do intend by this By-law to create a debt upon the said Corporation of thirty thousand dollars with interest thereon at the rate of five per cent. per annum, payable in twenty equal annual instalments by issue of debentures to the extent of forty-eight thousand one hundred and forty-five dollars and forty cents, being the said sum of thirty thousand dollars and interest on the unpaid principal:

And whereas it is desirable, and the Municipal Council of the Corporation of the Town of Sarnia have determined to issue the debentures at one time and make the principal of the said debt repayable by yearly sums during the period of twenty years, being the currency of such debentures, such yearly sums being of such respective amounts that the aggregate amount payable in each year for principal and interest computed on the unpaid principal at the rate of five per cent. per annum shall be, as nearly as possible, equal to the amount so payable in each of the other nineteen years of said period as shown in the Schedule hereinafter contained;

And whereas the whole ratable property of the Town of Sarnia, according to the last revised assessment roll for said Town amounts to \$4,926,741.00;

And whereas the present existing debt of the said Town secured by debentures is the sum of \$709,261.18, and no part of the said sum or interest thereon is, in arrear:

And whereas for paying off the said principal sum of thirty thousand dollars and interest, it will be necessary to raise in the several years hereinafter mentioned, the following sums, namely:

Year.	Principal.	Interest.	Total.
1912 .....	\$ 907 27	\$1,500 00	\$2,407 27
1913 .....	952 65	1,454 62	2,407 27
1914 .....	1,000 27	1,407 00	2,407 27
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1916 .....	1,102 80	1,304 47	2,407 27
1917 .....	1,157 95	1,249 32	2,407 27
1918 .....	1,215 85	1,191 42	2,407 27
1919 .....	1,276 63	1,130 64	2,407 27
1920 .....	1,340 45	1,066 82	2,407 27
1921 .....	1,407 47	999 80	2,407 27
1922 .....	1,477 85	929 42	2,407 27
1923 .....	1,551 75	855 52	2,407 27
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1929 .....	2,079 50	327 77	2,407 27
1930 .....	2,183 48	223 79	2,407 27
1931 .....	2,292 65	114 62	2,407 27
	<u>\$30,000 00</u>	<u>\$18,145 40</u>	<u>\$48,145 40</u>

being the aggregate amount for principal and interest to be paid in each and every year according to the Statute in such cases made and provided.

Now, therefore, the Municipal Council of the Corporation of the Town of Sarnia enacts as follows:—

1. That the sum of twenty thousand dollars of the amount to be raised under this By-law be paid to the said Company by way of bonus upon the Company having completed and ready to operate a manufactory in the Town of Sarnia, and upon satisfactory vouchers

being furnished by the Company, showing the expenditures by the Company for lands, buildings, machinery, tools, etc., to have amounted to at least \$100,000.00, and that the assessment of the said Company for all purposes, including business assessment, be fixed at a value not exceeding the fair cash purchase value of the lands only, which may be acquired by the Company for the purpose of its manufactory, and that such assessment shall continue unchanged for a period of twenty years, from the date of the final passing of this By-law, upon so much only of the said lands and premises as shall be used in the business of the Company or held by the Company for the purposes of its business and not for any other purposes, and that any lands hereafter acquired by the Company for the purposes of its business shall so long as the same are so used or held, be assessed for all purposes and including all buildings, improvements or personal property thereon, and including business assessment, be assessed, a sum not greater than the fair cash purchase value of the same at the time of the acquirement of the said lands by the Company, and such fixed assessment shall continue from the date of said acquirement until twenty years from the date of the final passing of this By-law, but not beyond the said period of twenty years.

2. That the said sum of ten thousand dollars, being the balance of the amount to be raised under this By-law be paid to the said Company by way of bonus upon demand, and when, and as soon as the Company shall regularly employ within the Town of Sarnia, one hundred and fifty men regularly employed in the business of the Company, working in and for the said factory.

3. That the said Company shall not be entitled to any of the benefits in this By-law provided, unless and until the following stipulations and conditions have been fully complied with by the said Company, namely:—

(1) That the Company shall begin building operations within a reasonable time, not exceeding five months after the final passing of this By-law and its approval by the Legislature of Ontario, if necessary, and that the Company shall continue such building operations, unless unavoidably delayed by general business depression, strikes, fire, industrial disputes, the Act of God or the King's enemies.

(2) That the Company shall execute and deliver to the Town of Sarnia a binding agreement, providing that the Company shall, after the completion of its factory employ and continue to employ in the operation of its said manufactory, at least seventy-five employees from the date of the completion of the factory, ready to operate, and thereafter continuously during all labouring days, unless prevented by any of the causes hereinbefore referred to, for a period of ten years from the date of this By-law, all the employees to be, so far as possible, residents of the Town of Sarnia.

(3) That should the Company at any time during the period of ten years from the date of this By-law, cease to operate its factory at the Town of Sarnia aforesaid, for a period of more than six consecutive months, or continue for a like period to employ less than seventy-five men in the operation of its manufactory as aforesaid, in either case, without valid reason as hereinbefore specified, all exemptions and fixed assessments granted by the By-law shall cease during such cessation of operation or employment as aforesaid, and the property of the Company shall be liable to assessment and taxation as other property not exempted or not having a fixed assessment, and the Company shall repay to the Town such portion of the sum of twenty thousand dollars paid to it by the Town, as the unexpired portion of the term of ten years from the date of the By-law bears to the full period of ten years, together with interest at five per cent. from the beginning of such period, and if the second payment of the sum of ten thousand dollars herein

provided for shall have been made during such period of ten years, then if the Company shall cease to employ one hundred and fifty men regularly in its business, without valid reason as aforesaid, and during such period of ten years, it shall repay to the Town such portion of the said sum of ten thousand dollars with interest at five per cent. from the date of payment of the said sum to the Company as the unexpired portion of the full period of ten years from the date of the By-law bears to the period between the payment of the said sum of ten thousand dollars to the Company and the expiration of the full period of ten years as aforesaid.

(4) That for the purpose of securing the repayment to the Town by the Company, of the moneys paid by way of bonus as hereinbefore provided, the Company shall before receiving any payment hereunder deliver to the Town a satisfactory bond, executed by the Company and such of the individual stockholders as the Town may require, and at the option of the Town by the Company, receiving the payment, and such of its stockholders as the Town may require.

(5) The said agreement shall provide that its provisions shall enure to the benefit of, and be binding on the successors and assigns of the respective parties thereto, and the monies to be paid by way of bonus under this By-law may be paid to the Company or its successors and assigns upon full performance of the obligations of the Company.

4. It shall, and may be lawful for the Mayor of the said Municipality for the purposes aforesaid, to borrow the sum of thirty thousand dollars and issue the debentures of the said municipality to the amount of forty-eight thousand one hundred and forty-five dollars and forty cents (\$48,145.40), being the total amount of the sum authorized to be borrowed as aforesaid, and interest on the unpaid principal at the rate of five per cent per annum, in sums not less than one hundred dollars each, payable in the manner, for the amount and at the times respectively set forth in the above recitals to this By-law.

5. The said debentures shall be payable at the office of the Treasurer of the Town of Sarnia.

6. It shall be lawful for the Mayor of the said Municipality, and he is hereby authorized and directed to sign and issue 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 directed to attach the seal of the said Municipality to the said debentures.

7. The said debentures shall be payable on the 31st day of December in each of the twenty years hereinbefore mentioned.

8. There shall be raised and levied in each year, by special rate on all the rateable property in the said Municipality, a sum sufficient to discharge the said several instalments of principal and interest accruing, due on the said debentures as the same become respectively payable, according to the provisions of this By-law.

9. The said sum of thirty thousand dollars when raised, shall be expended for the purposes set forth in the recitals hereto, and only upon all the foregoing provisions and conditions, in respect to the same having been complied with.

10. This By-law shall come into force and take effect immediately after the final passing thereof and after the ratification thereof by special Act of the Legislature of Ontario.

11. The votes of the ratepayers of the said Municipality, qualified to vote on money by-laws, shall be taken on this By-law in the

several subdivisions, appointed in said Town for election purposes, and polls will be held at the same hour, on the same day, and at the same place or places, and by the same Deputy Returning Officers as for the municipal elections of Mayor and Council of the Town of Sarnia for the year, A.D. 1912; all such votes shall be taken on the first day of January, A.D. 1912, at the several places named for the votes to be taken at such election, and the Clerk of the said Town shall on the second day of January, A.D. 1912, at the hour of noon, in the Council Chamber, in the Town Hall, in the said Town, sum up the number of votes for and against the said By-law, and on the thirtieth day of December, A.D. 1911, at the hour of noon, at the place last named, the Mayor of the said Town shall appoint in writing, signed by him, two persons to attend at the final summing up of the votes and one person to attend at each polling place on behalf of the persons interested in, and desirous of promoting the passing of the By-law, and a like number on behalf of the persons interested in and desirous of opposing the passing of this By-law.

Provisionally passed and dated this fourth day of December, A.D. 1911.

Finally passed the fifth day of February, A.D. 1912.

(Seal.)

(Sgd.) JOHN MCGIBBON,  
Mayor.

J. D. STEWART,  
Clerk.





No. 69.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to confirm By-Law No. 775 of the  
Town of Sarnia.

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1st Reading, 8th March, 1912.

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

*(Private Bill.)*

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Mr. SULLMAN.

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

# BILL

## An Act to incorporate the Ontario Salvage Company.

**W**HEREAS Hugh M. Lickley, of the Town of Graven-Preamble.  
hurst, in the District of Muskoka, Manager; William F. Lickley, of the Town of Gravenhurst, in the District of Muskoka, Secretary-Treasurer; Thomas Hubert Wilson, of the City of Toronto, in the County of York, Barrister-at-Law; Robert Verity, of the City of Toronto, in the County of York, Manager, and Arthur Ellis, of the City of Toronto, in the County of York, Student-at-Law, have petitioned for an Act, incorporating a Company with all necessary power to search for and raise sunken and stray logs, and all kinds of timber in water-ways, water-lots, lakes and channels, and in the event of the owner of the logs claiming the said logs within thirty days after the recovery of the logs, the said owner to pay a reasonable sum for the recovery of the said logs, and in such case where it is possible and desirable to keep the channels clear for steamship traffic, the said Company on notice from captains or owners of steamers, shall clear the said channels free from logs, and with such other powers as may be necessary for the foregoing; 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 Hugh M. Lickley, William F. Lickley, Ontario  
Thomas Hubert Wilson, Robert Verity, Arthur Ellis, to-  
gether with such other persons, firms, and corporations as  
shall hereafter become shareholders of the said Company,  
hereby incorporated, are hereby constituted and declared to  
be a body corporate and politic by the name of the "Ontario  
Salvage Company," hereinafter called the Company.

**2.** The Company is authorized and empowered to search for  
and raise sunken and stray logs, and all kinds of timber in  
water-ways, water-lots, lakes and channels, and in the event  
Authority  
to search  
for stray  
logs, etc.

of the owner of the logs claiming the said logs within thirty days after the recovery of the logs, the said owner to pay a reasonable sum for the recovery of the said logs, and in such case where it is possible and desirable to keep the channels clear for steamship traffic, the said Company on notice from captains or owners of steamers, shall clear the said channels free from logs, and with such other powers as may be necessary for the foregoing.

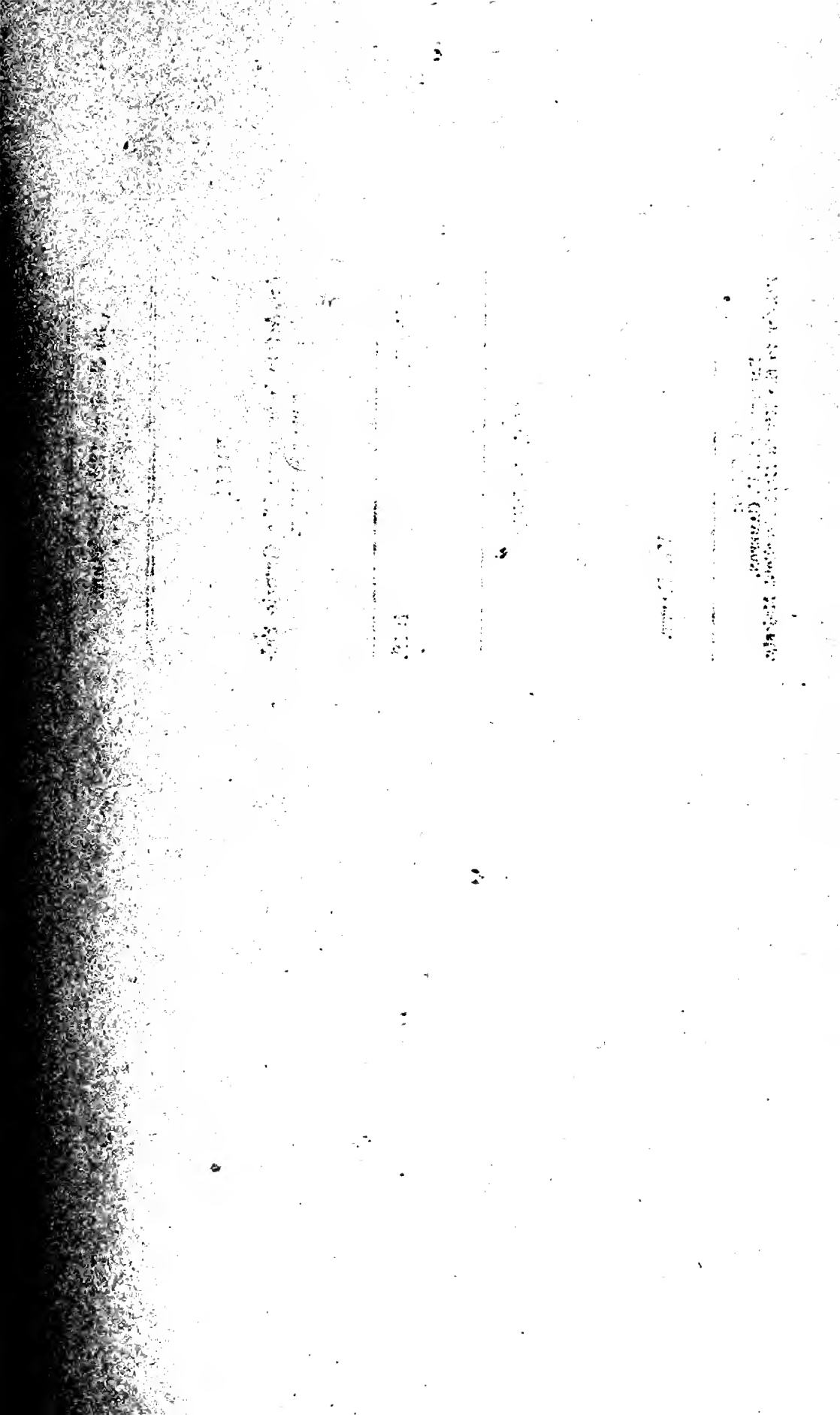
**Head office.**       **3.** The head office of the Company shall be located at the Town of Gravenhurst, in the Province of Ontario.

**Provisional directors.**       **4.** The said Hugh M. Lickley, William F. Lickley, and Thomas Hubert Wilson, shall be the provisional directors of the Company.

**Number of directors.**       **5.** The number of directors shall be not less than three, and not more than five.

**Capital stock.**               **6.** The capital stock of the Company shall be \$40,000.00.

**7 Edw. VII. c. 34 to apply.**       **7.** The provisions of *The Ontario Companies Act* shall apply to the Company.



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No. 70.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to incorporate The Ontario Sal-  
vage Company.

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1st Reading,                      1912.

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(*Private Bill.*)

Mr. PRATT.

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

# BILL

## An Act respecting The Ottawa, Smith's Falls and Kingston Railway Company.

**W**HEREAS the Ottawa, Smith's Falls and Kingston Railway Company, hereinafter called "The Company," has by petition represented that it was incorporated by chapter 127 of the Acts passed in the first year of the reign of His Majesty King George the Fifth, and was empowered as therein provided to construct, maintain and operate a railway as set out in the said Act; and whereas the said Company has, by its said petition prayed that it may be authorized to construct an additional line of railway to be operated by steam, electricity or other motive power, from a point in, at or near the City of Ottawa, in the County of Carleton, to a point in, at or near the Village of Manotick, in the said County of Carleton, and passing through the Township of Gloucester, in the said County of Carleton, or through the said Township of Gloucester and the Township of Osgoode, in the said County of Carleton, as may be found most expedient; and that the name of the said Company may be changed to the Ottawa, Rideau Lakes and Kingston Railway Company; and to extend the time for the commencement and completion of the said railway; and that the said Act may be otherwise amended and extended 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 name of the Ottawa, Smith's Falls and Kingston Railway Company is changed to the Ottawa, Rideau Lakes and Kingston Railway Company, hereinafter called "The Company."

2. The Company is authorized and empowered to survey, lay out, construct, equip and maintain an additional line of

railway, to be operated by steam, electricity or other motive power, from a point in, at or near the City of Ottawa, in the County of Carleton, to a point in, at or near the Village of Manotick, in the said County of Carleton, and passing through the Township of Gloucester, in the said County of Carleton, or through the said Township of Gloucester and the Township of Osgoode, in the said County of Carleton, as may be found most expedient.

Time for  
commence-  
ment and  
completion  
of railway.

**3.** The railway authorized by the said Act, incorporating the Company, and by this Act shall be commenced within two years, and completed within three years after the passing of this Act; and if the construction of the said railway is not commenced and fifteen per cent. of the amount of the capital stock is not expended thereon within two years after the passing of this Act, or if the said railway is not completed and put in operation within three years from the passing of this Act, then the powers granted to the Company by the said Act and by this Act shall cease and be null and void, as respects so much of the railway as shall then remain uncompleted.





No. 71.

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1st Session, 13th Legislature,  
2 George V, 1912.

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BILL.

An Act respecting The Ottawa, Smith's  
Falls and Kingston Railway  
Company.

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1st Reading, 1912.

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(*Private Bill.*)

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Mr. McEROY.

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

# BILL

## An Act respecting The Ottawa, Smith's Falls and Kingston Railway Company.

**W**HEREAS The Ottawa, Smith's Falls and Kingston Railway Company, hereinafter called "the Company," has by petition represented that it was incorporated by chapter 127 of the Acts passed in the first year of the reign of His Majesty King George the Fifth, and was empowered as therein provided to construct, maintain and operate a railway as set out in the said Act; and whereas the said Company has, by its said petition prayed that it may be authorized to construct an additional line of railway to be operated by steam, electricity or other motive power, from a point in, at or near the City of Ottawa, in the County of Carleton, to a point in, at or near the Village of Manotick, in the said County of Carleton, and passing through the Township of Gloucester, in the said County of Carleton, or through the said Township of Gloucester and the Township of Osgoode, in the said County of Carleton, as may be found most expedient; and that the name of the said Company may be changed to "The Ottawa, Rideau Lakes and Kingston Railway Company"; and to extend the time for the commencement and completion of the said railway; and that the said Act may be otherwise amended and extended as 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 name of The Ottawa, Smith's Falls and Kingston Railway Company is changed to "The Ottawa, Rideau Lakes and Kingston Railway Company," hereinafter called "the Company." Change of name.

2. The Company is authorized and empowered to survey, lay out, construct, equip and maintain an additional line of Extension of railway authorized.

railway, to be operated by steam, electricity or other motive power, from a point in, at or near the City of Ottawa, in the County of Carleton, to a point in, at or near the Village of Manotick, in the said County of Carleton, and passing through the Township of Gloucester, in the said County of Carleton, or through the said Township of Gloucester and the Township of Osgoode, in the said County of Carleton, as may be found most expedient.

**Time for commencement and completion of railway.**

3. The railway authorized by the said Act, passed in the 1st year of His Majesty's reign, Chaptered 127, and by this Act shall be commenced within two years, and completed within three years after the passing of this Act; and if the construction of the said railway is not commenced and fifteen per cent. of the amount of the capital stock is not expended thereon within two years after the passing of this Act, or if the said railway is not completed and put in operation within three years from the passing of this Act, then the powers granted to the Company by the said Act and by this Act shall cease and be null and void, as respects so much of the railway as shall then remain uncompleted.



No. 71.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting The Ottawa, Smith's  
Falls and Kingston Railway  
Company.

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1st Reading, March 1st, 1912.

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*(Reprinted as amended by the Railway  
Committee.)*

*(Private Bill.)*

Mr. McEROY.

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

# BILL

## An Act respecting the City of Peterborough.

**W**HEREAS the Corporation of the City of Peterborough Preamble.  
 has by petition prayed that an Act may be passed to amend the Acts relating to the City of Peterborough to enable the said City to acquire by expropriation the property, plant, and appliances situated within the County of Peterborough of any person, firm, or corporation engaged in the business of supplying light, heat or power for sale, and it is expedient to grant the prayer of such 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 1 of Chapter 82 of the Act passed in the 7 Edw. VII. c. 82, s. 1. amended. seventh year of the reign of His late Majesty King Edward the Seventh is amended by striking out all the words therein after the word “business” in the fourteenth line and by adding thereto the following as subsections:—

- (2) Notwithstanding anything contained in any general or special Act of this Legislature or in any Power to expropriate water powers and electrical development plant, etc. by-law or agreement heretofore passed or entered into, the Corporation of the City of Peterborough may, without the consent of the owner or owners thereof or persons interested therein, enter upon, acquire, take possession of, expropriate and use any lands, waters, water privileges, water powers property, erections, machinery, works, plant and appliances within the County of Peterborough, suitable for or acquired, held or used for or in the generation, transmission, supply, delivery, or distribution of electrical power or energy, or owned, leased or otherwise held by any person, firm or corporation engaged in the business of developing, generating, supplying or distributing electrical power or energy for light, heat or power purposes, paying for what is acquired or

taken possession of such sum as may be agreed on, or in default of agreement, as may be determined by arbitration in accordance with the provisions of *The Consolidated Municipal Act, 1903*, and amendments thereto.

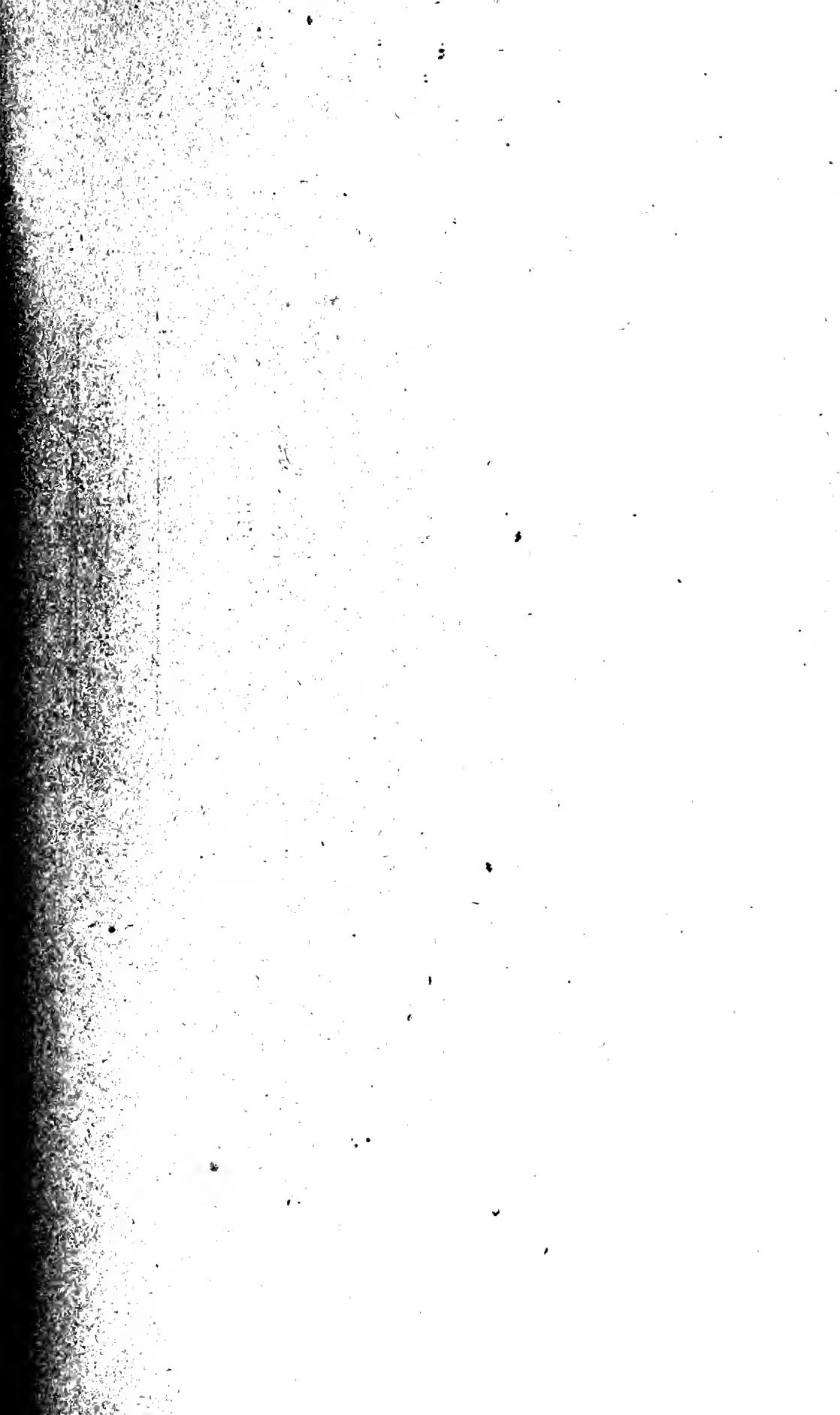
Company to be bound by agreement as to basis of arbitration.

- (3) Where in any contract heretofore entered into between the Corporation and a company, the company has agreed that should the Corporation thereafter purchase or take proceedings to acquire the works and property of the company or any part thereof that in determining the price to be paid therefor either by arbitration or otherwise, nothing should be taken into account or allowed to the company for prospective profits or because of the granting to or enjoyment by the company of the rights or any of the rights granted by the agreement, then upon proceedings being taken under this Act to acquire the works and property of such company or any part thereof, the amount payable by the Corporation for such works and property, or any part thereof, to be acquired under this Act shall be determined according to the terms of such agreement, and the Company shall be bound thereby.

Approval of Hydro-Electric Power Commission.

- (4) The powers conferred by this section shall not be exercised by the said Corporation except under a By-law or agreement which, before being finally passed or entered into, has been submitted to and has received the approval of the Hydro-Electric Power Commission of Ontario.





No. 72.

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1st Session, 13th Legislature,  
2 George V., 1912.

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**BILL.**

An Act respecting the City of Peterborough.

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1st Reading,                      1912.

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*(Private Bill.)*

Mr. PECK.

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

# BILL

## An Act respecting the City of Brantford.

**W**HEREAS, the Corporation of the City of Brantford Preamble. has by its petition represented that provision has been made for the expenditure by the Corporation of large sums of money for new Hospital buildings to be erected within the limits of the City of Brantford, in addition to those already erected which are known as the John H. Stratford Hospital, and has further represented that it is desirable to change the name thereof and to call the same "The Brantford General Hospital";

And whereas the Corporation of the City of Brantford has by its petition represented that for many years the system was adopted within its limits of raising the cost of street watering by a special rate according to the assessed value of the property benefited by such service, and that during the year 1911 the Corporation adopted the system of levying such cost by a special rate according to the frontage of the properties assessed for such service, and has further represented that the Corporation desires to return to the previous method which has proven more satisfactory, and has further represented that the Corporation desires enabling power to adopt the same method with respect to the annual cost of cleaning, clearing of ice and snow, watering, oiling, sweeping, lighting, cutting grass and weeds and trimming trees and shrubbery on any street within its limits; and whereas the Corporation of the City of Brantford has by its petition further represented that certain By-laws of the said Corporation should be confirmed;

And whereas the Corporation of the City of Brantford has prayed that an Act may be passed for such purposes, and it is expedient to grant the prayer of the said petition;

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

Change of name of "John H. Stratford Hospital" to "The Brantford General Hospital."

**1.** The name of the John H. Stratford Hospital is hereby changed to "The Brantford General Hospital," by which name the same shall hereafter be named and known.

Cost of cleaning, watering streets, etc.—how assessed.

**2.**—(1) The Council of the City of Brantford may by By-law provide that thereafter the annual cost of cleaning, clearing of snow and ice, watering, oiling, sweeping, lighting, cutting grass and weeds and trimming trees and shrubbery on any street, or any one or more of such services shall be specially assessed upon the land abutting directly on such street, according to the assessed value thereof, and the provisions of Sections 1 to 48 of *The Local Improvement Sections of The Consolidated Municipal Act*, Chapter 58 of the Statutes of Ontario, 1 George V., shall not apply to such services.

1 Geo. V. c. 58.

By-law may apply to street in defined sections.

(2) Instead of naming the particular street or streets, the By-law may apply to all the streets in a defined section or sections of the Municipality.

Special rate—how collected.

(3) Where the Council so provides, the amount of the special rate imposed to defray such cost may be entered on the Collector's Roll and collected in like manner as other taxes.

Power to repeal by-law.

(4) The By-law shall remain in force from year to year until repealed.

Power to be in addition to that given by 1 Geo. V. c. 58, s. 49.

(5) The powers conferred by this section shall be in addition to and not in substitution for the powers conferred by section 49 of *The Local Improvement Sections of the Municipal Act*.

1 Geo. V. c. 58.

Confirmation of certain by-laws.

**7.** The By-laws of the Corporation of the City of Brantford respectively set out in Schedule "A" hereto, and all debentures issued or to be issued thereunder, and all assessments made or to be made for the payment thereof, are hereby validated and confirmed.

SCHEDULE "A"

No. of By-law.	Nature of Work.	When passed.	Total Cost.	Amount borne by City.	Amount borne by Ratepayers.	Period of Payment.	Rate of Interest.
1160	Debentures for Hospital purposes	.....January 8, 1912	\$85,000	.....	\$85,000	20 years	4½%
1164	Debentures for Public School Purposes	....December 4, 1911	60,000	.....	60,000	30 years	4½%
1172	Local Improvement debentures to defray the cost of certain permanent pavements and concrete curbs and gutters constructed during the year 1911	....December 18, 1911	12,429	4,540	7,889	10 years	4½%
1173	Local Improvement debentures to defray the cost of certain permanent pavements and concrete curbs and gutters constructed during the year 1911	.....December 18, 1911	9,068	4,795	4,273	15 years	4½%
1174	Local Improvement debentures to defray the cost of certain concrete sidewalks constructed during the year 1911	.....December 18, 1911	21,497	.....	21,497	20 years	4½%
1175	Local Improvement debentures to defray the cost of certain sanitary sewers constructed during the year 1911	.....December 18, 1911	58,942	8,973	49,969	40 years	4%
1176	Local Improvement debentures to defray the cost of certain storm sewers constructed during the year 1911	.....December 18, 1911	6,387	1,206	5,181	20 years	4½%

No. 73.

1st Session, 13th Legislature,  
2 George V., 1912.

BILL.

An Act respecting the City of  
Brantford.

1st Reading,                    1912.

*(Private Bill.)*

MR. BREWSTER.

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

# BILL

## An Act to incorporate The Forest Hill Electric Railway Company

**W**HEREAS, William Ernest Grierson, Capitalist; <sup>Preamble.</sup> Thomas James Glover, Agent; Robert Ralph Carr Harris, Contractor; Alan Dale Harris, Civil Engineer, and James Hales, Barrister, all of the City of Toronto, in the County of York, have by their petition prayed for an Act of Incorporation under the name of "The Forest Hill Electric Railway Company," for the purpose of constructing and operating a line of railway from a point in the Township of York, at or near the northerly limit of the City of Toronto on Forest Hill Road, thence northerly and north-westerly and northerly along Forest Hill Road and Bathurst Street to a point about two miles north of Eglinton Avenue; also southerly from Eglinton Avenue along Bathurst Street to the northerly limit of the City of Toronto; also along Eglinton Avenue from a point at or near the west limit of the Town of North Toronto to a point at or near Dufferin Street, with power to construct branches or extensions at different points along the route, and to connect with other railways now operating or under construction, with power to operate said railway by electricity or otherwise, or for such other powers as are usually given to railway companies; 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 William Ernest Grierson, Thomas James <sup>Incorporation.</sup> Glover, Robert Ralph Carr Harris, Alan Dale Harris and James Hales, 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 Forest Hill Electric Railway Company."

Location  
of line.

2. The Company is authorized and empowered to survey, lay out, construct, complete, equip and maintain a railway to be operated by electricity or other motor power from a point in the Township of York at or near the north limit of the City of Toronto on Forest Hill Road; thence northerly and north-westerly and northerly along Forest Hill Road and Bathurst Street to a point about two miles north of Eglinton Avenue; also southerly from Eglinton Avenue along Bathurst Street to the northerly limit of the City of Toronto; also along Eglinton Avenue from a point at or near Yonge Street, to a point at or near Dufferin Street, with power to construct branches or extensions at different points along the route, and to connect with other railways now operating or under construction, and with power to operate said railway by electricity or otherwise.

Head office.

3. The Head Office of the Company shall be at the City of Toronto in the County of York.

Provisional  
directors.

4. The said William Ernest Grierson, Thomas James Glover and James Hales shall be the Provisional Directors of the said Company.

Number of  
directors.

5. The Board of Directors of the Company shall consist of not less than five, and not more than ten persons.

Capital  
stock.

6. The capital stock of the Company shall be \$250,000.

Bonding  
powers.

7. The Company may issue bonds, debentures, or other securities to the extent of \$30,000 per mile of railway constructed or under contract to be constructed.

Special  
powers as to  
amalgama-  
tion, run-  
ning rights,  
etc.

3. The Company may, subject to the provisions of *The Ontario Railway Act, 1906*:

- (a) Amalgamate with any other electric or steam railway now or hereafter incorporated which operates wholly or in part within the territory above described.
- (b) Acquire by purchase or lease any electric or steam railway operating wholly or in part within the territory above described, or any part of the trackage or rolling stock of any such railway.
- (c) Acquire running rights over any other railway operating within the said territory.



9.—(1) The company may enter into contracts for the purpose of disposing of surplus electricity for lighting and power purposes to municipalities, corporations, and persons along said Railway subject to the provisions of *The Power Commission Act*.

Disposal  
of surplus  
electric  
power.

(2) The Company shall not supply electricity in any municipality except under a by-law passed by the Council of the municipality, or under an agreement entered into with the municipal corporation, and no such by-law or agreement shall take effect or be binding upon the municipality until the same has been approved by "The Hydro-Electric Power Commission of Ontario."

Agreement  
with muni-  
cipality for  
supply of  
electric  
power.

(3) The rates chargeable by the Company for supplying electricity shall at all times be subject to the supervision of "The Hydro-Electric Power Commission of Ontario," and upon the complaint in writing of any municipal corporation, company or person that the Company is charging rates which are excessive or unfair, or is unjustly discriminating against or in favor of any municipal corporation, company or person, the Chairman of the Commission may appoint a time and place at which the said Commission, or some member thereof, will hear and determine the matter in dispute.

Regulation  
of rates.

(4) Such notice of such appointment as the Chairman may direct shall be given by the Secretary of the said Commission to all parties concerned.

Notice of  
hearing.

(5) At the time and place appointed the said Commission, or, with the consent of all parties, any member of the said Commission shall hear and determine the matter in dispute, and shall make an order dismissing or allowing the complaint and directing what rates shall be charged by the Company, and directing the amendment of any by-law or agreement accordingly.

Order of  
Hydro-  
Electric  
Commission.

(6) The said Commission, or the member thereof conducting the hearing, shall have the powers authorized to be conferred upon a commissioner appointed under *The Public Enquiries Act*.

Powers of  
Commission.

(7) If the Company neglects or refuses to obey or carry out the order or direction of the said Commission, or the member thereof conducting such case, it shall forfeit to His Majesty for the uses of the Province the sum of \$100 for every day during which such refusal or neglect shall continue.

Penalty.

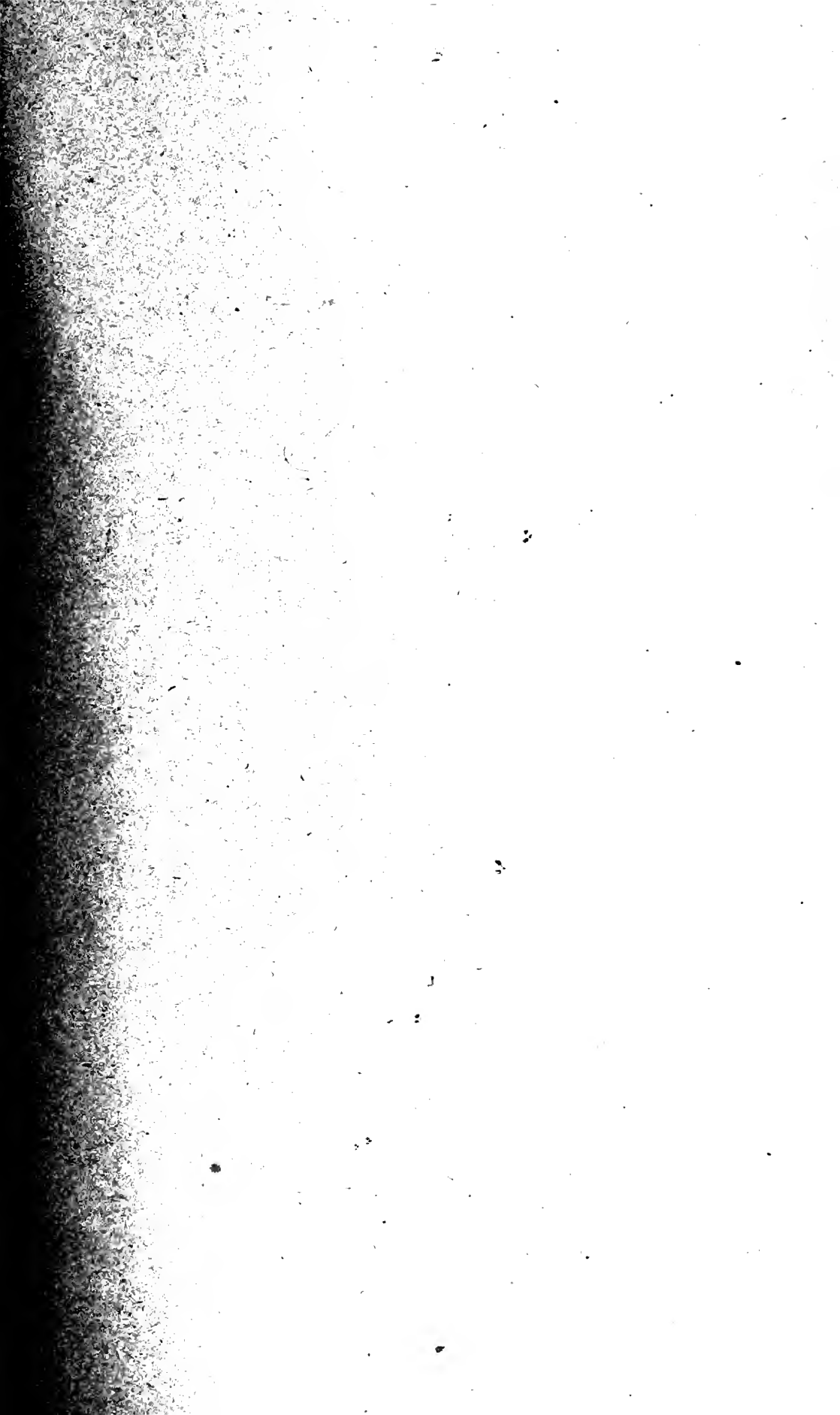
(8) The Company shall keep entirely separate and distinct all accounts, contracts, statements and records thereof

Keeping of  
accounts.

relating to the construction, development and transmission of the said power, and such accounts shall not in any way become involved or mixed with the accounts for the construction, maintenance or operation of the said Railway.

Application  
of 6 Edw.  
VII., c. 30

**10.** The provisions of *The Ontario Railway Act, 1906*, except where inconsistent with the provisions of this Act shall apply to the Company and to the Railway to be constructed by it.





1941

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No. 74.

2 George V., 1912.  
1st Session, 13th Legislature,

**BILL.**

An Act to incorporate The Forest Hill  
Electric Railway Company.

1st Reading, 1912.

(*Private bill.*)

Mr. GODFREY.

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

# BILL

## An Act to provide for the sale of a part of the Humber Vale Cemetery Company's Lands.

**W**HEREAS The Humber Vale Cemetery Company <sup>Preamble.</sup> has by petition represented that it is the owner of Lot Number 6, Range 2, of the Rectory lands of Christ Church, Mimico, in the Township of Etobicoke, in the County of York, containing fifty acres more or less;

That the shareholders of the said Humber Vale Cemetery Company are desirous of selling all that portion of the said Cemetery Company's lands over and above the following parcel which is necessary for burial purposes, viz.: All and singular that certain parcel or tract of land and premises situated, lying and being in the Township of Etobicoke, in the County of York, and being composed of part of a plan filed in the Registry Office for the County of York as Number 1157, and being a subdivision of lot number six, in the second range in Kingsmills Reserve, in the said Township, and is more particularly described as follows:—

Commencing at a point in the southerly limit of Bloor Street at a distance of six hundred and thirty-two feet (632') measured easterly thereon from the easterly limit of Lambton Avenue; thence easterly along the southerly limit of Bloor Street, six hundred and seventy feet (670'); thence southerly, parallel to the easterly limit of Lambton Avenue, five hundred and twenty feet (520'); thence westerly parallel to the southerly limit of Bloor Street, six hundred and seventy feet (670'); thence northerly, parallel to the easterly limit of Lambton Avenue five hundred and twenty feet (520') to the place of beginning, and containing by admeasurement eight acres;

That the said Company has entered into an agreement for the sale of that portion of the said cemetery lands over and above the eight acres required for cemetery purposes to

Timothy Johnson and Henry Umpleby, both of the Township of Etobicoke, in the County of York, gentlemen;

That the said shareholders at a meeting recently held, unanimously authorized the sale of the said lands to the said Timothy Johnson and Henry Umpleby.

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

**Sale of part of cemetery confirmed.**

1. The agreement entered into between the Humber Vale Cemetery Company and Timothy Johnson and Henry T. Umpleby, bearing date of the 25th day of January, 1912, for the sale of all that portion of Lot Number 6, Range 2, of the Rectory lands of Christ Church, Mimico, in the Township of Etobicoke, over and above the eight acres hereinbefore described, required for cemetery purposes, is hereby ratified and confirmed.

**Conveyance of land sold.**

2. The said Humber Vale Cemetery Company is hereby authorized by its proper officers to execute a conveyance in fee simple of all that portion of the said cemetery lands owned by the said company, over and above the said eight acres above described to the said Timothy Johnson and Henry T. Umpleby free from all restrictions.

**Division of proceeds of sale.**

3. The said Company may divide the proceeds derived from the sale of the lands sold to the said Timothy Johnson and Henry T. Umpleby amongst its shareholders in proportion to the number of shares of capital stock held by each shareholder of the said Company.

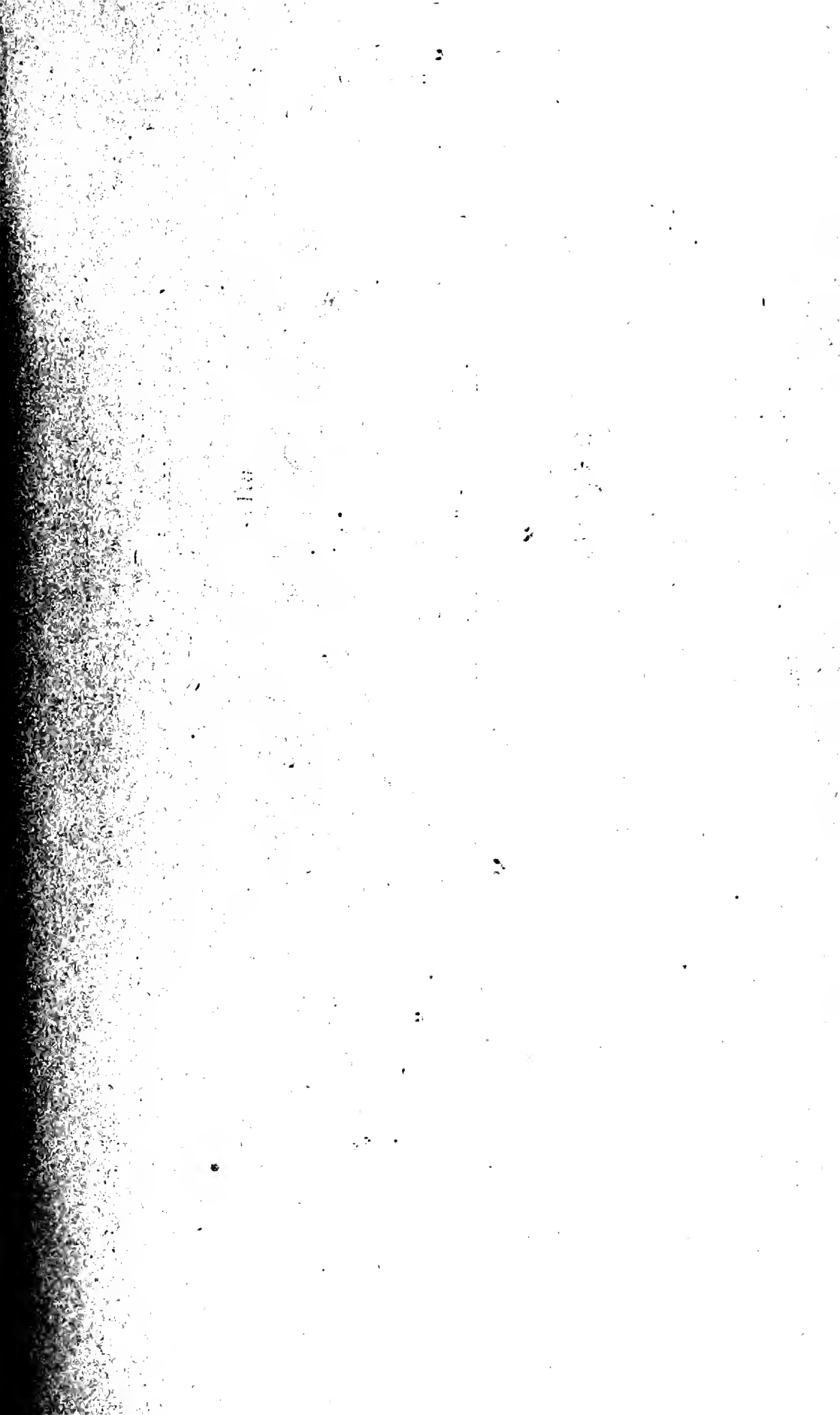
**Trustees.**

4. The eight acres reserved for cemetery purposes shall become vested in five trustees, appointed by the Directors of the said Company, who shall have full control thereof, and in case of any vacancy or vacancies occurring, from time to time, the remaining trustees are empowered to elect a trustee or trustees to fill said vacancy or vacancies.

**Fund for care of cemetery.**

5. All moneys received by said trustees, above what is necessary to pay the current expenses in connection with the said cemetery, are to be placed in a fund, to provide for the perpetual care, maintenance and improvement of the said cemetery.





No. 75.

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1st Session, 13th Legislature,  
2 George V., 1912.

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**BILL.**

An Act to provide for the sale of a part  
of The Timber Vale Cemetery  
Company's Lands.

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1st Reading,            1912.

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(*Private Bill.*)

Mr. McCOWAN.

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

# BILL

## An Act respecting Snow Fences.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Snow Fences Act*. *New.* Short title.

**2.**—1. The council of every township, city, town, and vil-<sup>Councils</sup>lage may pass by-laws requiring the owners or occupiers of <sup>may require</sup>lands bordering upon a public highway to take down, alter, or <sup>owners or</sup>remove any fence which causes an accumulation of snow or <sup>occupants of</sup>drift so as to impede or obstruct travel. <sup>land to re-</sup>  
<sup>move fences.</sup>

(2) The council shall make such compensation to the own-<sup>Making com-</sup>ers or occupants for the taking down, alteration or removal of <sup>ensation</sup>such fence and for the construction in lieu thereof of some <sup>therefor.</sup>other description of fence approved of by the council, as may be mutually agreed upon; and in default of agreement the compensation shall be determined by arbitration, and three fence viewers appointed by the council shall be the arbitrat-  
ors. R.S.O. 1897, c. 240, s. 1; 1 Geo. V. c. 62, s. 1.

**3.**—(1) If the owner or occupant refuses or neglects to <sup>Power in</sup>take down, alter, or remove the fence, as required by the <sup>case of</sup>council, the council, after the expiration of two months from <sup>neglect or</sup>the time the compensation has been agreed upon or deter- <sup>refusal by</sup>mined by arbitration, may take down, alter, or remove such <sup>owner or</sup>fence and may construct the fence which has been approved <sup>occupant to</sup>of by the council, and the amount of all costs and charges <sup>construct</sup>thereby incurred by the council over and above the amount <sup>fence as</sup>of compensation may be recovered from such owner or occu- <sup>directed.</sup>pant, by action in any Division Court having jurisdiction in the locality, and the amount of the judgment, if not sooner paid, shall be placed by the clerk of the municipality upon the collector's roll against the lands upon or along the boundaries

of which the fence is situate, and shall be collected as other taxes.

Occupant  
may deduct  
amount paid  
from rent.

(2) Where an occupant, other than the owner, is required to pay such sum, or any part thereof, he may deduct it, and any costs paid by him, from the rent payable by him, or may otherwise recover the same, unless he has agreed with the landlord to pay it. R.S.O. 1897, c. 240, s. 2.

Duties of  
arbitrators.

(3) The arbitrators shall examine the premises and shall, if required, hear evidence.

Fees.

(4) The arbitrators shall be entitled to \$2 a day, which shall be paid by the corporation of the municipality if the amount of the award exceeds the amount offered by the corporation, otherwise by the owner or occupant.

Award to be  
filed in office  
of clerk.

(5) The award shall be filed in the office of the clerk of the municipality, and an appeal shall lie therefrom to the Judge of the County or District Court of the County or District.

Rev. Stat.  
c. 284, s. 2,  
to apply.

(6) The provisions of *The Line Fences Act* shall *mutatis mutandis* apply to such appeal. 1 Geo. V. c. 62, s. 2.

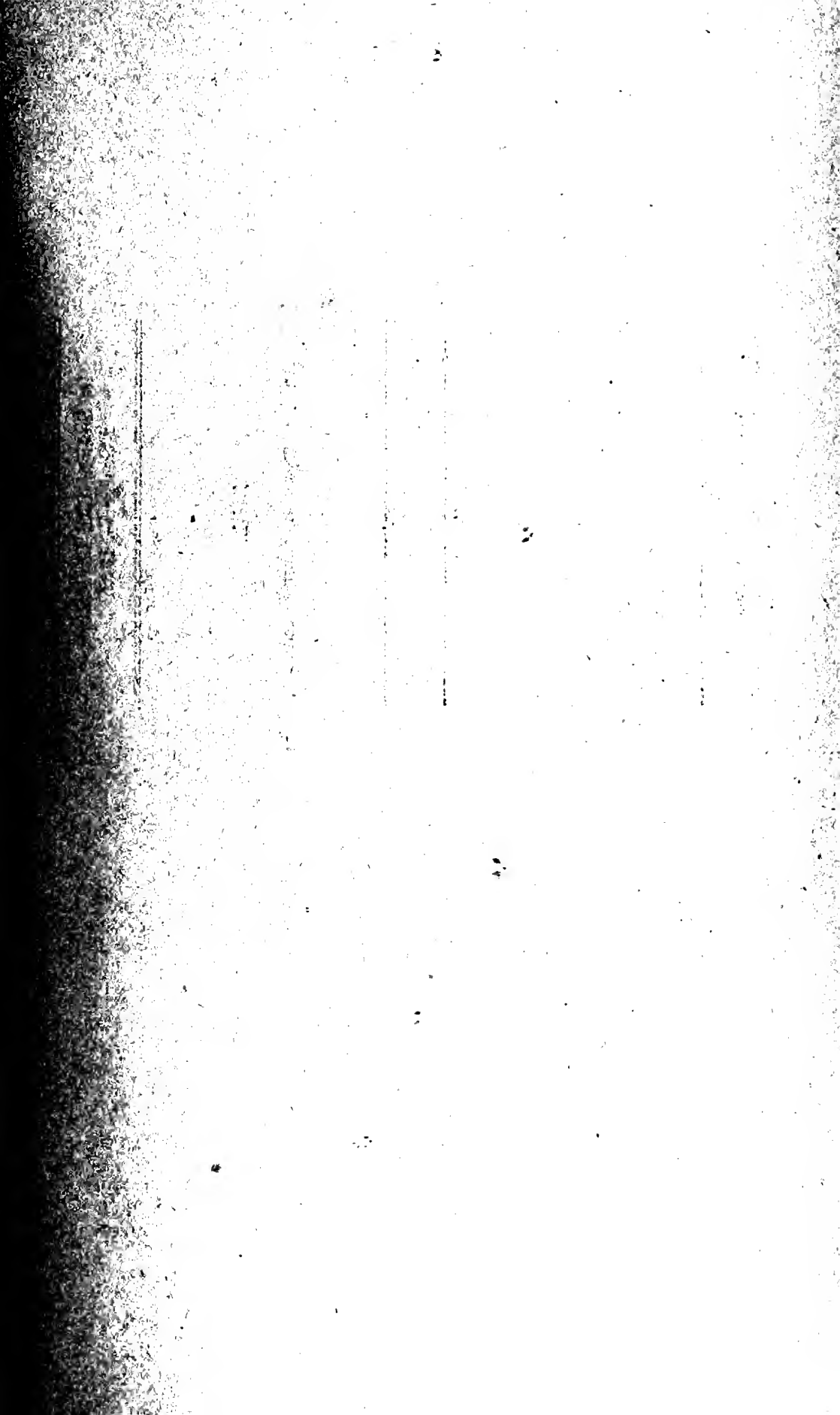
Power to  
enter on  
lands.

4.—(1) Every such council may, on and after the 15th day of November in each year, enter into and upon any lands of His Majesty, or of any corporation or person, situate within the municipality, and lying along any public highway, in or adjoining any such municipality, and may erect and maintain snow fences thereon, subject to the payment of such damages, if any, as may be suffered by the owner or occupant of the lands so entered upon, the amount thereof to be ascertained, if not mutually agreed upon, by arbitration, as provided in section 2.

(2) The snow fences so erected shall be removed on or before the first day of April following. R.S.O. 1897, c. 240, s. 3; 1 Geo. V. c. 62, s. 3.

Repeal.

5. Chapter 240 of the Revised Statutes of Ontario, and Chapter 62 of the Acts passed in the first year of the reign of His Majesty King George V. are repealed.



No. 77.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting Snow Fences.

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1st Reading,                      1912.

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Mr. DUFF.

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

# BILL

## An Act respecting Double Tracks in Snow Roads.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Snow Roads Act*. *New.* Short title.

2. In this Act “vehicle” shall mean a vehicle drawn by Interpreta-  
tion— one or more horses or other animals or propelled by any “vehicle.” “vehicle.” motive power. R.S.O. 1897, c. 237, s. 1.

3. The council of a county may provide, by by-law, for the County  
Council may making of a double track, during the season of sleighing in pass by-laws  
for making each and every year, upon such leading highways within the double  
tracks  
on roads  
during  
sleighing  
season. county, whether or not county roads, as such council deems advisable. R.S.O. 1897, c. 237, s. 2.

4. Where a county council has passed such a by-law, the Nature of  
tracks. double track shall be so made that one vehicle may pass another without being obliged to turn out when meeting. R.S.O. 1897, c. 237, s. 3.

5. Every vehicle shall travel in the right-hand track, and Right of  
road. any person driving or propelling his vehicle in the wrong track shall leave it when he meets a vehicle entitled to use such track. R.S.O. 1897, c. 237, s. 4.

6.—(1) A county council may also provide, by by-law, Duties and  
powers of  
path-masters  
or road  
masters. that pathmasters appointed by township councils shall cause the highways on which double tracks are to be made to be kept open for travel within their respective municipalities, or, if there are no such pathmasters available, may appoint roadmasters to perform that duty.

Calling out persons liable to perform Statute Labour.

(2) Such pathmasters or roadmasters shall have power to call out persons liable to perform statute labour, to assist in keeping open such highways within their respective municipalities, and may give to the persons employed in so doing certificates of having performed statute labour to the amount of the day's work done, and such work shall be allowed for in the next season's statute labour.

Application of commutation of Statute Labour.

(3) The county council may also provide for the application by such township councils of so much of the commutation of statute labour fund as may be necessary for the keeping open of such highways within their respective municipalities. R.S.O. 1897, c. 237, s. 5.

If township refuses to make tracks, county may do so and impose a rate.

7. If a township council neglects or refuses to keep such highways open for travel as provided by the next preceding section, the county council may do so, and may impose upon the township so in default a rate sufficient for that purpose, and such rate shall be levied and collected in the manner provided by *The Assessment Act* for the collection of county rates. R.S.O. 1897, c. 237, s. 6.

4 Edw VII., c. 23.

Penalty for persons refusing to work under pathmasters.

8. Any person liable to perform statute labour who refuses or neglects to turn out and work under any pathmaster or roadmaster who warns him out for that purpose under the authority of this Act, shall incur a penalty of not less than \$1 or more than \$20. R.S.O. 1897, c. 237, s. 7.

Penalty for travelling on left hand track and refusing to turn out.

9. Any person travelling with his vehicle in the wrong track, and refusing or neglecting to leave the same when met by a person who is rightfully travelling therein with his vehicle shall incur a penalty of not less than \$1, or more than \$20. R.S.O. 1897, c. 237, s. 8.

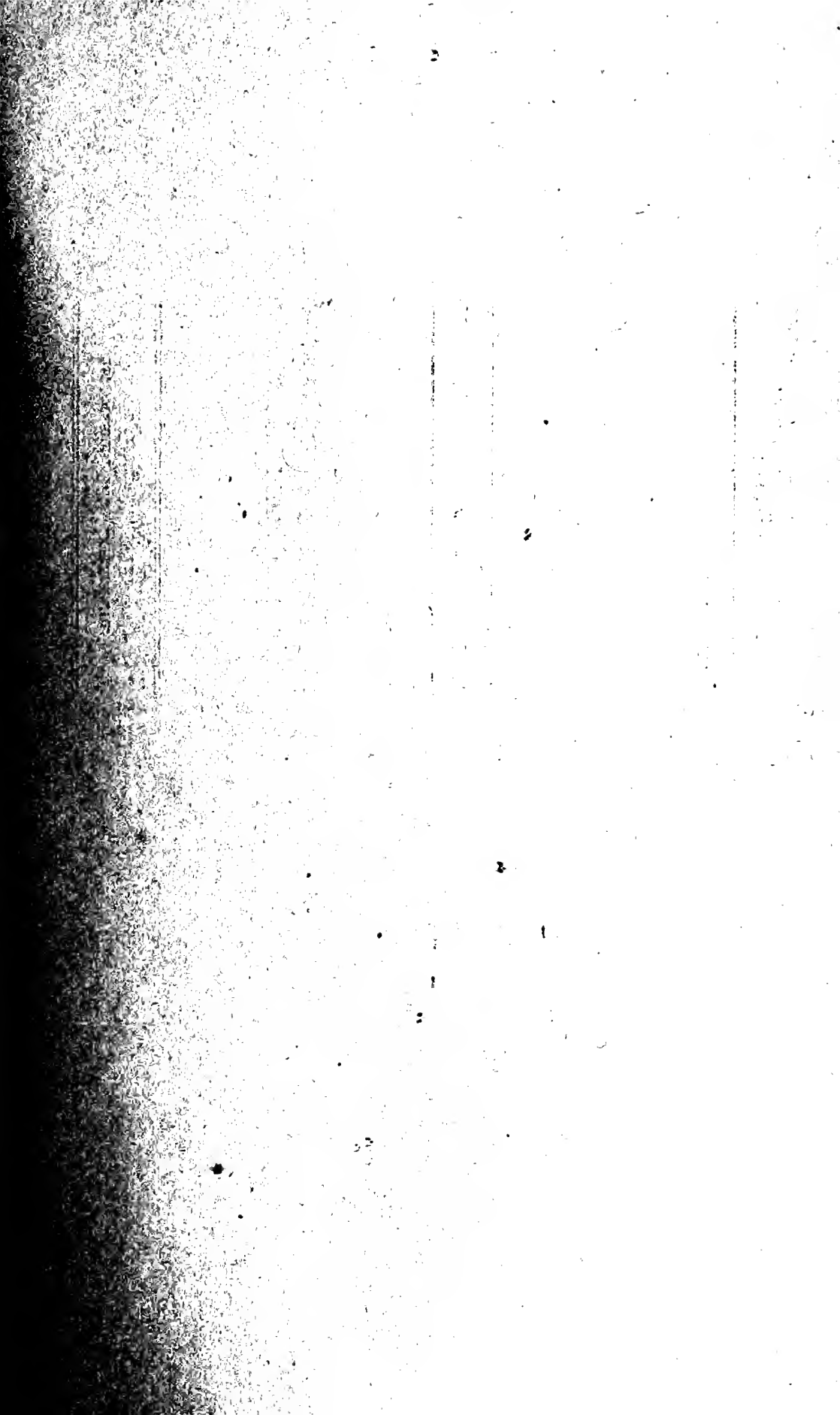
Recovery of penalties.

10. The penalties mentioned in sections 8 and 9 shall be recoverable under *The Ontario Summary Convictions Act*.

Repeal.

11. Chapter 237 of the Revised Statutes, 1897, is repealed.







# BILL

## An Act to prevent Minors from Frequenting Billiard Rooms and Other Places.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Minors Protection Act*. Short title.  
*New.*
2. The keeper of a licensed billiard, pool or bagatelle room, Fine on first and subsequent offence; how recoverable; one-half to informer. kept directly or indirectly for hire or gain, who admits a minor under the age of 18 years thereto, or allows him to remain therein, without the consent of his parent or guardian, shall incur a penalty not exceeding \$10, for the first, and not exceeding \$20 for each subsequent offence, recoverable Proviso. under *The Ontario Summary Convictions Act*.
3. This Act shall not apply to a minor who is a member of When act not to apply. the family of the keeper or his servant, or who does not go to the billiard, pool or bagatelle room for the purpose of loitering, or to play billiards, pool or bagatelle therein, or where the keeper had reasonable cause to believe that such consent had been given by the parent or guardian, or that such minor was not under the age of eighteen. R.S.O. 1897, c. 247, s. 1; 6 Edw. VII. c. 19, s. 31; 7 Edw. VII. c. 23, s. 9.
4. Chapter 247 of the Revised Statutes of Ontario, 1897; Repeal. section 31 of *The Statute Law Amendment Act, 1906*, and section 9 of *The Statute Law Amendment Act, 1907*, are repealed.

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1st Session, 13th Legislature,  
2 George V., 1912.

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**BILL**

An Act to prevent Minors from frequent-  
ing Billiard Rooms and Other Places.

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1st Reading,                      1912.

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Mr. Fox.

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

# BILL

## An Act to prevent the Profanation of the Lord's Day.

SHORT TITLE, s. 1.  
 ACTS PROHIBITED, ss. 2-8.  
 SUNDAY EXCURSIONS, s. 8.  
 STREET RAILWAYS, s. 9.  
 SALES AND PURCHASES TO BE VOID,  
 s. 10.  
 PENALTIES, ss. 8 (2), 11.

SUMMARY CONVICTION, s. 11.  
 Limitation of prosecutions,  
 s. 12.  
 ACT NOT TO APPLY TO INDIANS, s.  
 13.  
 REPEAL, s. 14.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Lord's Day Act of Ontario*. Short title.

**2.** It is not lawful for any merchant, tradesman, farmer, artificer, mechanic, workman, labourer, or other person, on the Lord's Day to sell or publicly show forth, or expose, or offer for sale, or to purchase, any goods, chattels, or other personal property, or any real estate, or to do or exercise any worldly labour, business or work of his ordinary calling (conveying travellers or His Majesty's mail, by land or by water, selling drugs and medicines, and other works of necessity and works of charity only excepted). No sales to take place on Sunday. Or ordinary work. Exception. R.S.O. 1897, c. 246, s. 1.

**3.** It is not lawful for any person on that day to hold, convene or to attend any public political meeting, or to tittle, or to allow or permit tippling in any inn, tavern, grocery or house of public entertainment, or to revel, or publicly exhibit himself in a state of intoxication, or to brawl or use profane language in the public streets or open air, so as to create any riot or disturbance, or annoyance to His Majesty's peaceable subjects. Political meetings, tippling, etc., prohibited on Sunday. R.S.O. 1897, c. 246, s. 2.

**4.** It is not lawful for any person on that day to play at skittles, ball, foot-ball, rackets, or any other noisy game, or to Games and amusements prohibited.

gamble with dice or otherwise, or to run races on foot, or on horseback, or in carriages, or in vehicles of any sort. R.S.O. 1897, c. 246, s. 3.

Hunting and shooting.

5. Except in defence of his property from any wolf or other ravenous beast or a bird of prey, it is not lawful for any person on that day to go out hunting or shooting, or in quest of, or to take, kill or destroy, any deer or other game, or any wild animal, or any wild fowl or bird, or to use any dog, gun, rifle or other engine, net or trap, for the above mentioned purpose. R.S.O. 1897, c. 246, s. 4.

Fishing.

6. It is not lawful for any person on that day to go out fishing, or to take, kill or destroy any fish, or to use any gun, fishing-rod, net or other engine for that purpose. R.S.O. 1897, c. 246, s. 5.

Bathing.

7. It is not lawful for any person on that day to bathe in any exposed situation in any water within the limits of any city or town, or within view of any place of public worship, or private residence. R.S.O. 1897, c. 246, s. 6.

Sunday excursions prohibited.

8.—(1) Sunday excursions by steamboats plying for hire, or by railway, or in part by any such steamboat and in part by railway, and having for their only or principal object the carriage of Sunday passengers for amusement or pleasure only, and to go and return upon the same day by the same steamboat or railway, or any other, owned by the same persons or company, shall be unlawful, and shall not be deemed a lawful conveying of travellers within the meaning of this Act.

Penalty.

(2) The owner of any steamboat or railway by which any such Sunday excursion is wholly or partly made shall, for each offence against this section, incur a penalty of \$400, to be recovered in any Court of competent jurisdiction, by any person suing for the same. R.S.O. 1897, c. 246, s. 7 (1-2). *Amended.*

Application of penalties.

(3) All sums of money recovered under the provisions of this section shall be appropriated as follows:—One moiety thereof to the plaintiff, and the other moiety to the local municipality from which the unlawful excursion started. R.S.O. 1897, c. 246, s. 7 (4).

Act not to apply to ferries.

(4) This section shall not apply to ferries or to steamboats when employed thereon. R.S.O. 1897, c. 246, s. 7 (6).

(5) The captain or other person in charge of a steamboat and the conductor or other person in charge of a train, used for the purpose of any such Sunday excursion shall be liable to the penalties prescribed by this Act for violations thereof; and such penalties shall be recoverable, and applied in like manner as other penalties under section 11. R.S.O. 1897, c. 246, s. 7 (7); 1 Edw. VII. c. 12, s. 20.

Liability of  
captain or  
other person  
in charge.

**9.**—(1) No street railway company, tramway company, or electric railway company, except where it is necessary for the purpose of keeping the track clear of snow or ice or for other acts of necessity or charity, shall run cars or trams upon the Lord's Day.

Operating  
street rail-  
way on the  
Lord's Day.

(2) Subsection (1) shall not apply to companies which have before the 1st day of April, 1897, regularly run cars on the Lord's Day, nor shall it confer any rights so to run cars on the Lord's Day not now possessed by them, nor shall it affect or apply to any company which has by its charter or by any special Act the right or authority to run cars on that day, nor shall it affect the right of the Toronto Railway Company to run cars on the Lord's Day.

(3) This section shall not apply to or affect any of the provisions of *The Ontario Railway Act, 1906*. R.S.O. 1897, c. 246, s. 8. *Amended*.

6 Edw. VII.,  
c. 30.

**10.** All sales and purchases, and all contracts and agreements for sale or purchase, of any real or personal property, made by any person on the Lord's Day, shall be null and void. R.S.O. 1897, c. 246, s. 9.

Sales and  
agreements  
made on  
Sunday to  
be void.

**11.**—(1) Every person who contravenes any of the provisions of this Act other than those of section 8, shall incur a penalty of not more than \$40 and not less than \$1 recoverable under *The Ontario Summary Convictions Act*. *New*, see R.S.O. 1897, c. 246, s. 10.

Penalty.

10 Edw. VII.,  
c. 37

(2) Such penalty when recovered shall be paid as follows: one moiety to the complainant, and the other moiety to the treasurer of the county, district, city or separated town wherein the offence was committed. R.S.O. 1897, c. 246, s. 11.

Application  
of penalties.

**12.** The prosecution for any offence punishable under this Act shall be commenced within one month after the commission of the offence, and not afterwards. R.S.O. 1897, c. 246, s. 16.

Limitation  
of time for  
prosecution.

Not to extend to  
Indians.

**13.** This Act shall not extend to Indians. R.S.O. 1897,  
c. 246, s. 19.

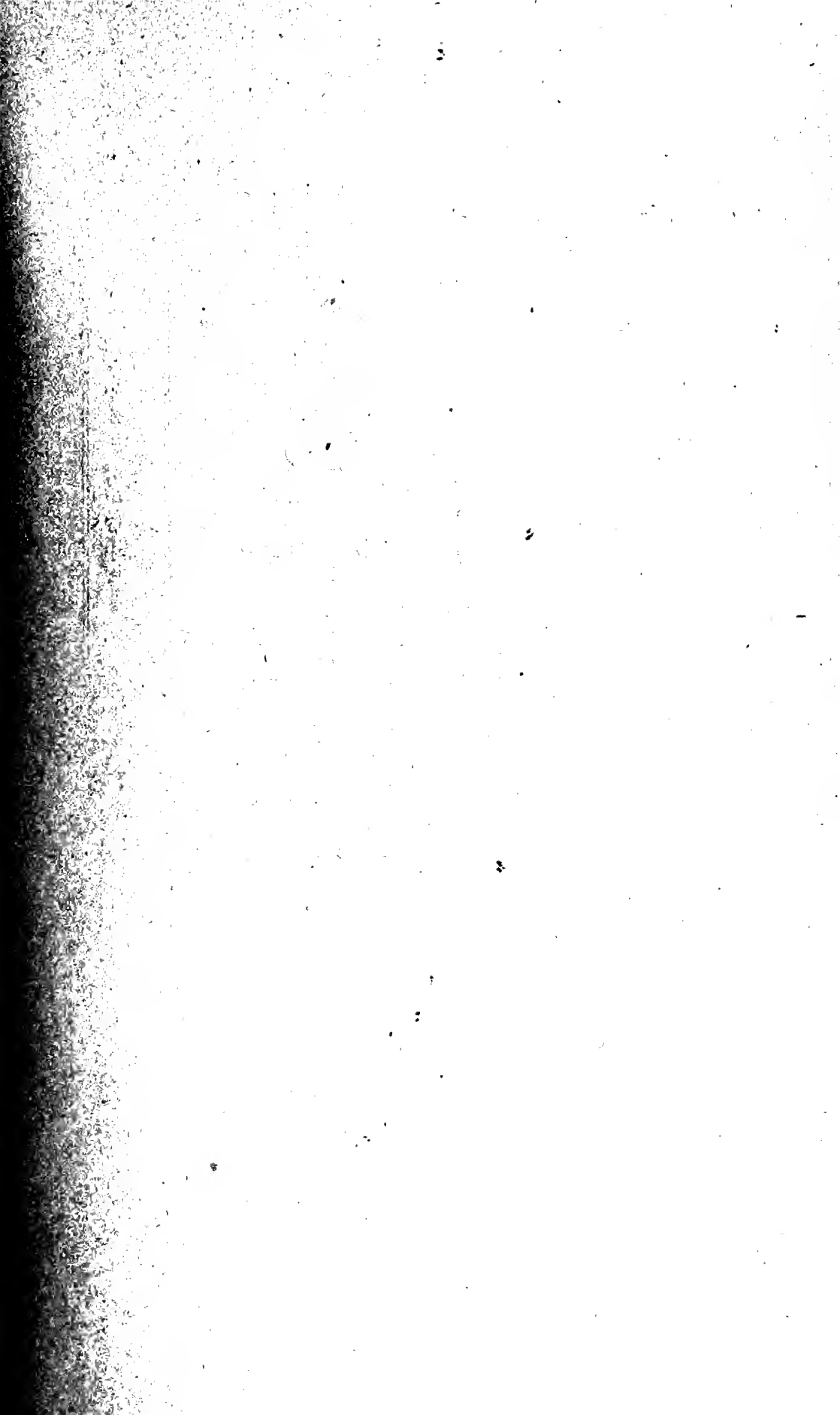
Repeal.

**14.** Chapter 246 of the Revised Statutes of Ontario, 1897, and section 20 of chapter 12 of the Acts passed in the first year of the reign of His late Majesty King Edward the Seventh intituled *An Act to amend the Statute Law*, are repealed.









No. 80.

1st Session, 13th Legislature,  
2 George V., 1912.

**BILL.**

An Act to prevent the Profanation of the  
Lord's Day.

1st Reading, 1912.

Mr Foy.

TORONTO:

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

# BILL

## An Act to authorize the Appointment of Fire Guardians.

**H** IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Fire Guardians Act*. Short title.

**2.**—(1) The council of a township may, on the petition of one-third of the ratepayers, at any meeting to be held before the 1st day of April in any year, appoint by by-law not less than two resident freeholders for each polling subdivision within the municipality to carry out the provisions of this Act. Appointment of fire guardians.

(2) The persons so appointed shall be called “fire guardians,” and shall hold office until the first meeting of a new council elected after their appointment, and until their successors are appointed. Term of office. R.S.O. 1897, c. 268, s. 1.

**3.** No person shall, after the passing of such by-law, set out or set fire to any brush heap or other combustible material in any field, clearance or place in such township where the same would be likely to spread, between the first day of July and the first day of October in any year, without having first obtained permission in writing from one of the fire guardians. Leave to be obtained before setting out fires. R.S.O. 1897, c. 268, s. 2.

**4.** Such permission shall not be pleaded or given in evidence in any action for negligently setting out fire, or in extenuation of, or in mitigation of damages; but the absence of such permission shall, in such an action, be *prima facie* evidence of negligence. Leave not to be relied on in actions for negligence. R.S.O. 1897, c. 268, s. 3.

Inspection  
by fire  
guardian be-  
fore grant-  
ing leave.

5. A fire guardian on being requested to grant permission to set out fire, shall examine the place at which it is intended to set out the fire and the adjacent lands, and the timber, trees and other property thereon, and he shall refuse such request, if, in his opinion, it would not be safe to set out the fire. R.S.O. 1897, c. 268, s. 4.

Matters to  
be provided  
for in the  
by-law.

6. The council may, by the by-law, make provision for the payment to the fire guardians for their services, and may fix a penalty to be imposed upon fire guardians refusing or neglecting to perform their duties under this Act or the by-law. R.S.O. 1897, c. 268, s. 5.

Penalty.

7. Any person who contravenes the provisions of section 3 shall incur a penalty not exceeding \$100, recoverable on information of any resident ratepayer in the municipality before a police magistrate or two Justices of the Peace sitting together under *The Ontario Summary Convictions Act*. R.S.O. 1897, c. 268, s. 6.

10 Edw. VII.  
c. 37.

Application  
of penalty.

8. The complainant shall be entitled to one moiety of the penalty, and the other moiety shall be paid over to the treasurer of the municipality. R.S.O. 1897, c. 268, s. 7.

Application  
of Act.

9. This Act shall not apply to any part of Ontario which under *The Fire Rangers Act* has been declared a fire district. R.S.O. 1897, c. 268, s. 8.

Repeal.

10. Chapter 268 of the Revised Statutes, 1897, is repealed.







# BILL

## An Act to impose a Tax on Dogs and for the Protection of Sheep.

SHORT TITLE, s. 1.

INTERPRETATION, s. 2.

TAX ON DOGS:

To be levied annually, s. 3.

Duty of assessors, s. 4.

Duty of owners of dogs, s. 5.

Collection of tax, ss. 6, 7.

Tax to form a fund for paying damages for injury to sheep, s. 8.

PROTECTION OF SHEEP:

Dog worrying sheep may be killed, s. 9.

Destruction of dog which has worried sheep, ss. 10, 11.

LIABILITY OF OWNER OF DOG, s. 12.

Conviction not to be bar to action, s. 13.

Extent of liability and apportionment of damage, s. 14.

Notice to owner to kill dog, s. 15.

Remedy when distress insufficient, s. 16.

SHEEP VALUATORS:

Appointment and duties, s. 17.

COMPENSATION WHERE OWNER UNKNOWN, ss. 18-20.

PROCEDURE, s. 21.

REPEAL, s. 22.

**H** IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Dog Tax and Sheep Protection Act*.

2. In this Act:—

Interpretation.

(a) "Dog" shall include bitch;

(b) "Owner" shall include possessor or harbourer; and "owned" shall include possessed or harboured.

(c) "Sheep" shall include lamb.

## TAX ON DOGS.

Annual tax  
on dogs.

3.—(1) Subject to the provisions of subsection 3, there shall be levied annually, in every local municipality, upon the owner of each dog therein, an annual tax of \$1 for a dog, if only one, and \$2 for each additional dog, owned by him, and \$3 for a bitch, if only one, and \$5 for each additional bitch owned by him.

Spayed  
bitches.

(2) Upon the production of a certificate in writing of a veterinary surgeon that a bitch has been spayed, such bitch shall be taxed at the same rate as a dog.

Registered  
kennel.

(3) The owner of a kennel of pure bred dogs which are registered in the "Canada Kennel Register," may in any year pay to the treasurer of the municipality \$10 as a tax upon such kennel for that year, and upon the production to the assessor of the treasurer's certificate of payment, the owner of such kennel shall be exempt from assessment and any further tax in respect of such dogs for that year. R.S.O. 1897, c. 271, s. 1; 10 Edw. VII. c. 97, s. 1.

Duty of  
assessors

4. The assessors shall, at the time of making their annual assessment, enter on the assessment roll, in a column prepared for the purpose, opposite the name of every person assessed, and also opposite the name of every resident inhabitant not otherwise assessed, being the owner of any dog, the number of dogs, bitches and spayed bitches, distinguishing them, by him owned. R.S.O. 1897, c. 271, s. 3; 10 Edw. VII. c. 97, s. 4.

Duty of  
owners of  
dogs.

5. The owner of any dog shall be required by the assessors to deliver to them, in writing, a statement of the number of dogs owned by him; and for any neglect or refusal to do so, and for every false statement made in respect thereof, he shall incur a penalty of \$5. R.S.O. 1897, c. 271, s. 4; 10 Edw. VII. c. 97, s. 4.

Penalty.

Tax entered  
on collec-  
tor's roll.

6. The collector's roll shall contain the name of every person entered on the assessment roll as the owner of any dog with the tax hereby imposed, in a separate column; and the collector shall proceed to collect the same, and at the same time and with the like authority, and make returns to the treasurer of the municipality, in the same manner, and subject to the same liabilities in all respects for paying over the same to the treasurer, as in the case of other taxes levied in the municipality. R.S.O. 1897, c. 271, s. 5.

**7.**—(1) Where any person has been assessed for a dog, and the collector has failed to collect the tax imposed by this Act, he shall report the same under oath to a Justice of the Peace, who shall, by an order under his hand and seal, to be served by any constable, require such dog to be destroyed by the owner thereof, or by a constable.

Proceedings where collector has failed to collect taxes from persons assessed.

(2) For the purpose of carrying out such order the constable may enter on the premises of such owner and destroy such dog.

Constable may destroy dog.

(3) A collector who neglects to make such report within the time required for paying over the taxes levied in the municipality, shall incur a penalty of \$10. R.S.O. 1897, c. 271, s. 6.

Penalty.

**8.** The money collected and paid to the municipality under the preceding sections, shall constitute a fund for satisfying such damages as arise in any year from dogs killing or injuring sheep in the municipality, and the residue, if any, shall form part of the funds of the municipality for the general purposes thereof; but when it becomes necessary in any year for the purpose of paying charges on the same, the fund shall be supplemented to the extent of the amount which has been applied to the general purposes of the municipality. R.S.O. 1897, c. 271, s. 7.

Tax to form fund for damages, etc.

[Section 8 is repealed by 10 Edw. VII. c. 97, s. 2.]

#### PROTECTION OF SHEEP.

**9.** Any person may kill any dog which he sees pursuing, worrying or wounding any sheep. R.S.O. 1897, c. 271, s. 9, *part.*

Dogs seen worrying sheep, etc., may be killed.

**10.** The owner or occupant of a farm, or his servant, who finds a dog without lawful permission in an enclosed field on such farm giving tongue and terrifying any sheep on such farm may kill such dog. R.S.O. 1897, c. 271, s. 9, *part.*

Right to kill dog in field giving tongue, etc.

**11.**—(1) Any person may kill any dog which he finds straying between sunset and sunrise on any farm whereon sheep are kept.

Right to kill dog straying on a farm where sheep kept.

(2) No dog so straying which belongs to or is kept or harboured by the occupant of any premises next adjoining such farm or next adjoining that part of any highway or lane

When dog straying not to be killed

which abuts thereon, nor any dog so straying either when securely muzzled or when accompanied by or being within reasonable call or control of its owner or of any person having the charge or care thereof, shall be so killed unless there is reason to believe that such dog, if not killed, is likely to pursue, worry, wound or terrify sheep then on such farm. R.S.O. 1897, c. 271, s. 9, *part*.

Persons owning dogs addicted to worrying may be summoned before a Justice of the Peace.

**12.**—(1) On complaint made in writing on oath before a Justice of the Peace, that any person is the owner of a dog which has within six months previous worried or injured or destroyed any sheep, the Justice may issue his summons, directed to such person, stating shortly the matter of the complaint, and requiring such person to appear before him, at a certain time and place therein stated, to answer such complaint, and be further dealt with according to law. R.S.O. 1897, c. 271, s. 11

On conviction of the fact, dog to be ordered to be destroyed and owner fined.

(2) In case of conviction, the Justice may make an order for killing the dog, describing the same according to the description given in the complaint and in the evidence, within three days, and in default thereof may, in his discretion, impose a penalty upon such person, not exceeding \$20.

Application of penalties.

(3) All penalties imposed under this section shall be applied to the use of the municipality in which the defendant resides. R.S.O. 1897, c. 271, s. 13.

Conviction no bar to action for damages.

**13.** No conviction shall be a bar to any action by the owner or possessor of any sheep for the recovery of damages for the injury done to such sheep. R.S.O. 1897, c. 271, s. 14.

#### EXTENT OF LIABILITY OF OWNER OR KEEPER OF DOGS.

Extent of liability of owner or keeper of dog.

**14.**—(1) The owner of any sheep killed or injured by any dog shall be entitled to recover damage occasioned thereby from the owner of such dog, by an action for damages or by summary proceedings before a Justice of the Peace, on information or complaint before such Justice, who is hereby authorized to hear and determine such complaint, and proceed thereon in the manner provided by *The Ontario Summary Convictions Act* in respect to proceedings therein mentioned.

10 Edw. VII. c. 37.

(2) The aggrieved party may recover in such action or proceeding, whether or not the owner of such dog knew that it was vicious or accustomed to worry sheep.

(3) If it appears at the trial that the damage or some part thereof was the joint act of some other dog, and of a dog owned by the person charged, the Court, Judge or Justice may, by the judgment or conviction, apportion the damages among and against the respective owners of the dogs, as far as they are known, in such proportions as may be deemed just.

(4) If it appears at the trial that the damage was occasioned by a dog, the owner of which is known, and a dog the owner of which is unknown, or has not been summoned to appear, the Court, Judge or Justice may determine and adjudge as to the proportion of the damage which, having regard to the evidence adduced as to the strength, ferocity and character of the various dogs shewn to have been engaged in committing such damage, was probably done by the dogs the owners of which have been summoned to appear, and shall determine in respect thereof and apportion the damage which the Court, Judge or Justice determines to have been probably done by the dogs whose owners or keepers have been summoned, amongst the various owners or keepers who have been so summoned.

(5) The like proceedings may thereafter be had against the owners of the dogs which so contributed to the damage. R.S.O. 1897, c. 271, s. 15.

**15.** The owner of any dog, to whom notice is given of any injury done by his dog to any sheep, or of his dog having chased or worried any sheep, shall, within forty-eight hours after such notice, cause such dog to be killed; and for every neglect so to do he shall incur a penalty of \$2.50 for each dog, and a further penalty of \$1.25 for each dog for every forty-eight hours thereafter, until the dog is killed, if it is proved in the proceedings for the recovery of such penalties, that such dog has worried or otherwise injured such sheep, unless the owner proves that it was not in his power to kill the dog. R.S.O. 1897, c. 271, s. 16.

**16.** When the owner of any sheep so killed or injured proceeds against the owner of the dog which committed the injury, before a Justice of the Peace, and is unable on the conviction of the offender, to levy the amount ordered to be paid, for want of sufficient distress, the council of the municipality in which the offender resided at the time of the injury shall order their treasurer to pay to the aggrieved party two-thirds of the amount ordered to be paid by the Justice by the conviction, in addition to the costs of the

proceedings before the Justice and before the council.  
R.S.O. 1897, c. 271, s. 17.

SHEEP VALUERS.

Sheep  
valuers—  
appointment  
and duties  
of.

**17.**—(1) The council of every township, town or village may at the first meeting in each year appoint one or more persons, to be known as Sheep Valuers, whose duty it shall be to inspect the injury done to sheep by dogs in cases where the owner of the dog or dogs committing the injury cannot be found, and the person aggrieved intends to make claim for compensation from the council of the municipality.

(2) The Sheep Valuer shall investigate the injury within forty-eight hours after notice thereof is given to him and shall forthwith make his report in writing to the Clerk of the municipality, giving in detail the extent of injuries and amount of damage done, and the report shall be acted upon by the council in adjusting the claim. 10 Edw. VII. c. 97, s. 5.

COMPENSATION WHERE OWNER UNKNOWN.

Provision  
for cases in  
which owner  
of dog not  
known.

**18.**—(1) The owner of any sheep killed or injured by any dog, the owner of which is not known, may within three months after the killing or injury apply to the council of the municipality in which such sheep was so killed or injured, for compensation for the injury; and if the council is satisfied that he has made diligent search and inquiry to ascertain the owner or keeper of such dog, and that he cannot be found, they shall award to the aggrieved party for compensation a sum not exceeding two-thirds of the amount of the damage sustained by him; and the treasurer of the municipality shall pay over to him the amount so awarded.

(2) The council may, before determining, examine parties and witnesses under oath, which may be administered by any member of the council. R.S.O. 1897, c. 271, s. 18.

After com-  
pensation  
paid by  
municipality.  
claims to  
belong to  
them.

**19.** After the owner of a sheep has received any money from a municipal corporation under any of the preceding sections, his claim shall thenceforth belong to the municipal corporation, which may enforce the same against the offending party for its own benefit, by any means or form of proceeding that the owner was entitled to take for that purpose, but if the corporation recovers from the offender more than it paid to the owner, besides costs, it shall pay over the excess to the owner. R.S.O. 1897, c. 271, s. 19.

Cases where  
owner of  
sheep, etc.,  
has no com-  
pensation.

**20.** The owner of any sheep killed or injured while running at large upon any highway or unenclosed land, shall have no right to compensation from a municipal corporation. R.S.O. 1897, c. 271, s. 20.

[Section 21 is repealed by 10 Edw. VII. c. 97, s. 2.]

PROCEDURE.

Procedure.

**21.** Except as herein otherwise provided, *The Ontario Summary Convictions Act* shall apply to prosecutions under this Act. *New.*

10 Edw. VII.  
c. 37.

Repeal.

**22.** Chapter 271 of the Revised Statutes of Ontario, 1897, and Chapter 97 of the Acts passed in the tenth year of the reign of His late Majesty King Edward the Seventh are repealed.

No. 82.

1st Session, 13th Legislature,  
2 George V., 1912.

BILL.

An Act to impose a Tax on Dogs and for  
the Protection of Sheep.

1st Reading, 1912.

Mr. DUFF.

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



# BILL

## An Act to protect Beaches and Shores and Beds of Rivers and Streams.

SHORT TITLE, s. 1.  
 INTERPRETATION, s. 2.  
 APPLICATION OF ACT, s. 3.  
 BEACHES AND SHORES:  
 Removal of sand, gravel or stones, ss. 4-6.  
 Landing with intent to remove sand, etc., s. 4.  
 Possession of sand, etc., with intent to remove, s. 5.  
 Search warrant and proceedings thereon, ss. 7-9.

Penalties, s. 10.  
 RIVERS AND STREAMS:  
 Removal of stones, etc., prohibited, s. 11 (1).  
 Penalty, s. 11 (2).  
 PROSECUTIONS:  
 Procedure for recovery of penalties, ss. 12-15.  
 Evidence of consent, s. 14.  
 Amendments, s. 15.  
 REPEAL, s. 16.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Beach Protection Act*. Short title.  
 R.S.O. 1897, c. 270, s. 1. *Amended.*

**2.** In this Act “vessel” shall include boat, scow, raft or Interpretation.  
 other craft. *New.*

**3.** Nothing in this Act shall apply to property belonging Act not to  
 to or subject to the legislative control of the Dominion of affect Dom-  
 Canada. R.S.O. 1897, c. 270, s. 2. *Amended.* inion prop-  
erty.

### BEACHES AND SHORES.

**4.—(1)** No person shall take or carry away in any vessel, Removal of  
 or otherwise transport by water, any sand, gravel or stone, sand, stones,  
 from the beach, shore or waters of Lake Erie, Lake Ontario, etc., from  
 or Lake Huron, so far as they are within the legislative juris- beaches for-  
 diction of Ontario, or from any bar or flat, within such bidden.  
 jurisdiction, adjoining any channel or entrance to such lakes  
 unless such sand, gravel or stone is taken from a locality  
 distant three rods or more beyond low water mark; or if the

same is taken within that distance, unless such person has the written consent of the owner of the beach, shore, bar or flat; or, if such beach, shore, bar or flat belongs to Ontario, unless such person has the consent of either the Lieutenant-Governor in Council or of the owner of the land to which such beach, shore, bar or flat is adjacent.

Consent of  
Lieutenant-  
Governor  
in Council.

(2) The consent of the Lieutenant-Governor in Council shall be sufficient without the consent of the owner of the adjacent beach, shore, bar or flat; and such consent of the Lieutenant-Governor in Council shall be necessary, where the Lieutenant-Governor in Council issues a proclamation so declaring with reference to any locality described in the proclamation. R.S.O. 1897, c. 270, s. 3.

Landing on  
beaches, etc.,  
to remove  
sand, etc.,  
forbidden.

5. No person, without the consent required by this Act, shall land or go upon such beach, bar, flat or shore, for the purpose of removing, or assisting to remove, any gravel, sand or stone therefrom. R.S.O. 1897, c. 270, s. 4.

Possession  
of sand, etc.,  
with intent  
to remove  
forbidden.

6. No person shall have on board his vessel, or on a vessel in his possession, any sand, gravel or stone, taken without the consent required by this Act, from any such beach, bar, flat or shore, with intent to carry the same away. R.S.O. 1897, c. 270, s. 5.

Issue of  
search war-  
rant.

7. If any person makes oath before a Justice of the Peace, that he has reason to believe, and does believe that sand, gravel or stone, in respect to which a violation of the provisions of sections 4, 5 or 6 has been committed, is on board any vessel, or at any place, the Justice of the Peace shall issue a search warrant directed to any sheriff, police officer, constable or bailiff, who shall forthwith proceed to search the vessel or place; and if any sand, gravel or stone is found therein or thereon, he shall seize the same and the vessel, if any, in which the same is contained, and shall keep them secure until final action as hereinafter provided is had thereon. R.S.O. 1897, c. 270, s. 6.

Issue of  
summons.

8. The owner, master, or person in possession of the vessel shall without further information laid be summoned forthwith by the Justice who issued the warrant, to appear before a Police Magistrate, or two Justices of the Peace; and if such owner, master or person in possession fails to appear, or if it is shewn to the satisfaction of the Police Magistrate or Justices of the Peace that a violation of section 6 has been committed, the Magistrate or Justices may convict the owner, master or person in possession of the vessel. R.S.O. 1897, c. 270, s. 7, *part*.

**9.** If any question arises as to the place from which the sand, gravel or stone was taken, the burden of proving the right to take the same shall be upon the owner, master or person in possession of the vessel whereon the same was found and seized. R.S.O. 1897, c. 270, s. 8. <sup>Burden of proof.</sup>

**10.**—(1) Any person contravening any of the preceding provisions of this Act shall incur a penalty of not less than \$10 or more than \$40 for each offence. <sup>Penalty.</sup>

(2) One moiety of the penalty shall belong to the prosecutor, and the other moiety to the owner of the land, or if there is no prosecutor other than the owner, then wholly to the owner. R.S.O. 1897, c. 270, s. 10. <sup>Application of penalty.</sup>

(3) In addition to all other remedies provided by *The Ontario Summary Convictions Act* for the recovery of the penalty, the same, if not paid in accordance with the conviction, may be levied by the sale of the vessel under the warrant of the convicting Magistrate or Justices. R.S.O. 1897, c. 270, s. 7, *part.* <sup>The Sale of vessel for payment of penalty. 10 Edw. VII c. 27.</sup>

(4) Upon return being made of the sale after satisfying the penalty and the costs of the sale, the overplus, if any, shall be paid to the owner of the vessel. R.S.O. 1897, c. 270, s. 9. <sup>Payment of balance after satisfying penalty and costs.</sup>

#### BEDS OF RIVERS AND STREAMS.

**11.**—(1) No person shall remove any stone, gravel, earth or sand from the bed of any river, stream or creek running between two municipalities, or over which a bridge has been erected, or through or under which a drainage pipe or water main has been laid by or at the instance of a municipal corporation, so as to endanger the safety of or injure such bridge, pipe or main, without the consent of the council of the municipality or municipalities within whose limits the stone, gravel, earth or sand is to be taken. <sup>Removal of stones, etc., from beds of certain streams prohibited.</sup>

(2) Any person who contravenes this section shall, for each offence, incur a penalty of not less than \$10, or more than \$25. R.S.O. 1897, c. 270, s. 11. <sup>Penalty.</sup>

(3) Prosecutions under this section shall be taken before a Police Magistrate of two Justices of the Peace. *New.* <sup>Prosecution.</sup>

#### PROCEDURE ON PROSECUTIONS.

**12.**—(1) The provisions of *The Ontario Summary Convictions Act* shall apply to prosecutions under this Act unless where otherwise expressly provided for. <sup>Recovery of penalties. 10 Edw. VII c. 37.</sup>

Magistrates  
to state  
application  
of penalty.

(2) The Police Magistrate or Justices shall, in the conviction, state to whom the penalty is to be paid, or between whom the same is to be apportioned. R.S.O. 1897, c. 270, s. 12. *Amended.*

Service of  
proceedings.

10 Edw. VII.  
c. 37.

**13.** In addition to the mode provided by *The Ontario Summary Convictions Act* for the service of a summons or other proceeding, the same may be served by leaving it, or a copy thereof, for the person to be served on board any vessel to which he belongs, with the person being, or appearing to be, in charge or command of the vessel. R.S.O. 1897, c. 270, s. 14. *Amended.*

Proof of  
consent.

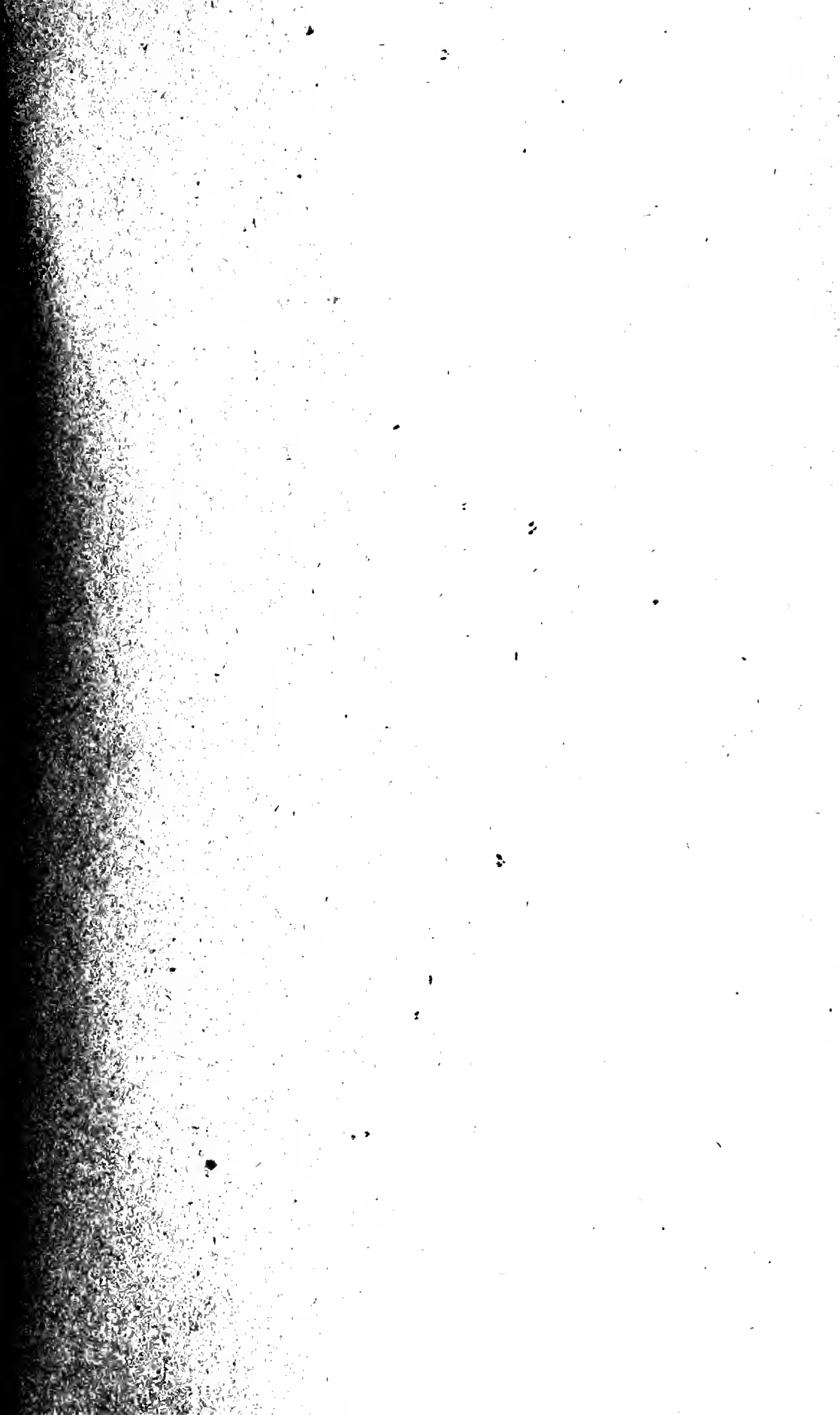
**14.** In any information or complaint, laid under sections 4 to 6, it shall be sufficient to allege that the act charged was done without consent; and if at the hearing it appears that the act charged was committed by the person charged in the information or complaint, the burden of proving consent or consents by this Act required, shall be upon him. R.S.O. 1897, c. 270, s. 15.

Variance  
between  
information  
and evidence  
as to owner-  
ship.

**15.** The name of the owner in the information may be changed to that of any other owner to accord with the evidence, and no question which may arise as to the title to the land shall affect the authority of the Magistrate or Justices to determine whether the consent of the owner has been obtained. R.S.O. 1897, c. 270, s. 16.

Repeal.

**16.** Chapter 270 of the Revised Statutes of Ontario, 1897, is repealed.







No. 83.

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1st Session, 13th Legislature.  
2 George V., 1912.

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**BILL.**

An Act to protect Beaches and Shores and  
Beds of Rivers and Streams.

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1st Reading,	1912.
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**Mr. REAUME.**

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**TORONTO:**

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



# BILL

## An Act respecting Money-Lending.

### PART I.

#### PRELIMINARY.

- Short title, s. 1.
- Interpretation, s. 2.
- Application of *Summary Convictions Act*, s. 3.
- Commencement of Act, s. 4.

### PART II.

#### RELIEF AGAINST UNCONSCIONABLE TRANSACTIONS.

- Jurisdiction of courts, s. 5.
- How powers of Courts may be invoked, s. 6.
- Application of Part, s. 7.
- Saving of certain rights, s. 8.

### PART III.

#### MONEY-LENDERS.

- Act not to affect certain classes of lenders, s. 9.
- Registration of money lenders, s. 10.
- Extra provincial corporations not to be registered, s. 11.
- Prohibitions, s. 12.
- Penalty, s. 13.
- Fraudulent statements or concealments by, s. 14.
- Burden of proof of registration, s. 15.
- Regulations, s. 16.

**H**IS Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

### PART I.

#### *Preliminary.*

1. This Act may be cited as *The Ontario Money-Lenders Act*. Short title.

2. In this Act:—

Interpretation.

- (a) "Cost of the loan" shall mean the whole cost to the debtor of money lent and shall include interest, discount, subscription, premium, dues, bonus, commission, brokerage fees and charges, but not actual lawful and necessary disbursements made to a Registrar of Deeds, a Master or Local Master of Titles, a Clerk of a County or District Court, a Sheriff or a Treasurer of a municipality. (*See 4 Edw. VII. c. 17, s. 4 (c)*); "Cost of the loan."

- "Court." (b) "Court" shall mean a Court having jurisdiction in an action for the recovery of a debt or money demand to the amount claimed by a creditor in respect of money lent;
- "Creditor." (c) "Creditor" shall include the person advancing money lent and the assignee of any claim arising or security given in respect of money lent;
- "Debtor." (d) "Debtor" shall mean and include a person to whom or on whose account money lent is advanced, and every surety and endorser or other person liable for the repayment of money lent or upon any agreement or collateral or other security given in respect thereof;
- "Money-lender." (e) "Money-lender" shall mean a person whose business is that of money-lending or who carries on that business in connection with any other business, whether the money lent is his own or that of any other person, or who advertises or holds himself out as, or who by any notice or sign indicates that he is a money lender;
- "Money lent." (f) "Money lent" shall include money advanced on account of any person in any transaction which, whatever its form may be, is substantially one of money-lending or securing the repayment of money so advanced;
- "Registrar." (g) "Registrar" shall mean the Registrar of Loan Corporations for Ontario.

Application  
of 10 Edw.  
VII., c. 37.

3. Every prosecution under this Act shall be taken before a Police Magistrate or two Justices of the Peace under *The Ontario Summary Convictions Act*.

Commence-  
ment of Act.

4. This Act shall come into force on the 1st day of June, 1912.

## PART II.

### *Relief Against Unconscionable Transactions.*

Jurisdiction  
of Courts.

Impl. Act,  
63-64 Vict.,  
c. 51. s. 1.

5. Where, in respect of money lent, the Court finds that having regard to the risk and to all the circumstances the cost of the loan is excessive and that the transaction is harsh and unconscionable, the Court may:—

- (a) Reopen the transaction and take an account Re-opening account. between the creditor and the debtor,
- (b) Notwithstanding any statement or settlement of Re-opening former settlements. account or any agreement purporting to close previous dealings and create a new obligation, reopen any account already taken and relieve the debtor from payment of any sum in excess of the sum adjudged by the Court to be fairly due in respect of the principal and the cost of the loan,
- (c) Order the creditor to repay any such excess if the Order for repayment of excess. same has been paid or allowed on account by the debtor,
- (d) Set <sup>aside</sup> either wholly or in part or revise or Setting aside or revising contract. alter any security given or agreement made in respect of the money lent, and, if the creditor has parted with the security, order him to indemnify the debtor.

6. The powers conferred by section 5 may be exercised How powers of Court may be invoked. in:—

- (a) An action or proceeding by a creditor for the In action by creditor. recovery of money lent;
- (b) An action by the debtor notwithstanding any In action by debtor. provision or agreement to the contrary, and notwithstanding that the time for repayment of the loan or any instalment thereof has not arrived;
- (c) An action or proceeding in which the amount due In other proceedings. or to become due in respect of money lent is in question.

7. This Part shall apply in respect of money lent after Application of Part I. the commencement of this Act and to any agreement or security made or taken after the commencement of this Act in respect of money lent either before or after the commencement of this Act.

8. Nothing in this Part shall affect the rights of a *bona fide* assignee or holder for value without notice, or derogate Saving as to rights of bona fide assignee for value and existing jurisdiction. from the existing powers or jurisdiction of any Court.

## PART III.

*Money-Lenders.*

Not to affect. 9. Sections 10 to 16 shall not apply to a:—

Pawn-  
brokers.

1 Geo. V.  
c. 50.

(a) Pawnbroker in respect of business carried on by him in accordance with the provisions of *The Pawnbrokers' Act*;

Insurance  
and loan  
corporations.

(b) Corporation registered under *The Ontario Insurance Act* or *The Loan Corporations Act*;

Banks.

(c) Chartered bank of Canada;

Persons  
lending in-  
cidentally  
in their  
business.

(d) Person carrying on any business not having for its primary object the lending of money, in the course of which and for the purposes of which he lends money;

Solicitors  
investing  
money for  
clients.

(e) Solicitor lending the money of a client and receiving for his services only solicitor's fees and disbursements, and a reasonable commission for procuring the investment, and who is not otherwise a party to the transaction or a sharer in the profits thereof, or liable to bear any loss arising therefrom; or

Trustees,  
etc.

(f) Trustee, executor, guardian, committee or person acting in any other fiduciary capacity and lending money in his hands in that capacity and receiving therefor only the remuneration fixed by the instrument creating the trust or appointing him, or by the order of a Court, and who is not a sharer in the profits of the investment or liable to bear any loss arising therefrom. (*See Impl. Act. 63-64 V. c. 51, s. 6.*)

Registration  
of money  
lenders.

10.—(1) Every money-lender carrying on business at the commencement of this Act shall register as a money-lender with the Registrar within one month after that date.

Register.

(2) The Registrar shall keep in his office a register to be called "The Money-Lenders' Register," in which he shall enter the name of every money-lender, the name under which the business of money-lending is to be carried on and the address, or all the addresses if more than one, at which it is carried on.

Duration of  
registry.

(3) The registration shall continue in force for one year from the date thereof.

**11.** No corporation shall be registered as a money-lender unless its head office is in Ontario and the directors or the members of the governing body thereof, by whatever name known, reside in Ontario. Corporations which may not be registered.

**12.** Subject to the provisions of subsection 1 of section 10, no person shall:— Prohibitions.

- (a) Carry on business as a money-lender without being registered; Carrying on business without registry.
- (b) Carry on such business otherwise than in his registered name, or in more than one name, or elsewhere than at his registered address; Or otherwise than as registered.
- (c) Enter into any agreement in the course of his business as a money-lender with respect to the advance of money lent, or take any security for money lent in the course of such business otherwise than in his registered name; Or transacting business in other than registered name.
- (d) On reasonable request and tender of a reasonable sum for expenses, fail to furnish a debtor for money lent with a copy of any document relating to the transaction. (*See Impl. Act, 63-64 V. c. 51, s. 2.*) Or failing to furnish copy of document.

Penalty.

**13.—**(1) Every person who violates the provisions of section 12 shall incur a penalty not exceeding \$200, and on conviction for a second or any subsequent offence shall be liable to imprisonment for a period not exceeding six months, or in the case of a corporation, shall incur a penalty not exceeding \$1,000.

(2) No prosecution for an offence under this section shall be commenced without the consent of the Attorney-General. Consent of Attorney-General required to prosecution.

**14.—**(1) Every money-lender and every manager, agent or clerk of a money-lender, and every director, manager or other officer of a corporation carrying on the business of a money-lender, who by any false, misleading or deceptive statement, representation or promise, or by any dishonest concealment of material facts, fraudulently induces or attempts to induce any person to borrow money or to be responsible for the repayment thereof, or to agree to the terms of any transaction with respect to money lent, shall incur a penalty not exceeding \$500. Fraudulent statements or concealment by money lenders. Imp. Act, 63, 64, V.C. 51, s. 4

(2) The Lieutenant-Governor in Council may direct the cancellation or suspension of the registration of any person convicted of an offence under subsection 1. Cancellation or suspension of registry.

Burden of  
proof of  
registration.

**15.** In every prosecution under this Part the burden of proof of registration shall be upon the person charged.

Regulations.

**16.** The Lieutenant-Governor in Council may make such regulations as he may deem expedient respecting the mode of registration, the fee to be paid thereon and the inspection of the register and the fees payable therefor and generally for better carrying out the provisions of this Part.



No. 84.

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4th Session, 12th Legislature.  
2 George V., 1912.

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**BILL.**

An Act respecting Money-Lending.

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1st Reading, 1912.

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Mr. Foy.

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



# BILL

## An Act for the better preventing of excessive and deceitful Gaming.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Gaming Act. New.* Short title.
2. Every agreement, note, bill, bond, confession of judgment, *cognovit actionem*, warrant of attorney to confess judgment, mortgage, or other security, or conveyance, the consideration for which or any part of it is money, or other valuable thing won by gaming, or playing at cards, dice, tables, tennis, bowls, or other game, or by betting on the sides or hands of the players, or for reimbursing, or repaying, any money knowingly lent or advanced, for such gaming, or betting, or lent, or advanced, at the time and place of such game or play, to any person so gaming, playing, or betting, or who, during such game or play, so plays, games, or bets, shall be deemed to have been made, drawn, accepted, given, or executed, for an illegal consideration. R.S.O. 1897, c. 329, s. 1. *Amended.*

Security given in gaming transaction for illegal consideration.

9 Anne, c. 19, (or c. 14 in Ruffhead's Ed.) s. 1, as amended by 2 Ed. VII., c. 1, s. 8.
3. If any person makes, draws, gives, or executes, any note, bill, or mortgage, for any consideration which is hereinafter declared to be illegal, and actually pays to any indorsee, holder, or assignee of such note, bill, or mortgage, the amount of the money thereby secured, or any part thereof, such money shall be deemed to have been paid for, and on account of, the person to whom such note, bill, or mortgage was originally given, and to be a debt due, and owing, from such last named person to the person who paid such money, and shall accordingly be recoverable by action. R.S.O. 1897, c. 329, s. 2. *Amended.*

Recovery back of money paid on gaming transaction Imp. Act, 5 & 6 W. 4, c. 41, s. 2.

When money lost at one sitting is \$40 the same may be recovered by loser, by action.

9 Anne, c. 19 (or c. 14 in Ruffhead's Ed.), s. 2.

**4.** Any person who, at any time or sitting, by playing at cards, dice, tables, or other game, or by betting on the sides or hands of the players, loses to any person so playing, or betting, in the whole, the sum or value of forty dollars or upwards, and pays or delivers the same or any part thereof, shall be at liberty, within three months thereafter, to sue for and recover, the money or thing so lost, and paid, or delivered, in any court of competent jurisdiction. R.S.O. 1897, c. 329, s. 3. *Amended.*

Wagers not recoverable at law. Imp. Act. 8 & 9 V., cap. 109, s. 18.

Proviso.

**5.** Every contract or agreement by way of gaming or wagering, shall be null and void; and no suit shall be brought or maintained for recovering any sum of money or valuable thing alleged to be won upon any wager, or which has been deposited in the hands of any person to abide the event on which any wager has been made; provided always, that this section shall not apply to any subscription or contribution, or agreement to subscribe or contribute, for or towards any plate, prize, or sum of money to be awarded to the winner of any lawful game, sport, pastime or exercise. *New.*

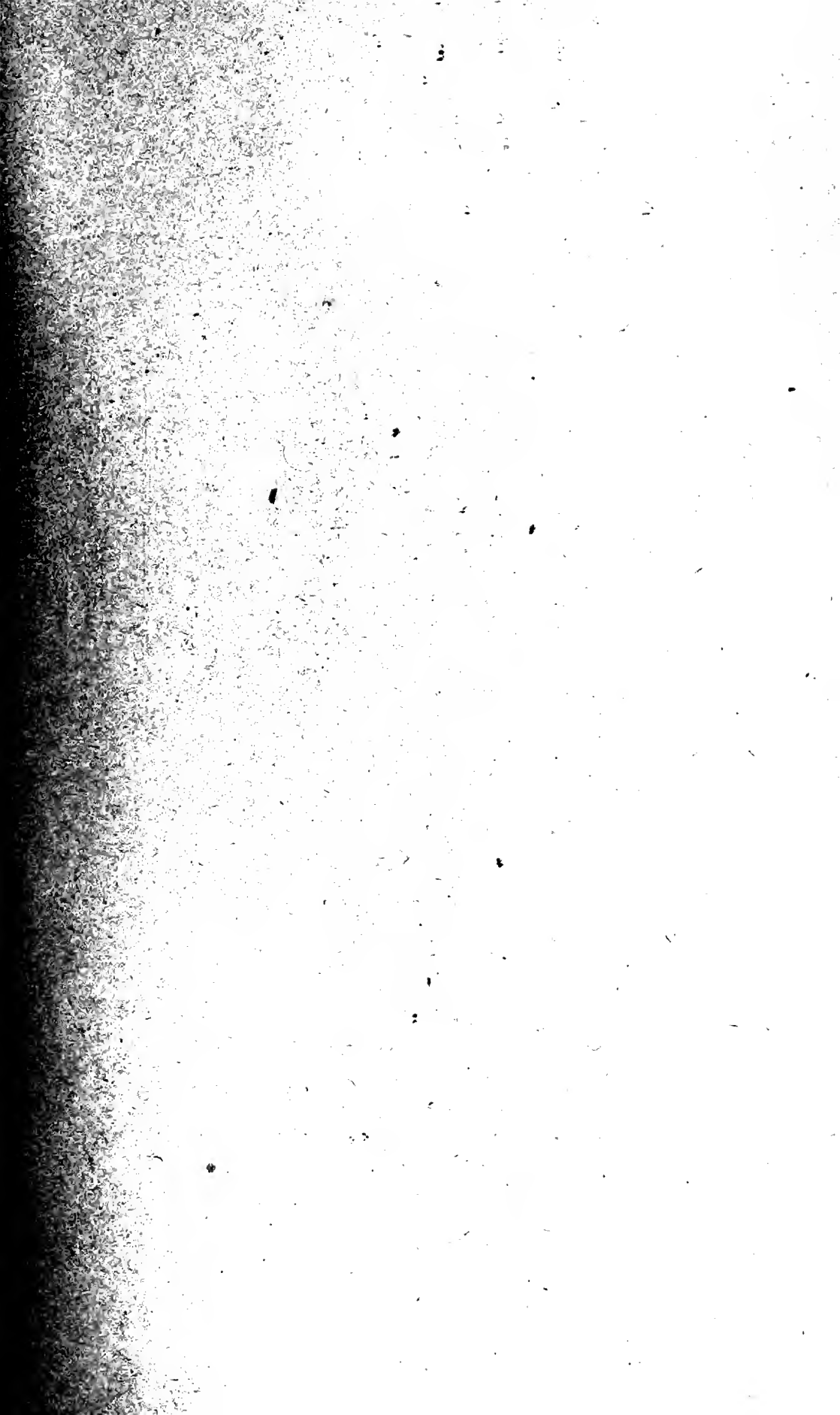
Promises to repay sums paid under contract void by section 5.

Imp. Act 55 & 56 V., c. 9, s. 1.

**6.** Any promise, express or implied, to pay any person any sum of money paid by him under or in respect of any contract or agreement rendered null and void by section 5, or to pay any sum of money by way of commission, fee, reward, or otherwise in respect of any such contract or agreement, or of any services in relation thereto or in connection therewith, shall be null and void, and no action shall be brought or maintained to recover any such sum of money. *New.*

Repeal.

**7.** Chapter 329 of the Revised Statutes, 1897, is repealed.



No. 85.

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1st Session, 13th Legislature.  
2 George V., 1912.

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BILL.

An Act for the better preventing of  
excessive and deceitful Gaming.

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Mr. FOY.

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

# BILL

## An Act to authorize and regulate the use of Traction Engines on Highways.

<p>TRACTION ENGINES MAY BE USED ON HIGHWAYS, s. 2</p> <p>CONDITIONS:</p> <p>Weight of engine, s. 2.</p> <p>Speed, s. 3.</p> <p>Width of wheels, s. 4</p> <p>Lights to be carried in cities, towns and villages, s. 5.</p> <p>BRIDGES ON NON-TOLL ROADS TO BE STRENGTHENED, s. 6.</p>	<p>PROVISIONS AS TO TOLL ROADS:</p> <p>Notice to gate-keepers, s. 7.</p> <p>Bridges to be strengthened, s. 8.</p> <p>Tolls, ss. 9-11.</p> <p>Penalties, ss. 12-13.</p> <p>RECOVERY OF DAMAGES, s. 14.</p> <p>REPEAL, s. 15.</p>
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**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Traction Engine Act*. Short title.  
*New.*
2. Traction engines not exceeding twenty tons in weight may be used upon any highway subject to the provisions hereinafter contained. Traction engines on highways. R.S.O. 1897, c. 242, ss. 1 and 2.  
*Amended.*

GENERAL CONDITIONS.

3. The speed of a traction engine shall at no time in cities, towns and villages exceed the rate of three miles an hour, or elsewhere the rate of six miles an hour. Speed. R.S.O. 1897, c. 242, s. 3. *Amended.*
4. The width of the driving wheels of all such engines shall be at least twelve inches, and the wheels of the trucks or waggon drawn thereby shall be at least four inches in width for the first two tons capacity, load and weight of truck included, and at least an additional half inch for each additional ton. width of wheels. R.S.O. 1897, c. 242, s. 4.

To carry red flag by day, and red light by night.

5. No traction engine shall be run through a city, town or village unless a messenger is sent at least fifteen and not more than thirty rods in advance, carrying a red flag by day and a bright red light by night. R.S.O. 1897, c. 242, s. 8.

(Note.—As to other precautions to be taken when travelling on highways see *The Highway Travel Act.*)

(As to the right of cities and towns to prohibit the use of traction engines on certain streets see *The Municipal Act*, s. 559 (3).)

#### BRIDGES TO BE STRENGTHENED.

Persons running engines to strengthen bridges, etc.

6.—(1) Before it shall be lawful to run such engine over any highway whereon no tolls are levied, the person proposing to run the same shall, at his own expense, strengthen all bridges and culverts to be crossed by such engine, and keep the same in repair so long as this highway is so used.

Owners of different engines to contribute.

(2) The cost of such repairs shall be borne by the owners of different engines in proportion to the number of engines run over such bridges or culverts. R.S.O. 1897, c. 242, s. 10 (1-2).

Certain threshing engines not affected.

(3) The two preceding subsections shall not apply to engines of less than eight tons in weight used for threshing purposes or for machinery in construction of roadways.

Planks to be laid on surface of bridge.

(4) Before crossing any such bridge or culvert the person proposing to run any traction engine shall lay down on such bridge or culvert planks of sufficient width and thickness to fully protect the flooring or surface of such bridge or culvert from any injury that might otherwise result thereto from the contact of the wheels of such engine; and in default thereof the person in charge and his employer, if any, shall be liable to the corporation of the municipality for all damage resulting to the flooring or surface of such bridge or culvert. 3 Edw. VII. c. 7, s. 43; 4 Edw. VII. c. 10, s. 60. *Amended.*

#### SPECIAL PROVISIONS AS TO TOLL ROADS.

Notice before use of roads.

7. Before any traction engine is run over a toll road, the person proposing to run the same shall leave a notice in writing to that effect with the keeper of any tollgate on such road at least two months previous to the running of such engine, and the notice shall also contain a correct statement of the weight of the heaviest engine proposed to be used. R.S.O. 1897, c. 242, s. 11.

**8.** The owner of such toll road, within two months after the delivery of such notice and upon receiving security for the cost of the improvements required, may cause all bridges and culverts upon the road to be so strengthened as, in the opinion of the Inspector of Toll Roads, will render them safe for the constant passing of such engines. R.S.O. 1897, c. 242, s. 12. *Re-drafted.*

Owners of toll roads to strengthen bridges, etc.

**9.—(1)** If the owner of such toll road neglects or refuses to comply with the requirements of the next preceding section, the person proposing to run such engine may do the necessary work at his own expense, and his outlay shall be repaid to him by the remission of tolls upon the passage of his engines, trucks and waggons through the gates upon such road until the whole of such outlay is repaid.

If they do not, owners of engines may do the work, and be reimbursed out of tolls.

**(2)** The work shall be performed to the satisfaction of the Inspector of Toll Roads. R.S.O. 1897, c. 242, s. 13. *Re-drafted.*

Work to be done to satisfaction of Inspector.

**10.** The owner of such toll road may levy such tolls as may be imposed by him upon the passage of any engine, truck or waggon through every lawful gate; and if the owner of the engine is dissatisfied with the rate of toll, the same shall be determined by the Inspector of Toll Roads. R.S.O. 1897, c. 242, s. 14, *first part amended.*

Tolls. Provision for arbitration.

**11.** The owner of the road may enforce the payment of such tolls in the manner provided by law for the collection of ordinary tolls upon such road. R.S.O. 1897, c. 242, s. 15. *Amended.*

Collection of tolls.

#### PENALTIES.

**12.** Every person who contravenes any of the provisions of this Act shall incur a penalty of not less than \$5 or more than \$25, recoverable under *The Ontario Summary Convictions Act*. R.S.O. 1897, c. 242, s. 16. *Re-drafted.*

Penalty for contravening Act.

**13.** The penalties when collected shall be paid over to the treasurer of the local municipality in which the offence was committed. R.S.O. 1897, c. 242, s. 19.

Application of penalties.

**14.** No penalty or imprisonment shall be a bar to the recovery of damages by an injured person. R.S.O. 1897, c. 242, s. 20.

Recovery of damages.

**15.** Chapter 242 of the Revised Statutes of Ontario, 1897, section 43 of Chapter 7 of the Act passed in the 3rd year and section 60 of Chapter 10 of the Acts passed in the 4th year of the reign of King Edward the Seventh are repealed. *New.*

Repeal.

No. 86.

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1st Session, 13th Legislature.  
2 George V., 1912.

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BILL.

An Act to authorize and regulate the use  
of Traction Engines on Highways.

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Dr. BEAULIEU.

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



# BILL

## An Act to regulate Travelling on Public Highways and Bridges.

SHORT TITLE, s. 1.	RACING AND DISORDERLY CONDUCT, s. 7.
INTERPRETATION, "VEHICLES," s. 2.	SLEIGH BELLS, s. 8.
RULES OF THE ROAD, ss. 3-5.	RULES AS TO USE OF DEVIL STRIP BY BICYCLES, ETC., s. 9.
Bicycles, ss. 3 (2), 4 (3).	BRIDGES, NOTICE AS TO SPEED ON s. 10.
Portable and traction engines, s. 5 (2-6).	PENALTIES, ss. 11-14.
DRUNKENNESS OF DRIVER OR RIDER, s. 6.	REPEAL, s. 15.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Highway Travel Act*. Short title.  
*New.*

**2.** In this Act "Vehicle" shall include a vehicle drawn by Interpretation, one or more horses, or other animals, a traction engine and "Vehicle." a motor vehicle. *New.*

### HIGHWAYS.

**3.**—(1) Where a person travelling or being upon a high- Vehicles meeting others to turn out to the right. way in charge of a vehicle meets another vehicle, he shall turn out to the right from the centre of the road, allowing to the vehicle so met one-half of the road. R.S.O. 1897, c. 236. s. 1 (1); 63 V. c. 40, s. 1 (1).

(2) Where a person travelling or being upon a highway in Vehicles meeting bicycles, etc. charge of a vehicle meets a person travelling upon a bicycle or tricycle he shall, where practicable, allow him sufficient room on the travelled portion of the highway to pass to the right. R.S.O. 1897, c. 236, s. 1 (2).

**4.**—(1) Where a person travelling or being upon a high- Vehicles or horsemen overtaken by others. way in charge of a vehicle as aforesaid, or on horseback, is overtaken by any vehicle or horseman travelling at greater

speed, the person so overtaken shall quietly turn out to the right and allow such vehicle or horseman to pass. R.S.O. 1897, c. 236, s. 2 (1).

Vehicles or horsemen overtaking others.

(2) Any person so overtaking another vehicle or horseman shall turn out to the left so far as may be necessary to avoid a collision with the vehicle or horseman so overtaken, and the person so overtaken shall not be required to leave more than one-half of the road free. R.S.O. 1897, c. 236, s. 2 (2).

Bicycles and tricycles overtaken by vehicles or horsemen

(3) Where a person travelling or being upon a highway on a bicycle or tricycle is overtaken by a vehicle or horseman travelling at a greater speed, the person so overtaken shall quietly turn out to the right and allow such vehicle or horseman to pass and the person so overtaking the bicycle or tricycle shall turn out to the left so far as may be necessary to avoid a collision. R.S.O. 1897, c. 236, s. 2 (3).

Bicycle overtaking vehicle, horseman or foot passenger to give warning.

(4) Where a person travelling upon a highway on a bicycle or tricycle overtakes any vehicle or horseman travelling at less speed, or a person travelling on foot, the person on the bicycle or tricycle shall give to the other person audible warning of his approach before attempting to pass. R.S.O. 1897, c. 236, s. 2 (4).

Driver unable to turn out is to stop.

5.—(1) Where one vehicle is met or overtaken by another, if by reason of the weight of the load on either of the vehicles so meeting or on the vehicle so overtaken, the driver finds it impracticable to turn out, he shall immediately stop, and, if necessary for the safety of the other vehicle, and if required so to do, he shall assist the person in charge thereof to pass without damage.

Portable and traction engines meeting other vehicles.

(2) Where a portable or traction engine is met or overtaken on a highway by a vehicle drawn by a horse or other animal, or by a horseman, the driver of the engine shall, if practicable, turn out to the right, and give such vehicle or horseman at least one-half of the road, and shall in all cases stop and remain stationary until the vehicle or horseman has safely passed, and shall, if requested by the driver of the vehicle or by the horseman, assist such driver or horseman to pass without damage.

Stopping engine.

(3) Every person in charge of a portable or a traction engine, and being upon a highway and about to meet or be passed by a vehicle drawn by a horse or other animal, or by a horseman, shall stop when at a distance of not less than one chain from such vehicle or horseman and shall remain stationary until the vehicle or horseman shall have safely passed such engine.

Lights to be carried ahead of engine.

(4) Where any such engine is using a highway or bridge between sunset and sunrise, it shall be the duty of all per-

sons in charge thereof to see that some person shall walk, ride or drive ahead of it, carrying a light so as to give warning to persons in charge of approaching vehicles or animals, such person with such light to be and continue at least one chain in front of the engine; and it shall be the duty of such person also to warn the driver of such engine to stop when an animal or vehicle is drawing near, and also to warn the person in charge of such animal or vehicle of such engine.

(5) Every such engine shall, after sunset and before sunrise, carry a bright red light in a conspicuous place in front, and a green light on the rear of the engine or of any vehicle which may be attached to it.

Lights to be carried on engine.

(6) It shall be the duty of the driver or of the person in charge of any such engine to see that it makes no noise by whistling or otherwise when any horse or animal is passing or is near or is about to pass the same on any highway.

Noises not to be made when passing horses, etc.

R.S.O. 1897, c. 236, s. 3.

6. Where a person in charge of a vehicle or of a horse or other animal used as a means of conveyance, travelling or being on a highway, is, through drunkenness, unable to drive or ride the same with safety to other persons travelling on or being upon the highway, he shall incur the penalties imposed by this Act. R.S.O. 1897, c. 236, s. 4.

Drunkenness of driver or rider.

7. No person shall race with or drive furiously any horse or other animal, or shout, or use any blasphemous or indecent language upon any highway. R.S.O. 1897, c. 236, s. 5.

Racing and disorderly conduct.

8. Every person travelling upon a highway with a sleigh, sled, or cariole, drawn by a horse or other animal, shall have at least two bells attached to the harness. R.S.O. 1897, c. 236, s. 6.

Sleigh bells.

9. Where a person travelling upon a bicycle or tricycle in a northerly or westerly direction upon the central strip between the double tracks of a surface railway meets another person on a bicycle or tricycle travelling in an opposite direction he shall turn out to the right, allowing to such other person the whole of the central strip. R.S.O. 1897, c. 236, s. 7.

Bicycles on devil strips.

*Amended.*

#### BRIDGES.

10.—(1) The person who has the superintendence of any bridge exceeding thirty feet in length may cause to be put up at each end thereof, conspicuously placed, a notice legibly printed, in the following form:

Notice to be posted at bridges.

Form of. "Any person or persons riding or driving on or over this bridge at a faster rate than a walk will, on conviction thereof, be subject to a fine, as provided by law."

R.S.O. 1897, c. 236, s. 8.

Penalty for defacing. (2) A person who injures or interferes with such notice shall incur a penalty of not less than \$1 or more than \$8. R.S.O. 1897, c. 236, s. 9.

Violation of prohibition notice. (3) If, while such notice continues up, a person rides or drives a horse or other animal on or over such bridge at a pace faster than a walk, he shall incur the penalties imposed by this Act. R.S.O. 1897, c. 236, s. 10; 4 Edw. VII. c. 10, s. 59.

#### RECOVERY AND APPLICATION OF PENALTIES.

Penalty. **11.** Where not otherwise specially provided, any person contravening this Act shall incur a penalty of not less than \$1 nor more than \$20. R.S.O. 1897, c. 236, s. 11.

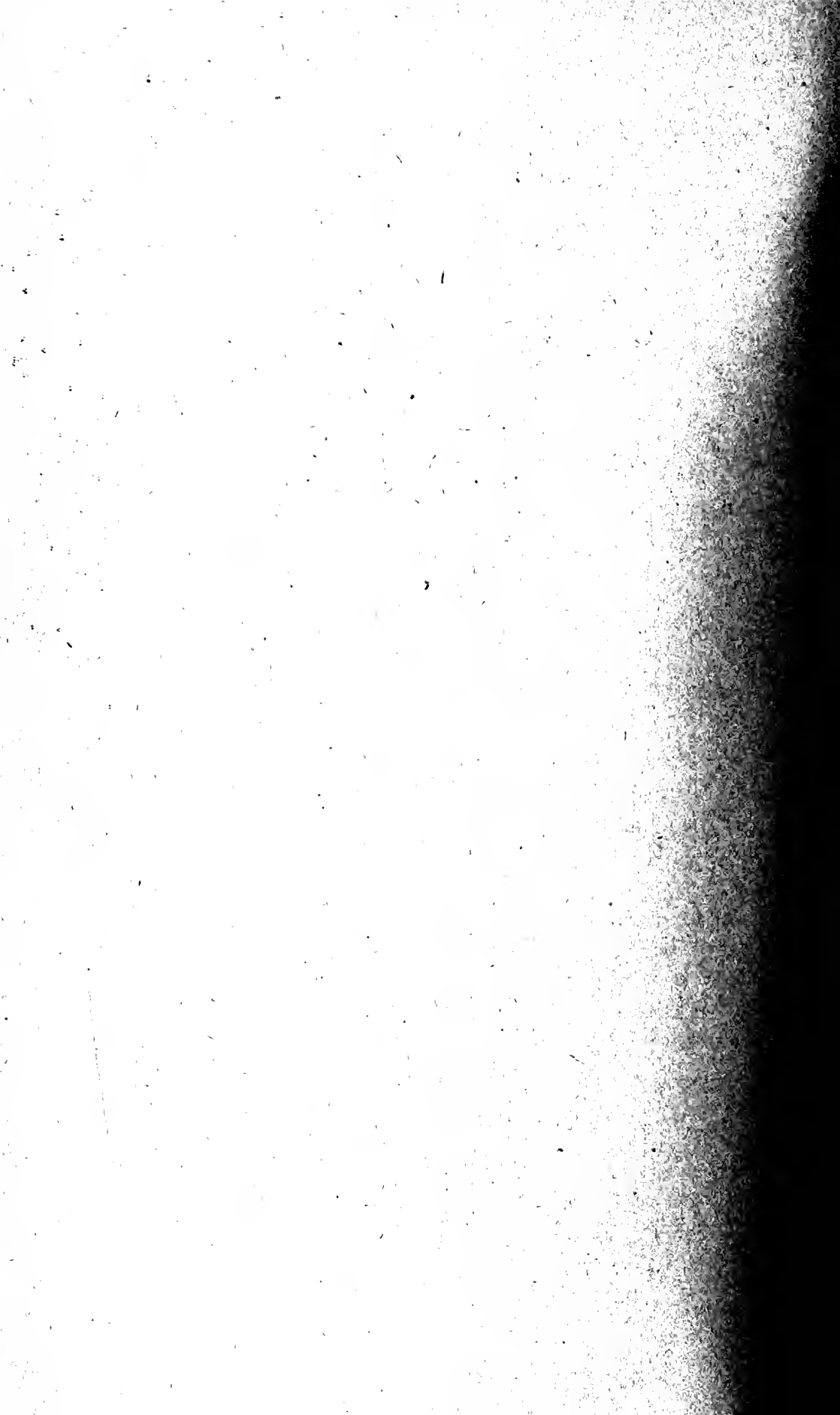
Action for damages not barred. **12.** No penalty or imprisonment shall be a bar to the recovery of damages by the injured person. R.S.O. 1897, c. 236, s. 14.

Application. **13.** Every fine when collected shall be paid to the treasurer of the local municipality or place in which the offence was committed, and shall be applied to the general purposes thereof, unless the offence was committed on a road or bridge, owned by a company, or person, and such company, or person, or the officer or servant of such company, or person is the complainant, in which case the penalty when collected shall be paid over to such company, or person. R.S.O. 1897, c. 236, s. 15.

Recovery. **14.** The penalties imposed by or under the authority of this Act shall be recoverable under *The Ontario Summary Convictions Act*.  
10 Edw. VII., c. 37.

Repeal. **15.** Chapter 236 of the Revised Statutes of Ontario, 1897, chapter 40 of the Acts passed in the 63rd year of the reign of Queen Victoria, and section 59 of chapter 10 of the Acts passed in the 4th year of the reign of King Edward the Seventh are repealed.







No. 87.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to regulate Travelling on Public  
Highways and Bridges.

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Mr. HANNA.

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



# BILL

## An Act to regulate the Speed and Operation of Motor Vehicles on Highways.

SHORT TITLE, s. 1.	APPLICATION OF s. 540 OF MUNICIPAL ACT, s. 21.
INTERPRETATION, s. 2.	REVOCAION OF PERMITS AND LICENSES, s. 22.
REGISTRATION FEES, s. 3.	COPIES OF ACT, ETC., TO BE FURNISHED, s. 23.
DRIVER'S LICENSE, ss. 4, 5, 22.	DISPROVING NEGLIGENCE, ONUS OF, s. 24.
ALARM BELL; LAMPS, s. 6.	CONVICTIONS: cumulative, s. 25 (2).
MARKER ON BACK, ss. 7-9.	Provincial Secretary to be notified of, s. 27.
RATE OF SPEED, ss. 10-12.	CHAUFFEUR, DISQUALIFICATION OF, s. 26.
DRIVERS:	IMPOUNDING VEHICLE, s. 28.
Limit of age, s. 13.	PENALTIES, ss. 25 (1), 30, 31, 35.
Intoxicated persons, s. 14.	ARRESTS WITHOUT WARRANTS, ss. 32-34.
RULES OF THE ROAD: 15-18.	REPEAL, s. 36.
Standing car, s. 15.	
Frightening horses; stopping on signal, s. 16.	
Funeral procession, meeting, s. 17.	
Accident, duty in case of, s. 18.	
OWNER, LIABILITY OF, s. 19.	
LOCKING VEHICLES WHEN UNUSED, s. 20.	

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. This Act may be cited as *The Motor Vehicles Act*. Short title. 9 Edw. VII. c. 81, s. 1 (1).

2. In this Act,

Interpretation.

(a) "Highway" shall include public park, parkway "Highway." and driveway. *New.*

(b) "Motor vehicle" shall include automobile, locomotive, motor bicycle, and any other vehicle propelled or driven otherwise than by muscular power; but shall not include the cars of electric or steam railways, or other motor vehicles running only upon rails or a traction engine within "Motor vehicle."

the meaning of *The Traction Engines Act.* 6 Edw. VII. c. 46, s. 1, *amended.*

"Peace officer."

(c) "Peace Officer" shall include a mayor, warden, reeve, sheriff, deputy sheriff, sheriff's officer, justice of the peace, gaoler or keeper of a prison, and a police officer, police constable, bailiff, constable or other person employed for the preservation and maintenance of the public peace, or for the service or execution of civil process. *New.* See R.S.C. c. 146, s. 2, *par.* 26.

Registration fee to be paid to Provincial Secretary.

3.—(1) The owner of every motor vehicle driven on a highway shall pay to the Provincial Secretary a registration fee for such motor vehicle.

Permits.

(2) The Provincial Secretary shall issue for each motor vehicle so registered a numbered permit stating that such motor vehicle is registered in accordance with this Act, and shall cause the name of such owner, his address and the number of his permit, to be entered in a book to be kept for such purpose.

Regulations.

(3) The Lieutenant-Governor in Council may make regulations regarding renewals and transfers of such permits, the payment of fees therefor, the amount and time of payment of such fees, and the registration and operation of motor vehicles owned by manufacturers or dealers and not kept by them for private use. 6 Edw. VII. c. 46, s. 2. *Amended.*

Paid drivers to be licensed.

4.—(1) No person shall for hire, pay or gain drive a motor vehicle on a highway unless he is licensed to do so, and no person shall employ anyone so to drive a motor vehicle who is not so licensed.

Terms of license.

(2) The license for such purpose may be issued by the Provincial Secretary to such person for such time and upon such terms and subject to such regulations and restrictions as the Lieutenant-Governor in Council may prescribe. 8 Edw. VII. c. 53, s. 1. *Amended.*

Production of license.

5. A license must be produced by any person driving a motor vehicle for hire, pay or gain when demanded by a peace officer. 9 Edw. VII. c. 81, s. 1 (2). *Amended.*

Alarm bell to be sounded at crossings, etc.

6.—(1) Every motor vehicle shall be equipped with an alarm bell, gong or horn, and the same shall be sounded whenever it shall be reasonably necessary to notify pedestrians or others of its approach. 6 Edw. VII. c. 46, s. 5 (1), *part.*

(2) Whenever in motion on a highway after dusk and before dawn, every motor vehicle shall carry on the front thereof a lighted lamp in a conspicuous position displaying prominently upon the glass thereof the number of the permit in figures painted black not less than two inches in height, and the glass shall be ground or stippled with white paint. 6 Edw. VII. c. 46, s. 5 (1), *part redrafted*. Lamps.

7. A motor bicycle while being driven on a highway shall have exposed on the back thereof a marker furnished by the Provincial Secretary showing in plain figures not less than three inches in height the number of the permit of such motor bicycle. 6 Edw. VII. c. 46, s. 5 (1), *last part redrafted*. Marker on back of motor bicycle showing number of permit.

8.—(1) Every motor vehicle other than a motor bicycle while being driven on a highway, shall have attached to and exposed on the front and back thereof, in a conspicuous position, a marker furnished by the Provincial Secretary showing in plain figures not less than five inches in height the number of the permit. Marker on front and back of other motor vehicles showing number of permit.

(2) The marker on the front shall be as far forward and as high from the ground as may be necessary to render it distinctly visible, and the marker on the back shall be so placed that the lower edge thereof shall not be lower than the body of the motor vehicle. 6 Edw. VII. c. 46, s. 3 (1). *Amended*. Position of marker.

(3) Every such motor vehicle shall carry a lamp so placed as to illuminate conspicuously at all times between dusk and dawn the number placed on the back of the vehicle. 6 Edw. VII. c. 46, s. 5 (2). Position of lamp.

9.—(1) No number other than that upon the marker furnished by the Provincial Secretary shall be exposed on any part of a motor vehicle. 6 Edw. VII. c. 46, s. 3 (2). *Amended*. No other numbers to be exposed.

(2) The numbers shall be kept free from dirt and obstruction and the markers shall be so affixed that the numbers may be at all times plainly visible. 6 Edw. VII. c. 46, s. 4. *Amended*. Numbers to be kept clean.

(3) No motor vehicle shall carry what is known to the trade as a search light. 6 Edw. VII. c. 46, s. 5 (3). Search light.

10. No motor vehicle shall be driven upon any highway within a city, town or village at a greater rate of speed than ten miles an hour, or upon any highway outside of a city, Rate of speed.

town or village at a greater rate of speed than fifteen miles an hour; but the council of a city, town, township or village may by by-law set apart any highway or any part thereof on which motor vehicles may be driven at a greater rate of speed for the purpose of testing the same, and may pass by-laws for regulating and governing the use of any such highway or part thereof for such purpose. 6 Edw. VII. c. 46, s. 6. *Amended.*

Not to be recklessly driven.

**11.** Notwithstanding the provisions of the next preceding section, any person who drives a motor vehicle on a highway recklessly or negligently, or at a speed or in a manner which is dangerous to the public, having regard to all the circumstances, including the nature, condition and use of the highway and the amount of traffic which actually is at the time, or which might reasonably be expected to be on the highway, shall be guilty of an offence under this Act. 6 Edw. VII. c. 46, s. 7. *Amended.*

Not to be driven in a race or for a bet on a highway.

**12.** No person shall drive a motor vehicle upon a highway, in a race or on a bet or wager 6 Edw. VII. c. 46, s. 8. *Amended.*

Persons under 17 not to drive.

**13.** No person under the age of seventeen years shall drive a motor vehicle. 8 Edw. VII. c. 53, s. 2.

Intoxicated persons not to drive.

**14.** No intoxicated person shall drive a motor vehicle. 6 Edw. VII. c. 46, s. 9.

Not to pass a standing car.

**15.** No motor vehicle shall pass or attempt to pass a street car which is stationary for the purpose of taking on or discharging passengers. 9 Edw. VII. c. 81, s. 1 (3), *amended.*

Persons in charge of vehicle to use reasonable precaution not to frighten horses and to stop on signal.

**16.** Every person having the control or charge of a motor vehicle shall, when upon a highway and approaching any vehicle drawn by a horse, or a horse upon which any person is riding, operate, manage and control such motor vehicle in such manner as to exercise every reasonable precaution to prevent the frightening of such horse and to ensure the safety and protection of any person riding or driving the same, and outside the limits of any city or town shall not approach such horse within one hundred yards, or pass the same going in the opposite direction at a greater rate of speed than seven miles an hour, and if going in the same direction shall signal his desire to pass and give the rider or driver an opportunity to turn out so that he may be passed with safety, and if any such horse going in the opposite direction appears to be frightened or if such person is signalled so to do, he shall stop such motor vehicle, including the motor, and shall remain stationary so long as may be necessary to allow such rider or

Meeting or overtaking horses and vehicles.

driver to pass or until directed by him to proceed; and in case any animal ridden or driven by such rider or driver appears to be frightened, such person and the occupants of the motor vehicle shall render assistance to such rider or driver. 6 Edw. VII. c. 46, s. 10; 8 Edw. VII. c. 53, s. 3. *Amended.*

**17.** The driver of a motor vehicle upon any highway outside the limits of a city shall upon meeting or overtaking a funeral procession stop his vehicle including the motor or where practicable shall turn out into an intersecting highway or lane until the funeral procession has passed. 8 Edw. VII. c. 53, s. 4. *Amended.*

Driver of motor vehicle to stop on meeting funeral procession.

**18.** If an accident occurs to any person on foot or horseback, or in a vehicle, or to any horse or vehicle in charge of any person, owing to the presence of a motor vehicle on a highway, the person in charge of such motor vehicle shall return to the scene of the accident and give in writing to anyone sustaining loss or injury his name and address, and also the name and address of the owner of such motor vehicle, and the number of the permit. 6 Edw. VII. c. 46, s. 11; 8 Edw. VII. c. 53, s. 5. *Amended.*

Duty of person in charge in case of accident.

**19.** The owner of a motor vehicle shall be responsible for any violation of this Act or of any regulation prescribed by the Lieutenant-Governor in Council. 6 Edw. VII. c. 46, s. 13. *Amended.*

Motor owner responsible.

**20.** Every motor vehicle shall be provided with a lock, key, or other device to prevent such vehicle being set in motion and no vehicle shall be permitted to stand or remain unattended in any shed, highway or public place unless the same has been first locked or made fast. 6 Edw. VII. c. 46, s. 14. *Amended.*

Motors to be locked when unused.

**21.** No provision of any by-law heretofore or hereafter passed under paragraph 7 of section 540 of *The Consolidated Municipal Act, 1903*, which is inconsistent with the provisions of this Act shall affect or apply to motor vehicles. 6 Edw. VII. c. 46, s. 15.

3 Edw. VII. c. 19, s. 540, paragraph 7, not to apply.

**22.** The Provincial Secretary may at any time for misconduct or infraction of the provisions of this Act or of any regulation thereunder by an owner or driver of a motor vehicle suspend or revoke any permit or license. 6 Edw. VII. c. 46, s. 16; 8 Edw. VII. c. 53, s. 6. *Redrafted.*

Provincial Secretary may revoke permit or licenses.

Provincial Secretary to furnish copies of Act and lists of permits and licenses.

**23.** The Provincial Secretary shall furnish all Clerks of the Peace with copies of this Act and of the regulations thereunder for distribution to the constables of all counties, districts and local municipalities, and he shall also furnish copies of this Act to the clerks of all local municipalities, to be posted up in conspicuous places, and shall also furnish on the first days of May and September in each year to the clerks of all such municipalities lists of all persons to whom permits and licenses are issued. 6 Edw. VII. c. 46, s. 17. *Amended.*

In case of accident onus cast upon motor owners.

**24.** When loss or damage is sustained by any person by reason of a motor vehicle on a highway, the onus of proof that such loss or damage did not arise through the negligence or improper conduct of the owner or driver of the motor vehicle shall be upon the owner or driver. 6 Edw. VII. c. 46, s. 18; 8 Edw. VII. c. 53, s. 7. *Amended.*

Penalties.

**25.**—(1) Any person who violates any of the provisions of section 8, subsection 1 of section 9, section 12 or section 18 shall be liable for the first offence to a penalty of \$50 or one week's imprisonment or both; for the second offence to a penalty of \$100 or one month's imprisonment or both, and for the third or any subsequent offence to imprisonment not exceeding six months. 9 Edw. VII. c. 81, s. 1 (4). *Part amended.*

Convictions cumulative.

(2) On a charge for a second, third or subsequent offence under this section, a conviction need not be shown to be for an offence against the same section, but a conviction for an offence against section 8, subsection 1 of section 9, section 12 or section 18, shall be deemed to be a prior conviction. 9 Edw. VII. c. 81, s. 1 (4). *Part amended.*

Chauffeur may be disqualified.

**26.**—(1) A Police Magistrate or Justice of the Peace before whom a person is convicted of an offence under this Act, if the person convicted is required to hold a license under section 4 and does not hold such license, may declare him disqualified to hold such a license for such time as the Police Magistrate or Justice of the Peace thinks fit and shall so report with the certificate of the conviction to the Provincial Secretary.

Convictions to be endorsed on license.

(2) If the person convicted holds a license issued under section 4, the Police Magistrate or Justice of the Peace shall cause particulars of the conviction, if for an offence against section 4, section 8, subsections 1 and 2 of section 9, sections 11, 12, 14, 16, 17 or 18, to be endorsed upon such license, and if such conviction is a third conviction, shall confiscate

such license and any badge issued therewith, and shall forward the same with the certificate of the conviction to the Provincial Secretary.

(3) A person so convicted if he holds a license issued under section 4 shall produce the license within a reasonable time for the purpose of endorsement, and if he fails to do so shall be guilty of an offence under this Act. 9 Edw. VII. c. 81, s. 1 (5). *Amended.* Production of license.

**27.**—(1) A Police Magistrate or Justice of the Peace who makes a conviction under this Act shall forthwith certify the same to the Provincial Secretary, setting out the name, address and description of the person so convicted, the number of the permit of the motor vehicle with which the offence was committed, the number of the section of the Act contravened and the time the offence was committed, and if such offence was committed by a person licensed under section 4 the number of the license and the name, address and description of his employer, and if three such convictions for an offence against section 8, subsection 1 of section 9, section 12 or section 18, are made against the same person the permit of the motor vehicle with which the offence, for which such third conviction was made, was committed, or the license issued under section 4, or both, may be cancelled and the offender shall not be entitled to a permit or license for a period of two years thereafter. Justice to certify conviction to Provincial Secretary.

(2) The Police Magistrate or Justice of the Peace shall be entitled to add to the costs of the conviction twenty-five cents for his costs of the certificate. 9 Edw. VII. c. 81, s. 1 (6). *Amended.* Costs of certificate.

(3) A copy of the certificate, certified by the Provincial Secretary or Assistant Provincial Secretary under the seal of the Provincial Secretary, shall be *prima facie* evidence of the conviction. 9 Edw. VII. c. 81, s. 1 (4). *Part amended.* Proof of prior convictions.

**28.**—(1) In the event of a third or subsequent conviction, the motor vehicle driven by the person convicted at the time of committing the offence of which he was convicted, shall be seized, impounded and taken into the custody of the law for a period of three months. Motor vehicle may be impounded.

(2) Such motor vehicle shall be stored where the convicting Police Magistrate or Justice of the Peace shall direct, and all costs and charges for the care or storage thereof shall be a lien upon such motor vehicle, and the same may be enforced Storage of vehicles and lien therefor, 10 Edw. VII. c. 69.

in the manner provided by *The Mechanics' and Wage-Earners' Lien Act*.

Release of  
vehicle on  
security  
given by  
owner.

(3) If the person so convicted gives sufficient security to the convicting Police Magistrate or Justice of the Peace by bond, recognizance or otherwise, that such motor vehicle shall not be operated upon any highway during such period of three months, the same may be delivered to the person so convicted or the owner thereof, and if such motor vehicle is operated upon a highway during such period, it shall be deemed to be operated without a permit. 9 Edw. VII. c. 81, s 1 (7). *Amended*.

Owner  
may be  
prosecuted.

**29.** If the employer of a person driving a motor vehicle for hire, pay or gain is present in the motor vehicle at the time of the committing of any offence against this Act, such employer as well as the driver shall be liable to conviction for such offence. 9 Edw. VII. c. 81, s. 1 (8). *Amended*.

Penalties.

**30.** Any person who violates any of the provisions of this Act or of any regulation made thereunder, where a penalty for the offence is not hereinbefore provided, shall incur a penalty of not more than \$50. 6 Edw. VII. c. 46, s. 20; 9 Edw. VII. c. 81, s. 1 (9). *Redrafted*.

Application  
of penalty  
where con-  
stable or  
municipal  
officer  
prosecutes.

**31.** Where a constable or other officer of a municipality is the prosecutor any penalty imposed under this Act shall, when received, be paid over by the convicting Police Magistrate or Justice of the Peace to the treasurer of the municipality. 1 Geo. V. c. 61, s. 1. *Amended*.

Arrests  
without  
warrant.

**32.**—(1) Every peace officer who on reasonable and probable grounds believes that an offence against any of the provisions of section 8, subsection 1 of section 9, section 12 or section 18 has been committed, whether it has been committed or not, and who, on reasonable and probable grounds, believes that any person has committed that offence, may arrest such person without warrant, whether such person is guilty or not. 6 Edw. VII. c. 46, s. 21. *Amended*.

Assisting  
peace  
officers.

(2) Every person called upon to assist a peace officer in the arrest of a person suspected of having committed any such offence may assist if he knows that the person calling on him for assistance is a peace officer, and does not know that there are no reasonable grounds for the suspicion. 6 Edw. VII. c. 46, s. 22. *Amended*.

Arresting  
without  
warrant  
on view of  
offence.

(3) Every person may arrest without warrant any person whom he finds committing any such offence. 6 Edw. VII. c. 46, s. 23. *Amended*.



**33.** A peace officer or other person making an arrest without warrant may detain the motor vehicle with which the offence was committed until the final disposition of any prosecution under this Act, but such motor vehicle may be released on security for its production being given to the satisfaction of a Justice of the Peace. 6 Edw. VII. c. 46, s. 24. *Amended.*

Detaining  
vehicle  
when  
arrest  
made.

**34.** A peace officer or other person making an arrest without warrant shall, with reasonable diligence take the person arrested before a Justice of the Peace, to be dealt with according to law. 6 Edw. VII. c. 46, s. 25. *Amended.*

Person  
arresting  
without  
warrant.

**35.** The penalties provided by this Act shall be recoverable under *The Ontario Summary Convictions Act*. *New.*

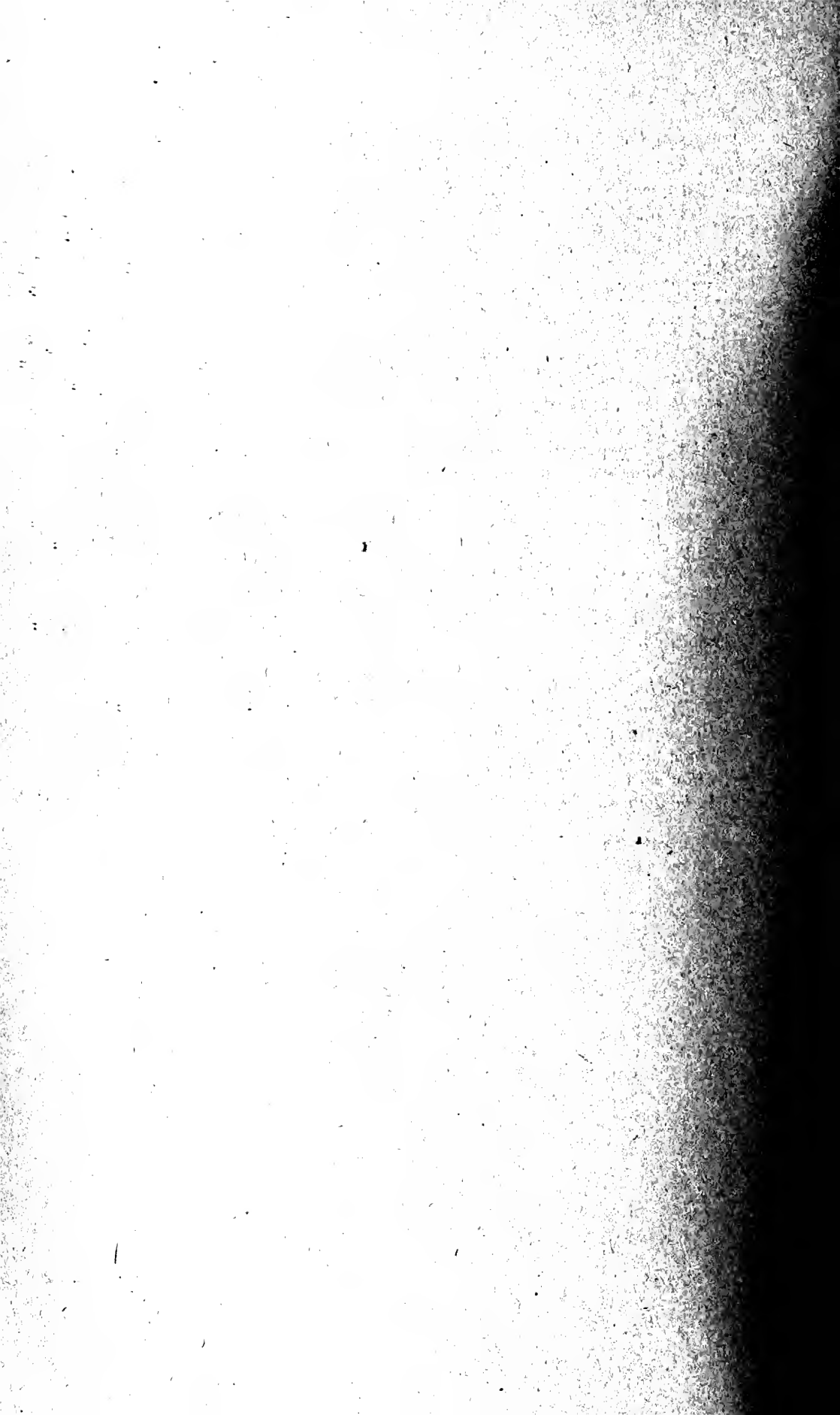
Recovery of  
penalties.

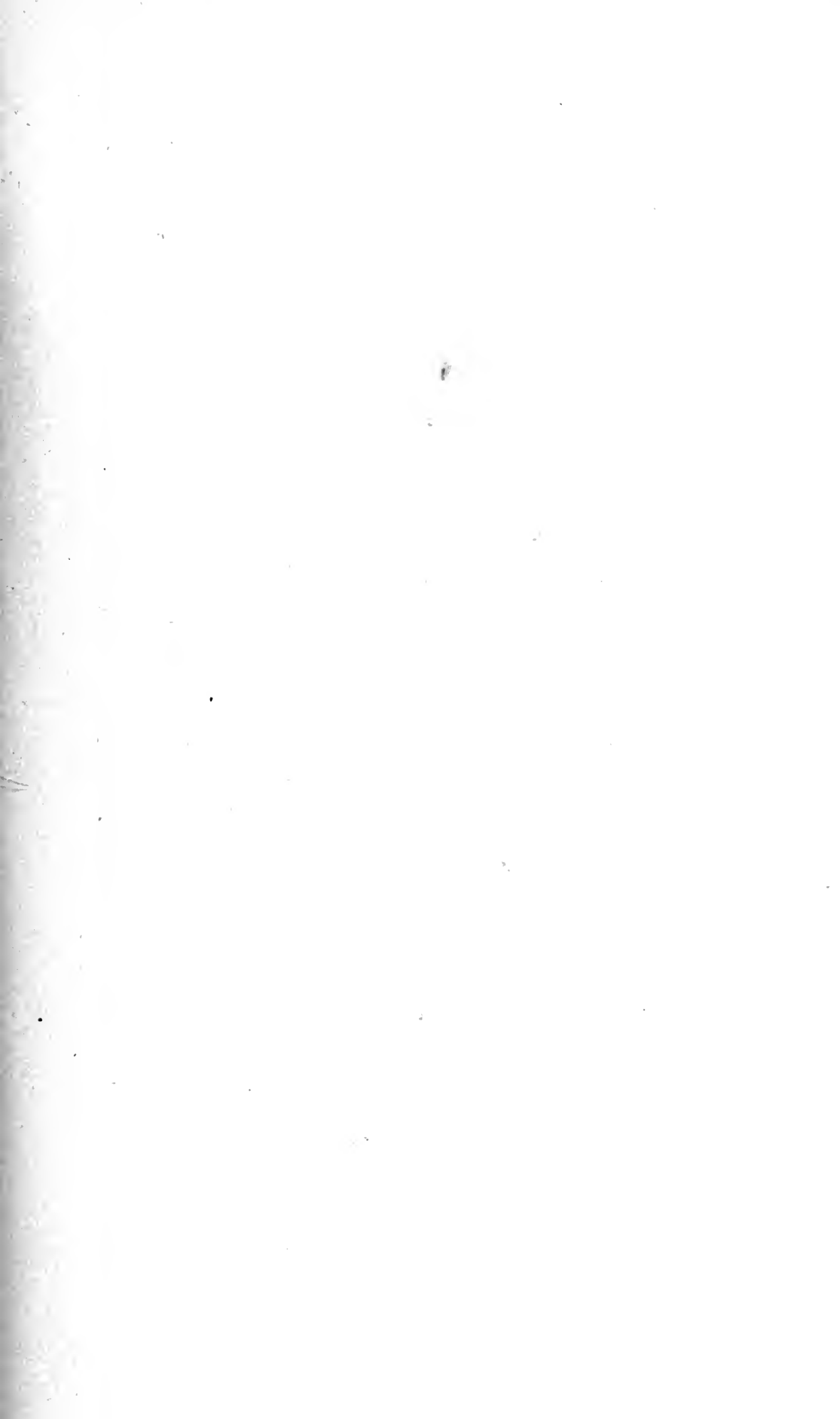
**36.** Chapter 46 of the Acts passed in the 6th year; Chapter 53 of the Acts passed in the 8th year, and Chapter 81 of the Acts passed in the 9th year of the reign of King Edward the Seventh, and Chapter 61 of the Acts passed in the first year of the reign of His Majesty King George the Fifth are repealed.

Repeal of  
former en-  
actments.

*Section 285 of the Criminal Code reads as follows:*

*Every one is guilty of an indictable offence and liable to two years' imprisonment who, having the charge of any carriage or vehicle, by wanton or furious driving, or racing or other wilful misconduct, or by wilful neglect, does or causes to be done any bodily harm to any person.*





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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to regulate the Speed and  
Operations of Motor Vehicles  
on Highways.

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Mr. HANNA.

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

# BILL

## An Act to regulate the Speed and Operation of Motor Vehicles on Highways.

SHORT TITLE, s. 1.	APPLICATION OF s. 540 OF MUNICIPAL ACT, s. 21.
INTERPRETATION, s. 2.	REVOCATION OF PERMITS AND LICENSES, s. 22.
REGISTRATION FEES, s. 3.	COPIES OF ACT, ETC., TO BE FURNISHED, s. 23.
DRIVER'S LICENSE, ss. 4, 5, 22.	DISPROVING NEGLIGENCE, ONUS OF, s. 24.
ALARM BELL; LAMPS, s. 6.	CONVICTIONS: cumulative, s. 25 (2).
MARKER ON BACK, ss. 7-9.	Provincial Secretary to be notified of, s. 27.
RATE OF SPEED, ss. 10-12.	CHAUFFEUR, DISQUALIFICATION OF, s. 26.
DRIVERS:	IMPOUNDING VEHICLE, s. 28.
Limit of age, s. 13.	PENALTIES, ss. 25 (1), 30, 31, 35.
Intoxicated persons, s. 14.	ARRESTS WITHOUT WARRANTS, ss. 32-34.
RULES OF THE ROAD: 15-18.	REPEAL, s. 36.
Standing car, s. 15.	
Frightening horses; stopping on signal, s. 16.	
Funeral procession, meeting, s. 17.	
Accident, duty in case of, s. 18.	
OWNER, LIABILITY OF, s. 19.	
LOCKING VEHICLES WHEN UNUSED, s. 20.	

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. This Act may be cited as *The Motor Vehicles Act*. <sup>Short title.</sup>  
9 Edw. VII. c. 81, s. 1 (1).

2. In this Act,

Interpretation.

- (a) "Highway" shall include public park, parkway <sup>"Highway."</sup> and driveway. *New.*
- (b) "Motor vehicle" shall include automobile, loco-<sup>"Motor vehicle."</sup> mobile, motor bicycle, and any other vehicle propelled or driven otherwise than by muscular power; but shall not include the cars of electric or steam railways, or other motor vehicles running only upon rails or a traction engine within

2 Geo. V.  
c. —

the meaning of *The Traction Engines Act.* 6 Edw. VII. c. 46, s. 1, *amended.*

"Peace officer."

(c) "Peace Officer" shall include a mayor, warden, reeve, sheriff, deputy sheriff, sheriff's officer, justice of the peace, gaoler or keeper of a prison, and a police officer, police constable, bailiff, constable or other person employed for the preservation and maintenance of the public peace, or for the service or execution of civil process. *New.* See R.S.C. c. 146, s. 2, *par.* 26.

Registration fee to be paid to Provincial Secretary.

3.—(1) The owner of every motor vehicle driven on a highway shall pay to the Provincial Secretary a registration fee for such motor vehicle.

Permits.

(2) The Provincial Secretary shall issue for each motor vehicle so registered a numbered permit stating that such motor vehicle is registered in accordance with this Act, and shall cause the name of such owner, his address and the number of his permit, to be entered in a book to be kept for such purpose.

Regulations.

(3) The Lieutenant-Governor in Council may make regulations regarding renewals and transfers of such permits, the payment of fees therefor, the amount and time of payment of such fees, and the registration and operation of motor vehicles owned by manufacturers or dealers and not kept by them for private use. 6 Edw. VII. c. 46, s. 2. *Amended.*

Paid drivers to be licensed.

4.—(1) No person shall for hire, pay or gain drive a motor vehicle on a highway unless he is licensed to do so, and no person shall employ anyone so to drive a motor vehicle who is not so licensed.

Terms of license.

(2) The license for such purpose may be issued by the Provincial Secretary to such person for such time and upon such terms and subject to such regulations and restrictions as the Lieutenant-Governor in Council may prescribe. 8 Edw. VII. c. 53, s. 1. *Amended.*

Production of license.

5. A license must be produced by any person driving a motor vehicle for hire, pay or gain when demanded by a peace officer. 9 Edw. VII. c. 81, s. 1 (2). *Amended.*

Alarm bell to be sounded at crossings, etc.

6.—(1) Every motor vehicle shall be equipped with an alarm bell, gong or horn, and the same shall be sounded whenever it shall be reasonably necessary to notify pedestrians or others of its approach. 6 Edw. VII. c. 46, s. 5 (1), *part.*

(2) Whenever on a highway after dusk and before dawn, **Lamps.** every motor vehicle shall carry on the front thereof a lighted lamp in a conspicuous position. 6 Edw. VII. c. 46, s. 5 (1), *part redrafted.*

7. A motor bicycle while being driven on a highway shall have exposed on the back thereof a marker furnished by the Provincial Secretary showing in plain figures not less than three inches in height the number of the permit of such motor bicycle. 6 Edw. VII. c. 46, s. 5 (1), *last part redrafted.* **Marker on back of motor bicycle showing number of permit.**

8.—(1) Every motor vehicle other than a motor bicycle, while being driven on a highway, shall have attached to and exposed on the front and back thereof, in a conspicuous position, a marker furnished by the Provincial Secretary showing in plain figures not less than five inches in height the number of the permit. **Marker on front and back of other motor vehicles showing number of permit.**

(2) The marker on the front shall be as far forward and as high from the ground as may be necessary to render it distinctly visible, and the marker on the back shall be so placed that the lower edge thereof shall not be lower than the body of the motor vehicle. 6 Edw. VII. c. 46, s. 3 (1). *Amended.* **Position of marker.**

(3) Every such motor vehicle shall carry a lamp so placed as to illuminate conspicuously at all times between dusk and dawn the number placed on the back of the vehicle. 6 Edw. VII. c. 46, s. 5 (2). **Position of lamp.**

9.—(1) No number other than that upon the marker furnished by the Provincial Secretary shall be exposed on any part of a motor vehicle. 6 Edw. VII. c. 46, s. 3 (2). *Amended.* **No other numbers to be exposed.**

(2) The numbers shall be kept free from dirt and obstruction and the markers shall be so affixed that the numbers may be at all times plainly visible. 6 Edw. VII. c. 46, s. 4. *Amended.* **Numbers to be kept clean.**

(3) No motor vehicle shall carry what is known to the trade as a search light. 6 Edw. VII. c. 46, s. 5 (3). **Search light.**

10. No motor vehicle shall be driven upon any highway within a city, town or village at a greater rate of speed than fifteen miles an hour, or upon any highway outside of a city, town or village at a greater rate of speed than twenty miles an hour; but the council of a city, town, township or village may by by-law set apart any highway or any part thereof on which **Rate of speed.**

motor vehicles may be driven at a greater rate of speed for the purpose of testing the same, and may pass by-laws for regulating and governing the use of any such highway or part thereof for such purpose. 6 Edw. VII. c. 46, s. 6. *Amended.*

Not to be recklessly driven.

**11.** Notwithstanding the provisions of the next preceding section, any person who drives a motor vehicle on a highway recklessly or negligently, or at a speed or in a manner which is dangerous to the public, having regard to all the circumstances, including the nature, condition and use of the highway and the amount of traffic which actually is at the time, or which might reasonably be expected to be on the highway, shall be guilty of an offence under this Act. 6 Edw. VII. c. 46, s. 7. *Amended.*

Not to be driven in a race or for a bet on a highway.

**12.** No person shall drive a motor vehicle upon a highway, in a race or on a bet or wager 6 Edw. VII. c. 46, s. 8. *Amended.*



Persons under 17 not to drive.

**13.** No person under the age of *eighteen* years shall drive a motor vehicle. 8 Edw. VII. c. 53, s. 2.

Intoxicated persons not to drive.

**14.** No intoxicated person shall drive a motor vehicle. 6 Edw. VII. c. 46, s. 9.

Not to pass a standing car.

 **15.** When a motor vehicle meets or overtakes a street car which is stationary for the purpose of taking on or discharging passengers the motor vehicle shall not pass the car on the side on which passengers get on or off until the car has started and any passengers who have alighted shall have gotten safely to the side of the street. *New.* See 9 Edw. VII. c. 81, s. 1 (3). 

Persons in charge of vehicle to use reasonable precaution not to frighten horses and to stop on signal.

**16.** Every person having the control or charge of a motor vehicle shall, when upon a highway and approaching any vehicle drawn by a horse, or a horse upon which any person is riding, operate, manage and control such motor vehicle in such manner as to exercise every reasonable precaution to prevent the frightening of such horse and to ensure the safety and protection of any person riding or driving the same, and outside the limits of any city or town shall not approach such horse within one hundred yards, or pass the same going in the opposite direction at a greater rate of speed than seven miles an hour, and if going in the same direction shall signal his desire to pass and give the rider or driver an opportunity to turn out so that he may be passed with safety, and if any such horse going in the opposite direction appears to be frightened or if such person is signalled so to do, he shall stop such motor vehicle, including the motor, and shall remain stationary so long as may be necessary to allow such rider or

Meeting or overtaking horses and vehicles.



driver to pass or until directed by him to proceed; and in case any animal ridden or driven by such rider or driver appears to be frightened, such person and the occupants of the motor vehicle shall render assistance to such rider or driver. 6 Edw. VII. c. 46, s. 10; 8 Edw. VII. c. 53, s. 3. *Amended.*

**17.** The driver of a motor vehicle upon any highway outside the limits of a city shall upon meeting or overtaking a funeral procession stop his vehicle including the motor or where practicable shall turn out into an intersecting highway or lane until the funeral procession has passed. 8 Edw. VII. c. 53, s. 4. *Amended.*

Driver of motor vehicle to stop on meeting funeral procession.

**18.** If an accident occurs to any person on foot or horseback, or in a vehicle, or to any horse or vehicle in charge of any person, owing to the presence of a motor vehicle on a highway, the person in charge of such motor vehicle shall return to the scene of the accident and give in writing to anyone sustaining loss or injury his name and address, and also the name and address of the owner of such motor vehicle, and the number of the permit. 6 Edw. VII. c. 46, s. 11; 8 Edw. VII. c. 53, s. 5. *Amended.*

Duty of person in charge in case of accident.

**19.** The owner of a motor vehicle shall be responsible for any violation of this Act or of any regulation prescribed by the Lieutenant-Governor in Council. 6 Edw. VII. c. 46, s. 13. *Amended.*

Motor owner responsible.

**20.** No provision of any by-law heretofore or hereafter passed under paragraph 7 of section 540 of *The Consolidated Municipal Act, 1903*, which is inconsistent with the provisions of this Act shall affect or apply to motor vehicles. 6 Edw. VII. c. 46, s. 15.

3 Edw. VII. c. 19, s. 540, paragraph 7, not to apply.

**21.** The Provincial Secretary may at any time for misconduct or infraction of the provisions of this Act or of any regulation thereunder by an owner or driver of a motor vehicle suspend or revoke any permit or license. 6 Edw. VII. c. 46, s. 16; 8 Edw. VII. c. 53, s. 6. *Redrafted.*

Provincial Secretary may revoke permit or licenses.

**22.** The Provincial Secretary shall furnish all Clerks of the Peace with copies of this Act and of the regulations thereunder for distribution to the constables of all counties, districts and local municipalities, and he shall also furnish copies of this Act to the clerks of all local municipalities, to be posted up in conspicuous places, and shall also furnish on the first days of May and September in each year to the

Provincial Secretary to furnish copies of Act and lists of permits and licenses.

clerks of all such municipalities lists of all persons to whom permits and licenses are issued. 6 Edw. VII. c. 46, s. 17. *Amended.*

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**23.** When loss or damage is sustained by any person by reason of a motor vehicle on a highway, the onus of proof that such loss or damage did not arise through the negligence or improper conduct of the owner or driver of the motor vehicle shall be upon the owner or driver. 6 Edw. VII. c. 46, s. 18; 8 Edw. VII. c. 53, s. 7. *Amended.*

Penalties.

**24.**—(1) Any person who violates any of the provisions of *subsections 1 or 2 of section 8, subsection 1 of section 9, section 12 or section 18* shall be liable for the first offence to a penalty of \$50 or one week's imprisonment or both; for the second offence to a penalty of \$100 or one month's imprisonment or both, and for the third or any subsequent offence to imprisonment not exceeding six months. 9 Edw. VII. c. 81, s. 1 (4). *Part amended.*

Convictions cumu-  
lative.

(2) On a charge for a second, third or subsequent offence under this section, a conviction need not be shown to be for an offence against the same section, but a conviction for an offence against *subsections 1 or 2 of section 8, subsection 1 of section 9, section 12 or section 18* shall be deemed to be a prior conviction. 9 Edw. VII. c. 81, s. 1 (4). *Part amended.*

Chauffeur  
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qualified.

**25.**—(1) A Police Magistrate or Justice of the Peace before whom a person is convicted of an offence under this Act, if the person convicted is required to hold a license under section 4 and does not hold such license, may declare him disqualified to hold such a license for such time as the Police Magistrate or Justice of the Peace thinks fit and shall so report with the certificate of the conviction to the Provincial Secretary.

Convictions to be  
endorsed  
on license.

(2) If the person convicted holds a license issued under section 4, the Police Magistrate or Justice of the Peace shall cause particulars of the conviction, if for an offence against section 4, *subsections 1 or 2 of section 8, subsections 1 and 2 of section 9, sections 11, 12, 14, 16, 17 or 18*, to be endorsed upon such license, and if such conviction is a third conviction, shall confiscate such license and any badge issued therewith, and shall forward the same with the certificate of the conviction to the Provincial Secretary.

Production  
of license.

(3) A person so convicted if he holds a license issued under section 4 shall produce the license within a reasonable

time for the purpose of endorsement, and if he fails to do so shall be guilty of an offence under this Act. 9 Edw. VII. c. 81, s. 1 (5). *Amended.*

**26.**—(1) A Police Magistrate or Justice of the Peace who makes a conviction under this Act shall forthwith certify the same to the Provincial Secretary, setting out the name, address and description of the person so convicted, the number of the permit of the motor vehicle with which the offence was committed, the number of the section of the Act contravened and the time the offence was committed, and if such offence was committed by a person licensed under section 4 the number of the license and the name, address and description of his employer, and if three such convictions for an offence against *subsections 1 or 2 of section 8, subsection 1 of section 9, section 12 or section 18,* are made against the same person the permit of the motor vehicle with which the offence, for which such third conviction was made, was committed, or the license issued under section 4, or both, may be cancelled and the offender shall not be entitled to a permit or license for a period of two years thereafter.

Justice to certify conviction to Provincial Secretary.

(2) The Police Magistrate or Justice of the Peace shall be entitled to add to the costs of the conviction twenty-five cents for his costs of the certificate. 9 Edw. VII. c. 81, s. 1 (6). *Amended.*

Costs of certificate.

(3) A copy of the certificate, certified by the Provincial Secretary or Assistant Provincial Secretary under the seal of the Provincial Secretary, shall be *prima facie* evidence of the conviction. 9 Edw. VII. c. 81, s. 1 (4). *Part amended.*

Proof of prior convictions.

**27.**—(1) In the event of a third or subsequent conviction, the motor vehicle driven by the person convicted at the time of committing the offence of which he was convicted, shall be seized, impounded and taken into the custody of the law for a period of three months.

Motor vehicle may be impounded.

(2) Such motor vehicle shall be stored where the convicting Police Magistrate or Justice of the Peace shall direct, and all costs and charges for the care or storage thereof shall be a lien upon such motor vehicle, and the same may be enforced in the manner provided by *The Mechanics' and Wage-Earners' Lien Act.*

Storage of vehicles and lien therefor, 10 Edw. VII. c. 69.

(3) If the person so convicted gives sufficient security to the convicting Police Magistrate or Justice of the Peace by bond, recognizance or otherwise, that such motor vehicle

Release of vehicle on security given by owner.

shall not be operated upon any highway during such period of three months, the same may be delivered to the person so convicted or the owner thereof, and if such motor vehicle is operated upon a highway during such period, it shall be deemed to be operated without a permit. 9 Edw. VII. c. 81, s 1 (7). *Amended.*

Owner  
may be  
prosecuted.

**28.** If the employer of a person driving a motor vehicle for hire, pay or gain is present in the motor vehicle at the time of the committing of any offence against this Act, such employer as well as the driver shall be liable to conviction for such offence. 9 Edw. VII. c. 81, s. 1 (8). *Amended.*

Penalties.

**29.** Any person who violates any of the provisions of this Act or of any regulation made thereunder, where a penalty for the offence is not hereinbefore provided, shall incur a penalty of not more than \$50. 6 Edw. VII. c. 46, s. 20; 9 Edw. VII. c. 81, s. 1 (9). *Redrafted.*

Application  
of penalty  
where con-  
stable or  
municipal  
officer  
prosecutes.

**30.** Where a constable or other officer of a municipality is the prosecutor any penalty imposed under this Act shall, when received, be paid over by the convicting Police Magistrate or Justice of the Peace to the treasurer of the municipality. 1 Geo. V. c. 61, s. 1. *Amended.*

Arrests  
without  
warrant.

**31—(1)** Every peace officer who on reasonable and probable grounds believes that an offence against any of the provisions of *subsection 1 or 2 of section 8, subsection 1 of section 9, section 12 or section 18* has been committed, whether it has been committed or not, and who, on reasonable and probable grounds, believes that any person has committed that offence, may arrest such person without warrant, whether such person is guilty or not. 6 Edw. VII. c. 46, s. 21. *Amended.*

Assisting  
peace  
officers.

**(2)** Every person called upon to assist a peace officer in the arrest of a person suspected of having committed any such offence may assist if he knows that the person calling on him for assistance is a peace officer, and does not know that there are no reasonable grounds for the suspicion. 6 Edw. VII. c. 46, s. 22. *Amended.*

Arresting  
without  
warrant  
on view of  
offence.

**(3)** Every person may arrest without warrant any person whom he finds committing any such offence. 6 Edw. VII. c. 46, s. 23. *Amended.*

Detaining  
vehicle  
when  
arrest  
made.

**32.** A peace officer or other person making an arrest without warrant may detain the motor vehicle with which the offence was committed until the final disposition of any prosecution under this Act, but such motor vehicle may be released on security for its production being given to the satisfaction of a Justice of the Peace. 6 Edw. VII. c. 46, s. 24. *Amended.*

**33.** A peace officer or other person making an arrest without warrant shall, with reasonable diligence take the person arrested before a Justice of the Peace, to be dealt with according to law. 6 Edw. VII. c. 46, s. 25. *Amended.*

**34.** The penalties provided by this Act shall be recoverable under *The Ontario Summary Convictions Act.* *New.*

Person arresting without warrant.  
Recovery of penalties.  
10 Edw. VII. c. 37.

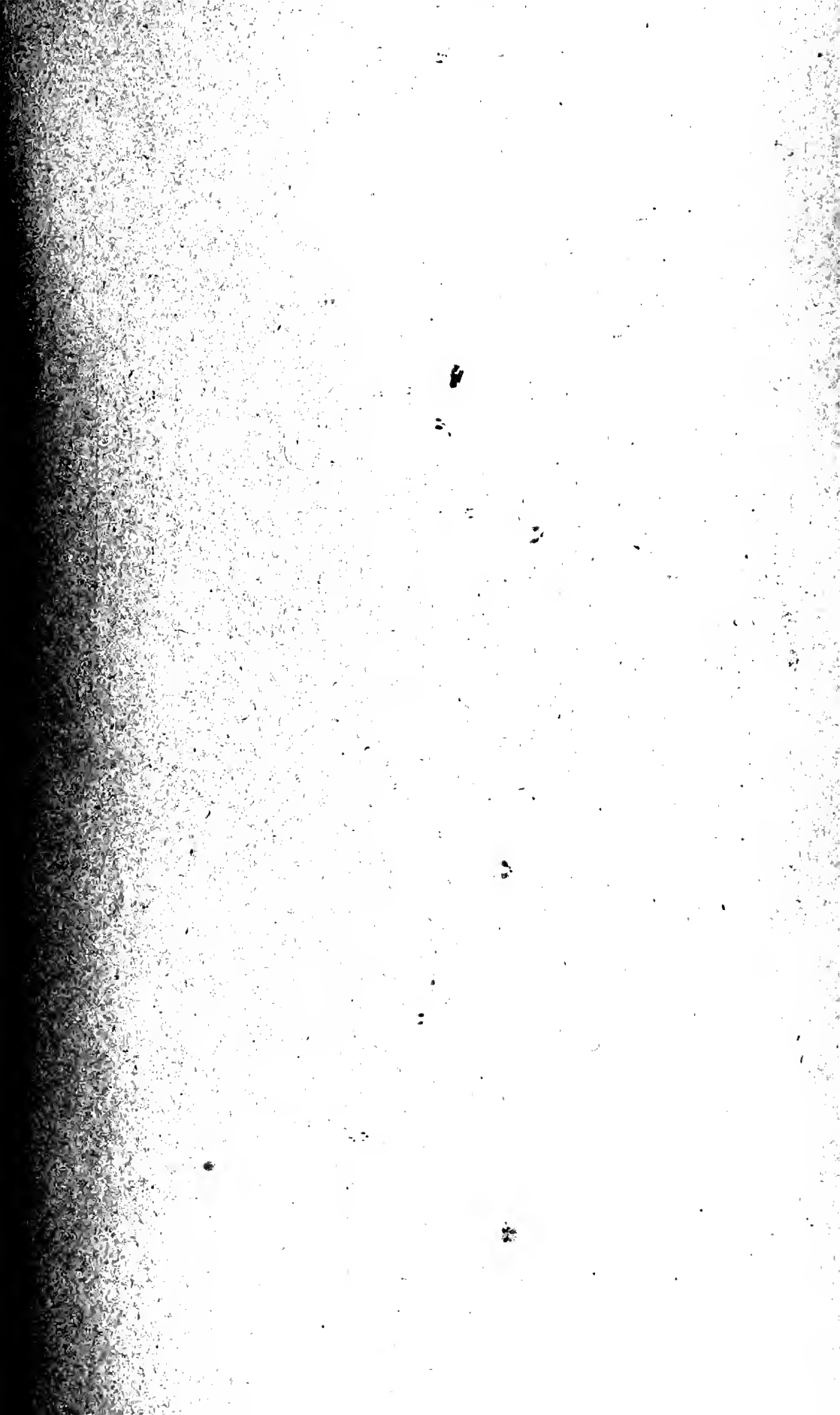
**35.** Chapter 46 of the Acts passed in the 6th year; Chapter 53 of the Acts passed in the 8th year, and Chapter 81 of the Acts passed in the 9th year of the reign of King Edward the Seventh, and Chapter 61 of the Acts passed in the first year of the reign of His Majesty King George the Fifth are repealed.

Repeal of former enactments.

*Section 285 of the Criminal Code reads as follows:*

*Every one is guilty of an indictable offence and liable to two years' imprisonment who, having the charge of any carriage or vehicle, by wanton or furious driving, or racing or other wilful misconduct, or by wilful neglect, does or causes to be done any bodily harm to any person.*





No. 88.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to regulate the Speed and  
Operations of Motor Vehicles  
on Highways.

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1st Reading, 12th February, 1912.  
2nd Reading, 12th February, 1912.

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

Mr. HANNA.

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



# BILL

## An Act respecting Companies for the Construction of Wharfs and Harbours.

SHORT TITLE, s. 1.

APPLICATION OF ACT, s. 2.

COMPANY MAY DETAIN VESSELS AND GOODS, AND SELL THE SAME TO PAY TOLLS AND OTHER DUES, s. 3.

MUNICIPAL COUNCILS MAY HOLD STOCK IN COMPANY, s. 4.

MUNICIPALITIES MAY PURCHASE UNDERTAKING AND ASSETS, s. 5.

REPEAL, s. 6.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Wharfs and Harbours Act*. Short title. *New.*

**2.** This Act shall apply to every company heretofore or hereafter incorporated for constructing a pier or wharf, dredging, deepening or making a harbour, or the erection of a dry dock and marine railway connected therewith. Application of Act. 7 Edw. VII. c. 23, s. 21.

[Sections 1 to 7 repealed by 7 Edw. VII. c. 34, s. 211.]

**3.**—(1) The company may detain any goods, wares or merchandise, or any vessel, boat or craft, until the tolls or charges thereon have been paid, and may sell any vessel or boat for the charges for repairs thereof, when such charges have remained unpaid for thirty days. Company may detain vessels and goods, sell the same to pay tolls and other dues.

(2) Where the charges for wharfage or storage dues on goods, wares or merchandise have remained unpaid for thirty days, the company, after giving ten days' notice of sale, may, by public auction, sell such goods, wares or merchandise, or such part thereof as may be necessary to pay such dues, and shall return any overplus to the owner thereof. Sale of goods for dues.

Return of surplus to owner.

(3) The company shall pay or deliver the surplus, if any, or such of the goods as remain unsold, to the person entitled thereto. (*See* R.S.C. c. 37, s. 345 (2), (3).

Municipal councils may hold stock in company.

4. The corporation of the municipality in which any such work is to be constructed, may subscribe for, acquire, hold, and transfer shares in the company, may direct the head of the municipality to subscribe for such shares in the name of the corporation, and to act for the corporation in all matters relating to such shares and the exercise of the rights of the corporation as a shareholder, and the head of the municipality, whether otherwise qualified or not, may vote and act in respect of such shares, subject to any rules and orders in relation to his authority, made by the council, but may vote according to his discretion in cases not provided for by the council. R.S.O. 1897, c. 195, s. 9. *Amended.*

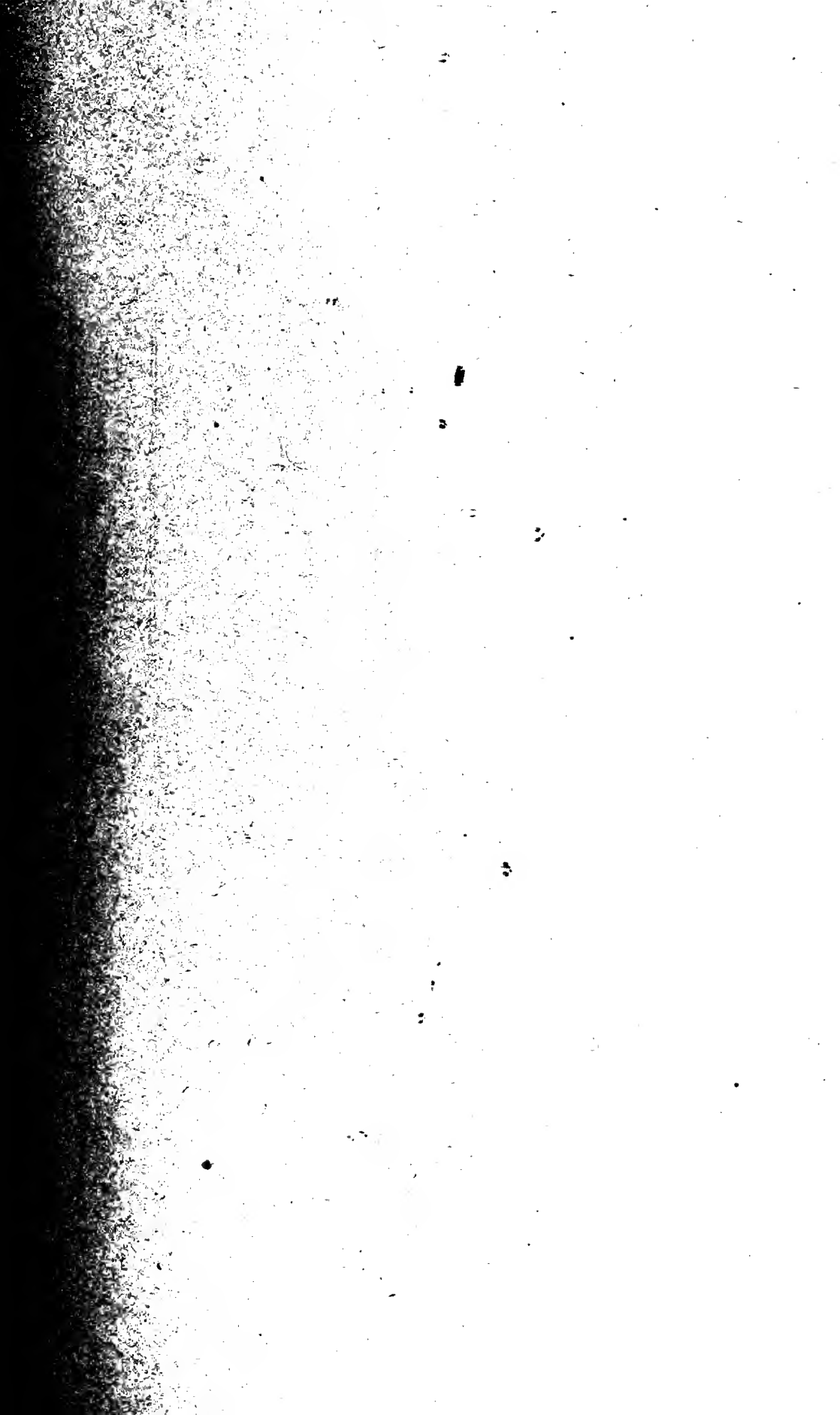
Municipalities may purchase undertaking and assets.

5. A company may sell to the corporation of any municipality in which the work is situate, and any such corporation may purchase the undertaking and assets of the company at the value agreed on between them, and the corporation shall, in all respects thereafter stand in the place of the company, and possess all its powers and authority. R.S.O. 1897, c. 195, s. 11. *Amended.*

[*Sections 12 to 14 repealed by 7 Edw. VII. c. 34, s. 211.*]

Rev. Stat., c. 195; 7 Edw. VII. c. 23, s. 21 repealed.

6. Chapter 195 of the Revised Statutes of Ontario, 1897, and section 21 of the Act passed in the 7th year of His late Majesty's reign, chaptered 23, are repealed.



No. 89.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting Companies for the Construction of Wharfs and Harbours.

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1st Reading,                    1912.

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Mr. README.

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TORONTO:

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

# BILL

## An Act respecting the Property of Religious Institutions.

<p>SHORT TITLE, s. 1.                  CONVEYANCES FOR SITE OF CHURCH, ETC., TO BE MADE TO TRUSTEES; POWERS OF TRUSTEES, s. 2 (1).                  Description of trustees in conveyances, 2 (2).                  Change of name under which lands have been held, s. 2 (3).                  IN METHODIST CHURCH, s. 3.                  CONVEYANCES PRIOR TO 26TH APRIL, 1904, s. 4.                  CONVEYANCES TO TRUSTEES BY THEIR COLLECTIVE NAMES, s. 5.                  VARYING NUMBER OF TRUSTEES, s. 6.                  MORTGAGES, ss. 7, 8.                  LEASES, s. 9.                  SALES, s. 10.                  CONVEYANCE TO TRUSTEES, OF NEW CONGREGATION, s. 11.                  ASSENT OF CONGREGATION, s. 12 (1), (2).</p>	<p>Or approval by County Judge, s. 12 (3).                  MEETING TO APPOINT TRUSTEES, s. 13.                  TWO SOCIETIES DESIROUS OF BUILDING HOUSE FOR UNITED WORSHIP, s. 14.                  RECORD OF PROCEEDINGS, s. 15.                  TRUSTEES TO EXHIBIT ACCOUNTS AS TO LANDS SOLD AND LEASED, s. 16.                  SPECIAL ACTS NOT AFFECTED, s. 17.                  JOINT TRUSTEES FOR ADJOINING BURIAL GROUNDS, s. 18.                  ASSENT OF CONGREGATIONS, ETC., s. 18 (2).                  Evidence of assent, s. 18 (3).                  APPLICATION OF ACT TO CHURCH OF ENGLAND IN ONTARIO, s. 19.                  RIGHTS EXTENDED TO ROMAN CATHOLICS AND JEWS, s. 20.                  REPEAL, s. 21.</p>
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**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Religious Institutions* Short title.  
*Act. New.*

2.—(1) Where a religious society or congregation of Christians desires to take a conveyance of land for the site of a church, chapel, meeting-house, burial-ground, residence for a minister, book-store, printing or publishing office, or for any other religious or congregational purpose, such society or congregation may appoint trustees, to whom, and their suc- When religious societies desire to take conveyances for site of church, etc., conveyances may be made to trustees.

Powers of trustees.

cessors, to be appointed in such manner as may be specified in the conveyance, the land requisite for all or any of the purposes aforesaid may be conveyed; and such trustees and their successors in perpetual succession, by the name expressed in the conveyance, may take, hold and possess the land, and maintain and defend actions for the protection thereof, and of their property therein.

Description of trustees in conveyances.

(2) The conveyance to the trustees may be made to them under a collective name, and it shall not be necessary to set out their individual names as parties thereto, provided such names be set out or appear therein by recital or otherwise and shall apply to conveyances heretofore made as well as to those hereafter to be made.

Change of name under which lands have been held.

(3) If the name by which any such religious society or congregation or trustees therefor, have heretofore held or hereafter hold lands under and pursuant to the powers of this Act, has been or shall be changed by such religious society or congregation by by-law or resolution, such change of name shall not prejudice or affect the title of the society or congregation or their trustees to the land. R.S.O. 1897, c. 307, s. 1 (1), (2), (3).

Conveyances to trustees appointed by Quarterly Official Boards of the Methodist Church.

**3.**—(1) If a Quarterly Official Board of the Methodist Church, under the discipline of that Church, appoints trustees for the purpose of taking a conveyance of land for any of the purposes mentioned in section 2, the land may be conveyed to the said trustees according to the discipline and usage of such Church, and their successors to be appointed in the manner specified in the conveyance authorized and used by such Church, and the conveyance shall have the same effect as a conveyance made to trustees appointed under subsection 2 of section 2.

Application of section.

(2) This section shall apply to any conveyance to trustees appointed by any such Board or by a Board of any of the Churches which united to form the Methodist Church, executed prior to the 26th day of April, 1904. 4 Edw. VII. c. 36, s. 1.

Conveyances executed prior to the passing of Act.

**4.** Every conveyance executed under this Act, or to trustees appointed by a Quarterly Official Board before the 26th day of April, 1904, shall be as valid and effectual, if the same was registered before the expiration of twelve months after that day, as if registered within twelve months after the execution thereof, except in so far as the same may be affected by the prior registration of other deeds or instruments relating to the same lands; but in all cases where any

person claiming to hold, or to be entitled to any land included in any such conveyance on account of the omission to register the same, shall, in virtue of such claim, have taken possession of such land before the eighth day of February, 1904, and also in all cases where the persons claiming to hold, or to be entitled to such real property on account of such omission, shall have actually sold or departed with, or shall have actually contracted to sell or depart with such land before the eighth day of February, 1904, the provisions of this section shall not render invalid any right or title to such land, but such right or title shall be taken and adjudged to be as if this Act had not been passed. 4 Edw. VII. c. 36, s. 2 (2).

Rights of persons claiming on account of invalidity of former conveyances.

5. Where trustees, appointed as provided in sections 2 or 3, hold land for the purposes aforesaid or any of them and the religious society or congregation for which they hold the land desire, to take a conveyance of additional land for any of such purposes, whether such additional land adjoins the land already held or not and such religious society or congregation desires the same to be held by the same trustees, the society or congregation or in the case of the Methodist Church the proper Quarterly Official Board may by resolution direct that such land be conveyed to the trustees by their collective name and upon the conveyance being so made, the land shall vest in the trustees for the purposes declared by the conveyance and shall be subject to the provisions of this Act in the same manner as the other land held by the trustees. 8 Edw. VII. c. 33, s. 56.

Conveyance of lands to trustees by their collective names.

6.—(1) Any congregation or society of Christians entitled to the benefit of any land held under the provisions of this Act, or otherwise, may by a resolution passed by a two-thirds vote of the persons entitled to vote in respect of the appointment of trustees, increase or decrease the number of trustees by the conveyance or otherwise to be appointed for the purpose of holding such land; or may in like manner fix the number of trustees if the conveyance makes no provision as to their number. R.S.O. 1897, c. 307, s. 2.

Number of trustees may be varied.

(2) No such resolution shall be passed unless at a meeting of which notice has been given in the manner required for a meeting for the election of trustees for such lands, stating that a proposal for increasing, or decreasing or determining, as the case may be, the number of the trustees, will be considered at the meeting. R.S.O. 1897, c. 307, s. 3.

Notice of meeting required.

Time when resolution for increase in number to take effect.

(3) If the resolution provides for the appointment of more trustees than are authorized by the conveyance, or more than there are in fact if the number is not limited by the conveyance, the same shall take effect forthwith; and the additional trustees to be appointed may be elected at the meeting at which the resolution is passed or at a subsequent meeting.

Time when resolution for reduction in number to take effect.

(4) If the resolution provides for a smaller number of trustees than the conveyance provides for, the resolution shall not take effect until vacancies occur, by death or otherwise, reducing the number of trustees to the number provided for by the resolution; and no other trustee shall be appointed until the number has been reduced below the number authorized by the resolution. R.S.O. 1897, c. 307, s. 4.

*(Note.—Sections 5 and 6 of R.S.O. 1897, c. 307, are omitted, as covered by sec. 15.)*

Mortgages allowed in certain cases.

**7.**—(1) Where a debt has heretofore been or is hereafter contracted for the building, repairing, extending or improving of a church, chapel, meeting-house, residence for a minister, book-store, printing or publishing office or other building, on land held by trustees for the benefit of any society or congregation in Ontario, or for the purchase of the land on which the same has been or is intended to be erected, the trustees, or a majority of them, may secure the debt or any part thereof by a mortgage upon the land; or may borrow money to pay the debt or part thereof, and may secure the repayment of the loan and interest by a like mortgage upon such terms as may be agreed upon.

Where church building is not erected on land held by trustees.

(2) The authority conferred by this section, shall extend to any land so held, although the church, or other building, in respect of which the debt is contracted, is not erected on such land. R.S.O. 1897, c. 307, s. 8.

Power to join in mortgage of lands held under separate conveyances.

**8.** In the case of separate but contiguous parcels of land held under separate conveyances by trustees for the same religious society or congregation under this Act, if such parcels of land be so used, occupied, or built upon as to become indivisible except by the removal, alteration, or destruction, in whole or in part, of such user, occupation or building, the trustees of such parcels may join in any mortgage, authorized by the next preceding section. R.S.O. 1897, c. 307, s. 9.

Power to lease.

**9.**—(1) The grantees in trust named in any letters patent from the Crown, or the survivors or survivor of them, or the trustees for the time being appointed in manner prescribed in the letters patent, whereby land is granted for



the use of a religious society or congregation and any other trustees for the time being entitled by law to hold lands in trust for the use of a religious society or congregation may lease for any term not exceeding twenty-one years, lands so held by them at such rent and upon such terms as the trustees or a majority of them deem reasonable. R.S.O. 1897, c. 307, s. 10.

(2) In such lease the trustees may covenant or agree for the renewal thereof at the expiration of any or every term of years, for a further term of twenty-one years or a less period, at such rent and on such terms as may then, by the trustees for the time being, be agreed upon with the lessee, his heirs, executors, administrators or assigns, or may consent or agree for the payment to the lessee, his executors, administrators or assigns, of the value of any buildings or other improvements which may at the expiration of any term be on the demised premises; and the mode of ascertaining the amount of such rent or the value of such improvements may also be specified in the original lease. R.S.O. 1897, c. 307, s. 11.

Power to agree in leases to renew and pay for improvements by lessee.

(3) The Trustees shall not so lease without the consent of the society or congregation for whose use they hold the land in trust, and such consent shall be signified by the votes of a majority of the members present at a meeting of the society or congregation, duly called for the purpose; nor shall the trustees lease any land which, at the time of making the lease, is necessary for the purpose of erecting a church or place of worship or other building thereon, or for a burial ground for the society or congregation. R.S.O. 1897, c. 307, s. 12.

Consent of cestuis que trustent requisite before leasing; consent, how signified.

(4) The trustees may, in their own names, or by any name by which they hold the land, sue or distrain for rent in arrear, and may take all such means for the recovery thereof as landlords are entitled to take. R.S.O. 1897, c. 307, s. 13.

Remedies of trustees for rent in arrear.

**10.**—(1) Where land held by trustees for the use of a society or congregation becomes unnecessary to be retained for such use, and it is deemed advantageous to sell it, the trustees for the time being may give public notice of an intended sale specifying the premises to be sold and the time and terms of sale; and after publication of the notice once in each week for four successive weeks in a daily or a weekly paper published in or near the place where the land is situate, they may sell the land at public auction according to the notice; but the trustees shall not be obliged to sell, if in their judgment an adequate price is not offered.

Sales by trustees.

Private sales.

(2) The trustees may thereafter sell the land either by public or private sale; but a less sum shall not be accepted at private sale than was offered at the public auction, without the consent of the society or congregation.

Special powers not affected.

(3) This section shall not affect or vary any special powers or trusts for sale contained in any deed or instrument, inconsistent herewith. R.S.O. 1897, c. 307, s. 14; 9 Edw. VII., c. 26, s. 2. *Amended.*

Conveyance to trustees of new congregation.

**11.**—(1) Where land is held by trustees for the use of a religious society or congregation and a separate society or congregation is formed therefrom, the trustees for the time being may convey to the trustees of such separate society or congregation such part of the land as is no longer required for the use of the society or congregation for the use of which it is so held, but no such conveyance shall be made unless and until the assent thereto of such last mentioned society or congregation has been first obtained, or the conveyance is sanctioned in the manner provided by section 12.

As to such conveyance heretofore executed.

(2) Every conveyance heretofore executed to any such separate society or congregation and so assented to or sanctioned shall be as valid and binding as if subsection 1 had been in force at the time such assent or sanction was given and such conveyance was executed, but this subsection shall not apply to a conveyance which is in question in an action pending on the 7th day of March, 1910, or which has heretofore been determined to be invalid, or affect any adverse right or title acquired before that date. 10 Edw. VII. c. 106, s. 1.

Before conveyance *cestuis que trustent* to be notified and sanction obtained.

**12.**—(1) Before any conveyance is executed in pursuance of a public or private sale, the society or congregation for whose use the lands are held shall be duly notified thereof, and its assent obtained to the execution of the deed, and such assent shall be signified by the votes of a majority of the members present at a meeting of the society or congregation duly called for the purpose.

Evidence of.

(2) Such assent shall be held in favour of the grantee, his heirs and assigns to be conclusively attested by the execution of the deed by the chairman at such meeting, or by the official head of such society or congregation, or by some person appointed at such meeting for the purpose; and the person assuming to execute the deed as chairman, official head or appointee, shall be deemed to be such chairman, official head or appointee, as the case may be.

(3) Instead of such assent it shall be sufficient for the validity of any such conveyance, that the sale be sanctioned and the conveyance approved of by the Judge of the County or District Court of the county or district in which the land is situate. R.S.O. 1897, c. 307, s. 15.

When  
County  
Judge may  
approve  
of deed.

**13.**—(1) Any society or congregation on whose behalf land is now, has been, or hereafter may be held by a trustee or trustees, without the manner of appointing successors being set forth in the grant, conveyance, or devise of such land, or which is or may be entitled to any land, at any time hereafter may assemble in a public meeting duly convened by notice in writing, signed by at least five members of such society or congregation, and affixed to the door of its place of worship, at least eight days previous to the day appointed for holding such meeting; and at such meeting, by the votes of a majority of the members present, may determine in what manner the successors to such trustee or trustees shall be appointed, or may appoint a trustee or trustees of any land to which the society or congregation is entitled, and determine in what manner their successors in the trust shall be appointed. R.S.O. 1897, c. 307, s. 16.

Power to  
convene  
public meet-  
ing and  
determine  
how success-  
ors to  
trustees are  
to be ap-  
pointed, or  
to appoint  
trustees.

(2) Any land to which the society or congregation is entitled, shall from time to time vest in and be held by the trustee or trustees to be appointed as hereinbefore mentioned, and their successors in the trust, immediately upon the registration of the proceedings without any or further conveyance or instrument. R.S.O. 1897, c. 307, s. 18, *part*.

Upon regis-  
tration  
lands of  
unincorpor-  
ated bodies  
to vest in  
the trustees  
appointed.

**14.** Where members or adherents in any locality of two or more religious societies desire to build a house for public worship, it shall be lawful for each of the societies respectively to appoint from time to time one trustee in the manner and form prescribed in this Act, and the trustees of the religious societies so united shall have the like powers as are conferred on trustees under this Act, and no others; and as to any act, deed or thing to be done or made by trustees under this Act which requires the sanction or assent of the society or congregation, the trustees under this section shall obtain the sanction or assent of each and every of the religious societies so united, to be ascertained and signified in the manner hereinbefore mentioned. R.S.O. 1897, c. 307, s. 19.

The case of  
two socie-  
ties desir-  
ous to build  
a house of  
worship.

**15.**—(1) A record of the proceedings of every meeting held under this Act, shall be entered in the minute book or other official register of the acts and proceedings of the society or congregation, and shall be signed by the chairman and secretary thereof, and shall thereafter be deposited of record

Record of  
proceedings.

Deposit and registry thereof.

among the archives of the society or congregation, and a copy of such record verified by the affidavit of the chairman or secretary of the meeting, may be recorded in the registry office of the registry division in which the land is situate.

Copy as evidence.

(2) A copy of such proceedings taken from the minute book or other official register of the society or congregation, and certified by the clerk or custodian of the records of the society or congregation, or a copy certified by the registrar of the registry division wherein the same has been registered, shall be *prima facie* evidence of the contents thereof. (See R.S.O. 1897, c. 307, ss. 5, 6, and 17.)

(*Note.—R.S.O. c. 307, s. 20, sub. s. (1) (2), were not consolidated but remain unrepealed.*)

Trustees to exhibit accounts as to lands sold and leased.

**16.** Trustees selling or leasing land under the authority of this Act shall, on the first Monday in July in every year, have ready and open for the inspection of the society or congregation which they represent, or of any member thereof, a detailed statement shewing the rents which accrued during the preceding year, and all sums of money whatever in their hands for the use and benefit of the society or congregation, which were in any manner derived from the lands under their control or subject to their management, and also shewing the application of any portion of the money which has been expended on behalf of the society or congregation. R.S.O. 1897, c. 307, s. 22.

This Act not to affect special Acts as to religious bodies.

**17.** This Act shall not repeal, alter, affect or vary any of the provisions in any special Act contained with reference to any religious society or congregation, but, on the contrary, any of such provisions, which differ from or are inconsistent with any of the provisions of this Act, shall prevail, and where any additional rights or privileges are conferred by this Act, they shall be construed as supplementary to the provisions contained in any such special Act; and in every case the special trusts or powers of trustees contained in any deed, conveyance, or other instrument, shall not be affected or varied by any of the provisions of this Act. R.S.O. 1897, c. 307, s. 23.

(*R.S.O. 1897, c. 307, s. 24, repealed, as dealt with by the Mortmain Act, 9 Edw. VII. c. 58.*)

Power to appoint joint trustees for two or more burial grounds which adjoin each other.

**18.—(1)** Whenever any two or more parcels of land adjoining each other, or in the same neighbourhood, are held as sites for burial grounds by different bodies of trustees, whether of the same or different denominations, societies, or congregations, and such trustees think it desirable that such

parcels should be vested in one body of trustees, such two or more bodies of trustees, or the majority of each of such bodies, may, by deed, appoint trustees to whom and their successors, to be appointed in such manner as may be specified in such deed, all or any of the lands vested in such appointing bodies of trustees as sites for burial grounds may be conveyed, and such trustees so appointed, and their successors in perpetual succession by the name expressed in the deed, may take, hold and possess the lands thereby or thereafter conveyed to them as a site or sites for a burial ground, and maintain and defend actions for the protection thereof and of their property therein, and the several appointing bodies of trustees may, in or by the same deed of appointment, or by any other deed or deeds, convey and assure all or any of the parcels of land so vested in them respectively to such trustees so appointed and their successors upon, with and subject to such trusts, powers, limitations and provisions not inconsistent with the purposes of a burial ground as shall by the parties thereto be deemed proper. R.S.O. 1897, c. 307, s. 25.

(2) No such deed of appointment of trustees, and no such conveyance or assurance, shall be made or executed by any body, or the majority of any body, of trustees, unless or until the society or congregation for whose use the lands are held is duly notified thereof, and its assent obtained to the execution of such deed of appointment, or of such conveyance or assurance, and such assent shall be signified by the votes of a majority of the members present at a meeting of the society or congregation duly called for the purpose.

(3) Such assent shall be held in favour of such new trustees and their successors to be attested by the execution of the deed by the chairman at such meeting, or by the official head of such society or congregation, or by some person appointed at such meeting for the purpose; and the person assuming to execute the deed as chairman, official head, or appointee, shall be presumed to be such chairman, official head, or appointee, as the case may be. R.S.O. 1897, c. 307, s. 26.

**19.**—(1) All the rights, powers, and privileges, conferred upon any society or congregation by this Act, shall extend and apply to the Church of England in Ontario, formerly or otherwise called the United Church of England and Ireland in Canada, or the United Church of England and Ireland in Upper Canada, or the Church of England in Upper Canada.

Incumbent and church wardens to be trustees within the meaning of Act.

(2) The parson or other incumbent of the church for the time being and the churchwardens thereof, shall, for the purposes of this Act, be deemed to be trustees within the meaning thereof.

Bishop, etc., to be trustees under 3 V. c. 74, s. 16.

(3) In cases within section 16 of the Act passed in the third year of the reign of Her late Majesty Queen Victoria, chapter 74, and intituled *An Act to make provision for the management of the Temporalities of the United Church of England and Ireland in this Province, and for other purposes therein mentioned*, the Bishop, or Parson, Rector or Incumbent, or any successor or other person in whom the legal title or estate is vested, by, from or under any of them, shall also be deemed to be a trustee, by whom the like rights and powers of trustees, may be exercised as in the case of such trustees.

Property vested in the Bishop in trust.

(4) In cases of property vested in the Bishop of any diocese in trust, not covered by the next preceding subsection, the Bishop shall also be deemed to be a trustee by whom the like powers of trustees under this Act may be exercised as in the case of such trustees.

Property vested in the Synod in trust within 7 V. c. 68 and 32 V. c. 51.

(5) In cases of property vested in the synod of any diocese within the Act passed in the 7th year of the reign of Her late Majesty Queen Victoria, chapter 68, intituled *An Act to incorporate the Church Societies of the United Church of England and Ireland in the Dioceses of Quebec and Toronto*, and the Act passed in the 32nd year of the reign of Her late Majesty Queen Victoria, chapter 51, intituled *An Act to incorporate the Synod of the Diocese of Toronto and to unite the Church Society of the Diocese of Toronto therewith*, the synod shall also be deemed to be a trustee, by whom the like rights and powers of trustees under this Act may be exercised as in the case of such trustees; and the powers of the synod under this subsection may be exercised by and through such boards and committees as the synod may, by by-law appoint for that purpose.

How land may be sold or encumbered, consent requisite.

(6) Provided that land shall not be sold or leased, mortgaged or otherwise incumbered, under the powers conferred by this Act, except with the consent of the vestry of the church or congregation interested therein, and of the Bishop of the diocese, and the executive committee of the synod of the diocese; and it is hereby declared, that the consent of the vestry, given in accordance with the rules and canons of the said Church, shall be deemed to be the consent of the congregation, and the execution of the conveyance by the Bishop, and by the secretary or secretaries of the synod, or a memorandum of consent indorsed thereon and signed by them, shall, in favour of the grantee, his heirs and assigns,

be conclusive evidence of the consent of the Bishop and executive committee. R.S.O. 1897, c. 307, s. 27.

**20.** All the rights and privileges conferred upon any religious society or congregation mentioned in section 2 shall extend, in every respect, to the Roman Catholic Church, to be exercised according to the government of that Church. R.S.O. 1897, c. 307, s. 28. *Part.*

Rights extended to Roman Catholic Church.

**21.** All the rights and privileges conferred upon any religious society or congregation mentioned in section 2 have been, since the 7th day of April, 1891, and are hereby extended to and shall apply to any society or congregation of Jews, professing the Jewish religion. R.S.O. 1897, c. 307, s. 28. *Part.*

Rights extended to Jews.

**22.** Chapter 307 of the Revised Statutes, 1897, except section 20 thereof, chapter 36 of the Acts passed in the 4th year, section 56 of chapter 33 of the Acts passed in the 8th year, section 2 of chapter 26 of the Acts passed in the 9th year, and chapter 106 of the Acts passed in the 10th year of the reign of His late Majesty King Edward the Seventh, are repealed.

Repeal.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting the Property of Religious Institutions.

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1st Reading,                      1912.

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Mr. Lucas.

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TORONTO:

PRINTED BY L. K. CAMERON,  
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# BILL

## An Act respecting the Property of Religious Institutions.

SHORT TITLE, s. 1.	ASSENT OF CONGREGATION, s. 15
CONVEYANCES FOR SITE OF CHURCH, ETC., TO BE MADE TO TRUSTEES; POWERS OF TRUSTEES, s. 2 (1).	(1), (2).
Description of trustees in conveyances, 2 (2).	Or approval by County Judge, s. 12 (3).
Change of name under which lands have been held, s. 2 (3).	MEETING TO APPOINT TRUSTEES, s. 16.
IN METHODIST CHURCH, ss. 3, 5.	TWO SOCIETIES DESIROUS OF BUILDING HOUSE FOR UNITED WORSHIP, s. 17.
CONVEYANCES PRIOR TO 26TH APRIL, 1904, s. 4.	RECORD OF PROCEEDINGS, s. 18.
CONVEYANCES TO TRUSTEES BY THEIR COLLECTIVE NAMES, s. 6.	TRUSTEES TO EXHIBIT ACCOUNTS AS TO LANDS SOLD AND LEASED, s. 19.
VARYING NUMBER OF TRUSTEES, s. 7.	SPECIAL ACTS NOT AFFECTED, s. 20.
MORTGAGES, ss. 8, 9.	JOINT TRUSTEES FOR ADJOINING BURIAL GROUNDS, s. 21.
LEASES, s. 10.	ASSENT OF CONGREGATIONS, ETC., s. 21 (2).
SALES, s. 11.	Evidence of assent, s. 21 (3).
CONVEYANCE TO TRUSTEES, OF NEW CONGREGATION, s. 12.	APPLICATION OF ACT TO CHURCH OF ENGLAND IN ONTARIO, s. 22.
CONVEYANCE WHERE CONGREGATIONS UNITE, s. 13.	RIGHTS EXTENDED TO ROMAN CATHOLICS AND JEWS, ss. 23, 24.
CONVEYANCE TO DENOMINATIONAL BOARD, s. 14.	REPEAL, s. 25.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Religious Institutions Act*. *New.*

2.—(1) Where a religious society or congregation of Christians desires to take a conveyance of land for the site of a church, chapel, meeting-house, burial-ground, residence for a minister, book-store, printing or publishing office, or for any other religious or congregational purpose, such society or congregation may appoint trustees, to whom, and their suc-

When religious societies desire to take conveyances for site of a church, etc., conveyances may be made to trustees.

Powers of trustees.

cessors, to be appointed in such manner as may be specified in the conveyance, the land requisite for all or any of *such* purposes may be conveyed; and such trustees and their successors in perpetual succession, by the name expressed in the conveyance, may take, hold and possess the land, and maintain and defend actions for the protection thereof, and of their property therein.

Description of trustees in conveyances.

(2) The conveyance to the trustees may be made to them under a collective name, and it shall not be necessary to set out their individual names as parties thereto, provided such names be set out or appear therein by recital or otherwise and shall apply to conveyances heretofore made as well as to those hereafter to be made.

Change of name under which lands have been held.

(3) If the name by which any such religious society or congregation or trustees therefor, have heretofore held or hereafter hold lands under and pursuant to the powers of this Act, has been or shall be changed by such religious society or congregation by by-law or resolution, such change of name shall not prejudice or affect the title of the society or congregation or their trustees to the land. R.S.O. 1897, c. 307, s. 1 (1), (2), (3).

Conveyances to trustees appointed by Quarterly Official Boards of the Methodist Church.

**3.**—(1) If a Quarterly Official Board of the Methodist Church, under the discipline of that Church, appoints trustees for the purpose of taking a conveyance of land for any of the purposes mentioned in section 2, the land may be conveyed to the said trustees according to the discipline and usage of such Church, and their successors to be appointed in the manner specified in the conveyance authorized and used by such Church, and the conveyance shall have the same effect as a conveyance made to trustees appointed under subsection 2 of section 2.

Application of section.



(2) This section shall apply to any conveyance to trustees appointed by any such Board or by a Board of any of the Churches which united to form the Methodist Church, executed prior to the 26th day of April, 1904. 4 Edw. VII. c. 36, s. 1.

Conveyances executed prior to the passing of Act.

**4.** Every conveyance executed under this Act, or to trustees appointed by a Quarterly Official Board before the 26th day of April, 1904, shall be as valid and effectual, if the same was registered before the expiration of twelve months after that day, as if registered within twelve months after the execution thereof, except in so far as the same may be affected by the prior registration of other deeds or instruments relating to the same lands; but in all cases where any

person claiming to hold, or to be entitled to any land included in any such conveyance on account of the omission to register the same, shall, in virtue of such claim, have taken possession of such land before the eighth day of February, 1904, and also in all cases where the persons claiming to hold, or to be entitled to such real property on account of such omission, shall have actually sold or departed with, or shall have actually contracted to sell or depart with such land before the eighth day of February, 1904, the provisions of this section shall not render invalid any right or title to such land, but such right or title shall be taken and adjudged to be as if this Act had not been passed. 4 Edw. VII. c. 36, s. 2 (2).

Rights of persons claiming on account of invalidity of former conveyances.

5.  Property real or personal may be devised, bequeathed, given or transferred to trustees appointed under the provisions of Schedule "A," of an Act passed in the forty-seventh year of the reign of Her late Majesty Queen Victoria and chaptered eighty-eight for the special use of a congregation by way of endowment or otherwise, and such trustees may receive, hold, use, administer and dispose of such property in accordance with the trusts declared in the will, deed or other instrument creating such trust and not contrary to the rules, regulations or discipline of The Methodist Church, and in the event of failure or partial failure of any of the trusts so declared, such property may be held, used, administered and disposed of in accordance with the purposes and in the manner from time to time provided for by such rules, regulations or discipline. 

Property held in trust under model deed of Methodist Church.

6. Where trustees, appointed as provided in sections 2 or 3, hold land for the purposes aforesaid or any of them and the religious society or congregation for which they hold the land desire, to take a conveyance of additional land for any of such purposes, whether such additional land adjoins the land already held or not and such religious society or congregation desires the same to be held by the same trustees, the society or congregation or in the case of the Methodist Church the proper Quarterly Official Board may by resolution direct that such land be conveyed to the trustees by their collective name and upon the conveyance being so made, the land shall vest in the trustees for the purposes declared by the conveyance and shall be subject to the provisions of this Act in the same manner as the other land held by the trustees. 8 Edw. VII. c. 33, s. 56.

Conveyance of lands to trustees by their collective names.

7.—(1) Any congregation or society of Christians entitled to the benefit of any land held under the provisions of this Act, or otherwise, may by a resolution passed by a two-thirds vote of the persons entitled to vote in respect of the

Number of trustees may be varied.

appointment of trustees, increase or decrease the number of trustees by the conveyance or otherwise to be appointed for the purpose of holding such land; or may in like manner fix the number of trustees if the conveyance makes no provision as to their number. R.S.O. 1897, c. 307, s. 2.

Notice of meeting required.

(2) No such resolution shall be passed unless at a meeting of which notice has been given in the manner required for a meeting for the election of trustees for such lands, stating that a proposal for increasing, or decreasing or determining, as the case may be, the number of the trustees, will be considered at the meeting. R.S.O. 1897, c. 307, s. 3.

Time when resolution for increase in number to take effect.

(3) If the resolution provides for the appointment of more trustees than are authorized by the conveyance, or more than there are in fact if the number is not limited by the conveyance, the same shall take effect forthwith; and the additional trustees to be appointed may be elected at the meeting at which the resolution is passed or at a subsequent meeting.

Time when resolution for reduction in number to take effect.

(4) If the resolution provides for a smaller number of trustees than the conveyance provides for, the resolution shall not take effect until vacancies occur, by death or otherwise, reducing the number of trustees to the number provided for by the resolution; and no other trustee shall be appointed until the number has been reduced below the number authorized by the resolution. R.S.O. 1897, c. 307, s. 4.

(Note.—Sections 5 and 6 of R.S.O. 1897, c. 307, are omitted, as covered by sec. 15.)

Mortgages allowed in certain cases.

8.—(1) Where a debt has heretofore been or is hereafter contracted for the building, repairing, extending or improving of a church, chapel, meeting-house, residence for a minister, book-store, printing or publishing office or other building, on land held by trustees for the benefit of any society or congregation in Ontario, or for the purchase of the land on which the same has been or is intended to be erected, the trustees, or a majority of them, may secure the debt or any part thereof by a mortgage upon the land; or may borrow money to pay the debt or part thereof, and may secure the repayment of the loan and interest by a like mortgage upon such terms as may be agreed upon.

Where church building is not erected on land held by trustees.

(2) The authority conferred by this section, shall extend to any land so held, although the church, or other building, in respect of which the debt is contracted, is not erected on such land. R.S.O. 1897, c. 307, s. 8.

9. In the case of separate but contiguous parcels of land held under separate conveyances by trustees for the same religious society or congregation under this Act, if such parcels of land be so used, occupied, or built upon as to become indivisible except by the removal, alteration, or destruction, in whole or in part, of such user, occupation or building, the trustees of such parcels may join in any mortgage, authorized by the next preceding section. R.S.O. 1897, c. 307, s. 9.

Power to join in mortgage of lands held under separate conveyances.

10.—(1) The grantees in trust named in any letters patent from the Crown, or the survivors or survivor of them, or the trustees for the time being appointed in manner prescribed in the letters patent, whereby land is granted for the use of a religious society or congregation and any other trustees for the time being entitled by law to hold lands in trust for the use of a religious society or congregation may lease for any term not exceeding twenty-one years, lands so held by them at such rent and upon such terms as the trustees or a majority of them deem reasonable. R.S.O. 1897, c. 307, s. 10.

Power to lease.

(2) In such lease the trustees may covenant or agree for the renewal thereof at the expiration of any or every term of years, for a further term of twenty-one years or a less period, at such rent and on such terms as may then, by the trustees for the time being, be agreed upon with the lessee, his heirs, executors, administrators or assigns, or may consent or agree for the payment to the lessee, his executors, administrators or assigns, of the value of any buildings or other improvements which may at the expiration of any term be on the demised premises; and the mode of ascertaining the amount of such rent or the value of such improvements may also be specified in the original lease. R.S.O. 1897, c. 307, s. 11.

Power to agree in leases to renew and pay for improvements by lessee.

(3) The Trustees shall not so lease without the consent of the society or congregation for whose use they hold the land in trust, and such consent shall be signified by the votes of a majority of the members present at a meeting of the society or congregation, duly called for the purpose; nor shall the trustees lease any land which, at the time of making the lease, is necessary for the purpose of erecting a church or place of worship or other building thereon, or for a burial ground for the society or congregation. R.S.O. 1897, c. 307, s. 12.

Consent of cestuis que trustent requisite before leasing; consent, how signified.

(4) The trustees may, in their own names, or by any name by which they hold the land, sue or distrain for rent in arrear, and may take all such means for the recovery thereof as landlords are entitled to take. R.S.O. 1897, c. 307, s. 13.

Remedies of trustees for rent in arrear.

Sales by trustees.

**11.**—(1) Where land held by trustees for the use of a society or congregation becomes unnecessary to be retained for such use, and it is deemed advantageous to sell it, the trustees for the time being may give public notice of an intended sale specifying the premises to be sold and the time and terms of sale; and after publication of the notice once in each week for four successive weeks in a daily or a weekly paper published in or near the place where the land is situate, they may sell the land at public auction according to the notice; but the trustees shall not be obliged to sell, if in their judgment an adequate price is not offered.

Private sales.

(2) The trustees may thereafter sell the land either by public or private sale; but a less sum shall not be accepted at private sale than was offered at the public auction, without the consent of the society or congregation.

Special powers not affected.

(3) This section shall not affect or vary any special powers or trusts for sale contained in any deed or instrument, inconsistent herewith. R.S.O. 1897, c. 307, s. 14; 9 Edw. VII., c. 26, s. 2. *Amended.*


Conveyance to trustees of new congregation.


**12.**—(1) Where land is held by trustees for the use of a religious society or congregation and a separate society or congregation is formed therefrom, the trustees for the time being may convey to the trustees of such separate society or congregation such part of the land as is no longer required for the use of the society or congregation for the use of which it is so held, but no such conveyance shall be made unless and until the assent thereto of such last mentioned society or congregation has been first obtained, or the conveyance is sanctioned in the manner provided by section 15.



As to such conveyance heretofore executed.



(2) Every conveyance heretofore executed to any such separate society or congregation and so assented to or sanctioned shall be as valid and binding as if subsection 1 had been in force at the time such assent or sanction was given and such conveyance was executed, but this subsection shall not apply to a conveyance which is in question in an action pending on the 7th day of March, 1910, or which has heretofore been determined to be invalid, or affect any adverse right or title acquired before that date. 10 Edw. VII. c. 106, s. 1.

Conveyance where congregations unite.

**13.**—(1)  Where land is held by trustees for the use of any religious society or congregation, and such society or congregation desires to unite with another society or congregation of the same denomination the trustees for the time being may convey any lands held by them to the trustees of such last mentioned society or congregation, but no such

conveyance shall be made unless and until it is assented to or sanctioned in the manner provided by section 12. 

(2)  Every such conveyance heretofore made shall be as valid and binding as if subsection 1 had been in force at the time such assent or sanction was given and such conveyance was made.  Conveyances heretofore made.

**14.**  The trustees of any religious society or congregation may convey the lands belonging to such society or congregation to any incorporated Board of the denomination of which such society or congregation forms part, but no such conveyance shall be made unless and until the assent thereto of such society or congregation has been first obtained or the conveyance is sanctioned in the manner provided by section 12.  Conveyance to denominational Board

**15.**—(1) Before any conveyance is executed in pursuance of a public or private sale, the society or congregation for whose use the lands are held shall be duly notified thereof, and its assent obtained to the execution of the deed, and such assent shall be signified by the votes of a majority of the members present at a meeting of the society or congregation duly called for the purpose. Before conveyance cestuis que trustent to be notified and sanction obtained.

(2) Such assent shall be held in favour of the grantee, his heirs and assigns to be conclusively attested by the execution of the deed by the chairman at such meeting, or by the official head of such society or congregation, or by some person appointed at such meeting for the purpose; and the person assuming to execute the deed as chairman, official head or appointee, shall be deemed to be such chairman, official head or appointee, as the case may be. Evidence of.

(3) Instead of such assent it shall be sufficient for the validity of any such conveyance, that the sale be sanctioned and the conveyance approved of by the Judge of the County or District Court of the county or district in which the land is situate. R.S.O. 1897, c. 307, s. 15. When County Judge may approve of deed.

**16.**—(1) Any society or congregation on whose behalf land is now, has been, or hereafter may be held by a trustee or trustees, without the manner of appointing successors being set forth in the grant, conveyance, or devise of such land, or which is or may be entitled to any land, at any time hereafter may assemble in a public meeting duly convened by notice in writing, signed by at least five members of such society or congregation, and affixed to the door of its place of worship, at least eight days previous to the day appointed for holding such meeting; and at such meeting, by the votes of a Power to convene public meeting and determine how successors to trustees are to be appointed, or to appoint trustees.

majority of the members present, may determine in what manner the successors to such trustee or trustees shall be appointed, or may appoint a trustee or trustees of any land to which the society or congregation is entitled, and determine in what manner their successors in the trust shall be appointed. R.S.O. 1897, c. 307, s. 16.

Upon registration lands of unincorporated bodies to vest in the trustees appointed.

(2) Any land to which the society or congregation is entitled, shall from time to time vest in and be held by the trustee or trustees to be appointed as hereinbefore mentioned, and their successors in the trust, immediately upon the registration of the proceedings without any or further conveyance or instrument. R.S.O. 1897, c. 307, s. 18, *part*.

The case of two societies desirous to build a house of worship.

**17.** Where members or adherents in any locality of two or more religious societies desire to build a house for public worship, it shall be lawful for each of the societies respectively to appoint from time to time one trustee in the manner and form prescribed in this Act, and the trustees of the religious societies so united shall have the like powers as are conferred on trustees under this Act, and no others; and as to any act, deed or thing to be done or made by trustees under this Act which requires the sanction or assent of the society or congregation, the trustees under this section shall obtain the sanction or assent of each and every of the religious societies so united, to be ascertained and signified in the manner hereinbefore mentioned. R.S.O. 1897, c. 307, s. 19.

Record of proceedings.

**18.**—(1) A record of the proceedings of every meeting held under this Act, shall be entered in the minute book or other official register of the acts and proceedings of the society or congregation, and shall be signed by the chairman and secretary thereof, and shall thereafter be deposited of record among the archives of the society or congregation, and a copy of such record verified by the affidavit of the chairman or secretary of the meeting, may be recorded in the registry office of the registry division in which the land is situate.

Deposit and registry thereof.

Copy as evidence.

(2) A copy of such proceedings taken from the minute book or other official register of the society or congregation, and certified by the clerk or custodian of the records of the society or congregation, or a copy certified by the registrar of the registry division wherein the same has been registered, shall be *prima facie* evidence of the contents thereof. (See R.S.O. 1897, c. 307, ss. 5, 6, and 17.)

(Note.—R.S.O. c. 307, s. 20, sub. s. (1) (2), were not consolidated but remain unrepealed.)



**19.** Trustees selling or leasing land under the authority of this Act shall, on the first Monday in July in every year, have ready and open for the inspection of the society or congregation which they represent, or of any member thereof, a detailed statement shewing the rents which accrued during the preceding year, and all sums of money whatever in their hands for the use and benefit of the society or congregation, which were in any manner derived from the lands under their control or subject to their management, and also shewing the application of any portion of the money which has been expended on behalf of the society or congregation. R.S.O. 1897, c. 307, s. 22.

Trustees to exhibit accounts as to lands sold and leased.

**20.** This Act shall not repeal, alter, affect or vary any of the provisions in any special Act contained with reference to any religious society or congregation, but, on the contrary, any of such provisions, which differ from or are inconsistent with any of the provisions of this Act, shall prevail, and where any additional rights or privileges are conferred by this Act, they shall be construed as supplementary to the provisions contained in any such special Act; and in every case the special trusts or powers of trustees contained in any deed, conveyance, or other instrument, shall not be affected or varied by any of the provisions of this Act. R.S.O. 1897, c. 307, s. 23.

This Act not to affect special Acts as to religious bodies.

*(R.S.O. 1897, c. 307, s. 24, repealed, as dealt with by the Mortmain Act, 9 Edw. VII. c. 58.)*

**21.**—(1) Whenever any two or more parcels of land adjoining each other, or in the same neighbourhood, are held as sites for burial grounds by different bodies of trustees, whether of the same or different denominations, societies, or congregations, and such trustees think it desirable that such parcels should be vested in one body of trustees, such two or more bodies of trustees, or the majority of each of such bodies, may, by deed, appoint trustees to whom and their successors, to be appointed in such manner as may be specified in such deed, all or any of the lands vested in such appointing bodies of trustees as sites for burial grounds may be conveyed, and such trustees so appointed, and their successors in perpetual succession by the name expressed in the deed, may take, hold and possess the lands thereby or thereafter conveyed to them as a site or sites for a burial ground, and maintain and defend actions for the protection thereof and of their property therein, and the several appointing bodies of trustees may, in or by the same deed of appointment, or by any other deed or deeds, convey and assure all or any of the parcels of land so vested in them respectively to such trustees so appointed and their successors upon, with and

Power to appoint joint trustees for two or more burial grounds which adjoin each other.

subject to such trusts, powers, limitations and provisions not inconsistent with the purposes of a burial ground as shall by the parties thereto be deemed proper. R.S.O. 1897, c. 307, s. 25.

Assent of congregation or religious body required.

(2) No such deed of appointment of trustees, and no such conveyance or assurance, shall be made or executed by any body, or the majority of any body, of trustees, unless or until the society or congregation for whose use the lands are held is duly notified thereof, and its assent obtained to the execution of such deed of appointment, or of such conveyance or assurance, and such assent shall be signified by the votes of a majority of the members present at a meeting of the society or congregation duly called for the purpose.

Evidence of assent.

(3) Such assent shall be held in favour of such new trustees and their successors to be attested by the execution of the deed by the chairman at such meeting, or by the official head of such society or congregation, or by some person appointed at such meeting for the purpose; and the person assuming to execute the deed as chairman, official head, or appointee, shall be presumed to be such chairman, official head, or appointee, as the case may be. R.S.O. 1897, c. 307, s. 26.

Rights extended to the Church of England.

**22.**—(1) All the rights, powers, and privileges, conferred upon any society or congregation by this Act, shall extend and apply to the Church of England in Ontario, formerly or otherwise called the United Church of England and Ireland in Canada, or the United Church of England and Ireland in Upper Canada, or the Church of England in Upper Canada.

Incumbent and church wardens to be trustees within the meaning of Act.

(2) The parson or other incumbent of the church for the time being and the churchwardens thereof, shall, for the purposes of this Act, be deemed to be trustees within the meaning thereof.

Bishop, etc., to be trustees under 3 V. c. 74, s. 16.

(3) In cases within section 16 of the Act passed in the third year of the reign of Her late Majesty Queen Victoria, chapter 74, and intituled *An Act to make provision for the management of the Temporalities of the United Church of England and Ireland in this Province, and for other purposes therein mentioned*, the Bishop, or Parson, Rector or Incumbent, or any successor or other person in whom the legal title or estate is vested, by, from or under any of them, shall also be deemed to be a trustee, by whom the like rights and powers of trustees, may be exercised as in the case of such trustees.

(4) In cases of property vested in the Bishop of any diocese in trust, not covered by the next preceding subsection, the Bishop shall also be deemed to be a trustee by whom the like powers of trustees under this Act may be exercised as in the case of such trustees.

Property vested in the Bishop in trust.

(5) In cases of property vested in the synod of any diocese within the Act passed in the 7th year of the reign of Her late Majesty Queen Victoria, chapter 68, intituled *An Act to incorporate the Church Societies of the United Church of England and Ireland in the Dioceses of Quebec and Toronto*, and the Act passed in the 32nd year of the reign of Her late Majesty Queen Victoria, chapter 51, intituled *An Act to incorporate the Synod of the Diocese of Toronto and to unite the Church Society of the Diocese of Toronto therewith*, the synod shall also be deemed to be a trustee, by whom the like rights and powers of trustees under this Act may be exercised as in the case of such trustees; and the powers of the synod under this subsection may be exercised by and through such boards and committees as the synod may, by by-law appoint for that purpose.

Property vested in the Synod in trust within 7 v. c. 68 and 32 v. c. 51.

(6) Provided that land shall not be sold or leased, mortgaged or otherwise incumbered, under the powers conferred by this Act, except with the consent of the vestry of the church or congregation interested therein, and of the Bishop of the diocese, and the executive committee of the synod of the diocese; and it is hereby declared, that the consent of the vestry, given in accordance with the rules and canons of the said Church, shall be deemed to be the consent of the congregation, and the execution of the conveyance by the Bishop, and by the secretary or secretaries of the synod, or a memorandum of consent indorsed thereon and signed by them, shall, in favour of the grantee, his heirs and assigns, be conclusive evidence of the consent of the Bishop and executive committee. R.S.O. 1897, c. 307, s. 27.

How land may be sold or encumbered, consent requisite

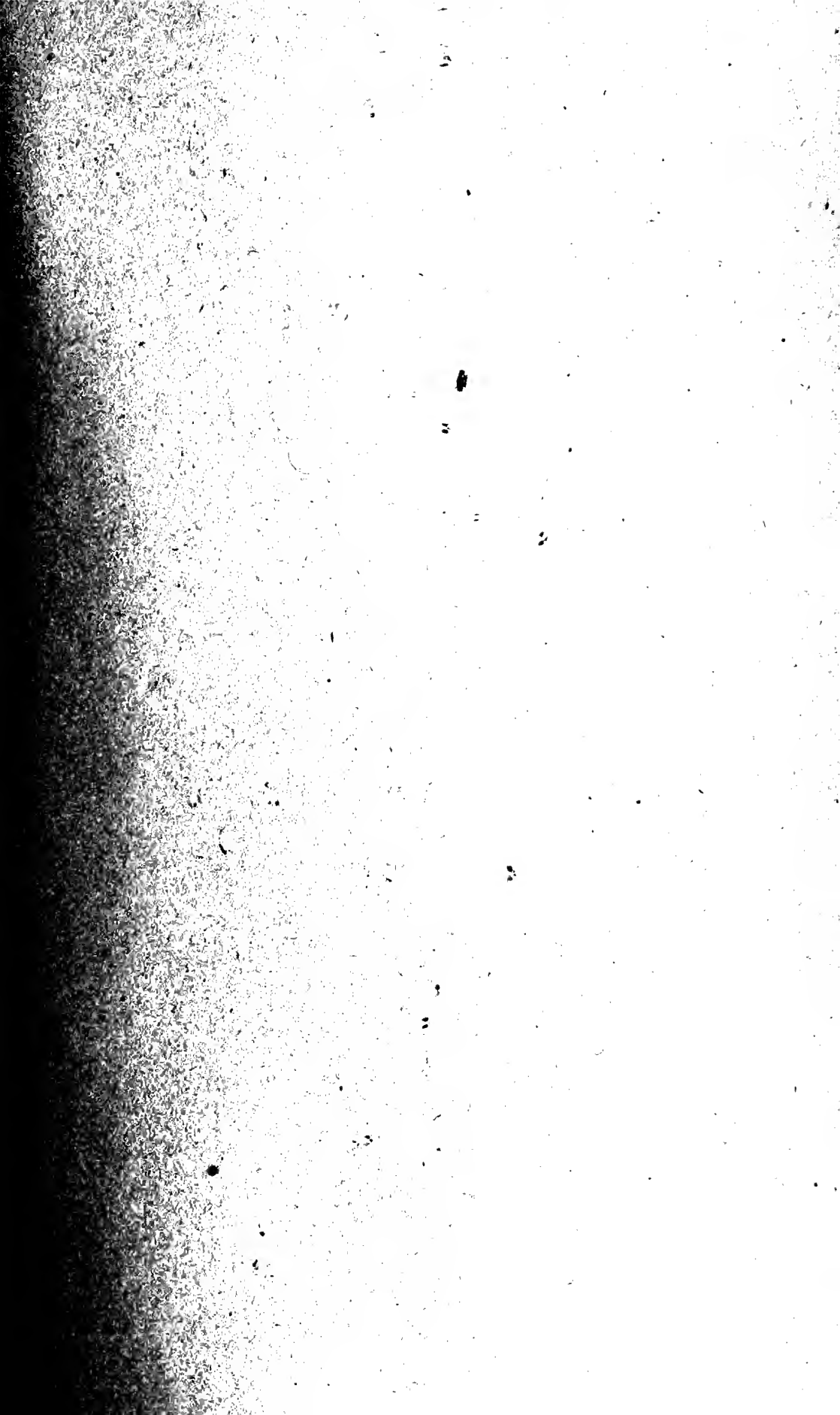
**23.** All the rights and privileges conferred upon any religious society or congregation mentioned in section 2 shall extend, in every respect, to the Roman Catholic Church, to be exercised according to the government of that Church. R.S.O. 1897, c. 307, s. 28. *Part.*

Rights extended to Roman Catholic Church.

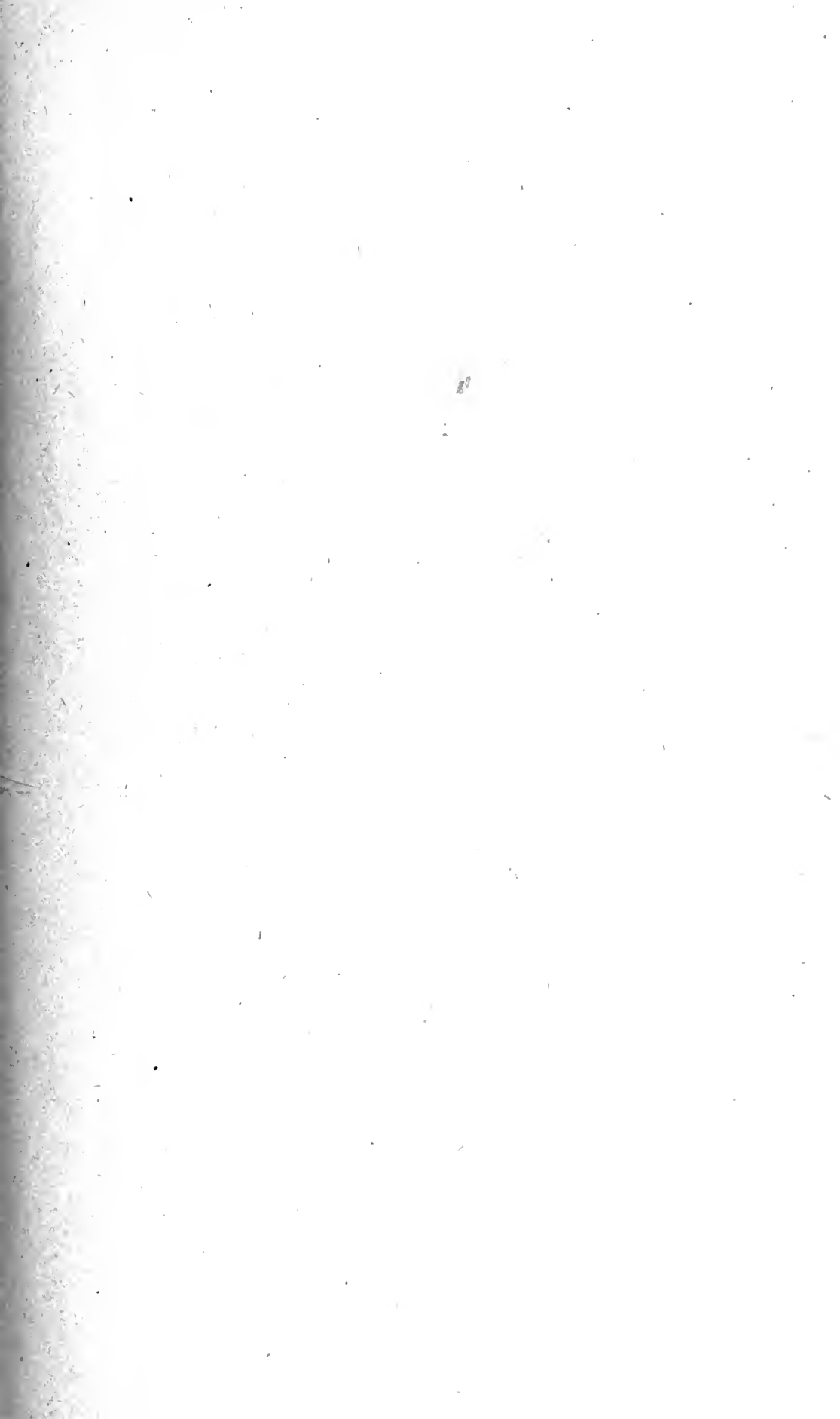
**24.** All the rights and privileges conferred upon any religious society or congregation mentioned in section 2 have been, since the 7th day of April, 1891, and are hereby extended to and shall apply to any society or congregation of Jews, professing the Jewish religion. R.S.O. 1897, c. 307, s. 28. *Part.*

Rights extended to Jews.

**25.** Chapter 307 of the Revised Statutes, 1897, except section 20 thereof, chapter 36 of the Acts passed in the 4th year, section 56 of chapter 33 of the Acts passed in the 8th year, section 2 of chapter 26 of the Acts passed in the 9th year, and chapter 106 of the Acts passed in the 10th year of the reign of His late Majesty King Edward the Seventh, are repealed **Repeal**







No. 90.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting the Property of Religious Institutions.

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1st Reading, 9th February, 1912.  
2nd Reading, 9th February, 1912.

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

Mr. LUCAS.

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



# BILL

## An Act for the Suppression of Foul Brood among Bees.

SHORT TITLE, s. 1.	For obstructing inspector, s. 7.
INSPECTOR OF APIARIES, s. 2.	SPECIAL CONSTABLES TO AID INSPECTOR, s. 8.
DUTIES OF INSPECTOR, ss. 3, 4, 8.	INFORMING OFFENDER OF PROVISIONS OF ACT, s. 9.
PENALTIES, ss. 5-7.	NOTIFYING MINISTER, s. 10.
For disposing of infected stock or appliances, s. 5.	INSPECTOR TO REPORT TO MINISTER, s. 11.
For selling stock or appliances after treatment, without authority, s. 6.	REPEAL, s. 12.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be known as *The Foul Brood Act*. Short title. 6 Edw. VII. c. 51, s. 1.

**2.—(1)** The Lieutenant-Governor in Council upon the recommendation of the Minister of Agriculture may from time to time appoint one or more Inspectors of Apiaries to enforce this Act.

(2) The Inspector shall, if so required, produce the certificate of his appointment on entering upon any premises in the discharge of his duties.

(3) The remuneration to be paid to an Inspector under this Act shall be determined by order of the Lieutenant-Governor in Council, and shall be payable out of any sum appropriated by the Legislature for the enforcement of this Act. 6 Edw. VII. c. 51, s. 2.

**3.—(1)** The Inspector shall, whenever so directed by the Minister, visit any locality in Ontario and examine any apiary to which the Minister directs him, for the purpose of ascertaining if the disease known as "foul brood" exists in such apiary.

Destruction of affected colonies where disease malignant.

(2) If the Inspector finds that foul brood exists in a virulent or malignant type, he shall order all colonies of bees so affected, together with the hives occupied by them, and the contents of such hives and all tainted appurtenances that cannot be disinfected to be immediately destroyed by fire under his personal direction and superintendence.

Treatment, where disease mild.

(3) Where the Inspector who shall be the sole judge thereof finds that the disease exists, but only in a milder type and in its incipient stage, and is being or may be treated successfully, and the Inspector has reason to believe that it may be entirely cured, then he may omit to destroy or order the destruction of such colonies and hives. 6 Edw. VII. c. 51, s. 3.

Box-hives.

4. The Inspector may order the owner or possessor of any bees dwelling in box or immovable frame hives to transfer them to movable frame hives within a specified time, and in default the Inspector may destroy, or order the destruction of such hives and the bees dwelling therein. 10 Edw. VII. c. 26, s. 27.

Penalty for disposing of infected bees or appliances.

5. Any owner or possessor of diseased colonies of bees, or of any infected appliances for bee-keeping, who knowingly sells or barter or gives away such diseased colonies or infected appliances shall incur a penalty of not less than \$50 or more than \$100, or he may be imprisoned for any term not exceeding two months. 6 Edw. VII. c. 51, s. 5.

Selling infected bees after treatment or exposing appliances.

6. Any person whose bees have been destroyed or treated for foul brood, who sells or offers for sale any bees, hives or appurtenances of any kind, after such destruction or treatment, and before being authorized by the Inspector so to do or who exposes in his bee-yard, or elsewhere, any infected comb honey, or other infected thing, or conceals the fact that said disease exists among his bees, shall incur a penalty of not less than \$20 and not more than \$50, or he may be imprisoned for a term not exceeding two months. 6 Edw. VII. c. 51, s. 6.

Penalty for obstructing inspector.

7. Any owner or possessor of bees who refuses to allow the Inspector to freely examine bees, or the premises in which they are kept, or who refuses to destroy the infected bees and appurtenances, or to permit them to be destroyed when so directed by the Inspector, shall, on the complaint of the Inspector, incur a penalty of not less than \$25 and not more than \$50 for the first offence, and not less than \$50 and not more than \$100 for the second and any subsequent offence,

and the convicting Justice shall by the conviction order the said owner or possessor forthwith to carry out the directions of the Inspector. 6 Edw. VII. c. 51, s. 7.

8. Where such owner or possessor of bees disobeys the directions of the said Inspector, or offers resistance to or obstructs him, a Justice of the Peace may, upon the complaint of the Inspector cause a sufficient number of special constables to be sworn in, who shall, under the directions of the Inspector, proceed to the premises of such owner or possessor and assist the Inspector to seize all the diseased colonies and infected appurtenances and burn them forthwith, and if necessary the Inspector or constables may arrest the owner or possessor and bring him before a Justice of the Peace to be dealt with according to the provisions of the preceding section. 6 Edw. VII. c. 51, s. 8.

Special constables may be sworn in to assist inspector.

9. Before proceeding against any person before a Justice of the Peace, the Inspector shall read over to such person the provisions of this Act or shall cause a copy thereof to be delivered to him. 6 Edw. VII. c. 51, s. 9.

Inspector to inform offender of provisions of Act.

10. Every owner or possessor of bees and any other person who is aware of the existence of foul brood either in his own apiary or elsewhere shall immediately notify the Minister of the existence of such disease and in default of so doing shall incur a penalty of \$5. 6 Edw. VII. c. 51, s. 10.

Persons aware of disease to notify Minister.

11. Each Inspector shall report to the Minister as to the inspection of any apiary in such form and manner as the Minister may direct, and all reports shall be filed in the Department of Agriculture, and shall be made public as the Minister may direct or upon order of the Assembly. 6 Edw. VII. c. 51, s. 11.

Inspectors to report to Minister.

12. The Act passed in the 6th year of the reign of His late Majesty King Edward the Seventh, and section 27 of the Act passed in the 10th year of the said reign, chaptered 26, are repealed.

6 Edw. VII. c. 51; 10 Edw. VII. c. 26, s. 27, repealed.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act for the Suppression of Foul Brood  
among Bees.

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1st Reading,

1912

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Mr. DUFF.

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

# BILL

## An Act to Prevent the Spread of Insect and Fungous Diseases Injurious to Vegetation.

SHORT TITLE, s. 1.	FUMIGATION, s. 11.
INTERPRETATION, s. 2.	Prohibition of sale pending, s. 12.
INSPECTORS, s. 3.	Removal pending, s. 13.
PROHIBITION OF IMPORTATION OF DISEASED PLANTS, s. 4.	Exception for scientific purposes, s. 14.
KEEPING DISEASED PLANTS, s. 5.	OWNER TO NOTIFY MINISTER, s. 15.
DESTRUCTION OF DISEASED PLANTS, s. 6.	EXAMINATION AND DESTRUCTION, s. 16.
MUNICIPAL INSPECTORS, s. 7.	FREE ACCESS TO INSPECTORS, s. 17.
NOTICE OF REPORT TO OWNER, ETC., s. 8.	PENALTY, s. 18.
MUNICIPAL INSPECTOR TO BE SUBJECT TO REGULATIONS OF PROVINCIAL INSPECTOR, s. 9.	INCLUDING OTHER DISEASES, s. 19.
REMUNERATION, s. 10.	REGULATIONS, s. 20.
	REPEAL, s. 21.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Fruit Pest Act*. 10 Edw. Short title. VII., c. 99, s. 1.

2. In this Act

Interpretation.

(a) "Disease" shall mean the following insects and diseases in any stage of development, Codling Moth, San Jose Scale, Yellows, Little Peach, Black Knot, Pear Psylla, and Pear Blight, and any other insects and disease to which the provisions of this Act may be extended under section 14.

"Disease."

(b) "Minister" shall mean the Minister of Agriculture for the Province of Ontario.

"Minister."

(c) "Plant" shall mean any tree, vine, shrub or plant. 10 Edw. VII., c. 99, s. 2. *Amended*.

"Plant."

**Inspectors.**       **3.** On the recommendation of the Minister, the Lieutenant-Governor in Council may appoint one or more competent persons to act as inspectors, whose duties shall be to enforce the provisions of this Act. 10 Edw. VII., c. 99, s. 3.

**Importing diseased plants prohibited.**       **4.**—(1) No person shall import or bring, or cause to be imported or brought into Ontario, for any purpose whatsoever, any diseased plant or fruit, or sell or dispose of, or offer for sale any fruit infested with San Jose Scale, Yellows or Little Peach.

**Examination of suspected fruit.**       (2) Wherever such diseased fruit exists or is believed by the Provincial Inspector to exist he may make an examination and inspection and may order any fruit so infested, or such part as he may deem advisable, to be destroyed. 10 Edw. VII., c. 99, s. 4; 1 Geo. V., c. 17, s. 60.

**Keeping diseased plants.**       **5.** No person shall keep or have, or offer for exchange or sale, any diseased plant. 10 Edw. VII., c. 99, s. 5. *Part.*

**Destruction of diseased plants.**       **6.** Every person owning, leasing or managing any orchard or collection of plants, other than a nursery, shall, when any plant therein becomes diseased and forthwith on becoming aware of such disease, destroy such plant by fire or effectually treat the disease by fumigation or spraying with such material as may be prescribed by the Minister. 10 Edw. VII., c. 99, s. 5 (a).

**Appointment of inspectors by municipality.**       **7.**—(1) The council of any local municipality may, and upon the petition of twenty-five or more fruit growers who are ratepayers, shall, by by-law appoint at least one inspector to enforce the provisions of this Act in the municipality and fix the amount of remuneration, fees or charges he shall receive for the performance of his duties.

**Approval of Minister.**       (2) All such appointments, remuneration, fees or charges shall be subject to, and be only operative on the written approval of the Minister, communicated by him to the clerk of the municipality.

**Duration of by-law.**       (3) The by-law shall not take effect unless and until approved by the Minister and shall remain in force only for the calendar year in which it is passed.

**Transmitting copy to Minister.**       (4) The clerk of the municipality shall transmit a certified copy of every such by-law to the Minister of Agriculture before the first day of March after the passing thereof. 10 Edw. VII., c. 99, s. 5 (b); 1 Geo. V., c. 17, s. 61. *Amended.*

8. Upon the report of the municipal inspector to the Provincial Inspector that there is disease upon the plants on any lot within the municipality, the provincial inspector shall direct the municipal inspector to give notice personally by the inspector or by registered letter to the owner or occupant of the lot to have the plants forthwith sprayed, or to have them destroyed by burning as may be determined by the provincial inspector, and in case this is not done within ten days after the notice has been given, the inspector may cause such spraying or destruction by burning to be done, and he shall report to the clerk what has been done, and the cost of the work, and such cost shall be charged on the lot and be collected as a special tax in addition to the other taxes imposed by the municipal council on the lot. 10 Edw. VII., c. 99, s. 5 (c); 1 Geo. V., c. 17, s. 62.

Notice to owner or occupant.

9. Every inspector appointed by a municipal council shall be subject to and observe the regulations and directions of the Minister, and shall be subject and subordinate to the provincial inspector appointed by the Minister, and in case of any neglect of duty, shall be subject to the penalties prescribed by this Act. 10 Edw. VII., c. 99, s. 5 (d).

Inspectors to obey regulations.

10. The council shall pay the remuneration, fees or charges of the municipal inspector and shall be entitled to receive from the Department of Agriculture one-half of the amount so paid upon furnishing the Department with a statement of the sums so paid, certified to by the provincial inspector, provided that such statement is submitted to the Minister on or before the fifteenth day of December of the year to which it applies. 10 Edw. VII., c. 99, s. 5 (e).

Remuneration of municipal inspectors.

11. The proprietor or manager of any nursery shall not send out or permit any plant to be removed from his nursery until the same has been fumigated by hydrocyanic acid gas in accordance with the regulations prescribed by Order of the Lieutenant-Governor in Council. 10 Edw. VII., c. 99, s. 6.

Nurseryman to fumigate plants.

12. No person shall sell or dispose of or offer for sale any plant obtained, taken or sent out from a nursery unless the same has been previously fumigated by hydrocyanic acid gas in accordance with the above regulations. 10 Edw. VII., c. 99, s. 7.

Plants not to be sold until fumigated.

13. If an inspector finds disease in any nursery, and so reports to the Minister, the Minister may thereupon inform in writing the proprietor or manager of the nursery of the existence of the disease, and the proprietor or manager shall not thereafter permit any plant to be removed until he is

Plants not to be removed from nursery where disease exists.

notified in writing by the Minister that the inspector has reported to the Minister that it is safe in the public interest to permit such removal after fumigation. 10 Edw. VII., c. 99, s. 8.

Exception for scientific purposes.

**14.** For the purpose of scientific investigation, the Minister may, from time to time, by writing given under his hand, except such persons as he may deem proper from the operation of sections 11 and 13, and while acting under such permission such persons shall not be subject to the penalties imposed by this Act. 10 Edw. VII., c. 99, s. 9.

Owner of diseased plant to notify the Minister.

**15.** Any person having reason to suspect that any plant in his possession or in his charge or keeping is diseased shall forthwith communicate with the Minister in regard to the same, and shall furnish the Minister with all such information in regard to the source or origin of the said infestation and the nature of the same as he may be able to give. 10 Edw. VII., c. 99, s. 10.

Examination of diseased plants and destruction by burning.

**16.**—(1) When disease exists or is supposed to exist on any plant, the Minister may direct a competent person to make an examination and inspection, and may order that any plant so infested, or any such part as he may deem advisable, shall be immediately destroyed by burning, either by the person appointed to make the inspection or by the person owning or having possession of the plant, or some other person so directed in writing, and the person so directed shall report to the Minister in writing the nature and extent of the work so performed, together with a fair estimate of the value of the plants destroyed.

Where disease found in several parts of orchard or collection.

(2) If, in a nursery, orchard or collection of plants, the inspector finds disease on plants located in several different parts of the nursery, orchard or collection, and decides that it is advisable in the public interest to destroy all the plants in such nursery, orchard or collection, or in any part thereof, and so reports to the Minister, the Minister may direct that an examination or inspection shall be made by an additional inspector, and upon their advice in writing he may direct that all the plants in such nursery, orchard or collection, or in such part or parts thereof shall be destroyed without requiring that every plant therein shall be first examined. 10 Edw. VII., c. 99, s. 11.

Free access for inspectors, etc.

**17.** Any inspector or other person acting under the authority of this Act, shall, upon producing his authority in writing, have free access to any nursery, orchard, storeroom, or other place where it is known or suspected that any plant is kept. 10 Edw. VII., c. 99, s. 12.



**18.** Any person neglecting to carry out the provisions of this Act, or any person offering any hindrance to the carrying out of this Act, shall incur a penalty of not less than \$10 nor more than \$100, recoverable under *The Ontario Summary Convictions Act*. 10 Edw. VII., c. 99, s. 13. <sup>Penalty.</sup> <sup>10 Edw. VII., c. 37.</sup>

**19.** The Lieutenant-Governor in Council may, by Order, direct that other insects and diseases than those mentioned may be included in the provisions of this Act, and thereafter during the continuance of such Order-in-Council, the word "disease" in this Act shall include all such other insects and diseases. Public notice of such Order-in-Council shall be given by publication in two successive issues of the *Ontario Gazette*. 10 Edw. VII. c. 99, s. 14. <sup>Including other diseases.</sup>

**20.** The Lieutenant-Governor in Council may make such regulations as may be deemed expedient for the better carrying out the provisions of this Act. *New.* <sup>Regulations.</sup>

**21.** *The Pests Act*, passed in the 10th year of the reign of His late Majesty, King Edward the Seventh, and sections 60, 61, and 62 of *The Statute Law Amendment Act, 1911*, are repealed. <sup>10 Edw. VII., c. 99; 1 Geo. V., c. 17, ss. 60-62, repealed.</sup>





No. 92.

1st Session, 13th Legislature,  
2 George V., 1912.

BILL.

An Act to Prevent the Spread of Insect  
and Fungous Diseases Injurious to  
Vegetation.

1st Reading, 1912.

MR. DUFF.

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

# BILL

## An Act to Prevent the Spread of Noxious Weeds.

SHORT TITLE, s. 1.  
 INTERPRETATION, s. 2.  
 DUTY OF OWNERS AND OCCUPANTS OF LAND, s. 3.  
 EXEMPTION OF WASTE OR UNOCCUPIED LAND, s. 4.  
 OPERATION OF ACT MAY BE EXTENDED, s. 5.  
 INSPECTOR:  
     Appointment, s. 6.  
     Duties, s. 7.  
     Expenses, s. 8.  
 DUTY OF OVERSEERS OF HIGHWAYS, s. 9.

PENALTIES, ss. 10-13.  
     For neglect to obey orders of inspector, s. 10.  
     For selling seed mixed with seed of weeds, s. 11.  
     For sowing grain infected by smut, s. 12.  
     For neglect of duties by inspector, s. 13.  
 RECOVERY AND APPLICATION OF PENALTIES, s. 14.  
 REPEAL, s. 15.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as "*The Noxious Weeds Act.*" Short title.

2. In this Act, Interpretation.

(a) "Non-resident" land shall apply to all land which is unoccupied, and the owner of which is not resident within the municipality. "Non-resident land."

(b) "Resident land" shall mean land which is occupied or which is owned by a person resident within the municipality. "Resident land." R.S.O. 1897, c. 279, s. 1.

3. Every occupant of land, or, if the land is unoccupied, the owner shall cut down or destroy all the Canada thistles, ox-eye daisy, wild oats, rag-weed and burdock growing thereon, and all other noxious weeds growing on the land, to which this Act may be extended by by-law as hereinafter provided. Duty of owners and occupants as to destruction of weeds, etc.

so often in each and every year as is sufficient to prevent the ripening of their seed, provided that such cutting or destruction does not involve the destruction of the growing grain. R.S.O. 1897, c. 279, s. 2.

Exemption  
of waste  
or unoc-  
cupied  
lands.

4. The council of any township in which there are any large tracts or blocks of waste or unoccupied land, may upon the petition of not less than thirty ratepayers, by by-law, suspend the operation of this Act, in respect of such waste or unoccupied lands; which by-law shall define the tracts or blocks of land so exempted, and shall remain in force until repealed; and until repealed the lands therein described shall be exempt from the operation of this Act. R.S.O. 1897, c. 279, s. 3 (3).

Operation  
of Act  
may be  
extended.

5. The council of any local municipality may, by by-law, extend the operation of this Act to any other weed or weeds, or to any disease of grain, which are by the by-law declared to be noxious to husbandry or gardening; and in such case the provisions of this Act shall apply to such noxious weeds and diseases as if the same were herein enumerated. R.S.O., 1897, c. 279, s. 3 (1).

Appoint-  
ment of  
Inspector.

6.—(1) The council of any local municipality may and, upon a petition of fifty or more ratepayers, shall appoint at least one inspector to enforce the provisions of this Act in the municipality, and fix the amount of remuneration, fees or charges he is to receive for the performance of his duties; and if a vacancy occurs in the office, the council shall fill the same forthwith. R.S.O., 1897, c. 279, s. 3 (2).

Division of  
municipal-  
ties into  
sections  
and appoint-  
ment of  
inspectors.

(2) The council may pass a by-law dividing the municipality into sections or divisions for the carrying out of this Act, and may appoint inspectors for such divisions whose duties and powers shall in all respects be the same as those of the township inspector. R.S.O., 1897, c. 278, s. 3.

Duty of  
Inspector.

7.—(1) The inspector shall give notice in writing to the owner or occupant of any land within the municipality whereon any of such noxious weeds are growing, requiring him to cause the same to be cut down or destroyed within ten days from the service of the notice; and it shall be the duty of the inspector to give such notice for the first time not later than such date or dates in each year as may be fixed by by-law of the municipality.

Lands of  
railway  
company.

(2) In case of the lands of a railway company the notice shall be given to any station master of the company resident in or nearest to the municipality.

*See s. 105 of "The Ontario Railway Act, 1906." 6 Edw. VII., c. 30, and s. 417 of "The Railway Act" of Canada, 3 Edw. VII., c. 37.*

(3) If such owner or occupant of land refuses or neglects to cut down or destroy all or any of such noxious weeds within the period aforesaid, the inspector may enter upon the land and cause such weeds to be cut down or destroyed with as little damage to growing crops as may be, or he may lay information before any justice of the peace complaining of such refusal or neglect, and such owner or occupant shall incur the penalties provided by section 10; but no inspector shall have power to cut down or destroy or to require the owner or occupant to cut down or destroy such noxious weeds on any land sown with grain.

Inspector's powers on default by owner or occupant.

(4) Where such noxious weeds are growing upon non-resident land it shall not be necessary to give any notice before proceeding to cut down or destroy the same. R.S.O., 1897, c. 279, s. 4; 4 Edw. VII., c. 27, s. 1.

Non-resident land, notice not required.

8.—(1) The inspector shall keep an account of the expense incurred by him in carrying out the provisions of this Act with respect to each parcel of land entered upon, and shall deliver a statement of such expenses, describing the land entered upon, and verified by oath, to the owner or occupant of resident land requiring him to pay the amount.

Account of inspector's expenses and payment thereof.

(2) If the owner or occupant deems such expense excessive, he may appeal to the council, within thirty days after the delivery of such statement, and the council shall determine the matter in dispute.

Appeal to council against excessive charge.

(3) If the owner or occupant refuses or neglects to pay the same within thirty days after such request for payment, the claim shall be presented to the council and the council shall audit and allow the claim, and order the same to be paid from the general funds of the municipality. R.S.O. 1897, c. 279, s. 5.

Proceedings in case of default in payment.

(4) The inspector shall also present to the council a similar statement, verified by oath, of the expenses incurred by him in carrying out the provisions of this Act upon any non-resident land; and the council shall audit and allow the same, or so much thereof as it may deem just, and shall pay so much thereof as has been so allowed. R.S.O. 1897, c. 279, s. 6.

Provisions as to expenses in case of non-resident land.

Collection of sums paid for expenses by municipality.

(5) The council shall cause all such sums as have been so allowed and paid, to be placed upon the collector's roll of the municipality against the land described in the statement of the inspector, to be collected in the same manner as other taxes. R.S.O., 1897, c. 279, s. 7.

Duties of overseers of highways as to noxious weeds.

**9.**—(1) Overseers of highways in any municipality, or other municipal officers charged with the care of highways shall see that all noxious weeds growing upon the highways or road allowances in their respective divisions are cut down or destroyed at the proper times to prevent the ripening of their seed, such work to be performed as part of the ordinary statute labour or to be paid for at a reasonable rate by the treasurer of the municipality, as the council of the municipality may direct. 8 Edw. VII., c. 62, s. 1.

In unorganized townships.

(2) In unorganized townships where road commissioners have been appointed, every owner or occupant shall cut down and destroy, at the proper time to prevent the ripening of their seed, all such noxious weeds growing on any highway adjoining such land, from the boundary of such land to the centre line of such road, and in case of default after notice from the road commissioners requiring such work to be done on or before a day named in the notice, such owner or occupant shall incur a penalty of \$5 for each lot or parcel in respect of which default is made, and the penalty when recovered shall be paid to the road commissioners and be expended in improving the roads in such township.

Penalty.

Road commissioners may do the work and recover expenses.

(3) Where such default occurs the road commissioners may perform the work in place of such owner or occupant, and the cost thereof at the rate of \$2 for each day's labour involved shall be recoverable as a debt due by such owner or occupant to the road commissioners in any court of competent jurisdiction. 4 Edw. VII., c. 27, s. 2.

Penalty for neglect to obey inspector's orders.

**10.** Any owner or occupant of land who contravenes any of the provisions of this Act or who refuses or neglects to obey any lawful order of the inspector given under this Act, shall incur a penalty of not less than \$5 nor more than \$20 for every such offence. R.S.O., 1897, c. 279, s. 9 (1), *amended*.

Penalty for selling seed mixed with seeds of weeds.

**11.** Any person who knowingly sells or offers to sell any grass, clover or other seed, or any seed grain among which there is seed of Canada thistles, ox-eye daisy, wild oats, rag-weed, burdock or wild mustard shall, for every such offence incur a penalty of not less than \$5 nor more than \$20. R.S.O. 1897, c. 179, s. 9 (2).



**12.** Any person who sows any wheat or other grain knowing it to be infected by the disease known as smut without first using some proper and available remedy to destroy the germs of such disease shall incur a penalty of not less than \$5 nor more than \$20. R.S.O., 1897, c. 279, s. 9 (4). Penalty for sowing grain infected by smut.

**13.** Every inspector, overseer of highways, or other officer who refuses or neglects to discharge the duties imposed on him by this Act shall incur a penalty of not less than \$10 nor more than \$20. R.S.O., 1897, c. 279, s. 9 (3). Penalty for neglect of duties by inspector, etc.

**14.** The penalties provided by this Act shall be recoverable under *The Ontario Summary Convictions Act*, and except as provided by subsection 2 of section 9, shall when recovered be paid over to the treasurer of the municipality in which the offence is committed. R.S.O., 1897, c. 279, s. 10. Recovery and application of penalties. 10 Edw. VII., c. 37.

**15.** Chapter 279 of the Revised Statutes of Ontario 1897, chapter 27 of the Acts passed in the 4th year, chapter 62 of the Acts passed in the 8th year, of the reign of His late Majesty King Edward the Seventh, are repealed. Repeal







# BILL

## An Act to prevent the Spread of Noxious Weeds.

<p>SHORT TITLE, s. 1.          INTERPRETATION, s. 2.          DUTY OF OWNERS AND OCCUPANTS OF LAND, s. 3.          EXEMPTION OF WASTE OR UNOCCUPIED LAND, s. 4.          OPERATION OF ACT MAY BE EXTENDED, s. 5.          INSPECTOR:              Appointment, s. 6.              Duties, s. 7.              Expenses, s. 8.          DUTY OF OVERSEERS OF HIGHWAYS, s. 9.</p>	<p>PENALTIES, ss. 10-13.          For neglect to obey orders of inspector, s. 10.          For selling seed mixed with seed of weeds, s. 11.          For sowing grain infected by smut, s. 12.          For neglect of duties by inspector, s. 13.          RECOVERY AND APPLICATION OF PENALTIES, s. 14.          REPEAL, s. 15.</p>
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**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as “*The Noxious Weeds Act.*” Short title.

2. In this Act, Interpretation.

(a) “Non-resident” land shall mean land which is unoccupied, and the owner of which is not resident within the municipality. “Non-resident land.”

(b) “Resident land” shall mean land which is occupied or which is owned by a person resident within the municipality. “Resident land.”  
 R.S.O. 1897, c. 279, s. 1.

3. Every occupant of land, or, if the land is unoccupied, the owner shall cut down or destroy all the Canada thistles, ox-eye daisy, wild oats, rag-weed and burdock growing thereon, and all other noxious weeds growing thereon, to which this Act may be extended by by-law as hereinafter provided, Duty of owners and occupants as to destruction of weeds, etc.

so often in every year as is sufficient to prevent the ripening of their seed, *if* such cutting or destruction does not involve the destruction of the growing grain. R.S.O. 1897, c. 279, s. 2.

Exemption  
of waste  
or unoc-  
cupied  
lands.

4.—(1) The council of any township in which there are any large tracts or blocks of waste or unoccupied land, may upon the petition of not less than thirty ratepayers, by by-law, suspend the operation of this Act, in respect of such waste or unoccupied lands.

(2) *The* by-law shall define the tracts or blocks of land so exempted, and shall remain in force until repealed; and while it remains in force the *land* therein described shall be exempt from the operation of this Act. R.S.O. 1897, c. 279, s. 3 (3).

Operation  
of Act  
may be  
extended.

5. The council of any local municipality may, by by-law, extend the operation of this Act to any other *description* of weed, or to any diseased *growing crops*, which is by the by-law declared to be noxious to husbandry or gardening; and in *that* case the provisions of this Act shall apply to such noxious weeds and diseased *growing crops* as if the same were herein enumerated in *section 3*. R.S.O. 1897, c. 279, s. 3 (1).

Appoint-  
ment of  
Inspector.

6.—(1) The council of any local municipality may and, upon a petition of fifty or more ratepayers, shall appoint at least one inspector to enforce the provisions of this Act in the municipality, and fix the amount of remuneration, fees or charges he is to receive for the performance of his duties; and if a vacancy occurs in the office, the council shall fill the same forthwith. R.S.O., 1897, c. 279, s. 3 (2).

Division of  
municipal-  
ities into  
sections  
and appoint-  
ment of  
inspectors.

(2) The council may *by* a by-law *divide* the municipality into sections or divisions for the carrying out of this Act, and may appoint inspectors for such divisions whose duties and powers shall in all respects be the same as those of the township inspector. R.S.O., 1897, c. 278, s. 3.



Duty of  
Inspector.

7.—(1) The inspector shall give notice in writing to the owner or occupant of any land within the municipality whereon any of such noxious weeds or *diseased crops* are growing, requiring him to cause *them* to be cut down or destroyed within ten days from the service of the notice; and it shall be the duty of the inspector to give such notice for the first time not later than such dates in each year as may be fixed by by-law of the municipality.

Lands of  
railway  
company.

(2) In *the* case of a railway company the notice *may* be given to a station master of the company resident in the municipality, or if there is none resident in it to a station master resident in an adjoining or neighbouring local municipality.

See s. 105 of "The Ontario Railway Act, 1906." 6 Edw. VII., c. 30, and s. 417 of "The Railway Act" of Canada, 3 Edw. VII., c. 37.

(3) If such owner or occupant of land refuses or neglects to cut down or destroy all or any of such noxious weeds or diseased growing crops within the period mentioned in the notice, the inspector may enter upon the land and cause them to be cut down or destroyed,  doing no unnecessary damage to other growing crops,  or he may lay information before any justice of the peace complaining of such refusal or neglect, and such owner or occupant shall incur the penalties provided by section 10; but no inspector shall have power to cut down or destroy or to require the owner or occupant to cut down or destroy such noxious weeds or diseased growing crops on any land sown with grain not so diseased.



Inspector's powers on default by owner or occupant.

(4) Where such noxious weeds are growing upon non-resident land it shall not be necessary to give any notice before proceeding to cut down or destroy them. R.S.O. 1897, c. 279, s. 4; 4 Edw. VII., c. 27, s. 1.

Non-resident land, notice not required.



8.—(1) The inspector shall keep an account of the expense incurred by him in carrying out the provisions of this Act with respect to each parcel of land entered upon, and shall deliver a statement of such expenses, describing the land entered upon, and verified by oath, to the owner or occupant of resident land with a notice requiring him to pay the amount.

Account of inspector's expenses and payment thereof.



 (a) In the case of a railway company the statement and notice may be served in the manner provided by subsection 2 of section 7. 

(2) If the owner or occupant deems such expense excessive, he may appeal to the council, within thirty days after the delivery of such statement, and the council shall determine the matter in dispute.

Appeal to council against excessive charge.

(3) If the owner or occupant refuses or neglects to pay the same within thirty days after such request for payment, the claim shall be presented to the council and the council shall audit it and allow  it or so much of it as it may deem just,  and order the same to be paid from the general funds of the corporation. R.S.O. 1897, c. 279, s. 5.

Proceedings in case of default in payment.

(4) The inspector shall also present to the council a similar statement, verified by oath, of the expenses incurred by him in carrying out the provisions of this Act upon any non-resident land; and the council shall audit and allow the same, or so much  of it as may be deemed just,  and shall pay so much of it as has been so allowed. R.S.O. 1897, c. 279, s. 6.

Provisions as to expenses in case of non-resident land.

Collection of sums paid for expenses by municipality.

(5) The council shall cause all such sums as have been so allowed and paid, to be placed upon the collector's roll of the municipality against the land described in the statement of the inspector, to be collected in the same manner as other taxes. R.S.O., 1897, c. 279, s. 7.

Duties of overseers of highways as to noxious weeds.

**9.**—(1) Overseers of highways, or other municipal officers charged with the care of highways shall see that all noxious weeds growing upon the highways in their respective divisions are cut down or destroyed at the proper times to prevent the ripening of their seed, *and the work shall be performed as part of the ordinary statute labour or be paid for at a reasonable rate by the treasurer of the municipality, as the council of the municipality may direct.* S Edw. VII., c. 62, s. 1.

In unorganized townships.

(2) In unorganized townships where road commissioners have been appointed, every owner or occupant shall cut down and destroy, at the proper time to prevent the ripening of their seed, all such noxious weeds growing on any highway adjoining such land, from the boundary of such land to the centre line of *the highway*, and in case of default after notice from the road commissioners requiring such work to be done on or before a day named in the notice, such owner or occupant shall incur a penalty of \$5 for each lot or parcel in respect of which default is made, and the penalty when recovered shall be paid to the road commissioners and be expended in improving the roads in such township.

Penalty.

Road commissioners may do the work and recover expenses.

(3) Where such default occurs the road commissioners may perform the work in place of such owner or occupant, and the cost thereof at the rate of \$2 for each day's labour involved shall be recoverable as a debt due by such owner or occupant to the road commissioners in any court of competent jurisdiction. 4 Edw. VII., c. 27, s. 2.

Penalty for neglect to obey inspector's orders.

**10.** Any owner or occupant of land who contravenes any of the provisions of this Act or who refuses or neglects to obey any lawful order of the inspector given under this Act, shall incur a penalty of not less than \$5 nor more than \$20 for every such offence. R.S.O., 1897, c. 279, s. 9 (1), *amended.*

Penalty for selling seed mixed with seeds of weeds.

**11.** Any person who knowingly sells or offers to sell any grass, clover or other seed, or any seed grain among which there is seed of Canada thistles, ox-eye daisy, wild oats, rag-weed, burdock or wild mustard shall, for every such offence incur a penalty of not less than \$5 nor more than \$20. R.S.O. 1897, c. 179, s. 9 (2).



**12.** Any person who sows any wheat or other grain knowing it to be infected by the disease known as smut without first using some proper and available remedy to destroy the germs of such disease shall incur a penalty of not less than \$5 nor more than \$20. R.S.O., 1897, c. 279, s. 9 (4). Penalty for sowing grain infected by smut.

**13.** Every inspector, overseer of highways, or other officer who refuses or neglects to discharge the duties imposed on him by this Act shall incur a penalty of not less than \$10 nor more than \$20. R.S.O., 1897, c. 279, s. 9 (3). Penalty for neglect of duties by inspector, etc.

**14.** The penalties provided by this Act shall be recoverable under *The Ontario Summary Convictions Act*, and except as provided by subsection 2 of section 9, shall when recovered be paid over to the treasurer of the municipality in which the offence is committed. R.S.O., 1897, c. 279, s. 10. Recovery and application of penalties. 10 Edw. VII., c. 27.

**15.** Chapter 279 of the Revised Statutes of Ontario 1897, chapter 27 of the Acts passed in the 4th year, chapter 62 of the Acts passed in the 8th year, of the reign of His late Majesty King Edward the Seventh, are repealed. Repeal





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No. 93.

1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to Prevent the Spread of Noxious  
Weeds.

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1st Reading, 16th February, 1912.  
2nd Reading, 16th February, 1912.

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

Mr. DUFF.

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TORONTO:

PRINTED BY L. K. CAMERON,  
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# BILL

## An Act respecting the Law Society of Upper Canada.

SHORT TITLE, s. 1.	Committee on election petitions, s. 32.
INTERPRETATION, s. 2.	Time for filing petitions, s. 33.
LAW SOCIETY CONTINUED, s. 3.	Deposit by petitioner, s. 34.
Annual Terms, s. 4.	Treasurer, election of, s. 35.
Visitors, s. 5.	Vacancies, how filled up, s. 36.
Members, s. 6.	POWERS OF BENCHERS, ss. 37-49.
BENCHERS, ss. 7-49.	Rules for government of Society, s. 37.
Ex-officio, s. 7.	Power to rearrange dates for various matters, s. 38.
Elective, s. 8.	Power to examine witnesses, s. 39.
Scrutineers, appointment of, s. 9.	Power to appoint officers, s. 40.
Election, time of holding, s. 10.	Power to appoint examiners, s. 41.
Voters, qualification, s. 11.	Rules as to legal education, s. 42.
Voters, list of, s. 12.	Rules as to call to the Bar, s. 43.
Qualification, s. 13.	Rules for examination for admission as Solicitor, s. 44.
Retiring Benchers eligible, s. 14.	Rules to meet special circumstances, s. 45.
Nominations, s. 15.	Powers to suspend or disbar, s. 46.
Voting papers, ss. 16, 17.	Consequences of being disbarred, s. 47.
Counting votes, s. 18.	Striking Solicitor off the roll, s. 48.
Void votes, s. 19.	VISITORS' POWERS AS TO DISCIPLINE, s. 49.
Voting for more than thirty members, s. 20.	LAW BENEVOLENT FUND, s. 50.
Equality of votes, s. 21.	REPORTERS, s. 51.
Who to be elected, s. 22.	REVENUE AND EXPENDITURE, ss. 52, 53.
Who may be present at counting of votes, s. 23.	REPEAL, s. 54.
When election, not held at proper time, s. 24.	COMMENCEMENT OF ACT, s. 55.
Declaration of result, s. 25.	
Regulations for elections, s. 26.	
Voting papers to be kept, s. 27.	
False voting, s. 28.	
Absence of Secretary, s. 29.	
Term of office of Benchers, s. 30.	
Vacation of seat for non-attendance, s. 31.	

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**Short title.** 1. This Act may be cited as *The Law Society Act*.

**Interpretation.** 2. In this Act “the Society” shall mean “The Law Society of Upper Canada.” *New*.

LAW SOCIETY CONTINUED.

**Name.** 3. The Treasurer and Benchers of the Society, and their successors, shall continue to be a body corporate and politic, by the name of “The Law Society of Upper Canada,” and may purchase, take and possess for the purposes of the Society, but for no other purpose, and after acquiring the same may sell, mortgage, lease or dispose of any real estate. R.S.O. 1897, c. 172, s. 2. *Amended*.

**Right to acquire lands.**

**Annual terms.**

4. The Annual Terms of the Society shall be:

- (a) Hilary Term, which shall commence on the first Monday in February and end on Saturday in the ensuing week;
- (b) Easter Term, which shall commence on the third Monday in May and end on the fourth Saturday thereafter;
- (c) Trinity Term, which shall commence on the second Monday in September and end on Saturday of the ensuing week;
- (d) Michaelmas Term, which shall commence on the third Monday in November and end on the third Saturday thereafter. (*New*).

VISITORS.

**Visitors.** 5. The Judges of the Supreme Court shall be Visitors of the Society. R.S.O. 1897, c. 172, s. 3.

**Members.** 6. Members of the Bar of Ontario, and persons admitted to the Society as Students at Law, shall be members of the Society. (*New*).

BENCHERS.

**Ex-officio Benchers.** 7.—(1) The following, if, and while continuing members of the Bar of Ontario, shall, *ex-officio*, be Benchers of the Society:

(a) The Minister of Justice, the Solicitor-General of Canada, and every person who has held either of those offices; Minister of Justice and Solicitors-General of Canada.

(b) The Attorney-General of Ontario, and every person who has held that office; Attorneys-General of Ontario.

(c) Every person who has for seven consecutive years held the office of Treasurer of the Society; Treasurer for seven years.

(d) Every person who has been elected a Bencher at four quinquennial elections. Benchers four times elected.

(2) So long as he does not practice as a Barrister or Solicitor, and is in receipt of an annuity granted under *The Judges' Act* (Canada), Retired Judges. R. S. C. 1906, c. 138.

(a) Every retired judge of the Supreme Court of Canada or of the Exchequer Court of Canada who was at the time of his appointment a member of the Bar of Ontario; and

(b) Every retired judge of the Supreme Court of Judicature for Ontario

shall be *ex-officio* a Bencher of the Society. R.S.O. 1897, c. 172, s. 4; 63 V. c. 20, s. 1; 10 Edw. VII. c. 76, s. 1. *Amended.*

(3) Nothing herein shall affect the right of any one who has heretofore been held to be a retired judge, and who is now *ex-officio* a Bencher. *New.*

8. The Benchers, exclusive of the *ex-officio* members, shall be thirty in number, and shall be elected from the members of the Bar as hereinafter provided. R.S.O. 1897, c. 172, s. 5. Elective Benchers.

9.—(1) The Benchers shall, during the Term next preceding an election, appoint, with their assent, two members of the Bar, who, with the Treasurer, shall act as scrutineers at the election, and who shall not be eligible for election to the office of Bencher, and a third person, who shall be a member of the Bar and assist the Treasurer and act for him in his absence, in counting the votes. R.S.O. 1897, c. 172, s. 6. *Amended.* Appointment of scrutineers.

(2) The Treasurer may fill any vacancy in the office of scrutineer, and if he sees fit may appoint temporarily any qualified person to act as substitute for any scrutineer or other person appointed, during the absence of such person. *New.* Temporary vacancies.

10.—(1) An election shall be held on the first Thursday after the first Wednesday in April, 1916, and the subsequent Election when to be held.

elections shall be held on the first Thursday after the first Wednesday in April of every fifth year thereafter; but if the scrutineers are unable to complete the scrutiny upon such day, the same shall be continued from day to day until the election is declared.

**Absence of scrutineer.** (2) If any scrutineer is absent during the scrutiny the others may proceed therewith. R.S.O. 1897, c. 172, s. 7.

**Who may vote.** **11.** Every person who is a member of the Bar in good standing and not in arrears for fees to the Society shall be an elector qualified to vote for 30 persons for Benchers pursuant to this Act. R.S.O. 1897, c. 172, ss. 8 and 16. *Amended.*

**List of voters.** **12.**—(1) The Secretary shall, on the first day of the Term previous to the time for holding an election, make out an alphabetical list of the members of the Bar who are entitled to vote at such election.

**Complaints of errors in the list.** (2) Such list may be examined by any member of the Bar at all reasonable times at the office of the Secretary, and if, within five days after the last day of such term a member of the Bar complains to the Secretary, in writing, of the improper omission or insertion of any name in the list, the Secretary shall forthwith examine into the complaint and rectify the error if any there be.

**Appeal to scrutineers when list to be finally settled.** (3) If any person is dissatisfied with the decision of the Secretary, he may appeal to the scrutineers, whose decision shall be final, and the list shall remain or be altered in accordance with their decision, and the list as it stands on the last day of February shall be signed by the Secretary and scrutineers and shall be the settled list of persons entitled to vote at the election. R.S.O. 1897, c. 172, s. 17 (1), (2). *Amended.*

**Person called to the Bar in Term previous to be added to list.** (4) The Secretary shall add to the list the names of all persons called to the Bar during the Term next preceding the election; and no alteration shall be made in the list except as provided in this section. R.S.O. 1897, c. 172, s. 17 (3). *Amended.*

**Qualifications of Benchers.** **13.** No person shall be eligible as a Bencher at any election who is not qualified to vote at the election. R.S.O. 1897, c. 172, s. 18.

**Retiring Benchers eligible.** **14.** At all elections retiring Benchers shall be eligible for re-election. R.S.O. 1897, c. 172, s. 19.



**15.**—(1) No person shall be elected as a Bencher unless he has been nominated as hereinafter mentioned, and every vote cast for any person not so nominated shall be void. Nomination required.

(2) The nomination shall be in writing by a nomination paper, which shall be signed by at least ten of the persons entitled to vote at the election. Nomination paper.

(3) The nomination paper shall be delivered at the office of the Secretary or sent by mail to him, so as to be received during the last fifteen days of the month of February of the year in which the election is to take place, and if not so delivered or received shall be invalid and shall not be acted upon. Time for sending in nomination papers.

(4) The Secretary shall on the first day of the month of March of the same year, mail notice in writing to each nominee informing him of his nomination. Notice of nomination to be given nominee.

(5) Any person who is nominated may refuse to become a candidate, and he shall be deemed not to have been so nominated and his name shall not be included in the list of candidates, if he notifies the Secretary in writing of his refusal within four days after the mailing of such notice to him. Declining nomination.

(6) If the number of persons who remain as candidates is not greater than the number of Benchers to be elected, they shall be elected Benchers. 8 Edw. VII. c. 39, s. 1. *Amended.* Election by acclamation.

**16.** In case a poll is necessary the Secretary shall send to each member of the Bar, whose name is on the alphabetical list mentioned in section 12, if his residence is known to the Secretary, one copy of the form of voting paper with a list of the persons who remain as candidates pursuant to section 15, in such manner and at such time before the holding of the election, as may be determined by the Benchers in convocation, and the list shall indicate by asterisks and a foot note those whose term of office as Benchers is about to expire. R.S.O. 1897, c. 172, s. 10; 8 Edw. VII. c. 39, ss. 2 and 3. *Amended.* Form of voting paper to be sent to voters.

**17.** The votes shall be given by closed voting papers, Form 1, delivered at the office of the Secretary or sent by mail to him so as to be received thereat not later than the first Wednesday of April of the year of the election. R.S.O. 1897, c. 172, s. 9. Votes to be given by voting papers.

**18.** Beginning on the Thursday after the first Wednesday in April and proceeding continuously thereafter, except on holidays, the voting papers shall be opened by the Secretary in the presence of the Treasurer or the person appointed to Counting the votes.

assist him, and of the scrutineers who shall scrutinize and count the votes and keep a record thereof in a book to be provided by the Society. R.S.O. 1897, c. 172, s. 12. *Amended.*

Void  
vote.

**19.** A vote cast for any person who is ineligible to be a Bencher, or who is a Bencher *ex-officio* shall be null and void; and the election shall be declared as if such vote had not been cast. R.S.O. 1897, c. 172, s. 20.

Voting  
for more  
than thirty  
members.

**20.** In the event of a voter placing more than thirty names on his voting paper, the first thirty only shall be counted, notwithstanding that any of the thirty persons so named may be ineligible for election. R.S.O. 1897, c. 172, s. 21.

Equality of  
votes.

**21.** If an equality of votes between two or more persons leaves the election of one or more Benchers undecided, the scrutineers shall forthwith put into a ballot-box a number of papers, with the names of the candidates having such equality of votes written thereon, one for each candidate, and the Secretary shall draw by chance from the ballot-box, in the presence of the scrutineers, one or more of such papers sufficient to make up the required number, and the persons whose names are upon the papers so drawn shall be declared to have been elected as Benchers. R.S.O. 1897, c. 172, s. 15.

Persons  
receiving  
the most  
votes to be  
elected.

**22.**—(1) The thirty persons who have the highest number of votes shall be declared by the Secretary to have been elected as Benchers for the ensuing term of five years. R.S.O. 1897, c. 172, s. 13.

Where  
*ex-officio*  
Bencher  
is elected.

(2) If among the thirty persons who have the highest number of votes there is any Bencher who by virtue of such election becomes *ex-officio* a Bencher, the scrutineers shall so report and, subject to the provisions of section 19, the thirty other persons having the highest number of votes, shall be declared to have been elected as Benchers for the ensuing term of five years. 10 Edw. VII. c. 76, s. 2. *Amended.*

Who may  
be present  
at the  
counting  
of votes.

**23.** Any person entitled to vote at any such election shall be entitled to be present at the counting of the votes. R.S.O. 1897, c. 172, s. 14. *Amended.*

When  
election  
not held  
at proper  
time.

**24.** If from any cause any election provided for by this Act is not held as hereinbefore provided, the Benchers in Convocation shall make provision for holding the same and fix the dates for the nomination and the other proceedings for taking, counting and recording the votes thereat and declaring the result thereof, and such proceedings shall, so far as practicable, be conformable with those provided by this Act. 8 Edw. VII. c. 39, s. 4 (2).

**25.** Upon the completion of the scrutiny and counting of the votes the Secretary shall forthwith declare the result of the election as certified by the scrutineers and report the same to the Society, and shall cause the names of the persons elected to be published in the next two issues of the *Ontario Gazette*. R.S.O. 1897, c. 172, s. 22.

**26.** The Benchers may make such regulations as they consider expedient, not contrary to the provisions of this Act, for regulating the procedure under the preceding sections, and for the remuneration of the scrutineers. R.S.O. 1897, c. 172, s. 23.

**27.** Until after all petitions in respect to the election have been decided, the voting papers relating to the election shall not be destroyed, but, together with all other papers in connection with the election, shall be retained by the Secretary. R.S.O. 1897, c. 172, s. 24. *Amended.*

**28.** No person shall sign the name of any other person to a voting paper, or alter, or add to or falsify, or fill up any blank in a voting paper signed by another person, or deliver or cause to be delivered, or send or cause to be sent, by post or otherwise, to the Secretary, a false voting paper, or a voting paper which has been added to, or falsified or in which a blank has been filled up after the same was signed. R.S.O. 1897, c. 172, s. 25.

**29.** Where the office of Secretary is vacant or if the Secretary is unable from any cause to act at or in connection with an election, the Treasurer shall appoint under his hand some other person to act as Secretary *pro tempore*, and the person so appointed shall perform all the duties of the Secretary, as prescribed by this Act. R.S.O. 1897, c. 172, s. 26. *Amended.*

**30.** The elected Benchers shall take office on the first day of Easter Term following their election, and, subject to the provisions of this Act, shall hold office until the beginning of the fifth Easter Term after they have entered on their office. R.S.O. 1897, c. 172, s. 27. *Amended.*

**31.**—(1) The seat of a Bencher, other than an *ex-officio* Bencher, who has failed to attend the meetings of the Benchers for four consecutive Terms, shall at the expiration of that period *ipso facto* become vacant. R.S.O. 1897, c. 172, s. 28. *Amended.*

Suspension  
of certain  
*ex-officio*  
Bencher  
for non-  
payment  
of fees.

(2) The right of any Bencher who is such, *ex-officio*, by reason of having been elected at four quinquennial elections, to sit and vote at meetings of the Benchers, shall be suspended if and while he is in default in payment of any fees to the Society. 10 Edw. VII. c. 76, s. 3. *Amended.*

Committee  
on election  
petitions.

**32.** The Benchers at any meeting in the first Easter Term after the election, may appoint a committee to inquire with respect to the due election of any Bencher whose election may be petitioned against by any member of the Bar who voted at the election, and, after such inquiry, to report such Bencher as duly or not duly elected or qualified according to the fact, and, if necessary, to report the name of the candidate having the highest number of votes next after the candidate declared elected who had the lowest number of votes, in lieu of the person reported not duly elected or qualified; and on the confirmation of the report by the Benchers other than persons petitioned against present at any meeting called for that purpose, the person so reported in lieu of the person petitioned against shall be deemed to be the duly elected and qualified Bencher. R.S.O. 1897, c. 172, s. 29. *Amended.*

Time for  
filing  
election  
petition.

Contents  
of  
petitions.

**33.—**(1) A petition shall not be entertained unless it is filed with the Secretary at least ten days before the first day of Easter Term next succeeding the election, and contains a statement of the grounds on which the election is disputed, nor unless a copy thereof is served upon the Bencher whose election is disputed at least ten days before the first day of such Term; and no ground not mentioned in the petition shall be entertained on the hearing thereof. R.S.O. 1897, c. 172, s. 30.

Hearing  
petitions.

(2) The Benchers, or the committee appointed for that purpose, shall, during the first week of such Term, appoint a day for the hearing of the petition, and give notice of such day to the petitioner and to the person whose election is disputed, and all such petitions shall be finally disposed of during such Term. R.S.O. 1897, c. 172, s. 31. *Amended.*

Petitioner  
to deposit  
\$100 with  
Secretary  
for costs.

**34.** The petitioner shall deposit with the Secretary \$100 to meet any costs which the Bencher petitioned against may in the opinion of the committee before which the petition is heard be put to, and the committee shall have power in the event of such petition being dismissed to award such a sum to be paid to the Bencher petitioned against as in their opinion is just; and shall have power in their discretion in the event of it being decided that such Bencher was not duly elected or qualified, to award costs to the petitioner; and the costs so awarded shall be recoverable in any court of competent jurisdiction. R.S.O. 1897, c. 172, s. 32.

Power of  
committee  
as to costs.

**35.**—(1) The Benchers shall, at their first meeting after the election, elect one of their number as Treasurer, who shall be the President of the Society, and shall hold office until the appointment of his successor; and the election of Treasurer shall take place in each year thereafter at such time as may be appointed by the Rules of the Society.

Election  
of  
Treasurer.  
Duration  
of his  
office.

(2) The retiring Treasurer shall be eligible for re-election.  
R.S.O. 1897, c. 172, s. 33. *Amended.*

Retiring  
Treasurer  
eligible.

**36.** In case of failure to elect the requisite number of duly qualified Benchers, under the provisions of this Act, or in case of any vacancy owing to the death or resignation of any Bencher, or to any other cause, the remaining Benchers shall, with all convenient speed, at a meeting to be specially called for the purpose, to be held during the next Term thereafter, supply the deficiency in the number of Benchers, or fill the vacancy by electing any person or persons duly qualified under the provisions of this Act; and the person or persons so elected shall hold office until the beginning of the first Easter Term after the next Quinquennial Election. R.S.O. 1897, c. 172, s. 34. *Amended.*

Vacancies  
among  
Benchers,  
how  
filled up.

#### POWERS OF THE BENCHERS.

**37.** The Benchers may make rules for the government of the Society, and other purposes connected therewith under the inspection of the Visitors. R.S.O. 1897, c. 172, s. 35. *Amended.*

Benchers  
may make  
rules.

**38.** The Benchers may by rule abolish Terms and fix or change the dates for the doing of any act, or the giving of any notice which by this Act is to be done or given in or with reference to any Term, but no such rule shall have the effect of prolonging the term of office of any elected Bencher.

By-laws  
for abolition  
of Terms  
and chang-  
ing dates  
for doing  
acts or  
giving  
notices.

**39.** On the hearing of an election petition or upon any inquiry by a committee the Benchers or committee shall have power to examine witnesses under oath; and a summons under the hand of the Treasurer, or under the hands of three Benchers, for the attendance of a witness, shall have all the force of a subpoena; and any witness not attending in obedience thereto, shall be liable to attachment in the High Court. R.S.O. 1897, c. 172, s. 36.

Power to  
examine  
witnesses.

**40.** The Benchers may appoint such officers and servants as they may deem necessary for the purposes of the Society. R.S.O. 1897, c. 172, s. 37.

Appoint-  
ment of  
officers.

Examiners,  
appoint-  
ment of.

41. The Benchers may appoint examiners to conduct the examination of students at law and articled clerks and of persons applying to be called to the Bar or to be admitted as solicitors. *New.*

Legal  
education.

42. The Benchers may make rules for the improvement of legal education including the establishment and maintenance of a Law School; appoint readers and lecturers with salaries; impose fees and prescribe rules for the attendance of students and articled clerks and others at readings or lectures and for examinations thereon, but not so as to reduce the number of years prescribed by statute for call to the Bar or admission as solicitor, and may establish scholarships and prizes in connection therewith. R.S.O. 1897, c. 172, s. 38. *Amended.*

Call to the  
Bar.

43.—(1) The Benchers may make such Rules as they consider necessary for conducting the examination of persons applying to be called to the Bar and may call and admit to the practice of the law as a Barrister any person duly qualified to be so called and admitted, according to the provisions of law and the rules of the Society. R.S.O. 1897, c. 172, s. 39 (1). *Amended.*

Admission  
of women  
as barris-  
ters or  
solicitors.

(2) The Benchers may in their discretion make rules, providing for the admission of women to practise as Barristers and Solicitors. R.S.O. 1897, c. 172, s. 39 (2).

The Law  
Society  
to make  
rules for  
the examina-  
tion of can-  
didates for  
admission  
as solic-  
itors.

44.—(1) The Benchers with the approbation of the Visitors may make such rules as they consider necessary for conducting the examination of persons applying to be admitted as Solicitors, as well touching the articles and service, and the certificates required by law to be produced by them before their admission, and as to the fitness and capacity of such persons to act as Solicitors. R.S.O. 1897, c. 172, s. 41.

When Law  
Society  
may  
suspend  
decision.

(2) Where it appears to the Benchers expedient for purposes of further inquiry or investigation, they may suspend, for a period not exceeding twelve months, their final decision in respect to granting or refusing a certificate. R.S.O. 1897, c. 172, s. 42.

Rules and  
regulations  
to meet  
special cir-  
cumstances.

45. The Benchers may make rules and regulations, not contrary to law, and dispense therewith from time to time to meet the special circumstances of any special case respecting,

Admission  
of students  
and call  
of  
barristers.

(a) The admission of students-at-law, the periods and conditions of study, the call or admission of Barristers to practise the law, and all other mat-

ters relating to the discipline and honour of the Bar;

- (b) The service of articled clerks, the period and conditions of such service, and the admission of Solicitors to practise in the Courts, and all other matters relating to the discipline and conduct of Solicitors and articled clerks. R.S.O. 1897, c. 172, ss. 40, 43. *Amended.*

**46.** Where a Barrister, Solicitor, Student-at-Law or articled clerk is found by the Benchers after due inquiry by a committee of their number or otherwise, guilty of professional misconduct, or of conduct unbecoming a Barrister, Solicitor, Student-at-law, or articled clerk, the Benchers may disbar any such Barrister, or suspend him from practising as a Barrister for such time as they may deem proper; may resolve that any such Solicitor is unworthy to practise as a Solicitor or that he should be suspended from practising for a period to be named in the resolution; may expel from the Society, and the membership thereof, such student or articled clerk and strike his name from the books of the Society; and may refuse either absolutely or for a limited period to admit such articled clerk to the usual examinations, or to grant him the certificate of fitness necessary to enable him to be admitted to practice. R.S.O. 1897, c. 172, s. 44. *Amended.*

**47.** Upon a Barrister being disbarred, all his rights and privileges as a Barrister shall thenceforth cease and determine, or in case he is suspended, he shall, during the period of his suspension, possess no rights or privileges as a Barrister, and notice of his being disbarred or suspended shall forthwith be given by the Secretary to the Senior Registrar of the High Court. R.S.O. 1897, c. 172, s. 45.

**48.—(1)** Where it has been resolved by the Benchers that a Solicitor is unworthy to practise a copy of the resolution shall forthwith be communicated to the Senior Registrar of the High Court, and thereupon, without any formal motion, an order of the court may be drawn up, striking such solicitor off the roll, but he may at any time afterwards upon application to such Court be restored to practice.

(2) Where it has been resolved by the Benchers that a Solicitor should be suspended from practising for a period named in the resolution, a copy of the resolution shall be forthwith communicated to the Senior Registrar of the High Court, and thereupon, without any formal motion, an order of the court may be drawn up suspending such Solicitor from practising for such period. R.S.O. 1897, c. 172, s. 46.

Powers of visitors as to discipline vested in the Benchers.

49. Any powers which the Visitors of the Society may have in matters of discipline, are hereby vested in the Benchers, and the powers by the next preceding three sections conferred upon the Benchers may be exercised by them without reference to, or the concurrence of the Visitors. R.S.O. 1897, c. 172, s. 47.

#### LAW BENEVOLENT FUND.

Widows' and orphans' fund.

50. The Benchers may establish a fund for the benefit of the widows and orphans of Barristers, and Solicitors, to be called "The Law Benevolent Fund," and may make all necessary rules and regulations for the management and investment of such fund, and the terms of subscription and appropriation thereof, and the conditions under which such widows and orphans shall be entitled to share in such fund. R.S.O. 1897, c. 172, s. 48.

#### REPORTERS.

Reporters to be appointed by the Benchers.

51.—(1) The Benchers may appoint such person or persons, being members of the Society, of the degree of Barrister, as they may think proper, to report and edit the decisions of the Court of Appeal and of the High Court.

Tenure of office.

(2) Such person or persons shall hold office at the pleasure of the Benchers, and shall be amenable to them in Convocation, for the correct and faithful discharge of their duties according to such regulations as the Benchers may make in respect thereof. R.S.O. 1897, c. 172, s. 49. *Amended.*

Benchers to make regulations regarding the reports.

(3) The Benchers shall make regulations for printing and publishing the reports of such decisions, and the distribution of the reports, and the price and mode of issuing the same, and all such other regulations in respect thereto, as they may at any time consider necessary; and any profits arising from the reports shall form part of the general funds of the Society. R.S.O. 1897, c. 172, s. 50.

Salaries of reporters.

(4) The Benchers shall determine the salaries to be allowed for such reporting and editing and shall pay the same out of the general funds of the Society. R.S.O. 1897, c. 172, s. 51. *Amended.*

#### REVENUE AND EXPENDITURE.

Appropriation of certain fees.

52. The fees payable by Barristers, on call to the Bar, annually, and by Solicitors on admission, and for the annual



certificate to practise, and by students and artioled clerks on admission as such, and by them and others on examinations and attendance on lectures and readings, shall be paid into the general funds of the Society, and shall be such as the Benchers may prescribe. R.S.O. 1897, c. 172, s. 52.

**53.** The Society shall, during Hilary Term in every year, furnish to every member of the Society entitled to vote at the election of Benchers, a statement in detail of the revenue and expenditure of the Society, for the year ending on the next preceding 31st day of December, the same to be first duly audited by an auditor appointed by the Benchers to audit the accounts and report upon the finances of the Society. R.S.O. 1897, c. 172, s. 53. <sup>Benchers to furnish members with details of revenue, etc.</sup>

**54.** Chapter 172 of the Revised Statutes of Ontario, 1897, and Section 1 of Chapter 20 of the Acts passed in the 63rd year of the reign of Her late Majesty Queen Victoria, Chapter 39 of the Acts passed in the 8th year and Chapter 76 of the Acts passed in the 10th year of the reign of His late Majesty King Edward the Seventh, are repealed. <sup>Repeal.</sup>

**55.** This Act shall not come into operation until the 1st day of July, 1912. <sup>Commencement of Act.</sup>

FORM 1.

VOTING PAPER.

*Law Society Election, 19*

The appointed scrutineers for this election are Mr. \_\_\_\_\_ of \_\_\_\_\_, and Mr. \_\_\_\_\_ of \_\_\_\_\_, of the \_\_\_\_\_ in the \_\_\_\_\_ of \_\_\_\_\_, Barrister, do hereby declare—

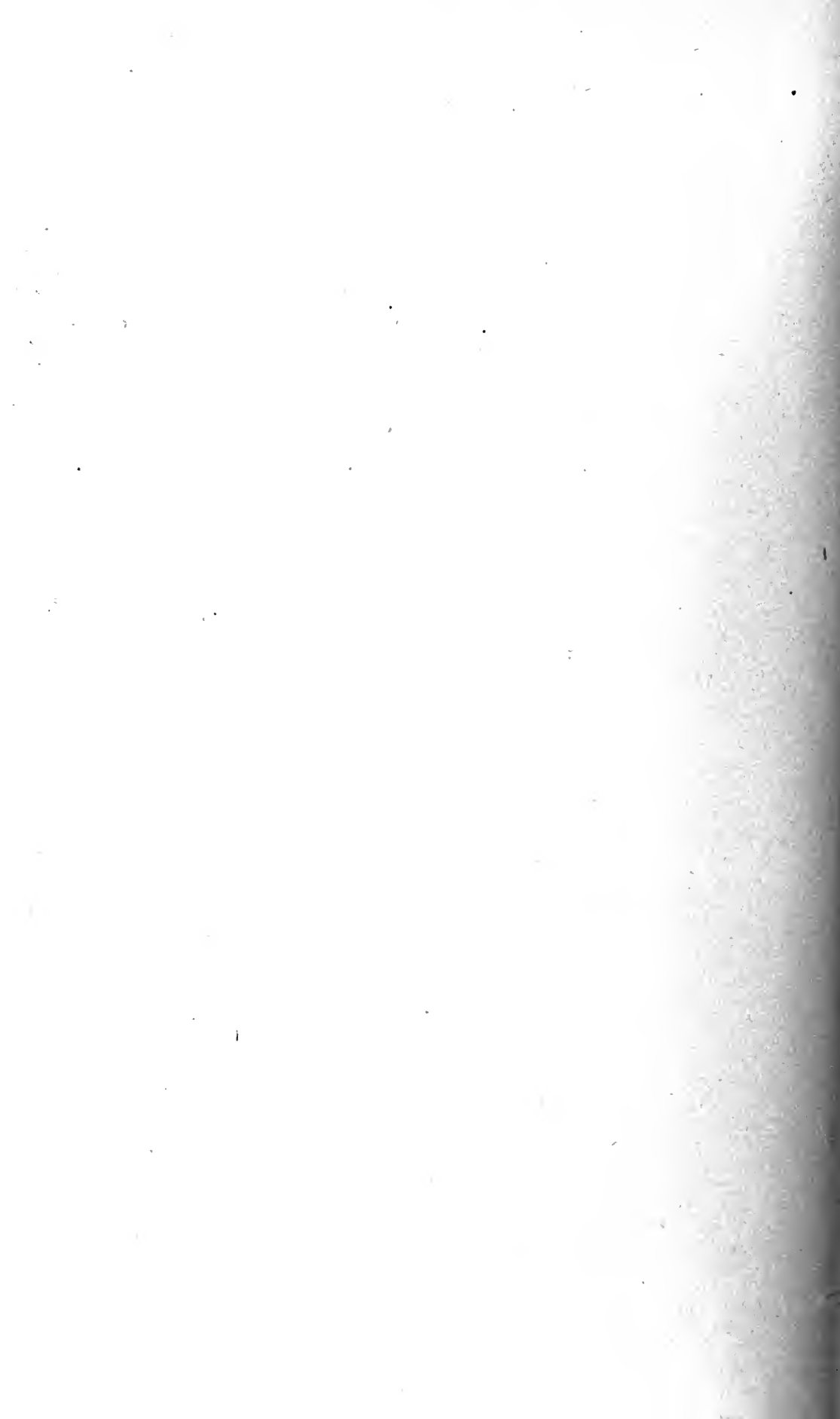
1. That the signature hereto is in my proper handwriting.
2. That I vote for the following persons as Benchers of the Law Society:

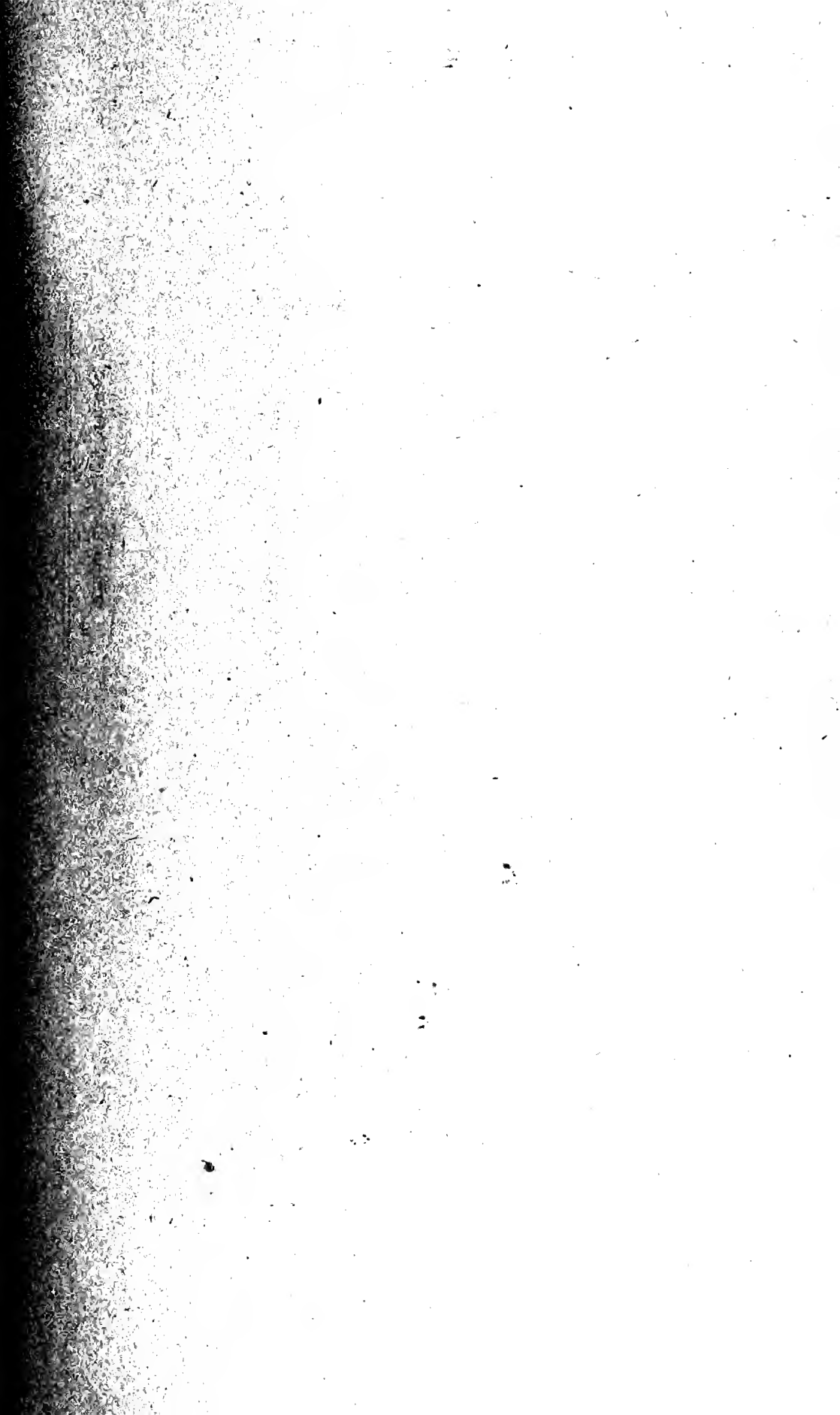
A.B., of \_\_\_\_\_, in the \_\_\_\_\_ of \_\_\_\_\_  
 C.D., of \_\_\_\_\_, in the \_\_\_\_\_ of \_\_\_\_\_  
 etc. etc.

3. That I have signed no other voting paper at this election.
4. That this voting paper is signed on the day of the date thereof.

Witness my hand, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

R.S.O. 1897, c. 172, Sched. *Amended.*





No. 94.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting The Law Society of  
Upper Canada.

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1st Reading                      1912

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Mr. Foy.

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

# BILL

## An Act respecting the Law Society of Upper Canada

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 VISITORS' POWERS AS TO DISCIPLINE, s. 49.  
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 COMMENCEMENT OF ACT, s. 55.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**Short title.** 1. This Act may be cited as *The Law Society Act*.

**Interpretation.** 2. In this Act “the Society” shall mean “The Law Society of Upper Canada.” *New*.

LAW SOCIETY CONTINUED.

**Name.** 3. The Treasurer and Benchers of the Society, and their successors, shall continue to be a body corporate and politic, by the name of “The Law Society of Upper Canada,” and may purchase, take and possess for the purposes of the Society, but for no other purpose, and after acquiring the same may sell, mortgage, lease or dispose of any real estate. *R.S.O. 1897, c. 172, s. 2. Amended.*

**Right to acquire lands.**

**Annual terms.** 4. The Annual Terms of the Society shall be:

- (a) Hilary Term, which shall commence on the first Monday in February and end on Saturday in the ensuing week;
- (b) Easter Term, which shall commence on the third Monday in May and end on the fourth Saturday thereafter;
- (c) Trinity Term, which shall commence on the second Monday in September and end on Saturday of the ensuing week;
- (d) Michaelmas Term, which shall commence on the third Monday in November and end on the third Saturday thereafter. (*New*).

VISITORS.

**Visitors.** 5. The Judges of the Supreme Court shall be Visitors of the Society. *R.S.O. 1897, c. 172, s. 3.*

**Members.** 6. Members of the Bar of Ontario, and persons admitted to the Society as Students at Law, shall be members of the Society. (*New*).

BENCHERS.

**Ex-officio Benchers.** 7.—(1) The following, if, and while continuing members of the Bar of Ontario, shall, *ex-officio*, be Benchers of the Society:

- (a) The Minister of Justice, the Solicitor-General of Canada, and every person who has held either of those offices; Minister of Justice and Solicitors-General of Canada.
- (b) The Attorney-General of Ontario, and every person who has held that office; Attorneys-General of Ontario.
- (c) Every person who has for seven consecutive years held the office of Treasurer of the Society; Treasurer for seven years.
- (d) Every person who has been elected a Bencher at four quinquennial elections. Benchers four times elected.
- (2) So long as he does not practice as a Barrister or Solicitor, and is in receipt of an annuity granted under *The Judges' Act* (Canada), Retired Judges. R. S. C. 1906, c. 138.
- (a) Every retired judge of the Supreme Court of Canada or of the Exchequer Court of Canada who was at the time of his appointment a member of the Bar of Ontario; and
- (b) Every retired judge of the Supreme Court of Judicature for Ontario
- shall be *ex-officio* a Bencher of the Society. R.S.O. 1897, c. 172, s. 4; 63 V. c. 20, s. 1; 10 Edw. VII. c. 76, s. 1. *Amended.*

(3) Nothing herein shall affect the right of any one who has heretofore been held to be a retired judge, and who is now *ex-officio* a Bencher. *New.*

8. The Benchers, exclusive of the *ex-officio* members, shall be thirty in number, and shall be elected from the members of the Bar as hereinafter provided. R.S.O. 1897, c. 172, s. 5. Elective Benchers.

9.—(1) The Benchers shall, during the Term next preceding an election, appoint, with their assent, two members of the Bar, who, with the Treasurer, shall act as scrutineers at the election, and who shall not be eligible for election to the office of Bencher, and a third person, who shall be a member of the Bar and assist the Treasurer and act for him in his absence, in counting the votes. R.S.O. 1897, c. 172, s. 6. *Amended.* Appointment of scrutineers.

(2) The Treasurer may fill any vacancy in the office of scrutineer, and if he sees fit may appoint temporarily any qualified person to act as substitute for any scrutineer or other person appointed, during the absence of such person. *New.* Temporary vacancies.

10.—(1) An election shall be held on the first Thursday after the *second* Wednesday in April, 1916, and the subsequent elections shall be held on the first Thursday after the Election, when to be held.

first Wednesday in April of every fifth year thereafter; but if the scrutineers are unable to complete the scrutiny upon such day, the same shall be continued from day to day until the election is declared.

Absence of scrutineer.

(2) If any scrutineer is absent during the scrutiny the others may proceed therewith. R.S.O. 1897, c. 172, s. 7.

Who may vote.

**11.** Every person who is a member of the Bar in good standing and not in arrears for fees to the Society shall be an elector qualified to vote for 30 persons for Benchers pursuant to this Act. R.S.O. 1897, c. 172, ss. 8 and 16. *Amended.*

List of voters.

**12.**—(1) The Secretary shall, on the first day of *Hilary* Term previous to the time for holding an election, make out an alphabetical list of the members of the Bar who are entitled to vote at such election.

Complaints of errors in the list.

(2) Such list may be examined by any member of the Bar at all reasonable times at the office of the Secretary, and if, within five days after the last day of such term a member of the Bar complains to the Secretary, in writing, of the improper omission or insertion of any name in the list, the Secretary shall forthwith examine into the complaint and rectify the error if any there be.

Appeal to scrutineers when list to be finally settled.

(3) If any person is dissatisfied with the decision of the Secretary, he may appeal to the scrutineers, whose decision shall be final, and the list shall remain or be altered in accordance with their decision, and the list as it stands on the *10th* day of *March* shall be signed by the Secretary and scrutineers and shall be the settled list of persons entitled to vote at the election. R.S.O. 1897, c. 172, s. 17 (1), (2). *Amended.*

Person called to the Bar in Term previous to be added to list.

(4) The Secretary shall add to the list the names of all persons called to the Bar during the Term next preceding the election; and no alteration shall be made in the list except as provided in this section. R.S.O. 1897, c. 172, s. 17 (3). *Amended.*

Qualifications of Benchers.

**13.** No person shall be eligible as a Bencher at any election who is not qualified to vote at the election. R.S.O. 1897, c. 172, s. 18.

Retiring Benchers eligible.





**14.** At all elections retiring Benchers shall be eligible for re-election. R.S.O. 1897, c. 172, s. 19.



**15.**—(1) No person shall be elected as a Benchler unless Nomination required. he has been nominated as hereinafter mentioned, and every vote cast for any person not so nominated shall be void.



(2) The nomination shall be in writing by a nomination Nomination paper. paper, which shall be signed by at least ten of the persons entitled to vote at the election.

(3) The nomination paper shall be delivered at the office Time for sending in nomination papers. of the Secretary or sent by mail to him, so as to be received during the *first* fifteen days of the month of *March* of the year in which the election is to take place, and if not so delivered or received shall be invalid and shall not be acted upon.

(4) The Secretary shall  within the first four days Notice of nomination to be given nominee. after the last day for the receipt of nomination papers,  mail notice in writing to each nominee informing him of his nomination,  but the failure to mail such notice or the non-receipt thereof by the nominee, shall not invalidate the election. 

(5) Any person who is nominated may refuse to become a Declining nomination. candidate, and he shall be deemed not to have been so nominated and his name shall not be included in the list of candidates, if he notifies the Secretary in writing of his refusal within four days after the mailing of such notice to him.

(6) If the number of persons who remain as candidates is Election by acclamation. not greater than the number of Benchers to be elected, they shall be elected Benchers. 8 Edw. VII. c. 39, s. 1. *Amended.*

**16.** In case a poll is necessary the Secretary shall  forthwith after the time for receiving notice of refusal Form of voting paper to be sent to voters. to be a candidate has expired  send to each member of the Bar, whose name is on the alphabetical list mentioned in section 12, if his residence is known to the Secretary, one copy of the form of voting paper with a list of the persons who remain as candidates pursuant to section 15, in such manner and at such time before the holding of the election, as may be determined by the Benchers, and the list shall indicate by asterisks and a footnote those whose term of office as Benchers is about to expire. R.S.O. 1897, c. 172, s. 10; 8 Edw. VII. c. 39, ss. 2 and 3. *Amended.*

**17.** The votes shall be given by closed voting papers, Votes to be given by voting papers. Form 1, delivered at the office of the Secretary or sent by mail to him so as to be received thereat not later than the *second* Wednesday of April of the year of the election. R.S.O. 1897, c. 172, s. 9.

Counting  
the votes.

**18.** Beginning on the *first* Thursday after the *second* Wednesday in April and proceeding continuously thereafter, except on holidays, the voting papers shall be opened by the Secretary in the presence of the Treasurer or the person appointed to assist him, and of the scrutineers who shall scrutinize and count the votes and keep a record thereof in a book to be provided by the Society. R.S.O. 1897, c. 172, s. 12. *Amended.*

Void  
votes.

**19.** A vote cast for any person who is ineligible to be a Bencher, or who is a Bencher *ex-officio* shall be null and void; and the election shall be declared as if such vote had not been cast. R.S.O. 1897, c. 172, s. 20.

Voting  
for more  
than thirty  
members.

**20.** In the event of a voter placing more than thirty names on his voting paper, the first thirty only shall be counted, notwithstanding that any of the thirty persons so named may be ineligible for election. R.S.O. 1897, c. 172, s. 21.

Equality of  
votes.

**21.** If an equality of votes between two or more persons leaves the election of one or more Benchers undecided, the scrutineers shall forthwith put into a ballot-box a number of papers, with the names of the candidates having such equality of votes written thereon, one for each candidate, and the Secretary shall draw by chance from the ballot-box, in the presence of the scrutineers, one or more of such papers sufficient to make up the required number, and the persons whose names are upon the papers so drawn shall be declared to have been elected as Benchers. R.S.O. 1897, c. 172, s. 15.

Persons  
receiving  
the most  
votes to be  
elected.

**22.**—(1) The thirty persons who have the highest number of votes shall be declared by the Secretary to have been elected as Benchers for the ensuing term of five years. R.S.O. 1897, c. 172, s. 13.

Where  
*ex-officio*  
Bencher  
is elected.

(2) If among the thirty persons who have the highest number of votes there is any Bencher who by virtue of such election becomes *ex-officio* a Bencher, the scrutineers shall so report and, subject to the provisions of section 19, the thirty other persons having the highest number of votes, shall be declared to have been elected as Benchers for the ensuing term of five years. 10 Edw. VII. c. 76, s. 2. *Amended.*

Who may  
be present  
at the  
counting  
of votes.

**23.** Any person entitled to vote at any such election shall be entitled to be present at the counting of the votes. R.S.O. 1897, c. 172, s. 14. *Amended.*

When  
election  
not held  
at proper  
time.

**24.** If from any cause any election provided for by this Act is not held as hereinbefore provided, the Benchers in Convocation shall make provision for holding the same and fix the dates for the nomination and the other proceedings for

taking, counting and recording the votes thereat and declaring the result thereof, and such proceedings shall, so far as practicable, be conformable with those provided by this Act. 8 Edw. VII. c. 39, s. 4 (2).

**25.** Upon the completion of the scrutiny and counting of the votes the Secretary shall forthwith declare the result of the election as certified by the scrutineers and report the same to the Society, and shall cause the names of the persons elected to be published in the next issue of the *Ontario Gazette*. R.S.O. 1897, c. 172, s. 22.

**26.** The Benchers may make such regulations as they consider expedient, not contrary to the provisions of this Act, for regulating the procedure under the preceding sections, and for the remuneration of the scrutineers. R.S.O. 1897, c. 172, s. 23.

**27.** Until after all petitions in respect to the election have been decided, the voting papers relating to the election shall not be destroyed, but, together with all other papers in connection with the election, shall be retained by the Secretary. R.S.O. 1897, c. 172, s. 24. *Amended*.

**28.** No person shall sign the name of any other person to a voting paper, or alter, or add to or falsify, or fill up any blank in a voting paper signed by another person, or deliver or cause to be delivered, or send or cause to be sent, by post or otherwise, to the Secretary, a false voting paper, or a voting paper which has been added to, or falsified or in which a blank has been filled up after the same was signed. R.S.O. 1897, c. 172, s. 25.

**29.** Where the office of Secretary is vacant or if the Secretary is unable from any cause to act at or in connection with an election, the Treasurer shall appoint under his hand some other person to act as Secretary *pro tempore*, and the person so appointed shall perform all the duties of the Secretary, as prescribed by this Act. R.S.O. 1897, c. 172, s. 26. *Amended*.

**30.** The elected Benchers shall take office on the first day of Easter Term following their election, and, subject to the provisions of this Act, shall hold office until the beginning of the fifth Easter Term after they have entered on their office. R.S.O. 1897, c. 172, s. 27. *Amended*.

**31.**—(1) The seat of a Bencher, other than an *ex-officio* Bencher, who has failed to attend the meetings of the Benchers for four consecutive Terms, shall at the expiration of that

period *ipso facto* become vacant. R.S.O. 1897, c. 172, s. 28. *Amended.*

Suspension  
of certain  
*ex-officio*  
Benchers  
for non-  
payment  
of fees.

(2) The right of any Bencher who is such, *ex-officio*, by reason of having been elected at four quinquennial elections, to sit and vote at meetings of the Benchers, shall be suspended if and while he is in default in payment of any fees to the Society. 10 Edw. VII. c. 76, s. 3. *Amended.*

Committee  
on election  
petitions.

**32.** The Benchers at any meeting in the first Easter Term after the election, may appoint a committee to inquire with respect to the due election of any Bencher whose election may be petitioned against by any member of the Bar who voted at the election, and, after such inquiry, to report such Bencher as duly or not duly elected or qualified according to the fact, and, if necessary, to report the name of the candidate having the highest number of votes next after the candidate declared elected who had the lowest number of votes, in lieu of the person reported not duly elected or qualified; and on the confirmation of the report by the Benchers other than persons petitioned against present at any meeting called for that purpose, the person so reported in lieu of the person petitioned against shall be deemed to be the duly elected and qualified Bencher. R.S.O. 1897, c. 172, s. 29. *Amended.*

Time for  
filing  
election  
petition.

Contents  
of  
petitions.

**33.**—(1) A petition shall not be entertained unless it is filed with the Secretary at least ten days before the first day of Easter Term next succeeding the election, and contains a statement of the grounds on which the election is disputed, nor unless a copy thereof is served upon the Bencher whose election is disputed at least ten days before the first day of such Term; and no ground not mentioned in the petition shall be entertained on the hearing thereof. R.S.O. 1897, c. 172, s. 30.

Hearing  
petitions.

(2) The Benchers, or the committee appointed for that purpose, shall, during the first week of such Term, appoint a day for the hearing of the petition, and give notice of such day to the petitioner and to the person whose election is disputed, and all such petitions shall be finally disposed of during such Term. R.S.O. 1897, c. 172, s. 31. *Amended.*

Petitioner  
to deposit  
\$100 with  
Secretary  
for costs.

**34.** The petitioner shall deposit with the Secretary \$100 to meet any costs which the Bencher petitioned against may in the opinion of the committee before which the petition is heard be put to, and the committee shall have power in the event of such petition being dismissed to award such a sum to be paid to the Bencher petitioned against as in their opinion is just; and shall have power in their discretion in the event of it being decided that such Bencher was not duly elected or

Power of  
committee  
as to costs.

qualified, to award costs to the petitioner; and the costs so awarded shall be recoverable in any court of competent jurisdiction. R.S.O. 1897, c. 172, s. 32.

**35.**—(1) The Benchers shall, at their first meeting after the election, elect one of their number as Treasurer, who shall be the President of the Society, and shall hold office until the appointment of his successor; and the election of Treasurer shall take place in each year thereafter at such time as may be appointed by the Rules of the Society.

(2) The retiring Treasurer shall be eligible for re-election. R.S.O. 1897, c. 172, s. 33. *Amended.*

**36.** In case of failure to elect the requisite number of duly qualified Benchers, under the provisions of this Act, or in case of any vacancy owing to the death or resignation of any Bencher, or to any other cause, the remaining Benchers shall, with all convenient speed, at a meeting to be specially called for the purpose, to be held during the next Term thereafter, supply the deficiency in the number of Benchers, or fill the vacancy by electing any person or persons duly qualified under the provisions of this Act; and the person or persons so elected shall hold office until the beginning of the first Easter Term after the next Quinquennial Election. R.S.O. 1897, c. 172, s. 34. *Amended.*

#### POWERS OF THE BENCHERS.

**37.** The Benchers may make rules for the government of the Society, and other purposes connected therewith under the inspection of the Visitors. R.S.O. 1897, c. 172, s. 35. *Amended.*

**38.** The Benchers may by rule abolish Terms and fix or change the dates for the doing of any act, or the giving of any notice which by this Act is to be done or given in with reference to any Term, but no such rule shall have the effect of prolonging the term of office of any elected Bencher. 63 V. c. 20, s. 2. *Amended.*

**39.** On the hearing of an election petition or upon any inquiry by a committee the Benchers or committee shall have power to examine witnesses under oath; and a summons under the hand of the Treasurer, or under the hands of three Benchers, for the attendance of a witness, shall have all the force of a subpoena; and any witness not attending in obedience thereto, shall be liable to attachment in the High Court. R.S.O. 1897, c. 172, s. 36.

Appointment of officers.

**40.** The Benchers may appoint such officers and servants as they may deem necessary for the purposes of the Society. R.S.O. 1897, c. 172, s. 37.

Examiners, appointment of.

**41.** The Benchers may appoint examiners to conduct the examination of students at law and articled clerks and of persons applying to be called to the Bar or to be admitted as solicitors. *New.*

Legal education.

**42.** The Benchers may make rules for the improvement of legal education including the establishment and maintenance of a Law School; appoint readers and lecturers with salaries; impose fees and prescribe rules for the attendance of students and articled clerks and others at readings or lectures and for examinations thereon, but not so as to reduce the number of years prescribed by statute for call to the Bar or admission as solicitor, and may establish scholarships and prizes in connection therewith. R.S.O. 1897, c. 172, s. 38. *Amended.*

Call to the Bar.

**43.**—(1) The Benchers may make such Rules as they consider necessary for conducting the examination of persons applying to be called to the Bar and may call and admit to the practice of the law as a Barrister any person duly qualified to be so called and admitted, according to the provisions of law and the rules of the Society. R.S.O. 1897, c. 172, s. 39 (1). *Amended.*

Admission of women as barristers or solicitors.

(2) The Benchers may in their discretion make rules, providing for the admission of women to practise as Barristers and Solicitors. R.S.O. 1897, c. 172, s. 39 (2).

The Law Society to make rules for the examination of candidates for admission as solicitors.

**44.**—(1) The Benchers with the approbation of the Visitors may make such rules as they consider necessary for conducting the examination of persons applying to be admitted as Solicitors, as well touching the articles and service, and the certificates required by law to be produced by them before their admission, and as to the fitness and capacity of such persons to act as Solicitors. R.S.O. 1897, c. 172, s. 41.

When Law Society may suspend decision.

(2) Where it appears to the Benchers expedient for purposes of further inquiry or investigation, they may suspend, for a period not exceeding twelve months, their final decision in respect to granting or refusing a certificate. R.S.O. 1897, c. 172, s. 42.

Rules and regulations to meet special circumstances.

**45.** The Benchers may make rules and regulations, not contrary to law, and dispense therewith from time to time to meet the special circumstances of any special case respecting,

- (a) The admission of students-at-law, the periods and conditions of study, the call or admission of Barristers to practise the law, and all other mat- Admission of students and call of barristers.

ters relating to the discipline and honour of the Bar; Articled clerks and admission of solicitors

- (b) The service of articled clerks, the period and conditions of such service, and the admission of Solicitors to practise in the Courts, and all other matters relating to the discipline and conduct of Solicitors and articled clerks. R.S.O. 1897, c. 172, ss. 40, 43. *Amended.*

**46.** Where a Barrister, Solicitor, Student-at-Law or articled clerk is found by the Benchers after due inquiry by a committee of their number or otherwise, guilty of professional misconduct, or of conduct unbecoming a Barrister, Solicitor, Student-at-law, or articled clerk, the Benchers may disbar any such Barrister, or suspend him from practising as a Barrister for such time as they may deem proper; may resolve that any such Solicitor is unworthy to practise as a Solicitor or that he should be suspended from practising for a period to be named in the resolution; may expel from the Society, and the membership thereof, such student or articled clerk and strike his name from the books of the Society; and may refuse either absolutely or for a limited period to admit such articled clerk to the usual examinations, or to grant him the certificate of fitness necessary to enable him to be admitted to practice. R.S.O. 1897, c. 172, s. 44. *Amended.* Powers of Benchers to suspend, disbar or expel in case of misconduct

**47.** Upon a Barrister being disbarred, all his rights and privileges as a Barrister shall thenceforth cease and determine, or in case he is suspended, he shall, during the period of his suspension, possess no rights or privileges as a Barrister, and notice of his being disbarred or suspended shall forthwith be given by the Secretary to the Senior Registrar of the High Court. R.S.O. 1897, c. 172, s. 45. Barrister's privileges to cease when he is disbarred.

**48.—(1)** Where it has been resolved by the Benchers that a Solicitor is unworthy to practise a copy of the resolution shall forthwith be communicated to the Senior Registrar of the High Court, and thereupon, without any formal motion, an order of the court may be drawn up, striking such solicitor off the roll, but he may at any time afterwards upon application to such Court be restored to practice. Striking off the Roll.

(2) Where it has been resolved by the Benchers that a Solicitor should be suspended from practising for a period named in the resolution, a copy of the resolution shall be forthwith communicated to the Senior Registrar of the High Suspension of solicitor, notification of.

Court, and thereupon, without any formal motion, an order of the court may be drawn up suspending such Solicitor from practising for such period. R.S.O. 1897, c. 172, s. 46.

Powers of visitors as to discipline vested in the Benchers.

**49.** Any powers which the Visitors of the Society may have in matters of discipline, are hereby vested in the Benchers, and the powers by the next preceding three sections conferred upon the Benchers may be exercised by them without reference to, or the concurrence of the Visitors. R.S.O. 1897, c. 172, s. 47.

#### LAW BENEVOLENT FUND.

Widows' and orphans' fund.

**50.** The Benchers may establish a fund for the benefit of the widows and orphans of Barristers, and Solicitors, to be called "The Law Benevolent Fund," and may make all necessary rules and regulations for the management and investment of such fund, and the terms of subscription and appropriation thereof, and the conditions under which such widows and orphans shall be entitled to share in such fund. R.S.O. 1897, c. 172, s. 48.

#### REPORTERS.

Reporters to be appointed by the Benchers.

**51.**—(1) The Benchers may appoint such person or persons, being members of the Society, of the degree of Barrister: as they may think proper, to report and edit the decisions of the Court of Appeal and of the High Court.

Tenure of office.

(2) Such person or persons shall hold office at the pleasure of the Benchers, and shall be amenable to them in Convocation, for the correct and faithful discharge of their duties according to such regulations as the Benchers may make in respect thereof. R.S.O. 1897, c. 172, s. 49. *Amended.*

Benchers to make regulations regarding the reports

(3) The Benchers shall make regulations for printing and publishing the reports of such decisions, and the distribution of the reports, and the price and mode of issuing the same, and all such other regulations in respect thereto, as they may at any time consider necessary; and any profits arising from the reports shall form part of the general funds of the Society. R.S.O. 1897, c. 172, s. 50.

Salaries of reporters.

(4) The Benchers shall determine the salaries to be allowed for such reporting and editing and shall pay the same out of the general funds of the Society. R.S.O. 1897, c. 172, s. 51. *Amended.*



REVENUE AND EXPENDITURE.

**52.** The fees payable by Barristers, on call to the Bar, annually, and by Solicitors on admission, and for the annual certificate to practise, and by students and articled clerks on admission as such, and by them and others on examinations and attendance on lectures and readings, shall be paid into the general funds of the Society, and shall be such as the Benchers may prescribe. R.S.O. 1897, c. 172, s. 52. Appropriation of certain fees.

**53.** The Society shall, during Hilary Term in every year, furnish to every member of the Society entitled to vote at the election of Benchers, a statement in detail of the revenue and expenditure of the Society, for the year ending on the next preceding 31st day of December, the same to be first duly audited by an auditor appointed by the Benchers to audit the accounts and report upon the finances of the Society. R.S.O. 1897, c. 172, s. 53. Benchers to furnish members with details of revenue, etc.

**54.** Chapter 172 of the Revised Statutes of Ontario, 1897, and Section 1 of Chapter 20 of the Acts passed in the 63rd year of the reign of Her late Majesty Queen Victoria, Chapter 39 of the Acts passed in the 8th year and Chapter 76 of the Acts passed in the 10th year of the reign of His late Majesty King Edward the Seventh, are repealed. Repeal.

**55.** This Act shall not come into operation until the 1st day of July, 1912. Commencement of Act.

FORM 1.

VOTING PAPER.

*Law Society Election, 19*

The appointed scrutineers for this election are Mr. \_\_\_\_\_ of \_\_\_\_\_, and Mr. \_\_\_\_\_ of \_\_\_\_\_  
 I, \_\_\_\_\_, of the \_\_\_\_\_ in the \_\_\_\_\_ of \_\_\_\_\_, Barrister, do hereby declare—

1. That the signature hereto is in my proper handwriting.
2. That I vote for the following persons as Benchers of the Law Society:

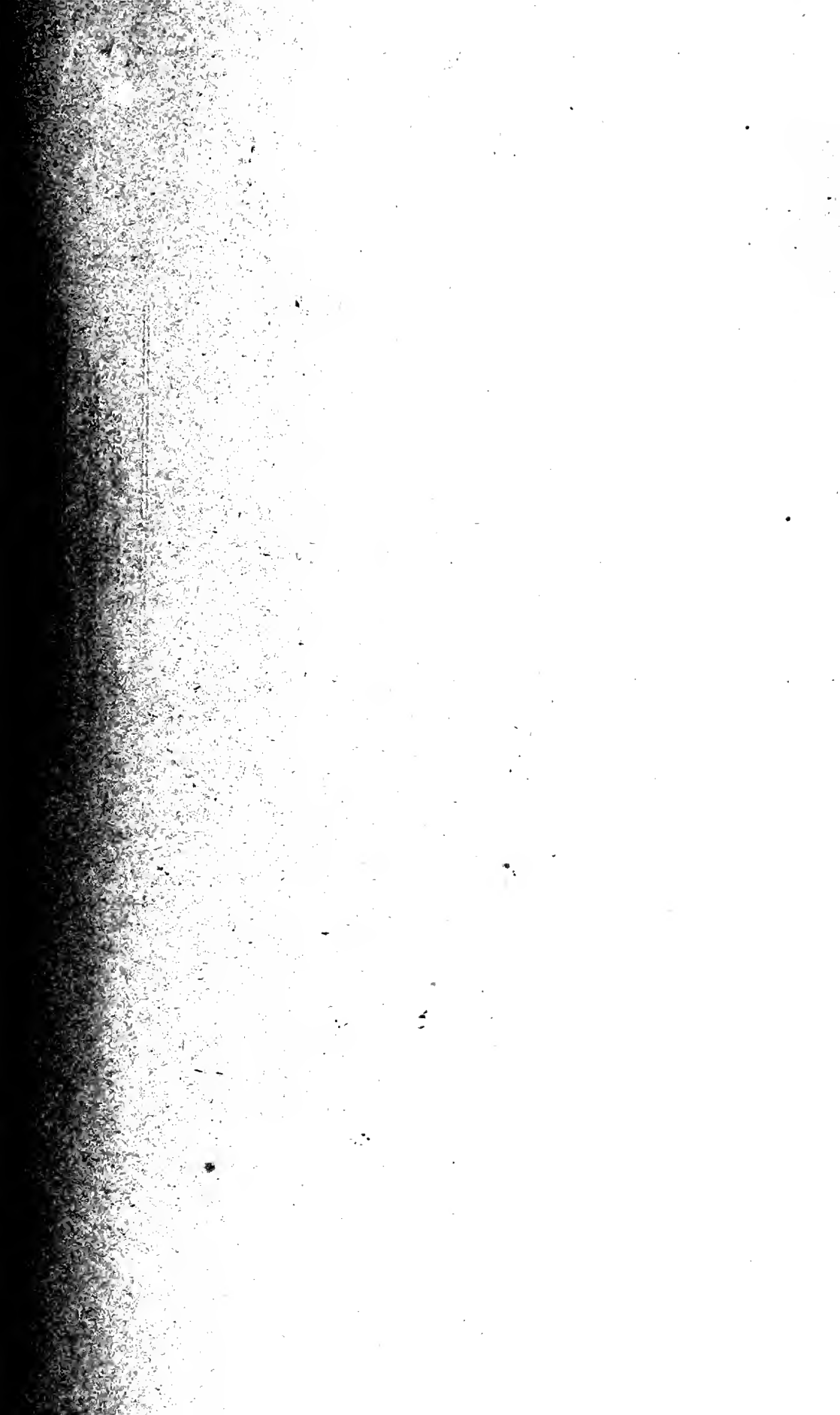
A.B., of \_\_\_\_\_, in the \_\_\_\_\_ of \_\_\_\_\_  
 C.D., of \_\_\_\_\_, in the \_\_\_\_\_ of \_\_\_\_\_  
 etc. \_\_\_\_\_ etc.

3. That I have signed no other voting paper at this election.
4. That this voting paper is signed on the day of the date thereof.

Witness my hand, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

R.S.O. 1897, c. 172, Sched. *Amended.*





No. 94.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.  
An Act respecting The Law Society of  
Upper Canada.

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1st Reading, 12th February, 1912.  
2nd Reading, 12th February, 1912.

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*Reprinted as amended by the Committee  
of the Whole House.*

Mr. Foy.

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

# BILL

## An Act respecting Barristers-at-Law.

SHORT TITLE, s. 1.	ORDER OF PROCEDURE, s. 8.
INTERPRETATION, s. 2.	PATENTS OF PRECEDENCE, s. 9.
WHO MAY BE ADMITTED, s. 3.	ORDER OF PRECEDENCE, s. 8.
ADMISSION, s. 4.	CROWN COUNSEL, s. 12.
MINISTER OF JUSTICE MAY BE CALLED TO ONTARIO BAR, s. 5.	REPEAL, s. 13.
APPOINTMENT OF KING'S COUNSEL, ss. 6, 7.	

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Barristers Act*. *New.* Short title.
2. In this Act the Society shall mean The Law Society of Upper Canada. *New.* Interpretation. "The Society."
3. Subject to any rules, regulations or by-laws made by the Benchers of the Society under *The Law Society Act*, the following persons, and, except as hereinafter provided, no others, may be admitted to practise at the Bar in His Majesty's Courts in Ontario:—
  - (a) Any person of the age of twenty-one years, who, having been entered of and admitted into the Society as a student of the laws, has been standing on the books thereof for five years, and has conformed to the rules of the Society; Who may be admitted to practise at the Bar. Rev. Stat. c. 172.
  - (b) Any person who has been admitted into and stands on the books of the Society as a student of the laws for three years, and has conformed to the Students of five years' standing.

rules of the Society, and prior to the date of his admission as a student, has actually taken and had conferred upon him the degree of Bachelor of Arts or of Bachelor of Law in any of the Universities of the United Kingdom, or any University or College in Ontario, or in the Province of Quebec, having power to grant degrees, or who was a graduate of the Royal Military College of Canada;

Admission  
of English  
and other  
Barristers  
to the bar  
of Ontario.

- (c) Any person who has been duly called to the Bar of any of His Majesty's Superior Courts of England, Ireland and Scotland,—when the Inn of Court or other authority having power to call or admit to the Bar by which such person was called or admitted, extends the like privilege to members of the Bar of Ontario—on producing sufficient evidence of such call or admission and testimonials of good character and conduct to the satisfaction of the Society;

Admission  
of lawyers  
and stu-  
dents from  
Quebec to  
the Bar of  
Ontario.

- (d) Any person who has been duly authorized to practise as an Advocate, Barrister, Attorney, Solicitor and Proctor at Law, in all Courts of Justice in Quebec, or who has been found capable and qualified, and entitled to receive a diploma for that purpose under the provisions of the Acts respecting the incorporation of the Bar of Quebec, or who has been duly registered as a clerk and studied during the periods for study respectively required under the provisions of those Acts, on producing sufficient evidence thereof, and testimonials of good character and conduct to the satisfaction of the Society, undergoing an examination in the law of Ontario to its satisfaction, and upon his entering himself of the Society, and conforming to all the rules thereof;

Barristers  
of other  
Provinces.

- (e) Any person who has been duly called to the Bar of any of His Majesty's Superior Courts in any of the Provinces of Canada or of any British colony in North America in which the same privilege would be extended to members of the Bar of Ontario, and who produces sufficient evidence of such call and testimonials of good character and conduct to the satisfaction of the Society. R.S. O. 1897, c. 173, s. 1. *Amended.*

4.—(1) Persons who had been duly admitted and enrolled as Solicitors of the Supreme Court, and who have practised as Solicitors in Ontario for the periods respectively hereinafter mentioned, may be admitted to practise at the Bar of His Majesty's Courts in Ontario on the terms and conditions hereinafter mentioned.

Admission of solicitors to practise at the Bar

(2) A Solicitor who has been, previous to the time of filing his application for call, in actual practice for ten years or more, shall be entitled to be called to the Bar without further examination.

When solicitor has practised for ten years.

(3) A Solicitor who has been, previous to the time of filing his application for call, in actual practice for five years or more, but less than ten years, shall be entitled to be called on passing such examination as may be required by the Society for such cases.

When solicitor has practised for five years.

(4) For the purpose of this section, a Solicitor holding any of the offices in the Supreme Court, in the Court of Appeal or in the High Court, shall be deemed to have been in actual practice within the meaning of this Act while holding such office. R.S.O., 1897, c. 173, s. 2.

Solicitors holding office in Superior Court. Rev. Stat. c. 174.

(5) Notice of the intention of a candidate to apply for call under the provisions of this section shall be sufficient if written notice be given to the Secretary of the Society as in the case of a student-at-law for call; and the notice of presentation to convocation shall be signed by a barrister practising in the county or district in which such candidate resides, and shall certify that the candidate is in his opinion a fit and proper person to be called to the Bar. R.S.O., 1897, c. 173, s. 3.

Notice of application for call.

(6) Every such solicitor before being called to the Bar shall pay such fees only as are paid on call to the Bar in ordinary cases. R.S.O., 1897, c. 173, s. 4.

Fees.

5. Any person who is, or has been, Minister of Justice of Canada, shall be entitled to be called to the Bar of Ontario without complying with any of the rules of the Society as to admission, examinations, payment of fees or otherwise, and shall thereupon be entitled to practise at the Bar in His Majesty's Courts in Ontario. R.S.O., 1897, c. 173, s. 5.

Minister of Justice may be called to Ontario bar.

#### KING'S COUNSEL AND PRECEDENCE.

6. It was and is lawful for the Lieutenant-Governor by Letters Patent, under the Great Seal, to appoint from the

Appointment of King's Counsel.

members of the Bar of Ontario, such persons as he may deem proper to be, during pleasure, Provincial officers under the name of His Majesty's Counsel learned in the Law for Ontario. R.S.O., 1897, c. 173, s. 6.

Limit as to number of King's Counsel to be appointed.

7.—(1) From and after the time when this section comes into force, no appointment of His Majesty's Counsel learned in the law shall be made by the Lieutenant-Governor in Council beyond the number of five in any one year, or twenty in any four years, save and except in the following cases:—

Exceptions.

- (a) That of any person who may be appointed Minister of Justice or Solicitor-General of Canada, or Attorney-General of Ontario;
- (b) That of any person appointed by the Governor-General in Council for the Federal Courts, one of His Majesty's Counsel learned in the Law.

Qualifications of King's Counsel.

(2) Except in the cases mentioned in clauses (a) and (b), no person shall be so appointed who is not of at least ten years' standing at the Bar of Ontario.

When this section shall come into force.

(3) This section shall not come into force until a day to be named by the Lieutenant-Governor by his proclamation. R.S.O., 1897, c. 173, s. 7. *Amended.*

Order of precedence at the Bar.

8. The following members of the Bar of Ontario shall have precedence in the Courts of Ontario in the following order:—

- (a) The Minister of Justice of Canada for the time being;
- (b) The Attorney-General of Ontario;
- (c) The members of the Bar who have filled the office of Minister of Justice of Canada or Attorney-General of Ontario, according to seniority of appointment.
- (d) The members of the Bar who were, before the 1st day of July, 1867, appointed Her Majesty's Counsel for Upper Canada, according to seniority of appointment. R.S.O., 1897, c. 173, s. 8. *Amended.*

Patents of precedence.

9. The Lieutenant-Governor by Letters Patent under the Great Seal may grant to any member of the Bar a patent of



precedence in the Courts of Ontario. R.S.O., 1897, c. 173, s. 9. *Amended.*

**10.** Members of the Bar appointed after the 1st day of July, 1867, to be Queen's Counsel or King's Counsel for Ontario, and members of the Bar to whom patents of precedence are granted, shall severally have precedence in the Courts according to seniority of appointment unless otherwise provided in the Letters Patent. R.S.O. 1897, c. 173, s. 10. *Amended.*

Precedence of King's Counsel and members holding patents of precedence.

**11.** The remaining members of the Bar shall, as between themselves, have precedence in the Courts in the order of their call to the Bar. R.S.O. 1897, c. 173, s. 11.

Precedence of other members of the Bar.

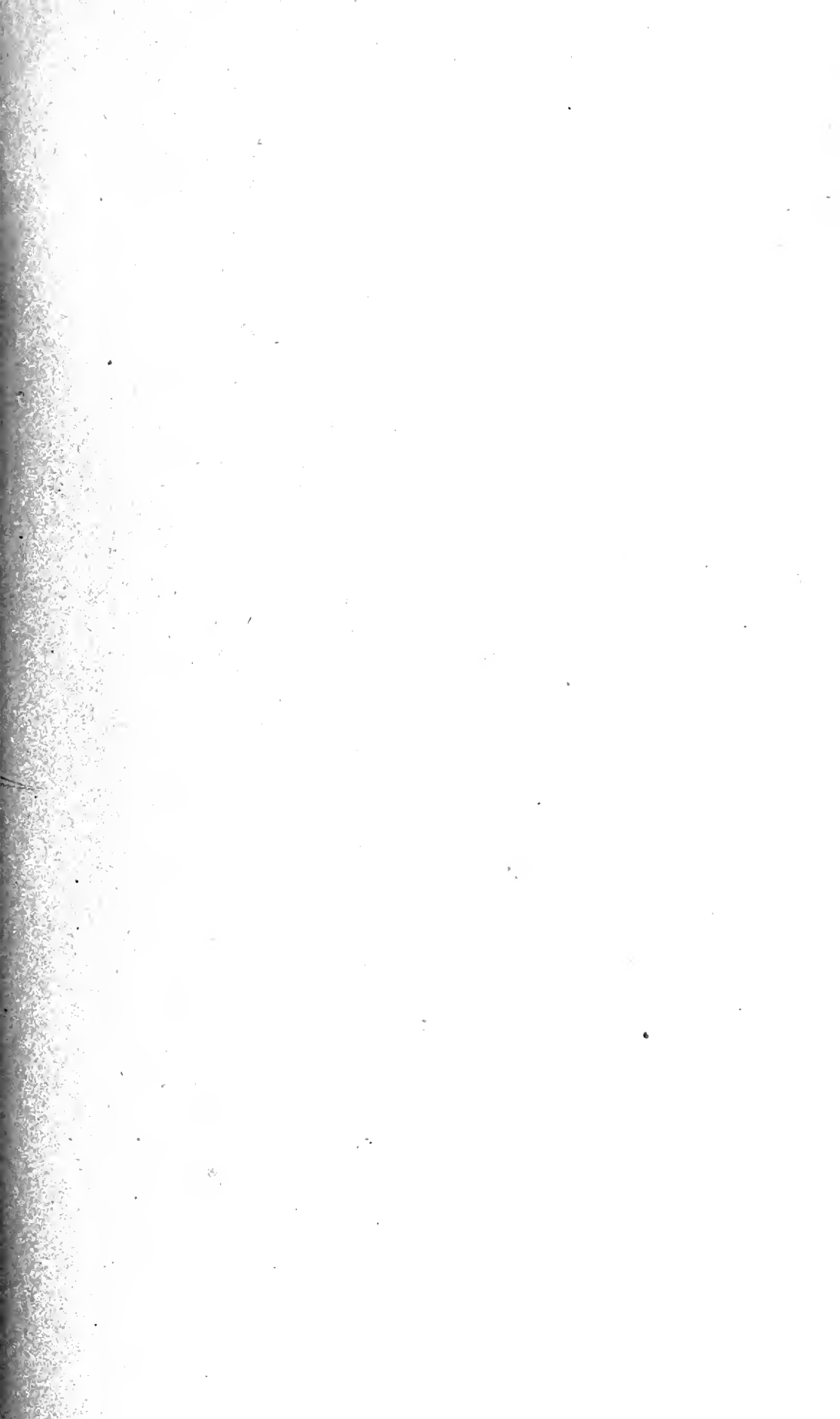
**12.** Nothing in this Act shall affect or alter any rights of precedence which appertain to any member of the Bar when acting as Counsel for His Majesty, or for any Attorney-General of His Majesty, in any matter depending in the name of His Majesty or of the Attorney-General before the Courts, but such right and precedence shall remain as if this Act had not been passed. R.S.O. 1897, c. 173, s. 12.

Crown Counsel.

*(Note.—As to collection of costs when solicitor or counsel paid a salary. See Solicitors' Act, 2 Geo. V., c. .)*

**13.** Chapter 173 of the Revised Statutes, 1897, is repealed. Repeal.





No. 95.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting Barristers-at-Law.

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1st Reading. 1912.

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Mr. Foy.

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

# BILL

## An Act respecting Barristers-at-Law.

SHORT TITLE, s. 1.  
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 ss. 6, 7.

ORDER OF PROCEDURE, s. 8.  
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1. This Act may be cited as *The Barristers Act*. *New.* Short title.
2. In this Act the Society shall mean The Law Society of Upper Canada. *New.* Interpretation. "The Society."
3. Subject to any rules, regulations or by-laws made by the Benchers of the Society under *The Law Society Act*, the following persons, *being British subjects*, and, except as hereinafter provided, no others, may be admitted to practise at the Bar in His Majesty's Courts in Ontario:—
  - (a) Any person of the age of twenty-one years, who, having been entered of and admitted into the Society as a student of the laws, has been standing on the books thereof for five years, and has conformed to the rules of the Society; Students of five years' standing.
  - (b) Any person who has been admitted into and stands on the books of the Society as a student of the laws for three years, and has conformed to the Certain students may be admitted after three years' study.

rules of the Society, and prior to the date of his admission as a student, has actually taken and had conferred upon him the degree of Bachelor of Arts, *Bachelor of Civil Law* or Bachelor of Law in any of the Universities of the United Kingdom, or any University or College in Ontario, or in the Province of Quebec, having power to grant degrees, or who was a graduate of the Royal Military College of Canada or who was a graduate in the faculty of Applied Science of the University of Toronto, or in Practical Science of Queen's University of Kingston.

Admission  
of English  
and other  
Barristers  
to the bar  
of Ontario.

- (c) Any person who has been duly called to the Bar of any of His Majesty's Superior Courts of England, Ireland and Scotland,—when the Inn of Court or other authority having power to call or admit to the Bar by which such person was called or admitted, extends the like privilege to members of the Bar of Ontario—on producing sufficient evidence of such call or admission and testimonials of good character and conduct to the satisfaction of the Society;

Admission  
of lawyers  
and stu-  
dents from  
Quebec to  
the Bar of  
Ontario.

- (d) Any person who has been duly authorized to practise as an Advocate, Barrister, Attorney, Solicitor and Proctor at Law, in all Courts of Justice in Quebec, or who has been found capable and qualified, and entitled to receive a diploma for that purpose under the provisions of the Acts respecting the incorporation of the Bar of Quebec, or who has been duly registered as a clerk and studied during the periods for study respectively required under the provisions of those Acts, on producing sufficient evidence thereof, and testimonials of good character and conduct to the satisfaction of the Society, undergoing an examination in the law of Ontario to its satisfaction, and upon his entering himself of the Society, and conforming to all the rules thereof;

Barristers  
of other  
Provinces.

- (e) Any person who has been duly called to the Bar of any of His Majesty's Superior Courts in any of the Provinces of Canada or of any British colony in North America in which the same privilege would be extended to members of the Bar of Ontario, and who produces sufficient evidence of such call and testimonials of good character and conduct to the satisfaction of the Society. R.S. O. 1897, c. 173, s. 1. *Amended.*

4.—(1) Persons who had been duly admitted and enrolled as Solicitors of the Supreme Court, and who have practised as Solicitors in Ontario for the periods respectively hereinafter mentioned, and who are British subjects, may be admitted to practise at the Bar of His Majesty's Courts in Ontario on the terms and conditions hereinafter mentioned.

Admission of solicitors to practise at the Bar.

(2) A Solicitor who has been, previous to the time of filing his application for call, in actual practice for ten years or more, shall be entitled to be called to the Bar without further examination.

When solicitor has practised for ten years.

(3) A Solicitor who has been, previous to the time of filing his application for call, in actual practice for five years or more, but less than ten years, shall be entitled to be called on passing such examination as may be required by the Society for such cases.

When solicitor has practised for five years.

(4) For the purpose of this section, a Solicitor holding any of the offices in the Supreme Court, or either division thereof to which he is appointed by the Crown, shall be deemed to have been in actual practice within the meaning of this Act while holding such office. R.S.O., 1897, c. 173, s. 2. *Amended.*

Solicitors holding office in Superior Court. Rev. Stat. c. 174.

(5) Notice of the intention of a candidate to apply for call under the provisions of this section shall be sufficient if written notice be given to the Secretary of the Society as in the case of a student-at-law for call; and the notice of presentation to convocation shall be signed by a barrister practising in the county or district in which such candidate resides, and shall certify that the candidate is in his opinion a fit and proper person to be called to the Bar. R.S.O., 1897, c. 173, s. 3.

Notice of application for call.

(6) Every such solicitor before being called to the Bar shall pay such fees only as are paid on call to the Bar in ordinary cases. R.S.O., 1897, c. 173, s. 4.

Fees.

5. Any person who is, or has been, Minister of Justice of Canada, shall be entitled to be called to the Bar of Ontario without complying with any of the rules of the Society as to admission, examinations, payment of fees or otherwise, and shall thereupon be entitled to practise at the Bar in His Majesty's Courts in Ontario. R.S.O., 1897, c. 173, s. 5.

Minister of Justice may be called to Ontario bar.

#### KING'S COUNSEL AND PRECEDENCE.

6. It was and is lawful for the Lieutenant-Governor by Letters Patent, under the Great Seal, to appoint from the

Appointment of King's Counsel.

members of the Bar of Ontario, such persons as he may deem proper to be, during pleasure, Provincial officers under the name of His Majesty's Counsel learned in the Law for Ontario. R.S.O., 1897, c. 173, s. 6.

Limit as to number of King's Counsel to be appointed.

7.—(1) From and after the time when this section comes into force, no appointment of His Majesty's Counsel learned in the law shall be made by the Lieutenant-Governor in Council beyond the number of five in any one year, or twenty in any four years, save and except in the following cases:—

Exceptions.

(a) That of any person who may be appointed Minister of Justice or Solicitor-General of Canada, or Attorney-General of Ontario;

(b) That of any person appointed by the Governor-General in Council for the Federal Courts, one of His Majesty's Counsel learned in the Law.

Qualifications of King's Counsel.

(2) Except in the cases mentioned in clauses (a) and (b), no person shall be so appointed who is not of at least ten years' standing at the Bar of Ontario.

When this section shall come into force.

(3) This section shall not come into force until a day to be named by the Lieutenant-Governor by his proclamation. R.S.O., 1897, c. 173, s. 7. *Amended.*

Order of precedence at the Bar.

8. The following members of the Bar of Ontario shall have precedence in the Courts of Ontario in the following order:—

(a) The Minister of Justice of Canada for the time being;

(b) The Attorney-General of Ontario;

(c) The members of the Bar who have filled the office of Minister of Justice of Canada or Attorney-General of Ontario, according to seniority of appointment.

(d) The members of the Bar who were, before the 1st day of July, 1867, appointed Her Majesty's Counsel for Upper Canada, according to seniority of appointment. R.S.O., 1897, c. 173, s. 8. *Amended.*

Patents of precedence.

9. The Lieutenant-Governor by Letters Patent under the Great Seal may grant to any member of the Bar a patent of



precedence in the Courts of Ontario. R.S.O., 1897, c. 173, s. 9. *Amended.*

**10.** Members of the Bar appointed after the 1st day of July, 1867, to be Queen's Counsel or King's Counsel for Ontario, and members of the Bar to whom patents of precedence are granted, shall severally have precedence in the Courts according to seniority of appointment unless otherwise provided in the Letters Patent. R.S.O. 1897, c. 173, s. 10. *Amended.*

Precedence  
of King's  
Counsel and  
members  
holding  
patents of  
precedence.

**11.** The remaining members of the Bar shall, as between themselves, have precedence in the Courts in the order of their call to the Bar. R.S.O. 1897, c. 173, s. 11.

Precedence  
of other  
members  
of the Bar.

**12.** Nothing in this Act shall affect or alter any rights of precedence which appertain to any member of the Bar when acting as Counsel for His Majesty, or for any Attorney-General of His Majesty, in any matter depending in the name of His Majesty or of the Attorney-General before the Courts, but such right and precedence shall remain as if this Act had not been passed. R.S.O. 1897, c. 173, s. 12.

Crown  
Counsel.

*(Note.—As to collection of costs when solicitor or counsel paid a salary. See Solicitors' Act, 2 Geo. V., c. .)*

**13.** Chapter 173 of the Revised Statutes, 1897, is repealed. Repeal.





No. 95.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act respecting Barristers-at-Law.

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1st Reading 12th February, 1912.  
2nd Reading 12th February, 1912.

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*Reprinted as amended by the Committee  
of the Whole House.*

Mr. Foy.

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

# BILL

## An Act respecting Solicitors.

<p>SHORT TITLE, s. 1.          INTERPRETATION, s. 2.          ADMISSION AND ENROLMENT NECESSARY, s. 3.          PENALTY FOR PRACTISING WITHOUT, s. 4.          WHO MAY BE ADMITTED, ss. 5-9.          SERVICE OF ARTICLED CLERKS, s. 10.          CONDITIONS OF ADMISSION, s. 11.          EXAMINATIONS, ss. 12-14.          ADMISSION BY COURT, s. 15.          FEES, s. 16.          ANNUAL CERTIFICATES, ss. 17-25.              Penalties for not taking out, etc., ss. 23-25.          YEARLY LISTS OF PRACTISING SOLICITORS, s. 26.          OFFENCES AND PENALTIES:—              Solicitors not to practise while in prison or under suspension, s. 27.</p>	<p>Acting as agents of unqualified persons, s. 28.          Default in paying over moneys collected, s. 29.          Practising while holding certain offices, s. 30.          Not to practise while engaged in business, s. 31.          STRIKING OFF THE ROLL:—              Time for, limited in certain cases, s. 32.              Proceedings in case of, s. 33.          COSTS—TAXATION OF, ss. 34-45.          JUDGES MAY MAKE RULES, ss. 46, 47.          AGREEMENTS BETWEEN SOLICITORS AND CLIENTS, ss. 48-67.          SOLICITORS AS MORTGAGEES, TRUSTEES, ETC., ss. 68-71.          JURISDICTION OF COURTS NOT AFFECTED, s. 72.          REPEAL, s. 73.</p>
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**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Solicitors Act*. Short title.
2. In this Act,— Interpretation.
  - (a) “Rules of the Society” shall mean rules, regulations and by-laws made by the Benchers of the Society under *The Law Society Act*; “Rules of the society.”
  - (b) “The Society” shall mean The Law Society of Upper Canada; “The Society.”
  - (c) “Term” and “Terms” shall mean the terms mentioned in *The Law Society Act*. “Term.”  
“Terms.”

## PROHIBITION AGAINST PRACTISING WHEN UNQUALIFIED.

Solicitors must be admitted and enrolled.

3. Unless admitted and enrolled and duly qualified to act as a Solicitor, no person shall act as a Solicitor in any Court of Civil or Criminal Jurisdiction or before any Justice of the Peace, or shall as such sue out any writ or process, or commence, carry on or defend any action, or proceeding in the name of any other person, or in his own name. R.S.O., 1897, c. 174, s. 1.

Penalty on persons practising without being admitted as Solicitors.

4. If any person, unless himself a party to the proceeding, commences, prosecutes or defends in his own name, or that of any other person, any action or proceeding without having been admitted and enrolled as hereinafter provided, he shall be incapable of recovering any fee, reward or disbursements on account thereof, and shall be guilty of a contempt of the Court in which such proceeding was commenced, carried on or defended, and punishable accordingly. R.S.O. 1897, c. 174, s. 2.

[As to practising in Division Courts see 10 Edw. VII., c. 32, s. 110, and as to proceedings to enforce claims of lienholder for sums not exceeding \$100 under The Mechanics Lien Act, see 10 Edw. VII., c. 69, s. 37 (7).

## WHO MAY BE ADMITTED.

Solicitors and Attorneys.

5.—(1) All persons heretofore admitted as Solicitors or Attorneys of, or by law empowered to practise in, any Court the jurisdiction of which is now vested in the High Court shall be Solicitors of the Supreme Court of Judicature for Ontario, and shall be entitled to the same privileges, and be subject to the same obligations, so far as circumstances will permit, as Solicitors or Attorneys were entitled or subject to prior to the 22nd day of August, 1881.

Persons entitled to be admitted before, 44 V. c. 5.

(2) All persons who, if *The Ontario Judicature Act, 1881*, had not been passed, would have been entitled to be admitted as Solicitors or Attorneys of, or been by law empowered to practise in, any such Courts, shall be entitled to be admitted on payment of the fees mentioned in section 16, and shall be so admitted by the High Court, and when so admitted shall be Solicitors of the Supreme Court.

Subject to control of court.

(3) Solicitors to whom this section applies shall be officers of the Supreme Court; and that Court and the High Court and the Court of Appeal respectively, or any Division or Judge thereof, may exercise the same jurisdiction in respect of such Solicitors as a Superior Court or a Judge thereof

before the 22nd day of August, 1881, might have exercised in respect of any Solicitor or Attorney admitted to practise therein. R.S.O., 1897, c. 174, s. 3.

6. Subject to the provisions hereinafter contained and to any rules of the Society, the following persons and except as hereinafter provided no others may be admitted and enrolled as Solicitors:—

Who may be admitted and enrolled Solicitors  
Rev. Stat. c. 172.

- (a) Any person who has been bound by contract in writing to a practising Solicitor in Ontario to serve and has served him as his clerk for five years; Articled clerks after five years' service.
- (b) Any person who has actually taken and had conferred upon him the degree of Bachelor of Arts, Bachelor of Civil Law, or Bachelor of Law, in any of the Universities of the United Kingdom, or in any University or College in Ontario, or in the Province of Quebec having power to grant degrees, and after having taken and had conferred upon him such degree, has been bound by contract in writing to a practising Solicitor in Ontario to serve and has served him as his clerk for three years; Graduates of Universities after three years' service.
- (c) Any person who has been duly called to the Bar of Ontario, or who has been duly called to the Bar of any of His Majesty's Superior Courts in England, Scotland or Ireland, not having merely local jurisdiction, and has been thereafter bound by contract in writing to a practising Solicitor in Ontario to serve and has served him as his clerk for three years; Barristers of Ontario or England, Scotland or Ireland after three years' service.
- (d) Any person who has been duly sworn, admitted and enrolled a Solicitor of His Majesty's Supreme Court of Judicature in England or Ireland, or who has been writer to the Signet or Solicitor of the Supreme Courts in Scotland, and has been thereafter bound by contract in writing to a practising Solicitor in Ontario to serve and has served him as his clerk for one year; Solicitors of Courts of England, Scotland or Ireland after one year's service.
- (e) Every person who has been duly sworn, admitted and enrolled as an Attorney or Solicitor of any of His Majesty's Superior Courts of Law or Equity in any Province of Canada or in any of His Majesty's Dominions or Colonies wherein the Common Law of England is the Common Law of the land, and who has been thereafter

Solicitors of Courts in Colonies after one year's service.

bound by contract in writing to a practising Solicitor in Ontario, to serve and has served him as his clerk for one year. R.S.O. 1897, c. 174, s. 4.

Admission of certain barristers as solicitors.

7.—(1) Any person who has been duly called to practice at the Bar of Ontario, and who has practised as a Barrister in Ontario for the periods respectively hereinafter mentioned, may be admitted and enrolled as a Solicitor on the terms and conditions hereinafter mentioned.

When barrister has practised for ten years.

(2) Where previous to the time of filing his application for a certificate of fitness he has been in actual practice for ten years or more, he shall be entitled to such certificate without any examination.

When barrister has practised for five years.

(3) Where previous to the time of filing his application for certificate of fitness he has been in actual practice for five years or more but for less than ten years, he shall be entitled to the certificate on passing such examination as may be prescribed by the Society for such cases. R.S.O., 1897, c. 174, s. 5.

Notice of application for certificate of fitness.

(4) Notice of the intention of the candidate to apply for a certificate of fitness under the provisions of this section shall be in writing signed by the applicant, and shall be given by him to the Secretary of the Society at least fourteen days before the first day of the Term in which such candidate seeks admission; and the application for the certificate shall be signed by a Barrister practising in the county or district in which such candidate resides, who shall certify that the candidate is in his opinion a fit and proper person to be admitted and enrolled as a Solicitor.

Fees.

(5) Every such Barrister before obtaining the certificate shall pay such fees only as are payable by an articled clerk in ordinary cases of being admitted as a Solicitor. R.S.O. 1897, c. 174, s. 6. *Amended.*

Issue of certificate of fitness to Barristers in certain cases.

8. The Society may in its discretion grant a certificate of fitness to any person who was called to the Bar of Ontario before the 1st day of January, 1891, on his passing the usual examination prescribed for admission to practice as a Solicitor, and paying the usual fees. R.S.O. 1897, c. 174, s. 7. *Part Amended.*

Barristers of Quebec who have been called to the Bar of Ontario. c. 173.

9. A person who has been called to the Bar of Ontario under the provisions of clause (d) of section 3 of *The Barristers Act* shall be entitled to be admitted and enrolled as a Solicitor on paying the usual fees. R.S.O. 1897, c. 174, s. 8. *Amended.*



## SERVICE OF ARTICLED CLERKS.

10. Subject to the rules of the Society under *The Act respecting the Law Society of Upper Canada*, the following enactments are made with respect to the service of articted clerks:—

- (a) The contract of service of an articted clerk and any assignment thereof, together with the affidavit of execution of such contract or assignment, which shall state the date of such execution, shall be filed within three months after the execution thereof respectively, in the Central Office of the High Court and the proper officer shall endorse upon each document a memorandum of the date of filing thereof, and shall sign the same; Articted clerks. Rev. Stat. c. 172. Contracts of service to be filed.
- (b) If the contract of assignment with the affidavit of execution is not filed within three months after the date of the contract or assignment, the same may nevertheless be filed, but the service of the clerk shall be reckoned only from the date of the filing, unless the Society in its discretion for special reasons in any particular case shall otherwise order; Provision in case contract not filed in three months.
- (c) A Solicitor may have under contract in writing four clerks at one time, and no more; and no Solicitor shall have any clerk so bound after he has discontinued practice as a Solicitor, nor while the Solicitor is employed as a writer or clerk by any other Solicitor, and the service by an articted clerk to a Solicitor under any such circumstances shall not be deemed good service under the articles; Practising Solicitor may have four articted clerks and no more.
- (d) If a Solicitor, before the determination of the contract of service becomes bankrupt, or takes the benefit of any Act for the relief of insolvent debtors, or has been imprisoned for twenty-one days, the High Court, upon the application of the clerk, may order that the contract be discharged or be assigned to such person, upon such terms, and in such manner as the Court may deem proper; Court may order articles to be discharged or assigned in certain cases.
- (e) If a Solicitor, to whom a clerk has been so bound, dies before the expiration of the term for which the clerk became bound, or if he discontinues Case of death, etc., of the Solicitor to whom clerk articted.

practice as a Solicitor, or if the contract is by the consent of the parties cancelled, or if the clerk is legally discharged before the expiration of the term by an order of the Court, the clerk may be bound by another contract in writing, to serve as clerk to any other practising Solicitor during the residue of the term; and if an affidavit of the execution of such last mentioned contract is duly made and filed within the time and in the manner hereinbefore prescribed, and subject to the like regulations as in the case of the original contract and the affidavit of its execution, due service under such subsequent contract shall be sufficient. R.S.O. 1897, c. 174, s. 9.

CONDITIONS OF ADMISSION AS SOLICITORS.

Provisions  
to be com-  
plied with  
before  
admission.  
Rev. Stat.  
c. 178.

**11.**—(1) Subject to the rules of the Society no articulated clerk shall be admitted and enrolled as a Solicitor unless

- (a) During the time specified in his contract of service duly served thereunder, and except while attending the courses of lectures at the Law School and undergoing examinations as prescribed by the Rules of the Society, he has been during the whole of such term of service actually employed in the proper practice of a Solicitor by the Solicitor to whom he has been bound at the place where such Solicitor has continued to reside, during such term or with his consent by the professional agent of the Solicitor in Toronto; and
- (b) After the expiration of such term of service he has been examined and sworn in the manner hereinafter directed; and
- (c) At least fourteen days next before the first day of the Term in which he seeks admission, he has left with the Secretary of the Society his contract of service, and any assignment thereof and the affidavits of the execution of the same or duplicates thereof with his affidavit of due service thereunder, and a certificate of the Solicitor to whom he was bound, or his Toronto agent of such due service, and in the case of a person who has been called to the Bar or taken a degree as hereinbefore mentioned, a certificate of his having been so called or taken such degree or a duly certified copy of such certificate.

(2) The affidavits shall be in the form prescribed by the Society, and approved by the Visitors of the Society, and shall be delivered by the applicant to the Society upon his application to be examined.

Affidavits to be delivered to the Society.

(3) If the contract of service, assignment, if any, affidavits and certificate of due service, or any of them, cannot be produced, the Society, on application, by a petition verified by affidavit, to be left with the Secretary at least fourteen days before the first day of the Term on which the applicant seeks admission, and on being satisfied of such fact may, in its discretion, dispense with the production of such contract, assignment, affidavits and certificate of due service, or any of them, and may, notwithstanding such non-production, grant the certificate of fitness.

Provision in case the contract, etc., cannot be produced.

(4) The Benchers may allow an articled clerk, as part of his term of service, any time during which such clerk may have been employed in the Militia Service when the Militia are called out for actual service. R.S.O. 1897, c. 174, s. 10 (1-4). *Amended.*

Time of clerk on militia service may be allowed.

#### ADMISSION AND ENROLMENT.

**12.** Subject to the rules of the Society:—

Examinations of articled clerks.

(a) Where the Benchers require that articled clerks shall pass a preliminary examination, the term of service under articles to entitle an articled clerk to be admitted as a Solicitor shall date only from the passing of such examination;

Preliminary examination for articled clerks.

(b) No candidate for admission of either of the classes of persons mentioned in clauses (a) and (b) of section 6 shall be admitted or enrolled as a Solicitor, unless he has attended the lectures and passed the examinations prescribed by the Rules of the Society. R.S.O. 1897, c. 174, s. 11. *Amended.*

Persons mentioned in subsections 1 and 2 of sec. 4 of this Act to pass two intermediate examinations.

**13.**—(1) Subject to the rules of the Society, as aforesaid, no candidate for admission being of any of the classes of persons mentioned in clauses (c), (d) and (e) of section 6, shall be admitted unless:

Provisions respecting candidates of the classes in subsections 3, 4 and 5 of section 4.

(a) He publishes in the *Ontario Gazette*, at least two months previously to the first day of the term in which he seeks admission, notice of his intention to apply for admission;

(b) Nor (except in the case of a person called to the Bar of Ontario), unless he, at least fourteen days be-

fore the first day of such Term, leaves with the Secretary of the Society :

- (i) In the case of a Barrister—a certificate under the seal of the Society, or Inn of Court in England, Scotland or Ireland, of which he is a member, duly attested under the hand of the proper officer thereof, that he has been duly called to the Bar, and was at the date of such certificate on the books of such Society or Inn of Court; and also an affidavit of the candidate to the satisfaction of the Benchers, stating whether any application has been made or is pending to disbar him or otherwise to disqualify him for misconduct from practice as a Barrister;
- (ii) And in the case of an Attorney or Solicitor—a certificate under the seal of the proper Court, duly attested under the hand of the proper officer thereof, that the candidate was duly admitted and enrolled as such Attorney or Solicitor, and was at the date of such certificate on the Roll of Attorneys or Solicitors of such Court; and also, an affidavit of the candidate stating whether any application has been made or is pending to strike him off the Roll or otherwise to disqualify him from practising as an Attorney or Solicitor.

Date of certificates.

(2) The certificates shall bear date within three months of the first day of the Term during which the application is made. R.S.O. 1897, c. 174, s. 12. *Amended.*

The Law Society to examine into the fitness and capacity of candidates for admission as solicitors.

Rev. Stat. c. 172.

Certificate of fitness.

**14.** The Benchers, upon proof to their satisfaction of the requirements of this Act having been complied with, shall examine and enquire by such ways and means as they think proper, touching the fitness and capacity of any candidate for admission as a Solicitor: and if satisfied by such examination, or by the certificate of the Examiners mentioned in section 41 of *The Law Society Act*, that the candidate is duly qualified, fit, and competent to act as a Solicitor, the Society shall give a certificate under its corporate seal of his due service, and of his fitness and capacity, and of his having duly complied with the requirements of this Act, and that he is in all respects qualified to be admitted as a Solicitor. R.S.O. 1897, c. 174, s. 13.

Admission.

**15.**—(1) Upon production to the High Court of such certificate the presiding Judge shall endorse his fiat of admis-

sion upon it; and thereupon the oath of allegiance and the oath of office having been administered in open Court to the person named in the certificate, the Court may cause him to be admitted, and his name to be enrolled as a Solicitor.

(2) The admission shall be signed by one of the Registrars of the High Court, and the certificate shall be filed in the proper office of the Court. R.S.O. 1897, c. 174, s. 14.

(3) The oath of office shall be as follows:—

"I, A. B., do swear (or solemnly affirm as the case may be) that I will truly and honestly demean myself in the practice of a Solicitor according to the best of my knowledge and ability; So help me God."

Oath to be taken by candidates for admission.

R.S.O. 1897, c. 174, s. 10 (5). Amended.

FEES.

16. The following fees, and no other, shall be payable to the Crown under this Act:—

Fees payable under this Act. Rev. Stat. c. 2.

- 1. On filing Articles or Assignments (if any) with affidavit of execution, and making the endorsements required by this Act ..... \$0 50
- 2. For fiat, admission, oath and certificate ..... 5 50

R.S.O. 1897, c. 174, s. 15.

ANNUAL CERTIFICATES.

17. The officer of the High Court who has the custody of the Roll of Solicitors shall annually, between the 1st day of September and the 15th day of November, deliver to the Secretary of the Society at his office in Osgoode Hall, certified under his hand and the seal of the High Court a copy of so much of the Roll as contains the names of Solicitors admitted to practice subsequently to the last return made to the Secretary. R.S.O. 1897, c. 174, s. 16.

Names of those admitted to be delivered to Secretary annually.

18. The Secretary shall enter all such certified copies in a book to be kept in his office for that purpose, affixing to each name a number following in consecutive order the numbers affixed to the names previously entered. R.S.O. 1897, c. 174, s. 17.

Secretary to enter certified copies of Roll in a book.

19. The Secretary shall, in another book to be kept in his office for that purpose, enter all the names contained in the copies so transmitted to him, alphabetically arranged, with a reference to the number of each name on the Roll, and shall, annually on or before the 1st day of February,

Secretary to annually post an alphabetical list of Solicitors in his office and in Central Office.

put up in his office and also in the Central Office of the High Court an alphabetical list certified by him, under his hand, of all Solicitors who have taken out their certificates for the current year, and shall from time to time add to the list put up in his office the name of each Solicitor who takes out a certificate at a subsequent period of the year, noting thereon the time when the certificate was taken out. R.S.O. 1897, c. 174, s. 18.

**Annual certificate to be obtained by Solicitors.** **20.**—(1) Every practising Solicitor shall obtain from the Secretary, annually, before the 15th day of December, a certificate under the seal of the Society stating that he is a practising Solicitor of the Supreme Court.

**Secretary to follow list in Roll.** (2) Such certificate shall be issued by the Secretary, according to the list of names appearing in the copy of the Roll of Solicitors certified to him under section 17.

**Date of payment of fees and signature of Secretary.** (3) Upon payment of all fees and dues payable by such Solicitor to the Society, the Secretary shall write his name and the date of payment on the margin of the certificate, and the certificate shall be taken as issued only from such date. R.S.O. 1897, c. 174, s. 19. *Amended.*

**Fees to be paid before certificate granted.** **21.** A certificate shall not be issued to a Solicitor, who is indebted to the Society, for any fee payable to the Society, nor until the annual fee for each certificate prescribed by the rules of the Society is paid. R.S.O. 1897, c. 174, s. 20.

**Certificate need not be taken out till 15th Decr. after admission.** **22.** A Solicitor shall not be required to take out his annual certificate until the 15th day of December next following his admission. R.S.O. 1897, c. 174, s. 21. *Amended.*

**Fine for neglect to take out certificate.** **23.** If a Solicitor omits to take out his annual certificate within the prescribed period, he shall not be entitled thereto until he pays to the Society not only the prescribed certificate fee, together with any other fees which he owes to the Society, but also an additional sum by way of penalty, as follows:

**Amount of fine.** If such certificate is not taken out before the first Monday in February, the sum of \$6; if not before the third Monday in May, the sum of \$9; and if not before the second Monday in September, \$12. R.S.O. 1897, c. 174, s. 22. *Amended.*

**Solicitors, etc., practising without certificate to forfeit \$40.** **24.** If a Solicitor, or any member of a firm of Solicitors, either in his own name or in the name of any member of his firm, practises in the Supreme Court or in either division thereof or in a County or District Court or in a Surrogate Court, without such certificate being taken out by him, and by each member of his firm, he shall forfeit the sum of \$40,

which forfeiture shall be paid to the Society, and may be recovered in the High Court. R.S.O. 1897, c. 174, s. 23.

**25.** If a Solicitor practises in any such Court without having taken out such certificate in each and every year of his practice, he shall be liable to be suspended from practice by order of the High Court, for a period of not less than three nor more than six months, and shall continue so suspended until his certificate fee for the year in which he so practised, together with a penalty of \$40, is paid to the Society. R.S.O. 1897, c. 174, s. 24.

Further penalty for practising without a certificate.

**26.** The officer having the control and superintendence of the Central Office and every Local Registrar and every Deputy Clerk of the Crown and Deputy Registrar, and every clerk of a County or District Court and every Registrar of a Surrogate Court when the said offices are not held by the same person, shall, during the month of January in each year, make out a list of the names of Solicitors who by the papers or proceedings filed or had in his office appear to have practised at any time during the year ending with the thirty-first day of December next preceding, and shall on or before the first day of February in the year next to that for which the list is made up transmit such list certified under his hand and the Seal of the Court to the Secretary of the Society. R.S.O. 1897, c. 174, ss. 25, 26. *Amended.*

Registrars, etc., at beginning of year, to make out list of solicitors who have practised during the preceding year.

And deliver the same to the Secretary.

**27.**—(1) A Solicitor who is a prisoner in any gaol or prison shall not during his confinement therein, nor shall any Solicitor who has been suspended from practising, during the period of his suspension commence, prosecute, or defend as such Solicitor any action in any Court, nor act in any matter in bankruptcy or insolvency.

Solicitors in prison or suspended not to practise.

(2) A Solicitor so practising, and any Solicitor permitting or empowering him so to practise in his name, shall be guilty of a contempt of the Court in which any such proceedings are taken, and shall be punishable by such Court accordingly.

Practitioner guilty of contempt.

(3) A Solicitor shall be incapable of maintaining any action for the recovery of any fee, reward or disbursement for or in respect of any matter or thing done by him in his own name or in the name of any other Solicitor while so imprisoned or suspended. R.S.O. 1897, c. 174, s. 27.

Not to recover fees.

**28.**—(1) A Solicitor shall not knowingly act as the professional agent of any person not duly qualified to act as a Solicitor, or suffer his name to be used in any such agency on account of or for the profit of an unqualified person, or send

Solicitors not to act as agents of unqualified persons.

any process to such a person, or do any other act to enable him to practise in any respect as a Solicitor, knowing him not to be duly qualified.

Punishment  
by striking  
off the Roll.

(2) If complaint is made in a summary way of a contravention of this section a Judge of the High Court, upon proof thereof, may order that the Solicitor so offending shall be struck off the Roll and disqualified from practising as a Solicitor.

Committal of  
unqualified  
person.

(3) The Court may also commit such unqualified person having so practised to the common gaol for any term not exceeding one year. R.S.O. 1897, c. 174, s. 28. *Amended.*

Court may  
strike  
solicitors  
off the  
Roll.

**29.** The High Court may strike the name of any Solicitor off the Roll of Solicitors, for default by him in payment of money received by him as a Solicitor. R.S.O. 1897, c. 174, s. 29.

Practice  
prohibited  
while hold-  
ing certain  
offices.

**30.**—(1) A Solicitor shall not practise in any Court in Ontario, either in his own name or by his partner, deputy or agent, or in the name of any other person, or otherwise, directly or indirectly, while he holds or conducts any office of the Supreme Court or either Division thereof or of a County or District Court, a Surrogate Court or a Division Court; but nothing herein contained shall extend to a Local Master or Deputy Registrar of the High Court, who is not a Deputy Clerk of the Crown and Pleas.

Penalty.

(2) Every person who contravenes the provisions of this section shall incur a penalty of \$2,000. R.S.O. 1897, c. 174, s. 30. *Amended.*

No solicitor  
to practise  
while en-  
gaged as a  
merchant.

**31.** A Solicitor shall not practise in any Court in Ontario while he is engaged in the business of a merchant, or connected by partnership in purchasing or vending merchandise in the way of trade as a merchant, nor until twelve months after he has ceased to be such merchant or to be so engaged or connected. R.S.O. 1897, c. 174, s. 31.

*[For punishment for tampering with Jurors, see The Jurors Act, 9 Edw. VII., c. 34, s. 111.]*

#### STRIKING A SOLICITOR OFF THE ROLL FOR DEFECT IN ARTICLES.

Limitation  
of time for  
striking off  
Roll for  
defect in  
articles.

**32.** Except in case of fraud, no person admitted and enrolled shall be struck off the Roll on account of any defect in the articles of clerkship, or in the filing thereof, or in his service thereunder, or in his admission and enrolment,



unless application for striking him off the Roll is made within twelve months next after his admission and enrolment. R.S.O. 1897, c. 174, s. 32.

PROCEEDINGS IF STRUCK OFF THE ROLL.

**33.** Where a Solicitor is struck off the Roll, one of the Registrars of the High Court shall certify the same under his hand and the seal of the Court to the Secretary of the Society, stating whether such Solicitor was struck off at his own request or otherwise, and the Secretary shall attach the certificate to the certified copy of the Roll on which the name of such person stands, and shall, in the book kept by him make a note opposite the name of such person of his having been struck off the Roll. R.S.O. 1897, c. 174, s. 33.

When solicitor struck off Roll, Registrar to certify same to Secretary of the Society.

SOLICITOR'S COSTS.

**34.**—(1) No action shall be brought for the recovery of fees, charges or disbursements, for business done by a Solicitor as such, until one month after a bill thereof, subscribed with the proper hand of such Solicitor, his executor, administrator or assignee or, in the case of a partnership, by one of the partners, either with his own name, or with the name of such partnership, has been delivered to the person to be charged therewith, or sent by the post to, or left for him at his counting-house, office of business, dwelling-house, or last known place of abode, or has been enclosed in or accompanied by a letter subscribed in like manner, referring to such bill. R.S.O. 1897, c. 174, s. 34.

Solicitors to deliver their bill one month before bringing action for costs.

Browne v. Black [1911] 1 K.B. 975.

(2) In proving a compliance with this Act it shall not be necessary in the first instance to prove the contents of the bill delivered, sent or left, but it shall be sufficient to prove that a bill of fees, charges or disbursements subscribed as required by subsection 1, or enclosed in or accompanied by such letter, was so delivered, sent or left; but the other party may shew that the bill so delivered, sent or left, was not such a bill as constituted a compliance with this Act. R.S.O. 1897, c. 174, s. 43.

Not necessary in first instance in action on bill to prove contents of bill delivered.

**35.** Where the retainer of the Solicitor is not disputed and there are no special circumstances, an order may be obtained on *praecipe* from the proper officer in the county in which the Solicitor resides:

Order for taxation on praecipe.

(a) By the client, for the delivery and taxation of the Solicitor's bill;

- (b) By the client, for the taxation of a bill already delivered, within one month from its delivery;
- (c) By the Solicitor, for the taxation of a bill already delivered, at any time after the expiration of one month from its delivery, provided no order for its taxation has been previously made. *New.* (See Con. Rule 1184.)

No reference to be made on application of party chargeable after verdict or after 12 months from delivery of bill.

**36.**—(1) No such reference shall be directed upon an application made by the party chargeable with such bill after a verdict or judgment has been obtained, or after twelve months from the time such bill was delivered, sent or left as aforesaid, except under special circumstances, to be proved to the satisfaction of the Court or Judge to whom the application for the reference is made. R.S.O. 1897, c. 174, s. 37.

Special directions.

(2) Where the reference is made under subsection 1 the Court or Judge, in making the same, may give any special directions relative to the costs of the reference. R.S.O. 1897, c. 174, s. 41.

If either party does not attend officer may tax bill *ex parte*.

**37.** In case either party to a reference, having due notice, refuses or neglects to attend the taxation, the officer to whom the reference is made may tax the bill *ex parte*. R.S.O. 1897, c. 174, s. 38.

Delivery of bill and reference to taxation.

**38.**—(1) When a client or other person obtains an order for the delivery and taxation of a Solicitor's bill of fees, charges and disbursements, or a copy thereof, the bill shall be delivered within fourteen days from the service of the order:

- (a) The bill delivered shall stand referred to the proper officer for taxation, and on the reference the Solicitor shall give credit for, and an account shall be taken of all sums of money by him received from or on account of the client, and the Solicitor shall refund what, if anything, he may on such taxation appear to have been overpaid;
- (b) The costs of the reference shall, unless otherwise directed, be in the discretion of the officer, subject to appeal, and shall be taxed by him when and as allowed;
- (c) The Solicitor shall not commence or prosecute any

action in respect to the matters referred pending the reference without leave of the Court or a Judge;

(d) The amount certified to be due shall be paid forthwith after confirmation of the certificate by filing, as in the case of a Master's report, by the party liable to pay the same;

(e) Upon payment by the client or other person of what if anything may appear to be due to the Solicitor, or if nothing is found to be due to the Solicitor the Solicitor, if required, shall deliver to the client or other person, or as he may direct, all deeds, books, papers and writings in the said Solicitor's possession, custody or power, belonging to the client;

(f) The order shall be read as if it contained the above particulars, and shall not set forth the same, but may contain any variation therefrom and any other directions which the Court or Judge shall see fit to make. *New.* (Con. Rule 1185.)

(2) An order for reference of a Solicitor's bill for taxation shall be presumed to contain the clauses (a) to (e) of subsection 1, whether obtained on *praecipe* or otherwise, and by the Solicitor, client or other person liable to pay the bill. *New.* (Con. Rule 1186.)

Order presumed to contain clauses a to e.

(3) The reference for taxation shall, unless otherwise ordered, be to the proper taxing officer for the county in which the Solicitor resides. *New.* (See Con. Rule 1187.)

Reference to be to local taxing officer.

**39.** A Judge of the High Court or of a County or District Court, on proof to his satisfaction that there is probable cause for believing that the party chargeable is about to depart from Ontario, may authorize a Solicitor to commence an action for the recovery of his fees, charges or disbursements against the party chargeable therewith, although one month has not expired since the delivery of a bill. R.S.O. 1897, c. 174, s. 44.

Judge may allow actions for costs within the month if departure from Ontario apprehended.

**40.—**(1) Where any person not being chargeable as the principal party is liable to pay or has paid any bill either to the Solicitor, his assignee, or personal representative, or to the principal party entitled thereto, the person so liable to pay or paying, his assignee or personal representative,

Where a party not being the principal pays a bill of costs a taxation may be allowed.

may apply to the court of a judge for an order referring to taxation as the party chargeable therewith might himself have done, and the same proceedings shall be had thereupon, as if the application had been made by the party so chargeable. R.S.O. 1897, c. 174, s. 45.

What special circumstances may be considered in such case.

(2) If such application is made where under the provisions hereinbefore contained, a reference is not authorized to be made except under special circumstances, the Court or Judge to whom the application is made may take into consideration any additional special circumstances applicable to the person making it, although such circumstances might not be applicable to the party chargeable with the bill, if he was the party making the application. R.S.O. 1897, c. 174, s. 46.

Court or Judge may order the delivery of a copy of the bill.

(3) For the purpose of such reference the Court or Judge may order the Solicitor, his assignee or representative, to deliver to the party making the application a copy of the bill upon payment of the costs of the copy. R.S.O. 1897, c. 174, s. 47.

Taxation at instance of third person.

(4) When a person other than the client applies for taxation of a bill delivered or for the delivery of a copy thereof for the purpose of taxation, and it appears that, by reason of the conduct of the client, the applicant is precluded from taxing the same, but is nevertheless entitled to an account from the client, it shall not be necessary for the applicant to bring an action for an account, but the Court or a Judge may, in a summary manner, refer a bill already delivered or order delivery of a copy of the bill, and refer the same for taxation, as between the applicant and the client, and may add such parties not already notified as may be necessary.

Application of s. 38.

(5) The provisions of section 38, so far as they are applicable, shall apply to such taxation. *New.* (See Con. Rule 1188.)

When a bill may be re-taxed.

**41.** No bill previously taxed shall be again referred, unless under the special circumstances of the case the Court or Judge to whom the application is made thinks fit to direct a re-taxation thereof. R.S.O. 1897, c. 174, s. 48.

Payment not to preclude taxation if applied for within a year.

**42.** The payment of any bill shall not preclude the Court or Judge to whom the application is made from referring it for taxation upon such terms and subject to such directions as to the Court or Judge may seem just, if the application is made within twelve months after payment, and if the

special circumstances of the case in the opinion of the Court or Judge appear to require the taxation. R.S.O. 1897, c. 174, s. 49.

43. Where a bill is referred for taxation, the officer to whom the reference is made may request the proper officer of any other Court to assist him in taxing any part of such bill, and the officer, so requested, shall thereupon tax the same, and shall have the same powers, and may receive the same fees in respect thereof, as upon a reference to him by the Court of which he is an officer, and he shall return the bill, with his opinion thereon, to the officer who so requests him to tax the same. R.S.O. 1897, c. 174, s. 50.

A taxing officer may require the assistance of the officer of any other Court.

44. In the absence of any general rule and so far as any such general rules do not apply, the taxing officer in taxing a bill for preparing and executing any instrument, shall consider not the length but the skill and labour employed and responsibility incurred in the preparation thereof. R.S.O. 1897, c. 174, s. 55.

Skill, etc., and not length, to be considered in taxation of certain deeds.

45. Every application to refer a bill for taxation, or for the delivery of a bill, or for the delivering up of deeds, documents and papers, shall be made *In the matter of (the Solicitor)*; and upon the taxation of any such bill, the certificate of the officer by whom the bill is taxed, unless set aside or varied shall be final and conclusive as to the amount thereof, and payment of the amount certified to be due and directed to be paid may be enforced according to the practice of the Court in which the reference was made. R.S.O. 1897, c. 174, s. 51.

How applications against solicitors to be entitled.

#### JUDGES MAY MAKE RULES.

46. The Judges of the Supreme Court may, from time to time in accordance with the provisions of *The Judicature Act*, make General Rules or Regulations other than rules relating to the admission and enrolment of Solicitors, for carrying out the provisions of this Act. R.S.O. 1897, c. 174, s. 52 (1). *Amended.*

Judges of Supreme Court to make rules, etc., Rev. Stat. c. 51.

47. Such Rules may include Rules respecting business by Solicitors connected with sales, purchases, leases, mortgages, settlements and other matters of conveyancing, and may, as regards the mode of remuneration, prescribe that it shall be according to a scale of rates of commission or percentage, varying or not in different classes of business; or by a gross sum; or by a fixed sum for each document prepared or perused, without regard to length; or in any other

Principles of remuneration, Imp. Act, 44-45; V. c. 44, s. 4.

mode, or partly in one mode and partly in another, or others; and may, as regards the amount of the remuneration, regulate the same with reference to all or any of the following among other considerations:—

- (a) The position of the party for whom the Solicitor is concerned in any business, that is, whether as vendor or as purchaser, lessor or lessee, mortgagor or mortgagee, and the like;
- (b) The place, district, and circumstances at or in which the business or part thereof is transacted;
- (c) The amount of the capital money or of the rent to which the business relates;
- (d) The skill, labour and responsibility involved therein on the part of the Solicitor; and
- (e) The number and importance of the documents prepared or perused, without regard to length. R.S.O. 1897, c. 174, s. 52 (2), 53 (1).

#### AGREEMENTS BETWEEN SOLICITORS AND CLIENTS.

Interpretation.

**48.** In this section and sections 50 to 66:

“Client.”

- (a) “Client” shall include a person who as a principal or on behalf of another person retains or employs or is about to retain or employ a Solicitor and a person who is or may be liable to pay the bill of a Solicitor for any services, fees, costs, charges or disbursements;

“Services.”

- (b) “Services” shall include fees, costs, charges and disbursements. 9 Edw. VII. c. 28, s. 23.

Agreements between solicitors and clients as to compensation.

**49.**—(1) Subject to the provisions of sections 50 to 66, a Solicitor may make an agreement in writing with his client respecting the amount and manner of payment for the whole or a part of any past or future services in respect of business done or to be done by such Solicitor, either by a gross sum or by commission or percentage, or by salary or otherwise, and either at the same rate or at a greater or less rate than that at which he would otherwise be entitled to be remunerated. In this subsection the expressions “commission” and “percentage” apply only to non-contentious business and to conveyancing.

Application of section.

- (2) This section shall apply to and include any business

to which section 47 relates, whether or not any general rule under section 46 is in operation. 9 Edw. VII. c. 28, s. 24.

**50.** Where the agreement is made in respect of business done or to be done in any Court, except a Division Court, the amount payable under the agreement shall not be received by the Solicitor until the agreement has been examined and allowed by a taxing officer of a Court having power to enforce the agreement. 9 Edw. VII. c. 28, s. 25.

Approval of agreement by taxing officer.

**51.** Where it appears to the taxing officer that the agreement is not fair and reasonable, he may require the opinion of a Court or a Judge to be taken thereon. 9 Edw. VII., c. 28, s. 26.

Opinion of court or judge on agreement.

**52.** The Court or Judge may either reduce the amount payable under the agreement or order it to be cancelled and the costs, fees, charges and disbursements in respect of the business done to be taxed in the same manner as if the agreement had not been made. 9 Edw. VII., c. 28, s. 27.

Rejection of agreement by court or judge.

**53.** Such an agreement shall not affect the amount, or any right or remedy for the recovery, of any costs, recoverable from the client by any other person, or payable to the client by any other person, and any such other person may require any costs payable or recoverable by him to or from the client to be taxed in the ordinary manner, unless such person has otherwise agreed; but the client who has entered into the agreement shall not be entitled to recover from any other person under any order for the payment of any costs which are the subject of the agreement, more than the amount payable by the client to his own Solicitor under the agreement. 9 Edw. VII., c. 28, s. 28.

Agreement not to affect costs as between party and party.

**54.** Such an agreement shall exclude any further claim of the Solicitor beyond the terms of the agreement in respect of services in relation to the conduct and completion of the business in respect of which it is made, except such as are expressly excepted by the agreement. 9 Edw. VII., c. 28, s. 29.

Claims for additional remuneration excluded.

**55.** A provision in any such agreement that the Solicitor shall not be liable for negligence or that he shall be relieved from any responsibility to which he would otherwise be subject as such Solicitor shall be wholly void. 9 Edw. VII., c. 28, s. 30.

Agreements relieving solicitor from liability for negligence void.

**56.** No action shall be brought upon any such agreement, but every question respecting the validity or effect of it may

Determination of disputes under the agreement.

be examined and determined, and it may be enforced or set aside without action on the application of any person who is a party to the agreement or who is or is alleged to be liable to pay or who is or claims to be entitled to be paid the costs, fees, charges or disbursements in respect of which the agreement is made, by the Court not being a Division Court in which the business or any part of it was done or a Judge thereof, or if the business was not done in any Court by the High Court Division or a Judge thereof. 9 Edw. VII., c. 28, s. 31.

Enforce-  
ment of  
agreement.

**57.** Upon any such application if it shall appear to the Court or Judge that the agreement is in all respects fair and reasonable between the parties, it may be enforced by such Court or Judge by order in such manner and subject to such conditions as to the costs of the application as such Court or Judge may think fit, but if the terms of the agreement shall not be deemed by the Court or Judge to be fair and reasonable, the agreement may be declared void, and the Court or Judge may order it to be delivered up to be cancelled and may direct the costs, fees, charges and disbursements incurred or chargeable in respect of the matters included therein to be taxed in the ordinary manner. 9 Edw. VII., c. 28, s. 32.

Order of  
court for re-  
opening of  
agreement.

**58.** Where the amount agreed for under any such agreement has been paid by or on behalf of the client or by any person chargeable with or entitled to pay the same, the High Court Division or a Judge thereof may upon the application of the person who has paid such amount within twelve months after the payment thereof if it appears to such Court or Judge that the special circumstances of the case require the agreement to be re-opened, re-open the same and order the costs, fees, charges and disbursements to be taxed and may also order the whole or any part of the amount received by the Solicitor to be repaid by him on such terms and conditions as to the Court or Judge may seem just. 9 Edw. VII., c. 28, s. 33.

Agreements  
made by  
client who  
is guardian,  
trustee or  
committee,  
to be ap-  
proved by  
taxing offi-  
cer.

**59.** Where any such agreement is made by the client in the capacity of guardian or of trustee under a deed or will or of committee of any person whose estate or property will be chargeable with the amount or any part of the amount payable under the agreement, the agreement shall before payment be laid before the senior taxing officer at Toronto, who shall examine it and may disallow any part of it or may require the direction of the Court or a Judge to be made thereon. 9 Edw. VII., c. 28, s. 34.



**60.** If the client pays the whole or any part of such amount without the previous allowance of such officer or the direction of the Court or a Judge he shall be liable to account to the person whose estate or property is charged with the amount paid or any part of it for the amount so charged, and the Solicitor who accepts such payment may be ordered by the Court or Judge to refund the amount received by him. 9 Edw. VII., c. 28, s. 35.

Client paying without approval to be liable to estate.

**61.** Nothing in sections 49 to 66 shall give validity to a purchase by a Solicitor of the interest or any part of the interest of his client in any action or other contentious proceeding to be brought or maintained or give validity to an agreement by which a Solicitor retained or employed to prosecute any action or proceeding stipulates for payment only in the event of success in such action or proceeding or where the amount to be paid to him is a percentage of the amount or value of the property recovered or preserved or otherwise determinable by such amount or value or dependent upon the result of the action or proceeding. 9 Edw. VII., c. 28, s. 36.

Solicitors not to purchase any interest in litigation or to make payment dependent upon success.

**62.** A Solicitor may accept from his client and a client may give to his Solicitor security for the amount to become due to the Solicitor for business to be transacted by him and for interest thereon, but so that the interest is not to commence until the amount due is ascertained by agreement or by taxation. 9 Edw. VII., c. 28, s. 37.

Security may be given to solicitor for costs.

**63.** A Solicitor may charge interest at the rate of five per centum per annum on his disbursements and costs, whether by scale or otherwise, from the expiration of one month from demand from the client, and where the same are payable by an infant or out of a fund presently available the demand may be made on the parent or guardian or the trustee or other person liable. 9 Edw. VII., c. 28, s. 38.

Interest on disbursements and costs.

**64.** Where a Solicitor has made such an agreement and anything has been done by him under it and before the agreement has been completely performed by him, such Solicitor dies or becomes incapable to act, an application may be made to any Court which would have jurisdiction to examine and enforce the agreement by any person who is a party thereto, and such Court may thereupon enforce or set aside the agreement so far as the same may have been acted upon as if such death or incapacity had not happened, and if it deems the agreement to be in all respects fair and reasonable may order the amount in respect of the past

Where solicitor dies or becomes incapable of acting after agreement.

performance of it to be ascertained by taxation; and the taxing officer, in ascertaining such amount shall have regard, so far as may be, to the terms of the agreement, and payment of the amount found to be due may be ordered in the same manner as if the agreement had been completely performed by the Solicitor. 9 Edw. VII. c. 28, s. 39.

Changing solicitor after making agreement.

**65.** If after any such agreement has been made the client shall change his Solicitor before the conclusion of the business to which the agreement relates, which he shall be at liberty to do notwithstanding the agreement, the Solicitor party to the agreement shall be deemed to have become incapable to act under it within the meaning of the next preceding section, and upon any order being made for taxation of the amount due him in respect to the past performance of the agreement, the Court shall direct the taxing officer to have regard to the circumstances under which such change of Solicitor took place, and upon the taxation the Solicitor shall not be deemed to be entitled to the full amount of the remuneration agreed to be paid to him, unless it shall appear that there has been no default, negligence, improper delay or other conduct on his part affording reasonable ground to the client for such change of Solicitor. 9 Edw. VII., c. 28, s. 40.

Bills under agreement not to be liable to taxation.

**66.** Except as otherwise provided in sections 49 to 65, a bill of a Solicitor for the amount due under any such agreement shall not be subject to any taxation or to any provision of law respecting the signing and delivery of a bill of a Solicitor. 9 Edw. VII. c. 28, s. 41.

#### SOLICITORS AS MORTGAGEES, TRUSTEES, ETC.

Definition of mortgage.

**67.** In sections 68 to 70 the expression "mortgage" includes any charge on any property for securing money or money's worth. *New.*

Charges, etc., where mortgage is made with solicitor.

**68.**—(1) Any Solicitor to whom, either alone or jointly with any other person, a mortgage is made, or the firm of which such Solicitor is a member, shall be entitled to receive for all business transacted and acts done by such Solicitor or firm in negotiating the loan, deducing and investigating the title to the property and preparing and completing the mortgage, all such usual professional charges and remuneration as he or they would have been entitled to receive if such mortgage had been made to a person not a Solicitor, and such person had retained and employed such Solicitor or firm to transact such business and do such acts; and such charges and remuneration shall accordingly be recoverable from the mortgagor.

Imp. Act 58, 59 Vic. ch. 25.

(2) This section applies only to mortgages made after the commencement of this Act. *New.* Application of section.

**69.**—(1) Any Solicitor to or in whom, either alone or jointly with any other person, any mortgage is made or is vested by transfer or transmission, or the firm of which such Solicitor is a member, shall be entitled to receive and recover from the person on whose behalf the same is done or to charge against the security for all business transacted and acts done by such Solicitor or firm subsequent and in relation to such mortgage or to the security thereby created or the property therein comprised, all such usual professional charges and remuneration as he or they would have been entitled to receive if such mortgage had been made to and had remained vested in a person not a Solicitor, and such person had retained and employed such Solicitor or firm to transact such business and do such acts, and accordingly no such mortgage shall be redeemed except upon payment of such charges and remuneration. Right of solicitor with whom mortgage is made to recover costs, etc.

(2) This section applies to mortgages made and business transacted and acts done either before or after the commencement of this Act. *New.* Application of section.

**70.** A Solicitor who is a director of a trust company or of any other company, or the firm of which such Solicitor is a member, shall be entitled to receive for all business transacted or acts done by such Solicitor or firm for such company in relation to or in connection with any matter in which the company acts as trustee, guardian, personal representative or agent, all such usual professional fees and remuneration as he or they would be entitled to receive if such Solicitor had not been a director of such company, and such company had retained and employed such Solicitor or firm to transact such business and do such acts, and such charges and remuneration shall accordingly be recoverable from such company and may be charged by them as a disbursement in the matter of such trusteeship, guardianship, administration or agency. *New.* Solicitor-director, right to charge for services to trust estate.

#### RIGHT TO TAX COSTS OF SALARIED SOLICITOR.

**71.** Where the remuneration of a Solicitor or Counsel employed by a corporation is wholly or partly paid by salary, the corporation employing such Solicitor or Counsel shall notwithstanding have the right to recover and collect lawful costs in all actions and proceedings in the same manner as if the Solicitor or counsel were not receiving a salary. Collection of costs where solicitor or counsel paid a salary.

where the costs are by the terms of his employment payable to the Solicitor or counsel as part of his remuneration in addition to his salary. 7 Edw. VII., c. 23, s. 13.

SOLICITORS AS OFFICERS OF COURT.

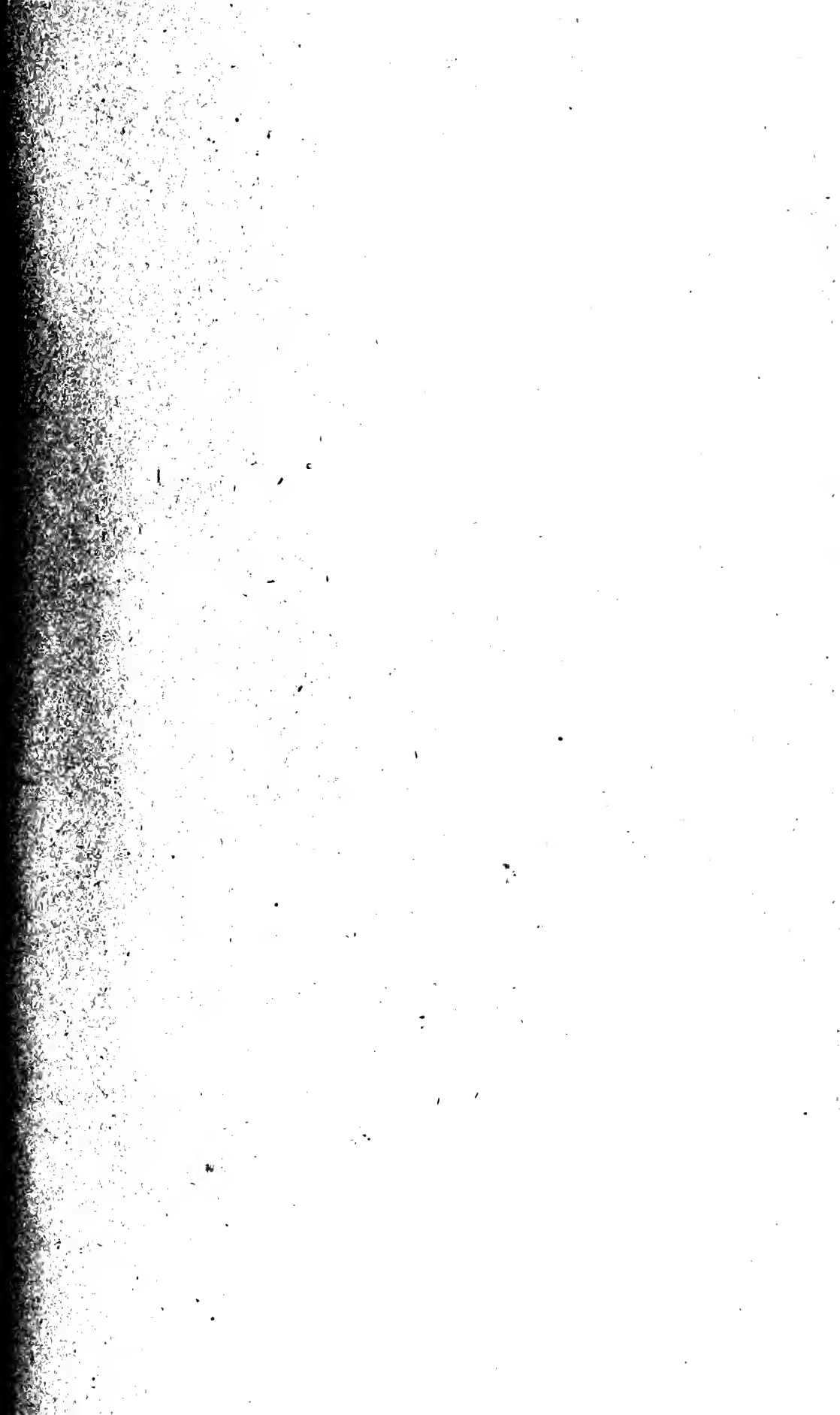
Act not to  
affect prac-  
tice as to  
admission.

**72.** Nothing in this Act contained shall interfere with the present practice as to the admission of Solicitors, nor with the jurisdiction over them as officers of Court. R.S.O. 1897, c. 174, s. 56.

REPEAL.

Repeal.  
Rev. Stat. c.  
174; 7 Edw.  
VII. c. 23, s.  
13; 9 Edw.  
VII. c. 48, ss.  
23-41; Con-  
Rules, 1184-  
1188.

**73.** Chapter 174 of the Revised Statutes of Ontario, 1897, section 13 of the Act passed in the 7th year of the reign of His late Majesty King Edward the Seventh, chaptered 23, sections 23 to 41 of the Act passed in the 9th year of the said reign, chaptered 28, and Rules 1184 to 1188 of the Consolidated Rules of Practice are repealed.







No. 96.

1st Session, 13th Legislature,  
2 George V., 1912.

BILL.

An Act Respecting Solicitors.

1st Reading, 1912.

Mr. Foy.

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



# BILL

## An Act respecting Solicitors.

SHORT TITLE, s. 1.	Acting as agents of unqualified persons, s. 28.
INTERPRETATION, s. 2.	Default in paying over moneys collected, s. 29.
ADMISSION AND ENROLMENT NECESSARY, s. 3.	Practising while holding certain offices, s. 30.
PENALTY FOR PRACTISING WITHOUT, s. 4.	Not to practise while engaged in business, s. 31.
WHO MAY BE ADMITTED, ss. 5-9.	STRIKING OFF THE ROLL:—
SERVICE OF ARTICLED CLERKS, s. 10.	Time for, limited in certain cases, s. 32.
CONDITIONS OF ADMISSION, s. 11.	Proceedings in case of, s. 33.
EXAMINATIONS, ss. 12-14.	COSTS—TAXATION OF, ss. 34-45.
ADMISSION BY COURT, s. 15.	JUDGES MAY MAKE RULES, ss. 46, 47.
FEES, s. 16.	AGREEMENTS BETWEEN SOLICITORS AND CLIENTS, ss. 48-67.
ANNUAL CERTIFICATES, ss. 17-25.	SOLICITORS AS MORTGAGEES, TRUSTEES, ETC., ss. 68-71.
Penalties for not taking out, etc., ss. 23-25.	JURISDICTION OF COURTS NOT AFFECTED, s. 72.
YEARLY LISTS OF PRACTISING SOLICITORS, s. 26.	REPEAL, s. 73.
OFFENCES AND PENALTIES:—	
Solicitors not to practise while in prison or under suspension, s. 27.	

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Solicitors Act*. Short title.
2. In this Act,— Interpretation.
  - (a) “Rules of the Society” shall mean rules, regulations and by-laws made by the Benchers of the Society under *The Law Society Act*; “Rules of the society.”
  - (b) “The Society” shall mean The Law Society of Upper Canada; “The Society.”
  - (c) “Term” and “Terms” shall mean the terms mentioned in *The Law Society Act*. “Term,” “Terms.”

## PROHIBITION AGAINST PRACTISING WHEN UNQUALIFIED.

Solicitors must be admitted and enrolled.

3. Unless admitted and enrolled and duly qualified to act as a Solicitor, no person shall act as a Solicitor in any Court of Civil or Criminal Jurisdiction or before any Justice of the Peace, or shall as such sue out any writ or process, or commence, carry on or defend any action, or proceeding in the name of any other person, or in his own name, or hold himself out as or represent himself to be a Solicitor. R.S.O., 1897, c. 174, s. 1.

Penalty on persons practising without being admitted as Solicitors.

4. If any person, unless himself a party to the proceeding, commences, prosecutes or defends in his own name, or that of any other person, any action or proceeding without having been admitted and enrolled as hereinafter provided, he shall be incapable of recovering any fee, reward or disbursements on account thereof, and shall be guilty of a contempt of the Court in which such proceeding was commenced, carried on or defended, and punishable accordingly. R.S.O. 1897, c. 174, s. 2.

[As to practising in Division Courts see 10 Edw. VII., c. 32, s. 110, and as to proceedings to enforce claims of lienholder for sums not exceeding \$100 under The Mechanics Lien Act, see 10 Edw. VII., c. 69, s. 37 (7).

## WHO MAY BE ADMITTED.

Solicitors and Attorneys.

5.—(1) All persons heretofore admitted as Solicitors or Attorneys of, or by law empowered to practise in, any Court the jurisdiction of which is now vested in the High Court shall be Solicitors of the Supreme Court of Judicature for Ontario, and shall be entitled to the same privileges, and be subject to the same obligations, so far as circumstances will permit, as Solicitors or Attorneys were entitled or subject to prior to the 22nd day of August, 1881.

Persons entitled to be admitted before, 44 V. c. 5.







(2) All persons who, if *The Ontario Judicature Act, 1881*, had not been passed, would have been entitled to be admitted as Solicitors or Attorneys of, or been by law empowered to practise in, any such Courts, shall be entitled to be admitted on payment of the fees mentioned in section 16, and shall be so admitted by the High Court, and when so admitted shall be Solicitors of the Supreme Court.

Subject to control of court.

(3) Solicitors to whom this section applies shall be officers of the Supreme Court; and that Court and the High Court and the Court of Appeal respectively, or any Division or Judge thereof, may exercise the same jurisdiction in respect of such Solicitors as a Superior Court or a Judge thereof before the 22nd day of August, 1881, might have exercised in respect of any Solicitor or Attorney admitted to practise therein. R.S.O., 1897, c. 174, s. 3.

6. Subject to the provisions hereinafter contained and to any rules of the Society, the following persons, *being British subjects*, and except as hereinafter provided no others may be admitted and enrolled as Solicitors:—

Who may be admitted and enrolled Solicitors Rev. Stat. c. 172.

- (a) Any person who has been bound by contract in writing to a practising Solicitor in Ontario to serve and has served him as his clerk for five years; Articled clerks after five years' service.
- (b) Any person who  being bound by contract in writing to a practising Solicitor in Ontario to serve him and has served him as his clerk for three years and who before being so bound  has actually taken and had conferred upon him the degree of Bachelor of Arts, Bachelor of Civil Law, or Bachelor of Law, in any of the Universities of the United Kingdom, or in any University or College in Ontario or in the Province of Quebec having power to grant degrees,  or was a graduate of the Royal Military College of Canada or of the Faculty of Applied Science in the University of Toronto or in Practical Science of Queen's University of Kingston.  Graduates of Universities after three years' service.
- (c) Any person who has been duly called to the Bar of Ontario,  or of any of the other Provinces of Canada,  or who has been duly called to the Bar of any of His Majesty's Superior Courts in England, Scotland or Ireland, not having merely local jurisdiction, and has been thereafter bound by contract in writing to a practising Solicitor in Ontario to serve and has served him as his clerk for three years; Barristers of Ontario or England, Scotland or Ireland after three years' service.
- (d) Any person who has been duly sworn, admitted and enrolled a Solicitor of His Majesty's Supreme Court of Judicature in England or Ireland, or who has been writer to the Signet or Solicitor of the Supreme Courts in Scotland, and has been thereafter bound by contract in writing to a practising Solicitor in Ontario to serve and has served him as his clerk for one year; Solicitors of Courts of England, Scotland or Ireland after one year's service.
- (e) Every person who has been duly sworn, admitted and enrolled as an Attorney or Solicitor of any of His Majesty's Superior Courts of Law or Equity in any Province of Canada or in any of His Majesty's Dominions or Colonies wherein the Common Law of England is the Common Law of the land, and who has been thereafter Solicitors of Courts in Colonies after one year's service.

bound by contract in writing to a practising Solicitor in Ontario, to serve and has served him as his clerk for one year. R.S.O. 1897, c. 174, s. 4.

Admission of certain barristers as solicitors.

7.—(1) Any person who has been duly called to practice at the Bar of Ontario, and who has practised as a Barrister in Ontario for the periods respectively hereinafter mentioned, may be admitted and enrolled as a Solicitor on the terms and conditions hereinafter mentioned.

When barrister has practised for ten years.

(2) Where previous to the time of filing his application for a certificate of fitness he has been in actual practice for ten years or more, he shall be entitled to such certificate without any examination.

When barrister has practised for five years.

(3) Where previous to the time of filing his application for certificate of fitness he has been in actual practice for five years or more but for less than ten years, he shall be entitled to the certificate on passing such examination as may be prescribed by the Society for such cases. R.S.O., 1897, c. 174, s. 5.

Notice of application for certificate of fitness.

(4) Notice of the intention of the candidate to apply for a certificate of fitness under the provisions of this section shall be in writing signed by the applicant, and shall be given by him to the Secretary of the Society at least fourteen days before the first day of the Term in which such candidate seeks admission; and the application for the certificate shall be signed by a Barrister practising in the county or district in which such candidate resides, who shall certify that the candidate is in his opinion a fit and proper person to be admitted and enrolled as a Solicitor.

Fees.

(5) Every such Barrister before obtaining the certificate shall pay such fees only as are payable by an articed clerk in ordinary cases of being admitted as a Solicitor. R.S.O. 1897, c. 174, s. 6. *Amended.*

Issue of certificate of fitness to Barristers in certain cases.

8. The Society may in its discretion grant a certificate of fitness to any person who was called to the Bar of Ontario before the 1st day of January, 1891, on his passing the usual examination prescribed for admission to practice as a Solicitor, and paying the usual fees. R.S.O. 1897, c. 174, s. 7. *Part Amended.*

Barristers of Quebec who have been called to the Bar of Ontario. c. 173.

9. A person who has been called to the Bar of Ontario under the provisions of clause (d) of section 3 of *The Barristers Act* shall be entitled to be admitted and enrolled as a Solicitor on paying the usual fees. R.S.O. 1897, c. 174, s. 8. *Amended.*

SERVICE OF ARTICLED CLERKS.

10. Subject to the rules of the Society under *The Law Society Act*, the following enactments are made with respect to the service of articted clerks:—

- (a) The contract of service of an articted clerk and any assignment thereof, together with the affidavit of execution of such contract or assignment, which shall state the date of such execution, shall be filed within three months after the execution thereof respectively, in the Central Office of the High Court and the proper officer shall endorse upon each document a memorandum of the date of filing thereof, and shall sign the same; Contracts of service to be filed.
- (b) If the contract of assignment with the affidavit of execution is not filed within three months after the date of the contract or assignment, the same may nevertheless be filed, but the service of the clerk shall be reckoned only from the date of the filing, unless the Society in its discretion for special reasons in any particular case shall otherwise order; Provision in case contract not filed in three months.
- (c) A Solicitor may have under contract in writing four clerks at one time, and no more; and no Solicitor shall have any clerk so bound after he has discontinued practice as a Solicitor, nor while the Solicitor is employed as a writer or clerk by any other Solicitor, and the service by an articted clerk to a Solicitor under any such circumstances shall not be deemed good service under the articles; Practising Solicitor may have four articted clerks and no more.
- (d) If a Solicitor, before the determination of the contract of service becomes bankrupt, or takes the benefit of any Act for the relief of insolvent debtors, or has been imprisoned for twenty-one days, the High Court, upon the application of the clerk, may order that the contract be discharged or be assigned to such person, upon such terms, and in such manner as the Court may deem proper; Court may order articles to be discharged or assigned in certain cases.
- (e) If a Solicitor, to whom a clerk has been so bound, dies before the expiration of the term for which the clerk became bound, or if he discontinues Case of death, etc., of the Solicitor to whom clerk articted.

practice as a Solicitor, or if the contract is by the consent of the parties cancelled, or if the clerk is legally discharged before the expiration of the term by an order of the Court, the clerk may be bound by another contract in writing, to serve as clerk to any other practising Solicitor during the residue of the term; and if an affidavit of the execution of such last mentioned contract is duly made and filed within the time and in the manner hereinbefore prescribed, and subject to the like regulations as in the case of the original contract and the affidavit of its execution, due service under such subsequent contract shall be sufficient. R.S.O. 1897, c. 174, s. 9.

CONDITIONS OF ADMISSION AS SOLICITORS.

Provisions  
to be com-  
plied with  
before  
admission.  
Rev. Stat.  
c. 173.

11.—(1) Subject to the rules of the Society no articulated clerk shall be admitted and enrolled as a Solicitor unless

- (a) During the time specified in his contract of service duly served thereunder, and except while attending the courses of lectures at the Law School and undergoing examinations as prescribed by the Rules of the Society, he has been during the whole of such term of service actually employed in the proper practice of a Solicitor by the Solicitor to whom he has been bound at the place where such Solicitor has continued to reside, during such term or with his consent by the professional agent of the Solicitor in Toronto; and
- (b) After the expiration of such term of service he has been examined and sworn in the manner hereinafter directed; and
- (c) At least fourteen days next before the first day of the Term in which he seeks admission, he has left with the Secretary of the Society his contract of service, and any assignment thereof and the affidavits of the execution of the same with his affidavit of due service thereunder, and a certificate of the Solicitor to whom he was bound, or his Toronto agent of such due service, and in the case of a person who has been called to the Bar or taken a degree as hereinbefore mentioned, a certificate of his having been so called or taken such degree or a duly certified copy of such certificate.

(2) The affidavits shall be in the form prescribed by the Society, and approved by the Visitors of the Society, and shall be delivered by the applicant to the Society upon his application to be examined.

**Affidavits to be delivered to the Society.**

(3) If the contract of service, assignment, if any, affidavits and certificate of due service, or any of them, cannot be produced, the Society, on application, by a petition verified by affidavit, to be left with the Secretary at least fourteen days before the first day of the Term on which the applicant seeks admission, and on being satisfied of such fact may, in its discretion, dispense with the production of such contract, assignment, affidavits and certificate of due service, or any of them, and may, notwithstanding such non-production, grant the certificate of fitness.

**Provision in case the contract, etc., cannot be produced.**

(4) The Benchers may allow an articled clerk, as part of his term of service, any time during which such clerk may have been employed in the Militia Service when the Militia are called out for actual service. R.S.O. 1897, c. 174, s. 10 (1-4). *Amended.*

**Time of clerk on militia service may be allowed.**

ADMISSION AND ENROLMENT.

**12. Subject to the rules of the Society:—**

**Examinations of articled clerks.**

(a) Where the Benchers require that articled clerks shall pass a preliminary examination, the term of service under articles to entitle an articled clerk to be admitted as a Solicitor shall date only from the passing of such examination or his admission into the Society as a student-at-law.

**Preliminary examination for articled clerks.**

(b) No candidate for admission of either of the classes of persons mentioned in clauses (a) and (b) of section 6 shall be admitted or enrolled as a Solicitor, unless he has complied with the regulations of the Society as to the attendance at lectures and the passing of examinations.

**Persons mentioned in subsections 1 and 2 of sec. 4 of this Act to pass two intermediate examinations.**

R.S.O. 1897, c. 174, s. 11. *Amended.*

**13.—(1)** Subject to the rules of the Society, no candidate for admission being of any of the classes of persons mentioned in clauses (c), (d) and (e) of section 6, shall be admitted unless:

**Provisions respecting candidates of the classes in subsections 3, 4 and 5 of section 4.**

(a) He publishes in the *Ontario Gazette* for at least two months previously to the first day of the term in which he seeks admission, notice of his intention to apply for admission;

(b) Nor (except in the case of a person who has been called to the Bar of Ontario), unless he, at least

fourteen days before the first day of such Term, leaves with the Secretary of the Society :

- ☞ (i) In the case of a Barrister sufficient evidence to the satisfaction of the Benchers of his call to the Bar and an affidavit to their satisfaction stating whether any application is made or is pending to disbar him or otherwise disqualify him for misconduct from practising at the Bar; ☞
- ☞ (ii) In the case of an attorney, solicitor or writer to the Signet, sufficient evidence to the satisfaction of the Benchers of his admission and an affidavit to their satisfaction stating whether any application has been made or is pending to strike him off the Roll or otherwise disqualify him from practising as a Solicitor. ☞
- ☞ (iii) In every case testimonials of good character and conduct to the satisfaction of the Benchers. ☞

Date of certificates.

(2) The *affidavit* shall be made within three months of the first day of the Term during which the application is made. R.S.O. 1897, c. 174, s. 12. *Amended.*

The Law Society to examine into the fitness and capacity of candidates for admission as solicitors.

Rev. Stat. c. 172.

Certificate of fitness.

**14.** The Benchers, upon proof to their satisfaction of the requirements of this Act having been complied with, shall examine and enquire by such ways and means as they think proper, touching the fitness and capacity of any candidate for admission as a Solicitor; and if satisfied by such examination, or by the certificate of the Examiners mentioned in section 41 of *The Law Society Act*, that the candidate is duly qualified, fit, and competent to act as a Solicitor, the Society shall give a certificate under its corporate seal of his due service, and of his fitness and capacity, and of his having duly complied with the requirements of this Act, and that he is in all respects qualified to be admitted as a Solicitor. R.S.O. 1897, c. 174, s. 13.

Admission.

**15.**—(1) Upon production to the High Court of such certificate the presiding Judge shall endorse his fiat of admission upon it; and thereupon the oath of allegiance and the oath of office having been administered in open Court to the person named in the certificate, the Court may cause him to be admitted, and his name to be enrolled as a Solicitor.



(2) The admission shall be signed by one of the Registrars of the High Court, and the certificate shall be filed in the proper office of the Court. R.S.O. 1897, c. 174, s. 14.

(3) The oath of office shall be as follows:—

Oath to be taken by candidates for admission.

“I, A. B., do swear (or solemnly affirm as the case may be) that I will truly and honestly demean myself in the practice of a Solicitor according to the best of my knowledge and ability; So help me God.”

R.S.O. 1897, c. 174, s. 10 (5). Amended.

FEES.

16. The following fees, and no other, shall be payable to the Crown under this Act:—

Fees payable under this Act. Rev. Stat. c. 2.

- 1. On filing Articles or Assignments (if any) with affidavit of execution, and making the endorsements required by this Act ..... \$0 50
- 2. For fiat, admission, oath and certificate ..... 5 50

R.S.O. 1897, c. 174, s. 15.

ANNUAL CERTIFICATES.

17. The officer of the High Court who has the custody of the Roll of Solicitors shall on the first day of every month deliver to the Secretary of the Society at his office in Osgoode Hall, certified under his hand and the seal of the High Court, a copy of so much of the Roll as contains the names of Solicitors admitted to practice during the preceding month. R.S.O. 1897, c. 174, s. 16.

Names of those admitted to be delivered to Secretary annually.

18. The Secretary shall enter all such certified copies in a book to be kept in his office for that purpose, affixing to each name a number following in consecutive order the numbers affixed to the names previously entered. R.S.O. 1897, c. 174, s. 17.

Secretary to enter certified copies of Roll in a book.

19. The Secretary shall, in another book to be kept in his office for that purpose, enter all the names contained in the copies so transmitted to him, alphabetically arranged, with a reference to the number of each name on the Roll; and shall, annually on or before the 1st day of February,

Secretary to annually post an alphabetical list of Solicitors in his office and in Central Office.

put up in his office and also in the Central Office of the High Court an alphabetical list certified by him, under his hand, of all Solicitors who have taken out their certificates for the current year, and shall from time to time add to the list put up in his office the name of each Solicitor who takes out a certificate at a subsequent period of the year, noting thereon the time when the certificate was taken out. R.S.O. 1897, c. 174, s. 18.

Annual certificate to be obtained by Solicitors.

**20.** Every practising Solicitor whose name appears on the roll of Solicitors shall obtain from the Secretary, annually during the two weeks next preceding the last day of Michaelmas Term a certificate under the seal of the Society stating that he is a practising Solicitor of the Supreme Court.

Fees to be paid before certificate granted.

**21.** A certificate shall not be issued to a Solicitor, who is indebted to the Society, for any fee payable to the Society, nor until the annual fee for each certificate prescribed by the rules of the Society is paid. R.S.O. 1897, c. 174, s. 20.

Certificate need not be taken out till 15th Decr. after admission.

**22.** A Solicitor admitted in Michaelmas Term shall not be required to take out his annual certificate before Michaelmas Term in the year following his admission. R.S.O. 1897, c. 174, s. 21. *Amended.*

Fine for neglect to take out certificate.

**23.** If a Solicitor omits to take out his annual certificate within the prescribed period, he shall not be entitled thereto until he pays to the Society not only the prescribed certificate fee, together with any other fees which he owes to the Society, but also an additional sum by way of penalty, as follows:

Amount of fine.

If such certificate is not taken out before the first Monday in February, the sum of \$6; if not before the third Monday in May, the sum of \$9; and if not before the second Monday in September, \$12. R.S.O. 1897, c. 174, s. 22. *Amended.*

Solicitors, etc., practising without certificate to forfeit \$40.

**24.** If a Solicitor, or any member of a firm of Solicitors, either in his own name or in the name of any member of his firm, practises in the Supreme Court or in either division thereof or in a County or District Court or in a Surrogate Court, without such certificate being taken out by him, and by each member of his firm, he shall forfeit the sum of \$40, which forfeiture shall be paid to the Society, and may be recovered in the High Court. R.S.O. 1897, c. 174, s. 23.

**25.** If a Solicitor practises in any such Court without having taken out such certificate in each and every year of his practice, he shall be liable to be suspended from practice by order of the High Court, for a period of not less than three nor more than six months, and shall continue so suspended until his certificate fee for the year in which he so practised, together with a penalty of \$40, is paid to the Society. R.S.O. 1897, c. 174, s. 24.

**26.** The officer having the control and superintendence of the Central Office and every Local Registrar and every Deputy Clerk of the Crown and Deputy Registrar, and every clerk of a County or District Court and every Registrar of a Surrogate Court when the said offices are not held by the same person, shall, during the month of January in each year, make out a list of the names of Solicitors who by the papers or proceedings filed or had in his office appear to have practised at any time during the year ending with the thirty-first day of December next preceding, and shall on or before the first day of February in the year next to that for which the list is made up transmit such list certified under his hand and the Seal of the Court to the Secretary of the Society. R.S.O. 1897, c. 174, ss. 25, 26. *Amended.*

Further penalty for practising without a certificate.

Registrars, etc., at beginning of year, to make out list of solicitors who have practised during the preceding year.

And deliver the same to the Secretary.

**27.**—(1) A Solicitor who is a prisoner in any gaol or prison shall not during his confinement therein, nor shall any Solicitor who has been suspended from practising, during the period of his suspension commence, prosecute or defend as such Solicitor any action in any Court, nor act in any matter in bankruptcy or insolvency.

Solicitors in prison or suspended not to practise.

(2) A Solicitor so practising, and any Solicitor permitting or empowering him so to practise in his name, shall be guilty of a contempt of the Court in which any such proceedings are taken, and shall be punishable by such Court accordingly.

Practitioner guilty of contempt.

(3) A Solicitor shall be incapable of maintaining any action for the recovery of any fee, reward or disbursement for or in respect of any matter or thing done by him in his own name or in the name of any other Solicitor while so imprisoned or suspended. R.S.O. 1897, c. 174, s. 27.

Not to recover fees.

**28.**—(1) A Solicitor shall not knowingly act as the professional agent of any person not duly qualified to act as a Solicitor, or suffer his name to be used in any such agency on account of or for the profit of an unqualified person, or send

Solicitors not to act as agents of unqualified persons.

any process to such a person, or do any other act to enable him to practise in any respect as a Solicitor, knowing him not to be duly qualified.

Punishment by striking off the Roll.

(2) If complaint is made in a summary way of a contravention of this section a Judge of the High Court, upon proof thereof, may order that the Solicitor so offending shall be struck off the Roll and disqualified from practising as a Solicitor.





Committal of unqualified person.

(3) The Court may also commit such unqualified person having so practised to the common gaol for any term not exceeding one year. R.S.O. 1897, c. 174, s. 28. *Amended.*

Court may strike solicitors off the Roll.

**29.** The High Court may strike the name of any Solicitor off the Roll of Solicitors, for default by him in payment of money received by him as a Solicitor. R.S.O. 1897, c. 174, s. 29.

Practice prohibited while holding certain offices.

**30.**—(1) A Solicitor shall not practise in any Court in Ontario, either in his own name or by his partner, deputy or agent, or in the name of any other person, or otherwise, directly or indirectly, while he holds or conducts any office of the Supreme Court or either Division thereof or of a County or District Court, a Surrogate Court or a Division Court,  to which he is appointed by the Crown;  but nothing herein contained shall extend to a Local Master or Deputy Registrar of the High Court, who is not a Deputy Clerk of the Crown and Pleas  or to the Official Guardian or to an Official Referee, a Drainage Referee or an Official Arbitrator. 

Penalty.

(2) Every person who contravenes the provisions of this section shall incur a penalty of \$2,000. R.S.O. 1897, c. 174, s. 30. *Amended.*

No solicitor to practise while engaged as a merchant.

**31.** A Solicitor shall not practise in any Court in Ontario while he is engaged in the business of a merchant, or connected by partnership in purchasing or vending merchandise in the way of trade as a merchant, nor until twelve months after he has ceased to be such merchant or to be so engaged or connected. R.S.O. 1897, c. 174, s. 31.

[*For punishment for tampering with Jurors, see The Jurors Act, 9 Edw. VII., c. 34, s. 111.*]

#### STRIKING A SOLICITOR OFF THE ROLL FOR DEFECT IN ARTICLES.

Limitation of time for striking off Roll for defect in articles.

**32.** Except in case of fraud, no person admitted and enrolled shall be struck off the Roll on account of any defect in the articles of clerkship, or in the filing thereof, or in his service thereunder, or in his admission and enrolment,

unless application for striking him off the Roll is made within twelve months next after his admission and enrolment. R.S.O. 1897, c. 174, s. 32.

PROCEEDINGS IF STRUCK OFF THE ROLL.

**33.** Where a Solicitor is struck off the Roll, one of the Registrars of the High Court shall certify the same under his hand and the seal of the Court to the Secretary of the Society, stating whether such Solicitor was struck off at his own request or otherwise, and the Secretary shall attach the certificate to the certified copy of the Roll on which the name of such person stands, and shall, in the book kept by him make a note opposite the name of such person of his having been struck off the Roll. R.S.O. 1897, c. 174, s. 33.

When solicitor struck off Roll, Registrar to certify same to Secretary of the Society.

SOLICITOR'S COSTS.

**34.**—(1) No action shall be brought for the recovery of fees, charges or disbursements, for business done by a Solicitor as such, until one month after a bill thereof, subscribed with the proper hand of such Solicitor, his executor, administrator or assignee or, in the case of a partnership, by one of the partners, either with his own name, or with the name of such partnership, has been delivered to the person to be charged therewith, or sent by the post to, or left for him at his counting-house, office of business, dwelling-house, or last known place of abode, or has been enclosed in or accompanied by a letter subscribed in like manner, referring to such bill. R.S.O. 1897, c. 174, s. 34.

Solicitors to deliver their bill one month before bringing action for costs.

Browne v. Black [1911] 1 K.B. 975.

(2) In proving a compliance with this Act it shall not be necessary in the first instance to prove the contents of the bill delivered, sent or left, but it shall be sufficient to prove that a bill of fees, charges or disbursements subscribed as required by subsection 1, or enclosed in or accompanied by such letter, was so delivered, sent or left; but the other party may shew that the bill so delivered, sent or left, was not such a bill as constituted a compliance with this Act. R.S.O. 1897, c. 174, s. 43.

Not necessary in first instance in action on bill to prove contents of bill delivered.

**35.** Where the retainer of the Solicitor is not disputed and there are no special circumstances, an order may be obtained on *praecipe* from the proper officer in the county in which the Solicitor resides:

Order for taxation on praecipe.

- (a) By the client, for the delivery and taxation of the Solicitor's bill;

- (b) By the client, for the taxation of a bill already delivered, within one month from its delivery;
- (c) By the Solicitor, for the taxation of a bill already delivered, at any time after the expiration of one month from its delivery, provided no order for its taxation has been previously made. *New.* (See Con. Rule 1184.)

No refer-  
ence to be  
made on ap-  
plication of  
party  
chargeable  
after ver-  
dict or after  
12 months  
from de-  
livery of  
bill.

**36.**—(1) No such reference shall be directed upon an application made by the party chargeable with such bill after a verdict or judgment has been obtained, or after twelve months from the time such bill was delivered, sent or left as aforesaid, except under special circumstances, to be proved to the satisfaction of the Court or Judge to whom the application for the reference is made. R.S.O. 1897, c. 174, s. 37.

Special  
directions.

(2) Where the reference is made under subsection 1 the Court or Judge, in making the same, may give any special directions relative to the costs of the reference. R.S.O. 1897, c. 174, s. 41.

If either  
party does  
not attend  
officer may  
tax bill ex  
part.

**37.** In case either party to a reference, having due notice, refuses or neglects to attend the taxation, the officer to whom the reference is made may tax the bill *ex parte*. R.S.O. 1897, c. 174, s. 38.

Delivery of  
bill and ref-  
erence to  
taxation.

**38.**—(1) When a client or other person obtains an order for the delivery and taxation of a Solicitor's bill of fees, charges and disbursements, or a copy thereof, the bill shall be delivered within fourteen days from the service of the order:

- (a) The bill delivered shall stand referred to the proper officer for taxation, and on the reference the Solicitor shall give credit for, and an account shall be taken of all sums of money by him received from or on account of the client, and the Solicitor shall refund what, if anything, he may on such taxation appear to have been overpaid;
- (b) The costs of the reference shall, unless otherwise directed, be in the discretion of the officer, subject to appeal, and shall be taxed by him when and as allowed;
- (c) The Solicitor shall not commence or prosecute any

action in respect to the matters referred pending the reference without leave of the Court or a Judge;

(d) The amount certified to be due shall be paid forthwith after confirmation of the certificate by filing, as in the case of a Master's report, by the party liable to pay the same;

(e) Upon payment by the client or other person of what if anything may appear to be due to the Solicitor, or if nothing is found to be due to the Solicitor the Solicitor, if required, shall deliver to the client or other person, or as he may direct, all deeds, books, papers and writings in the said Solicitor's possession, custody or power, belonging to the client;

(f) The order shall be read as if it contained the above particulars, and shall not set forth the same, but may contain any variation therefrom and any other directions which the Court or Judge shall see fit to make. *New.* (Con. Rule 1185.)

(2) An order for reference of a Solicitor's bill for taxation shall be presumed to contain the clauses (a) to (e) of subsection 1, whether obtained on *praecipe* or otherwise, and by the Solicitor, client or other person liable to pay the bill. *New.* (Con. Rule 1186.)

Order presumed to contain clauses a to e.

(3) The reference for taxation shall, unless otherwise ordered, be to the proper taxing officer for the county in which the Solicitor resides. *New.* (See Con. Rule 1187.)

Reference to be to local taxing officer.

**39.** A Judge of the High Court or of a County or District Court, on proof to his satisfaction that there is probable cause for believing that the party chargeable is about to depart from Ontario, may authorize a Solicitor to commence an action for the recovery of his fees, charges or disbursements against the party chargeable therewith, although one month has not expired since the delivery of a bill. R.S.O. 1897, c. 174, s. 44.

Judge may allow actions for costs within the month if departure from Ontario apprehended.

**40.**—(1) Where any person not being chargeable as the principal party is liable to pay or has paid any bill either to the Solicitor, his assignee, or personal representative, or to the principal party entitled thereto, the person so liable to pay or paying, his assignee or personal representative,

Where a party not being the principal pays a bill of costs a taxation may be allowed.

may apply to the court of a judge for an order referring to taxation as the party chargeable therewith might himself have done, and the same proceedings shall be had thereupon, as if the application had been made by the party so chargeable. R.S.O. 1897, c. 174, s. 45.

What special circumstances may be considered in such case.

(2) If such application is made where under the provisions hereinbefore contained, a reference is not authorized to be made except under special circumstances, the Court or Judge to whom the application is made may take into consideration any additional special circumstances applicable to the person making it, although such circumstances might not be applicable to the party chargeable with the bill, if he was the party making the application. R.S.O. 1897, c. 174, s. 46.

Court or Judge may order the delivery of a copy of the bill.

(3) For the purpose of such reference the Court or Judge may order the Solicitor, his assignee or representative, to deliver to the party making the application a copy of the bill upon payment of the costs of the copy. R.S.O. 1897, c. 174, s. 47.

Taxation at instance of third person.

(4) When a person other than the client applies for taxation of a bill delivered or for the delivery of a copy thereof for the purpose of taxation, and it appears that, by reason of the conduct of the client, the applicant is precluded from taxing the same, but is nevertheless entitled to an account from the client, it shall not be necessary for the applicant to bring an action for an account, but the Court or a Judge may, in a summary manner, refer a bill already delivered or order delivery of a copy of the bill, and refer the same for taxation, as between the applicant and the client, and may add such parties not already notified as may be necessary.

Application of s. 38.

(5) The provisions of section 38, so far as they are applicable, shall apply to such taxation. *New.* (See Con. Rule 1188.)

When a bill may be re-taxed.

**41.** No bill previously taxed shall be again referred, unless under the special circumstances of the case the Court or Judge to whom the application is made thinks fit to direct a re-taxation thereof. R.S.O. 1897, c. 174, s. 48.

Payment not to preclude taxation if applied for within a year.

**42.** The payment of any bill shall not preclude the Court or Judge to whom the application is made from referring it for taxation upon such terms and subject to such directions as to the Court or Judge may seem just, if the application is made within twelve months after payment, and if the



special circumstances of the case in the opinion of the Court or Judge appear to require the taxation. R.S.O. 1897, c. 174, s. 49.

**43.** Where a bill is referred for taxation, the officer to whom the reference is made may request the proper officer of any other Court to assist him in taxing any part of such bill, and the officer, so requested, shall thereupon tax the same, and shall have the same powers, and may receive the same fees in respect thereof, as upon a reference to him by the Court of which he is an officer, and he shall return the bill, with his opinion thereon, to the officer who so requests him to tax the same. R.S.O. 1897, c. 174, s. 50.

A taxing officer may require the assistance of the officer of any other Court.

**44.** In the absence of any general rule and so far as any such general rules do not apply, the taxing officer in taxing a bill for preparing and executing any instrument, shall consider not the length but the skill and labour employed and responsibility incurred in the preparation thereof. R.S.O. 1897, c. 174, s. 55.

Skill, etc., and not length, to be considered in taxation of certain deeds.

**45.** Every application to refer a bill for taxation, or for the delivery of a bill, or for the delivering up of deeds, documents and papers, shall be made *In the matter of (the Solicitor)*; and upon the taxation of any such bill, the certificate of the officer by whom the bill is taxed, unless set aside or varied shall be final and conclusive as to the amount thereof, and payment of the amount certified to be due and directed to be paid may be enforced according to the practice of the Court in which the reference was made. R.S.O. 1897, c. 174, s. 51.

How applications against solicitors to be entitled.

#### JUDGES MAY MAKE RULES.

**46.** The Judges of the Supreme Court may, from time to time in accordance with the provisions of *The Judicature Act*, make General Rules or Regulations other than rules relating to the admission and enrolment of Solicitors, for carrying out the provisions of this Act. R.S.O. 1897, c. 174, s. 52 (1). *Amended.*

Judges of Supreme Court to make rules, etc., Rev. Stat. c. 51.

**47.** Such Rules may include Rules respecting business by Solicitors connected with sales, purchases, leases, mortgages, settlements and other matters of conveyancing, and may, as regards the mode of remuneration, prescribe that it shall be according to a scale of rates of commission or percentage, varying or not in different classes of business; or by a gross sum; or by a fixed sum for each document prepared or perused, without regard to length; or in any other

Principles of remuneration. Imp. Act. 44-45; V. c. 44, s. 4.

mode, or partly in one mode and partly in another, or others; and may, as regards the amount of the remuneration, regulate the same with reference to all or any of the following among other considerations:—

- (a) The position of the party for whom the Solicitor is concerned in any business, that is, whether as vendor or as purchaser, lessor or lessee, mortgagor or mortgagee, and the like;
- (b) The place, district, and circumstances at or in which the business or part thereof is transacted;
- (c) The amount of the capital money or of the rent to which the business relates;
- (d) The skill, labour and responsibility involved therein on the part of the Solicitor; and
- (e) The number and importance of the documents prepared or perused, without regard to length. R.S.O. 1897, c. 174, s. 52 (2), 53 (1).

#### AGREEMENTS BETWEEN SOLICITORS AND CLIENTS.

Interpreta-  
tion.

**48.** In this section and sections 50 to 66:

“Client.”

- (a) “Client” shall include a person who as a principal or on behalf of another person retains or employs or is about to retain or employ a Solicitor and a person who is or may be liable to pay the bill of a Solicitor for any services, fees, costs, charges or disbursements;

“Services.”

- (b) “Services” shall include fees, costs, charges and disbursements. 9 Edw. VII. c. 28, s. 23.

Agreements  
between  
solicitors  
and clients  
as to com-  
pensation.

**49.**—(1) Subject to the provisions of sections 50 to 66, a Solicitor may make an agreement in writing with his client respecting the amount and manner of payment for the whole or a part of any past or future services in respect of business done or to be done by such Solicitor, either by a gross sum or by commission or percentage, or by salary or otherwise, and either at the same rate or at a greater or less rate than that at which he would otherwise be entitled to be remunerated. In this subsection the expressions “commission” and “percentage” apply only to non-contentious business and to conveyancing.

Application  
of section.

- (2) This section shall apply to and include any business

to which section 47 relates, whether or not any general rule under section 46 is in operation. 9 Edw. VII. c. 28, s. 24.

**50.** Where the agreement is made in respect of business done or to be done in any Court, except a Division Court, the amount payable under the agreement shall not be received by the Solicitor until the agreement has been examined and allowed by a taxing officer of a Court having power to enforce the agreement. 9 Edw. VII. c. 28, s. 25.

Approval of agreement by taxing officer.

**51.** Where it appears to the taxing officer that the agreement is not fair and reasonable, he may require the opinion of a Court or a Judge to be taken thereon. 9 Edw. VII., c. 28, s. 26.

Opinion of court or judge on agreement.

**52.** The Court or Judge may either reduce the amount payable under the agreement or order it to be cancelled and the costs, fees, charges and disbursements in respect of the business done to be taxed in the same manner as if the agreement had not been made. 9 Edw. VII., c. 28, s. 27.

Rejection of agreement by court or judge.

**53.** Such an agreement shall not affect the amount, or any right or remedy for the recovery, of any costs, recoverable from the client by any other person, or payable to the client by any other person, and any such other person may require any costs payable or recoverable by him to or from the client to be taxed in the ordinary manner, unless such person has otherwise agreed; but the client who has entered into the agreement shall not be entitled to recover from any other person under any order for the payment of any costs which are the subject of the agreement, more than the amount payable by the client to his own Solicitor under the agreement. 9 Edw. VII., c. 28, s. 28.

Agreement not to affect costs as between party and party.

**54.** Such an agreement shall exclude any further claim of the Solicitor beyond the terms of the agreement in respect of services in relation to the conduct and completion of the business in respect of which it is made, except such as are expressly excepted by the agreement. 9 Edw. VII., c. 28, s. 29.

Claims for additional remuneration excluded.

**55.** A provision in any such agreement that the Solicitor shall not be liable for negligence or that he shall be relieved from any responsibility to which he would otherwise be subject as such Solicitor shall be wholly void. 9 Edw. VII., c. 28, s. 30.

Agreements relieving solicitor from liability for negligence void.

**56.** No action shall be brought upon any such agreement, but every question respecting the validity or effect of it may

Determination of disputes under the agreement.

be examined and determined, and it may be enforced or set aside without action on the application of any person who is a party to the agreement or who is or is alleged to be liable to pay or who is or claims to be entitled to be paid the costs, fees, charges or disbursements in respect of which the agreement is made, by the Court not being a Division Court in which the business or any part of it was done or a Judge thereof, or if the business was not done in any Court by the High Court Division or a Judge thereof. 9 Edw. VII., c. 28, s. 31.

Enforce-  
ment of  
agreement.

**57.** Upon any such application if it shall appear to the Court or Judge that the agreement is in all respects fair and reasonable between the parties, it may be enforced by such Court or Judge by order in such manner and subject to such conditions as to the costs of the application as such Court or Judge may think fit, but if the terms of the agreement shall not be deemed by the Court or Judge to be fair and reasonable, the agreement may be declared void, and the Court or Judge may order it to be delivered up to be cancelled and may direct the costs, fees, charges and disbursements incurred or chargeable in respect of the matters included therein to be taxed in the ordinary manner. 9 Edw. VII., c. 28, s. 32.

Order of  
court for re-  
opening of  
agreement.

**58.** Where the amount agreed for under any such agreement has been paid by or on behalf of the client or by any person chargeable with or entitled to pay the same, the High Court Division or a Judge thereof may upon the application of the person who has paid such amount within twelve months after the payment thereof if it appears to such Court or Judge that the special circumstances of the case require the agreement to be re-opened, re-open the same and order the costs, fees, charges and disbursements to be taxed and may also order the whole or any part of the amount received by the Solicitor to be repaid by him on such terms and conditions as to the Court or Judge may seem just. 9 Edw. VII., c. 28, s. 33.

Agreements  
made by  
client who  
is guardian,  
trustee or  
committee,  
to be ap-  
proved by  
taxing offi-  
cer.

**59.** Where any such agreement is made by the client in the capacity of guardian or of trustee under a deed or will or of committee of any person whose estate or property will be chargeable with the amount or any part of the amount payable under the agreement, the agreement shall before payment be laid before the senior taxing officer at Toronto, who shall examine it and may disallow any part of it or may require the direction of the Court or a Judge to be made thereon. 9 Edw. VII., c. 28, s. 34.

**60.** If the client pays the whole or any part of such amount without the previous allowance of such officer or the direction of the Court or a Judge he shall be liable to account to the person whose estate or property is charged with the amount paid or any part of it for the amount so charged, and the Solicitor who accepts such payment may be ordered by the Court or Judge to refund the amount received by him. 9 Edw. VII., c. 28, s. 35.

Client paying without approval to be liable to estate.

**61.** Nothing in sections 49 to 66 shall give validity to a purchase by a Solicitor of the interest or any part of the interest of his client in any action or other contentious proceeding to be brought or maintained or give validity to an agreement by which a Solicitor retained or employed to prosecute any action or proceeding stipulates for payment only in the event of success in such action or proceeding or where the amount to be paid to him is a percentage of the amount or value of the property recovered or preserved or otherwise determinable by such amount or value or dependent upon the result of the action or proceeding. 9 Edw. VII., c. 28, s. 36.

Solicitors not to purchase any interest in litigation or to make payment dependent upon success.

**62.** A Solicitor may accept from his client and a client may give to his Solicitor security for the amount to become due to the Solicitor for business to be transacted by him and for interest thereon, but so that the interest is not to commence until the amount due is ascertained by agreement or by taxation. 9 Edw. VII., c. 28, s. 37.

Security may be given to solicitor for costs.

**63.** A Solicitor may charge interest at the rate of five per centum per annum on his disbursements and costs, whether by scale or otherwise, from the expiration of one month from demand from the client, and where the same are payable by an infant or out of a fund presently available the demand may be made on the parent or guardian or the trustee or other person liable. 9 Edw. VII., c. 28, s. 38.

Interest on disbursements and costs.

**64.** Where a Solicitor has made such an agreement and anything has been done by him under it and before the agreement has been completely performed by him, such Solicitor dies or becomes incapable to act, an application may be made to any Court which would have jurisdiction to examine and enforce the agreement by any person who is a party thereto, and such Court may thereupon enforce or set aside the agreement so far as the same may have been acted upon as if such death or incapacity had not happened, and if it deems the agreement to be in all respects fair and reasonable may order the amount in respect of the past

Where solicitor dies or becomes incapable of acting after agreement.

performance of it to be ascertained by taxation; and the taxing officer, in ascertaining such amount shall have regard, so far as may be, to the terms of the agreement, and payment of the amount found to be due may be ordered in the same manner as if the agreement had been completely performed by the Solicitor. 9 Edw. VII. c. 28, s. 39.

Changing solicitor after making agreement.

**65.** If after any such agreement has been made the client shall change his Solicitor before the conclusion of the business to which the agreement relates, which he shall be at liberty to do notwithstanding the agreement, the Solicitor party to the agreement shall be deemed to have become incapable to act under it within the meaning of the next preceding section, and upon any order being made for taxation of the amount due him in respect to the past performance of the agreement, the Court shall direct the taxing officer to have regard to the circumstances under which such change of Solicitor took place, and upon the taxation the Solicitor shall not be deemed to be entitled to the full amount of the remuneration agreed to be paid to him, unless it shall appear that there has been no default, negligence, improper delay or other conduct on his part affording reasonable ground to the client for such change of Solicitor. 9 Edw. VII., c. 28, s. 40.

Bills under agreement not to be liable to taxation.

**66.** Except as otherwise provided in sections 49 to 65, a bill of a Solicitor for the amount due under any such agreement shall not be subject to any taxation or to any provision of law respecting the signing and delivery of a bill of a Solicitor. 9 Edw. VII. c. 28, s. 41.

#### SOLICITORS AS MORTGAGEES, TRUSTEES, ETC.

Definition of mortgage.

**67.** In sections 68 to 70 the expression "mortgage" includes any charge on any property for securing money or money's worth. *New.*

Charges, etc., where mortgage is made with solicitor.

**68.**—(1) Any Solicitor to whom, either alone or jointly with any other person, a mortgage is made, or the firm of which such Solicitor is a member, shall be entitled to receive for all business transacted and acts done by such Solicitor or firm in negotiating the loan, deducing and investigating the title to the property and preparing and completing the mortgage, all such usual professional charges and remuneration as he or they would have been entitled to receive if such mortgage had been made to a person not a Solicitor, and such person had retained and employed such Solicitor or firm to transact such business and do such acts; and such charges and remuneration shall accordingly be recoverable from the mortgagor.

Imp. Act 58, 59 Vic. ch. 25.

(2) This section applies only to mortgages made after the commencement of this Act. *New.* Application of section.

**69.**—(1) Any Solicitor to or in whom, either alone or jointly with any other person, any mortgage is made or is vested by transfer or transmission, or the firm of which such Solicitor is a member, shall be entitled to receive and recover from the person on whose behalf the same is done or to charge against the security for all business transacted and acts done by such Solicitor or firm subsequent and in relation to such mortgage or to the security thereby created or the property therein comprised, all such usual professional charges and remuneration as he or they would have been entitled to receive if such mortgage had been made to and had remained vested in a person not a Solicitor, and such person had retained and employed such Solicitor or firm to transact such business and do such acts, and accordingly no such mortgage shall be redeemed except upon payment of such charges and remuneration. Right of solicitor with whom mortgage is made to recover costs, etc. Imp. Act, 58-59 V., c. 25.

(2) This section applies to mortgages made and business transacted and acts done either before or after the commencement of this Act. *New.* Application of section.

**70.** A Solicitor who is a director of a trust company or of any other company, or the firm of which such Solicitor is a member, shall be entitled to receive for all business transacted or acts done by such Solicitor or firm for such company in relation to or in connection with any matter in which the company acts as trustee, guardian, personal representative or agent, all such usual professional fees and remuneration as he or they would be entitled to receive if such Solicitor had not been a director of such company, and such company had retained and employed such Solicitor or firm to transact such business and do such acts, and such charges and remuneration shall accordingly be recoverable from such company and may be charged by them as a disbursement in the matter of such trusteeship, guardianship, administration or agency. *New.* Solicitor-director, right to charge for services to trust estate. Bath v. Standard, Land Co. Ltd. [1911] (C. A.), 1 ch. 618.

#### RIGHT TO TAX COSTS OF SALARIED SOLICITOR.

**71.** Where the remuneration of a Solicitor or Counsel employed by a corporation is wholly or partly paid by salary, the corporation employing such Solicitor or Counsel shall notwithstanding have the right to recover and collect lawful costs in all actions and proceedings in the same manner as if the Solicitor or counsel were not receiving a salary. Collection of costs where solicitor or counsel paid a salary.

where the costs are by the terms of his employment payable to the Solicitor or counsel as part of his remuneration in addition to his salary. 7 Edw. VII., c. 23, s. 13.

SOLICITORS AS OFFICERS OF COURT.

**Act not to affect practice as to admission.** **72.** Nothing in this Act shall interfere with the jurisdiction over *Solicitors as officers of Court*. R.S.O. 1897, c. 174, s. 56.

REPEAL.

**Repeal.** **73.** Chapter 174 of the Revised Statutes of Ontario, 1897, section 13 of the Act passed in the 7th year of the reign of His late Majesty King Edward the Seventh, chaptered 23, sections 23 to 41 of the Act passed in the 9th year of the said reign, chaptered 28, and Rules 1184 to 1188 of the Consolidated Rules of Practice are repealed.

Rev. Stat. c. 174; 7 Edw. VII. c. 23, s. 13; 9 Edw. VII. c. 48, ss. 23-41; Con. Rules, 1184-1188.









**No. 96.**

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**1st Session, 13th Legislature,  
2 George V., 1912.**

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**BILL.**

**An Act respecting Solicitors.**

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**1st Reading, 12th February, 1912.  
2nd Reading, 12th February, 1912.**

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*Reprinted as amended by the Committee  
of the Whole House.*

**Mr. For.**

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

# BILL

## An Act to provide for the Establishment and Maintenance of Public Parks.

SHORT TITLE, s. 1.	GRANTS TO MUNICIPALITY FOR PARK PURPOSES, s. 12.
ESTABLISHMENT OF PARKS, s. 2.	Acquiring land, ss. 13-16.
PARKS TO BE OPEN TO PUBLIC, s. 3.	Yearly estimates, s. 17 (1, 2).
BOARD OF MANAGEMENT, ss. 4-17.	SPECIAL RATE, s. 17 (3).
Constitution of Board, s. 5.	ISSUE OF DEBENTURES, s. 17 (4-10).
Tenure of office, s. 6.	PROHIBITIONS AND PENALTIES, s. 18.
Expenses, s. 7 (1).	PRESERVATION OF ORDER, s. 19.
Members not to be interested in contracts, s. 7 (2).	PROTECTION AND POWERS OF OFFICERS, s. 20.
Employment of clerks and servants, s. 8.	REPEAL, s. 21.
Books and accounts, ss. 9, 10.	
By-laws, s. 11.	

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Public Parks Act*. <sup>Short title.</sup>  
R.S.O. 1897, c. 233, s. 1.

**2.—(1)** A park, or a system of parks, avenues, boulevards and drives, or any of them, may be established in any municipality, and the same, as well as existing parks and avenues, may be controlled and managed in the manner hereinafter provided.

**(2)** Subject to the provisions of subsection 5, if a petition is presented to the council of any county or city signed by not less than 500 electors, or to the council of any town or township signed by not less than 200 electors, or to the council of any village signed by not less than 75 electors, praying for the adoption of this Act, the council may pass a

by-law, giving effect to the petition, with the assent of the electors qualified to vote at municipal elections, given before the final passing of the by-law as provided by *The Consolidated Municipal Act, 1903*.

Rev. Stat.  
c. 223.

Assent of  
Electors.

(3) If the majority of the votes is in favour of the by-law, it shall be finally passed by the council at its next regular meeting held after the taking of the vote, or as soon thereafter as may be.

When vote  
adverse by-  
law not to  
be submit-  
ted in same  
year.

(4) If the vote is adverse, no by-law for the same purpose shall afterwards be submitted to the electors, within the same year.

Submission  
to electors  
not neces-  
sary when  
final reading  
approved  
by three-  
fifths of  
members.

(5) It shall not be necessary for a county council to submit the by-law for the assent of the electors, if the by-law on the final reading thereof is approved by three-fifths of the members of the council then present. R.S.O. 1897, c. 233, s. 2. *Amended*.

Parks to  
be open  
to public.

**3.** The parks, avenues, boulevards, and drives, and approaches thereto, and streets connecting the same, shall be open to the public free of all charge, subject to the by-laws, rules and regulations of the Board of Park Management. R.S.O. 1897, c. 233, s. 3.

Parks to  
be under  
control of  
Board of  
Park Man-  
agement.

**4.—(1)** In case of the adoption of this Act, the general management, regulation and control of all existing parks and avenues, and of all properties both real and personal, applicable to the maintenance of parks belonging to the municipality, and of all parks, avenues, boulevards and drives which may thereafter 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 Park Management.

Authority  
of Board,  
to what  
streets ap-  
plicable.

(2) The authority of the Board shall not extend to any streets open at the time of the adoption of the Act, with the exception of streets expressly specified in the by-law adopting the Act, or which at any time, or from time to time afterwards, in pursuance of an agreement between the council and the board, the council by by-law declares to be subject to this Act.

Consent  
of Municipal  
Council and  
Agricultural  
Society.

(3) Nothing in this Act shall authorize the Board to assume possession or control of any exhibition park in or belonging to the municipality, without the consent of both the municipal council and of any district agricultural society or exhibition association, having an interest therein. R.S.O. 1897, c. 233, s. 4.

5. The Board shall be a corporation, and shall be composed of the head of the municipality and of six other persons, who shall be residents of the municipality, but not members of the council, and shall be appointed by the council on the nomination of the head, but the council may refuse to appoint any or all of the persons so nominated, in which case further nominations shall be made by the head, until six persons are nominated who are approved by the council. R.S.O. 1897, c. 233, s. 5; 4 Edw. VII. c. 10, s. 57.

6.—(1) The appointed members of the Board shall hold office for three years, except in the case of the members of the first board, two of whom shall hold office until the 1st day of February in the year following the first appointments, two for one year, and two for two years, from that day; such 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 until his successor is appointed, and shall be eligible for reappointment.

(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, and until his successor is appointed.

(3) Save as aforesaid, each of the appointed members shall hold office for three years from the 1st day of February in the year in which he is appointed.

(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 the by-law.

(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.

(6) The first members of the Board, within ten days after their appointment, and on such day and hour as the head of the municipality shall appoint (notice of the appointment, in writing, signed by him having been duly sent to the address of each member at least one week before the day and hour named therein), shall meet at the office of the head, for the purpose of organization, shall elect one of their

number chairman, and shall appoint a secretary, who may be one of their own number.

When appointments not made at required time. (7) If for any reason appointments are not made at the prescribed time, the same shall be made as soon as may be thereafter.

Tenure of office of chairman and secretary. (8) The chairman and secretary shall hold office at the pleasure of the Board, or for such period as the Board may prescribe.

Chairman and secretary *pro tem*. (9) When the chairman or secretary is absent, or unable to act, the Board may appoint a chairman or secretary *pro tempore*.

Monthly meeting. (10) The Board shall meet at least once in every month.

Calling special meeting. (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.

Vacating office by absence. (12) The office of a member who is absent from the meetings of the Board for three consecutive 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 its next meeting.

Quorum. (13) No business shall be transacted at any special or general meeting, unless at least four members are present.

Books to be kept. (14) All orders and proceedings of the Board shall be entered in books to be kept for that purpose, and shall be signed by the chairman for the time being, and when 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 in any judicial proceeding as evidence of the orders and proceedings. R.S.O. 1897, c. 233, s. 6.

Payment of expenses of Board. 7.—(1) The members of the Board shall serve without compensation, but each member shall be entitled to receive his actual disbursements for expenses in visiting or superintending the park or park property, where the visit or service is made or rendered by direction of the Board.

Members of the Board or of the Council not to be interested in any contract. (2) No member of the Board, or of the municipality, 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. R.S.O. 1897, c. 233, s. 7.

8. The Board may employ all necessary clerks, agents and servants, and may prescribe their duties and compensation. Board may employ clerks, etc. R.S.O. 1897, c. 233, s. 8.

9. The Board shall keep in its office all books, maps, plans, papers and documents used in and pertaining to the business of the Board, and the same shall be open to the examination of the members of the council, and of any other person appointed for that purpose by the council. Books, etc. to be kept in the office of the Board. R.S.O. 1897, c. 233, s. 9.

10. The Board shall keep accounts of its receipts, payments, credits, and liabilities; and the same shall be audited by the auditors of the municipality in like manner as other accounts of the municipality, and shall thereafter be laid before the council by the Board. Board to keep regular accounts. R.S.O. 1897, c. 233, s. 10.

11.—(1) The Board may pass by-laws for the use, regulation, protection and government of the parks, avenues, boulevards and drives, the approaches thereto, and streets connecting the same, not inconsistent with the provisions of this Act or of any law of the Province. Power to make by-laws, etc.

(2) The powers conferred upon municipal councils by 6 Edw. VII. c. 30. *The Ontario Railway Act, 1906*, so far as relates to any streets or approaches under the control of the Board, shall not be exercised without the consent of the Board, and no street railway or other railway shall enter upon or pass through the park.

(3) The Board shall have power to license cabs and other vehicles for use in a park; and to let from year to year, or for any time not exceeding ten years, the right to sell refreshments, other than spirituous, fermented or intoxicating liquors, within the park, under such regulations as the Board shall prescribe. Licensing of cabs and vehicles and sale of refreshments.

(4) The Board shall have power in and by their by-laws to attach penalties for the infraction thereof; and such by-laws may be enforced and the penalties thereunder recovered in like manner as by-laws of municipal councils and the penalties thereunder may be enforced and recovered. Penalties.

(5) The by-laws shall be sufficiently authenticated by being signed by the chairman of the Board; and a copy of By-laws, authentication of.

any by-law, written or printed, and certified to be a true copy by any member of the Board, shall be receivable as evidence, without proof of any such signature. R.S.O. 1897, c. 233, s. 11.

Property may be granted, etc., to municipality for park purposes.

**12.** Real and personal property may be devised, bequeathed, granted, conveyed, or given to the municipal corporation for the establishment or formation of a park, or for the purpose of the improvement or ornamentation of any park of the municipality, and of the avenues, boulevards and drives and approaches thereto, and of the streets connecting therewith; and for the establishment and maintenance on park property of museums, zoological or other gardens, natural history collections, observatories, monuments, or works of art, upon such trusts and conditions as may be prescribed by the donor. R.S.O. 1897, c. 233, s. 12.

Power to acquire land.

**13.**—(1) The Board may acquire, by purchase, lease, or otherwise, the lands, rights and privileges required for park purposes under this Act.

Area allowable.

(2) Lands so acquired, together with those the general management, regulation and control of which are vested in the Board under the provisions of section 4 of this Act, exclusive of lands acquired by devise or gift, shall not together exceed in the case of cities having a population of not less than 100,000, 2,000 acres, and in the case of other cities or of counties, 1,000 acres, and in the case of towns, villages or townships, 500 acres.

Conveyance of lands to be to corporation.

(3) The conveyance of all lands, rights and privileges so acquired by purchase or lease shall be taken to the municipal corporation.

Power to lease lands not required.

(4) The Board shall have power to let any lands not immediately required for park purposes.

Power to sell lands not required.

(5) If it has more land than is required for park purposes, the Board may sell or otherwise dispose of the land not required, in such manner, and upon such terms as may be deemed most advantageous. R.S.O. 1897, c. 233, s. 13.

Power to enter on lands and appropriate streams, etc.

**14.** The Board, its engineers, surveyors, servants and workmen may enter upon the lands of any person in the municipality, or, in the case of a city, within ten miles, and, in case of a town, within five miles thereof and may survey, set out, and ascertain such parts thereof as are required, including parks, avenues, boulevards and drives and approaches thereto, or for any other purposes of the Board,

including the supply of water for artificial lakes, fountains, and other park purposes; and (with the consent of all parties interested, capable of consenting) may divert and appropriate any river, ponds of water, springs or streams of water therein which the engineer, surveyor or other person authorized by the Board may deem suitable for such purposes; and the Board may contract with the owner or occupier of the said lands, and with those having a right or interest in such water, for the purchase or renting thereof, or of any part thereof, or of any privilege which may be required for the purposes of the Board. But the Board shall not interfere with the water-works or water supply of any municipal corporation or of any water-works company. R.S.O. 1897, c. 233, s. 14.

**15.** In case of any disagreement between the Board and <sup>Arbitrations.</sup> the owner or occupier of, or any other person interested in such lands, or any person having an interest in such water, or in the natural flow thereof, or in any such privilege, respecting the amount of purchase money or yearly rental thereof, or as to the damages which the expropriation thereof by the Board will cause, or otherwise, the matter in question shall be determined by arbitration under *The Municipal Act*, and as hereinafter provided. R.S.O. 1897, c. 233, s. 15. <sup>Rev. Stat. c. 223.</sup>

**16.** Sections 437 to 467 of *The Consolidated Municipal Act, 1903*, shall be read as part of this Act, and shall apply <sup>Arbitration provisions in Municipal Act incorporated herewith.</sup> to the Board as if the Board were named therein instead of the corporation or municipal council. R.S.O. 1897, c. 233, s. 16.

**17.**—(1) The Board shall in the month of February in <sup>Board to make yearly estimates.</sup> every year, prepare an estimate of the sums required during the ensuing financial year, for:

- (a) The interest on money borrowed,
- (b) The amount of the sinking fund; and
- (c) The expense of maintaining, improving, and managing the parks, boulevards, avenues and streets under its control;
- (d) The interest and instalments of purchase money for the purchase of small squares or parks.

(2) The Board shall report its estimate to the council not later than the 15th day of February in each year.

(3) The council shall, in addition to all other rates and <sup>Special rate for Park purposes.</sup>

assessments for municipal purposes, levy and assess in every year a special annual rate, sufficient to furnish the amount required for the year, but not exceeding one-half mill in the dollar upon the assessed value of all rateable real and personal property. Such rate shall be called "The Park Fund Rate," and shall be deemed to be included in the limit of two cents on the dollar authorized by *The Consolidated Municipal Act, 1903*.

Rev. Stat.  
c. 223.

Power to  
issue de-  
bentures.

(4) Subject as hereinafter provided, the council may also, on the requisition of the Board, raise by a special issue of debentures, to be called "Park Fund Debentures," the sums required for the purpose of purchasing the lands and privileges, which are reported by the Board to be necessary for park purposes, and for making permanent improvements upon any lands theretofore acquired by the Board for park purposes.

Issuing of  
debentures  
for half  
cost of  
park when  
remainder  
contributed.

(5) If at least one-half of the cost of establishing a park is contributed by private subscription or otherwise, the council shall, at the request of the Board of Park Commissioners, issue debentures for the remaining one-half, but only when the annual sum required to meet the annual interest and sinking fund can be provided for without exceeding the limit of one-half mill in the dollar, provided for in subsection 5 of this section.

By-law,  
when not  
necessary  
to submit  
to electors.

(6) It shall not be necessary to submit to the electors a by-law authorizing the issue of debentures in case the annual sum required to meet the annual interest and sinking fund does not, with a reasonable allowance for annual expenses of managing, improving and maintaining the parks, and other works under the control of the Board, exceed the limit of half a mill in the dollar, any provisions in *The Consolidated Municipal Act, 1903*, or any special Act, relating to the municipality, to the contrary notwithstanding.

Debentures,  
when pay-  
able.

(7) The debentures shall be payable within forty years at furthest from the date of their issue.

To consti-  
tute lien.

(8) Debentures issued under the authorities of this Act, shall form a lien and charge upon all lands which are by this Act declared to be subject to the control and management of the Board.

Sale free  
from lien;  
application  
of proceeds.

(9) In case of a sale, the Board may sell free from the lien, but the purchase money shall be applied to the payment of park debentures, or to the purchase of other lands for park purposes.

(10) During the currency of the debentures the council shall withhold and retain out of and as a first charge on the annual rate, the amount required to meet the annual interest of the debentures and the annual sinking fund mentioned in subsection 3, to be provided for the retirement thereof as the debentures become due. Annual rate for retirement of debentures.

(11) Except as in this Act otherwise expressly provided, the provisions of *The Consolidated Municipal Act, 1903*, as to money by-laws and the debentures to be issued thereunder, shall apply to by-laws passed by a municipal council under the authority of this Act, and the debentures issued thereunder. Provisions of Municipal Act as to money by-laws applicable.

(12) All moneys realized or payable under this Act shall be received by the treasurer of the municipality in the same manner as other moneys, and shall be by him deposited to the credit of the park fund, and shall be paid out by him on the orders of the Board; save as to the amount required to meet the interest on and provide a sinking fund for debentures. R.S.O. 1897, c. 233, s. 17; 4 Edw. VII. c. 10, s. 58; 5 Edw. VII. c. 13, s. 18 (1), (2); 7 Edw. VII. c. 43, s. 1. Moneys, application of.

**18.** No person shall commit any of the following acts: Prohibitions and penalties.

- (a) Wilfully or maliciously hinder, or interrupt, or cause, or procure to be hindered or interrupted, the Board or its engineers, surveyors, managers, contractors, servants, agents, workmen, or any of them in the exercise of any of the powers and authorities in this Act authorized and contained;
- (b) Wilfully or maliciously let off or discharge any water so that the same runs waste or useless from or out of any reservoir, pond, or lake, or other receptacle for water connected with any such park;
- (c) Cause any dog or other animal to swim in, or throw or deposit any injurious, noisome, or offensive matter into the water in any reservoir, lake, pond, or other receptacle for water connected with any such park, or upon the ice in case such water is frozen, or in any way foul the water, or commit any unlawful damage or injury to the works, pipes, or water, or encourage the same to be done;
- (d) Lay or cause to be laid any pipe or main to communicate with any pipe or main belonging to the water-works connected with any such park or parks, or in any way obtain or use any water thereof, without the consent of the Board;

- (e) Wash or cleanse any cloth, wool, leather, skin or animals, cause any dog or other animal to swim therein, or place any noisome or offensive thing within the distance of three miles in the case of a city, and one mile in the case of any other municipality, in any river, pond, creek, spring, source or fountain, from which the water for the supply of any such park or parks is taken, or convey, cast, throw, or put any filth, dead carcass or other injurious, noisome or offensive thing therein, or within the distance as above mentioned; or cause, permit, or suffer the water of any sink, sewer, or drain to run or be conveyed into the same, or cause any other thing to be done whereby the water therein may be in any way tainted or fouled;
- (f) Wilfully or maliciously injure, hurt, deface, tear or destroy any ornamental or shade tree or shrub, or plant, or any statue, fountain, vase or fixture of ornament or utility, in any street, park, avenue, drive, or other public place, under the control of the Board, or wilfully, negligently or carelessly suffer or permit any horse or other animal driven by or for him, or any animal belonging to him or in his custody, possession or control, and lawfully on the street or other public place, to break down, destroy or injure any tree, shrub or plant therein;
- (g) Wilfully or maliciously injure, hurt, or otherwise molest or disturb any animal, bird, or fish, kept in any such park or in the lakes or ponds therewith connected.

## Penalty.

(2) For every contravention of subsection 5, the offender shall incur a penalty not exceeding \$20, nor less than \$1; or such offender may be imprisoned with or without hard labour, in the first instance for any term not exceeding thirty days; and the person so offending, shall be liable to an action at the suit of the Board, to make good any damage done by him. R.S.O. 1897, c. 233, s. 18.

Commissioners of police to detail policemen for service in the park.

**19.** The Board of Commissioners of police of every city and town shall upon the request of the Board of park management detail for service in any of the property under the care

or control of the park Board, so many of the police force as the board of police commissioners may deem necessary to maintain order and protect property therein; and any police constable may remove therefrom any person violating any of the provisions of this Act, or of any of the rules and regulations established by the Board. R.S.O. 1897, c. 233, s. 19.

**20.** The watchmen and other officers of the Board, when in the discharge of their duties, shall have all the powers and authorities of a constable. R.S.O. 1897, c. 233, s. 20. Protection and powers of officers.

**21.** Chapter 233 of the Revised Statutes of Ontario, 1897; section 58 of *The Statute Law Amendment Act, 1904*; section 18 of *The Statute Law Amendment Act, 1905*; and chapter 43 of the Acts passed in the seventh year of the reign of His late Majesty King Edward the Seventh, are repealed. Repeal. Rev. Stat. 233; 4 Edw. VII. c. 10, s. 58; 5 Edw. VII. c. 13, s. 18; 7 Edw. VII. c. 43.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

Act to Provide for the Establishment and  
Maintenance of Public Parks.

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1st Reading.                      1912.

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Mr. REAUME.

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



# BILL

## An Act to provide for the Establishment and Maintenance of Public Parks.

SHORT TITLE, s. 1.	GRANTS TO MUNICIPALITY FOR PARK PURPOSES, s. 12.
ESTABLISHMENT OF PARKS, s. 2.	Acquiring land, ss. 13-16.
PARKS TO BE OPEN TO PUBLIC, s. 3.	Yearly estimates, s. 17 (1, 2).
BOARD OF MANAGEMENT, SS. 4-17.	SPECIAL RATE, s. 17 (3).
Constitution of Board, s. 5.	ISSUE OF DEBENTURES, s. 17 (4-10).
Tenure of office, s. 6.	PROHIBITIONS AND PENALTIES, s. 18.
Expenses, s. 7 (1).	PRESERVATION OF ORDER, s. 19.
Members not to be interested in contracts, s. 7 (2).	PROTECTION AND POWERS OF OFFICERS, s. 20.
Employment of clerks and servants, s. 8.	REPEAL, s. 21.
Books and accounts, ss. 9, 10.	
By-laws, s. 11.	

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Public Parks Act*. Short title.  
R.S.O. 1897, c. 233, s. 1.

**2.**—(1) A park, or a system of parks, avenues, boulevards and drives, or any of them, may be established in any municipality, and the same, as well as existing parks and avenues, may be controlled and managed in the manner hereinafter provided. Establishment of parks.

(2) Subject to the provisions of subsection 5, if a petition is presented to the council of any county or city signed by not less than 500 electors, or to the council of any town or township signed by not less than 200 electors, or to the council of any village signed by not less than 75 electors, praying for the adoption of this Act, the council may pass a

by-law, giving effect to the petition, with the assent of the electors qualified to vote at municipal elections, given before the final passing of the by-law as provided by *The Consolidated Municipal Act, 1903*.

Rev. Stat.  
c. 223.

Assent of  
Electors.

(3) If the majority of the votes is in favour of the by-law, it shall be finally passed by the council at its next regular meeting held after the taking of the vote, or as soon thereafter as may be.



When vote  
adverse by-  
law not to  
be submit-  
ted in same  
year.

(4) If the vote is adverse, no by-law for the same purpose shall afterwards be submitted to the electors, within the same year.

Submission  
to electors  
not neces-  
sary when  
final reading  
approved  
by three-  
fifths of  
members.

(5) It shall not be necessary for a county council to submit the by-law for the assent of the electors, if the by-law on the final reading thereof is approved by three-fifths of the members of the council then present. R.S.O. 1897, c. 233, s. 2. *Amended*.

Parks to  
be open  
to public.

**3.** The parks, avenues, boulevards, and drives, and approaches thereto, and streets connecting the same, shall be open to the public free of all charge, subject to the by-laws, rules and regulations of the Board of Park Management.  and subject also to the provisions of section 13.  R.S.O. 1897, c. 233, s. 3.

Parks to  
be under  
control of  
Board of  
Park Man-  
agement.

**4.—(1)** In case of the adoption of this Act, the general management, regulation and control of all existing parks and avenues, and of all properties both real and personal, applicable to the maintenance of parks belonging to the municipality, and of all parks, avenues, boulevards and drives which may thereafter 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 Park Management.

Authority  
of Board,  
to what  
streets ap-  
plicable.

(2) The authority of the Board shall not extend to any streets open at the time of the adoption of the Act, with the exception of streets expressly specified in the by-law adopting the Act, or which at any time, or from time to time afterwards, in pursuance of an agreement between the council and the board, the council by by-law declares to be subject to this Act.

Consent  
of Municipal  
Council and  
Agricultural  
Society.

(3) Nothing in this Act shall authorize the Board to assume possession or control of any exhibition park in or belonging to the municipality, without the consent of both the municipal council and of any district agricultural society or exhibition association, having an interest therein. R.S.O. 1897, c. 233, s. 4.

5. The Board shall be a corporation, and shall be composed of the head of the municipality and of six other persons, who shall be residents of the municipality, but not members of the council, and shall be appointed by the council on the nomination of the head, but the council may refuse to appoint any or all of the persons so nominated, in which case further nominations shall be made by the head, until six persons are nominated who are approved by the council. R.S.O. 1897, c. 233, s. 5; 4 Edw. VII. c. 10, s. 57.

Constitution  
of Board.

6.—(1) The appointed members of the Board shall hold office for three years, except in the case of the members of the first board, two of whom shall hold office until the 1st day of February in the year following the first appointments, two for one year, and two for two years, from that day; such 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 until his successor is appointed, and shall be eligible for reappointment.

Tenure 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, and until his successor is appointed.

Vacancies.

(3) Save as aforesaid, each of the appointed members shall hold office for three years from the 1st day of February in the year in which he is appointed.

Term of  
office of  
appointed  
members.

(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 the by-law.

First ap-  
pointments.

(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.

Subsequent  
appoint-  
ments.

(6) The first members of the Board, within ten days after their appointment, and on such day and hour as the head of the municipality shall appoint (notice of the appointment, in writing, signed by him having been duly sent to the address of each member at least one week before the day and hour named therein), shall meet at the office of the head, for the purpose of organization, shall elect one of their

Organiza-  
tion of  
Board.

number chairman, and shall appoint a secretary, who may be one of their own number.

When appointments not made at required time. (7) If for any reason appointments are not made at the prescribed time, the same shall be made as soon as may be thereafter.

Tenure of office of chairman and secretary. (8) The chairman and secretary shall hold office at the pleasure of the Board, or for such period as the Board may prescribe.

Chairman and secretary *pro tem*. (9) When the chairman or secretary is absent, or unable to act, the Board may appoint a chairman or secretary *pro tempore*.

Monthly meeting. (10) The Board shall meet at least once in every month.

Calling special meeting. (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.

Vacating office by absence. (12) The office of a member who is absent from the meetings of the Board for three consecutive 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 its next meeting.

Quorum. (13) No business shall be transacted at any special or general meeting, unless at least four members are present.

Books to be kept. (14) All orders and proceedings of the Board shall be entered in books to be kept for that purpose, and shall be signed by the chairman for the time being, and when 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 in any judicial proceeding as evidence of the orders and proceedings. R.S.O. 1897, c. 233, s. 6.

Payment of expenses of Board. 7.—(1) The members of the Board shall serve without compensation, but each member shall be entitled to receive his actual disbursements for expenses in visiting or superintending the park or park property, where the visit or service is made or rendered by direction of the Board.

Members of the Board or of the Council not to be interested in any contract. (2) No member of the Board, or of the municipality, 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. R.S.O. 1897, c. 233, s. 7.

8. The Board may employ all necessary clerks, agents and servants, and may prescribe their duties and compensation. R.S.O. 1897, c. 233, s. 8. Board may employ clerks, etc.

9. The Board shall keep in its office all books, maps, plans, papers and documents used in and pertaining to the business of the Board, and the same shall be open to the examination of the members of the council, and of any other person appointed for that purpose by the council. R.S.O. 1897, c. 233, s. 9. Books, etc., to be kept in the office of the Board.

10. The Board shall keep accounts of its receipts, payments, credits, and liabilities; and the same shall be audited by the auditors of the municipality in like manner as other accounts of the municipality, and shall thereafter be laid before the council by the Board. R.S.O. 1897, c. 233, s. 10. Board to keep regular accounts.

11.—(1) The Board may pass by-laws for the use, regulation, protection and government of the parks, avenues, boulevards and drives, the approaches thereto, and streets connecting the same, not inconsistent with the provisions of this Act or of any law of the Province. Power to make by-laws, etc.

(2) The powers conferred upon municipal councils by *The Ontario Railway Act, 1906*, so far as relates to any streets or approaches under the control of the Board, shall not be exercised without the consent of the Board, and no street railway or other railway shall enter upon or pass through the park. 6 Edw. VII. c. 30.

(3) The Board shall have power to license cabs and other vehicles for use in a park; and to let from year to year, for any time not exceeding ten years, the right to sell refreshments, other than spirituous, fermented or intoxicating liquors, within the park, under such regulations as the Board shall prescribe. Licensing of cabs and vehicles and sale of refreshments.

(4) The Board shall have power in and by their by-laws to attach penalties for the infraction thereof; and such by-laws may be enforced and the penalties thereunder recovered in like manner as by-laws of municipal councils and the penalties thereunder may be enforced and recovered. Penalties.

(5) The by-laws shall be sufficiently authenticated by being signed by the chairman of the Board; and a copy of By-laws, authentication of.

any by-law, written or printed, and certified to be a true copy by any member of the Board, shall be receivable as evidence, without proof of any such signature. R.S.O. 1897, c. 233, s. 11.

Property may be granted, etc., to municipality for park purposes.

**12.** Real and personal property may be devised, bequeathed, granted, conveyed, or given to the municipal corporation for the establishment or formation of a park, or for the purpose of the improvement or ornamentation of any park of the municipality, and of the avenues, boulevards and drives and approaches thereto, and of the streets connecting therewith; and for the establishment and maintenance on park property of museums, zoological or other gardens, natural history collections, observatories, monuments, or works of art, upon such trusts and conditions as may be prescribed by the donor. R.S.O. 1897, c. 233, s. 12.

Power to acquire land.

**13.**—(1) The Board may acquire, by purchase, lease, or otherwise, the lands, rights and privileges required for park purposes under this Act.

Area allowable.

(2) Lands so acquired, together with those the general management, regulation and control of which are vested in the Board under the provisions of section 4 of this Act, exclusive of lands acquired by devise or gift, shall not together exceed in the case of cities having a population of not less than 100,000, 2,000 acres, and in the case of other cities or of counties, 1,000 acres, and in the case of towns, villages or townships, 500 acres.

Conveyance of lands to be to corporation.


(3) The conveyance of all lands, rights and privileges so acquired by purchase or lease shall be taken to the municipal corporation.


Power to lease lands not required.

(4) The Board shall have power to let any lands not immediately required for park purposes.

Power to sell lands not required.

(5) If it has more land than is required for park purposes, the Board may sell or otherwise dispose of the land not required, in such manner, and upon such terms as may be deemed most advantageous. R.S.O. 1897, c. 233, s. 13.

(6)  Where a park has been purchased or has been acquired by the Board or by the corporation of the municipality, otherwise than by gift, or devise, or by dedication to the public by the owner of the land, freely, or at a nominal price or rental, the Board may set apart a sufficient part thereof for athletic purposes or for the purposes of sport, exhibitions or other lawful amusements or entertainments,

and may lease the same for such purposes for such times and on such terms as the Board may see fit; but the powers conferred by this subsection shall not be exercisable with respect to any park, unless and until the Board has applied for and received the approval of the Ontario Railway and Municipal Board. 

**14.** The Board, its engineers, surveyors, servants and workmen may enter upon the lands of any person in the municipality, or, in the case of a city, within ten miles, and, in case of a town, within five miles thereof and may survey, set out, and ascertain such parts thereof as are required, including parks, avenues, boulevards and drives and approaches thereto, or for any other purposes of the Board, including the supply of water for artificial lakes, fountains, and other park purposes; and (with the consent of all parties interested, capable of consenting) may divert and appropriate any river, ponds of water, springs or streams of water therein which the engineer, surveyor or other person authorized by the Board may deem suitable for such purposes; and the Board may contract with the owner or occupier of the said lands, and with those having a right or interest in such water, for the purchase or renting thereof, or of any part thereof, or of any privilege which may be required for the purposes of the Board. But the Board shall not interfere with the water-works or water supply of any municipal corporation or of any water-works company. R.S.O. 1897, c. 233, s. 14.

Power to enter on lands and appropriate streams, etc.

**15.** In case of any disagreement between the Board and the owner or occupier of, or any other person interested in such lands, or any person having an interest in such water, or in the natural flow thereof, or in any such privilege, respecting the amount of purchase money or yearly rental thereof, or as to the damages which the expropriation thereof by the Board will cause, or otherwise, the matter in question shall be determined by arbitration under *The Municipal Act*, and as hereinafter provided. R.S.O. 1897, c. 233, s. 15.

Arbitrations. Rev. Stat. c. 223.

**16.** Sections 437 to 467 of *The Consolidated Municipal Act, 1903*, shall be read as part of this Act, and shall apply to the Board as if the Board were named therein instead of the corporation or municipal council. R.S.O. 1897, c. 233, s. 16.

Arbitration provisions in Municipal Act incorporated herewith.

**17.**—(1) The Board shall in the month of February in every year, prepare an estimate of the sums required during the ensuing financial year, for:

Board to make yearly estimates.

- (a) The interest on money borrowed,
- (b) The amount of the sinking fund; and
- (c) The expense of maintaining, improving, and managing the parks, boulevards, avenues and streets under its control;
- (d) The interest and instalments of purchase money for the purchase of small squares or parks.

(2) The Board shall report its estimate to the council not later than the 15th day of February in each year.

Special rate  
for Park  
purposes.

(3) The council shall, in addition to all other rates and assessments for municipal purposes, levy and assess in every year a special annual rate, sufficient to furnish the amount required for the year, but not exceeding one-half mill in the dollar upon the assessed value of all rateable real and personal property. Such rate shall be called "The Park Fund Rate," and shall be deemed to be included in the limit of two cents on the dollar authorized by *The Consolidated Municipal Act, 1903*.

Rev. Stat.  
c. 223.

Power to  
issue de-  
bentures.

(4) Subject as hereinafter provided, the council may also, on the requisition of the Board, raise by a special issue of debentures, to be called "Park Fund Debentures," the sums required for the purpose of purchasing the lands and privileges, which are reported by the Board to be necessary for park purposes, and for making permanent improvements upon any lands theretofore acquired by the Board for park purposes.

Issuing of  
debentures  
for half  
cost of  
park when  
remainder  
contributed.

(5) If at least one-half of the cost of establishing a park is contributed by private subscription or otherwise, the council shall, at the request of the Board of Park Commissioners, issue debentures for the remaining one-half, but only when the annual sum required to meet the annual interest and sinking fund can be provided for without exceeding the limit of one-half mill in the dollar, provided for in subsection 5 of this section.

By-law,  
when not  
necessary  
to submit  
to electors.

(6) It shall not be necessary to submit to the electors a by-law authorizing the issue of debentures in case the annual sum required to meet the annual interest and sinking fund does not, with a reasonable allowance for annual expenses of managing, improving and maintaining the parks, and other works under the control of the Board, exceed the limit of half a mill in the dollar, any provisions in *The Consolidated*



*Municipal Act, 1903*, or any special Act, relating to the municipality, to the contrary notwithstanding.

(7) The debentures shall be payable within forty years at furthest from the date of their issue.

Debentures when payable.

(8) Debentures issued under the authorities of this Act shall form a lien and charge upon all lands which are by this Act declared to be subject to the control and management of the Board.

To constitute lien.

(9) In case of a sale, the Board may sell free from the lien, but the purchase money shall be applied to the payment of park debentures, or to the purchase of other lands for park purposes.

Sale free from lien; application of proceeds.

(10) During the currency of the debentures the council shall withhold and retain out of and as a first charge on the annual rate, the amount required to meet the annual interest of the debentures and the annual sinking fund mentioned in subsection 3, to be provided for the retirement thereof as the debentures become due.

Annual rate for retirement of debentures.

(11) Except as in this Act otherwise expressly provided, the provisions of *The Consolidated Municipal Act, 1903*, as to money by-laws and the debentures to be issued thereunder, shall apply to by-laws passed by a municipal council under the authority of this Act, and the debentures issued thereunder.

Provisions of Municipal Act as to money by-laws applicable.

(12) All moneys realized or payable under this Act shall be received by the treasurer of the municipality in the same manner as other moneys, and shall be by him deposited to the credit of the park fund, and shall be paid out by him on the orders of the Board; save as to the amount required to meet the interest on and provide a sinking fund for debentures. R.S.O. 1897, c. 233, s. 17; 4 Edw. VII. c. 10, s. 58; 5 Edw. VII. c. 13, s. 18 (1), (2); 7 Edw. VII. c. 43, s. 1.

Moneys, application of.

18. No person shall commit any of the following acts:

Prohibitions and penalties.

(a) Wilfully or maliciously hinder, or interrupt, or cause, or procure to be hindered or interrupted, the Board or its engineers, surveyors, managers, contractors, servants, agents, workmen, or any of them in the exercise of any of the powers and authorities in this Act authorized and contained;

- (b) Wilfully or maliciously let off or discharge any water so that the same runs waste or useless from or out of any reservoir, pond, or lake, or other receptacle for water connected with any such park;
- (c) Cause any dog or other animal to swim in, or throw or deposit any injurious, noisome, or offensive matter into the water in any reservoir, lake, pond, or other receptacle for water connected with any such park, or upon the ice in case such water is frozen, or in any way foul the water; or commit any unlawful damage or injury to the works, pipes, or water, or encourage the same to be done;
- (d) Lay or cause to be laid any pipe or main to communicate with any pipe or main belonging to the water-works connected with any such park or parks, or in way obtain or use any water thereof, without the consent of the Board;
- (e) Wash or cleanse any cloth, wool, leather, skin or animals, cause any dog or other animal to swim therein, or place any noisome or offensive thing within the distance of three miles in the case of a city, and one mile in the case of any other municipality, in any river, pond, creek, spring, source or fountain, from which the water for the supply of any such park or parks is taken, or convey, cast, throw, or put any filth, dead carcass or other injurious, noisome or offensive thing therein, or within the distance as above mentioned; or cause, permit, or suffer the water of any sink, sewer, or drain to run or be conveyed into the same, or cause any other thing to be done whereby the water therein may be in any way tainted or fouled;
- (f) Wilfully or maliciously injure, hurt, deface, tear or destroy any ornamental or shade tree or shrub, or plant, or any statue, fountain, vase or fixture of ornament or utility, in any street, park, avenue, drive, or other public place, under the control of the Board, or wilfully, negligently or carelessly suffer or permit any horse or other animal driven by or for him, or any animal belonging to him or in his custody, possession or control, and lawfully on the street or other public

place, to break down, destroy or injure any tree, shrub or plant therein;

- (g) Wilfully or maliciously injure, hurt, or otherwise molest or disturb any animal, bird, or fish, kept in any such park or in the lakes or ponds therewith connected.

(2) For every contravention of subsection 5, the offender shall incur a penalty not exceeding \$20, nor less than \$1; or such offender may be imprisoned with or without hard labour, in the first instance for any term not exceeding thirty days; and the person so offending, shall be liable to an action at the suit of the Board, to make good any damage done by him. R.S.O. 1897, c. 233, s. 18. Penalty.

19. The Board of Commissioners of police of every city and town shall upon the request of the Board of park management detail for service in any of the property under the care Commissioners of police to detail policemen for service in the park.

or control of the park Board, so many of the police force as the board of police commissioners may deem necessary to maintain order and protect property therein; and any police constable may remove therefrom any person violating any of the provisions of this Act, or of any of the rules and regulations established by the Board. R.S.O. 1897, c. 233, s. 19.

20. The watchmen and other officers of the Board, when in the discharge of their duties, shall have all the powers and authorities of a constable. R.S.O. 1897, c. 233, s. 20. Protection and powers of officers.

21. Chapter 233 of the Revised Statutes of Ontario, 1897; section 58 of *The Statute Law Amendment Act, 1904*; section 18 of *The Statute Law Amendment Act, 1905*; and chapter 43 of the Acts passed in the seventh year of the reign of His late Majesty King Edward the Seventh, are repealed. Repeal.  
Rev. Stat. 233; 4 Edw. VII. c. 10, s. 58; 5 Edw. VII. c. 13, s. 18; 7 Edw. VII. c. 43.

No. 97.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

Act to Provide for the Establishment and  
Maintenance of Public Parks.

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1st Reading.

1912.

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

Mr. REAUME.

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

# BILL

## An Act respecting Pounds.

SHORT TITLE, s. 1.	KEEPER TO FEED IMPOUNDED ANIMALS, s. 12.
ACT TO BE IN FORCE UNTIL SUPERSEDED BY BY-LAW, s. 2.	Recovery of expenses, ss. 13, 14.
LIABILITY OF OWNER OR OCCUPANT, s. 3.	SALE OF ANIMAL NOT REDEEMED OR REPLEVIED, s. 15.
ANIMALS WHICH MAY BE IMPOUNDED, s. 4.	PROCEEDINGS WHEN DAMAGES DISPUTED, s. 16.
Notice to Clerk, s. 5.	PENALTIES:
Where to be confined if pound insecure, s. 6.	Neglect to feed impounded animals, s. 17.
Statement of demand to be furnished to pound-keeper; release on security being furnished, s. 7.	Neglect of duty by fence viewers, s. 18.
WHEN DISTRAINOR MAY DETAIN ANIMAL; NOTICE BY DISTRAINOR IN SUCH CASE, s. 8.	RETURNS, ss. 19, 20.
NOTICE OF SALE, ss. 9-11.	Penalty for neglect to make returns, s. 21.
	Penalties, how recoverable, and how to be applied, s. 22.
	REPEAL, s. 23.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Pounds Act*. Short title.
2. Except so far as varied by any by-law passed under the authority of section 546 of *The Consolidated Municipal Act*; <sup>Act may be superseded by by-laws under 3 Edw. VII., c. 19.</sup> this Act shall be in force in every city, town, township, and incorporated village in Ontario. R.S.O. 1897, c. 272, s. 1.
3. The owner or occupant of any land shall be responsible <sup>Liability for damage done.</sup> for any damage caused by any animal under his charge and keeping, as though such animal were his own property, and the owner of any animal not permitted to run at large by the by-laws of the municipality shall be liable for any damage done by such animal, although the fence enclosing the premises of the complainant was not of the height required by such by-laws. R.S.O., 1897, c. 272, s. 2.

What animals to be impounded.

4. If not previously replevied, the pound-keeper shall impound any horse, bull, ox, cow, sheep, goat, pig, or other cattle, geese or other poultry, distrained for unlawfully running at large, or for trespassing and doing damage, delivered to him for that purpose by any person resident within his division who has distrained the same; or if the owner of geese or other poultry refuses or neglects to prevent the same from trespassing on his neighbours' premises after a notice in writing has been served upon him of their trespass, he shall incur a penalty not exceeding \$10. R.S.O., 1897, c. 272, s. 3.

Poultry.

Notice to clerk as to animals impounded.

5. Where any animal has been impounded the pound-keeper shall, within twenty-four hours, deliver to the clerk of the municipality a notice in writing containing a description of the colour, age and natural and artificial marks of the animal as nearly as may be. R.S.O., 1897, c. 272, s. 4.

When the common pound is not safe.

6. When the common pound of the municipality or place wherein a distress has been made is not secure, the pound-keeper may confine the animal in any enclosed place within the limits of the pound-keeper's division within which the distress was made. R.S.O., 1897, c. 272, s. 5.

Statement of demand to be made to pound-keeper by impounder.

7.—(1) The person distraining and impounding the animal shall, at the time of the impounding, deposit poundage fees, if demanded, and within twenty-four hours thereafter deliver to the pound-keeper duplicate statements in writing of his demands against the owner for damages, if any, not exceeding \$20, done by such animal, exclusive of poundage fees, and shall also give his written agreement, with a surety if required by the pound-keeper, in the form following, or in words to the same effect:

Form of agreement with pound-keeper.

"I (or we, as the case may be) do hereby agree that I (or we) will pay to the owner of the (*describing the animal*) by me (A. B.) this day impounded, all costs to which the said owner may be put in case the distress by me the said A. B. proves to be illegal, or in case the claim for damages now put in by me the said A. B. fails to be established."

Release of animal on security being furnished.

(2) The owner of an animal impounded shall at any time be entitled to it, on demand made therefor, without payment of any poundage fees, on giving satisfactory security to the pound-keeper for all costs, damages and poundage fees that may be established against him. R.S.O., 1897, c. 272, s. 6. *Amended.*

When animal may be retained by distrainer.

8.—(1) If the animal distrained is a horse, bull, ox, cow, sheep, goat, pig or other cattle, and if the same is distrained by a resident of the municipality for straying within his premises, instead of delivering the animal to the pound-keeper, he may retain the animal in his own possession, pro-

vided he makes no claim for damages done by the animal, and duly gives the notices hereinafter required. R.S.O., 1897, c. 272, s. 7.

(2) If the owner is known he shall forthwith give to him notice in writing of having distrained the animal. R.S.O., 1897, c. 272, s. 8. Notice to owner if known.

(3) If the owner is unknown, the person distraining shall, within forty-eight hours, deliver to the clerk of the municipality a notice in writing of having distrained the animal, and containing a description of its colour, age and natural and artificial marks, as nearly as may be. R.S.O., 1897, c. 272, s. 9. If unknown, notice to clerk of municipality.

(4) The clerk on receiving the notice, shall forthwith enter a copy thereof in a book to be kept by him for that purpose, and shall post it or a copy thereof, in some conspicuous place on or near the door of his office, and keep the same so posted for at least one week, unless the animal is sooner claimed by the owner. R.S.O., 1897, c. 272, s. 10. Duty of clerk thereon.

(5) If the animal or animals distrained at the same time is or are of the value of \$10 or more, the distrainer shall cause a copy of the notice to be published in a newspaper in the county or district once a week for three successive weeks. R.S.O. 1897, c. 272, s. 11. If the animals are worth \$10 or over.

9. If an animal is impounded, notices for the sale thereof shall be given by the pound-keeper or person who impounded it within forty-eight hours afterwards, but no pig or poultry shall be sold until after four clear days, nor any horse or other cattle till after eight clear days from the time of impounding the same. R.S.O. 1897, c. 272, s. 12. Notice of sale. When sale may be made.

10. If the animal is not impounded, but is retained in the possession of the person distraining it, if the animal is a pig, goat or sheep, the notices for the sale thereof shall not be given for one month, and if the animal is a horse or other cattle, the notices shall not be given for two months after the animal is distrained. R.S.O. 1897, c. 272, s. 13. If animal is not impounded, but retained.

11. The notices of sale shall be posted up for three clear successive days, in three public places in the municipality, and shall specify the time and place at which the animal will be publicly sold, if not sooner replevied or redeemed by the owner or some one on his behalf, paying the penalty imposed by law, if any, the amount of the injury, if any, claimed or decided to have been committed by the animal to the property of the person who distrained it, together with the lawful fees Notice of sale unless redeemed.

and charges of the pound-keeper, and also of the fence-viewers, if any, and the expenses of the animal's keeping. R.S.O. 1897, c. 272, s. 14.

Keeper to feed impounded cattle.

**12.** Every pound-keeper, and every person who impounds or confines, or causes to be impounded or confined, any animal in any common pound or in any open or close pound, or in any enclosed place, shall daily furnish the animal with good and sufficient food, water and shelter, during the whole time that such animal continues impounded or confined. R.S.O. 1897, c. 272, s. 15.

And may recover the value.

**13.—(1)** Every such person who furnishes the animal with food, water and shelter, may recover the value thereof from the owner of the animal, and also a reasonable allowance for his time, trouble and attendance in the premises. R.S.O. 1897, c. 272, s. 16.

In what manner such value may be recovered.

**(2)** Such value and allowance may be recovered, with costs, by summary proceeding before any Justice of the Peace within whose jurisdiction the animal was impounded, in like manner as fines, penalties or forfeitures for the breach of any by-law of the municipality may by law be recovered and enforced by a single Justice of the Peace; and the Justice shall ascertain and determine the amount of such value and allowance when not otherwise fixed by law, adhering, so far as applicable, to the tariff of pound-keepers' fees and charges established by the by-laws of the municipality. R.S.O. 1897, c. 272, s. 17.

Other mode of enforcing.

**14.** The pound-keeper, or person so entitled to proceed may, instead of such summary proceeding, enforce the remuneration to which he is entitled in manner hereinafter mentioned. R.S.O. 1897, c. 272, s. 18.

Sale, how effected, etc., and purchase money, how applied.

**15.** If it is proved by an affidavit sworn before a Justice of the Peace, that the proper notices had been duly posted and published, then if the owner or some one for him does not before the sale of the animal, replevy or redeem the same, the pound-keeper who impounded the animal, or if the person who distrained it did not deliver it to a pound-keeper, but retained it in his own possession, then any pound-keeper of the municipality may publicly sell the animal to the highest bidder, at the time and place mentioned in the notices, and after deducting the penalty and the damages, if any, and the fees and charges, shall apply the proceeds in discharge of the value of the food and nourishment, loss of time, trouble and attendance so supplied, and of the expenses of driving or conveying and impounding or confining the animal, and of the sale and attending the same, or incidental thereto, and of



the damage when legally claimable, not exceeding \$20, done by the animal to the property of the person by whom or at whose instance it was distrained, and shall return the surplus, if any, to the original owner of the animal, or if not claimed by him within three months after the sale, the pound-keeper shall pay such surplus to the treasurer of the municipality. R.S.O. 1897, c. 272, s. 19.

**16.**—(1) If the owner, within forty-eight hours after the delivery of the statements provided for in section 7, disputes the amount of damages so claimed, the amount shall be decided by the majority of three fence-viewers of the municipality, one to be named by the owner of the animal, one by the person distraining or claiming damages, and the third by the pound-keeper. R.S.O. 1897, c. 272, s. 20.

Disputes regarding demand for damages, how determined.

(2) The fence-viewers or any two of them shall, within twenty-four hours after notice of their appointment, view the fence and the ground upon which the animal was found doing damage, and determine whether or not the fence was a lawful one according to the statutes or by-laws in that behalf at the time of the trespass; and if it was a lawful fence, or if the animal was one not permitted to run at large by the by-laws of the municipality, they shall appraise the damages committed, and, within twenty-four hours after having made the view, shall deliver to the pound-keeper a written statement signed by at least two of them of their appraisal and of their lawful fees and charges. R.S.O. 1897, c. 272, s. 21. *Amended.*

Fence-viewers to view and appraise damage.

(3) If in the case of an animal permitted to run at large, the fence-viewers decide that the fence was not a lawful one, they shall certify the same in writing under their hands, together with a statement of their lawful fees to the pound-keeper, who shall, upon payment of all lawful fees and charges, deliver such animal to the owner if claimed before the sale thereof, but if not claimed, or if such fees and charges are not paid, the pound-keeper, after due notice, as required by this Act, shall sell the animal in the manner before mentioned at the time and place appointed in the notices. R.S.O. 1897, c. 272, s. 22. *Amended.*

Proceedings where fence-viewers decide against the legality of a fence.

**17.** If a pound-keeper or person who impounds, or confines, or causes to be impounded, or confined any animal, refuses or neglects to provide and supply the animal with good and sufficient food, water and shelter, he shall, for every day during which he is so in default, incur a penalty of not more than \$4 or less than \$1. R.S.O. 1897, c. 272, s. 23. *Amended.*

Liability of pound-keeper refusing to feed animal impounded.

Penalty for neglect of duty by fence-viewers.

**18.** Any fence-viewer neglecting his duty under this Act shall incur a penalty of \$2. R.S.O. 1897, c. 272, s. 24.

Statement to be certified by pound-keeper or distrainer.

**19.** Every pound-keeper and every other person who under the provisions of section 13, distrains any animal, shall, on or before the 15th day of January in every year, file with the clerk of the municipality a statement for the year ending on the 31st day of December next preceding shewing:—

1. The number of animals impounded or distrained, as the case may be;
2. The number of animals sold and the amounts received;
3. The sum received as poundage fees and cost of keep by the pound-keeper or party distraining;
4. The damages paid by any party;
5. All disbursements and to whom paid;
6. Any other receipts and expenditures in connection therewith. R.S.O. 1897, c. 272, s. 27.

Statement to be filed with clerk by pound-keeper or distrainer.

**20.** The statement shall be certified to by the pound-keeper or the person distraining as a true and accurate statement for the year ending on the 31st day of December next preceding. R.S.O. 1897, c. 272, s. 28.

Penalty for neglect to comply with Act.

**21.** Any pound-keeper or other person required to file such return, neglecting or refusing to file the same on or before the 15th day of January in any year, shall incur a penalty not exceeding \$10. R.S.O. 1897, c. 272, s. 29.

Penalties, how recoverable. 10 Edw. VII., c. 37.

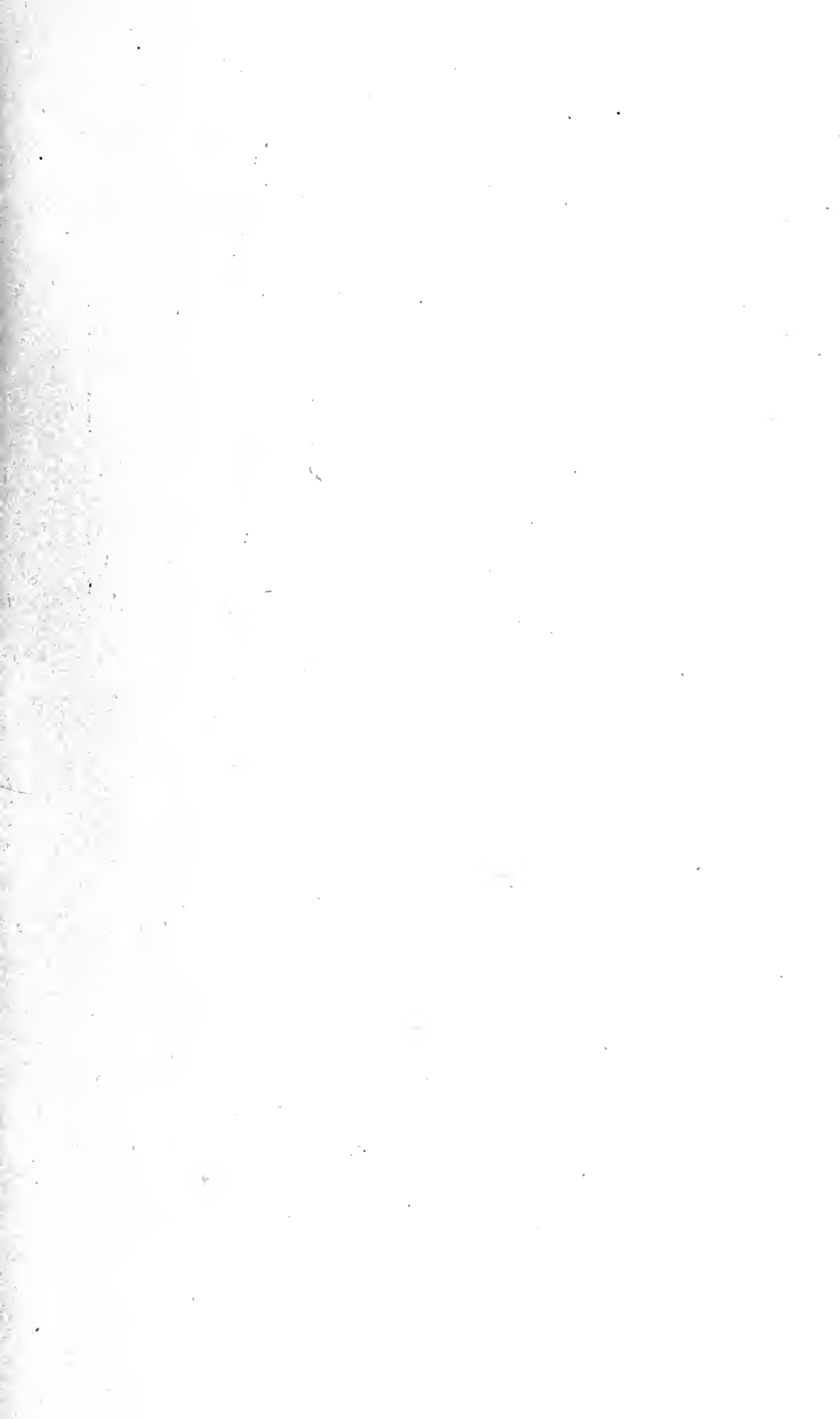
**22.**—(1) The penalties provided by this Act shall be recoverable under *The Ontario Summary Convictions Act*. R.S.O. 1897, c. 272, s. 25. *Amended.*

How to be applied.

(2) One-half of every penalty recovered under this Act shall be paid to the treasurer of the local municipality in which the offence was committed, and one-half to the private prosecutor, but where the information is laid by an officer of the municipality, the whole of the penalty shall be payable to the treasurer. R.S.O. 1897, c. 272, s. 26. *Amended.*

Repeal. Rev. Stat. c. 272.

**23.** Chapter 272 of the Revised Statutes of Ontario, 1897, is repealed.



No. 98.

1st Session, 13th Legislature,  
2 George V., 1912.

BILL.

An Act respecting Pounds.

1st Reading, 1912.

Mr. DUFF.

TORONTO:  
PRINTED BY L. K. CAMERON,  
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# BILL

## An Act respecting Toll Roads.

### SHORT TITLE, s. 1.

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**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as "*The Toll Roads Act*," R.S.O. 1897, c. 193, s. 1.

## PART I.

### CONSTRUCTION AND OPERATION OF TOLL ROADS.

Interpretation.

2. In this part,

"Inspector."

"Inspector" shall mean the Inspector of Toll Roads.

### APPLICATION OF PART I.

Application of Part I.

3. This Part shall apply to companies heretofore or hereafter incorporated for any of the following purposes:—

- (a) Constructing on, along, or over any public road or highway, or allowance for road, or on, along, or over any other land a planked, macadamized, gravelled or other road not less than two miles in length, and also any bridges, piers, or wharfs connected therewith, or
- (b) Purchasing any such road, and any bridges, piers or wharfs connected therewith. R.S.O. 1897, c. 193, s. 3. *Amended.*

### INCORPORATION OF ROAD COMPANIES.

Stock subscription before incorporation and payment thereon.

4.—(1) No company shall be incorporated until

- (a) Shares have been subscribed for to an amount deemed sufficient to construct or purchase, as the case may be, the entire road and works for the construction or purchase of which the incorporation of the company is sought, and
- (b) The subscribers for shares, or some of them, have paid, on account of the shares subscribed for, ten per cent. of the entire amount of the proposed capital stock. R.S.O. 1897, c. 193, s. 4.

Taking lands.

5. Except as hereinafter provided, no company shall construct such road or other works through, over, along or upon any private property or property of the Crown, without having first obtained the permission of the owner or occupier

thereof, or of the Lieutenant-Governor in Council as the case may be. R.S.O. 1897, c. 193, s. 6.

6. No road shall be constructed or pass within the limits of any city, town or village, except by permission, under a by-law, of the city, town or village. R.S.O. 1897, c. 193, s. 7. Permission of city, town or village.

7. All bridges in the line of road between the termini of any road, which are not within the limits of any city, town or village, shall be deemed part of such road, unless specially excepted in the charter of the company. R.S.O. 1897, c. 193, s. 8. Bridges.

8. No road shall be made of a higher grade than one foot elevation to twenty feet along the road, without the sanction of the engineer of the county in which the road or other work is situate or constructed, and if there is no such officer, then of an engineer appointed by the county council for that purpose. R.S.O. 1897, c. 193, s. 9. Grade.

9. If under any statute heretofore passed a company has been formed to construct any road, bridge, pier, or wharf, connected therewith, and the stock of the company has been subscribed, and the work is in course of completion within the time limited by the statute under which the charter was obtained, no company shall be incorporated for the construction of the road, for the construction of which the prior charter was obtained, so long as the charter remains in force. R.S.O. 1897, c. 193, s. 10. Where other company has been chartered for road.

10.—(1) No company shall commence any work until thirty days after the directors have served a written notice upon the head of the municipality within the jurisdiction of which the road or other work connected therewith is intended to pass. Notice to municipality before commencing work.

(2) If the council of such municipality passes a by-law prohibiting, varying or altering such intended line of road, or the plan of such other work, the by-law shall have the same force and effect, and be as obligatory upon all persons, and upon such company, if the company proceeds with the construction of the road or other works, as if the provisions thereof had been contained in this Act. R.S.O. 1897, c. 193, s. 11. By-law prohibiting varying or altering line.

(3) If no by-law is passed within thirty days after service of the notice, the company may proceed with the intended road or other works. R.S.O. 1897, c. 193, s. 12. When company may proceed.

When old road may be closed up by by-law.

**11.** Where a new road has been opened, or the line of an old road has been changed, the municipality having jurisdiction may pass a by-law stopping up the old road, or part of a road, and for conveying the same to the person or persons from whom land was taken to form the new road, if it does not exclude any person residing on or near the line of the old road from convenient access to the new road. R.S.O. 1897, c. 193, s. 13.

Exploring country and taking land and material.

**12.** The company may explore the country lying between the termini of its road, or supposed to be adapted for the site of any other works connected with such road, and may designate, take and hold the requisite land upon the line and within the limits of such road, or for such other works, and may, for the purpose of the construction and repair of such road or other works, take and carry away stone, gravel, sand, earth and other like material, from any adjoining or neighbouring lands, and may also cut, make and keep in repair, upon such adjoining or neighbouring land, such ditches, drains and water courses as are necessary for effectually draining or carrying off the water from such road or other works. R.S.O. 1897, c. 193, s. 14.

Drainage.

Cutting down timber.

**13.** Where such road passes through or by any wood or standing timber, the company may cut down the trees and underwood for one hundred feet on each side of the road, and, for that purpose, the company and their agents, servants and workmen, may enter into and upon the land of any person, doing no unnecessary damage. R.S.O. 1897, c. 193, s. 15.

Entry on land.

Arbitration in default of agreement as to compensation.

**14.—(1)** If the owner or occupier of any land over, through or upon which the company desires to construct any such road or other works, or from which it desires to take material, or upon which it intends to exercise any of the powers given to it by this Act, neglects or refuses, upon demand made by the company, to agree upon the price or amount of damages to be paid for or for passing through or over such land, and expropriating the same, or for material taken, or for the exercise of any such powers, the same shall be determined by arbitration. R.S.O. 1897, c. 193, s. 16.

*Part.*

*As to appointment of arbitrators, see The Arbitration Act.*

When owner absent or unable to sell, or the lands are mortgaged, etc.

**(2)** If the land required by the company, or with regard to which such powers are to be exercised, is held or owned by any person whose residence is not within Ontario, or is unknown to the company, or if the title to the land is in dis-



pute, or the land is mortgaged, or if the owner is unknown, or is from any cause incapable of treating for the sale thereof, or for the exercise of such power, or to appoint an arbitrator, the company may name one disinterested person, and the Judge of the County or District Court of the county or district within which the land lies, on the application of the company, may name another person, from any township adjoining the township in which the land lies, who, together with one other such person to be chosen by them, before proceeding with the reference, or, in the event of their disagreeing as to the choice of such other person, to be appointed by the Judge, shall be arbitrators to determine the compensation. R.S.O. 1897, c. 193, s. 23.

(3) In ascertaining the amount of compensation, the arbitrators shall have regard to any special benefit to accrue to the owner or occupier by the construction of the road or other works. R.S.O. 1897, c. 193, s. 18. Benefit to owner to be allowed for.

(4) In other respects the provisions of section 162 of *The Ontario Companies Act* shall apply. *New.* 2 Geo. V., c.

**15.** The award, or a duplicate thereof, shall be registered in the proper registry office, and, if the compensation has been paid, the company may thereupon enter upon and take possession of the land for the use of the company, and proceed with the construction of its road or other works in, along or over the same. R.S.O. 1897, c. 193, s. 24. Award to be registered.

**16.** No road or other work shall encroach upon any building or pass through or upon any pleasure ground, garden, yard or orchard, nor shall any material be taken therefrom, nor shall any timber be taken from any enclosed land, without the consent of the owner. R.S.O. 1897, c. 193, s. 21. Gardens, orchards, etc., not to be encroached upon.

**17.** After a survey of a road has been made, the owner or occupier of land through or along which the road is intended to pass, shall not, by erecting any building or enclosing any part of such surveyed land as a yard, or by planting fruit trees or forming an orchard thereon, prevent the company from taking possession of the land. R.S.O. 1897, c. 193, s. 22. Owner not to enclose, in order to evade Act.

**18.**—(1) Where a company desires to widen, extend or alter the line of road as projected or constructed, or to construct a branch road to intersect the original main road, or to improve or repair a road or part thereof by substituting stone, gravel, plank or other suitable material, the company may, from time to time, but subject to the rights of any other Widening or altering roads.

company then incorporated under this or any other Act, by by-law provide for the widening, extending or altering of such line or road, or for the construction of such branch road and the making of such improvements and repairs. R.S.O. 1897, c. 193, s. 29.

Consent  
of council.

(2) The powers conferred by this section of widening, extending or altering the line of road, or of constructing a branch road, shall not be exercised without the consent of the council of the municipality within whose jurisdiction such powers are to be exercised. *New.*

Crossing  
intersecting  
road.

(3) This section shall not prevent the company from crossing an intersecting road of another company on such terms and conditions as, if the companies cannot agree, may be determined by the Lieutenant-Governor in Council. *New.*

#### SALE OF ROADS.

Selling  
works  
and rights  
to municipa-  
lities.

**19.** A company may sell to the corporation of a municipality through or along the boundary of which such road passes, or in which its works are situate, and the corporation may purchase the stock of the company, or any part of such road or works, at a price to be agreed on; and the corporation may hold the same for the benefit of the municipality, and shall, after the purchase, stand in the place and stead of the company, and possess all such powers and authority as the company possessed and was entitled to exercise in respect to the road or part of road, or other work purchased. R.S.O. 1897, c. 193, s. 33.

Application  
of taxes  
of company  
in purchase  
of stock.

**20.—**(1) The corporations of all municipalities through or along the boundaries of which a toll road passes, shall set apart as a fund for the purchase of such road all taxes collected from the company and all dividends received on the stock of the same, owned by the corporation; and such corporations, and the corporations of all cities, towns and villages within three miles of the road, may add to such fund from the other money of the corporation; and such fund may be invested from time to time in the stock of such company, or, where such road is not owned by a company, in purchasing a fixed interest therein.

Removal of  
toll gates  
on comple-  
tion of  
purchase  
of stock.

(2) On the completion of the purchase of the whole of the stock of the company or of the road, and payment of any debt incurred therefor, or sooner, if the council of the muni-

cipality so decides, all toll gates shall be removed from such road. 1 Edw. VII. c. 33, s. 16.

**21.** When a road, bridge, pier or wharf has been heretofore or is hereafter sold either by the company or under a power granted by it, or under legal process against the company, the sale shall be deemed to have passed and to pass such road, bridge, pier or wharf to the purchaser, with all the rights, privileges and appurtenances, and subject to all the duties and obligations which the law gave or imposed with reference to the road, bridge, pier or wharf, whilst the same was the property of the company. R.S.O. 1897, c. 193, s. 35.

Sale to pass the rights of company to the purchaser.

#### POWERS OF MUNICIPAL COUNCILS.

**22.** A municipal corporation, having jurisdiction within the locality through or along the boundary of which a road passes, or in which a work is constructed, may subscribe for, hold, sell and transfer shares in a company, and the council may from time to time direct the head of the municipality, on behalf thereof, to subscribe for such shares in the name of the corporation, and to act for and on behalf of the corporation in all matters relating to such shares, and the exercise of the rights of the corporation as a shareholder, and the head of the municipality, whether otherwise qualified or not, shall be deemed a shareholder in the company, and may vote and act as such, subject to any rules and orders in relation to his authority, made in that behalf by the by-laws of the council or otherwise, and may vote according to his discretion in cases not provided for by the council. R.S.O. 1897, c. 193, s. 37.

Municipality acquiring stock in company.

**23.** The council may pay all instalments upon the shares subscribed for or acquired out of any money of the corporation not appropriated to any other purpose. R.S.O. 1897, c. 193, s. 38.

Municipality may raise money to pay for stock.

**24.** Where a municipal corporation holds shares in a company, and is entitled to vote for the election of directors, and holds a controlling amount of the shares in the company, the council shall by resolution appoint such number of directors only as will suffice to form a majority of the board of directors, and every member of such council, whether a shareholder in his own right or not, and any ratepayer in the municipality not being a shareholder in his own right, shall be eligible to be appointed director on behalf of the corporation, and the shareholders, other than such corporation, shall elect the other directors. R.S.O. 1897, c. 193, s. 39.

Election of directors by municipalities controlling stock.

Municipal-  
ties may  
loan money  
to com-  
panies.

**25.**—(1) The council of any municipality, through or along the boundary of which a road passes, or within which any works connected therewith is constructed, may, out of the moneys of the corporation and not appropriated to any other purpose, lend money to the company upon such terms and conditions as may be agreed on. R.S.O. 1897, c. 193, s. 40.

And issue  
debentures.

(2) The corporation may issue debentures for raising the amount required for the loan in the same manner and subject to the same conditions as are applicable to the creation of a debt and the issue of debentures therefor. R.S.O. 1897, c. 193, s. 41.

Application  
of the pro-  
visions of  
sects. 22-25,  
councils  
of cities and  
towns.

**26.** The provisions of the last preceding four sections shall, as respects the corporations of cities and towns, apply to companies for the construction of roads or bridges whether within or without such cities or towns. R.S.O. 1897, c. 193, s. 42.

#### MATERIALS.

Company  
may acquire  
gravel beds,  
etc.

**27.** Subject to the provisions of section 14, a company, or a municipal corporation having the management of a road, may acquire, expropriate and hold any gravel bed, and stone or gravel from any land lying within any municipality, through or along which the road or any portion thereof passes, for repairing the same. R.S.O. 1897, c. 193, s. 43.

Materials to  
be used.

**28.** A company may form a turnpike road, in part or the whole, of metal, gravel, timber, or any other material suitable for constructing a firm, substantial and smooth surface, whether or not the material is mentioned in the instrument of incorporation. R.S.O. 1897, c. 193, s. 44.

Sowing  
roadside  
with grass  
and keeping  
down weeds.

**29.**—(1) Every company shall, whenever necessary, sow with grass seed all cleared land belonging to the company adjoining its road, and cause the same, so far as practicable, to be covered with grass or turf, and shall cause all thistles and other noxious weeds growing on the land to be kept cut down or rooted out.

Penalty.

(2) For every contravention of this section the company shall incur a penalty of \$2 for each day on which it fails to comply with any of the requirements of this section, within eight days after having been required to do so by a notice to be served on the company by or on behalf of the corporation of the municipality within which the land lies. R.S.O. 1897, c. 193, s. 46.

(3) If the company does not, within eight days, comply with the notice, the corporation may cause all such things to be done as the company was by the notice lawfully required to do, and the corporation may recover the expense of so doing, together with the penalty, and all costs and charges, from the company, in any Court of competent jurisdiction. R.S.O. 1897, c. 193, s. 47.

On default  
municipality may  
do work.

#### TIME FOR COMPLETION OF ROAD.

**30.**—(1) Every company shall, within two years from the day of its incorporation, complete every road or extension thereof, not more than five miles in length, and any other work undertaken by it and for the completion whereof it was incorporated, and, in default thereof, all its corporate powers shall thenceforth cease and determine, unless further time is granted by a by-law of the county in which the road, or the greatest portion thereof, is situate. R.S.O. 1897, c. 193, s. 48.

Time for  
completion  
of work.

(2) If the road or extension thereof exceeds five miles in length, the company shall complete in each and every year after the expiration of such first two years, not less than five miles of the road, until the same is entirely finished, and in default, unless further time is granted, as provided by subsection 1, as far as concerns the portion of the road which remains unfinished, its corporate powers shall thenceforth cease and terminate. R.S.O. 1897, c. 193, s. 49.

Where  
road ex-  
ceeds five  
miles.

#### ABANDONMENT OF ROADS.

**31.**—(1) A company may by by-law abandon the whole or, subject to subsection 5, any portion of its road.

Abandon  
and assump-  
tion by  
the council.

(2) After the abandonment of a portion of such road the council of any municipality, within which the road or any part thereof lies, shall assume such abandoned portion as lies within the municipality, and shall have and may exercise the same jurisdiction over the same, and the corporation shall be liable to the same duties as it has or is subject to, in respect to public roads.

Abandon-  
ment in  
part.

(3) The abandonment of the whole road shall be signified by the head or president of the company, by a notice in writing, delivered to the clerk of the council of the county wherein the road or any part thereof lies; and, until the delivery of such notice, the company shall be liable for damages arising from the unsafe condition of the road, and after the abandonment the council of any county within which the road or any

Abandon-  
ment of  
whole road.

part thereof lies may assume such abandoned portion of the road as lies within the county, and the corporation of such county shall have and enjoy all the rights and be subject to all the responsibilities and liabilities as is provided in section 48.

Where road not assumed by council.

(4) Failing such action on the part of the council of the county, the road shall be subject to the same jurisdiction for the control and repair thereof as is provided in section 49.

By-law of council necessary to abandonment.

(5) A company shall not be entitled to abandon a part of its road without the consent, to be expressed by by-law, of the council of the municipality within which the portion of the road lies; nor shall any company or municipal corporation be entitled to collect tolls upon any remaining portion of the road, less than five miles in length, if the road originally exceeded that length. R.S.O. 1897, c. 193, s. 50.

Tolls, when not collectable.

#### TOLLS ON ROADS, ETC.

Tolls, how to be fixed, paid and levied.

**32.** The company may from time to time fix, regulate and receive the tolls and charges to be paid by persons passing and repassing with horses and vehicles, and for cattle, swine, sheep and other animals driven upon, over and along the road of the company, or by persons passing over any bridge with such vehicles or animals, or using any work of the company. R.S.O. 1897, c. 193, s. 52.

When tolls may be collected.

**33.—**(1) When two or more miles of road have been completed, and have been approved in writing by the Inspector, tolls may be taken therefor, but tolls shall not be taken on any other work of the company until the same has been completed.

(2) The right to take tolls shall not be affected by the intervention, in the line of the road, of a bridge which is owned by or under the jurisdiction of a municipal corporation or of another company. R.S.O. 1897, c. 193, s. 52.

Limitation of tolls.

Rev. Stat. c. 238.

**34.—**(1) Subject to the provisions of *The Tolls Exemption Act*, and except as otherwise provided by this Part, tolls may be taken at each time of passing each gate upon the road, for any portion of such road on either side or on both sides of the gate, not being more than five miles, to the next gate, if any, and not exceeding five miles in the whole, or for the whole of the road, if the length thereof does not exceed five miles and there is only one gate thereon, at the following rates per mile:

- (a) For every vehicle drawn by one horse or other animal, and the horse or other animal drawing the same, one and one-half cents; One horse and vehicle.
- (b) For every vehicle drawn by two horses or other animals, and the horses or other animals drawing the same, two cents; Two horses and vehicle.
- (c) For every additional horse or other animal drawing such vehicle, one cent; Additional horse.
- (d) For every horse, with or without a rider, one cent; Horse with or without rider.
- (e) For each head of neat cattle, one cent; Head of cattle.
- (f) For every score, or less than a score, of sheep or swine, one cent; Sheep.
- (g) For every automobile, locomobile or other vehicle propelled otherwise than by muscular power, excepting the cars of electric or steam railways and other motor vehicles running only on rails or tracks, three cents; Auto-mobles.
- (h) For every threshing or traction engine, and for every threshing machine with or without its water-cart drawn by such engine or by horses or other animals, five cents; Threshing machine.
- (i) In addition to the foregoing rates, one cent at each time of passing each gate for any portion of the road, on either side or both sides thereof, for every five hundred pounds over and above six thousand pounds which a loaded vehicle weighs. R.S.O. 1897, c. 193, s. 54 (1); 3 Edw. VII. c. 14, s. 18; 4 Edw. VII. c. 14, s. 1. Additional charges.
- (2) On any toll road established on or before the 16th day of April, 1895, which is not less than two miles or more than three miles long, where one toll only is charged for using the whole length of the road, a charge of three cents for one horse or other animal and any vehicle drawn thereby, may be made at each time of passing a gate, or five cents for passing and return on the same day, if required, and a charge of five cents may be made for a pair of horses or other animals and any vehicle drawn thereby at each time of passing a gate. Special rates for short roads.
- (3) If in computing the toll to be paid, the computation results in a fraction of a cent, such fraction shall be counted as a cent. R.S.O. 1897, c. 193, s. 54 (2), (3).

Tolls on intersecting roads not owned by same company.

**35.**—(1) Where a toll road is intersected by or connected with another toll road, not owned or in the possession of the same company or municipal corporation, the tolls to be charged upon either of such roads from the point of intersection or connection, shall be based upon the mileage of the road from the point of intersection or connection to its termination in the direction in which the person liable for toll is proceeding, and shall be calculated at the rate per mile charged for travelling along the entire length of the road.

(2) It shall be incumbent on such person to produce a ticket from the last toll-gate on the intersecting or connecting road as evidence of his having travelled only from the intersection or connection. R.S.O. 1897, c. 193, s. 56.

Tolls at bridges may with consent of county council, exceed the said rates.

**36.** A company, with the sanction of the council of the county having jurisdiction in the locality, may charge a higher rate of toll than is hereby authorized at any toll-gate erected at a bridge upon or connected with a road constructed by the company; and the council, in sanctioning such additional toll, may take into account the cost of the bridge, and may calculate the toll as if for so many additional miles of road as might have been constructed by the like expenditure. R.S.O. 1897, c. 193, s. 57.

Toll and check-gates, authority for.

**37.** A company may erect such number of toll-gates, check-gates and side-bars in, along or across the roads, and upon any other of its works, and may fix, regulate and collect such tolls, not exceeding the rates hereinbefore provided to be collected at each gate, check-gate, or side-bar, as it may deem expedient, and may from time to time alter the tolls, toll-gates, check-gates and side-bars, and may erect and maintain such toll-houses, toll-gates, check-gates, side-bars and other buildings and erections as are necessary and convenient for the due management of the business of the company. R.S.O. 1897, c. 193, s. 59.

Tickets to be given at check-gates to pass principal gate, and vice versa.

**38.** Where a company deems it necessary or convenient to erect a check-gate on any part of its road, it shall not be entitled to toll at both the check-gate and the gate to which it acts as a check; but tickets shall be issued at the check-gate, on payment of the toll demanded, clearing the principal gate, and *vice versa*; and the distance regulating the rates of toll shall not be calculated between any of the check-gates and the principal gates, but only between the principal gates. R.S.O. 1897, c. 193, s. 61.



**39.** The company may, from time to time, commute the tolls with any person whose place of abode adjoins the roads or is within half a mile of the gate nearest to his place of abode on such road. R.S.O. 1897, c. 193, s. 62.

Commuting tolls with persons within half mile of gate.

**40.**—(1) Any person desiring to commute for a fixed annual sum the tolls payable by him, may give notice in writing to the company, requiring it to commute the tolls payable at any toll gate or toll gates on the road, in respect of vehicles and animals owned by or in the possession of such person at a gross amount per annum from the date at which the amount of the commutation shall be settled.

With persons residing on toll road.

(2) If such person and the company are unable to agree upon the amount to be paid, the same shall, on the application of such person, be determined by the Judge sitting in the Division Court of any division into which any part of the road extends, whose decision shall be final. R.S.O. 1897, c. 193, s. 63.

On failure to agree Division Court judge to fix amount.

(4) The person making application shall give at least ten days' written notice thereof, to the company, by leaving it with the person in charge of the toll gate, or one of the toll gates, in respect to which commutation is sought, and the notice shall state the name of the applicant, his place of abode, occupation and post-office address, and the time and place of the sittings of the Division Court at which the application will be made. R.S.O. 1897, c. 193, s. 64.

Notice of application to Judge.

(5) The Judge shall hear the parties and take evidence on oath, if required, and dispose of the matter in a summary way, and shall give his decision thereon in writing to such of the parties as shall apply for the same, and the costs of the proceedings shall be in the discretion of the Judge, who shall make such order in the premises as appears to him to be just. R.S.O. 1897, c. 193, s. 65.

Judge to hear and determine question summarily.

**(6) The Judge shall have regard to:—**

(a) An approximate estimate of the amount of toll paid by the applicant during the twelve months next preceding the application, and the probable travel for the twelve months succeeding the date of such decision;

Matters to be considered by Judge.

(b) The number of horses or other animals, and the number and nature of the vehicles owned or used by the applicant, in respect of which toll may be demanded;

- (c) The distance from the gate or gates at which the property owned or occupied by the applicant is situate;
- (d) The cost of that portion of the road travelled over by the applicant and the benefits and advantages derived by him from the construction of such road, and
- (e) Such other considerations as may be necessary to do justice in the premises. R.S.O. 1897, c. 193, s. 66.

How commutation to be fixed.

(7) The commutation shall be based upon the mileage rates of toll authorized by this Act, and where the distance proposed to be travelled over by the applicant is less than the whole length of the road, the amount of the commutation shall be based upon the actual distance which the applicant proposes to use, and he shall be entitled for such commutation rate to use any portion of the road that may be specified in the order. R.S.O. 1897, c. 193, s. 67.

Order of Judge to continue in force from year to year.

(8) The order of the Judge shall continue in force from year to year at the same rate, and until rescinded upon the application of either party, after the expiration of one year from the date thereof. R.S.O. 1897, c. 193, s. 68.

Reconsideration of order of commutation.

(9) If at any time, during the currency of such order, it is made to appear to the Judge that the actual user of the road by the person so commuting is so increased, or so decreased, as to render the sum fixed by such order manifestly unjust, either party may, by leave of the Judge, obtain a reconsideration of the order in the same manner as is herein provided for the original application, and, upon such reconsideration, the Judge may make such amended or other order as he deems just. R.S.O. 1897, c. 193, s. 69.

Pass to be given on payment of amount fixed by Judge.

(10) Upon the production of the order, fixing the amount of the commutation, and on payment of the amount named in the order, or upon payment of the amount agreed upon, as the case may be, the company shall give to the person so commuting an annual ticket or pass for the toll-gate or toll-gates, in respect of which commutation has been made, and, upon the production of such ticket or pass by the person named therein, or by his servants, or a member of his family, all vehicles, horses and other animals, in respect of which toll would otherwise be payable, if owned by or in the possession of the person commuting, shall, during the period for which commutation has been made, be permitted to pass

through such gate or gates without payment of toll. R.S.O. 1897, c. 193, s. 70.

(11) Any person who fraudulently transfers such ticket or pass, or who uses or attempts to use the same so as to enable vehicles, horses, or other animals, other than those mentioned in this section, to pass through any toll-gate or over any toll-road, without payment of toll, shall incur a penalty of not less than \$5 and not more than \$20. R.S.O. 1897, c. 193, s. 71. Penalty for transferring pass, etc.

(12) No order for commutation shall affect the right of the company to demand and enforce payment of the extra tolls authorized by clause (i) of section 39. R.S.O. 1897, c. 193, s. 72. Extra tolls.

**41.** No gate-keeper shall be bound to give change for a larger amount than \$1. R.S.O. 1897, c. 193, s. 73. As to money change.

*(As to exemptions from toll, See Tolls Exemption Act, 2 Geo. V. c.)*

#### REPAIR OF ROAD.

**42.** After a road or portion of a road, bridge, or other work has been completed and tolls have been established thereon, the company shall keep the same in repair. R.S.O. 1897, c. 193, s. 79. Company to keep road in repair.

*Proceedings to compel repair on requisition to County Judge.*

**43.**—(1) The Lieutenant-Governor in Council may, from time to time, designate an officer of the Public Works Department, who shall be known as "The Inspector of Toll Roads." Proceeding to compel repairs; Inspector of toll roads.

(2) It shall be the duty of the Inspector to inspect any roads on which tolls are taken, whenever requested so to do by resolution of the council of any municipality in which the road, or any part of it, is situate, or upon a requisition, signed by at least twenty ratepayers residing within three miles of such road, or from time to time as he may deem necessary. 3 Edw. VII. c. 14, s. 1. Inspection when requested by municipality, etc.

*Sec. 81 repealed by sec. 2 of 3 Edw. VII. c. 14.*

**44.**—(1) If upon any such inspection the Inspector is of the opinion that any such road, or portion thereof, is out of repair, he shall notify the company by leaving a written notice at its office or place of business, if any, within the Notice to company by inspector of non-repair.

county wherein the road is situate, where the office or place of business is known to the Inspector, and, if not so known, then by leaving the notice with any of the keepers of the toll gates of the company. 3 Edw. VII. c. 14, s. 3.

(2) The notice shall state that the Inspector has inspected the road and found it out of repair, and shall specify the particular portion of it which he finds out of repair, and shall require the company to cause the same to be repaired within a time, to be named in the notice, sufficient, in the opinion of the Inspector, for making the required repairs. R.S.O. 1897, c. 193, s. 82 (2); 3 Edw. VII. c. 14, s. 4.

Contents of Proceedings on expiration of time limited in notice.

(3) At the expiration of the time limited in the notice the Inspector shall again examine the road, and if he finds it repaired in a good and efficient manner, he shall so certify it, if required by the company. R.S.O. 1897, c. 193, s. 83 (1); 3 Edw. VII. c. 14, s. 6, *part*.

Allowance of further time to repair.

(4) If he does not find it so repaired, he may, in his discretion, by a permission in writing, allow further time for repairing without discontinuing the taking of tolls. R.S.O. 1897, c. 193, s. 83 (2).

No tolls to be charged when road not repaired.

(5) If he does not think proper to grant such permission, or, if having granted it, he does not find the road properly repaired at the expiration of the time limited in such permission, then, until such repairs are completed, neither the company nor municipal council, as the case may be, shall demand or take tolls at any gate upon the road where the whole road is reported to be out of repair, or where a portion of the road only is out of repair, for passing through the nearest toll-gates on either side of such portion, under the penalty mentioned in section 47, until the Inspector has again examined the road, and certified it to be in good and efficient repair. R.S.O. 1897, c. 193, s. 83 (3); 3 Edw. VII. c. 14, s. 6, *part*.

Repair of road or bridge by municipality on failure of company to do so.

(6) If, upon the inspection mentioned in subsection 1, any bridge, or any portion of the road, is, in the opinion of the Inspector, in such a condition as to be dangerous to public travel, and if the company fails or refuses to put such bridge or portion of the road in repair, within such time as the Inspector allows, and after notice given, as provided by subsections 1 and 2, the council of the municipality in which the bridge or road is situate, may, with the consent and under the direction of the Inspector, cause such bridge or portion of the road to be repaired sufficiently to remove the cause of danger, and the company, until the Inspector otherwise directs, shall not collect tolls unless it has reimbursed the municipality for the outlay made in connection with such repair. *New.*

[*Sec. 84 repealed by 3 Edw. VII. c. 14, s. 7.*]

[*Sec. 85 (1) repealed by same, s. 8.*]

(7) After the notice of the Inspector, and until the repairs have been completed, the company shall not, nor shall any person, destroy, take, remove, or carry away from the road any earth, stone, gravel, or other material forming any part of the road, or having been used in the construction of it, nor any toll-house, toll-gate, toll-bar, or any appendages thereto. R.S.O. 1897, c. 193, s. 85 (2); 3 Edw. VII. c. 14, s. 8. Materials not to be removed from road.

(8) The company, or any person, contravening any provision of subsection 7 shall incur the penalties mentioned in section 63, and the penalties when recovered shall be paid over to the treasurer of the municipality. R.S.O. 1897, c. 193, s. 85 (3). Penalties.

**45.**—(1) The Inspector may make a special report to the Minister of Public Works, that the road inspected by him is, as to the whole or as to a specified portion thereof, so much out of repair as, in his opinion, to justify an order for the cesser of the right to tolls, in respect to the whole or to the portion of the road, specified. Special report by Inspector.

(2) After service of a copy of the report on the company in the manner provided for the service of the notice mentioned in subsections 1 and 2 of section 44, neither the company nor any person authorized by it, shall demand or take tolls at any gate upon the road, where the whole road is reported to be out of repair, or where a portion of the road only is reported to be out of repair, for passing through the nearest toll-gates on either side of such portion, under the penalty mentioned in section 47, until the Inspector has again examined the road and certified it to be in good and efficient repair. R.S.O. 1897, c. 193, s. 82 (3); 3 Edw. VII. c. 14, s. 5. Cesser of right to tolls after service of report.

**46.**—(1) In case of sudden damage to or the destruction of any portion of a road, or of a bridge or culvert, caused by freshet or fire, or if the directors desire to take down any bridge or culvert for the purpose of rebuilding the same, the Inspector, if the remaining portions of the road are in a suitable state of repair, shall allow a reasonable time for the repair of such portion of the road, or the erection or construction of such bridge or culvert, and shall give notice in writing to the company of the time so allowed; and the company may collect tolls during the time specified in the notice. R.S.O. 1897, c. 193, s. 86 (1); 3 Edw. VII. c. 14, s. 9 (1). Partial want of repair.

(2) Where the company is entitled to take toll under the provisions of the next preceding subsection, the company, within a time to be fixed by the Inspector, shall provide a temporary passage to enable any persons travelling over the road to safely pass the portion of road, bridge or culvert so out of repair or being taken down. R.S.O. 1897, c. 193, s. 86 (2); 3 Edw. VII. c. 14, s. 9 (2).

Neglect to  
repair.

(3) If the company does not erect or construct such bridge or culvert, or repair such portion of road, within the time specified in the notice, or does not provide such temporary passage, the portion of the road, so damaged, or whereon the bridge or culvert so damaged or destroyed existed, shall be deemed to be out of repair, and the Inspector shall thereupon give to the company a notice in the manner provided in section 44. R.S.O. 1897, c. 193, s. 87 (1); 3 Edw. VII. c. 14, s. 10.

Cesser of  
right to  
tolls.

(4) The notice shall state that the time fixed for the repair of the portion of the road, or of the bridge or culvert, or for the reconstruction of such bridge or culvert, or for the making of the temporary passage, has expired, and that the repairs or reconstruction have not been completed, or that the temporary passage has not been made, and that henceforth, until the repairs or reconstruction have been fully completed, the company shall not demand or take tolls at the gate or gates at or on either side of the portion or portions of the road, bridge or culvert so out of repair or being reconstructed, under the penalties imposed by the next succeeding section. R.S.O. 1897, c. 193, s. 87 (2).

Penalty for  
taking toll  
when the  
road is out  
of repair.

47. If after the expiration of the time limited in the notice or permission referred to in section 46, or the notice referred to in the next preceding section, and before the required repairs have been completed, any person, acting as a keeper of such toll-gate, demands or takes toll, or refuses to allow a person travelling to pass through the toll-gates without payment thereof, he shall incur a penalty of not less than \$1 or more than \$4 for every such offence. R.S.O. 1897, c. 193, s. 88; 3 Edw. VII. c. 14, s. 11.

[Sections 89 to 101 repealed by 3 Edw. VII. c. 14, s. 12.]

County  
may assume  
road on  
expiration  
of time  
fixed for  
repair.

48. If the company permits or allows the road to remain out of repair for nine months after the time fixed by the Inspector for the repair of the same, the company shall forfeit all right to the road, and the municipal council of the county, through which the road or any part thereof passes, may assume, and may enter upon and take possession of, the same, and exercise the same jurisdiction over it as the company was entitled to, and the council may repair the same in

accordance with the notice of the Inspector; and after the repairs have been made, may collect tolls thereon, and shall possess and enjoy all the rights and powers, and be subject to all the duties and requirements of this Act, in reference to such road. R.S.O. 1897, c. 193, s. 102; 3 Edw. VII. c. 14, s. 13.

**49.** If the council of the county does not, within the period of one month next after the expiration of such nine months, by by-law assume the road, it shall become a public highway repairable as is provided by *The Consolidated Municipal Act, 1903*. R.S.O. 1897, c. 193, s. 103. If not assumed by county to become a public highway. 3 Edw. VII. c. 19.

**50.** Nothing in this Act shall authorize the Inspector to require alteration in the grades of a road or of the materials of which a bridge is constructed unless the bridge is otherwise out of repair, except so far as may be incidentally necessary in making repairs, but this section shall not relieve the company from any obligation in respect of grades. 3 Edw. VII. c. 14, s. 17; 4 Edw. VII. c. 14, s. 2, *part*. Alterations in grades.

[Sections 104 to 115 repealed by 3 Edw. VII. c. 14.]

#### ENFORCING REMOVAL OF SNOW.

**51.**—(1) Upon the written requisition, made, during the months of December, January, February or March, by six freeholders residing within one mile of a road, the engineer of the county shall inspect such road, and if he finds that by reason of the accumulation of snow or ice thereon, the road has become so obstructed that persons cannot safely and conveniently travel thereon with horses and vehicles, and has been so obstructed for one week, he shall give notice to the company that until the snow is removed or levelled as required by such notice, no toll shall be taken upon such road, or at the gates thereon specified in the notice, and thereafter no tolls shall be taken upon such road, or at such gates, until the engineer has given his certificate in writing that the snow has been so removed or levelled in compliance with his order. Enforcing the levelling or removal of snow on toll roads. Notice by engineer. No tolls to be charged while snow unremoved.

(2) The engineer, after giving the notice, shall, when required in writing by the company, make an inspection of the road, and if he finds that his order has been complied with, shall give the certificate mentioned in the next preceding subsection. Engineer's certificate of removal.

(3) The notice may be served in the manner mentioned in section 44. R.S.O. 1897, c. 193, s. 116. Service of notice.

## SALE OF ROADS UNDER EXECUTION.

The interests of companies may be sold under execution.

**52.**—(1) The right and interest of a company in or to a road, or any part of it, may be sold under execution against the company. R.S.O. 1897, c. 193, s. 117.

If purchaser repays council, making repairs, the road and right to collect toll to become vested in him.

(2) The purchaser at such sale may, at any time within two years from the time of the sale, reimburse and pay to the municipal corporation which has made any outlay for the repair and maintenance of the road or the part so purchased, the amount expended by it; and thereupon the head of the council of such municipality shall give to the purchaser a certificate to that effect, under his hand and the seal of the corporation.

On registration of certificate of repayment road vested in purchaser with right to collect tolls.

(3) Upon the registration of the certificate in the proper registry or land titles office, the road, or the part so purchased shall become vested in and be the property of the purchaser, and the provisions of sections 48 and 49 shall thenceforth cease to apply to or in respect of the road, or the part so purchased, and the purchaser shall have the same right to collect tolls and all such other rights and privileges, and be subject to the same duties and obligations in respect to the road, or the part so purchased, as if the sale had taken place before the right to collect tolls had been suspended. R.S.O. 1897, c. 193, s. 118 (1).

If purchaser does not repair the road, it is to revert to municipality.

(4) Unless the purchaser within twelve months after he has paid to the municipal corporation the amount of the outlay, causes the road, or such portion as is out of repair, to be put in a proper state of repair, and procures the certificate of the Inspector that the same has been done, and thereafter keeps the road, and every portion thereof, in a proper state of repair, the purchaser shall forfeit his property in the road, or in the part thereof so purchased by him, and the same shall again become vested in the corporation of the municipality or municipalities as if this section had not been enacted. R.S.O. 1897, c. 193, s. 118 (2); 3 Edw. VII. c. 14, s. 15.

[*Sec. 119 repealed by 3 Edw. VII. c. 14, s. 16.*]

Application of s. 52.

**53.** The next preceding section shall apply to all roads or portions of roads, the outlay upon which was, before the 29th day of March, 1873, reimbursed and paid to the municipal corporation, as provided in subsection 2 of section 52. R.S.O. 1897, c. 193, s. 120.

Certain purchasers to keep roads in repair.

**54.** Any purchaser of a road, or any portion of a road, who has heretofore reimbursed and paid to any municipal corporation the amount of outlay, as provided by the Acts



heretofore in force, and has complied with the provisions thereof, shall keep the road, and every portion thereof, in a proper state of repair, and, in case of failure to do so, shall forfeit his property in the road, or in the portion thereof, so purchased by him, and the same shall again become vested in the corporation of the municipality or municipalities, as if this section had not been enacted. R.S.O. 1897, c. 193, s. 121.

OFFENCES AND PENALTIES.

**55.** Every owner, lessee, or person having control of any road or bridge upon which tolls are collected, shall cause a bright red light to be displayed upon every gate or toll bar on such road whenever the gate or bar is closed, between sunset and sunrise, and in default shall be liable for the damages sustained by any person by reason of such default, and shall also incur a penalty of not less than \$5 and not more than \$20 for every such offence. R.S.O. 1897, c. 193, s. 122.

Owner or lessee of toll road to display red light on gates when closed.

**56.**—(1) Any lessee or collector of tolls who takes a greater toll than is authorized by law, shall for every such offence incur a penalty of \$20.

Penalty for taking more than the proper toll.

(2) The penalty shall be payable to the complainant, if he is the person from whom excessive toll was taken, and where he is not the person from whom excessive toll was taken, one-half of the penalty shall be payable to the complainant and one-half to such person. R.S.O. 1897, c. 193, s. 123.

Application of penalty.

**57.** If any person, not exempted by law from paying toll, wilfully passes, or attempts to pass, any toll-gate, check-gate or side-bar lawfully established, without first paying the legal toll, he shall incur a penalty not exceeding \$20. R.S.O. 1897, c. 193, s. 124.

Penalty for passing or attempting to pass gates, etc., without payment of toll.

**58.**—(1) If any person, subject or liable to the payment of any toll, neglects or refuses, after demand thereof, to pay the same, the person authorized to collect such toll may by himself, or taking such assistants as he thinks necessary, seize or distrain any horse, cattle, vehicle, or other thing in respect of which such toll is payable, together with their respective bridles, saddles, gear, harness or accoutrements, except the bridle or reins of any horse or other animal separate from such horse or animal, or any vehicle in respect of the horses or animals drawing the vehicle on which such toll is payable, or any of the goods and chattels of the person so required to pay. R.S.O. 1897, c. 193, s. 126.

Mode of enforcing payment of tolls in case of refusal to pay.

(2) If the toll and the reasonable charges of such seizure and distress, are not paid within four days after such seizure and distress, the person so seizing and distraining, after having given four days' public notice thereof, may sell the horse,

If toll not paid within four days after seizure sale to take place.

animal, cattle, vehicle, and things so seized and distrained, or a sufficient part thereof, returning to the owner, upon demand, the overplus, if any, and what remains unsold after such tolls and the reasonable charges occasioned by the seizure, distress and sale, have been deducted. R.S.O. 1897, c. 193, s. 127.

Penalty on persons using a road and turning off the same in order to avoid payment of toll.

**59.** Any person who, after proceeding on a road with any vehicle or animal in respect of which toll is payable, turns out of the road for the purpose of avoiding the payment of toll, and enters upon the road beyond any of the gates or check-gates, by crossing the road or otherwise, without paying toll, whereby the payment of toll is evaded, shall for every such offence incur a penalty of \$4. R.S.O. 1897, c. 193, s. 128.

Owner allowing persons to evade tolls by passing over his lands.

**60.** Any person who, with intent to aid in the evasion of the payment of toll, knowingly permits or suffers any other person proceeding on a road to pass through any land adjoining such road, and occupied by such first mentioned person, or through any gate thereon with any vehicle or animal in respect of which toll is payable, for the purpose of enabling the person so proceeding on such road to pass through such land and to enter upon such road beyond any of the gates or check-gates, and to proceed thereon without paying toll and thereby evade payment of the toll, shall incur a penalty of \$4. R.S.O. 1897, c. 193, s. 129.

Penalty on persons leaving horses, etc. on the road so as to avoid payment of toll.

**61.** Any person who leaves upon a road any vehicle or animal, by reason whereof the payment of any toll is evaded or lessened, or takes off any animal from any vehicle, either before or after having passed through any toll-gate, or, after having passed through any toll-gate, adds or puts any animal to any such vehicle and draws therewith upon any part of any such road, so as to increase the number of animals drawing the vehicle after the same has passed through such toll-gate, whereby the payment of all or any of the tolls has been evaded, shall incur a penalty of \$4. R.S.O. 1897, c. 193, s. 130.

Penalty on persons falsely claiming exemption.

**62.** Any person who falsely represents himself to any toll-collector, or gate-keeper, as being entitled to any exemption mentioned in this or any other Act, or evades the payment of toll by any false representation or other fraudulent act, shall incur a penalty of \$4. R.S.O. 1897, c. 193, s. 131.

**63.** Any person who—

- (a) Removes any earth, stone, timber or other material, used, or intended to be used, in or upon any road for the construction, maintenance or repair thereof; or

Penalty on persons removing materials used in constructing road.

- (b) Drives any loaded vehicle upon that part of any road constructed under this or any former Act, between the stones, or hard road and the ditch, further than may be necessary in passing another vehicle, or in turning off or upon such road; or Or driving off the metal, and on the soft part of the road.
- (c) Causes any injury or damage to be done to the bridges, culverts, posts, rails or fences; or Damaging bridges, etc.
- (d) Hauls or draws upon any part of any such road, any timber, stone or other thing carried principally or in part upon a vehicle so as to drag or trail upon such road to the prejudice thereof; or Hauling timber, etc., so as to injure the road.
- (e) Leaves any vehicle upon such road without some proper person in the custody or care thereof, longer than is necessary to load and unload the same, except in case of accident, and in cases of accident for any longer time than is necessary to remove the same; or Leaving any carriages on the road.
- (f) Places any timber, stones, rubbish or other thing upon the road, to the prejudice, interruption or danger of any person travelling thereon; or Laying timber, stones, rubbish.
- (g) Having blocked or stopped any vehicle in going up a hill or rising ground, causes or suffers to remain on such road any stone or other thing with which such vehicle was blocked or stopped; or Leaving stones in the road used to block carriage.
- (h) Pulls down, damages, injures or destroys any lamp or lamp-post, erected or placed in or near the side of such road, or any toll-house erected on such road, or wilfully extinguishes the light of any such lamp; or Injuring lamp posts, etc.
- (i) Wilfully pulls down, breaks, injures or damages any table of tolls put or fixed at any gate, check-gate or bar, on any part of such road, or any sign-board erected upon any road or bridge; or Damaging table of tolls, etc.
- (k) Wilfully or designedly defaces or obliterates any of the letters, figures or marks thereon or on any finger post or mile post or stone; or Defacing mile posts, etc.
- (l) Throws any earth, rubbish or any other matter or thing into any drain, ditch, culvert, or water-course made for draining any such road; or Throwing rubbish into drains.

Carrying away any stones, gravel, etc.

- (m) Without permission carries away any stones, gravel, sand or other materials, dirt or soil, from any part of such road, or digs any holes or ditches on the allowance for the same; or

Allowing swine to run at large.

- (n) Allows any swine to run at large to the injury of the road;

shall incur a penalty of not more than \$10 nor less than \$1, and shall in addition be liable for the damages sustained by the company for any such act. R.S.O. 1897, c. 193, s. 132.

Company and their servants not to impede the free use of the whole graded portion of the road.

**64.**—(1) No company, or contractor, or sub-contractor, and no person employed by them or any of them, shall leave or place upon the graded part of any road, whether it is or is not macadamized or gravelled, any stone, gravel, timber or other material so as to prevent the public from using or to impede the free use of the whole of such graded portion of the road.

Penalties.

(2) For every contravention of this section, such company, contractor or sub-contractor, or other person shall incur a penalty of not less than \$1 nor more than \$20, and shall in addition be liable for the damages sustained by any person by such act. R.S.O. 1897, c. 193, s. 134.

Application of fines, etc., when not otherwise provided. 10 Edw. VII. c. 37.

**65.** The penalties imposed under the authority of this Act shall be recoverable under *The Ontario Summary Convictions Act*, and unless otherwise provided, shall, when recovered, be paid to the company. R.S.O. 1897, c. 193, s. 138.

Actions to be brought within six months.

**66.** No action shall be brought for any thing done in pursuance of this Act, unless such action is brought within six months next after the fact committed. R.S.O. 1897, c. 193, s. 139.

#### MISCELLANEOUS.

Directors to report annually.

**67.**—(1) Every company in the month of January in each year, shall report to the Minister of Public Works, and also to the municipal council of the county having jurisdiction within the locality through or along the boundary of which the road passes, or wherein the other work has been constructed—

- (a) The cost of the road or work;
- (b) The amount of all money expended;

- (c) The amount of the capital stock, and how much paid in;
- (d) The whole amount of tolls expended on the road or work;
- (e) The amount received during the year from tolls and all other sources, stating each separately;
- (f) The amount of dividends paid;
- (g) The amount expended for repairs; and
- (h) The amount of debts due by the company, specifying the object for which such debts were incurred.

(2) The return required by this section shall be verified by a statutory declaration of one of the directors of the company. Verification of

(3) A company which contravenes the provisions of this section shall incur a penalty of \$50 for each contravention, and an additional penalty of \$25 for each month during which the company neglects to make such return, recoverable by the Treasurer of Ontario by action in any court of competent jurisdiction. R.S.O. 1897, c. 193, s. 141. Penalty.

**68.**—(1) Every company shall keep regular books of account, in which shall be entered a correct statement of the assets, receipts and disbursements of the company. R.S.O. 1897, c. 193, s. 142. Company to keep regular books.

(2) Such books shall at all times be open to the inspection of the Inspector and of any person appointed for that purpose by the council of the municipality in which the road or part thereof is situate. R.S.O. 1897, c. 193, s. 143. Books to be open to inspection.

(3) The Inspector, and every person so appointed, may take copies of or extracts from the books, and may require from the keeper of such books, and also from the president and each of the directors of the company, and from all the other officers and servants thereof, all such information, as to such books and the affairs of the company generally, as he may deem necessary, for the full and satisfactory investigation into and report upon the affairs of the company. R.S.O. 1897, c. 193, s. 144. And afford the officers of the municipality all information required.

**69.** The council of a municipality, through which a road runs, or the owner of any land lying adjacent to the road, may set out shade and ornamental trees along the side of the road in the same manner and with the same rights as if the road were an ordinary highway. R.S.O. 1897, c. 193, s. 147. Shade trees may be set out on toll roads.

Land by side of toll road may be used for certain purposes as if such road were an ordinary road.

**70.** The council of a municipality, through which the road runs, or any person by the permission and direction of the council, may grade, level, cut down or fill up the land along the side of the road, and may construct sidewalks thereon as if the road were an ordinary road or street. R.S.O. 1897, c. 193, s. 148.

Council of municipality may make crossings, etc., on road.

**71.** The council of a municipality, through which any road runs, may, without being liable to make compensation to the Company, make stone, wood or other crossings on the road, and may dig up the road for the purpose of making sewers, and may construct water courses across or along the side of the road, and culverts and approaches over water courses or ditches crossing or along the side of the road from streets, lanes or buildings, and may raise or lower the road, or change the grade thereof, when necessary to connect with other roads or streets, and shall have all other rights and privileges, with regard to side-walks, culverts and approaches to the road as if the same were an ordinary highway or street, but the council shall in every such case without unnecessary delay replace the road in as good condition as it was before such work was undertaken. R.S.O. 1897, c. 193, s. 149.

*(As to obligation of municipality to repair crossings, etc., see section 608 of The Consolidated Municipal Act, 1903.)*

Ss. 69 to 71 to apply to lessees and owners of roads.

**72.** The last preceding three sections of this Act shall apply to, and be held binding on, any lessee or any owners of such road, whether a joint stock company or otherwise. R.S.O. 1897, c. 193, s. 150.

Certain secs. to apply to all toll roads.

**73.**—(1) The provisions contained in sections 10 to 18, 19, 22 to 26, 28 to 30, and 33 to 68 of this Act, shall extend and apply to all road companies, and to all toll roads whereon tolls are levied and collected, whether such roads may have been constructed under this Act or any Act in section 3 of this Act referred to, or may have been constructed by or belong to the municipality of any county, and to all toll roads which may have been purchased from the Government of the late Province of Canada and are owned or held by private companies or municipal councils, and also to all toll roads owned, leased, held or in the possession of any person or persons.

Certain secs. to apply to all Road Cos. having a special charter.

(2) The provisions contained in sections 12 to 18, 19, 22, 28, 32, 33, 37 to 41, and 42 to 68, all inclusive, and this provision, shall extend to road companies having any special charters, but no other sections of this Act shall apply to such companies. R.S.O. 1897, c. 193, s. 151-(2).

**74.** No new bridge over twenty feet in length shall be erected upon any road until the plans and specifications for such class of bridge shall have been approved by the Minister of Public Works. 4 Edw. VII. c. 14, s. 2.

Bridges over 20 feet to be approved by Minister.

## PART II.

### PURCHASE AND EXPROPRIATION.

**75.** In this Part:—

(a) "Owner" shall include any person, company or municipal corporation having any legal, equitable or other estate or interest in a toll road. 2 Edw. VII. c. 35, s. 7 (1).

Interpretation.

"Owner."

(b) "Road" shall mean a toll road, and shall include any land or easement in any land and any toll house or other building thereon used for the purposes of the road, and the franchise of the owner of the road and any bridge, pier or wharf connected therewith. 1 Edw. VII. c. 33, s. 2, *part.*

"Road."

**76.** Where a road lies wholly within a township the council of the township, and where a road lies wholly within one or more local municipalities in the same county, the council of the county, may pass a by-law for the purchase or expropriation of the road, and if the council and the owner of the road are unable to agree as to the price or compensation to be paid for the road the same shall be determined by arbitration under *The Consolidated Municipal Act, 1903.* 2 Edw. VII. c. 35, s. 1, *part.*

By-law for purchase or expropriation where road wholly in township, or in one or more local municipalities.

**77.**—(1) Where a road lies, partly in one or more local municipalities in a county and partly in a city, separated town, or in one or more local municipalities in another county, the council of the first-mentioned county, hereinafter called the initiating county, with the consent, expressed by by-law of the council of such city, separated town or other county, may pass a by-law for the purchase or expropriation of such road, and if the council of the initiating county and the owner of such road are unable to agree as to the price or compensation to be paid for the road, the same shall be determined by arbitration under *The Consolidated Municipal Act, 1903.*

By-law of initiating county for purchase or expropriation.

Arbitration on non-agreement as to price.

3 Edw. VII. c. 19.

(2) Where such consent is given, and the council of the initiating county and the council of the city, separated town or other county are unable to agree as to the proportions of the price or compensation to be paid by them respectively, the same shall be determined by arbitration under *The Consolidated Municipal Act, 1903.* 2 Edw. VII. c. 35, s. 1, *part.*

Arbitration on non-agreement as to proportions of purchase money.

3 Edw. VII. c. 19.

Where owner a corporation.

**78.** If the owner of the road is a corporation, it may, with the consent of a general meeting of the shareholders, called for the purpose, agree with the council as to the price to be paid for the road and the terms of payment, or appoint an arbitrator to determine the compensation to be paid. 2 Edw. VII. c. 35, s. 1, *part.*

Application of 3 Edw. VII. c. 19, to lands taken or injuriously affected.

**79.** In the case of expropriation, except as herein otherwise provided, the provisions of *The Consolidated Municipal Act, 1903*, as to compensation for lands taken or injured shall apply. (*New.*)

By-law deemed repealed if road not taken within one year after award made.

**80.** In the cases provided for by section 76, if the road is not taken and paid for within one year after the publication of the award, the expropriating by-law shall be deemed to be repealed, and the corporation, by the council of which it was passed, shall pay to the owner of the road his costs of and incidental to the arbitration and award, including the arbitrators' fees, if they have been paid by him. 1 Edw. VII. c. 33, s. 8, *part.*; 2 Edw. VII. c. 35, s. 4, *part.*

Where election not to take road within one year after award owner to be paid his costs.

**81.** In the cases provided for by section 77, if the councils of the initiating county and of the city, separated town or other county, within one year after the publication of the award, elect that the road shall not be taken, the corporations shall pay in equal shares to the owner of the road his costs of and incidental to the arbitration and award, including the arbitrators' fees, if they have been paid by him. 1 Edw. VII. c. 33, s. 8, *part.*; 2 Edw. VII. c. 35, s. 4, *part.*

Power of purchasing municipality to pass by-law to borrow amount of purchase money.

**82.** The council of a corporation which has purchased or expropriated a road under the provisions of sections 76 or 77, may pass a by-law for borrowing the amount required to pay the purchase or compensation money for any period not exceeding 30 years, and it shall not be necessary that the by-law shall be submitted for or receive the assent of the electors. 2 Edw. VII. c. 35, s. 2, *part.*

Assent of electors.

Power of initiating county and other municipalities to pass such by-law.

**83.** The council of the initiating county and of the city, separated town or other county, in case the road has been purchased or expropriated under the provisions of subsection 1 of section 77, may respectively pass by-laws for borrowing the amount required to pay the corporation's share of the purchase or compensation money for any period not exceeding 30 years, and it shall not be necessary that any such by-law shall be submitted for or receive the assent of the electors. 2 Edw. VII. c. 35, s. 2, *part.*

Assent of electors.



**84.** Where the corporation of a county which has purchased or expropriated a road under the provisions of this Part, or which is liable under the provisions of section 77 to pay a part of the purchase or compensation money to be paid for a road purchased or expropriated under the provisions of that section, is of opinion that any local municipality in the county is not materially or is only slightly benefited by the acquisition of the road or the abolition of the tolls thereon, the corporation of the county may pay to the corporation of such local municipality such sum by way of bonus as the council may deem sufficient to equalize the burden imposed on it by the acquisition of the road, or in the alternative where the road is situated in but one or in a small number of the municipalities in the county, or where some of the municipalities are not, in the opinion of the council, interested in the acquisition of the road or the abolition of the tolls thereon, such council may by the by-law apportion the indebtedness to be created by the by-law between the local municipalities in the county as the council may deem just, and may provide that the portion of the indebtedness to be borne by each of the municipalities, as so apportioned, and the interest thereon, shall be provided for by a special rate on the rateable property in such municipality, or the council may, in its discretion, equalize the burden by granting a bonus to any such municipality as the council may deem best. 2 Edw. VII. c. 35, s. 2, 3, *part.*

Local municipality not materially or only slightly benefited may be paid bonus.

**85.** Where the council determines to grant a bonus to a municipality under the provisions of the next preceding section, the council may provide that the amount of the bonus shall be added to the sum to be borrowed to pay the purchase or compensation money or the portion of it which the county is to pay in the cases provided for by section 83. 2 Edw. VII. c. 35, s. 2, *part.*

Amount of bonus may be added to sum borrowed.

**86.** The clerk of the county council shall, on or before the 31st day of December in each year, transmit to the clerk of each local municipality a written statement of the amount to be levied by it during the next ensuing year for the purpose of providing the amount necessary to meet the annual payments provided for by the by-law, and the council of such municipality shall levy the amount accordingly, and pay over the same when collected to the treasurer of the county. 1 Edw. VII. c. 33, s. 11.

County clerk to transmit each year to clerks of local municipalities amounts to be levied.

**87.** Subject to the provisions of the next following section, where a road is acquired by a corporation under the provisions of this Part, the road shall thereafter be free of toll, and shall be a common and public highway, and shall be kept in repair by this corporation. 1 Edw. VII. c. 33, s. 12, *part.*

Subject to following section road to be free of toll.

Abolition of tolls may be deferred, but for not more than ten years.

**88.** The council of the county or of the township, which has acquired the road, may defer the abolition of tolls for a period of not more than ten years, and may, during that time, apply the proceeds of the tolls towards the payment of the debentures issued under the authority of this Part, and, in the case of a township, the road shall be kept in repair by the corporation of the township, and in the case of a county, shall be kept in repair by the local municipalities in the county in which the road is situate, or by such of them as the council of the county shall, by by-law, determine and prescribe. 1 Edw. VII., c. 33, s. 12 *part*.

On petition of 50 electors by-law to fix date for abolition of tolls.

**89.** Where a road is owned by the corporation of a township within which it is situate, the council of the township shall, within three months after the receipt of a petition, signed by 50 municipal electors, requiring it so to do, pass a by-law fixing a date, not later than ten years from the passing of the by-law, upon which the collection of tolls shall cease. 1 Edw. VII., c. 33, s. 13, *part*.

Council may submit by-law for assent of electors.

**90.** The council may, before the passing of the by-law, submit it, or the question of passing such a by-law, for the assent of the electors, and, if their assent is not obtained, the council shall not be bound to pass the by-law. 1 Edw. VII., c. 33, s. 13, *part*.

Tolls to be paid to treasurer for maintenance of road.

**91.** Where a by-law has been passed under the provisions of the next preceding two sections all tolls thereafter collected shall be paid over monthly to the treasurer of the municipality, and shall be applied to the maintenance of roads within the municipality as the council may by by-law direct. 1 Edw. VII., c. 33, s. 14.

No tolls to be collected on part of road within city or town.

**92.**—(1) When a road has been acquired by a county under the provisions of this Part, and the tolls thereon have been removed, tolls shall not be collected from any part of the road which lies within the limits of a city or separated town, and thereafter the road so far as it lies within the county shall be under the jurisdiction of the county council within the meaning of *The Consolidated Municipal Act, 1903*. 2 Edw. VII., c. 35, s. 6.

Right of local municipality to acquire any part of road within or adjoining same.

(2) The corporation of any town, not separated from the county, township or village within the county may, with the consent of the corporation of the county, purchase, take over or otherwise acquire such road or the part of it lying within or adjoining such town, township or village, and may provide for the payment of the purchase money out of the general funds of the corporation and the road so acquired shall be a common and public highway, and shall be kept

in repair by the corporation of the municipality by which it is acquired. 5 Edw. VII., c. 13, s. 24.

**93.** Chapters 193 and 239 of the Revised Statutes of <sup>Repeal.</sup> Ontario, 1897; chapter 33 of the Acts passed in the first year; chapter 35 of the Acts passed in the second year; section 58 of chapter 7, and chapter 14, of the Acts passed in the third year; section 68 of chapter 10, and chapter 14, of the Acts passed in the fourth year; section 24 of chapter 13 of the Acts passed in the fifth year, and chapters 28 and 44 of the Acts passed in the sixth year of the reign of His late Majesty King Edward the Seventh, are repealed.

No. 99.

1st Session, 13th Legislature,  
2 George V., 1912.

BILL.

An Act respecting Toll Roads.

1st Reading. 1912.

Mr. REAUME.

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

# BILL

## An Act to regulate Maternity Boarding Houses and for the Protection of Infant Children.

SHORT TITLE, s. 1.	REGISTER OF INMATES, ss. 8, 9.
"MEDICAL OFFICER OF HEALTH," MEANING OF, s. 2.	NOTIFICATION OF BIRTHS, s. 10.
MATERNITY BOARDING HOUSES NOT TO BE KEPT WITHOUT REGIS- TRATION, s. 3.	NOTIFICATION OF DEATHS, s. 11.
INFANTS NOT TO BE NURSED FOR HIRE WITHOUT REGISTRATION, s. 4.	INSPECTION OF REGISTERED HOUSES s. 12.
REGISTRATION OF HOUSES, ss. 5-7.	ADOPTION OF CHILDREN, ss. 13, 14.
Refusal of registration, s. 6.	RECORD OF ANTECEDENTS OF IN- MATES, s. 17.
Cancelling registration, s. 7.	OFFENCES AND PENALTIES, ss. 13-18.
	EXPENSES OF ENFORCING ACT s. 19.
	REPEAL, s. 20.

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

1. This Act may be cited as *The Maternity Boarding House Act*. (New.) Short title.

2. In this Act "Medical Officer of Health" shall mean the "Medical Health Officer," meaning of Medical Officer of Health of the municipality in which any house required by this Act to be registered is situate, and where the house is situate in territory without municipal organization, shall mean and include the medical officer of health appointed for the locality under *The Public Health Act*. (New.)

3. No person shall receive or retain for hire or reward any woman or girl for accouchement, or keep unmarried women or girls, being mothers of infants and not being married, with infants for board or lodging, or keep a maternity boarding house, unless registered under this Act. R.S.O. 1897, c. 258, s. 15; 61 V. c. 32, s. 2. Maternity boarding houses not to be kept unless registered.

Home for infant children not to be kept unless registered.

4. No person shall retain or receive for hire or reward one or more infants under the age of three years, for the purpose of nursing or maintaining such infant or infants, for a longer period than twenty-four hours, except in a house which has been registered as herein provided; but any person may be exempted from the provisions of this section by the medical officer of health of a city or by the Superintendent of Neglected and Dependent Children on proof that one child only is thus cared for. R.S.O. 1897, c. 258, s. 16; 61 V. c. 32, s. 3.

Register of maternity boarding houses and infants' homes

5.—(1) The medical officer of health or any officer specially appointed by him for that purpose shall keep a register of the names of persons applying to register under this Act, and therein shall cause to be registered the name and house of every person so applying and the situation of the house; and the medical officer of health shall fix the number of women or girls or infants who may be received into any house so registered.

Registration, duration and fee for.

(2) The registration shall remain in force for one year, and a fee, not exceeding \$10, shall be charged for registration. R.S.O. 1897, c. 258, s. 17; 61 V. c. 32, s. 4.

Discretion as to registration.

6. The medical officer of health may refuse to register any house unless satisfied that it is suitable for the purposes for which it is to be registered, and unless satisfied by the production of certificates that the person applying to be registered is of good character and able to maintain, keep and properly lodge such women or girls or infants. R.S.O. 1897, c. 258, s. 18; 61 V. c. 32, s. 5.

Cancelling registration.

7. If it is shown to the satisfaction of the medical officer of health that a person whose house has been so registered as aforesaid has been guilty of serious neglect or is incapable of providing the women or girls or infants intrusted to his care with proper food and attention, or that the house specified in the register has become unfit for the reception of women or girls or infants, the medical officer of health may remove the name and house from the register. R.S.O. 1897, c. 258, s. 19; 61 V. c. 32, s. 6.

Register to be kept by keeper of boarding house or home.

8. Every person registered as aforesaid shall immediately enter in a register to be kept by him the name and age of every woman or girl or infant and also the place from which such woman or girl or infant came before entering such house, and shall also enter in the register the name of the medical practitioner who attended at any birth taking place in such house or who attended any infant in such

house, and when such woman or girl or infant leaves the house, the place to which they are removed, and the date of such removal; also whether the infant was taken away with the mother or how otherwise disposed of, or how children boarded without their mothers are disposed of, and shall forthwith transmit to the medical officer of health a copy of every entry made in the register, and shall produce the register when required by the medical officer of health or any person appointed by him, and in the event of his refusing so to produce the register or neglecting to enter in a register the particulars hereinbefore required, he shall incur a penalty not exceeding \$20. R.S.O. 1897, c. 158, s. 20; 61 V. c. 32, s. 7.

**9.** The person registered shall be entitled to receive <sup>Forms for registration to be furnished to keepers.</sup> gratuitously from the medical officer of health a book of forms for the registration of persons received into such house, which shall also contain a printed copy of this Act. R.S.O. 1897, c. 258, s. 21; 61 V. c. 32, s. 8.

**10.** The person so registered shall see that every birth <sup>Births in houses to be attended by physician.</sup> which takes place in such house shall be attended by a legally qualified medical practitioner who shall forthwith report to the medical officer of health the fact of such birth having taken place, and shall also register the same in the manner provided by *The Vital Statistics Act*. R.S.O. 1897, c. 258, <sup>8 Edw. VII. c. 28.</sup> s. 23.

**11.** The person so registered shall within twenty-four <sup>Registered persons to give notice of all deaths occurring in house to M. O. H.</sup> hours after the death of any inmate of such house, whether a woman or girl or an infant born therein, or brought there to as a boarder, cause notice thereof to be given to the medical officer of health, who shall immediately call the coroner to hold an inquest on the body of such person, unless a certificate under the hand of a registered medical practitioner is produced to him by the person so registering that such medical practitioner had personally attended or examined the person so dying and also specifying the cause of death, and the medical officer of health is satisfied by certificate that there is no ground for holding an inquest. R.S.O. 1897, c. 258, s. 24.

**12.** The medical officer of health shall provide for the <sup>Visiting and inspecting maternity boarding houses and homes for infants.</sup> visiting and inspecting, from time to time, of every house so registered; and the person appointed to inspect shall be entitled to enter the house at any time and examine every part thereof, and call for and examine the register kept by the person registering the house, and to inquire into all matters concerning the house and the inmates thereof; and the person registered shall give all reasonable information to the person making the inspection, and afford him every reason-

able facility for viewing and inspecting the premises, and seeing the inmates thereof. R.S.O. 1897, c. 258, s. 25; 61 V. c. 32, s. 9.

Adoption of children from homes.

**13.** No child under three years old, whether an inmate of such house or born therein or brought thereto or otherwise, shall be given out for adoption except by and with the consent of a children's aid society, or other duly incorporated benevolent or charitable institution or society or of the Superintendent of Neglected and Dependent Children of Ontario, under such rules and regulations in that behalf as may be approved of by the Lieutenant-Governor in Council. R.S.O. 1897, c. 258, s. 26; 61 V. c. 32, s. 10.

Penalties for advertising for children for adoption.

**14.** No person registered under this Act shall advertise that he will adopt a child or children or hold out inducements to parents to part with their offspring; and when any such child is transferred by his parents or is given out for adoption to other persons, such transfer shall be made with the knowledge and consent of the agent or secretary of the children's aid society, or of the Superintendent of Neglected or Dependent Children. R.S.O. 1897, c. 258, s. 27.

Securing registration or certificates by false representation or forgery.

**15.** No person shall make any false representation for the purpose of obtaining registration under this Act, or make use of any false certificate knowing it to be false, or falsify any register kept in pursuance of this Act. R.S.O. 1897, c. 258, s. 28.

Registers, contents of, not to be disclosed.

**16.** The medical officer of health shall not, nor shall any officer employed by him, nor shall the person registered as keeper of any house, divulge or disclose the contents of the register or any of the particulars entered therein, except upon inquiry before a court of law, or at a coroner's inquest, or before some other competent tribunal, or, in the case of such officer or registered person, for the information of the medical officer of health. 61 V. c. 32, s. 12 (1).

Record of antecedents of inmates.

**17.** The managers of every maternity hospital, infants' home or other refuge for women, shall ascertain and record the antecedents of women and girls coming under their care, and shall furnish to the medical officer of health such information in their possession as may be called for from time to time. R.S.O. 1897, c. 258, s. 22.

Penalty for violation of Act.

**18.**—(1) Every person who contravenes any of the provisions of this Act shall incur a penalty not exceeding \$100, to be recoverable under *The Ontario Summary Convictions Act*, and shall in addition be liable to have his name and



house removed from the register. R.S.O. 1897, c. 258, s. 29;  
61 V. c. 32, s. 11.

(2) Every prosecution under this Act shall take place before a Police Magistrate or two Justices of the Peace.  
R.S.O. 1897, c. 258, s. 30.

Trial of  
offences  
against  
Act.  
10 Edw. VII.  
c. 37.

**19.** All expenses incurred in and about the execution of this Act and the trial of offenders thereunder shall be borne by the municipality in which the registered house is situated, or in case it is situated in territory without municipal organization, by the Province. R.S.O. 1897, c. 258, s. 31.

Expenses  
of Act to be  
borne by  
municipality.

**20.** Chapter 258 of the Revised Statutes, 1897, and Chapter 32 of the Acts passed in the 61st year of the reign of Her late Majesty Queen Victoria, are repealed.

Rev. Stat. c.  
258; 61 V.  
c. 32.  
repealed.





No. 100.

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1st Session, 13th Legislature,  
2 George V., 1912.

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BILL.

An Act to Regulate Maternity Boarding  
Houses and for the Protection of  
Infant Children.

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1st Reading.                      1912.

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Mr. HANNA.

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TORONTO:  
PRINTED BY L. K. CAMERON,  
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